



ANNO QUINTO & SEXTO

GULIELMI IV. REGIS.

Cap. 4.

An Act for applying the Balance now lying in Bank of the Price of the Lands of *Glenkinglas* and others, contained in a Deed of Entail executed by the deceased Sir *Duncan Campbell* of *Lochnell*, which were sold in virtue of the Powers contained in an Act of Parliament passed in the Forty-ninth Year of the Reign of His late Majesty King *George* the Third, towards Payment of certain Sums laid out by General *Duncan Campbell* of *Lochnell* in the Improvement of the said entailed Estate.

[3d July 1835.]

WHEREAS Sir *Duncan Campbell* of *Lochnell* did, by a Deed of Entail executed by him upon the Fifteenth Day of *May*, and recorded in the Register of *Taillies* kept at *Edinburgh* on the Third Day of *August*, both in the Year One thousand seven hundred and sixty-two, and registered in the Books of Council and Session in *Scotland* upon the Twenty-fourth Day of *November* One thousand seven hundred and sixty-six, settle and secure by way of strict Entail and Settlement, according to the Forms used in the Law of *Scotland*, all and whole his Lands and Estate, comprehending the Lands and Barony of *Kilmaronag* otherwise called *Muckairn*, and other Lands, Hereditaments, and Premises therein mentioned, to and in favours of himself and the Heirs Male lawfully procreate or to be

[Private.]

Deed of Entail executed by Sir *Duncan Campbell* of *Lochnell*, 15th May 1762.

procreate of his own Body, and the Heirs Male of their Bodies; whom failing, to the Heirs whatsoever descended of the Bodies of the said Heirs Male, without Division; whom failing, to the Heirs whatsoever lawfully procreate or to be procreate of his own Body, without Division; whom failing, to Colonel *Dougal Campbell* his Nephew, eldest lawful Son of *Archibald Campbell* of *Balimore*, his Brother German, and the Heirs Male lawfully procreate or to be procreate of his Body; whom failing, to Major *John Campbell* of Colonel *Fraser's* Regiment, Second lawful Son of the said *Archibald Campbell* of *Balimore*, and the Heirs Male lawfully to be procreated of his Body; whom failing, to Lieutenant *John Campbell* of the Earl of *Loudon's* late Highland Regiment of Foot, only lawful Son then in Life of *Alexander Campbell* of *Ardsignish*, his (the said Sir *Duncan's*) Second Brother German, and the Heirs Male lawfully procreate or to be procreate of his Body; whom failing, to the Entailer's other nearest and lawful Heirs Male whatsoever; whom all failing, to the Entailer's nearest and lawful Heirs and Assignees whatsoever; but always with and under the express Declarations, Reservations, Conditions, Provisions, Limitations, Clauses irritant and resolute, specified in the said Deed of Entail: And whereas the said Sir *Duncan Campbell* of *Lochnell* having died, he was succeeded by *Duncan Campbell* now of *Lochnell* (as lawful Son of the said Colonel *Dougal Campbell*), who stands duly infest and seised in the said entailed Lands and Baronies as Heir of Tailzie and Provision, subject to the Conditions and Provisions in the above-mentioned Deed of Entail, conform to Retour of the General Service of the said *Duncan Campbell* as Heir Male of Tailzie and Provision foresaid, exped before the Sheriff of the County of *Edinburgh* on the Fifteenth Day of *October* One thousand seven hundred and sixty-six; Charter of Resignation under the Great Seal, dated the Twenty-third Day of *February* One thousand seven hundred and seventy-three, and written to the Seal and registered the Second Day of *September* in the same Year, and sealed the Fourth Day of the said Month of *September* and Year foresaid, of Part of the said entailed Lands and Estates; Instrument of Sasine dated the Nineteenth Day of *October* One thousand seven hundred and seventy-three, and registered in the General Register of Sasines kept at *Edinburgh* the Fourth Day of *December* in the same Year; Charter of Resignation granted by *Archibald Campbell* of *Succoth*, Writer to the Signet, as having Power from *John Duke* of *Argyle*, Superior of the Lands therein mentioned, being other Part of the said entailed Lands and Estates, dated the Twenty-fourth Day of *July* One thousand seven hundred and sixty-seven; Instrument of Sasine dated the Twenty-fifth, Twenty-sixth, Twenty-eighth, Twenty-ninth, and Thirtieth Days of *September* One thousand seven hundred and sixty-seven, and recorded in the General Register of Sasines kept at *Edinburgh* the Twenty-third Day of *November* in the same Year; and Instrument of Sasine dated the Twenty-third Day of *October* One thousand seven hundred and seventy-three, and recorded in the General Register of Sasines kept at *Edinburgh* the Fourth Day of *December* in the same Year, bearing to proceed upon a Charter of Resignation by Sir *James Campbell* of *Ardkinlass*, Baronet, in favour of the said *Duncan Campbell*: And whereas an Act was passed in the Forty-ninth Year of the

