



ANNO VICESIMO NONO & TRICESIMO

VICTORIÆ REGINÆ.

Cap. 7.

An Act to confirm an Agreement with respect to the Estate of the late *Agnes Hamilton*, and to provide for the Administration of the Funds left by her for the Payment of Annuities.

[6th August 1866.]

WHEREAS the deceased *Agnes Hamilton*, Grocer in *Gorbals*, by her Trust Disposition and Deed of Settlement dated the Nineteenth Day of *July* One thousand eight hundred and twenty-one, and recorded in the Books of Council and Session at *Edinburgh* the Eighteenth Day of *June* One thousand eight hundred and sixty, gave, granted, disposed, conveyed, and made over, from her after her Death, to and in favour of *William Caldwell*, Watchmaker, *Gorbals*, *John Parker*, late Dyer residing in *Gorbals*, *John Brown*, Officer of Excise in *Laurieston*, *John McIntosh* and *John Robertson*, both Grocers in *Gorbals*, *Andrew Coats*, Brass-founder there, *Lorimer Corbet*, Surgeon there, *Alexander Henderson*, lately Grocer there, and *George Strang* and *David Wylie*, both Grocers there, Managers of the Barony of *Gorbals*, and their Successors in Office, Managers for the said Barony for the Time being, as Trustees for the Ends, Uses, and Purposes after mentioned, all and sundry

[*Private.*] *h h*

Trust Disposition and Settlement of *Agnes Hamilton*, dated 19th July 1821.

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sundry Lands and Heritages, Tacks, Steadings, Rooms, and Possessions, Goods, Gear, Debts, and Sums of Money, pertaining and belonging or which should be pertaining and belonging or addebted and owing to her at the Time of her Death, and particularly, without Prejudice to the said Generality, all and whole her Share of the Tenements of Land in the Village of *Gorbals* and in the Burgh of *Glasgow*, therein particularly described, and, further, she thereby assigned and conveyed, from and after her Decease, to and in favour of the said Managers of the said Barony of *Gorbals*, and their Successors for the Time being, the Rents, Mails, and Duties, and the Writs, Title Deeds, and Securities of the Lands and others thereby disponded, with Power to them to intromit with, call, and pursue for the said Rents, and for Implement and Delivery of the said Writings, Receipts; and Discharges, to grant, compound, transact, and agree and generally every other Thing to do which she could have done herself if in Life, but declaring that the said Trust Disposition and Settlement was granted by her, and to be accepted by the said Managers of the said Barony and their Successors, in trust under the Burdens, Declarations, and Provisions, and for the Ends, Uses, and Purposes following; *viz.*, in the first place, under the Burden of the Payment of all her just and lawful Debts, and Sick-bed and Funeral Expenses, in the second place, under the Burden of the Payment of an Annuity to *Margaret Hamilton*, her Sister, Wife of *John Eadie*, Mason in *Gorbals*, of Thirty Pounds Sterling during all the Days and Years of her Lifetime, in the third place, under the Burden of the Payment of an Annuity to *Janet McCall*, her Servant, of Twelve Pounds Sterling during her Lifetime, and in the last place the said *Agnes Hamilton* thereby gave, granted, mortified, and assigned the whole Remainder of her Estate and Effects, Heritable and Moveable, to and in favour of the said Managers and their Successors, for the following Purposes, *viz.*, for paying all necessary Expense of Management, and the yearly Proceeds or annual Rents of the whole Remainder or Residue should be allocated and applied for the Payment of Annuities or yearly Payments not exceeding Four Pounds Sterling each to decayed Natives and Residenters for Forty Years in the said Barony, to be nominated by the Managers from Time to Time, such Persons being not under the Age of Sixty-five Years, and the said Annuities being payable during the Lives of such Annuitants at Two or Four Terms in the Year, as the said Managers might think best, but providing always and declaring, as it is thereby provided and declared, that the Annuitants might forfeit their said Annuities by immoral Conduct, of which the Managers should be sole Judges, or the Annuities might be withdrawn by the Annuitants succeeding to a Competency for their Livelihood otherways, and in that Case also the Managers should be sole Judges, with Power to them accordingly to recal the said Annuities; if they should see Cause as aforesaid,

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aforesaid, and to grant the same of new to such Person or Persons as they should judge best entitled thereto, under the Provisions thereinbefore and underwritten; and she thereby nominated and constituted the Managers before named and designed, and their Successors for the Time being; Patrons and Guardians of the said Mortification, with full Power to sell, dispose of, and convert into Money, by Public Sale or Private Bargain, all or any Part of the Subjects and Estate, Heritable and Moveable, thereby conveyed, in such Lots as they might think proper, and at such Prices as could be got for the same, and to receive and discharge the said Prices, and grant, execute, and deliver all Dispositions and other Deeds in Writing requisite in the Premises, and with Power to govern, manage, and secure the Proceeds of the said Estate in the Way they might judge proper for the Benefit of the said Annuitants; and for the Love and Favour she had to her Sisters *Catherine, Janet, and Paterson*, she thereby appointed and ordained that in case of any of them or their Children falling into Want, and applying for the Benefit of the said Mortification, they should be preferred without regard to their Age, and that the said Managers and their Successors should pay to any One of her said Sisters or of their Children so applying an Annuity of Eight Pounds Sterling, or double the Amount of the ordinary Annuity before provided for, providing always there are sufficient unappropriated Funds to answer the same; and further she thereby appointed and ordained that in all Cases the Person or Persons applying for the Benefit of the foresaid Fund should be of good moral Character, and should be certified as such to the Satisfaction of the foresaid Managers, it being her anxious Desire that no unworthy Object should be benefited by the said Mortification; and to the Effect that the foresaid Residue of her said Estate, with the Proceeds and annual Rents thereof, might be more carefully uplifted and properly applied, the said *Agnes Hamilton* thereby appointed and ordained the said Managers and their Successors to give Account to the Minister of the Established Church of the said Village of *Gorbals*, and to the Magistrates of the said Barony of *Gorbals* for the Time being, of their Care and right Application of the said Residue of her said Estate, and of the yearly Proceeds or annual Rents thereof; and that once every Year, upon the First Day of *December*, when their whole Accounts and Intrusions, with the Vouchers thereof, should be subject to Examination by the said Minister and Magistrates; and in case of any Mismanagement or Embezzlement that the said Minister and Magistrates should be entitled to sue for Redress in any competent Court, which they were thereby empowered to do for the Benefit of the Institution:

And whereas by a Codicil to her said Trust Disposition and Settlement, dated the Twenty-eighth Day of *January* One thousand eight hundred and thirty-four, the said *Agnes Hamilton* revoked and recalled

First Codicil,
dated 28th
Jan. 1834.

