



ANNO SECUNDO & TERTIO

# VICTORIÆ REGINÆ.

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## Cap. 36.

An Act to enable *Randolph* Earl of *Galloway*, or the Heir in Possession of the entailed Estates of *Garlies*, *Baldoon*, *Newton Stewart*, and others, in the County of *Wigton* and Stewartry of *Kirkcudbright*, to reclaim certain sleschy Ground on the Shores of the said Estates, and to drain and improve the *Moss of Cree*, Part thereof; and to burden the said Estates partially, and the reclaimed and improved Land, with the Expence; and also to burden the said Estates with certain Expences incurred by the said Earl in improving the same. [19th July 1839.]

**W**HEREAS the deceased *John* Earl of *Galloway*, by Deed of Entail bearing Date the Third Day of *July* One thousand eight hundred and four, and registered in the Books of Council and Session in *Scotland* on the Twenty-first Day of *January* One thousand eight hundred and seven, and in the Register of Tailzies the Eleventh Day of *July* One thousand eight hundred and [Private.]



twenty-three, for the Considerations therein stated, gave, granted, and disposed, heritably and irredeemably, to himself in Liferent, and to the Honourable *George Stewart* commonly called Lord Viscount *Garlies*, his eldest Son, and the Heirs Male of his Body, in Fee, whom failing, to the other Heirs of Entail after mentioned, all and whole the Lands and Barony of *Garlies* and *Glenmannoch*, together with the Office of Stewart within the whole Bounds and Limits of the same in so far as the same is not abolished by Law, with the Milns, Cruives, Fishings, Towers, Fortalices, Outsets, Parts, Pendicles, Tenants, Tenantries, and Services of free Tenants of all and whole the said Lands and Barony, by whatever Name or Designation the same are known, which Lands and Barony of *Garlies* comprehend, among others, the particular Lands and others underwritten; to wit, all and whole the Lands and Farms of *Glenmannoch*, *Holm*, *Meikle* and *Little Caldons*, *Firochbaes*, *Drumlinscate*, *Drummucklock*, *Upper* and *Nether Minniwick*, *House of Hill*, *Bargrennan*, *Glengrubbock*, *Tralbain*, *Garlarg*, *Larmochan* or *Lamachan*, *Cardorkan*, *Clonch*, *Lagbaes*, *Drumindow*, *Deergall*, *Barclay*, *Miln of Garlies*, and Miln Lands of the same, *Larg Stewart*, *Camer*, *Borgan*, *Ferroch*, *Knockbrex*, *Borland*, *Clauchrie*, *Drumjoan*, *Cairnderrie*, *Lanawie* or *Linevie*, *Glen-salloch*, *Delnair*, *Trochreggan*, *Bridgetown*, and *Carruseckla*, all lying within the Parish of *Minnigaff* and Stewartry of *Kirkcudbright*; and which Lands and others above described are now known and distinguished by the Names following; to wit, the Lands of *Arroch*, *Cleckmalloch* or *Gleckmalloch*, including a Pendicle called *Swee Drumjoan* and *Sheggerland*, *Dalnaws*, *Lanawee* or *Linivie*, *Carnderry*, *Corriefecklock*, *Bargrennan*, *Falbains* or *Falbaes*, *Glengrubbock*, *Drummucklock*, *House of Hill*, *Drumlawanty*, *Brigton*, *Holm*, *Little Caldons*, *Torrachbane* or *Firrochbae*, *Meikle Caldons*, and Casualties thereof, *High Minniwick*, *Low Minniwick*, *Larg*, *Camer*, *Borgan*, *Firroch* or *Tarroch*, *Cardockan*, *Clanch* or *Cloints*, *Lagbaes*, *Lamachan*, *Dranandow*, *Torregan* or *Terregan*, *Dirgall*, *Glenmalloch*, *Knockbrex*, *Barclye*, *Miln of Garlies*, and Miln Lands, with the Casualties, *Boreland*, and *Borland* Stellage, *Clauchrie*, *Glenshalloch*, *Garlick Crae* or *Cruive*, and Draught and Fishings in the River *Cree*; as also all and whole those Parts and Portions following of the Barony of *Glasserton*, still then remaining the Property of the said *John Earl of Galloway*; to wit, the Lands of *Upper Arroch*, and the Lands of *Upper Ersick*, in the Parish of *Glasserton*, the Lands of *Nether Ersick*, the Lands of *Coldside* of *Ersick*, and *Miln of Ersick*, and Miln Croft and Pertinents, in the Parish of *Whithorn* and Shire of *Wigton*; all and whole the Kirklands of the Parish Kirk of *Glasserton*, with the Vicarage and Pertinents of the same, lying within the Parish of *Glasserton* and Sheriffdom of *Wigton*, together with the Vicarage Lands of the said Parish; all and whole the Ten Merk Land of *Eggerness*, with the *Miln of Whitehills*, and other Mills and Pertinents of the same, lying within the Parish of *Kirk-madryne*, by Annexation *Sorbie*, and Sheriffdom of *Wigton* foresaid, and which Ten Merk Land of *Eggerness* and others comprehends the Lands now known and distinguished by the Names of *Eggerness*, *Mill of Moss*, *Cashwill*, and Village of *Garliestown*, built upon Part of the said Lands of *Cashwill*; and likewise all and whole the Ten Merk



Merk Land of *Ingleston* and *Sorbie*, with the Tower, Fortalice, Manor Place, Yards, and Orchyards of the same, comprehending therein the Lands of *Bearclosh* and Croft of *Highgate*, as proper Parts and Pertinents of the same, the Lands of *Brocklock*, *Corwar*, and *Langlands*, with the Yards, Parts, Pendicles, and Pertinents of the same, the Three Merk Land of *Inch*, the Twenty Shilling Land of *Kilfillan*, of old Extent, with the Houses, Biggings, Yards, Orchyards, Woods, Fishings, and Pertinents of the same, lying in the Parish of *Sorbie* and Sheriffdom of *Wigton*; and which Ten Merk Land of *Ingleston* and *Sorbie* comprehends the Lands now known and distinguished by the Names of *Kilfillan*, *Inch*, *Milnisle*, *Corwar*, *Blackdyke*, *Brocklock*, and *Sorbie* Parks, which Parks comprehend the Midtown Townhead Croft, *White Moss* Park, *Craigskimming* Sheep Park, Washinghouse and Clover Parks, Corn, Hay, and Kiln Parks; which Lands, Office of Stewartry, and others above written, with certain other Lands, Baronies, Milns, Woods, Fishings, Advocations, Donations, and Rights of Patronage, lying in the Parishes of *Kirkcowan*, *Wigton*, *Mochrum*, and *Glasserton*, were all erected, created, united, and incorporated into One free Barony and Lordship called the Barony and Lordship of *Garlies*, conform to a Charter under the Great Seal dated the Fourth Day of *July* One thousand six hundred and sixty-two, and Infeftments following thereon; as also all and whole the Five Pound Land of *Bishopton* of old Extent, with the Houses, Biggings, Yards, and Pertinents of the same, lying within the Parish of *Whithorn* and Sheriffdom foresaid; and all and whole the Six Merk and Half Merk Land of *Bailliewhir* or *Balzeuchar*, lying in the said Parish of *Whithorn* and Shire aforesaid; as also all and whole the Ten Pound Land commonly called the *Mains of Whithorn* otherwise *Kockandeuchar* of old Extent, with the Teinds thereof included, and all and sundry Tofts and Crofts belonging to the same, excepting the Crofts underwritten; to wit, the Croft pertaining to *Robert Lindsay*, the other Croft belonging to *Andrew Dunbar*, another to *Jane Law*, and another to *Francis Murray*, with several others extending in whole to Thirteen Crofts, with the Parts, Pendicles, and Pertinents of the same, together with all and sundry the Mills of *Whithorn* and *Portyerrock*, with the Houses, Miln Lands, and Pertinents of the same, and Miln called *Davish Miln*, and the Muir called *Davish Muir*, lying within the Barony of *Whithorn* and Sheriffdom foresaid; all and whole the Five Merk Land of *Portyerrock*, with the Pertinents, lying in the Barony and Sheriffdom foresaid; all and whole the Five Merk Land of *Stennock Corbet* and *Stennock M'Connell*, lying in the Parish of *Whithorn* and Sheriffdom foresaid; as also all and whole the Kirk Lands and Vicar's Glebe and Manse of the Parish Kirk of *Kirkmaiden* and *Fairnies*, with the Houses, Biggings, and Pertinents of the same, lying in the Parish of *Kirkmaiden* and Sheriffdom foresaid, together with the Office of Bailiary of the Priory of *Whithorn*, and of all Lands, Baronies, and Possessions whatsoever belonging to the said Priory, with all Liberties, Conveniences, and Privileges pertaining and belonging to the said Office of Bailiary, as contained in the Rights and Infeftments of the same; all and whole the Lands of *Powton*, now called *Galloway House*, extending to a Sixteen Merk Land of old Extent, with the Manor Place, Yards, Orchyards, Parts, Pendicles,



