



ANNO VICESIMO QUARTO & VICESIMO QUINTO

VICTORIÆ REGINÆ.

Cap. 4.

An Act to authorize The Most Noble *George Granville William Duke and Earl of Sutherland* and *Anne Duchess of Sutherland* to disentail the Estate of *Cromarty*, and to grant a new Entail thereof. [6th August 1861.]

WHEREAS *John Mackenzie* Esquire, commonly called Lord *Macleod*, by a Procuratory of Resignation and Deed of Entail, dated the Third Day of *May*, and recorded in the Register of Tailzies at *Edinburgh* the Twenty-seventh Day of *June*, and in the Books of Council and Session at *Edinburgh* the Twenty-first Day of *July*, in the Year Seventeen hundred and eighty-six, (which Deed is in this Act termed the *Cromarty* Entail,) bound and obliged himself and his Heirs and Successors whomsoever to make due and lawful Resignation in the Hands of his Superiors to and in favour of himself and the Heirs Male of his Body; whom failing, to the Heirs Female of his Body; whom failing, to the now deceased Colonel *George Mackenzie*, his Brother German, and the Heirs Male of the Body of the said *George Mackenzie*; whom failing, to the deceased *Kenneth Mackenzie*, Esquire, Cousin of the said *John Mackenzie*, commonly called Lord *Macleod*, only lawful Son of the deceased *Roderick Mackenzie* Esquire, who was Brother German of *George Earl of Cromarty*, the Father of the said *John Mackenzie* commonly called Lord *Macleod*, and to the Heirs Male of the Body

Deed of Entail by Lord Macleod, dated 3d May 1786.

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of the said *Kenneth Mackenzie*; whom failing, to the Heirs Female of the Body of the said Colonel *George Mackenzie*, Brother of the said *John Mackenzie*, commonly called Lord *Macleod*; whom failing, to the deceased Lady *Isabella Mackenzie*, eldest Sister of the said *John Mackenzie*, commonly called Lord *Macleod*, then Relict of the deceased *George Lord Elibank*, and the Heirs Male of her Body; whom failing, to the Heirs Female of the Body of the said Dowager Lady *Elibank*; whom failing, to Lady *Mary Mackenzie*, now deceased, Second Sister of the said *John Mackenzie*, commonly called Lord *Macleod*, and at the Date of the said Procuratory of Resignation Relict of *Middleton* Esquire; whom failing, to *Jabez Mackenzie* or *Clark*, then a Captain in the Service of the *English East India* Company, only Son of the said Lady *Mary Mackenzie* by *Clark* Esquire, her First Husband, and the Heirs Male of the Body of the said *Jabez Mackenzie* or *Clark*; whom failing, to the Heirs Female of his Body; whom failing, to *Thomas Drayton*, only Son of the said Lady *Mary Mackenzie* by the deceased *Drayton* Esquire, her Second Husband, and the Heirs Male of the Body of the said *Thomas Drayton*; whom failing, to the Heirs Female of his Body; whom failing, to the other Heirs Male of the Body of the said Lady *Mary Mackenzie*; whom failing, to the Heirs Female of her Body; whom failing, to Lady *Caroline Mackenzie*, now deceased, third surviving Sister of the said *John Mackenzie*, commonly called Lord *Macleod*, then Wife of *Walter Hunter* Esquire, of *Polmood*, and the Heirs Male of her Body; whom failing, to the Heirs Female of her Body; whom failing, to Lady *Jane Mackenzie*, Fourth Sister of the said *John Mackenzie*, commonly called Lord *Macleod*, and the Heirs Male of her Body; whom failing, to the Heirs Female of her Body; whom failing, to *James Glassford*, only Son procreated between the now deceased *John Glassford*, of *Dougalston*, Esquire, and the also deceased Lady *Margaret Mackenzie*, also Sister of the said *John Mackenzie*, commonly called Lord *Macleod*, and the Heirs Male of the Body of the said *James Glassford*; whom failing, to the Heirs Female of his Body; whom failing, to *Isabella Glassford*, eldest Daughter procreated between the said *John Glassford* and Lady *Margaret Mackenzie*, and the Heirs Male of her Body; whom failing, to the Heirs Female of her Body; whom failing, to *Euphemia Glassford*, youngest Daughter of the said *John Glassford* and Lady *Margaret Mackenzie*, and the Heirs Male of her Body; whom failing, to the Heirs Female of her Body; whom failing, to Lady *Augusta Mackenzie*, youngest Sister of the said *John Mackenzie*, commonly called Lord *Macleod*, then Wife of the now deceased Sir *William Murray* of *Ochertyre*, Baronet, and the Heirs Male of her Body; whom failing, to the Heirs Female of her Body; whom failing, to the Heirs Female of the Body of the said *Kenneth Mackenzie* Esquire, Cousin of the said *John Mackenzie*, commonly called Lord *Macleod*; whom all failing, to the nearest