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recalled the Annuity of Twelve Pounds Sterling provided by the said Deed in favour of the said *Janet McCall*, some Time her Servant, declaring the same to be altogether cancelled, and she thereby provided in favour of *Margaret Spence*, residing in *Ballantine's Land, Tradeston*, an Annuity of Twelve Pounds Sterling *per Annum* during her Lifetime, in case of her surviving the said *Agnes Hamilton*; and, further, the said *Agnes Hamilton* thereby left and bequeathed the Sum of Twenty Pounds Sterling to each of the Institutions and Societies after mentioned, *viz.*, to the Royal Infirmary, *Glasgow*, the Old Man's Friends Society, the Old Woman's Society, the Colliers Society at *Govan*, and the *Glasgow Missionaries Society*, and the Town's Hospital, amounting altogether to One hundred and twenty Pounds Sterling, payable these Legacies at the First Term of *Whitsunday* or *Martinmas* happening next after her Decease; and further, as in the Business carried on by her there were at all Times small Accounts standing on Credit, and as the Debtors in these Accounts were poor, she declared that 'it was her Will and Desire that, after her Decease, they should not be called on for Payment, but that all of the Accounts then owing should be remitted and held to be discharged; and so far only she altered and revoked, and in other respects approved, of the said Trust Disposition and Settlement:

Second
Codicil,
dated 13th
Oct. 1854.

And whereas by another Codicil to her said Trust Disposition and Settlement, dated the Thirteenth Day of *October* One thousand eight hundred and fifty-four, the said *Agnes Hamilton*, on account of the good Favour which she entertained towards Ploughmen, thereby instituted, granted, and bequeathed a Prize of Two Pounds Sterling to be given by the Executors of her Settlement, in Clothing, to the successful Competitor for the Time at the annual Parish Ploughing Match in the Parish of *Cathcart*, or otherwise at the principal annual Ploughing Match held in that Parish; and which Codicils were recorded in the Books of Council and Session along with the said Trust Disposition and Settlement:

GlasgowMunicipal Act,
9 & 10 Vict.
c. cclxxxix.

And whereas by the Act Ninth and Tenth *Victoria*, Chapter Two hundred and eighty-nine, intituled *An Act to extend the Municipal Boundaries of the City of Glasgow; to amend the Acts relating to the Police and Statute Labour of the said City and adjoining Districts; and for other Purposes in relation to the Municipality and Police of the said City*, the Municipal Boundaries of the City of *Glasgow* were extended so as to include all the Territory within the Parliamentary Boundaries of the said City, and it was thereby provided that all subordinate and separate Magistracies, Councils, and Jurisdictions within the Bounds of the said City, as fixed by that Act, should, from and after the First Election and Induction into Office of the Magistrates and Councillors under that Act, cease and determine, and, under the Provisions of the said Act, the said Barony of *Gorbals* was included within the Boundaries of the City
of

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of *Glasgow*: And whereas by the Seventeenth Section of the said Act it is provided, that all Mortifications, Endowments, Trusts, however constituted, Charitable Bequests, or other Grants held or administered by the Council or the Magistrates or Office Bearers of the City of *Glasgow*, of the Barony of *Gorbals*, of the Burgh of *Calton*, and of the Burgh of *Anderston*, by themselves or in conjunction with any Person or Persons, Body or Bodies, (but subject to the Liabilities to which the same are legally subject,) should be vested in, held, and administered by the Council or the Magistrates or Office Bearers to be elected for the City under the said Act, or by so many of their Number to be chosen by them for that Purpose as are appointed by the Deeds under which such Mortifications, Endowments, Trusts, or Bequests are constituted, together with the other Trustees also therein nominated, for the Purposes, and with the Rights, Powers, and Authority, and subject to all the Conditions and Provisions; under and upon which the same were conveyed, granted, or settled by the Granters or Makers of such Mortifications, Endowments, Trusts, or Bequests :

And whereas the said *Agnes Hamilton* died unmarried on the Eighteenth Day of *March* One thousand eight hundred and sixty, and left Real or Heritable Estate of the Value of about Twenty thousand Pounds, and Personal or Moveable Estate of the Value of about Three thousand Pounds: And whereas all the Persons named as Trustees in the said Trust Disposition and Settlement pre-deceased the said *Agnes Hamilton*, and the Managers of the said Barony of *Gorbals* had ceased to exist in the Year One thousand eight hundred and forty-six, and the Magistrates and Town Council of the City of *Glasgow* declined to interfere with the Management of her Estate: And whereas on the Twenty-fifth Day of *May* One thousand eight hundred and sixty *Peter White*, Accountant in *Glasgow*, was, on the Application of *Robert Couper*, Papermaker at *Millholm* in the Parish of *Cathcart*, and others, appointed by the Court of Session to be Judicial Factor on the Estate of the said *Agnes Hamilton*, and has since that Time administered and is now in possession of the said Estate: And whereas the said *Robert Couper* is the eldest Son and Heir of the deceased Mrs. *Janet Hamilton* or *Couper*, Sister of the said *Agnes Hamilton*, and Mrs. *Margaret Eadie* or *Turner*, Wife of *David Turner*, residing in *Watt Street, Paisley Road, Glasgow*, is the only Child and Heir of the deceased Mrs. *Margaret Hamilton* or *Eadie*, Sister of the said *Agnes Hamilton*, and the deceased *Thomas McDonald*, Journeyman Baker, residing in *Partick*, was the eldest Son and Heir of the deceased Mrs. *Paterson Hamilton* or *McDonald*, Sister of the said *Agnes Hamilton*, and the said *Robert Couper*, Mrs. *Margaret Eadie* or *Turner*, and *Thomas McDonald*, were served as the nearest and lawful Heirs Portioners of the said *Agnes Hamilton*, by Decree of General Service of the Sheriff of

Death of
Agnes
Hamilton,
18th March
1860.

[Private.]

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Lanarkshire,

Hamilton's Estate Act, 1866.

Lanarkshire, dated the Twentieth Day of *September* and recorded in Chancery the First Day of *October* One thousand eight hundred and sixty-two :

Action of
Reduction of
Trust Dis-
position and
Settlement.