Pendicles, Fishings, and whole Pertinents of the same, together with the Croft and Corn and Waulk Mills thereof, and Multures used and wont; which Lands of *Powton* and others above described are now known and distinguished by the Name of *Galloway House Parks*, and which Lands of *Bishopton*, *Powton*, and others last above described are Parts and Portions of the Barony of *Clary*, conform to a Charter under the Great Seal dated the Fourteenth Day of *July* One thousand seven hundred and thirty-eight; and also all and whole these Parts of the Five Merk Lands of *Rispin* called *Cattains of Rispin* and *Broompark of Rispin*, and Five Merk Lands of *Craig*, extending in whole to a Ten Merk Land, with the Miln of *Craig* called *Davish Miln*, and the Muir thereof, called *Davish Muir*, with all and sundry Parts, Pendicles, and Pertinents of the same, lying in the Parish of *Whithorn* and Shire foresaid, and the Croft of Land, with the Pertinents, called *Goosedub Croft*, lying within the Burgh of *Whithorn*; and also all and whole the Croft called *Tacher Croft*, lying in the Parish of *Whithorn* and Sheriffdom foresaid; and also all and whole the Five Merk Lands of *Balcray*, lying within the Parish of *Whithorn*; and likewise all and whole the Lands of *Upper* and *Nether Stronbaes*, with the Houses, Biggings, Yards, Woods, Fishings, and universal Pertinents belonging to the same, and which are Parts and Portions of the Barony of *Cumloden Murdoch*, and lie within the Parish of *Minnigaff* and Stewartry of *Kirkcudbright*; all and whole the Lands of *Auchenleck*, and that Part of the Lands of *Risk* called *Craignell*, with the Houses and Pertinents (except that Part of the Lands of *Auchenleck* called *Head of Auchenleck*, then the Property of *Patrick Heron of Heron*, Esquire), and which Lands were also Parts of the said Barony of *Cumloden*, and lie within the Parish and Stewartry foresaid; all and whole the Lands of *Risk* and *Drumquhinny*, with Houses, Biggings, Woods, and Pertinents, also Parts of the said Barony, and lying within the said Parish and Stewartry; all and whole the Lands of *Upper Glenhoise*, also Parts of the said Barony of *Cumloden*, lying within the said Parish of *Minnigaff* and Stewartry foresaid; as also all and whole the Lands of *Nether Arrow*, with the Parts, Pendicles, and Pertinents of the same, lying in the Parish of *Glasserton*, and Shire of *Wigton*; and all and whole the *Hill Croft*, or *Croft of the Hill*, the Lands of *Outten Burgess* and *Outten Corwar*, lying in the Parish of *Whithorn* and Sheriffdom of *Wigton*; and likewise all and whole the Lands and Barony of *Buchan Forest*, comprehending the Lands and others underwritten, to wit, the Ten Pound Land of *Forest of Buchan* and *Free Forest*, conform to the Possessions of the respective Tenants of the same, and comprehending the Ten Shilling Land of *Esk Buchan*, the Ten Shilling Land of *Eskeochan*, the Sixteen Shilling and Eightpenny Land of *Kilkerow*, the Ten Shilling Land of *Kirriearchie*, the Ten Shilling Land of *Troston*, the Twenty Shilling and Eightpenny Land of *Kirricastle*, the Two-and-twenty Shilling Land of *Kirriemoir*, the Ten Shilling Land of *Kirriereoch*, the Thirty-two Shilling Land of *Palgowan*, the Sixteen Shilling Land of *Kirrikennan*, the Twenty-two Shilling and Sixpenny Land of *Strowan*, and the Lands of *Glenhead* and *Boangill*, with Houses, Biggings, Yards, Woods, Fishings, Parts, and universal Pertinents of the same, lying within the Parish

of



of *Minnigaff* and Stewartry of *Kirkcudbright*, and all united, annexed, and incorporated into a Free Barony called the Barony of *Buchan Forest*, conform to a Charter under the Great Seal dated the Fifteenth Day of *December* One thousand six hundred and ninety-nine years, in favour of *Alexander M'Kie*, formerly of *Palgowan*; all and whole these Parts and Portions of the Lands and Barony of *Broughton* after mentioned, to wit, that Part of the Mains commonly called *Bondola*, lying on the East Side of the Road leading to *Galloway House*, as also Three Acres and Twelve Falls of Land of the Park of *Broughton* upon the East Side of the same, with the Teinds, Parsonage and Vicarage, of the said Lands of *Bondola*, and Part of *Broughton Park* before mentioned, lying within the Parish of *Sorbie* and Sheriffdom foresaid, which Parts of the Lands of *Broughton*, with the Teinds thereof, were disposed to the said *John Earl of Galloway* by *James Murray* Esquire, of *Broughton*, for a Part of the said Earl's Lands of *Balseir*, of equal Value, given to the said *James Murray* in Excambion therefor; and also these Parts and Portions following of the Ten Merk Land of old Extent of *Crugleton Castle*, and the Ten Merk Land of *Crugleton Catens*, lying in the Parish of *Crugleton*, now annexed to *Sorbie* and Shire aforesaid, to wit, that Part of the said Lands of *Crugleton*, and a small Part of the Croft of *Catens* or *Cavens* called *Longhill Croft*, lying on the North Side of a straight Line drawn from the March Stone upon the Heugh of *Crugleton* to the East Corner of the Farm of *Broomhill*, and upon the East Side of a curved Line drawn from the said East Corner by the March Stones at the Back of the Hill to the March Stones at the Bank of *Scrobies*, and from thence to the Point of *Scrobies* aforesaid adjoining to the March of the Lands of *Powton* alias *Galloway House*, which Parts of the Lands of *Crugleton* are bounded by the said Line and March Stones upon the South and South-east Sides, and partly by the *Frith of Cree* and *Bay of Crugleton* and partly by the said Earl's Lands of *Powton* on the North and North-east Sides, together with the Wreck and Ware upon the Sea Shore of those Parts of the Lands of *Crugleton* which also comprehend the whole Croft of Land called *Rigg* or *Ridge* alias *Bridge Croft*, and Part of the Croft called *Longhill Croft* of *Kevans*, but declaring always that the Port of *Crugleton*, with the Use of a Road Twenty-five Feet in Breadth from the said Port through the foresaid Lands, should be enjoyed in common for the mutual Use and Convenience of the said Earl and his said Heirs, and of *Sir Stair Agnew* of *Lochnaw*, Baronet, and his Heirs and Successors, and such of their Tenants to whom they might give such Privilege, a Part of which Lands of *Crugleton* was then and is now known by the Name of the *Deer Park*; and also all and whole the Five Merk Land of old Extent of *White-hills*, with the Houses, Yards, Orchyards, Parts, and Pendicles of the same, lying within the Parish of *Sorbie* and Sheriffdom foresaid, bounded and described as is more fully mentioned in the Rights and Infeftments of the same; and likewise all and whole the Five Merk Land of *Pankill* now called *Bonkill*, the Five Merk Land of *Zeaton*, the Five Merk Land of *Airriequhat*, the Five Merk Land of *Culderies*, Upper and Nether, with the Manor Place, Houses, Biggings, Yards, Orchyards, Milns, Multures, Sequels, Woods, Lakes, Fishings, Annexis, Connexis, Dependencies, Parts, Pendicles, and

[Private.]

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Pertinents

Pertinents of the same, comprehending the Lands of *Innerwell* and Creeks and Ports of the same, and *Portengaen*, all lying within the Parish of *Sorbie* and Sheriffdom foresaid, together with the Teinds of the said whole Lands and others, in so far as *John Hathorn* of *Castlewig*, Esquire, had Right to the same, and with the Seats in the Church belonging to the Premises, as also all and whole the Lands of *Balseir* and *Little Park* of *Balsier*, possessed by *David Broadfoot*, and the Lands of *Bell's Croft*, possessed by *James M'Gowan*, and the Croft called *Bushe's Croft*, which was held by the said Earl on a Lease of Nine hundred Years under *James Murray* Esquire, of *Broughton*, all lying within the Parish of *Sorbie* and Sheriffdom foresaid; all and whole the Kirklands in *Penninghame* and Two Merk Lands called *Cloan* and *Corncatt*, comprehending the Stelage and Croft of Land, with the Yard and Pertinents, lying near to the Church of *Penninghame*; and all and whole another Stelage and another Piece of Ground belonging to the same, with the Yard and Pertinents, lying near the said Kirk of *Penninghame*, within the Parish of *Penninghame* and Sheriffdom of *Wigton*; as also all and whole the Six Merk Lands of *Coitland*, with the Pendicles and Pertinents of the same, lying within the Parish of *Wigton* and Sheriffdom foresaid; as also all and whole the Advocation, Donation, and Right of Patronage of the Parish Kirk of *Penninghame*, and Presentation to the Parsonage and Vicarage of the same, lying within the said Sheriffdom of *Wigton*; and all and whole the Five Merk Land of *Ardbrock*; all and whole the —Merk Lands of *Maidlands* and Fey of the same, and Five Acres, lying in the Parish of *Wigton*; all and whole the Kirklands of *Wigton*, with Houses, Biggings, Yards, Tofts, Crofts, and Pertinents belonging to the same, together with the Advocation, Donation, and Right of Patronage of the Parish Kirk of *Wigton*; which Lands of Kirklands and others last above described are Parts and Portions of the Barony and Lordship of *Garlies*, conform to a Charter under the Great Seal dated the Fourth Day of *July* One thousand six hundred and sixty-two, and Infeftment following thereon; as also all and whole the Meadow called *Cassingilshy* or *Cassinguilshy Meadow*, with the Acres belonging to the same, and the Fishings in the Water of *Bladenock*, extending from *Bullwater* to *Cumanock*, and that upon each Side of the said River, with the whole Pertinents, of the same lying in the Parish and Sheriffdom of *Wigton*; as also the Lands in *Penninghame*, comprehending therein the Ten Merk Land of *Grange* called the *Grange of Cree*, the Five Merk Land of *Clary*, with the Tower and Fortalice of the same, with the Houses, Biggings, Yards, Orchyards, Mosses, Meadows, Parts, Pendicles, and Pertinents of the same, the Five Merk Land of *Over Barr*, the Five Merk Land of *Barquharran* of old Extent, with the Pertinents, lying in the Parish of *Penninghame* and Sheriffdom of *Wigton*, together with the Salmon Fishing in the River *Cree* nigh to and opposite the said Lands lying as aforesaid; and also the Lands and Dominical Lands called *Borland of Penninghame*, with the Houses, Biggings, Yards, Tofts, Crofts, Mosses, Muirs, Meadows, Pasturages, and whole Pertinents of the same, and the Corn Mill of *Penninghame* commonly called the *Bishop's Mill*, with the Mill Lands of the same, and Two Crofts of Land belonging to the said Mill, the one called *Park Croft*