for vesting the Lands of Glenkinglas and certain other Lands, being Part of the Lands contained in a Deed of Entail executed by the deceased Sir Duncan Campbell of Lochnell upon the Fifteenth Day of May One thousand seven hundred and sixty-two, in Trustees, in Trust to sell the same, and invest the Money arising by such Sale in the Purchase of other Lands to be settled and secured to the same Series of Heirs and under the same Conditions and Limitations as are contained in the aforesaid Deed of Entail, whereby the Lands of Glenkinglas and Auchacharne, Part of the Lands and Estate comprehended in the Deed of Entail before recited, were vested in Archibald Campbell Esquire of Blythswood, Alexander Campbell of Monzie, and Henry Jardine (Writer to the Signet), and the Survivors and Survivor of them, and the Heirs of such Survivor, as Trustees, freed, discharged, acquitted, and released from all and every the Conditions, Limitations, and Restrictions contained in and imposed by the said recited Deed of Entail, in Trust to sell and dispose thereof for the best Price or Prices that could be got for the same, and to lay out or invest the Money arising from such Sale or Sales in the Purchase of other Lands near to the principal Part of the said entailed Estates, to be settled and secured to the same Series of Heirs, and with and under the same Limitations and Conditions as are contained in the said recited Deed of Entail: And whereas the said Trustees, in virtue of the Powers committed to them by the said recited Act, sold the said Lands of Glenkinglas and Auchacharne, vested in them in Fee Simple in Trust as aforesaid, and lodged the Price obtained therefor in the Royal Bank of Scotland, in Terms of the said recited Act, and thereafter applied a Part of the said Price in the Purchase of the Lands of Achnaba and Auchindown and Island of Bernera, lying near to the principal Part of the said entailed Lands comprehending the Lands and Barony of Muckairn and others: And whereas the Court of Session in Scotland, by a Decree, Act, and Warrant dated the Sixteenth Day of December One thousand eight hundred and thirty-one, ratified and approved of the foresaid Purchases; and the said Lands of Achnaba were, by a Disposition and Deed of Entail executed by the said Duncan Campbell, therein designed General Duncan Campbell of Lochnell, with the Approbation of the said Court, and dated the Twenty-eighth Day of December One thousand eight hundred and thirty one, and recorded in the Register of Taillies kept at Edinburgh the Twenty-seventh Day of June One thousand eight hundred and thirty-two, disposed and conveyed to and in favour of the said Duncan Campbell and the same Series of Heirs of Entail, and under the same Conditions, Provisions, Declarations, Reservations, Burthens, Faculties, Restrictions, Limitations, and Clauses irritant and resolute as are contained in the aforesaid Deed of Entail executed by the aforesaid Sir Duncan Campbell; and the said Lands of Auchindown and Island of Bernera were, by a Disposition and Deed of Entail executed by Mrs. Isabella Bryson Dennistoun or Hamilton Dundas, Spouse of Gabriel Hamilton Dundas Esquire, of Duddingstone, Dame Elizabeth Dreghorn Dennistoun or Campbell, Spouse of Sir Duncan Campbell Baronet, of Barcaldine, and Dame Mary Lyon Dennistoun or Baillie, Spouse of Sir William Baillie of Polkemmet, Baronet, only surviving Daughters of the deceased James Dennistoun Esquire, of Colgrain, and of Mistress Margaret Dreghorn or Dennistoun, his Spouse, with the special Advice and Consent of the said