And whereas on the Seventh Day of *January* One thousand eight hundred and sixty-one the said *Robert Couper* and *Margaret Eadie* or *Turner*, and the said *Thomas McDonald*, as Heirs Portioners of the said *Agnes Hamilton*, and certain other Persons, her Next of Kin, raised an Action in the Court of Session in *Scotland* at their Instance against the Lord Provost, Magistrates, and Town Council of *Glasgow*, for themselves and as representing that City and Burgh and the Community thereof, and as Trustees vested with all Mortifications, Endowments, Trusts, Charitable Bequests, and Grants held or administered by the Magistrates or Office Bearers of the Barony of *Gorbals*, and against *Nicol McDougal*, Judicial Factor on the Community Property of the Village of *Gorbals*, and *James Young Hamilton*, Inspector of the Poor of the Parish of *Gorbals*, as representing that Parish; and after various Procedure in that Action a Decree was pronounced by the said Court, dated the Twelfth and Eighteenth Days of *March* One thousand eight hundred and sixty-two, whereby the said Trust Disposition and Settlement of the said *Agnes Hamilton*, and the Codicils thereto, were reduced and set aside, in so far as regards the Directions and Provisions therein contained affecting the Remainder and Residue of her Estate; and it was thereby found and declared that the Provisions contained in the said Trust Disposition and Settlement and Codicils relating to the Remainder and Residue of her Estate had become inept and inoperative, and could not be carried into execution, and that the said Remainder and Residue of her Estate was undisposed of by the said Trust Disposition and Settlement and Codicils, and that the Next of Kin and Heirs-at-Law of the said *Agnes Hamilton* were entitled to the whole Remainder and Residue of her Estate, after Payment of the special Legacies and Bequests, in the same Way as if the said *Agnes Hamilton* had died intestate :

Decree,
dated 12th
and 18th
March 1862.

Suspension
of Decree of
Reduction.

And whereas after the said Decree was pronounced, and after certain Proceedings had been adopted by the said *Robert Couper* and others for the Purpose of obtaining from the said *Peter White*, as Judicial Factor on the said Estate, a Conveyance to or Payment of the Remainder and Residue of the said Estate, a Note of Suspension of the said Decree, as of a Decree in Absence, was presented to the said Court of Session at the Instance of Mrs. *Elizabeth Mathieson* or *Newton*, residing in Number Nineteen, *Rutherglen Road, Gorbals, Glasgow*, and of the now deceased Mrs. *Isabel Manderston* or *Ritchie*, residing in *Macneil Street, Glasgow*; claiming to be Beneficiaries, or of a Class eligible to be admitted as Beneficiaries, to Annuities not exceeding Four Pounds annually to each out of the Residue of the Estate of the said *Agnes Hamilton*, in respect of being decayed

Natives

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Natives and Residenters for Forty Years and upwards in the said Barony of *Gorbals*, and being Persons of the Age of Sixty-five Years and upwards; and a Record was made up in the said Process of Suspension, which is still in dependence in the said Court:

And whereas the said *Elizabeth Mathieson* or *Newton* and the said Mrs. *Isobel Manderston* or *Ritchie* also raised an Action of Multiple-pounding in the Court of Session in Name of the said *Peter White*, for the Distribution of the Residue of the Estate of the said *Agnes Hamilton*, in which Action the said *Robert Couper* and others lodged Objections to the Competency, and the said Action is still in dependence in the said Court:

Action of
Multiple-
pounding.

And whereas an Agreement, dated the Twenty-third, Twenty-sixth, and Twenty-seventh Days of *December* One thousand eight hundred and sixty-five, and Sixth and Eighth Days of *January* One thousand eight hundred and sixty-six, (a Copy of which is contained in the Schedule to this Act annexed,) was entered into by and between the said *Elizabeth Mathieson* or *Newton*, and *James Frederick Wilkie*, Solicitor before the Supreme Courts of *Scotland*, on the First Part, and the said *Robert Couper*, *Margaret Eadie* or *Turner*, and *David Turner* her Husband, for himself and his Interest, and *Daniel McDonald*, Grocer and Provision Merchant, *Cavendish Street, Glasgow*, *Thomas Halket*, Tailor and Clothier, *Jamaica Street, Glasgow*, *Archibald Clubb*, Baker, *Gallowgate, Glasgow*, and *Thomas Anderson*, Writer in *Glasgow*, as Trustees of the said deceased *Thomas McDonald* on the Second Part, for the Purpose of effecting a Settlement of the said Actions, and securing an early Distribution of the said Annuities to the Beneficiaries under the said Trust Disposition and Settlement; by which Agreement it is provided, First, that on the passing of an Act of Parliament confirming the said Agreement, and providing for carrying the same into effect, as therein mentioned, the Sum of Seven thousand five hundred Pounds, with Interest thereof, as therein-after provided, should be set apart from and out of the Real or Heritable Estate of the said *Agnes Hamilton*, and paid to the Trustees to be named in the Act, free of Legacy Duty, as a Trust Fund for the Purpose of having the free Income thereof applied in paying the Expense of Management and Annuities not exceeding Four Pounds each to every Person qualified or who may become qualified and be admitted to the Benefit of the said Trust Fund, under and in conformity with the said Trust Disposition and Settlement and the said Act; and that on the Act being passed the said Sum of Seven thousand five hundred Pounds, free of Legacy Duty, with Interest thereof at the Rate of Four Pounds *per Centum per Annum* from the Fifteenth Day of *May* One thousand eight hundred and sixty-six, should be paid to the Trustees to be named in the Act, in full Satisfaction of the said Bequest, and to be held and applied by the said Trustees to and for the Purposes therein and

Agreement
dated 23d,
26th, and
27th Dec.
1865, and
6th and 8th
Jan. 1866.