Heirs

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Heirs or Assignees whomsoever of the said *John Mackenzie*, commonly called Lord *Macleod*, the eldest Heir Female and the Descendants of her Body always excluding Heirs Portioners, and succeeding without Division throughout the whole Course of Succession of Heirs whatsoever, as well as Heirs of Provision, so oft as the same shall descend to Females, and the Daughter of the Heir who was last in possession of the Lands and Heritages after mentioned (whether such Heir was served Heir of Tailzie or not) succeeding always preferably to the Daughters of any former Heir so oft as the Succession through the whole Course thereof shall devolve upon Daughters, and which the said *John Mackenzie*, commonly called Lord *Macleod*, by the said Procuratory of Resignation and Deed of Entail, declared to be his true Meaning, notwithstanding the foresaid general Destination of Heirs whatsoever of all and sundry the Lands, Baronies and other Heritages, herein-after described (which in this Act are termed the Estate of *Cromarty*); *videlicet*, the Lands and Barony of *Coigeach*; the Lands of *Milmaan*; the Miln of *Fodderty*, with Multures and Sequels thereof; the Lands of *Kirkton of Fodderty* and Lands of *Ballamullich*, with the Market yearly holden the Eighteenth Day of the Month of *September* upon the Muir of *Fodderty*, and the Customs, Tolls, and Privileges of a Free Market or Fair; the Town and Lands of *Ardavell*; the Lands of *Park*; the Town and Lands of *Ulladell*; the Town and Lands of *Inchveandie* and *Ochterneid*; and all and whole the Miln called *Tympan Miln*, with the Miln Lands, Multures, Sequels, and Knaveship thereof; the Kirklands of *Kinnetes*, with the Parsonage Teinds thereof included; the Lands of *Inchrorie*, with the Miln, Mill Lands, Multures, and Sequels thereof; the Lands of *Davochnacliroch* alias *Dachnaclear*, with the Shealling Place thereof, called *Garvoch* alias *Garbet*; the Lands and Sheallings of *Drumvaich* and *Breeinletter*; the Lands of *Milntown of Meddat*, and the Miln thereof; with the Office of Principal Serjeant or Mair of the Earldom of *Ross*, with the Mair's Croft in *Balconie*, the Croft called the Merk Lands of *Tullich*, with Power to the said *John Mackenzie*, commonly called Lord *Macleod*, and his foresaids, to depute and substitute Depute or Deputes, One or more, in the said Office of Principal Serjeant or Mair, and to collect, intromit with, and uplift the yearly Fees and Duties belonging to the said Office; together with the Salmon Fishing, and Power of killing and catching other Fishes, as well small as great, in any Part as well upon the Sands of *Nigg* as upon and near the said Lands of *Milntown*, with Power also to the said *John Mackenzie*, commonly called Lord *Macleod*, and his foresaids, to have and build Zairs and Stells in any Part of the said Sands upon the said Lands or Sands of *Nigg*, and of killing Salmon in any Part of the said Lands, and of having and keeping Boats, Nets, and other Materials for that Effect; the Lands of *Kilnimuir*, *Kelnacliroch* alias *Delnacleroch*, and *Milnamorich*;
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the Lands of *Pitcandie* alias *Pitveandie*, *Glacktamaline*; the Lands and Barony of *Delnie*, comprehending therein all and sundry the Lands, Milns, Multures, Woods, Fishings, Stells, Alehouses, and others particularly underwritten, *videlicet*, the Towns and Lands of *Meikle-Allan* alias *Allanmore*, and Brew Lands thereof, *Calrossie*, *Drummedat* alias *Drummeach*, *Glastullich*, *Drumgillie*, *Meikle-Meddat* alias *Meddatmore*, with the Brew Lands and Brewery thereof, without the Toft and Croft, the Lands of *Wester Pollo*, *Badebea*, *Ruves*, *Knocknapark*, *Ballintrade*, *Fecklachie*, *Ardnagavock*, *Delnie*, with the Brewhouse thereof with the Toft and Croft, and Two Brewhouses without Toft and Croft, Orchard of *Delnie*, *Culreathie*, *Inchfuird* alias *Inchfuir*, *Kincraig*, *Culkainzie*, *Craigmiln*, with the Multures and Brewhouses thereof; *Cunlichmanoch*, *Cunlichmore*, *Breckach*, *Balconie*, with the Brewhouse and *Flucker's Croft*; the Half *Davach* Lands of *Culmalachie* alias *Culmeachie*; the Miln of *Alness*, with the astricted Multures thereof; the Fishing called the *Stell* of *Ardroy*, with the Zair of *Balconie* and Brewhouses thereof; the Lands of *Swardell*, *Fyres*, *Culcraigie*, with the Miln and Multures of the said Miln and Brew Lands of the same; the Lands of *Milntown* of *Culmalachie*, over *Culmalachie*, the Fishing of *Ardmore*, called the *Stell* thereof, the Miln of *Catwell*, with the Multures thereof; the Lands of *Easter Pollo* alias *Polnichol*, and *Auchinacloig*; as also the Lands of *Morichmore*, near that Part of the Sea called the *Bridge*; and sicklike the Milntown and Mill of *Culbockie*, with the Multures and Pertinents thereof, together with the Advocation, Donation, and Right of Patronage of all and sundry the Parish Churches, as well Parsonage as Vicarage, underwritten, *videlicet*, *Kilmuir*, *Ardersier*, *Kilternan*, *Fodderty*, *Urquhart*, *Gillychrist*, *Kilmorach*, *Logie*, *Tain*, *Eddertown*, *Suddy*, *Kinnetes* alias *Kinaltie*, *Rosemarkine*, *Cromarty*, *Urray*, *Cullicudden*, *Roskeen*, *Kincardine*, and *Alness*, all lying within the Diocese of *Ross* and Sheriffdoms of *Inverness*, *Ross*, and *Cromarty*; with the Advocation, Donation and Right of Patronage of all and sundry the Chaplainries underwritten, *videlicet*, the Three Chaplainries of *Alness*, erected upon the Parsonage Teinds of the Parish Church of *Alness*, and the Chaplainries of *Newmore* and *Fairlogie*, lying within the said Diocese of *Ross*, and of old within the Sheriffdom of *Inverness*, and now of *Ross* by Annexation, with all and sundry Castles, Towers, Fortalices, Milns, Woods, Fishings, Parts, Pendicles, Annexis, Connexis, Dependencies, Tenants, Tenandries, and Service of free Tenants of all and sundry the Lands, Baronies, and others aforesaid, with the Pertinents, all united, erected, and incorporated in a ne hail and free Barony commonly called the Barony of *Delnie*; and in like Manner the Quarter Land of *Meikle Ground-Zaird*, with the Waters and Salmon Fishing in the Bay of *Ground-Zaird*, with the Advocation, Donation, and Right of Patronage of the Parish Church of *Lochbroom*;

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broom; the Five Parks of Land of *Auchagier*, the Lands of *Keppach*, *Kildonan*, *Rederach*, *Arigalach*, *Larichentevoir*, *Elinakip*, *Auchanazie* alias *Auchanachie*, *Bellurn* alias *Bellon*, *Auchaistaldinray* alias *Auchnascaldistray*, *Auchadascaledunisk*, *Strathnashallog*, the Grazings of *Neid* and Forests of *Fanich*, with their respective Grazings, Privileges, and Jurisdictions of Forestry in the Bounds thereof; the Lands of *Pitogartie* lying within the Parish of *Tain*, and the Sum of Four Pounds *Scots* yearly payable out of the Lands of *Easter Tarbet* to the Chaplain of *Balnagown*; the Burgh of Barony of *Tarbat*, formerly called the Town of *Milntown*, and Burgh of Barony of *Portmaholmack* alias *Castlehaven*, formerly called the Town or Village of *Portmaholmack*, and hail Power, Privileges, and Immunities thereto belonging, and particularly of creating and electing Bailies within the said Burgh of Barony, and all Members of Court, and of keeping weekly Markets within the same, and a yearly Fair at *Tarbat*, and to build and erect a commodious Port and Harbour for fit Accommodation of Ships and Barks coming to the said Port or Harbour of *Portmaholmack* alias *Castlehaven*, and to uplift the Tolls and Customs belonging to the said Markets, Fairs, and Ports; all which Land, Baronies, Rights of Patronage of Churches and Chaplainries, Milns, Woods, Fishings, Teinds, and others particularly above specified, with the Pertinents, are united, annexed, and incorporated in ane hail, full, and free Barony, called the Barony of *Tarbat*, and all and whole the Burgh of Regality, being in effect the foresaid Town of *Milntown*, formerly erected in ane Burgh of Barony, with Power of building, having, and keeping, within the said Burgh of Regality called the Burgh of Barony and Regality of *Tarbat* a Tolbooth, a public Weigh-house and Market Cross, and with the Fees, Casualties, Profits, and Emoluments thereof, and all other Powers, Liberties, Privileges, and Jurisdictions which pertained to *George* late Earl of *Cromarty*, in so far as the same are not now abolished by Law; the Oxgate of Land of *Midgaines*, commonly called the Oxgate of *Donald MacWilliam*, lying within the Parish of *Fearn* and late Regality thereof; the Town and Lands of *Amatnatua*, lying within the Parish of *Kincardine*; the Towns, Lands, Acres, Crofts, and others underwritten, with their Pertinents, *videlicet*, the Half of the Manor Place of *Fearn*, of old called the Monastery of *Fearn*; the Half of the Yards and Orchards of the said Monastery of *Fearn*; the Towns and Lands of *Easter* and *Middle Gaines*, with the Alehouse and Alehouse Croft thereof; the Towns and Lands of *Bellamuckie* and *Bellavaick* alias *Bellanrieck*; the Towns and Lands of *Catbofisher* and *Tullich*; the Towns and Lands of *Lachlavaig* and *Salachie* and *Muckernich*; the Half of the Lands of *Cottars Delvings*, and Eight Acres of Lands of old possessed by the Fishers of *Fearn*; the Town and Lands of *Little Milntown* of *Fearn*; the Town and Lands of *Little Rainy*; the Lands of *Ballblair*, with the Alehouse