*Croft* and the other called *Davis Croft*, with the Houses; Aqueducts, astricted Multures, Bannock, Sucken, Knaveships, Sequels; and Pertinents of the same, lying in the Parish of *Penninghame* and Sheriffdom foresaid, and which Lands last above described comprehend the Lands now known and distinguished by the Names of the *Mains of Penninghame*, *Miln of Penninghame*, and *Miln Croft* of the same, which Lands of *Grange of Cree*, *Clary*, and others above described, with certain other Lands lying in the Parishes of *Whithorn*, *Kircum*, *Crugleton*; and *Sorbie*, were united, erected, created, and incorporated into One whole and free Barony called the Barony of *Clary*, conform to a Charter under the Great Seal dated the Fourteenth Day of *July* One thousand seven hundred and thirty-eight; all and whole the Twenty-three Shilling Land of *Polquihilly* of old Extent, with the Houses, Biggings, Yards, Arable and Unarable Lands, Fishings, Muirs, Mosses, Peats, Turfs, Common Pasturage, Tofts, Crofts, Annexis, Connexis, and all and sundry Parts, Pendicles, and Pertinents of the same, lying within the Parish of *Penninghame*, Barony thereof, and Sheriffdom of *Wigton*; as also all and whole the Lands of *Carsenestock*, which are Two just and equal Third Parts of the Five Merk Land of *Carsenestock* and *Polquilly*, extending to a Forty-four Shilling and Sixpenny Land of old Extent, or thereby, with Houses, Biggings, Yards, Orchyards, Parts, Pendicles, and whole Pertinents of the same, lying in the said Parish of *Penninghame* and Sheriffdom foresaid; and likewise all and whole the Ten Merk Land of *Auchleand*, comprehending the Lands of *Husbandtown Wood* and *Hills*, with the Manor Place, Houses, Biggings, Yards, Orchyards, Mosses, Muirs, Meadows, Annexis, Connexis, Parts, Pendicles, and whole Pertinents of the same, together with the Corn Mill of *Auchleand*; and Houses, Mill Lands, astricted Multures, and Sequels of the same, together also with the One Merk Land commonly called the One Merk Land of *Mart Briden*, of old Extent, with the Houses, Biggings, Yards, Parts, Pendicles, and whole Pertinents of the same; lying within the Parish and Shire of *Wigton* foresaid; as also all and whole the Lands of *Kirriewisle*, with the Manor Places, Houses, Biggings, Yards, Orchyards, Milns, Woods, Fishings, Tenants, Tenantries, and Services of free Tenants, Parts, Pendicles, and Pertinents of the same whatsoever, lying within the Barony of *Castle Stewart*, formerly called the Barony of *Culcruchy*, as proper Parts and Pertinents of the same, and lying within the said Parish of *Penninghame* and Sheriffdom of *Wigton*; all and whole the Five Merk Lands of *Baltersan*, with the Fishings in the Water of *Cree* belonging thereto, and Pertinents of the same; all and whole the Ten Merk Land of *Balsalloch*, with the Houses, Biggings, Yards, Tofts, Crofts, Fishings, Parts, Pendicles, and Pertinents of the same; and all and whole the Five Merk Lands of *Nether Barr*, with the Houses, Biggings, Yards, Parts, Pendicles, and Pertinents thereof, all lying within the Parish of *Penninghame* and Sheriffdom of *Wigton* foresaid; and all and whole the Lands of *Barvennan*, including a Pendicle called *Mollenhill*, lying in the Parish of *Penninghame* and Sheriffdom of *Wigton* foresaid; as also all and whole the Four Merk Land of old Extent of *Grange*; the Two Merkland of old Extent of *Thrave*, the Four Merk Land of old Extent of *Barrathan* or *Barrachan*, the Two Merk Land of



of old Extent of *Baltrostan* or *Bartrostan*, with the Mills, Multures, Parts, Pendicles, and universal Pertinents of the same, the Fishing of Salmon and other Fishes in the River of *Bladenoch*, and Teinds of the foresaid hail Lands, all lying in the said Parish of *Penninghame* and Shire foresaid; which Lands of *Grange* and others above described are now known and distinguished by the Names of *Grange* or *Mains of Grange*, *High Thrave*, *Laigh Thrave*, *Knockenthrove*, *Kendiehill*, *Barrachan*, *Bartrostan*, and *Boatman's Croft*; as also all and whole the One Merk Land of *Blackmark*, now called *Blackpark*, with the Parts, Pendicles, and Pertinents thereto belonging, and Teinds of the same, lying within the Parish and Shire of *Wigton*, together with the Towers, Fortalices, and Manor Places of the same; and all and whole the Houses and Yards, back and fore, with the Croft of Land called *Temple Croft*, and hail Pertinents thereto belonging, lying at the Head of the *Clauchan of Penninghame*, Parish thereof, and Shire aforesaid; also all and whole the Three Merk Land of *Kirkchrist* and Two Merk Land of *Killiemore*, with the Salmon Fishing in the Water of *Bladenoch* belonging thereto, and whole Pertinents thereof, lying in the said Parish of *Penninghame* and Shire foresaid, but with and under the Burden of the Feu Right and Disposition of the Property of the said Lands of *Kirkchrist* and *Killiemore*, with the Fishings in the Water of *Bladenoch* granted in favour of *Adam Blair*; and likewise all and whole the Three Merk Lands of old Extent of *Barbuchanny*, formerly Parts of the Barony of *Mairtown M'Kie*, otherwise *Mairtown Agnew*, with the Houses, Biggings, Orchyards, Woods, Fishings, Parts, Pertinents, and Privileges belonging to the same, together also with the Teinds, great and small, Parsonage and Vicarage, of the said Lands of *Barbuchanny*, lying within the said Parish of *Penninghame* and Shire foresaid; as also all and whole the Lands of *Kirvenny*, *Clauchrie*, *Broadfield*, *Burrow Moss*, and Milns called *New Milns of Bladenoch*, with the Miln Lands, Multures, and Sequels, with the Fishing of the Water of *Bladenoch*, and with Houses, Biggings, Yards, and hail Pertinents of the same, held by the said *John Earl of Galloway* in Feu under the Magistrates and Town Council of the Burgh of *Wigton*; and likewise all and whatsoever Mines of Gold, Silver, Lead, Pewter, Tin, and all other Metals and Fossils whatsoever which are or shall be found within all or any Part of the Lands and Estates lying within the Stewartry of *Kirkcudbright* which belonged to the said *John Earl of Galloway*, with Power to search for, and discover; labour, and work the said Metals and Fossils, to sell or dispose of the same, or to let the same in Lease or Feu, with all other Privileges, Liberties, and Immunities whatsoever contained in a Charter of the said Mines under the Great Seal in favour of the said *John Earl of Galloway*, dated at *Saint James's*, the Second Day of *August* One thousand seven hundred and sixty-five Years, and written to the Seal and registered at *Edinburgh* in the Year One thousand seven hundred and sixty-seven, together with all Right, Title, and Interest, Claim of Right, Property, and Possession, petitory and possessory, which the said *John Earl of Galloway*, his Authors or Predecessors, Heirs or Successors, had or anywise might have, claim, or pretend to the several Lands, Teinds, and others above specified, or to any Part or Portion thereof; and the said *John Earl of Galloway* thereby granted

Procuratory



Procuratory for resigning the said Lands and Estates, and others before described, with the Teinds and Pertinents thereof, in favour and for new Infestment of the same to be made, given, and granted in legal and ample Form to and in favour of himself in Liferent, and to the said *George* then Lord Viscount *Garlies*, his eldest Son, in Fee; and the Heirs Male of his Body; whom failing, to Colonel *William Stewart*, his Second Son, Lieutenant Colonel of His Majesty's Ninety-fifth or Rifle Regiment of Foot, afterwards Sir *William Stewart*, Lieutenant General of His Majesty's Forces, and the Heirs Male of his Body; whom failing, to *James Charles Stewart*, his Third Son, and the Heirs Male of his Body; whom failing, to *Montgomerie Granville John Stewart*, his Fourth Son, and the Heirs Male of his Body; whom failing, to *Edward Richard Stewart*, his Fifth Son, and the Heirs Male of his Body; whom failing, to *James Henry Keith Stewart*, his Sixth Son, and the Heirs Male of his Body; whom failing, to any other Son or Sons to be thereafter procreated by him, if any such should exist, according to their Seniority and Priority of Birth, and the Heirs Male of their Bodies respectively; whom all failing, to the Heir whatsoever of the Body of the Heir Male who should have died last infest in and possessed of the said Lands and Estates therein disposed; whom failing, to the nearest Heir whatsoever of the Body of the former Heir Male who should have died infest in and possessed of the said Lands and Estates immediately preceding the said last infest and possessing Heir Male; whom failing, to the nearest Heir whatsoever of the Bodies of all the former Heirs Male who should have died infest in and possessed of his said Lands and Estate, the Heir whatsoever of the Bodies of those Heirs Male latest in Possession being always preferable to and excluding the Heirs whatsoever of the preceding Heirs Male; whom failing, to *Catherine Stewart*, his eldest Daughter, Wife of Sir *James Graham of Netherby*, Baronet, and the Heirs whatsoever of her Body; whom failing, to *Susan Stewart*, his Second Daughter, Wife of *George* then Marquis of *Blandford*, now Duke of *Marlborough*, and the Heirs whatsoever of her Body; whom failing, to *Henrietta Anne Stewart*, his Third Daughter, Wife of Lord *Spencer Stanley Chichester*, Second Son of the late Marquis of *Donegal*, and the Heirs whatsoever of her Body; whom failing, to *Elizabeth Euphemia Stewart*, his Fourth Daughter, Wife of *William Philips Inge* Esquire of *Thorp Constantine* in the County of *Stafford*, and the Heirs whatsoever of her Body; whom failing, to *Charlotte Stewart*, his Fifth Daughter, Wife of the Honourable Sir *Edward Crofton of Mote*, Baronet, in the County of *Roscommon* in *Ireland*, now deceased, and the Heirs whatsoever of her Body; whom failing, to *Caroline Stewart*, his Sixth Daughter, now deceased, then Wife of the Honourable and Reverend *George Rushout*, Second Son of the late Lord *Northwick*, and the Heirs whatsoever of her Body; whom failing, to *Georgiana Charlotte Sophia Stewart*, his youngest Daughter, afterwards Wife of the Honourable *William Bligh*, now deceased, and the Heirs whatsoever of her Body; whom failing, to any other Daughter or Daughters to be thereafter procreated by him, if any such should exist, according to their Seniorities and Priorities of Birth, and the Heirs whatsoever of their Bodies respectively; whom failing, to *James Stewart of Glas-*

