



ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. 1.

An Act for enabling the Trustees in whom the Lands and Estate of *Scotsraig* in the County of *Fife* are vested to grant Feus of certain Portions thereof. [3d July 1857.]

WHEREAS *William Stark* of *Kirkcaldy* in the County of *Fife*, Esquire, Merchant, by a Trust Disposition and Settlement, dated the Second Day of *June* in the Year One thousand eight hundred and thirty-two, and Codicil thereto, dated the Twenty-first Day of *August* in the Year One thousand eight hundred and forty, both recorded in the Books of Council and Session at *Edinburgh* the Twenty-third Day of *November* in the Year One thousand eight hundred and fifty, disposed and conveyed his whole Estate, Real and Personal, of which he should die possessed, to and in favour of certain Persons therein named, in trust for his Children, subject to a certain Annuity in favour of *Hannah Brown*, lately residing at *Scotsraig House* in the said County, one of the Trustees therein named: And whereas, subsequent to the Execution of the said Trust Disposition and Codicil, the said *William Stark* became Proprietor of the Lands and Estate of *Scotsraig* in the said

Trust Disposition and Settlement of *William Stark*, dated 2d June 1832.

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County, and thereupon assumed the Name of *William Stark Dougall*, and was infeft in the said Lands and Estate, conform to Instrument of Sasine recorded in the General Register of Sasines at *Edinburgh* the Fifteenth Day of *March* in the Year One thousand eight hundred and forty-seven: And whereas the said *William Stark Dougall*, being in possession of the said Lands and Estate, and being desirous of making a new Disposition of his Property more in accordance with the altered Circumstances thereof, caused a Draft of a new Settlement of the same to be prepared: And whereas the said *William Stark Dougall* died on the Sixteenth Day of *November* in the Year One thousand eight hundred and fifty, without having completed the said contemplated Settlement, which was found in his Repositories, leaving Three unmarried Daughters, the only surviving Issue of his Body; *videlicet*, *Elizabeth Kinnear Stark Dougall*, now Wife of *William Heriot Maitland Dougall*, a Post Captain in Her Majesty's Royal Navy, *Margaret Dougall Stark Dougall*, now Wife of *Henry John Curteis* Esquire, late a Captain in Her Majesty's 37th Regiment of Foot, and *Mary Brown Stark Dougall*, now Wife of *William St. Leger Aldworth*, Clerk in Holy Orders: And whereas *George Anderson*, Banker in *Kirkcaldy*, and the said *Hannah Brown*, along with *James Donaldson* Esquire, Advocate, now deceased, were, at the Time of the Death of the said *William Stark Dougall*, the only surviving Trustees under his said Trust Disposition and Settlement and Codicil, and were also in virtue thereof the Curators of his said Daughters: And whereas, upon the Death of the said *William Stark Dougall*, his said Three Daughters were served Heiresses-Portioners in General to him, by Decree of General Service, dated the Tenth and recorded in Chancery the Twenty-fourth Days of *March* in the Year One thousand eight hundred and fifty-one, on which Decree there followed Precept of Sasine from Her Majesty's Chancery, dated the Fourteenth Day of *July* in the Year One thousand eight hundred and fifty-one, for infefting them in the said Lands and Estate of *Scotsraig*, and Instrument of Sasine on the said Precept, recorded in the General Register of Sasines at *Edinburgh* the Twenty-second Day of *July* in the same Year: And whereas the Three Daughters of the said *William Stark Dougall* being desirous, from Feelings of Respect to the Memory of their deceased Father, of carrying out what they knew to have been his Wish and Intention in relation to the Disposal of his Property after his Death, together with the said *George Anderson* and *Hannah Brown* and the said *James Donaldson*, their Curators, (the only other Persons then interested in the said Lands and Estate,) entered into a Deed of Agreement, dated the First and recorded

Deed of Agreement for new Settlement of Lands, dated 1st Nov. 1851, and recorded 7th Nov. 1851.