[*Private.*]

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and Alehouse Croft; the Towns and Lands of *Easter Fearn*, together with the Right of Superiority and of the Feu Duties of the Half of the said Abbacy of *Fearn*, afterwards called the Barony of *Gaines*, sometime pertaining to Sir *William Saint Clair* of *Moy*, and afterwards to *George* Lord *Tarbat*; and also the Three Chaplainries of *Alness* founded upon the Teind Sheaves of the Parish Church of *Alness*, together with the Chaplainries of *Newmore* and *Fairlogie*, the Chaplainries of *Kildin*, *Saint Catherine's in Chanonry*, Chapel Lands at *Saint Catherine* and *Saint Mary*, at the Burgh of *Dingwall*, *Ardifaillie*, *Mullochie*, *Easter Rarichies*, *Drums* alias *Drummond*, *Saint Monan's* by Assumption, *Obsdell*, *Priesthill*, *Ulladell* alias *Saint James' Chaplainrie*, *Morinchies*, *Fairlogie*, *Cambuscunys*, the Chaplainries of *Tarbat*, *Drumkeith*, *Applecross*, *Fyres*, *Cullicraigie*, *Roskeen*, *Kilmuir*, the Chaplain Lands of *Alness*, *Balnagowan*, *Balconie* alias *Cunlishie*, *Clynes*, *Multaves*, *Follie*, *Kincardie*, the Chaplainrie of *Saint Lawrence* at the Castle of *Dingwall*, *Tenoivar*, *Teninich*, *Contulich*, the Sacristy or Spiritual Provostry of *Tain* and Prebendaries thereof, with the hail Casualties of the same, all lying within the Diocese of *Ross* and Sheriffdoms of *Inverness*, *Ross*, and *Cromarty* aforesaid respective; the Lands, Sheallings, and Grazings of *Kinlochlichart*; the Town and Lands of *Priesthill* and *Tobernagallader*, with the Parsonage Teinds and other Teinds, as well great as small, Parsonage and Vicarage, of the said Lands; and all and sundry the Isles, Lands, and others underwritten, *videlicet*, the Lands of *Barry*, *Watersay*, *Sandiray*, *Phappy*, *Migillay*, *Berneray*, the Isles of *Ferray* and *Killigilt*, and hail remanent Lands and Islands adjacent to the said Isle of *Barry*, called the *Pendicle Isles* of *Barry*; the Lands called *Tirrung* of *Degastill*, lying in *South Uist*, and of old occupied by *Macneil* of *Barry*, *Tirrungs* of *Finday*, *Kilbarry*, *Niclein*, *Grangeburrow*; the *Tirrung* of *Kellas* and *Hannugastill*, with the Castle of *Keismill*, now united, annexed, and incorporated in ane hail and free Barony called the Barony of *Barray*; as also the Right and Privilege reserved by the deceased *George* Earl of *Cromarty* to himself and his Heirs in the Rights and Infestments granted by him to *Sir Kenneth Mackenzie*, his Second lawful Son, of a Girdel House and Ground at the Ness or West End of the Town of *Cromarty*, for transporting of their Corns in the said Shire of *Cromarty* from the Barn Floors of the Tenants and Possessors of their Lands to the Ness of *Cromarty*, or where Ships, Vessels, or Boats lie, with free Passage over the Ferry of *Cromarty*, and all other Privileges and Liberties contained in the former Rights and Infestments; all and whole the full Power, Warrant, Right, and Title of planting and preserving Oyster Scalps, One or more, within the Bay of *Cromarty*, from the Two Sutors thereof as far as *Cullicudden* on both Sides of the said Bay of *Cromarty*,

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marty, and particularly within the Barony of *Tarbat*, with the sole Privilege to the said *John Mackenzie*, commonly called Lord *Macleod*, and his foresaids, and those having Warrant and Licence from them allenary of fishing and taking Oysters within the said Bounds; all which Towns, Lands, Baronies, Milns, Miln Lands, Teinds, Patronages, Burghs of Barony and Regality, and others particularly and generally above mentioned (excepting such Lands and others of the said Barony of *Delnie* as are in the said Procuratory of Resignation and Deed of Entail particularly excepted) are united, annexed, created, and incorporated in ane haill and free Barony to be called the Barony of *Tarbat*; and sicklike the Town and Lands of *Cutleleod*, now called *Castleleod*, and *Glenseuch* alias *Glenskeach*, with Annexis, Connexis, Parts, Pendicles, and universal Pertinents thereof; and also the Lands of *Dovecroft*; the Lands of *Brighthouse* and *Alehouse Croft* thereof, the Lands of *Milncroft*, the Lands of *Weitlands*, and that Pendicle and Portion of the Abbacy of *Fearn*, called *Elvin* and *Knockan*, in *Assint*, the Town and Lands of *Invercharran*, with the *Alehouse* and *Alehouse Croft*, as the said Lands, Baronies, and other Heritages are particularly described in the said Procuratory of Resignation and Deed of Entail, and in an Instrument of Sasine in favour of the said *Kenneth Mackenzie*, dated the Seventeenth, and recorded in the Particular Register of Sasines at *Inverness*, the Eighteenth Days of *August* Seventeen hundred and eighty-nine, but with and under the Conditions, Provisions, Restrictions, Limitations, Clauses irritant and resolute, Declarations, and Reservations, particularly specified in the said Procuratory of Resignation and Deed of Entail: And whereas the said *John Mackenzie*, commonly called Lord *Macleod*, by virtue of the said Procuratory of Resignation and Deed of Entail, expedie a Charter of Resignation from the Crown of the said Estate of *Cromarty*, dated the Twentieth Day of *December* Seventeen hundred and eighty-six, and written to the Seal, registered and sealed the Thirtieth Day of *September* Seventeen hundred and eighty-eight; and he, having departed this Life, was succeeded in the said Estate of *Cromarty* by the said *Kenneth Mackenzie*, his Cousin, who made up Titles thereto, conform to Retour of his general Service as nearest and lawful Heir of Tailzie and Provision to the said *John Mackenzie*, commonly called Lord *Macleod*, dated the Eighteenth Day of *May* Seventeen hundred and eighty-nine, and Instrument of Sasine in his Favour following on the said Charter of Resignation and Retour, and dated and recorded as herein-before specified: And whereas the said *Kenneth Mackenzie* having departed this Life was succeeded in the said Estate of *Cromarty* by *Isabella Mackenzie* Lady *Elibank*, the eldest Sister of the said *John Mackenzie*, commonly called Lord *Macleod*, who made up Titles to the same, conform to Retour of her special Service as nearest and lawful Heir of Tailzie and Provision to the said *Kenneth Mackenzie*,

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Disposition
by Mrs. Hay
Mackenzie,
dated 24th
and 28th
June 1822.