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serton, now *James Stewart Mackenzie* of *Seaforth*, eldest Son of the deceased Admiral *Keith Stewart* of *Glasserton*, Brother of the said *John* Earl of *Galloway*, and the Heirs Male of his Body; whom failing, to *Leveson Stewart*, now deceased, Second Son of the said Admiral *Keith Stewart*, and the Heirs Male of his Body; whom failing, to *Edward Stewart*, now deceased, Third Son of the said Admiral *Keith Stewart*, and the Heirs Male of his Body; whom failing, to such Person, or Persons as the said Earl should thereafter name and appoint to succeed to his said Lands and Estates before described, by any Writing under his Hand at any Time of his Life and even upon Death Bed; and failing such Nomination, or the Person so to be named, and their Heirs, to be therein mentioned, then to his own nearest Heirs whatsoever, and their Assignees, heritably and irredeemably, the eldest Heir Female and the Descendants of her Body, as oft as the Succession should devolve upon Females or their Descendants, excluding all Heirs Portioners, and succeeding always without Division throughout the whole Course of Succession, whether of Heirs of Entail or Heirs whatsoever, who might succeed in Terms of the Destination above specified, but always with and under the Conditions, Provisions, Restrictions, Limitations, Exceptions, Clauses irritant and resolute, Declarations, and Reservations mentioned in the said Deed of Entail, and other Clauses usual in Settlements of Entail by the Law and Practice of *Scotland*, against the Heirs of Entail disposing and alienating the settled or entailed Estate or any Part thereof, or burdening the same, or contracting Debts by which the same might be affected: And whereas upon the Death of the said *John* Earl of *Galloway* he was succeeded by his Son the said *George*, then become Earl of *Galloway*, who was infeft and seised in the Lands and Estates conform to the following Instruments of Sasine in his Favour; that is to say, Instrument of Sasine of the Lands and others before described lying in the Parishes of *Minnigaff*, *Glasserton*, *Sorbie*, and *Whithorn*, dated the Thirteenth and Fourteenth Days of *March* One thousand eight hundred and seven, and recorded in the General Register of Sasines the Twenty-first Day of *March* One thousand eight hundred and seven; Instrument of Sasine of the Lands and others before described lying in the Parishes of *Wigton* and *Penninghame*, dated the Twenty-seventh and Twenty-eighth Days of *January* One thousand eight hundred and twenty-three, and recorded in the General Register of Sasines at *Edinburgh* the Eleventh Day of *February* One thousand eight hundred and twenty-three; and Instrument of Sasine of the whole Lands and others before described, dated the Thirty-first Day of *October* and First Day of *November* One thousand eight hundred and twenty-three, and recorded in the General Register of Sasines at *Edinburgh* the Eleventh Day of *December* One thousand eight hundred and twenty-three: And whereas the said surviving Trustees appointed by a certain Trust Deed executed by the said *John* Earl of *Galloway* did, by Disposition and Deed of Entail executed by them, bearing Date the said Thirtieth Day of *October* and the Twelfth Day of *November* One thousand eight hundred and nineteen, and registered in the Register of Tailzies the First Day of *December* in the Year One thousand eight hundred and nineteen, and



and in the Books of Council and Session the Fourth Day of *January*. One thousand eight hundred and twenty, upon a Narrative of the said Trust Deed, and of their having made up Titles, and being desirous to implement the said Trust Deed, give, grant, and dispone to and in favour of the said *George Earl of Galloway*, and of the Series of Heirs of Entail before enumerated, and under all and the same Conditions, Provisions, and Limitations, and Clauses irritant and resolute, as are contained in the said before-recited Deed of Entail; all and whole the Lands and Estates following; *videlicet*, all and whole the Lands of *Baldoon*, and whole other Lands and Heritable Estates which belonged to *Dunbar Earl of Selkirk* and *Basil William Lord Daer*, or either of them, and of which they or their Tenants were at the Time the same were purchased by the said *John Earl of Galloway* in Possession, situated in the Shire of *Wigton* (except the Tanyards at *Wigton*, and their supposed Right to the Property and Superiority of certain Lands, as specified in the original Articles of Agreement of Sale), and comprehending, without Prejudice to the foresaid Generality, the Lands, Barony, and others after mentioned; *videlicet*, all and whole the Lands of *Baldoon* and *Clauchrie*, including the Manor Place of *Baldoon*, Houses, Biggings, Yards, Orchyards, Outsets, Insets, Parts, Pendicles, and whole Pertinents of the same, with the Salmon Fishings and other Fishings in the Water of *Bladenoch* used and wont; all and whole the Twenty Merk Lands of *Kirkinner* lying contiguous, comprehending the Lands of *Milltown*, with the Mill of the same called *Milldreggan*, Multures and Sequels of the same, the Lands of *Skait*, *Kirriemannock*, *Creich*, and *Little Hills*, with the Houses, Biggings, Yards, Pasturages, Parts, Pendicles, and whole Pertinents of the same; all and whole the Kirklands of *Kirkinner*, with the Houses, Biggings, Yards, Parts, Pendicles, and Pertinents of the same; as also all and whole the Lands of *Kirriewhirn*, with the Houses, Biggings, Yards, and Pertinents of the same, all lying within the Parish of *Kirkinner*, and Sheriffdom of *Wigton*; all and whole the Twenty Merk Land of *Itoun*, comprehending the Five Merk Land of *Skellarie* and *Boigcroft*, the Five Merk Land of *Balfairn*, the Five Merk Land of *Stewarton*, and the Five Merk Land of *Orchyardtown*, with the Houses, Biggings, Yards, Orchyards, Annexis, Connexis, Dependencies, and Pertinents of the same whatsoever, all lying within the Parish of *Kirkinner* and *Sorbie* and Sheriffdom of *Wigton* foresaid; all and whole the Ten Merk Land of *Lybrach*, with the Houses, Biggings, Yards, and Pertinents of the same, lying in the said Parish and Sheriffdom foresaid; all and whole the said Lands of *Kilsture*, *Clauch*, and *Creich*, with the Grain and Waulk Mill of *Blair*, Mill Lands, Multures, and Sequels of the same, lying in the Parish of *Sorbie* and Sheriffdom aforesaid; all and whole the Ten Merk Lands of *Kirklands* of *Wigton*, with the Houses, Biggings, Yards, Orchyards, Parts, Pendicles, and Pertinents of the same, lying in the Parish of *Wigton* and Sheriffdom foresaid; and all and whole the Lands of *Culquhork*, with the Houses, Biggings, Yards, Tofts, Crofts, Parts, Pendicles, and Pertinents, lying in the said Parish and Sheriffdom of *Wigton*; as also all and whole the Tenements and Yards lying without the East Port of the Burgh of *Wigton* called *Millamers Tenements*, with the Acres of Bear Land pertaining



pertaining and belonging thereto, with the Croft of Land called *Millamerse Croft*, the other Croft of Land called the *Butt Croft* or *Boat Croft*, the Yard called *Alderman's Yard*, the Croft of Land called *Catqueen's Croft*, and the Piece of Ground called the *Cruicknick*, with their haill Parts, Pendicles, and Pertinents, lying adjacent and contiguous together at the East End of the said Burgh, and said to be anciently bounded betwixt the Lands called *Clay Pots* and the Lands of *Kirkland* on the North, and the Water of *Bladenoch* on the East, and the Lands of *Jeyverland* on the South, and the *Friar Land* on the West, and *John Auld* and *Nicol M'Kracken's* Kills and Tailis upon the North and North-west Parts; as also all and whole the Lands of *Jeyverland*, bounded betwixt the foresaid Lands of *Boatcroft*, *Alderman's Yard*, *Catqueen's Croft*, *Cruicknick*, and *Millamerse* on the North, and the River *Bladenoch* on the East, and the Lands of *Maidland* on the South, and *Friars Lands*, and the *Knockacre*, now joined in the same Inclosure with the *Maidland Feys*, on the West, together with some Pieces of Land containing near Half an Acre, or thereby, of the said *John Auld* and *Nicol M'Kracken's* Kills and Tailis, and of *Friars Land*, some Time ago acquired in Excambion from *Nathaniel Agnew* Esquire, excepting a Piece of the said *Millamerse* containing near Half an Acre, or thereby, given to the said *Nathaniel Agnew* in the foresaid Excambion, and which, together with the Remainder of the said *Auld* and *M'Kracken's* Kills and Tailis, is now joined in the same Inclosure with *Friar Lands*, all which Lands of *Jeyverland*, *Boat* or *Butt Croft*, *Alderman's Yard*, and *Catqueen's Croft*, *Millamerse Tenements*, and Acres of Bear Land, *Millamerse Croft*, *Cruicknick*, and Pieces of *Friars Lands* and of *Auld* and *M'Cracken's* Kills and Tailis, with the Exception foresaid, lye contigue, and have for some Time past been commonly called *Jedderland* or *Jetherland* and *Millamoss*, and are now bounded by the Lands of *Maidland* on the South, by the *Knock Acre*, in the Park called *Maidland Feys*, and by the Park called *Friars Lands*, on the West, and by the Tanyards lately belonging to *Robert Jeffrey* Esquire and by *Croft Angry* on the North, and by the Sea or Water of *Bladenoch* on the East, lying within the Parish of *Wigton* and Sheriffdom foresaid; and further, all and whole the following Lands or Crofts or Acres of Land, lying in and about the Burgh of *Wigton*, to wit, the Acre called the *Neils* or *Neilies Acre*, bounded on the South by the Road leading to the Town's Quarry, and on the West by an Acre belonging to the Representatives of *George Bruce*, Burgess of *Wigton*, and by Three Roods belonging to the Burgh, and on the North by *M'Keands Acre* belonging to *John Hathorn Bailie*, and on the East by the Road leading from the Town to *Monkhill*, also that Acre called the *Stone Acre*, also lying West from the Town of *Wigton*, bounded upon the South by an Acre belonging to the Representatives of *James Cowan*, and by another Acre belonging to the Representatives of *James Broadfoot*, and on the West and North by an Acre belonging to the Representatives of *John Currie*, and on the East by an Acre belonging to the Representatives of *George Bruce*; also the Croft of Land commonly called *Lochan* or *Lochend Croft*, lying immediately upon the North Side of the Burgh of *Wigton*, bounded on the South by the Road