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recorded in the Books of Council and Session at *Edinburgh* the Seventh Days of *November* in the Year One thousand eight hundred and fifty-one, whereby the Three Daughters of the said *William Stark Dougall* bound and obliged themselves, their Heirs, Executors, and Successors whomsoever, and they the said *George Anderson* and *Hannah Brown*, together with the said *James Donaldson*, for themselves and as Trustees aforesaid, bound and obliged themselves, *inter alia*, to assign, dispone, and convey to themselves as Trustees, and to the Survivors or Survivor of them who should accept, a Majority of the said Trustees accepting and surviving and resident in *Great Britain* at the Time being always a Quorum, the whole Estates and Effects, Heritable and Moveable, of the said *William Stark Dougall*, to be held in trust for, *inter alia*, the following Objects and Purposes; *videlicet*, first, that the said *Elizabeth Kinnear Stark Dougall*, the eldest Daughter of the said *William Stark Dougall*, might, subject to the Burdens therein specified, be feudally vested with the Liferent of the Lands and Estate of *Scotsraig*, as the same were specified and described in the Investitures thereof in favour of the said *William Stark Dougall*, with Power to her, in addition to the usual Powers of a Liferenter, to enter Vassals, and to receive the whole Feu Duties and Casualties of Superiority payable to the Proprietor of the said Lands and Estate of *Scotsraig*, to work Mines and Minerals, quarry Stones, cut down and dispose of Woods, grant Tacks to Tenants for any Periods (not being equivalent to Alienations, and excluding Grassums), and generally with the full and unrestricted Powers competent to the Fiar of a Landed Estate, except to the Effect of selling or disposing of the Estate so to be liferented by her, or of burdening the same with Debt, other than for Family Provisions and Improvements in the Way and to the Extent therein mentioned, declaring that the Liferent of the said Lands and Estate of *Scotsraig* so to be conferred on her should be held altogether exclusive of the *jus mariti* and Right of Administration of any Husband whom she might marry, and that it should be a special Condition of the Conveyance in her Favour, and under Burden of which she should alone be entitled to accept thereof, that she should not marry any Person who should not bear the Name of *Dougall* as a Surname, and that she, and any Husband whom she might marry, should be bound and obliged constantly to bear, use, and retain the said Surname of *Dougall* and the Arms of *Dougall* of *Scotsraig*, in all Time during her Possession of the Liferent of the said Estate, and that in case she should marry otherwise than as therein provided, or in case she or her said Husband should fail or neglect to bear, use, and retain the said Surname and Arms, she should immediately

[*Private.*]

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forfeit

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forfeit all Right to the said Lands and Estate, not only for herself but for her Descendants, and the same should descend to the next Heir, as therein-after provided, in the same Manner as if she had died without leaving an Heir of her Body; secondly, that the said Lands and Estate of *Scotsraig* should be held by the said Trustees during the Lifetime of the said *Elizabeth Kinnear Stark Dougall*, subject to her Liferent as above mentioned, and after her Death should be conveyed by them to the Heir Male of her Body, whom failing, to the Heir Female of her Body, on their respectively attaining or if they should have attained the Age of Twenty-one Years, and failing her and the Heirs of her Body, then that the said Lands and Estate should be conveyed by the said Trustees to the said *Margaret Dougall Stark Dougall*, the Second Daughter of the said *William Stark Dougall*, in Liferent for her Liferent Use, exclusive of the *jus mariti* and Right of Administration of any Husband whom she might marry, with the same Powers and Privileges, and under the same Conditions and Forfeitures as to marrying a Person who should bear, use, and retain the Surname of *Dougall* and Arms of *Dougall* of *Scotsraig*, as are provided in reference to the eldest Daughter of the said *William Stark Dougall*, and to be held by the said Trustees for the Heirs of her Body, to be conveyed to them after her Death in Fee Simple, on their attaining or if they should have attained the Age of Twenty-one Years, in the same Manner as is provided in reference to the Heirs of the Body of his said eldest Daughter, and failing the said *Margaret Dougall Stark Dougall* without an Heir of her Body, then that the said Lands and Estate should be conveyed to the said *Mary Brown Stark Dougall*, the Third Daughter of the said *William Stark Dougall*, in Liferent as above mentioned, exclusive of the *jus mariti* and Right of Administration of any Husband whom she might marry, with the same Powers and Privileges, and under the same Conditions and Forfeitures as to Marriage and bearing, using, and retaining the Surname of *Dougall* and Arms of *Dougall* of *Scotsraig*, as are provided for her Two other Sisters, and to be held for the Heirs of her Body, and conveyed to them after her Death, in the same Way as is provided for the Heirs of the Bodies of the Two elder Sisters, declaring that the Heirs of the Body of each Sister respectively should always be preferred according to the Seniority of each of the said Sisters, and that none of the Children of any of the said Sisters or their Descendants should have a vested Interest in the Fee or Rents of the said Lands and Estate during the Lifetime of their Mother, the Liferentrix in possession of the said Lands and Estate, and also declaring that the Liferent of each younger Sister should only take place in case her elder Sister should have predeceased her