Disposition
by Mrs. Hay
Mackenzie,

Mackenzie, dated the Eighteenth Day of *December* Seventeen hundred and ninety-seven, Precept from Chancery, issued by virtue of the said Retour, and dated the Fifth Day of *March* Seventeen hundred and ninety-eight, and Instrument of Sasine, following upon the said Precept, dated the Fifteenth Day of *March*, and registered in the Particular Register of Sasines at *Inverness*, the Third Day of *May* Seventeen hundred and ninety-eight: And whereas the said *Isabella Mackenzie Lady Elibank* having departed this Life was succeeded in the said Estate of *Cromarty* by her eldest Daughter, the Honourable *Maria Murray Mackenzie* of *Cromarty*, Wife of *Edward Hay Mackenzie* Esquire, of *Newhall*, who made up Titles thereto, conform to Retour of her special Service as nearest and lawful Heir of Tailzie and Provision to her said Mother, dated the Eighth Day of *March* Eighteen hundred and two, Precept from Chancery, issued by virtue of the said Retour, and dated the Twenty-second Day of *March*, Eighteen hundred and two, and Instrument of Sasine, following upon the said Precept, dated the Twenty-seventh Day of *March*, and registered in the Particular Register of Sasines at *Inverness* the Fifteenth Day of *April* Eighteen hundred and two: And whereas by Disposition dated the Twenty-fourth and Twenty-eighth Days of *June* Eighteen hundred and twenty-two, and recorded in the Books of Council and Session at *Edinburgh* the Sixteenth Day of *April* Eighteen hundred and thirty-five, the said *Maria Hay Mackenzie*, with Consent of *Charles Selkrig*, Accountant in *Edinburgh*, acting Trustee nominated by her, disposed to herself in Life Rent, and to *John Hay Mackenzie* Esquire, her only Son, in Fee, and to the other Heirs called after him by the foresaid Deed of Entail, under all the Conditions, Restrictions, and Limitations of the said Entail, all and whole the Lands and Barony of *Coigeach*, with the Tower, Fortalice, Manor Place, Mills, Fishings as well in Salt as in Fresh Waters, Parts, Pendicles, Tenants, Tenandries and Services of Free Tenants, with the whole Pertinents thereof, lying lately within the Sheriffdom of *Ross*, and now by Annexation within the Sheriffdom of *Cromarty*; as also all and whole the following Parts and Portions of the Lands and Barony of *Delnie*, videlicet, the Lands of *Kincraig*, the Lands of *Cunlichmanoch*, *Cunlichmore*, and *Breckach*, and the Lands of *Auchnacloigh*, with their Pertinents, lying within the Parish of *Rosekeen* and Sheriffdom of *Ross*; whereupon the said *Maria Hay Mackenzie* and *John Hay Mackenzie* expedite a Charter of Resignation from the Crown, dated the Fifth Day of *July*, and written to the Seal and registered and sealed the Sixth Day of *September* Eighteen hundred and twenty-two, and were infeft and seized in the Lands and others so disposed for their respective Rights of Life Rent and Fee, conform to Instrument of Sasine, dated the Nineteenth, and registered in the General Register of Sasines at *Edinburgh* the Twenty-third Days of *September* Eighteen hundred and twenty-two: And whereas by another Disposition, dated the Seventh and Tenth Days of *April* Eighteen

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Eighteen hundred and twenty-eight, and registered in the Books of Council and Session at *Edinburgh* the Sixteenth Day of *April* Eighteen hundred and thirty-five, the said *Maria Hay Mackenzie*, with Consent of the said *Charles Selkrig*, disposed to herself in Life-rent, and to the said *John Hay Mackenzie* in Fee, and to the other Heirs of Entail called by the foresaid Deed of Entail, under all the Conditions, Restrictions, and Limitations of the said Entail, all the Remainder of the said entailed Lands and Estate; upon which Disposition the said *Maria Hay Mackenzie* and *John Hay Mackenzie* were infeft and seised in the Lands and others so disposed for their respective Rights of Life-rent and Fee, conform to Instrument of Sasine in their Favour, dated the Twelfth and registered in the General Register of Sasines at *Edinburgh* the Twenty-ninth Day of *July* Eighteen hundred and twenty-eight: And whereas an Act was passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to vest Part of the Entailed Estate of Cromarty, lying within the County of Ross, and by Annexation within the County of Cromarty, in Trustees, in Fee Simple, for the Purpose of selling the same, and of paying Debts which affect or may be made to affect the said Entailed Estate, and for other Purposes connected therewith*; and under the Authority of the said Act the following Lands, being Parts of the Estate of *Cromarty*, were sold, and the Price thereof was applied as provided by the said Act, *videlicet*, the Lands of *Auchaistaldinray* or *Auchnascaldistray*, now called *Auchtiscaild*; the Lands of *Ardesse* or *Ardjessie*; the Lands of *Meikle-Ground-Zaird*, now called *Gruinzard*; the Island of *Gruinzard*; the Lands of *Auchnivie*; the Lands of *Glaslaccalleach* or *Glaslich*; the Lands of *Feanbeg*; the Forest or Lands of *Fannich*; and the Salmon and other Fishings of *Gruinzard*; with the Teinds of the said Lands in so far as the said *John Hay Mackenzie* had Right to the same: And whereas the said *John Hay Mackenzie*, by virtue of the Act passed in the Twentieth Year of the Reign of His Majesty King *George* the Second, intituled *An Act for taking away the Tenure of Wardholding in Scotland*, sold to *Alexander Matheson* Esquire, of *Ardross*, the Superiority or *Dominum directum* of the following Parts and Portions of the Lands and Barony of *Delnie*, *videlicet*, the Lands of *Cunlichmanoch*, *Cunlichmore*, and *Breckach* (in so far as the *Dominum utile* of the said Lands of *Breckach* belonged to the said *Alexander Matheson*), and the Lands of *Auchnacloigh*, as also of all and whole the Town and Lands of *Lachclavaig*, and *Sallachie* and *Muckernich*, but in so far only as regards the *Dominum directum* or Right of Superiority of the said Lands, the *Dominum utile* or Right of Property whereof already belonged to the said *Alexander Matheson*: And whereas by Disposition dated the Nineteenth Day of *June*, and recorded in the Books of Council and Session at *Edinburgh*, the Third Day of *July* Eighteen hundred and forty-nine, the said *John Hay Mackenzie* disposed the said Estate of *Cromarty* to *Anne Hay Mackenzie*,
 [Private.]

dated 7th
and 10th
April 1828.

Sale of Part
of the Estate
of Cromarty,
under 5 & 6
Will. 4. c. 19.

Sale of Super-
riorities by
John Hay
Mackenzie,
under Act of
20. Geo. 2.

Disposition
by John Hay
Mackenzie
to Anne
Duchess of

Mackenzie,

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Sutherland,
dated 19th
June 1849.