Decree, &c.
of Court of
Session, 16th
Dec. 1831;
and Deeds of
Entail, 28th
Dec. 1831,
and 3d &
30th Jan.,
11th Feb.,
2d & 31st
March, 3d &
5th April,
and 18th &
19th June,
1832.

said *Gabriel Hamilton Dundas*, *Sir Duncan Campbell*, and *Sir William Baillie*, and of Lieutenant Colonel *Thomas Erskine Napier* of *Woodcote*, *James Dennistoun* Esquire, of *Colgrain*, *Sir Francis Walker Drummond* of *Hawthornden*, Baronet, and *Patrick Cockburn* and *James Renton* Esquires, Accountants in *Edinburgh*, Trustees appointed by the said *Isabella Bryson Dennistoun* or *Hamilton Dundas*, with Consent of her said Husband, and by the said *Gabriel Hamilton Dundas*, *Sir Duncan Campbell*, *Sir William Baillie*, *Thomas Erskine Napier*, *James Dennistoun*, *Sir Francis Walker Drummond*, *Patrick Cockburn*, and *James Renton*, for their respective Rights and Interests, and by *Margaret Maclean*, *Catherine Maclean*, *Elizabeth Maclean*, and *Isabella Maclean*, Children procreated of the Marriage between *Hugh Maclean* Esquire, younger, of *Coll*, and the now deceased *Mistress Janet Baird Dennistoun* or *Maclean* his Spouse, who was also a Daughter of the said deceased *James Dennistoun* and *Mistress Margaret Dreghorn* or *Dennistoun*, with the special Advice and Consent of the said *Hugh Maclean* their Father and legal Curator, and by the said *Hugh Maclean* as Curator foresaid, and by *James Hamilton* Esquire, of *Barns*, and *Robert Graham* Esquire, of *Whitehill*, sometime Writer in *Glasgow*, the surviving Trustees nominated and appointed by the said *Mistress Margaret Dennistoun* and *James Dennistoun*, for their Right and Interest, and by the said *Archibald Campbell* of *Blythwood* and *Henry Jardine*, as Trustees under the said recited Act, and dated the Third and Thirtieth Days of *January*, the Eleventh Day of *February*, the Second and Thirty-first Days of *March*, the Third and Fifth Days of *April*, and the Eighteenth and Nineteenth Days of *June*, all in the Year One thousand eight hundred and thirty-two, and recorded in the Register of *Taillies* kept at *Edinburgh* the Twenty-seventh Day of *June* and Year aforesaid, with the Approbation of the said Court, disposed and conveyed to and in favour of the said *Duncan Campbell* and the same Series of Heirs of Entail, and under the same Conditions, Provisions, Declarations, Reservations, Burdens, Faculties, Restrictions, Limitations, and Clauses irritant and resolute, contained in the aforesaid Deed of Entail executed by the aforesaid *Sir Duncan Campbell*: And whereas the said *Alexander Campbell*, one of the Trustees appointed by the said recited Act, is dead: And whereas the said *Duncan Campbell* is in possession of the said Lands of *Achnaba* and Lands of *Auchindoun* and the Island of *Bernera*, and stands infest and seised therein conform to Two separate Instruments of *Sasine*; *videlicet*, the one following on the Precept of *Sasine* contained in the Disposition and Deed of Entail of the Lands of *Achnaba*, and dated the Second Day of *October* One thousand eight hundred and thirty-two; the other following on the Precept of *Sasine* contained in the Disposition and Deed of Entail of the Lands of *Auchindoun* and Island of *Bernera*, and dated the Fifth Day of *October* One thousand eight hundred and thirty-two; and both duly recorded in the General Register of *Sasines* kept at *Edinburgh* the Twenty-seventh Day of *October* One thousand eight hundred and thirty-two: And whereas the said Court of Session in *Scotland*, on the Petition of the said *Archibald Campbell* and *Henry Jardine*, surviving Trustees aforesaid, by Decree dated the Eighteenth Day of *December* One thousand eight hundred and thirty-two, found that the said respective Dispositions and Deeds of Entail of the Lands of *Achnaba* and