herein-

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herein-after mentioned ; Second, that the Trustees to be named in the Act for administering the said Trust Fund shall be *Archibald Walker* of the *Adelphi* Distillery, *Hutchesontown, Glasgow*, *James Elder Newman*, Doctor of Medicine, *Carlton Place, Glasgow*, and the said *James Young Hamilton*, *Robert Couper*, and *James Frederick Wilkie* and such other Persons as may be named in the Act or appointed under the Provisions thereof ; Third, that after deducting from the Real or Heritable Estate of the said *Agnes Hamilton* the said Sum of Seven thousand five hundred Pounds, and Interest as aforesaid, and Legacy Duty thereon, and Fifty-five Pounds or thereby, of Capital set apart for a Bequest of Two Pounds *per Annum* to the annual Ploughing Match referred to in the Second of the said Codicils, the Remainder of the said Real or Heritable Estate, subject to the Duties and Expenses affecting the same, shall, on the passing of the Act, be paid or conveyed and made over in equal Third Shares to the Three Heirs Portioners of the said *Agnes Hamilton* ; Fourth, that on the passing of the Act the whole Personal Succession of the said *Agnes Hamilton*, subject to the Duties and Expenses affecting the same, shall be held to be free for her Next of Kin according to their respective Rights and Interests therein, and that without Deduction of any Part of the said Sum of Seven thousand five hundred Pounds Duty or Interest thereon, or of the said Capital Sum of Fifty-five Pounds or thereby ; and, Fifth, that on the passing of the Act the said Note of Suspension shall be refused, and the said Process of Multiplepoinding shall be dismissed : And whereas the said *Margaret Hamilton*, Sister of the said *Agnes Hamilton*, and *Margaret Spence*, to whom Annuities were left by the said Trust Disposition and Settlement and First Codicil thereto, are both dead, and the Legacies bequeathed by the said First Codicil to the Institutions and Societies therein mentioned, amounting to One hundred and twenty Pounds, have been paid and discharged : And whereas it would be for the Advantage of decayed Natives and Residenters in the said Barony of *Gorbals* of Sixty-five Years of Age and upwards, both now and in Time coming, if the said Agreement were confirmed, and if the said Trust Fund of Seven thousand five hundred Pounds were vested in Trustees for the Payment of Annuities to such Persons, under the said Trust Disposition and Settlement, and under the Provisions of this Act ; and it is expedient that Provision should be made for the Appointment of such Trustees, and for the Administration and Management of the said Trust Fund, and for carrying into effect the other Purposes and Provisions of the said Agreement : And whereas it is expedient that a further Sum of Sixty Pounds should be vested in the said Trustees to provide for the Payment of the said annual Prize of Two Pounds to the successful Competitor at the annual Ploughing Match in the Parish of *Cathcart* ; but these Objects cannot be effected without the Authority of Parliament : May it therefore

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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 :

1. This Act may be cited for all Purposes as "*Hamilton's Estate Act, 1866.*" Short Title.

2. In this Act the following Expressions shall have the several Meanings hereby assigned to them : Interpretation of Terms.

"The Trustees" shall mean the Trustees for the Time being appointed and acting under this Act :

"The Clerk" shall mean the Clerk to the Trustees for the Time being :

"The Trust Funds" shall mean the Funds vested in the Trustees for the Purposes of this Act.

3. The Agreement before recited, and of which a Copy is contained in the Schedule to this Act annexed, shall be and is hereby confirmed. Agreement confirmed.

4. The said *Archibald Walker, James Elder Newman, James Young Hamilton, Robert Couper, and James Frederick Wilkie, and James Dunlop Kirkwood*, Inspector of the Poor of the Parish of *Govan*, during their respective Lives, and the Lord Provost and the Two Senior Bailies of the City of *Glasgow* for the Time being, and the Ministers of the Parishes of *Govan* and *Gorbals*, and the Chairmen of the Parochial Boards of the said Parishes of *Govan* and *Gorbals*, all for the Time being, and, from and after the Decease of the said *Archibald Walker, James Elder Newman, James Young Hamilton, Robert Couper, James Frederick Wilkie, and James Dunlop Kirkwood*, the Lord Provost and Two Senior Bailies of the said City, and the Ministers of the said Parishes, and the Chairmen of the said Parochial Boards, all for the Time being, shall be and are hereby appointed Trustees for the Purposes of this Act ; and the said Trustees, and the Successors in Office of the said Lord Provost and Two Senior Bailies, and of the said Ministers of the said Parishes, and Chairmen of the said Parochial Boards, shall be and are hereby united and incorporated as One Body Politic and Corporate by the Name of "*The Trustees of Hamilton's Annuity Fund*," with perpetual Succession and a Common Seal, and Power to sue and be sued. Trustees appointed and incorporated.

5. Within Three Months after the passing of this Act, the said *Peter White*, or the Judicial Factor for the Time being on the Estate of the said *Agnes Hamilton*, shall and he is hereby authorized and Payment of Trust Funds to the Trustees.

[*Private.*]

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required.

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required to pay to the Trustees, from and out of the Heritable Estate of the said *Agnes Hamilton* under his Management, the Sums of Seven thousand five hundred Pounds and Sixty Pounds, free of Legacy Duty, with Interest of the said Sums at the Rate of Four Pounds *per Centum per Annum* from the Fifteenth Day of *May* One thousand eight hundred and sixty-six until paid, to be vested in and held and applied by them for the Purposes of this Act; and a Receipt signed by the Trustees or the Survivors of them shall be a sufficient Discharge to the said *Peter White*, or the Judicial Factor for the Time being on the said Estate, for the Sums so paid; and the said Sum of Seven thousand five hundred Pounds, and Interest thereon, shall and is hereby declared to be in full Payment and Satisfaction of the Claims of all Persons entitled to Annuities under the said Trust Disposition and Settlement of the said *Agnes Hamilton*.

Investment
of Trust
Funds.

6. The Trustees may lay out and invest the Trust Funds on Heritable Securities on Lands and Heritages in any Part of *Scotland*, or in the Purchase of Feu Duties or Ground Annuals payable from and out of Lands and Heritages in any Part of *Scotland*, or in Government Stocks or Securities, or Stock of the Bank of *England*, or Debentures, or Preference Shares or Stock of any Company incorporated by Act of Parliament, and paying Dividends on their Ordinary Shares or Stock; and all Bonds, Dispositions, Assignations, Conveyances, Transfers, and other Deeds and Instruments granted for or in reference to such Loans or Investments shall be taken to and in favour of the Trustees under their Corporate Name, and the Trustees may from Time to Time call up and realize the Sums to be laid out and invested under the Authority of this Act, and sell the Stocks and Securities held by them, or any Part thereof, and may from Time to Time reinvest the Sums so called up and realized, or the Proceeds of the Stocks or Securities so sold, or any of the Securities, Shares, or Stocks above specified.

Providing
for Prize at
annual
Ploughing
Match in
Parish of
Cathcart.

7. The Trustees shall, out of the annual Income of the Trust Funds, pay the Sum of Two Pounds *per Annum*, to be given in Clothing as a Prize to the successful Competitor for the Time at the annual Parish Ploughing Match in the Parish of *Cathcart*, or otherwise at the principal annual Ploughing Match held in that Parish.

Application
of Income of
Trust Funds.