Mackenzie, now Duchess of *Sutherland*, his Daughter and only Child, and the other Heirs Female of the Body of the deceased Lady *Isabella Mackenzie*, Dowager Lady *Elibank*, his Grandmother, in Fee; whom failing, to the other Heirs of Entail called to the Succession of the said Estate by the said *Cromarty* Entail, but with and under the Conditions, Provisions, Reservations, and Clauses, prohibitory, irritant, and resolute, contained in the said *Cromarty* Entail, and under Reservation of his Life Use and Enjoyment of the said Estate, and under the Burden of the Provisions made by him out of the said Estate in favour of his Wife in case she should survive him; on which Disposition the said *Anne* Duchess of *Sutherland* was infest and seized in the said Estate, conform to Instrument of Sasine in her Favour recorded in the General Register of Sasines at *Edinburgh* the Eighteenth Day of *July* Eighteen hundred and forty-nine: And whereas the said *John Hay Mackenzie* died on the Ninth Day of *July* Eighteen hundred and forty-nine, and the said *Anne* Duchess of *Sutherland* is in the course of expeding a Crown Charter of Confirmation in order to complete her Title to the said Estate of *Cromarty*: And whereas the said *Maria Hay Mackenzie* had Three Daughters, *Isabella Hay Mackenzie* or *Buckle*, now deceased, Wife of *John Buckle* Esquire, *Dorothea Hay Mackenzie* or *Blair*, now deceased, Wife of Sir *David Hunter Blair* Baronet, also now deceased, and *Georgina Hay Mackenzie* Countess of *Glasgow*, Wife of the Right Honourable *James* Earl of *Glasgow*: And whereas the said *Isabella Hay Mackenzie* or *Buckle* had Two Sons, *Edward Buckle* and *John Manners Buckle*, and Four Daughters, *Isabella Dorothea Buckle* or *Hunter*, Wife of *Matthew Dysart Hunter* Esquire, *Eleanor Frances Buckle*, *Maria Emma Buckle*, and *Georgina Anne Buckie*: And whereas the said *Edward Buckle* has Three Children, *Isabella Maria Buckle*, *Evelyn Annie Buckle*, and *Eleanor Maud Buckle*, who are all in Minority; and the said *Isabella Dorothea Buckle* or *Hunter* has Five Children, *Martin Hunter*, *James Hunter*, *Isabella Hunter*, *Maria Jean Hunter*, and *Annie Hunter*, who are all in Minority: And whereas by Contract and Deed of Tailzie dated the Thirty-first Day of *August*, and recorded in the Register of Tailzies at *Edinburgh* the Thirteenth Day of *November*, and in the Books of Council and Session at *Edinburgh* the First Day of *December*, in the Year Eighteen hundred and thirty-five, made by and between *Elizabeth* Duchess of *Sutherland* and Countess of *Sutherland*, heritable Proprietrix of the Titles, Honour, and Dignity of the Earldom of *Sutherland*, and of the Lands and Heritages of the said Earldom and others first therein-after disposed, on the one part, and *George Granville*, Duke of *Sutherland*, Fiar, with Consent of the said *Elizabeth* Duchess and Countess of *Sutherland*, as Life-rentrix of the other Lands, Baronies and others, secondly therein-after disposed, on the second part (which Deed is in this Act termed the *Sutherland* Entail), they respectively disposed and conveyed to themselves for their

Deed of
Entail by the
Duchess,
Countess,
and Duke of
Sutherland,
dated 31st
August 1835.

Rights

The Duke of Sutherland's Estate Act.

Rights of Liferent and Fee; whom failing, to the Heirs whatsoever of the Body of the said *George Granville Duke of Sutherland*; whom failing, to the Right Honourable *Francis Egerton*, commonly called Lord *Francis Egerton* (afterwards Earl of *Ellesmere*), Brother of the said Duke, and the Heirs whatsoever of his Body; whom failing, to *Charlotte Countess of Surrey*, Sister of the said Duke, and the Heirs whatsoever of her Body; whom failing, to *Elizabeth Mary Countess Grosvenor*, Sister of the said Duke, and the Heirs whatsoever of her Body, the eldest Daughter or Heir Female always excluding Heirs Portioners, and succeeding without Division through the whole Course of Succession; whom all failing, to the Heirs whatsoever of the said *Elizabeth Duchess of Sutherland* and Countess of *Sutherland*, in their Order respectively, as the said Heirs whatsoever may severally in their Order become the Person, whether Male or Female, in possession of and entitled to succeed to the Title, Honours, and Dignity of Earl of *Sutherland* and Earldom thereof, the eldest Daughter and Heir Female always succeeding without Division, and to the Exclusion of Heirs Portioners, throughout the whole Course of Succession to the Lands and Heritages thereby disposed, in like Manner as such Heir Female would succeed without Division to the Title and Honours of the Earldom aforesaid; whom failing, in the Case of the Lands, Baronies, and Heritages first therein disposed, to the Heirs and Assignees whatsoever of the said *Elizabeth Duchess of Sutherland* and Countess of *Sutherland*, and in the Case of the Lands, Baronies, and Heritages secondly therein disposed, to the Heirs and Assignees whatsoever of the said *George Granville Duke of Sutherland*, heritably and irredeemably, all and sundry the Lordships, Baronies, Lands, Dignities, and others therein-after specified, with their Pertinents, *videlicet*, the Title, Honours, and Dignity of Earl of *Sutherland*, and the Earldom of *Sutherland*, and the Lands of the said Earldom, and the other Lands and Baronies first and secondly specified and described in the said Contract and Deed of Tailzie, but always with and under the Conditions, Provisions, Restrictions, Exceptions, Irritancies, Declarations and Reservations, and Clauses, prohibitory, irritant, and resolute, specified in the said Contract and Deed of Tailzie: And whereas the said *Elizabeth Duchess and Countess of Sutherland*, died on the Twenty-ninth day of *January* Eighteen hundred and thirty-nine; and the said *George Granville Duke of Sutherland* died on the Twenty-eighth Day of *February* Eighteen hundred and sixty-one, and was succeeded by his eldest Son, *George Granville William Duke and Earl of Sutherland*, who is the Heir in possession of the said Estate of *Sutherland*: And whereas the said *George Granville William Duke and Earl of Sutherland* is Proprietor in Fee Simple of the Estate of *Reay*, herein-after described, *videlicet*, all and sundry the Lands, Milns, Fishings, Teind Sheaves, and others after specified, comprehending and constituting the whole Estate and Country of

Reay

The Duke of Sutherland's Estate Act.