Road that runs round the Town, and on the North-west by the Road leading out of *Clugston's Vennel* to the *Kirkland Hill*, and on the North-east by the Road leading from the *Middle* or *Common Vennel* to said Hill; and all and whole these Acres of Land called *Auld* and *Maxwell's Acres*, lying contiguous, and North-west from the Burgh, bounded on the South and East by the Glebe, and on the West by the Road leading from the *Kirk Vennel* to the *Kirkland Hill*, and on the North by the Lands of *Kirkland Hill*, belonging to *Robert Jeffrey* Esquire; all and whole the Five Pound Land of *Culscadden*, with Parts, Pendicles, and Pertinents thereto belonging, which Lands were Parts of the Barony of *Craichlaw*, lying in the Parish of *Sorbie* and Sheriffdom of *Wigton*, together with the Teinds, Parsonage and Vicarage, of the said Lands; all and whole the Five Merk Lands of *Maidland*, with Houses, Edifices, Gardens, Orchyards, Mosses, Muirs, Meadows, Parks, and all other Parts, Pendicles, Pertinents, and Privileges of the same; and also all and whole the Lands commonly called *Maidland Fey*, adjoining to the said Lands of *Maidland*, consisting of Six Acres, or Six Bolls Barley sowing, all lying within the Parish and Sheriffdom of *Wigton*, together also with the Salmon Fishing in the Water of *Bladenoch*, so far as the said Lands extend and are opposite thereto; all and whole the Piece of Land in *Maidland Fey* consisting of One or more Acres, lying on the South Side of the Burgh of *Wigton*, bounded by the public Road leading to *Bladenoch Bridge*, and by the other Parts of *Maidland Fey* on all the other Parts; all and whole the Four Merk Lands of *Knockincur*, and whole Houses, Biggings, Yards, Orchyards, Parts, Pendicles, and Pertinents of the same, lying in the united Parishes of *Long Castle* and *Kirkinner* and Sheriffdom of *Wigton*; all and whole the Town and Lands of *Little Airries*, with the whole Parts, Pendicles, and Pertinents of the same, lying within the Parish of *Kirkinner* and Sheriffdom foresaid; all and whole that Part and Portion of the Land of *Kirkland Hill* of *Wigton*, consisting of Three Parks or Inclosures formerly or lately possessed by the deceased *Andrew Knox*, afterwards by *Mary Black* his Wife, and thereafter by *William M'Kean*, Indweller in *Wigton*, lying on the North-west Side of the public Road leading from *Newton Stewart* into the Burgh of *Wigton* on the North Side thereof, and bounded by the said Road on the East, by that Portion of the said Lands of *Kirkland Hill* belonging to the Heirs of the deceased *James Broadfoot*, Merchant in *Wigton*, upon the South, and by the *Common Vennel* belonging to the Burgh of *Wigton*, and the March Dyke betwixt said Inclosures and *Kirkland Park* now called *Colquhork*, on the West and North Parts, all lying in the Parish and Sheriffdom of *Wigton*, as the same are more particularly bounded in the ancient Writs thereof; all and whole that Piece or Point of Land, Part of the Farm of *Gallowhill*, lying immediately beyond the House and Yard feued by the Magistrates and Council of *Wigton* to *John M'Chesney*, and bounded on the North Side by the Burn of *Cotland* and by the Water of *Bladenoch*, on the South Side with the Dwelling Houses and Maltkiln now built thereon; as also that small Corner of Ground belonging to the Burgh of *Wigton*, on the West Side of the Bridge of *Bladenoch*, now a Garden, and all and whole that Bank of Ground

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upon the North Side of the Water of *Bladenoch*, from the Entry of the old Folkford at the End of the Lands of *Maidland* to the Bridge of *Bladenoch*; all and whole the Ten Merk Land called *Barness*, with the Corn Mill of the same, Mill Houses, Mill Lands, Fishings within the Water of *Bladenoch* pertaining thereto, Manor Place, Houses, Biggings, Yards, Tofts, Crofts, Annexis, Connexis, Parts, Pendicles, and Pertinents of the said Lands, Fishings, and Mill, with the astricted Multures, Bannock, Thirle, and Knaveship pertaining and belonging thereto, lying within the Barony and Regality of *Glenluce* and Shire of *Wigton*; and all and whole the Five Merk Land of *Kirriewaichope*, with the Houses, Biggings, Yards, Parts and Pertinents, and Teinds of the said Lands, lying in the Parish of *Kirkinner* and Shire of *Wigton* as aforesaid, together with the Teinds, Parsonage, and Vicarage of the said whole Lands and others above described, so far as the said Earl of *Sellirk* and his Predecessors, or Heirs and Successors, had Right thereto; and also all and whole the following Lands and others, purchased from Sir *William Douglas* Baronet; *videlicet*, all and whole the Lands and Barony of *Castle Stewart* otherwise *Castle Douglas*, of old called the Lands and Barony of *Calcreuchy*, comprehending therein that Steading or Pendicle called *Ochiltree*, with the Castle, Tower, Fortalice, Manor Place, Houses, Buildings, Yards, Orchyards, Mills, Woods, Fishings, Tenants, Tenancies, and Services of free Tenants, Parts, Pendicles, and whole Pertinents of the same whatsoever, lying within the Parish of *Penninghame* and Sherifffdom of *Wigton*; as also all and whole the Burgh of *Newton Stewart*, of old called the Ford House of *Cree* and Burgh of Barony of the same, with weekly Markets, Taxations, Privileges, and Liberties thereto belonging, as fully and freely as any other Burgh of Barony within *Scotland* possesses or may possess, conform to Charter under the Great Seal in favour of the deceased *William Stewart* of *Castle Stewart*, dated the First Day of *July* One thousand six hundred and seventy-seven Years, by which Charter it is appointed that Sasine to be taken at the Manor Place of *Castle Stewart* or any other Part of the said Lands and Barony should stand and be a sufficient Sasine for all and whole the Lands, Barony, Burgh of Barony, and others above written, and also the Teinds, Parsonage and Vicarage, of all and whole the said Lands, Barony, and others above mentioned, and which Lands and Barony comprehend therein all and whole that great Tenement or Dwelling House sometime possessed by the deceased *John Morton* Mason in *Newton Stewart*, thereafter purchased and rebuilt by *John Sloan*, Writer in *Newton Stewart*, and afterwards possessed as an Inn by Mrs. *Brewer*, with the Backclose, Stables, Office-houses, and Garden behind the same, also possessed by the said Mrs. *Brewer*; as also that other House and Garden in the said Town of *Newton Stewart*, with the Pertinents of the same, some Time possessed by *Alexander Park*, which the said Sir *William Douglas* of *Castle Douglas*, Baronet, took down, and erected on the Site thereof a new Building, consisting of Three Shops, with a large Room above; and Spire on the South End, together with the Seats in the new Church lately built in the Parish of *Penninghame*, which belonged to the said deceased *William Stewart* of *Castle Stewart*, with the whole Parts, Pendicles, and Pertinents of the said Lands, Barony, Teinds,



and others before described, which Lands and others were, along with certain other Lands belonging to the said deceased Sir *William Douglas*, united, created, and incorporated into a free Barony called the Barony of *Castle Douglas*, and the Town, formerly called *Newton Stewart*, to be called *Newton Douglas*, and the *Mill of Haugh* to be called the *Mill of Castle Douglas* in all Time coming, conform to Charter under the Great Seal in favour of the said Sir *William Douglas*, therein designed *William Douglas of Castle Douglas*, Esquire, dated the Thirteenth Day of *December* One thousand seven hundred and ninety-one Years, by which His Majesty granted and committed to the said Sir *William Douglas* and his Heirs and Successors full Power, Liberty, Privilege, and Jurisdiction of free Barony within the Bounds of the said Lands, and specially Power to him and his fore-saids to choose, create, make, and appoint Baillies and other Officers of the Baron Court, who should have Power to hold Baron Courts, and to exercise such Jurisdiction as is competent by Law, excepting always from the Lands and others above described all and whole the