8. The free annual Income of the Trust Funds, after paying the Expenses of Management of the Trust, and the said Sum of Two Pounds *per Annum*, shall be applied by the Trustees in the Payment of Annuities not exceeding (except as herein-after provided) Four Pounds each to decayed Natives and Residenters for Forty Years and upwards in the Barony of *Gorbals* of *Glasgow*, to be nominated by the Trustees from Time to Time, such Persons being not under the
Age

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Age of Sixty-five Years, and being of good moral Character, and certified as such to the Satisfaction of the Trustees, and the said Annuities shall be payable during the Lives of such Annuitants at Two or Four Terms in the Year as the Trustees may think fit.

9. If, after Payment of Annuities of Four Pounds to each of the Annuitants qualified and nominated as herein-before provided, there shall for Two consecutive Years be a Surplus of annual Income of the Trust Funds sufficient to pay Ten Shillings *per Annum* or any greater Sum to the said Annuitants, the Trustees may thenceforth apply the surplus Income in increasing the Annuities payable to the said Annuitants; and if and so far as the surplus Income will admit the said Annuities may from Time to Time be increased until the same shall amount to Eight Pounds; and if, after Payment of Annuities of Eight Pounds to each Annuitant qualified and nominated as before provided, any surplus Income shall remain, the Trustees may from Time to Time, and so long as such surplus Income shall continue, nominate and admit to the Benefit of the Trust Funds such Number as they think fit of decayed Natives and Residenters for Twenty Years and upwards in the said Barony of *Gorbals*, being not under the Age of Sixty-five Years, and being of good moral Character, and certified as such to the Satisfaction of the Trustees, and shall pay to them such Annuities not exceeding Four Pounds as the Trustees may think fit.

Application
of surplus
Income of
Trust Funds.

10. Any Balance of annual Income of the Trust Funds which may remain from Year to Year, after Payment of the Annuities or increased and additional Annuities as herein-before provided, shall be accumulated with the Capital of the Trust Funds, and shall be invested by the Trustees on any of the Securities, Shares, or Stocks before specified.

Investment
of Balance
of Income.

11. The Trustees may from Time to Time recal and discontinue the Payment of any Annuity on the Ground of immoral Conduct of the Annuitant, or on the Ground that the Annuitant has succeeded to a Competency for his or her Livelihood otherwise, of all which Cases respectively the Trustees shall be sole Judges.

Payment of
Annuities
may be dis-
continued.

12. The Trustees shall hold their First Meeting in the Faculty of Procurators Hall, *Saint George's Place, Glasgow*, on the First *Tuesday* of *October* Eighteen hundred and sixty-six, at One o'Clock Afternoon, and shall hold an annual Meeting on the First *Tuesday* of *October* in each Year thereafter; and at such First and subsequent annual Meetings the Trustees may nominate and admit Annuitants to the Benefit of the Trust Funds; and transact the general Business of the Trust; and Special Meetings of the Trustees may at any Time be

Meetings of
Trustees.

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be called by the Chairman, or, on the Requisition of any Two of the Trustees, by the Clerk, and Forty-eight Hours Notice in Writing, stating the Object of every such Special Meeting, shall be given to each of the Trustees, by Circular addressed to him at his usual Residence, and forwarded by Post.

Chairman
and Quorum
of Meetings.

13. The Lord Provost of the City of *Glasgow* for the Time being shall be the Chairman of the Trustees, and shall, when present, preside at all Meetings of the Trustees, and in his Absence any One of the Trustees may be chosen to preside; and at all Meetings of the Trustees Three shall be a Quorum, and the Chairman presiding at any Meeting shall, in case of Equality of Votes, have a casting Vote in addition to his deliberative Vote.

Committees
may be
appointed.

14. The Trustees may at their First Meeting or at any annual Meeting appoint any Two or more of their Number to be a Committee for the Purpose of inquiring into and reporting on the Qualification of Persons claiming to be admitted to the Benefit of the Trust Funds, or for any special Purpose connected with the Execution of this Act, with such Powers as the Trustees shall deem expedient; and the Actings of such Committees shall be reported to and be subject to the Approval of the Trustees.

Trustees
may appoint
a Clerk,

15. The Trustees may at their First Meeting appoint a Clerk, with such Salary or other Remuneration, not exceeding Forty Pounds *per Annum*, as they think fit, and may from Time to Time remove or dismiss such Clerk, and appoint another in his Room; and the Clerk so appointed shall perform such Duties and be subject to such Regulations in the Execution of his Office, and shall find such Security for the Performance of his Duties, and accounting for all Monies that may come into his Hands, as may from Time to Time be prescribed by the Trustees.

Income to
be received
by the Clerk,
and paid
into Bank.

16. The Receipt of the Clerk for the Interest, Dividends, or annual Income or Produce of the Trust Funds shall be a sufficient Discharge for the Monies therein expressed to be received, and shall fully exonerate the Persons paying the same, who shall be in no ways concerned with the Application thereof; and an Account shall be kept, in the Name of the Trustees, in any Bank incorporated by Act of Parliament or Royal Charter, as they shall direct, into which Account the Clerk shall from Time to Time pay to the Credit of the Trustees the whole Sums received by him, and which Account shall be operated upon by Drafts or Orders signed by One of the Trustees and the Clerk; and the Annuities payable to the respective Annuitants shall be paid by the Clerk.

17. When

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17. When any Principal Sums forming Part of the Capital of the Trust Funds shall be paid up or otherwise come into the Hands of the Trustees, such Sums shall immediately thereafter be deposited in the said Bank until the same shall be reinvested as herein-before provided.

Principal Sums to be lodged in Bank until re-invested.

18. The Clerk shall keep Minute Books in which all the Transactions of the Trustees shall be regularly recorded, and which shall at all Times be open to the Inspection of all the Trustees, and shall also enter in Books to be kept by him an Account of all Monies received and paid by him, and of the Manner in which the same have been applied and disposed of; and such Books shall be closed and balanced on the Thirty-first Day of *August* in each Year, and shall within One Month after that Date be docketed by Two of the Trustees, and audited by some properly qualified Person to be appointed and paid by the Trustees; and a Statement of the Receipts and Expenditure for the Year preceding that Date shall be made out and certified by Two of the Trustees, and printed on or before the First Day of *October* in each Year, and a Copy of such Statement shall be deposited in the Office of the Town Clerks of the City of *Glasgow*, and shall there remain for One Month, during which Time the same shall be open to public Inspection without Fee or Reward.

Books and Accounts to be kept by the Clerk.