Decree of
Court of Ses-
sion, 30th
Dec. 1832.

and Lands of *Auchindoun* and Island of *Bernera* had been duly executed and recorded in the Register of Tailzies, that Infestment had also been duly taken thereon, and that a good and sufficient Title had thereby been established in the Person of the said *Duncan Campbell*, Heir in possession of the said entailed Estates, also approved of the said Title, and found that the Trustees foresaid had duly fulfilled the Duty entrusted to them by the said recited Act of Parliament, in so far as then performed: And whereas the said Trustees have not been able to effect Purchases of Land near the principal Parts of the said entailed Estates, wherein to invest the Remainder of the Price obtained from the said Sale, and there now remains in the said Royal Bank, in the Name of the said Trustees, a Sum amounting, with the accumulated Interest fallen due thereon, after Deduction of the Prices paid for the Land purchased, of the Expences of passing the said recited Act, and the Expences of the said Sale and of the said Purchases, to the Sum of Six thousand six hundred and twenty-two Pounds Sixteen Shillings and Sixpence Sterling, as on the Fourteenth Day of *May* One thousand eight hundred and thirty-five, as particularly specified and contained in a Schedule marked (A.) hereunto annexed: And whereas the said *Henry Jardine* has recently ceased to act as a Trustee under the said recited Act, and has resigned the Office of a Trustee accordingly: And whereas the said *Duncan Campbell* has expended considerable Sums of Money upon the Improvement of the said entailed Lands, and in repairing and adding to the Mansion House and Offices thereupon, and has made the Sums so expended Charges against the Heirs of Entail entitled to succeed to the said entailed Estate, to the Extent and in the Manner and Terms prescribed by an Act passed in 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 Settlement of strict Entail*, and has accordingly, in Terms of the said last-recited Act, raised an Action of Declarator, in the said Court of Session, and obtained a Decree of Declarator dated the Thirtieth Day of *November* One thousand eight hundred and twenty-five, by the said Court, against Lieutenant *Archibald Campbell* of the late Eighty-second Regiment of Foot, the next Heir of Entail, to the Effect that the said General *Duncan Campbell* and his Executors or Assignees are Creditors to the succeeding Heirs of Entail in the foresaid entailed Estates for the Sum of Two thousand seven hundred and nine Pounds Ten Shillings and Two-pence Sterling, being Three Fourth Parts of the Sum of Three thousand six hundred and twelve Pounds Thirteen Shillings and Seven-pence Sterling, laid out in inclosing, planting, draining, and erecting Farm Houses and Offices and Outbuildings for the same upon the said Estate, and for the Sum of Eleven thousand three hundred and eighty-nine Pounds Twelve Shillings and Three-pence Sterling, being Three Fourth Parts of the Sum of Fifteen thousand one hundred and eighty-six Pounds and Three Shillings Sterling, laid out in repairing and adding to the foresaid Mansion House and Offices upon the said entailed Estate, and another Decree of Declarator dated the Eleventh Day of *June* One thousand eight hundred and thirty-four, for Six hundred and six Pounds Twelve Shillings and Four-pence Halfpenny, being Three