Merk Land of *Mains of Castle Stewart*, with the Castle, Tower, Fortalice, and Manor Place thereof, and the Forty Shilling Land of *Glenrassie*, with Houses, Buildings, Yards, Orchyards, Parts, Pendicles, and Pertinents whatsoever; and also that Part and Portion of the ancient Lands and Barony of *Culcreuchy* now commonly called the *Cruives*, with Houses, Biggings, Yards, Orchyards, Parts, Pendicles, and universal Pertinents of the same, as some Time possessed by *John Thomson*, and in particular the Meadow Field called the *Broad Meadow*, as some Time possessed by *William M'Keand* and the said *John Thomson*, with the Teinds of the said Lands, all lying within the Parish of *Penninghame* and Sheriffdom of *Wigton*, in which Lands and Estates the said *George Earl of Galloway* was duly infeft and seised (excepting the *Millamers Tenements* and other Lands holding of the Burgh of *Wigton*, and the Lands of *Barness* held of the Earl of *Cassillis*;) conform to Instrument of Sasine in his favour, dated the Twenty-eighth Day of *November*, and recorded in the General Register of Sasines at *Edinburgh* the Seventeenth Day of *December*, both in the Year One thousand eight hundred and twenty-one: And whereas the said *George Earl of Galloway*, having made up Titles to certain Parts of the Lands which belonged to the said Earl *John* his Father, but to which the latter had completed no feudal Title, did by his Disposition and Supplementary Deed of Entail, which bears Date the Twenty-fourth Day of *January*, and is registered in the Register of Tailzies on the First Day of *March*, and in the Books of Session on the Sixth Day of *July*, all in the Year One thousand eight hundred and twenty-six, thereby give, grant, and dispone to himself the said *George Earl of Galloway*, and the Series of Heirs before enumerated, and with and under all and the same Conditions, Provisions, Restrictions, Limitations, Exceptions, Clauses irritant and resolute, as are contained in the said first before-mentioned Deed of Entail, all and whole the Lands and Estates following, which are also herein before described as having been included in the Description of Lands contained in the said first before-mentioned Deed of Entail; *videlicet*, all and sundry the Lands and other Heritages after described, *videlicet*, all and whole these Parts and Portions  
of



of the Lands and Barony of *Garlies*, lying within the Parish of *Minnigaff*, and Stewartry of *Kirkcudbright*, *videlicet*, all and whole the Lands of *Dalnaes* or *Dalnaws*, the Lands of *Glengrubbock* or *Glengrubock*, the Lands of *Bargrennan*, *Falbaes*, and *Crofecklo* or *Corriefeckle*, the Lands of *Drumaltanty* or *Drumlawanty*, the Lands of *Drumalock* or *Drummucklock*, the Lands of *Minniewick* or *Minniwicks*, with the whole Parts, Pendicles, and Pertinents thereof, lying within the said Parish and Stewartry foresaid; as also all and whole the Twenty Shilling Land of *Kilfillan*, of old Extent, with Houses, Buildings, Yards, Orchyards, Woods, Fishings, and Pertinents thereof, lying in the Parish of *Sorbie* and Sheriffdom of *Wigton*; as also all and whole the Five Merk Land of *Balcray*, with the Pertinents thereof, lying within the Parish of *Whithorn* and Sheriffdom of *Wigton*; and also all and whole the Lands of *Outten Burgess* and *Outten Corwar*, lying within the Parish of *Whithorn* and Sheriffdom of *Wigton* foresaid; as also all and whole these Three Merk Lands of the Six Merk Land of *Coitland*, with the Pertinents thereof, which formerly belonged to the deceased *John Mure* of *Coitland*, and *Alexander Mure* his Brother, lying within the Parish of *Wigton* and Sheriffdom foresaid; as also all and whole the Five Merk Land of *Barvenan*, of old Extent, lying in the Parish of *Penningshame* and Sheriffdom of *Wigton*, with that Pendicle of Land called *Mollenhill*, lying within the Parish of *Wigton* and Sheriffdom foresaid; as also all and whole the Six Merk and Half Merk Lands of *Bailliewhirr* or *Balzeucher*, with Parts, Pendicles, and Pertinents thereof, lying in the Parish of *Whithorn* and Sheriffdom foresaid; as also all and whole the Two Merk and Half Merk Land of *Arrow*, of old Extent, with the Pertinents, lying within the Sheriffdom of *Wigton*; as also all and whole the Merk Land of *Arrow*, with the Pertinents, lying within the Parish of *Glasserton* and Sheriffdom of *Wigton*; as also all and whole the Lands of *Braidfield*, *Clauchrie*, *Kirovennie*, and *Miln* commonly called *New Mill* of *Bladenoch*, with Lands, Miln Lands, Multures, and Sequels of the same; and all and whole the Fishing in the Water of *Bladenoch*, with Houses, Biggings, Yards, Parts, Pendicles, and whole Pertinents of the same, lying within the Parish and Sheriffdom of *Wigton*; all and whole that Croft of Land called *Bell's Croft*, lying adjacent to the Kirk of *Sorbie*, within the Parish thereof and Shire of *Wigton*, with the Parts, Pendicles, and Pertinents thereof: And whereas the said *George* Earl of *Galloway* having died, he was succeeded in all the said entailed Lands and Estates by the said *Randolph* now Earl of *Galloway* and Baron *Stewart* of *Garlies*, his eldest Son, who has Right thereto, and is in Possession of the same, as Heir Male and of Tailzie and Provision served and retoured to the said deceased Earl his Father, under and in Terms of the said Three recited Deeds of Entail, conform to Retour of his general Service dated the Twenty-seventh Day of *July* One thousand eight hundred and thirty-five, in the greater Part of which Lands and Estates the said *Randolph* Earl of *Galloway* was also infeft conform to Instrument of Sasine proceeding upon a Deposition of all and sundry the Lands, Baronies, Teinds, and other Heritages contained in the said Three recited Deeds of Entail, dated the Sixth Day of  
*June*



*June* One thousand eight hundred and twenty-seven, and registered in the Books of Council and Session the Fourth Day of *July* One thousand eight hundred and thirty-five, made and granted by the said *George* Earl of *Galloway* in favour of himself and the same Series of Heirs, and under all the Conditions, Provisions, Limitations, Clauses irritant and resolute, contained in the said Three Deeds of Entail, which Instrument of Sasine bears date the Twenty-second Day of *August* One thousand eight hundred and thirty-five, and is registered in the General Register of Sasines at *Edinburgh* the Eleventh Day of *September* One thousand eight hundred and thirty-five: And whereas there are upon the Sea Shore forming the Boundary of the said entailed Lands and Estates large Tracts of sleschy Ground, capable, as has been ascertained, as well by successful Attempts made by the said deceased *George* Earl of *Galloway* as by recent Surveys, of being reclaimed and rendered productive, and the Operations necessary for that End, in combination with other Works, will essentially contribute to the Improvement and Amelioration of a great Extent of Moss called *Moss of Cree*, containing One thousand Acres or thereabouts, so as by such Exclusion of the Sea, and draining and improving the said Moss, to add to the said entailed Estates about Six thousand Acres of valuable Land; and such Operations will also importantly contribute to the Protection of the said entailed Estates from the Encroachment of the Sea, which has heretofore occasioned great Loss and Expence to the Proprietors of the same: And whereas the Expence of the Operations necessary for affecting the above Purposes will, as appears by the Schedule (A.) hereunto annexed, amount to the Sum of Fifty-five thousand Pounds: And whereas the draining and improving of the said *Moss of Cree* is a Work which the said *Randolph* Earl of *Galloway* would be entitled to effect under the Provisions of an Act of the Tenth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to encourage the Improvement of Lands, Tenements, and Hereditaments in that Part of Great Britain called Scotland, held under Settlements of strict Entail*; and the Expence of such draining and Improvement will, as appears from the Schedule (B.) hereunto annexed, amount to Fifteen thousand Pounds; and such draining and Improvement will be partly accomplished and materially assisted by the Operations necessary for excluding the Sea and reclaiming the said Shore and sleschy Ground, which Operations, according to the Opinion of the best Engineers, may be carried on, not only with perfect Security, but with great Advantage to the Heirs of Entail; and it is therefore just and expedient that a Sum not exceeding Fifteen thousand Pounds should be authorized to be raised, in the first instance, upon the Security of the said entailed Estates: And whereas the Operation and Work necessary to the above Ends are not (excepting the draining and Amelioration of the said Moss) Improvements falling under the Provisions of the said recited Act, so that the Expence to be incurred by the said *Randolph* Earl of *Galloway*, or any other Heir of Entail executing the same, would fall upon the said Earl or such Heir, although from the Nature of the Works, and the Time necessary for their Execution and Effect, it is obvious that the future Heirs are likely to be more benefited thereby

[Private.]



thereby than the said Earl or the Heir executing the same, while at the same Time such Works can be far more effectually and beneficially carried on simultaneously and on a great Scale than in small Portions; and it is just and expedient therefore that the Expence of effecting such Works and Improvements (excepting to the Amount of Fifteen thousand Pounds to be raised in the meantime as aforesaid on the entailed Estates) should be authorized to be raised upon the Security of the Land to be reclaimed and improved as aforesaid, which cannot otherwise be done by reason of the Prohibitions contained in the said Deed of Entail: And whereas since the said *Randolph* Earl of *Galloway* came into Possession of the said Lands and Estates he has expended considerable Sums upon the Improvement and Amelioration thereof, in erecting Farm Houses, Offices, and other Buildings, and in planting, draining, inclosing, and otherwise improving the said Lands, for the Benefit and Advantage of the said Lands and Estates, and of the Heirs of Entail entitled to succeed thereto; which Sums amount to the Sum of Twelve thousand and thirty-six Pounds Fourteen Shillings and Seven-pence, as appears from the Schedule (C.) hereunto annexed: And whereas by the said recited Act of the Tenth Year of the Reign of His Majesty King *George* the Third Relief was intended to be given to Heirs of Entail expending Money on the Improvement of their Estates; but the Provisions of the said Act do not in all Cases afford adequate Relief, and are attended with so much Doubt and Difficulty in their Execution as to frustrate in a great measure the Object for which the said Act was passed; and the said *Randolph* Earl of *Galloway*, in respect the Regulations thereby enacted have not been complied with, cannot obtain the Relief thereby contemplated: And whereas the subsequent Heirs of Entail will derive great Advantage from the Expenditure made by the said *Randolph* Earl of *Galloway* for the Benefit of the said entailed Estates, and it is just and equitable that the said Earl should be relieved of the said Expenditure; but as the above Objects cannot be attained without the Aid and 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, That from and after the passing of this Act it shall be lawful for the said *Randolph* Earl of *Galloway*, or any other Heir of Entail in Possession of the said entailed Lands and Estates for the Time, or the Tutors or Curators of any such Heir if in Pupillarity or Minority, to adopt such Means as shall be considered most advisable for embanking out and gaining from the Sea such Part or Parts of the said sleetchy Ground or Shores as they shall think fit, and for completing the Improvement of such Parts of the said Shores as are now in course of being embanked and gained, and also for draining and improving the said *Moss of Cree*, and for rendering the Shore or sleetchy Ground so to be gained, and the Moss so to be drained and improved, fit for Agricultural Purposes, and also to build Farm Steadings and Offices thereon, and to fence, inclose, and make Roads through the same; and the Expences which shall be incurred in so doing (with the

Authority to  
reclaim and  
improve  
Lands.



the Exception of Fifteen thousand Pounds thereof, to be raised upon the said entailed Estates in manner after provided,) shall form a real Burden and Charge upon the Lands so to be gained and improved, and the Rents and Profits thereof, in manner herein-after directed; and the Expences of procuring and passing this Act, and of carrying the same into execution, shall be paid out of the first and readiest of the Monies hereby authorized to be borrowed.