19. The Trustees may from Time to Time make such Byelaws, Rules, and Orders as they shall think fit and necessary for the Management of the Trust Funds, the Nomination and Admission of Annuitants, the keeping and auditing of Accounts, and the Regulation of the Meetings and Proceedings of the Trustees, and of the Duties of the Clerk, and of all other Matters connected with the Administration of the Trust, and may from Time to Time alter or rescind such Byelaws, Rules, and Orders, or any Part thereof; provided that such Byelaws, Rules, and Orders shall not be repugnant to the Law of *Scotland*, or the true Intent and Meaning of this Act.

Byelaws may be made.

20. All Deeds or Writings to be executed by the Trustees relating to or affecting the Trust Funds (except as herein otherwise provided) shall be signed by any Two of the Trustees, and the Seal of the Trustees shall be affixed to all such Deeds and Writings.

Execution of Deeds and Writings.

21. Any Summons, Notice, Writ, or other legal Proceeding requiring to be served on the Trustees may be served by being delivered to the Clerk personally, or by being left at his usual Residence; and in case there shall be no Clerk, then such Summons, Notice, Writ, or other legal Proceeding may be served by being delivered to or left at the usual Residence of the Chairman of the Trustees.

Service of Summonses or Notices.

[*Private.*]

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22. The

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Payment of
Residue of
Estate to
Heirs and
Next of
Kin.

22. The Residue of the Heritable Estate of the said *Agnes Hamilton*, under the Management of the said *Peter White* or the Judicial Factor on the said Estate for the Time being, after deducting the said Sums of Seven thousand five hundred Pounds and Sixty Pounds, and Interest and Legacy Duty thereon, shall, as soon as conveniently may be after the passing of this Act, be paid or conveyed and made over in equal Third Shares to the Three Heirs Portioners of the said *Agnes Hamilton*; and the whole of the Moveable or Personal Estate of the said *Agnes Hamilton*, under the Management of the said *Peter White* or the Judicial Factor on the said Estate for the Time being, shall, as soon as conveniently may be after the passing of this Act, be paid and divided to and among the Next of Kin of the said *Agnes Hamilton*, according to their respective Rights and Interests therein.

Proceedings
in Court of
Session.

23. The Court of Session in *Scotland*, in either Division thereof, may, on the Application of any of the Parties to the said Agreement, or of the said *Peter White* or the Judicial Factor on the Estate of the said *Agnes Hamilton* for the Time being, take such Proceedings and pronounce such Interlocutors and Orders as the said Court may think fit for carrying into effect the Purposes of this Act or any of them.

Saving
Rights.

24. Saving and reserving to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all other Persons or Corporations, their Heirs, Executors, and Successors, (other than and except any Person claiming or entitled to the Residue of the Heritable or Moveable Estate and Effects of the said *Agnes Hamilton*, or any Part thereof, or to any Annuity payable from or out of the same under her said Trust Disposition and Settlement, or otherwise,) all such Estate, Right, Title, Interest, Claim, and Demand whatsoever in, to or out of the Trust Funds as they or any of them had before the passing of this Act, or could have claimed or demanded if this Act had not been passed.

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

25. 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.

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SCHEDULE referred to in this Act.

AGREEMENT between Mrs. Elizabeth Mathieson or Newton and James Frederick Wilkie on the one Part, and Robert Couper, and Daniel McDonald, Thomas Halket, Archibald Clubb, and Thomas Anderson, Trustees of the deceased Thomas McDonald, and Mrs. Margaret Eadie or Turner and David Turner, on the other Part, dated 23rd, 26th, and 27th December 1865, and 6th and 8th January 1866.

It is contracted and agreed between Mrs. Elizabeth Mathieson or Newton, residing in Number 19, Rutherglen Road, Gorbals, Glasgow, and James Frederick Wilkie of Edinburgh, Solicitor before the Supreme Courts of Scotland, on the First Part, and (First) Robert Couper, Paper Maker at Millholm in the Parish of Cathcart, eldest Son of the deceased Mrs. Janet Hamilton or Couper, (Second) Daniel McDonald, Grocer and Provision Merchant, Cavendish Street, Glasgow, Thomas Halkett, Tailor and Clothier, Jamaica Street, Glasgow, Archibald Clubb, Baker, Gallowgate, Glasgow, and Thomas Anderson, Writer in Glasgow, Trustees under a Trust Disposition dated Twelfth September One thousand eight hundred and sixty-two, and Addition thereto, dated Twenty-ninth May One thousand eight hundred and sixty-three, and both recorded in the Books of Council and Session on Eighth July One thousand eight hundred and sixty-three, executed by the now deceased Thomas McDonald, Journeyman Baker, residing in Partick, eldest Son of the deceased Mrs. Paterson Hamilton or McDonald, and (Third) Mrs. Margaret Eadie or Turner, only Child of the deceased Mrs. Margaret Hamilton or Eadie, and Wife of David Turner, residing in Watt Street, Paisley Road, Glasgow, and the said David Turner as her Husband, for himself and his Interest, on the Second Part: The said Parties, considering that Miss Agnes Hamilton, sometime Grocer in Gorbals of Glasgow, died unmarried on Eighteenth March One thousand eight hundred and sixty, and that the said Robert Couper, Thomas McDonald, and Mrs. Margaret Eadie or Turner are respectively the Heirs of her Sisters the said Mrs. Janet Hamilton or Couper, Mrs. Paterson Hamilton or McDonald, and Mrs. Margaret Hamilton or Eadie, and are the nearest and lawful Heirs Portioners of the said Agnes Hamilton, and were served as such by Decree of General Service of the Sheriff of Lanarkshire dated Twentieth September and recorded in Chancery on First October One thousand eight hundred and sixty-two; and further, considering that by her Trust Disposition and Settlement dated Nineteenth July One thousand eight hundred and twenty-one, and along with Two Codicils thereto dated respectively Twenty-eighth January One thousand eight hundred and thirty-four and Thirteenth October One thousand eight hundred and fifty-four, recorded in the Books of Council and Session on Eighteenth June One thousand eight hundred and sixty, which is here referred to, the said Agnes Hamilton disposed, conveyed, and made over from her, after her Death, to and in favour of the Persons therein named, and therein designed as "Managers of the Barony of Gorbals, and their Successors in Office, Managers for the said Barony for the Time being," as Trustees, for the Ends, Uses, and Purposes therein mentioned, her whole Estate, Heritable and Moveable; and farther,