without

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without leaving Issue of her Body, or in case such Issue should die before attaining the Age of Twenty-one Years, or in case of Forfeiture as aforesaid, as also declaring that the eldest Heir Female should exclude Heirs-Portioners, and take up the said Lands and Estate without Division, but subject always the said Conveyances, both in Liferent and Fee, to the Burdens and Provisions affecting the said Lands and Estate, in virtue of the Powers and Provisions in the said Deed of Agreement contained, and in case of the Death of the said *Elizabeth Kinnear Stark Dougall*, or of any subsequent Liferentrix of the said Lands and Estate, leaving a Child in Minority, who on attaining the Age of Twenty-one Years would be entitled to succeed to the said Lands and Estate of *Scotsraig*, then the said Lands and Estate should, subject to any Liferent Provision in favour of the Husband of the said *Elizabeth Kinnear Stark Dougall*, or the Husband of any such subsequent Liferentrix as therein provided, be managed and preserved by the said Trustees for the Use and Behoof of such Child during his or her Minority, or in the event of the Death of such Child before reaching the Age of Twenty-one Years, for the other Purposes of the said Trust: And whereas in furtherance of the said Deed of Agreement a Trust Disposition was executed by the said *Elizabeth Kinnear Stark Dougall*, *Margaret Dougall Stark Dougall*, and *Mary Brown Stark Dougall*, and by the said *George Anderson*, *Hannah Brown*, and *James Donaldson*, dated the Thirteenth and Seventeenth Days of *December* in the Year One thousand eight hundred and fifty-one, whereby, subject to the Conditions and Provisions in the said Deed of Agreement contained, they conveyed to themselves, as Trustees foresaid, the said Lands and Estate of *Scotsraig*, consisting of all and whole the Lands and others underwritten; *videlicet*, all and whole the Town and Lands of *Scotsraig*, comprehending the Town and Lands of *Sandyhills*, with Cuningaries, Tofts, and Crofts of the same, Five Acres and a Half of the Lands thereof, with their Cothouses and Brewhouses, and that Part of the said Lands formerly possessed by the deceased *James Durie* in the Town of *Ferry Port-on-Craig*, with the Manor Place, Houses, Biggings, Yards, Orchards, Outsetts, Parts, Pendicles, and Pertinents of the same whatsoever, and likewise all and whole the Cornmill called the Mill of *Ferrytown*, with the Mill Lands, astricted Multures, and Sequels of the hail Acres and Lands of *Ferrytown of Port-on-Craig*, as well of all the growing Corns upon the said Lands and Acres, as of those which thole Fire and Water in the said Town of *Ferrytown of Port-on-Craig*, with all and sundry other Multures and Sequels of the said Mill, Houses, Biggings, and Pertinents thereof, and in like Manner all and whole the Lands called *Chapeltown*, with the

Trust Dis-
position,
13th & 17th
December
1851, in fur-
therance of
Deed of
Agreement.