II. And be it enacted, That before proceeding to the Expenditure of any Part of the Money hereby authorized to be raised and expended as aforesaid, the said *Randolph* Earl of *Galloway*, or other Heir of Entail in Possession of the said entailed Lands and Estates intending to proceed in making the said Improvements, shall give One Month's previous Notice of such his Intention in Writing to the Heir of Entail entitled to succeed to the said entailed Estates next after the Heirs of the Body of the Heir in Possession for the Time being, if within *Great Britain* or *Ireland*, and if the next Heir entitled to succeed is not within *Great Britain* or *Ireland*, shall give Notice in Writing to the nearest Male Relation of such Heir by his Father, of lawful Age, or to his known Factor or Attorney, or to his Tutors or Curators if in Pupillarity or Minority, and shall lodge a Copy of such Notice with the Sheriff Clerk of the Shire of *Wigton*.

Notice to be given.

III. And be it enacted, That in order to raise the Sum of Fifteen thousand Pounds, a Part of the said Sum of Fifty-five thousand Pounds to be expended on the Operations hereby authorized, and to be secured upon the said entailed Estates, it shall be lawful for the said *Randolph* Earl of *Galloway*, or other Heir in Possession of the said Estates, to borrow the said Sum by successive Loans, of Sums not exceeding Three thousand Pounds each, and to grant Heritable Bonds, or Bonds and Dispositions in Security, therefor, and for the Interest to become due thereon; and to dispone and convey the said entailed Lands and Estates, or any Portion thereof, in Security of such Loans, heritably but redeemably, and with all the Powers and Authorities, and under the Conditions and Limitations, usual and requisite in such Securities by the Law of *Scotland*; which Heritable Bonds, or Bonds and Dispositions in Security, shall be good, valid, and effectual to the Creditors therein, and their Heirs and Representatives and Assignees, in such and the like Manner as if the same were granted by a Fee Simple Proprietor, and shall be effectual against all the Heirs of Entail who may succeed to the said entailed Lands and Estate; and the Creditor or Creditors therein, and his or their Heirs, Representatives, and Assignees, shall have every Remedy competent by the Law of *Scotland* for the Recovery of the Sums, Principal, Interest, and Penalties contained in such Heritable Bonds and Bonds and Dispositions in Security.

Authority to raise 15,000*l.* in Sums not exceeding 3,000*l.*

IV. Provided always, and be it enacted, That it shall not be lawful for the said *Randolph* Earl of *Galloway*, or Heir of Entail in Possession

Account of Expenditure of each Sum



of 3,000*l.* to  
be lodged.

session for the Time being, after he shall, in the Exercise of the Power hereby conferred, have borrowed One Sum of Three thousand Pounds in manner aforesaid, to borrow any like farther Sum until he shall have expended the Sum so before borrowed, and shall have lodged with the Sheriff Clerk of the County of *Wigton* an Account of the Expenditure of such Sum of Three thousand Pounds, together with all the Vouchers of such Account, which Accounts and Vouchers shall be signed by the said *Randolph* Earl of *Galloway*, or Heir in Possession for the Time disbursing the Money, or by some Person duly authorized by him or his Tutors and Curators to that Effect, and shall be recorded by the said Sheriff Clerk in the same Way in which Accounts and Vouchers lodged under the Authority of the said recited Act of the Tenth Year of the Reign of His Majesty King *George* the Third are required to be kept and recorded, and shall, after being so recorded, be delivered back, if required; and such Record shall be open and patent to all who desire to see the same, on Payment of One Shilling for each Inspection; and the said Sheriff Clerk shall give certified Copies or Extracts of such Accounts and Vouchers to any Person desiring the same, on Payment of Sixpence for every Seventy-two Words of such Copy or Extract; and a Certificate under the Hand of the Sheriff to the Effect that such Accounts and Vouchers have been so lodged and recorded shall be sufficient Evidence that the Sums therein contained have been borrowed and expended in and according to the Terms and Meaning of this Act; and the Lender or Lenders of any Money to be borrowed under the Authority of this Act shall have no Concern with the Application thereof, or with the Accuracy or Effect of the Account or Vouchers of the Expenditure of the Sums hereby authorized to be borrowed.

The 15,000*l.*  
raised on  
the entailed  
Estate to be  
transferred  
to the re-  
claimed  
Lands.

V. Provided further, and be it enacted, That it shall not be lawful to borrow under the Authority of this Act any Sum exceeding the said Sum of Fifteen thousand Pounds upon the Security of the said entailed Estates; and that as soon as the Lands to be gained from the Sea or rendered productive by the draining and Improvement of the said Moss are capable of affording Security for the said Sum of Fifteen thousand Pounds, besides securing the Sum of Forty thousand Pounds (being the farther Part of the said Sum of Fifty-five thousand Pounds authorized to be raised under this Act), the Security for the said Sum of Fifteen thousand Pounds shall be transferred, by the said *Randolph* Earl of *Galloway*, or Heir in Possession at the Time, from the said Entailed Estates to the said Land gained or to be gained and improved; and it shall be competent for any Heir of Entail to insist for such Transfer by summary Process in the Court of Session, on Proof always that the Land gained and improved, is adequate in Value to afford such Security; and in case any Creditor or Creditors shall refuse to concur in such Transfer, the said *Randolph* Earl of *Galloway*, or Heir in Possession, shall be bound to pay off the Debt so affecting the said entailed Estates, but with Power to raise the Sum so paid off upon the Security of the Land so gained or to be gained.

VI. And



VI. And be it enacted, That when the said *Randolph* Earl of *Galloway*, or Heir of Entail executing the said Improvements, shall have expended Three thousand Pounds of the said Sum of Forty thousand Pounds, hereby authorized to be raised, and shall have lodged with the Sheriff Clerk of the Shire of *Wigton* an Account of such Expenditure and the Vouchers thereof, to be recorded in Manner and to the Effect herein-before provided in respect of the said Sum of Fifteen thousand Pounds, it shall be lawful for the said *Randolph* Earl of *Galloway*, or other Heir aforesaid, to raise and borrow the said Sum of Three thousand Pounds upon the Security of the Land which shall then have been reclaimed or rendered productive, and to grant an Heritable Bond or Disposition in Security, or Bonds and Dispositions in Security, therefor, and to dispoise and convey the said reclaimed or improved Lands, or any Part or Portion thereof that may be necessary, in security thereof, in such and the like Manner and to the same Effect as Heritable Security is herein-before authorized to be granted upon the said entailed Estates in respect to the said Sum of Fifteen thousand Pounds; and so on successively with respect to each Sum of Three thousand Pounds so expended and recorded: Provided always, that the Heritable Securities to be granted for such successive Loans of Three thousand Pounds upon the said Lands to be reclaimed and improved shall not in all (except as herein-after provided) exceed the said Sum of Forty thousand Pounds, or, with the said Sum of Fifteen thousand Pounds, the Sum of Fifty-five thousand Pounds.

Authority to charge the reclaimed or improved Lands.

VII. And be it enacted, That in order to save Expence in the raising the Money necessary for carrying the Operations authorized by this Act into execution by separate Loans, it shall be lawful for the said *Randolph* Earl of *Galloway*, or the Heir in Possession of the said entailed Estate for the Time being, or the Tutors or Curators of such Heir if in Pupillarity or Minority, to establish a Credit in the Manner authorized and prescribed by an Act of the Fifty-fourth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for rendering the Payment of Creditors more equal and expeditious in Scotland*, with any of the Banks in *Scotland* established by Act of Parliament or by Charter, or any Branch of such Bank, to be operated on by the said Earl or Heir in Possession for the Time, or the Tutors and Curators of such Heir, or any one having Authority from him or them to that Effect, by granting Heritable Bonds, or Bonds and Dispositions in Security, to be effectual against the Granter and Heirs of Entail of the said Estates dispoising and conveying to such Bank in security, heritably but redeemably, such Parts of the said entailed Estates as will be sufficient to afford an adequate Security for all or such Part of the said Sum of Fifteen thousand Pounds as the said *Randolph* Earl of *Galloway*, or Heir of Entail for the Time, may think fit, and for the Interest of so much of such Sum as may be drawn upon the Responsibility of the Credit so established; and in like Manner to dispoise and convey to such Bank or Branch thereof the Whole or such Part of the Lands to be reclaimed and improved as aforesaid for all or such Part of the

Cash Credit may be established with a Bank.

54G.3.c.137.