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farther, considering that the Purposes of the Trusts were in the first place the Payment of the Truster's Debts and Sick-bed and Funeral Expenses, in the second and third places the Payment of certain small Annuities in favour of Persons long since deceased, and in the last place as follows, as expressed in the said Trust Disposition and Settlement—"I do hereby give, grant, mortify, and assign the whole Remainder of my Estate and Effects, Heritable and Moveable, to and in favour of the said Managers and their Successors, for the following Purposes, videlicet, for paying all necessary Expense of Management, and the yearly Proceeds or annual Rents of the whole Remainder or Residue shall be allocated and applied for Payment of Annuities or yearly Payments, not exceeding Four Pounds Sterling each, to decayed Natives and Residenters for Forty Years in the said Barony, to be nominated by the Managers from Time to Time, such Persons not being under the Age of Sixty-five Years, and the said Annuities being payable during the Lives of such Annuitants at Two or Four Terms in the Year, as the said Managers may think best;" and farther, considering that the said Agnes Hamilton lived for nearly Forty Years after executing the said Trust Disposition and Settlement, and that at her Death it was found that she had left Personal or Moveable Estate of the Value of nearly Three thousand Pounds, and Real or Heritable Estate of the Value of Twenty-one thousand five hundred Pounds or thereby, most of which had been accumulated or acquired after the Date of her said Trust Disposition and Settlement; and farther, considering that on Twenty-fifth May One thousand eight hundred and sixty Peter White, Accountant in Glasgow, was, on the Application of the said Robert Couper and others, appointed by the Court of Session to be Judicial Factor on the Estate left by the said Agnes Hamilton, and has since that Time administered and is now in possession of that Estate; and farther, considering that on Seventh January One thousand eight hundred and sixty-one the said Robert Couper, Thomas McDonald, and Mrs. Margaret Eadie or Turner, the Heirs Portioners of the said Agnes Hamilton, and certain other Persons her Next of Kin, raised an Action in the Court of Session at their Instance against the Lord Provost, Magistrates, and Town Council of Glasgow, for themselves and as representing that City and Burgh and hail Community thereof, and "as Trustees vested with all Mortifications, Endowments, Trusts, Charitable Bequests, and Grants held or administered by the Magistrates or Office Bearers of the Barony of Gorbals," and against Nicol McDougal, Judicial Factor on the Community Property of the Village of Gorbals, and James Young Hamilton, Inspector of the Poor of the Parish of Gorbals, as representing that Parish; and in that Action the said Robert Couper and others obtained a Decree by the said Court, dated the Twelfth and Eighteenth Days of March One thousand eight hundred and sixty-two, whereby the said Trust Disposition and Settlement by the said Agnes Hamilton and relative Codicils were reduced and set aside in so far as regards the Directions and Provisions therein contained affecting the Remainder and Residue of her Estate, and whereby it was found and declared that the Provisions contained in the said Trust Disposition and Settlement and Codicils relating to the Remainder and Residue of her Estate had become inept and inoperative, and could not be carried into execution, and that the said Remainder and Residue of her Estate was undisposed of by the said Trust Disposition and Settlement and Codicils, and that the Next of Kin and Heirs-at-Law of the said Agnes Hamilton were entitled to the whole Remainder and Residue of her Estate, after Payment of the special Legacies and

and

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and Bequests, in the same Way as if the said Agnes Hamilton had died intestate; and farther, considering that after the said Decree was obtained, and after certain Proceedings had been adopted by the said Robert Couper and others for the Purpose of obtaining from the said Peter White, as Judicial Factor aforesaid, a Conveyance to or Payment of the Remainder and Residue of the said Estate, a Note of Suspension of the said Decree, as of a Decree in Absence, was presented to the Court of Session, at the Instance of the said Mrs. Elizabeth Mathieson or Newton, and of the now deceased Mrs. Isobel Manderston or Ritchie, residing in Macneil Street, Glasgow, claiming to be Beneficiaries, or of a Class eligible to be admitted as Beneficiaries, to Annuities not exceeding Four Pounds annually to each out of the Residue of the Estate of the said Agnes Hamilton, in respect of being decayed Natives and Residenters for Forty Years and upwards in the said Barony, and being Persons of the Age of Sixty-five Years and upwards, and that a Record was made up in the said Process of Suspension, which is still in dependence in the said Court; and farther, considering that the said Elizabeth Mathieson or Newton and Mrs. Isobel Manderston or Ritchie also raised a Process of Multiplepinding in the Court of Session in Name of the said Peter White, for the Distribution of the Residue of the Estate of the said Agnes Hamilton, in which Process the said Robert Couper and others lodged Objections to the Competency, and that this Process is also still in dependence in the said Court; and farther, considering that due and careful Enquiry has been made, and the Parties hereto are fully satisfied that the Persons who could now or at any Time hereafter be legally eligible as Beneficiaries, qualified under the Terms of the said Trust Disposition and Settlement to ask and receive Annuities not exceeding Four Pounds each out of the Income of the Residue of the said Estate, are few in Number, and that the Number is diminishing, and that, besides the Expense of Management, Annuities to all such Persons would be amply provided for and secured by the Sum of Seven thousand five hundred Pounds being set apart and appropriated for that Purpose, leaving free the Remainder of the Estate of the said Agnes Hamilton for her Heirs and Next of Kin respectively; and farther, considering that no Power is given by the said Deed to apply the Income of the Residue of the said Estate to any other Purpose than in providing Annuities as aforesaid, so that the Surplus of such Income would fall and belong to the said Robert Couper and others, the Heirs and Next of Kin of the said Agnes Hamilton; and farther, considering that it is desirable and expedient that an early Distribution of the said Annuities should take place, and farther Delay and Litigation be avoided, and that a suitable Sum should be set apart for and in full Satisfaction of the said Bequest for the said Annuities, and be managed by Trustees under the Authority of Parliament, and the Remainder of the Estate set free for the Heirs and Next of Kin of the said Agnes Hamilton; and farther, considering that the Three Heirs Portioners of the said Agnes Hamilton, Parties hereto of the Second Part, have agreed to pay the Sum of Seven thousand five hundred Pounds out of the Real or Heritable Estate of the said Agnes Hamilton, One Third for each Heir Portioner, so as to set free the Personal Estate for her Next of Kin; and the Parties hereto have agreed to the Terms after mentioned, subject to the Condition that these Presents shall receive the Sanction of Parliament, as after mentioned: Therefore the Parties hereto have agreed and hereby agree as follows; viz;

First. On the passing of an Act of Parliament to the Effect after mentioned, the Sum of Seven thousand five hundred Pounds, with Interest thereof, as