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the Chapel, Gardens, Tofts, Crofts, Houses, and Pertinents of the same whatsoever, all lying within the Lordship of *Scotsraig*, Regality of *Saint Andrews*, now abolished, and Sheriffdom of *Fife*, and also all and whole the Town and Lands of *South Ferry Port-on-Craig*, with all and singular the Acres of Arable Land of the said Town, with the Brewlands, Tenements, Cothouses, or Toftheads of the same, and likewise the Houses and Biggings and Gardens thereof, and also the Commonties and Arable Lands whatsoever in the said Commonties and Outsetts of the same, adjacent to the said Town, with all Mansion Houses and other Houses, Burns, Tofts, Buildings, and Gardens, as well those already built upon the said Commonties as those which should be built thereon in future, and also the Havens and Harbours of *Port-on-Craig*, with the sole Power, Liberty, Right, and Privilege of the Ferry Boats for transporting the Lieges and others back and fore from the said Town of *Ferry Port-on-Craig* and Harbour thereof upon the River of *Tay*, with all Feu Duties, Privileges and Liberties, and Profits of the same, and with Free Ish and Entry, and with the Right, Power, and Privilege of erecting the said Town of *Port-on-Craig* into a Free Burgh of Regality of *Saint Andrews*, of nominating and appointing Magistrates, and of holding a weekly Market therein, and with all and singular Customs and Services thereof, according to the Right and Title which the deceased Doctor *Robert Dalgleish* had, or which formerly *William Dalgleish* or *Robert Dalgleish*, sometime of *Scotsraig*, or *John Spittal*, Trust Assignee of the late *George Dougall*, Shipowner in *Kirkcaldy*, had by Right and Infeftments thereof, and with all Right, Title, and Interest to the Teinds of the said Lands and others foresaid, which they had or could pretend to have in virtue of any Right conceived in their Favour, and also that Tenement of Land then lately rebuilt by *Robert Douglas*, formerly belonging to *David Balfour*, together with all and singular other Houses, Buildings, Yards, Orchards, Mills, Woods, Fishings, Insetts, Outsetts, Annexis, Connexis, Common Pasturages, Mosses, Muirs, Meadows, Pasturages, Parts, Pendicles, and hail Pertinents whatsoever of the said Lands and others foresaid, and all and whole the Town and Lands of *Garpit* or *Carpet*, *Mill of Garpit* or *Carpet*, with Mill Lands, Multures, Suckin, Sequels, and Knaveships of the same, Salmon Fishings, and other Fishings, and whole Pertinents thereof, and the hail other Parts and Pertinents of the same, with the whole Fishings belonging to the Heritors of the hail Lands before mentioned, all lying in the Parish of *Ferry Port-on-Craig*, and Sheriffdom foresaid, all and whole the Lands of *Fothers* and *Channell* otherwise called *Tentsmuir*, with all and singular the Fishings whatsoever of *John Sands*, *Pynell-Know*, and *Landshot*, and all other
Fishings