[Private.]



said farther Sum of Forty thousand Pounds as the said *Randolph* Earl of *Galloway*, or such Heir, may think fit, and for the Interest of so much of such Sum as may be drawn upon the Responsibility of such Credit: Provided always, that it shall not be lawful for the said *Randolph* Earl of *Galloway*, or Heir in Possession as aforesaid, at any Time to draw upon any such Credit a larger Sum than Three thousand Pounds, until he shall have lodged Accounts and Vouchers with the Sheriff Clerk, as herein-before directed, showing the Expenditure of the Sum of Three thousand Pounds next before borrowed as aforesaid; of which a Certificate under the Hand of the Sheriff Clerk shall be sufficient Evidence to any such Bank, and such Bank shall have no Concern with the Application of the Sums to be advanced by them upon such Credits, or with the Accuracy or Effect of the Accounts or Vouchers of the Expenditure of any Sum to be so advanced.

Interest not  
to run into  
arrear.

VIII. And be it enacted, That the said *Randolph* Earl of *Galloway*, or Heir of Entail in Possession of the said entailed Estates, shall pay the Interest arising upon the said Sum of Fifteen thousand Pounds, or as much thereof as shall be borrowed, half-yearly, and shall in like Manner pay the Interest upon the said Sum of Forty thousand Pounds, or such Part thereof as shall be borrowed, half-yearly; and no Arrear of Interest beyond Two Years shall form any Burden upon the said entailed Estates or reclaimed and improved Lands respectively; reserving nevertheless to the Creditor all Claims competent against the said *Randolph* Earl of *Galloway*, or Heir of Entail in Possession, and their separate Estates respectively, for such Arrears as may have become due during the Time of his Possession of the said Lands and Estates.

Deeds not  
to incur an  
Irritancy.

IX. And be it enacted, That the said *Randolph* Earl of *Galloway*, or Heir in Possession for the Time being, granting an Heritable Bond or Bond and Disposition in Security, or other Deed which may be necessary to be granted in the Execution of this Act, shall not thereby or by reason thereof incur an Irritancy or Forfeiture under the said recited Deeds of Entail.

A Sinking  
Fund to be  
established.

X. And be it enacted, That in order to redeem and extinguish the Debt to be incurred, and wherewith the said entailed Lands and Estates to be reclaimed and improved, are to be burdened as aforesaid, the said *Randolph* Earl of *Galloway*, or Heir in Possession for the Time, shall be bound and obliged during the first Ten Years that shall elapse after the Lands to be reclaimed and improved shall yield any free Rent or Revenue and thereafter, to apply One Eighth Part of so much of the free Rents or Revenue (after Deduction of Public and Parochial Burdens, Expences of keeping up the Embankments, and the Interest of the Monies raised for the Purposes of this Act,) as shall arise during the said Period of Ten Years, as a Sinking Fund for the Purpose of redeeming the said Heritable Debts or Burdens; and after the Expiration of such Ten Years, then so to apply One Fifth Part of the free Rent or Revenue, deducting as aforesaid, which shall arise there-  
after;



after; of which Obligation it shall be competent for any Heir of Entail to compel the Fulfilment by summary Action in the Court of Session.

XI. And be it enacted; That the said *Randolph* Earl of *Galloway*, or Heir in Possession for the Time being, shall be bound and obliged out of the first and readiest of the Rents or Proceeds of the Lands to be reclaimed or improved, to keep the Embankments and other necessary Works in good and sufficient Repair; but if any unforeseen Damage shall hereafter, through any Flood or Irruption of the Sea, occur to the said Lands, the Expence to be incurred by the said *Randolph* Earl of *Galloway*, or Heir in Possession, in repairing the same, so as to secure the said Lands, shall form a Real Burden and Charge upon the said reclaimed or improved Lands (but not upon the said entailed Estates), in the like Manner as the original Cost of reclaiming and improving the same: Provided always, that it shall be competent to any Creditor in any Sum so to be borrowed on the Security of the said reclaimed or improved Lands, or for any Heir of Entail of the said Estates, to compel the said *Randolph* Earl of *Galloway*, or Heir in Possession for the Time, by summary Action before the Sheriff of *Wigton*, to repair such Damage, and secure the said Lands; and provided further, that the Accounts and Vouchers of such Expence shall be duly lodged with the Sheriff Clerk in the Manner and to the Effect prescribed and directed in relation to the original Expence hereby authorized to be incurred.

Embankments to be kept up.

XII. And in order to relieve the said *Randolph* Earl of *Galloway* of Three Fourth Parts of the said Sum of Twelve thousand and thirty-six Pounds Fourteen Shillings and Seven-pence, expended by him as aforesaid, as set forth in the said Schedule (C.), be it enacted, That it shall be lawful for the said *Randolph* Earl of *Galloway*, or Heir of Entail in Possession for the Time being, to borrow or take up in Loan a Sum or Sums not exceeding Nine thousand and twenty-seven Pounds Ten Shillings and Eleven-pence Farthing, being Three Fourth Parts of the said Sum of Twelve thousand and thirty-six Pounds Fourteen Shillings and Seven-pence, and to secure the Payment of the Sum to be borrowed, and Interest thereof, and usual liquidate Penalties and Expences, by Heritable Bond or Bonds, or Bond and Disposition or Bonds and Dispositions in Security, in favour of the Person or Persons who shall lend the Money, and to dispoise and convey the said entailed Lands and Estates, or any Portion thereof, in security of such Loans, heritably but redeemably, and with all the Powers and Authorities, and under the Conditions and Limitations, usual and requisite in such Securities by the Law of *Scotland*; and which Heritable Bonds or Dispositions in Security shall be good, valid, and effectual to the Creditors therein, and their Heirs, Representatives, and Assignees, in such and the like Manner as if the same were granted by a Fee Simple Proprietor, and shall be effectual against all the Heirs of Entail who may succeed to the said entailed Lands and Estates; and the Creditor or Creditors therein, and their Heirs, Representatives, and Assignees, shall have every Remedy competent by the Law of *Scotland*.

Money expended in Improvements may be raised on entailed Estate.



*land* for the Recovery of the Sums, Principal, Interest, and Penalties contained in such Heritable Bonds, and Bonds and Dispositions in Security.

The Sum to be payable to the Earl of Galloway's Representatives if not raised during his Life.

XIII. And be it enacted, That if the said *Randolph* Earl of *Galloway* shall die before borrowing the said Sum of Nine thousand and twenty-seven Pounds Ten Shillings and Eleven-pence Farthing, or the Whole thereof, the Heirs succeeding to him by virtue of the said Deeds of Entail shall be Debtors to the Executors, Trustees, or other Representatives of the said *Randolph* Earl of *Galloway* for the said Sum, or such Part thereof as he may not have borrowed, and shall be obliged to pay the same, with Interest, from the Death of the said *Randolph* Earl of *Galloway*, to his Executors, Trustees, or other Representatives, the Heir paying the same having Power to burden the said entailed Estates therewith accordingly.

On Payment of the Sum the Estates to be freed therefrom.

XIV. And be it enacted, That upon Payment of the said Sum of Nine thousand and twenty-seven Pounds Ten Shillings and Eleven-pence Farthing to the said *Randolph* Earl of *Galloway*, his Executors, Trustees, or other Representatives, the entailed Lands and Estates aforesaid, and the Heirs of Entail therein, shall be for ever freed and relieved of and from any Claim or Demand for any Sum or Sums of Money contained in the said Schedule (C.) expended by the said *Randolph* Earl of *Galloway* in the Improvement of the said entailed Estates as aforesaid.

Nothing herein to defeat Deeds of Entail, &c.

XV. And be it enacted, That nothing herein contained shall be held or construed to alter, innovate, change, or defeat any of the said recited Deeds of Entail, or the Order of Succession thereby established, excepting in so far as is necessary to carry this Act into execution, according to the true Intent and Meaning thereof; and the Land to be reclaimed and improved shall descend in the same Course and Order of Succession, and under the same Reservations, Conditions, Provisions, Restrictions, and Limitations, and Clauses irritant and resolute, as are contained in the said recited Deeds of Entail.

General Saving.

XVI. Saving and reserving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and any Person or Persons entitled to any Debt or Annuity or any Provision constituting a Burden or Burdens upon the said entailed Estate, and to the Creditors of the said deceased *John* Earl of *Galloway* under an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled

5 G. 4. c. 17.

*An Act for empowering the Judges of the Court of Session in Scotland to sell Parts of the entailed Estates of George Earl of Galloway, situated in the Shire of Wigton and Stewartry of Kirkcudbright, for Payment and Satisfaction of certain Debts incurred by the said Earl prior to the Eleventh Day of July One thousand eight hundred and twenty-three, and to all and every other Persons (save and except the said Randolph Earl of Galloway, and all and every the other Heirs of Entail called or entitled to take under the Deeds of Entail*



Entail herein-before recited), all such Right, Title, Interest, Claim, and Demand whatever, in, to, and out of the said Lands and Estates, as they have or might claim, challenge, or demand, and that in the same Manner and as amply as if this Act had not been passed.

XVII. And be it enacted, That this Act 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.

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



SCHEDULE (A.) referred to in the foregoing Act.

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The Expence of the Operations necessary for excluding the Sea and reclaiming the Land upon the Shores of the Earl of Galloway's Estates in Wigtonshire will amount to Fifty-five thousand Pounds.

(Signed)

*Js. Walker.*  
*Colin Christison.*

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SCHEDULE (B.) referred to in the foregoing Act.

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The Expence of draining and improving the Moss of Cree, a Part of the Estate of the Earl of Galloway in Wigtonshire, will amount to Fifteen thousand Pounds.

(Signed)

*Js. Walker.*  
*Colin Christison.*

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SCHEDULE (C.) referred to in the foregoing Act.

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1. In erecting and repairing Houses, Steadings, and other Buildings	-	-	-	£	s.	d.
				5,801	12	5
2. In draining, trenching, and planting, and otherwise improving the Lands	-	-	-	2,364	15	7
3. In inclosing, fencing, levelling, and making Roads and Bridges	-	-	-	3,870	6	7
				<hr/>		
			Amount	£12,036	14	7
				<hr/> <hr/>		

(Signed)

*John M'Millan.*

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