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herein-

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Herein-after provided, shall be set apart from and out of the Real or Heritable Estate of the said Agnes Hamilton, and paid to the Trustees to be named in such Act, free of Legacy Duty, as a Trust Fund for the Purpose of having the free Income thereof applied in paying the Expense of Management, and Annuities not exceeding Four Pounds each to every Person qualified or who may become qualified and be admitted to the Benefit of the said Trust Fund, under and in conformity with the said Trust Disposition and Settlement and the said Act; and the said Second Parties hereto bind and oblige themselves that, on the said Act being passed, they or the said Peter White for them shall, out of the Real or Heritable Estate of the said Agnes Hamilton, pay the said Sum of Seven thousand five hundred Pounds, free of Legacy Duty, with Interest thereof at the Rate of Four Pounds per Centum per Annum from Fifteenth May One thousand eight hundred and sixty-six, to the Trustees to be named in the said Act, in full Satisfaction of the said Bequest, and to be held and applied by the said Trustees to and for the Purposes above mentioned.

Second. The Trustees to be named in the said Act for administering the said Trust Fund shall be Archibald Walker of the Adelphi Distillery, Hutchesontown, Glasgow, James Edward Newman, Doctor of Medicine, Carlton Place, Glasgow, and the said James Young Hamilton and Robert Couper and James Frederick Wilkie, and such other Persons as may be named in the said Act or appointed under the Provisions thereof.

Third. After deducting from the Real or Heritable Estate of the said Agnes Hamilton the said Sum of Seven thousand five hundred Pounds, and Interest as aforesaid, and Legacy Duty thereon, and Fifty-five Pounds or thereby of Capital set apart for a Bequest of Two Pounds per Annum to the annual Ploughing Match referred to in the Second of the said Codicils, the Remainder of the said Real or Heritable Estate, subject to the Duties and Expenses affecting the same, shall, on the passing of the said Act, be paid or conveyed and made over in equal Third Shares to the said Three Heirs Portioners of the said Agnes Hamilton, and the said Act shall contain a Provision to that Effect.

Fourth. On the passing of the said Act, the whole Personal Succession of the said Agnes Hamilton, subject to the Duties and Expenses affecting the same, shall be held to be free for her Next of Kin, according to their respective Rights and Interest therein, and that without Deduction of any Part of the said Sum of Seven thousand five hundred Pounds, Duty or Interest thereon, or of the said Capital Sum of Fifty-five Pounds or thereby, and the said Act shall contain a Provision to that Effect.

Fifth. On the passing of the said Act, the said Note of Suspension shall be refused, and the said Process of Multiplepoinding shall be dismissed.

Sixth. Until the said Act is passed, the whole Funds and Estate of the said Agnes Hamilton shall remain under the Management of the said Peter White as Judicial Factor.

Seventh. The said James Frederick Wilkie, being the Agent for the said Mrs. Elizabeth Mathieson or Newton, undertakes, on the meeting of Parliament in the ensuing Session, to apply for an Act to sanction and confirm this Agreement, and carry the same into effect, and containing all proper Clauses and Provisions for that End.

Eighth. Failing such Act being obtained, it is hereby agreed and declared that this Agreement shall fall and expire, and the whole Rights and Pleas of both Parties shall revive, in the same Way as if these Presents had not been entered into, and neither Party shall be entitled to found on this Agreement,

or

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or on any Statement therein or what may follow thereon, in any Way or to any Effect whatever.

Lastly. Any Difference arising between the Parties hereto as to the Intent and Meaning of this Agreement or the Clauses and Provisions of the said Act shall be determined by George Patton, Esquire, Advocate, whom failing, Edward Strathearn Gordon, Esquire, Advocate.

In witness whereof these Presents, consisting of this and the Four preceding Pages, written by David Yeaman, residing at Number Six, St. Vincent Street, Edinburgh, for Webster and Sprott of Edinburgh, Solicitors before the Supreme Courts of Scotland, are subscribed by all the Parties hereto, including a Majority and Quorum of the said Trustees of the said deceased Thomas McDonald, as follows; viz., by the said Robert Couper and Thomas Anderson, at Glasgow, on the Twenty-third Day of December One thousand eight hundred and sixty-five, before these Witnesses, John Hay Clarke and Alexander Crum Maclae, both Clerks to McGrigor, Stevenson, and Fleming, Writers, Glasgow; by the said Mrs. Margaret Eadie or Turner, at Glasgow, on the Twenty-sixth Day of the same Month and Year, before these Witnesses, the said Alexander Crum Maclae and Mark Marshall, also Clerk to the said McGrigor, Stevenson, and Fleming; by the said Daniel McDonald, at Glasgow, the said Twenty-sixth Day of same Month and Year, before these Witnesses, the said Mark Marshall and Thomas Johnstone Smillie, Writer, Glasgow; by the said Thomas Halkett or Halket, at Glasgow, on the same Day, before these Witnesses, Thomas Johnstone Smillie and William Hamilton Wilson, Apprentice to the said McGrigor, Stevenson, and Fleming; by the said David Turner, at Glasgow, on the Twenty-seventh Day of the same Month and Year, before these Witnesses, the said John Hay Clarke and the said Alexander Crum Maclae; by the said Mrs Elizabeth Mathieson or Newton, at Glasgow, on the Sixth Day of January One thousand eight hundred and sixty-six, before these Witnesses, James Clark, a Clerk in the Gorbals Branch of the City of Glasgow Bank, and Robert Gray, a Clerk to the Gorbals Parochial Board; and by the said James Frederick Wilkie, at Edinburgh, on the Eighth Day of the same Month and Year, before these Witnesses, William Steele Paul, his Clerk, and Patrick Paul of Edinburgh, Solicitor before the Supreme Courts of Scotland; declaring that the Word "William" on the Forty-seventh Line of this Page is written on an Erasure. (Signed) Robt. Couper, Thos. Anderson, Margaret Turner; D. McDonald, Thos. Halket; David Turner, Elizabeth Mathieson or Newton, James F. Wilkie. J. H. Clarke, Witness; A. Crum Maclae, Witness; A. Crum Maclae, Witness; Mark Marshall, Witness; Mark Marshall, Witness; Thomas J. Smillie, Witness; Thomas J. Smillie, Witness; W. Hamilton Wilson, Witness; J. H. Clarke, Witness; A. Crum Maclae, Witness; Jas. Clark, Witness; Robt. Gray, Witness; Patrick Paul, Witness; William S. Paul, Witness.

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