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Fishings whatsoever of *Drumlaw*, as well of Salmon as of White Fish, belonging to the said Lands and others foresaid, and the haill other Pertinents whatsoever, lying in the Parish of *Ferry Port-on-Craig* and Sheriffdom aforesaid, and formerly in the Regality of *Dunfermline*, together with all Right, Title, and Interest, Claim of Right, Property, and Possession, as well petitory as possessory, which they, their Predecessors and Authors, and Heirs and Successors, had or anyways might have, claim, or pretend to the said Lands and others in any manner of way, on which Trust Disposition they were infeft as Trustees foresaid conform to Instrument of Sasine recorded in the General Register of Sasines at *Edinburgh* the Eighteenth Day of *December* in the Year One thousand eight hundred and fifty-one: And whereas, in furtherance of the last-recited Trust Disposition, and prior to the Marriage of the Daughters of the said *William Stark Dougall*, the Trustees thereunder executed a Disposition, dated the Thirteenth and Seventeenth Days of *December* in the Year One thousand eight hundred and fifty-one, in favour of the said *Elizabeth Kinnear Stark Dougall*, whereby they conveyed the said Lands and Estate of *Scotsraig* to her in Liferent, on which Disposition she was infeft, conform to Instrument of Sasine recorded in the General Register of Sasines at *Edinburgh* the Second Day of *January* in the Year One thousand eight hundred and fifty-two: And whereas the said *James Donaldson* died on or about the Twenty-eighth Day of *May* in the Year One thousand eight hundred and fifty-three, and by Deed of Assumption, dated the Eighth, Fifteenth, Eighteenth, and Twenty-fourth Days of *October* in the Year One thousand eight hundred and fifty-six, the said *Elizabeth Kinnear Stark Dougall*, then *Elizabeth Kinnear Heriot Maitland Dougall*, the said *Margaret Dougall Stark Dougall*, then *Margaret Dougall Curteis*, and the said *Mary Brown Stark Dougall*, then *Mary Brown Aldworth*, and the said *George Anderson* and *Hannah Brown*, who were then the only surviving and acting Trustees under the Trust Disposition last recited, in virtue of the Powers therein contained assumed the said *William Heriot Maitland Dougall*, *Henry John Curteis*, and *William St. Leger Aldworth* to be Trustees along with themselves for the Purposes of the said Trust Disposition, and they the said several Parties are now the only surviving and acting Trustees under the said Trust Disposition, and the only Persons, other than the Children of the said *Elizabeth Kinnear Heriot Maitland Dougall*, *Margaret Dougall Curteis*, and *Mary Brown Aldworth*, interested in or taking Benefit under the several Deeds before recited: And whereas Portions of the said Lands and Estate of *Scotsraig*, lying at a Distance from the Mansion House and Policies thereof, are

Conveyance
of Estates in
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13th & 17th
December
1851.

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contiguous to the important Railway Station and Harbour of *Ferry Port-on-Craig*, and are situate in or about the Village of *Ferry Port-on-Craig*, and might be feued with much Advantage to the Liferentrix in possession thereof, and the other Parties interested in the Succession to the said Lands and Estate, and such feuing would not be inconsistent with the Intention which had been entertained by the said *William Stark Dougall* before his Death with respect to the said Lands and Estate: And whereas the said Trustees and the Liferentrix in possession of the said Lands and Estate have no Powers to sell and dispone in feu any Portion of the said Lands and Estate: And whereas it is necessary to make Provision with respect to Feus of Portions of the said Lands and Estate, extending in the whole to Two Acres One Rood Two Poles and Nine hundred and twenty-six Decimal Parts of a Pole, Imperial Measure, or thereby, already granted: And whereas the several Purposes aforesaid cannot be effected without the Authority of Parliament: Wherefore Your Majesty's most dutiful and loyal Subjects, the said *Elizabeth Kinneair Heriot Maitland Dougall, William Heriot Maitland Dougall, Margaret Dougall Curteis, Henry John Curteis, Mary Brown Aldworth, William St. Leger Aldworth, George Anderson, and Hannah Brown*, do most humbly beseech 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; (that is to say,)

Trustees
empowered
to grant
Feus, with
Consent of
Liferentrix.

I. It shall be lawful for the Trustees for the Time being acting under the before-mentioned Trust Disposition, dated the Thirteenth and Seventeenth Days of *December* One thousand eight hundred and fifty-one, and Deed of Assumption dated the Eighth, Fifteenth, Eighteenth, and Twenty-fourth Days of *October* One thousand eight hundred and fifty-six, or their Quorum, but always by and with the Advice and Consent of the Person who shall for the Time being be Liferentrix in possession, or be entitled, under the Provisions of the said Trust Disposition, to the Liferent of the said Lands and Estate of *Scotsraig*, or of the Father or Tutors or Guardians of the Heir in Minority entitled, under the same Provisions, to succeed on attaining Majority to the said Lands and Estate, as the Case may be, to sell and dispone in Feu Farm, Fee, and Heritage, to any Person or Persons, Body Politic or Corporate, who may be willing to take a Feu or Feus of the same, any Part or Parts of the said Lands and Estate lying within the Limits herein-after described, not exceeding in the whole Seventy Imperial Acres.