Reay (with the Exception of the Barony of *Farr*, which is contained in the Contract and Deed of Tailzie last above mentioned), which formerly belonged to the Right Honourable *Eric Lord Reay*, lying in the County of *Sutherland* or in the County of *Caithness*, as herein-after mentioned; *videlicet*, all and hail the Town and Lands of *Ribigill*, Miln and Miln Lands thereof; *Keanlochmore*, *Keanlochbeg*, *Mussal*, *Dalkeapach*, *Handryer*, *Arnaboll*, and the Salmon Fishings upon the Water of *Drietary*, *Hunlourn*, Miln and Miln Lands, *Eriboll*, *Strathbeg*, *Handchoirie*, Houp and Salmon Fishings thereof, the Forest and Forest Lands of *Diriemore*, and Forest Towns of *Auldinnie* and *Loane*, and Salmon Fishings thereof upon the Water of *Garnrone*, *Ardbeg*, *Ardmore*, *Keanlochbervie*, *Alschourbeg*, *Alschoormore*, *Carumanoch*, *Sandwood*, *Kearvag*, *Havesh*, *Keoldale*, and Salmon Fishings in the Water of *Duirness*, and Cruives thereof; *Crangillicle*, *Borlie*, *Slamaness*, *Balnakill*, *Forret*, *Gavell*, *Crossbell*, *Balnambulick* *Sandgaves*, *Handhoan*, *Rispyne*, *Fraskill*, *Strathmelness*, *Melness*, Milns and Miln Lands of the same; *Handgyle*, *Scorlummy*, *Strathtongue*, *Caldabacklie*, *Tongue*, Miln and Miln Lands thereof, *Kirkaboll*, *Scrabuster*, *Kinniesaide*, *Releyden*, *Oldlanguart*, *Tarrantarrow*, *Lettermore*, *Borgiemore*, *Torrisdale*, *Skerra*, *Handroyan*, and *Handcolme*; as also all and hail the Lands of *Edderachilles*, with the Pertinents thereof, *videlicet*, the Lands of *Fenziedailles*, *Saxfurd* or *Laxford*, with the Salmon Fishings of the same, *Scoriebeg*, *Scouriemore*, *Caldstroam*, and the Island of *Handa*, with the Teind Sheaves of all and sundry the foresaid Lands and Barony of *Ardurness* pertaining and belonging thereto, *videlicet*, of all and hail the Lands of *Galdwall*, *Kealdale*, *Cramugacle*, *Gerrongarve*, *Terragavich*, *Carumanoch*, *Boroly*, *Slaness*, and Salmon Fishings upon the Water of *Avongarrone* and *Sandwood*, and Salmon Fishings upon the Water of *Ardurness*, and the fishing of Cruives thereof whatsoever, with the Miln and Multures of the same, as also of the Island of *Hoa* and other Islands there; with the Seaports of all and sundry the Lands and others above written, and all other Fishings of the same, as well in Fresh as Salt Waters; as also the Lands of *Sandwood*, *Alschourbeg*, *Alschoormore*, with all and sundry Towers, Fortalices, Manor Places, Houses, Biggings, Yards, Orchards, Milns, Woods, Fishings, Wreck and Ware, Outsetts, Insetts, Annexis, Connexis, Dependencies, Sheallings, Pastures, Tenants, Tenandries, and Services of free Tenants, Parts, Pendicles, Privileges and Pertinents of the same whatsoever, as the said Lands and Estate are particularly described in a Disposition granted by the said *Eric Lord Reay* in favour of the Most Noble *George Granville* Marquis of the County of *Stafford*, afterwards Duke of *Sutherland*, Grandfather of the said *George Granville*, *William* Duke and Earl of *Sutherland*, dated the Fifteenth Day of *May*, and registered in the Books of Council and Session at *Edinburgh* the Second Day of *June* in the Year Eighteen hundred and twenty-nine; in virtue of which Disposition the said Marquis of *Stafford* was duly

infest,

The Duke of Sutherland's Estate Act.

infest, conform to Instrument of Sasine in his Favour, dated the Eighteenth, Nineteenth, Twentieth, Twenty-second, Twenty-third, Twenty-fourth and Twenty-fifth Days of *June*, and registered in the General Register of Sasines at *Edinburgh* the Thirteenth Day of *July* Eighteen hundred and twenty-nine; and a Charter of Confirmation, dated the Fifteenth Day of *March* Eighteen hundred and thirty, was granted by *Elizabeth* Marchioness of *Stafford* and Countess of *Sutherland*, Superior of the said Lands and Estate, with Consent of the said Marquis her Husband, and him, for his own Interest, in favour of the said Marquis, confirming the said Disposition and Instrument of Sasine; and on the Death of the said Marquis the said *George Granville* Duke of *Sutherland*, his eldest Son, completed his Title to the said Lands and Estate, conform to Precept of Clare constat by the said *Elizabeth* Duchess and Countess of *Sutherland* in his Favour, dated the Twelfth Day of *September* Eighteen hundred and thirty-three, and Instrument of Sasine thereon in his Favour, dated the Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twenty-first, Twenty-second, and Twenty-third Days of *October*, and registered in the General Register of Sasines at *Edinburgh* the Sixth Day of *November* Eighteen hundred and thirty-three; and the said *George Granville William* Duke and Earl of *Sutherland* has completed his Title to the said Lands and Estate, conform to general Disposition and Settlement by the said *George Granville* Duke and Earl of *Sutherland*, his Father, dated the Twenty-eighth Day of *January* Eighteen hundred and fifty-eight, and Instrument of Sasine following thereon in his Favour, registered in the General Register of Sasines at *Edinburgh* the Eighth Day of *July* Eighteen hundred and sixty-one: And whereas the said *George Granville William* Duke and Earl of *Sutherland* and *Anne* Duchess of *Sutherland* have Three Children now in Life, *videlicet*, *Cromartie Sutherland Leveson Gower*, commonly called Marquis of *Stafford*, *Francis Sutherland Leveson Gower*, commonly called Lord *Francis Sutherland Leveson Gower*, and Lady *Florence Sutherland Leveson Gower*, who are all in Minority: And whereas the said *George Granville William* Duke and Earl of *Sutherland* and *Anne* Duchess of *Sutherland* are desirous that the said Estate of *Cromarty* should be settled and entailed on the said *Anne* Duchess of *Sutherland*; whom failing, on the said Lord *Francis Sutherland Leveson Gower*, the Second surviving Son of the said *Anne* Duchess of *Sutherland*, and the Heirs Male of his Body; whom failing, on any Son or Sons to be hereafter born of the said *Anne* Duchess of *Sutherland*, in the Order of Seniority, and the Heirs Male of his or their Bodies; whom failing, on the Heirs Female of the Body of the said Lord *Francis Sutherland Leveson Gower*; whom failing, on the Heirs Female of the Body of any Son or Sons to be hereafter born of the said *Anne* Duchess of *Sutherland*, in the Order of Seniority of such Sons; whom failing, on the said Lady *Florence Sutherland Leveson Gower*, Daughter of the said *Anne* Duchess of *Sutherland*, and the Heirs whatsoever of her Body;

[Private.]

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whom

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whom failing, on any Daughter or Daughters to be hereafter born of the said *Anne* Duchess of *Sutherland*, in the Order of Seniority, and the Heirs whatsoever of her or their Bodies; whom failing, on the said Marquis of *Stafford*, eldest surviving Son of the said *Anne* Duchess of *Sutherland*, and the Heirs Male of his Body; whom failing, on the Heirs Female of his Body; whom failing, on the other Heirs called to the Succession of the said Estate of *Cromarty* by the said *Cromarty* Entail, and with and under the Conditions, Provisions, Restrictions, Limitations, Clauses, irritant and resolute, Declarations and Reservations, therein contained: And whereas the said Estate of *Cromarty* is of the yearly Value of Seven thousand nine hundred and eighty-four Pounds, as specified in the Schedule (A) to this Act annexed; and in order to afford an equivalent therefor to the Heirs who, by the Alteration of the Destination of the said *Cromarty* Entail, may be displaced from their Order of Succession to the said Estate of *Cromarty*, the said *George Granville William* Duke and Earl of *Sutherland* is willing to settle and entail the said Estate of *Reay*, which is of the yearly Value of Ten thousand and eighty-six Pounds Twelve Shillings and Tenpence, as specified in the Schedule (B.) to this Act annexed, on himself and the Heirs whatsoever of his Body; whom failing, on the other Heirs of Entail called to the Succession of the said Earldom and Estate of *Sutherland* by the said *Sutherland* Entail; whom all failing, on the Heirs and Assignees whatsoever of the said *Elizabeth* Duchess and Countess of *Sutherland*: And whereas, in consideration of and upon the said *George Granville William* Duke and Earl of *Sutherland* making such Settlement and Entail of the said Estate of *Reay* in manner foresaid, it is expedient that the said *Anne*, Duchess of *Sutherland*, with the Consent of the said *George Granville William* Duke and Earl of *Sutherland* should be authorized to disentail the said Estate of *Cromarty*, and, in the Manner and under the Conditions herein-after provided, to grant a new Entail of the said Estate, with the Exception of the Parts thereof which have been sold and conveyed by the said *John Hay Mackenzie* as herein-before mentioned; but, by reason of the Heirs whose Consents to such Disentail are required being in Minority and incapable of giving such Consents, that Object cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Instrument
of Disentail
may be
executed by
the Duchess
of Suther-
land, in
Form as in
Schedule(C.)

1. It shall be lawful for the said *Anne* Duchess of *Sutherland*, with the Consent of the said *George Granville William* Duke and Earl of *Sutherland*, for his Interest, to execute an Instrument of Disentail of the said Estate of *Cromarty*, in the Form of the Schedule (C.) to this Act annexed, and on obtaining the Authority of the Court of Session in *Scotland* for that Purpose, in manner herein-after provided, to record the said Instrument of Disentail in the Register
of

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of Tailzies at *Edinburgh*; and the said Instrument, when duly recorded in the said Register under the Authority of the said Court in Terms of this Act, shall have the Effect of absolutely freeing, relieving, and disencumbering the said Estate and the said *Anne Duchess of Sutherland*, and her Successors, of all the Conditions, Provisions, Restrictions, Limitations, Clauses, irritant and resolute, Declarations and Reservations, specified and contained in the before-recited Procuratory of Resignation and Deed of Entail by the said *John Mackenzie*, commonly called *Lord Macleod*, and of entitling the said *Anne Duchess of Sutherland*, with the Consent of the said *George Granville William Duke and Earl of Sutherland*, to make and grant a new Deed of Entail of the said Estate in manner hereinafter specified: Provided, that such Instrument of Disentail shall in no way defeat or affect injuriously any Charges, Burdens, or Incumbrances, or Rights or Interests, of whatsoever Kind or Description, held by Third Parties, and lawfully affecting the Fee or Rents of the said Estate, or the said *Anne Duchess of Sutherland*, or her Successors, other than the Rights and Interests of the Heirs Substitute of Entail in or through the said Procuratory of Resignation and Deed of Entail; and all such Charges, Burdens, and Incumbrances, and Rights and Interests, other than as aforesaid, shall remain as valid and operative in all respects as if no such Instrument of Disentail had been executed or recorded.

2. It shall be lawful for the said *Anne Duchess of Sutherland*, with Consent of the said *George Granville William Duke and Earl of Sutherland*, to execute a new Deed of Entail of the Estate of *Cromarty*, by which the said Estate, as particularly described in the said Procuratory of Resignation and Deed of Entail by the said *John Mackenzie*, commonly called *Lord Macleod*, with the Exception of the Parts thereof which have been sold and conveyed by the said *John Hay Mackenzie* as herein-before mentioned, shall be disposed and conveyed to the said *Anne Duchess of Sutherland*; whom failing to the said *Lord Francis Sutherland Leveson Gower*, the Second surviving Son of the said *Anne Duchess of Sutherland*, and the Heirs Male of his Body; whom failing, to any Son or Sons to be hereafter born of the said *Anne Duchess of Sutherland*, in the Order of Seniority, and the Heirs Male of his or their Bodies; whom failing, to the Heirs Female of the Body of the said *Lord Francis Sutherland Leveson Gower*; whom failing, to the Heirs Female of the Body of any Son or Sons to be hereafter born of the said *Anne Duchess of Sutherland*, in the Order of Seniority of such Sons; whom failing, to the said *Lady Florence Sutherland Leveson Gower*, Daughter of the said *Anne Duchess of Sutherland*, and the Heirs whatsoever of her Body; whom failing, to any Daughter or Daughters to be hereafter born of the said *Anne Duchess of Sutherland*, in the Order of Seniority, and the Heirs whatsoever of her or their Bodies; whom failing,

Terms and Provisions of new Deed of Entail of the *Cromarty Estate*.

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failing, to the said Marquis of *Stafford*, eldest surviving Son of the said *Anne* Duchess of *Sutherland*, and the Heirs Male of his Body; whom failing, to the Heirs Female of his Body; whom failing, to the other Heirs Female of the Body of the deceased Lady *Isabella Mackenzie*, Dowager Lady *Elibank*, Great Grandmother of the said *Anne* Duchess of *Sutherland*; whom failing, to the other Heirs of Entail called to the Succession of the said Estate of *Cromarty* by the said Procuratory of Resignation and Deed of Entail; whom all failing, to the nearest Heirs or Assignees whomsoever of the said *John Mackenzie*, commonly called Lord *Macleod*, the eldest Heir Female and the Descendants of her Body always excluding Heirs Portioners, and succeeding without Division throughout the whole Course of Succession of Heirs whatsoever, as well as Heirs of Provision, so oft as the same shall descend to Females, and the Daughter of the Heir who was last in possession of the said Estate (whether such Heir was served Heir of Tailzie or not) succeeding always preferably to the Daughters of any former Heir, so oft as the Succession through the whole Course thereof shall devolve upon Daughters, and which the said *John Mackenzie*, commonly called Lord *Macleod*, by the said Procuratory of Resignation and Deed of Entail, declared to be his true Meaning, notwithstanding the foresaid general Destination of Heirs whatsoever, but always with and under the Conditions, Provisions, Restrictions, Limitations, Clauses, irritant and resolute, Declarations and Reservations, specified and contained in the said Procuratory of Resignation and Deed of Entail; and the said new Deed of Entail shall be made in Terms to bind the institute as well as the substitute Heirs, and shall contain a Provision that if the said Lord *Francis Sutherland Leveson Gower*, or any Son to be hereafter born of the said *Anne* Duchess of *Sutherland*, or the Heirs of his or their Bodies respectively, or the said Lady *Florence Sutherland Leveson Gower*, or any Daughter to be hereafter born of the said *Anne* Duchess of *Sutherland*, or the Heirs of her or their Bodies respectively, shall succeed to the Earldom and Estate of *Sutherland*, and there shall, upon or after the Occurrence of that Event, be any other Son or Daughter of the said *Anne* Duchess of *Sutherland*, or any Heir of the Body of any such other Son or Daughter, then and in that Case the Succession to the said Estate of *Cromarty* shall devolve on the Son or Daughter of the said *Anne* Duchess of *Sutherland*, or the Heirs of the Body of such Son or Daughter next entitled to succeed to the said Estate of *Cromarty* under the Destination before specified, in the same Manner as if the Heir so succeeding to the said Earldom and Estate of *Sutherland* had died without Issue; and the said new Deed of Entail shall contain a further Provision that if, by virtue of the Provision before specified, any Devolution shall take place, and if the Heir of Entail taking the said Estate of *Cromarty* on such Devolution, and all the substitute Heirs of Entail, being Heirs of the Body of the said *Anne* Duchess of *Sutherland*, shall fail,

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fail, the Succession to the said Estate shall revert to and be taken up by the Heir of Entail who would have been entitled to the said Estate if the said Provision of Devolution had not been contained in the said new Deed of Entail, and the Succession to the said Estate shall thereafter take place as if the said Provision of Devolution had not been contained in the said new Deed of Entail.