II. The

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II. The Lands which may be sold and disposed in Feu, under the Authority of this Act, to the Extent foresaid, shall be said Lands and Estate lying near to or in the Village of *Ferry Port-on-Craig*, which are bounded on the one Side by the River or Estuary of the *Tay* from a Point on the Shore of the said River or Estuary Eleven Chains East of where the *Lundy Burn* flows into the said River or Estuary to the Western Boundary of the said Lands and Estate of *Scotsraig* on the Shore of the said River or Estuary, and bounded on the other Sides by the following Lines; *videlicet*, by a straight Line drawn from the said Point Eleven Chains East of where the *Lundy Burn* flows into the said River or Estuary to the Point where the *Edinburgh, Perth, and Dundee* Railway crosses the *Lead Burn* at its Junction with the said *Lundy Burn*, a straight Line from thence to *Cross Green* on the Turnpike Road between *Cupar* and *Ferry Port-on-Craig*, a straight Line from thence to the West Side of the Whinstone Quarry above the Village of *Ferry Port-on-Craig*, a straight Line from thence to *Downie Well* near the Farm House of *Spearhill*, a straight Line from thence parallel or nearly parallel to the Turnpike Road from *Newport* to *Ferry Port-on-Craig* to the Western Boundary of the Estate of *Scotsraig*, and by a straight Line from thence along the March of the Estate to the Shore, and the said Lands which may be sold and disposed in Feu under the Authority of this Act to the Extent foresaid shall only be feued for Houses, Buildings, Erections, Yards, Enclosures, and Gardens in Parcels to an Extent not greater than One Imperial Acre and a Half or thereby for each Feu, and that by private Contract at or for such yearly Feu Duty or Feu Duties, being not less than at the Rate of Twelve Pounds *per* Imperial Acre, excepting for Ten Imperial Acres or thereby lying to the South and East of the Village of *Ferry Port-on-Craig*, which may be feued at a lower Rate, but not less than Five Pounds *per* Imperial Acre, and that with or without such Casualties of Superiority or Composition in lieu of Casualties of Superiority or Entry Money payable by Vassals on future Entries as can be had and obtained for the same; and the said Trustees or their Quorum as aforesaid may make, grant, subscribe, and deliver to and in favour of such Person or Persons, Bodies Politic or Corporate, as may contract to take Feus as aforesaid, all necessary Feu Charters or Feu Contracts or Feu Dispositions, or other necessary Deeds containing all usual and necessary Clauses, and all such Conditions and Provisions for prohibiting Nuisances, for regulating the Structure of the Houses, Buildings, Roads, Ways, and Paths to be erected or made upon the Lands so to be feued, and the future Maintenance thereof, and all such other

Portions of the Estate which may be feued, and Conditions of Feus.

Regulations

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Regulations in relation to the Use and Occupancy thereof, or otherwise, as may be deemed necessary or expedient in the Premises, and, in particular, Clauses stipulating for the Payment of Interest and Penalties in case of Nonpayment of such Feu Duties and Casualties, and Precepts of Sasine for infesting such Person or Persons, Bodies Politic or Corporate, in the Lands so to be feued to them, but to be holden always of and under the said Trustees during the Subsistence of the said Trust.

Conditions to be inserted in the First Infestments, and thereafter to be referred to.

10 & 11 Vict. c. 48.

III. The Conditions and Provisions referred to in the said last-mentioned Trust Disposition, or such of them as shall be inserted in the said Feu Charters, Feu Contracts, Dispositions in Feu, and other original Feu Rights, shall be engrossed in the First Infestments to follow thereon, and may, in Terms of an Act passed in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled *An Act to facilitate the Transference of Lands and Heritages in Scotland not held in Burgage Tenure*, be referred to in all the subsequent Dispositions, Infestments, and Charters of the whole or any Part of the Lands and Heritages therein.

If Feus are forfeited, new Feus may be granted.