3. The said *George Granville William* Duke and Earl of *Sutherland* shall, as an Equivalent for and *pari passu* with the Entail of the said Estate of *Cromarty* to be granted by the said *Anne* Duchess of *Sutherland*, execute a Deed of Entail of the said Estate of *Reay*, by which the said Estate shall be disposed and conveyed to himself, being the Heir of Entail in Possession of the Earldom and Estate of *Sutherland*, and the Heirs whatsoever of his Body; whom failing, to the other Heirs of Entail called to the Succession of the said Earldom and Estate of *Sutherland* by the before-recited Contract and Deed of Tailzie by and between the said *Elizabeth* Duchess and Countess of *Sutherland* and the said *George Granville* Duke of *Sutherland*, the eldest Daughter and Heir Female always succeeding without Division, and to the Exclusion of Heirs Portioners, throughout the whole Course of the Succession; whom all failing, to the Heirs and Assignees whatsoever of the said *Elizabeth* Duchess and Countess of *Sutherland*, heritably and irredeemably; but always with and under the Conditions, Provisions, Restrictions, Exceptions, Irritancies, Declarations and Reservations, and Clauses prohibitory, irritant and resolute, specified and contained in the said Contract and Deed of Tailzie; and the said Deed of Entail shall be made in Terms to bind the institute as well as the substitute Heirs.

Terms and Provisions of the Deed of Entail of the Reay Estate.

4. The said *Anne* Duchess of *Sutherland*, and *George Granville William* Duke and Earl of *Sutherland* shall apply to the Court of Session in either Division thereof, by way of summary Petition, for Warrant and Authority to record the said Instrument of Disentail and the said Deeds of Entail respectively in the Register of Tailzies at *Edinburgh*; and it shall not be necessary to have the Consent of any of the other Heirs of Entail of the said Estate of *Cromarty* to such Application, or to make any Intimation or Advertisement thereof; and the said Deeds of Entail shall be duly feudalised as well as recorded in the said Register of Tailzies.

Application to Court of Session to record Instrument of Disentail and Deeds of Entail.

5. The said new Deed of Entail of the Estate of *Cromarty* to be executed by the said *Anne* Duchess of *Sutherland*, with Consent of the said *George Granville William* Duke and Earl of *Sutherland*, shall, notwithstanding the Date thereof, be held and deemed to be a Tailzie dated prior to the First Day of *August* Eighteen hundred and forty-eight, and shall have Effect as such under the Provisions of the Act Eleventh and Twelfth *Victoria*, Chapter Thirty-six,

New Deed of Entail of *Cromarty* Estate to have effect as if dated prior to 1st August 1848.

[*Private.*]

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intituled

The Duke of Sutherland's Estate Act.

intituled, *An Act for the Amendment of the Law of Entail in Scotland*, and of the Act Sixteenth and Seventeenth *Victoria*, Chapter Ninety-four, intituled *An Act to extend the Benefits of the Act of the Eleventh and Twelfth Years of Her present Majesty for the Amendment of the Law of Entail in Scotland*.

Estate of Cromarty not to be alienated or affected by Debts or Deeds of the Duchess of Sutherland.

6. It shall not be lawful for the said *Anne* Duchess of *Sutherland* to make or grant any Deed which shall have the Effect of alienating the said Estate of *Cromarty*, or burdening or affecting the same, or altering the Order of Succession thereto, other than and except the said new Deed of Entail, and any Bond of Provision, or other Deed, which may lawfully be granted by her as an Heir of Entail in Possession of the said Estate under the Provisions of the said Procuratory of Resignation and Deed of Entail, or the said new Deed of Entail, or of any Act of Parliament; and the said Estate shall not be liable for or burdened or affected by any Debt contracted by the said *Anne* Duchess of *Sutherland*, or by any Deed granted in contravention of this Enactment; and all Deeds so granted shall be null and void, and of no Force or Effect.

Duke of Sutherland and his Successors not required to use the Surname of Mackenzie.

7. From and after the Date of recording the said new Deed of Entail of the Estate of *Cromarty*, the said *George Granville William* Duke and Earl of *Sutherland*, and his Successors in the said Titles and Dignities, shall not be required or obliged to use, sign, bear, or retain the Surname of *Mackenzie* of *Cromertie*, or the Arms or Coat Armorial thereof, and the said new Deed of Entail shall contain an express Provision to that Effect.

General Saving.

8. Saving always and reserving to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all and every other Person and Body Politic or Corporate (other than and except the said *George Granville William* Duke and Earl of *Sutherland*, and the said *Anne* Duchess of *Sutherland*, and the other Heirs of Entail entitled to succeed under the *Cromarty* Entail and the *Sutherland* Entail respectively), all such Estate, Right, Title, and Interest whatsoever in, to, or out of the said Estates of *Cromarty* and *Sutherland* respectively as they or any of them had before the passing of this Act, or could or might have had or enjoyed if this Act had not been passed.

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

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

SCHE-

The Duke of Sutherland's Estate Act.

SCHEDULES referred to in this Act.

SCHEDULE (A.)

RENTAL OF THE ENTAILED ESTATE OF CROMARTY.

	£	s.	d.
Barony of Coigach - - - -	2,904	9	3
Barony of Strathpeffer - - - -	3,110	8	11
Barony of New Tarbat - - - -	1,857	1	0
Feu Duties - - - -	112	0	10
Total - - - -	£7,984	0	0

ANDW. SCOTT.

SCHEDULE (B.)

RENTAL OF THE ESTATE OF REAY.

	£	s.	d.
Parish of Edderachillis - - - -	3,524	8	1
Parish of Durness - - - -	3,834	14	9
Parish of Tongue - - - -	2,727	10	0
Total - - - -	£10,086	12	10

GEORGE LOCH.

SCHE-

The Duke of Sutherland's Estate Act.

SCHEDULE (C.)

FORM OF INSTRUMENT OF DISENTAIL.

At [*Place and Date*], in presence of
 Notary Public, and of the Witnesses subscribing, I, Anne Mackenzie
 Duchess of Sutherland, Heir of Entail in Possession of the Lands and
 Estate of Cromarty herein-after described, videlicet, [*take in Descrip-
 tion*], which Lands and others are held by me under a Procuratory of
 Resignation and Deed of Entail made and granted by John Mackenzie,
 Esquire, commonly called Lord Macleod, dated the Third Day of
 May, and recorded in the Register of Tailzies at Edinburgh the
 Twenty-seventh Day of June, and in the Books of Council and
 Session at Edinburgh the Twenty-first Day of July in the Year
 Seventeen hundred and eighty-six, do hereby, with the special
 Advice and Consent of George Granville William Mackenzie Suther-
 land Leveson Gower Duke and Earl of Sutherland, my Husband, for
 his Interest, take Instruments in the Hands of the said Notary Public
 subscribing, that the said Estate of Cromarty is now held by me,
 free from the Conditions, Provisions, Restrictions, Limitations,
 Clauses irritant and resolute, Declarations and Reservations of the
 said Deed of Entail, by virtue of an Act [*specify this Act*]; and I
 consent to the Registration hereof in the Register of Tailzies, and
 also in the Books of Council and Session, and others competent,
 therein to remain for Preservation, and thereto constitute

my Procurators, &c. In witness whereof,
 I, and the said Notary Public, have subscribed this Instrument of
 Disentail [*complete the Testing Clause in ordinary Form*].

[*Signatures of Duke and Duchess of Sutherland.*]

[*Signature of Notary Public.*]

A. B., Witness.

C. D., Witness.

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