IV. If at any Time any Part of the Lands hereby authorized to be feued as aforesaid shall, after being so feued, be, from any Cause, renounced or forfeited, it shall be lawful for the said Trustees or their Quorum, by and with the Advice and Consent aforesaid, of new to sell and dispoise the same in Feu Farm, Fee, and Heritage, and to grant Feu Charters, Feu Contracts, or Feu Dispositions thereof, or such other Deeds as may be necessary to any Person or Persons, Body Politic or Corporate, who may be willing to take a Feu or Feus of the same, in like Manner as if the same had not been previously feued.

No Fine or Grassum to be taken.

V. It shall not be lawful to the said Trustees, or for the Liferentrix for the Time being in possession of the said Lands and Estate, to take or stipulate for Payment of any Grassum or Fine, or any Consideration whatever, other than is hereby authorized, for granting any Feu Charter, Feu Contract, Feu Disposition, or other Deed, under the Authority of this Act; and if any Grassum, Fine, or Consideration whatever, other than is hereby authorized, shall be taken or stipulated for in granting such Feu Contracts, Feu Charters, Feu Dispositions, or other Deeds, the same shall be and are hereby declared to be absolutely null and void.

Feu Duties to be paid to Liferentrix

VI. The Feu Duties, Casualties of Superiority, and Compositions, arising from the Feus hereby authorized to be granted as aforesaid, with

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with the Interest thereof during the Nonpayment of the same, shall, by the said Feu Contracts, Feu Charters, and Feu Dispositions, or other Deeds, be made payable to the Person who shall for the Time being be Liferentrix in possession, or shall be entitled, under the Provisions of the said last-mentioned Trust Disposition, to the Liferent of the said Lands and Estate, or in the event of there being at any Time an Heir Apparent in Minority entitled on attaining Majority to succeed to the said Lands and Estate, to the Trustees for the Time being acting under the said Trust Disposition and Deed of Assumption, in trust for the Purposes thereof, so long as the said Trust shall be subsisting and capable of taking effect as to the Lands that may be feued under the Authority of this Act; and on the Purposes of the said Trust being executed and fulfilled the said Feu Duties, Casualties, and Compositions, with the Interest thereof during the Nonpayment, shall be made payable to the Proprietor for the Time being of the said Lands and Estate.

in possession, or to Trustees for Heir in Minority.

VII. Where, prior to the First Day of *January* One thousand eight hundred and fifty-seven, any Feu Charter, Feu Contract, Disposition in Feu, Charter of Novodamus, or other original Feu Right relating to any Part of the said Lands and Estate by this Act authorized to be feued has been executed in favour of any Party by the Liferentrix in possession of the said Lands and Estate, such Feu Charter, Feu Contract, Disposition in Feu, Charter of Novodamus, or other original Feu Right, and any Infeftment which may have followed thereon, shall, in so far as the same are consistent with the Conditions, Provisions, and Limitations in this Act contained in regard to Feu Rights to be hereafter granted under it, be good, valid, and effectual, from and after their respective Dates, as against the said Trustees and all Parties beneficially interested in the Succession to the said Lands and Estate, their Heirs, Representatives, and gratuitous Disponees, and from and after the passing of this Act, as against their onerous Disponees, and Creditors who shall not prior to the passing of this Act have duly executed, published, and registered Letters of Inhibition against them, or obtained Decrees of Adjudication against the said Lands and Estate, any Law or Practice to the contrary notwithstanding.

Feu Charters, &c. already granted to be valid and effectual.

VIII. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to every other Person and Body Politic and Corporate, and their respective Heirs, Successors, Executors, Administrators, and Assigns, (other than and except the said Trustees, and the said *Elizabeth Kinneir Heriot Maitland Dougall*, and all and every the

General Saving of Rights.

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other

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other Heirs or Persons entitled to succeed to the Lands and Estate herein-before mentioned,) all such Estate, Right, Title, Interest, Claim, and Demand whatsoever of, in, to, or out of the Portions of the Lands and Estate hereby authorized to be feued or conveyed, or any Part thereof, as they or any of them had before the passing of this Act, or would, could, or might have had or enjoyed in case this Act had not been passed.

Short Title. IX. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Scotsraig Estate Act, 1857.*"

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

X. 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.

LONDON :

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1857.