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Fourth Parts of Eight hundred and eight Pounds Sixteen Shillings and Sixpence, laid out in inclosing, planting, draining, and erecting Farm Houses, Offices, and Outbuildings for the same upon the said Estate: And whereas by the said recited Act of the Tenth Year of the Reign of His Majesty King *George* the Third the Heir of Entail in possession laying out Money in improving the entailed Estate is entitled to make Three Fourth Parts of any Sum laid out by him in inclosing, planting, or draining, or in erecting Farm Houses and Offices or Outbuildings on the same, not exceeding the Amount of Four Years free Rent of the said entailed Estate, a Charge upon the succeeding Heirs, and is entitled to make Three Fourth Parts of any Sum laid out by him in repairing or adding to the Mansion House and Offices, not exceeding Two Years free Rent of the said Estate, a Charge upon the succeeding Heirs, so that of the above Sums the Sums of Two thousand seven hundred and nine Pounds Ten Shillings and Two-pence and Six hundred and six Pounds Twelve Shillings and Four-pence Halfpenny, being Three Fourth Parts of the Expence of inclosing, planting, draining, and erecting Farm Houses, Offices, and Outbuildings for the same upon the said Estate, are Charges upon the succeeding Heirs of Entail, and of the said Sum of Eleven thousand three hundred and eighty-nine Pounds Twelve Shillings and Three-pence, being Three Fourth Parts of the Charge for adding to and repairing the Mansion House and Offices aforesaid, the Sum of Six thousand one hundred and sixty-three Pounds, being Two Years Rent of the said entailed Estate, is also a Charge upon the succeeding Heirs of Entail, as the said several Sums are particularly specified and pointed out in the Schedules marked (B.) and (C.) hereunto annexed: And whereas it would be for the Convenience and Benefit of the said *Duncan Campbell* and the Heirs of Entail entitled to succeed in virtue of the said recited Deeds of Entail, if Authority were given to apply the said Sum of Six thousand six hundred and twenty-two Pounds Sixteen Shillings and Sixpence Sterling, remaining in the said Royal Bank of *Scotland* as aforesaid, with the Interest to be accumulated thereon, as far as the said Sum will go, in Payment and Extinction of the said Claims under the said recited Act of the Tenth Year of the Reign of His Majesty King *George* the Third: But as by reason of the said Deeds of Entail, and the said recited Acts of Parliament, such Purposes cannot be effected without the Aid and Authority of Parliament, May it therefore please Your Majesty that it may be enacted; and be it enacted by the King'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 immediately after the passing of this Act, the said Sum of Six thousand six hundred and twenty-two Pounds Sixteen Shillings and Sixpence, consigned in the Royal Bank of *Scotland* as aforesaid, with the Interest due or which shall become due thereon, shall be and be held to be and the same is hereby transferred to and vested in Trust in the said *Archibald Campbell* Esquire, of *Blythswood*, *Archibald Swinton* Esquire, of *Edinburgh*, Advocate, and *John Ord Mackenzie* Esquire, of *Edinburgh*, Writer to the Signet, and the Survivors or Survivor of them, and such other Person or Persons as may hereafter be appointed a Trustee or Trustees in virtue of the Powers herein-

6,622l.
16s. 6d. and
Interest, re-
maining in
Bank, trans-
ferred to new
Trustees.

herein-after contained, as Trustees for the Purposes of this Act, or the Survivor of them; and it shall and may be lawful for the said *Archibald Campbell*, as the surviving acting Trustee under the said recited Act, if alive and capable, to give, sign, or execute any such Order as may be necessary for transferring the said Sum and Interest in the Books of the said Bank, from the Names of the said former Trustees to the Trustees hereby appointed, or otherways for the said Bank so to transfer the same without such Order.

II. And be it enacted, That the said Sum and Interest shall, upon being so transferred as aforesaid, be held at the Disposal of the said *Archibald Campbell*, *Archibald Swinton*, and *John Ord Mackenzie*, and the Survivors or Survivor of them, and such other Persons or Person as may hereafter be appointed as aforesaid as Trustees, in Trust for the Uses and Purposes herein-after expressed; and until the said Sums shall be so applied they shall carry the highest Rate of Interest that can be obtained for the same in the said Bank, and the Interest shall be annually accumulated and added to the Principal Sum, to carry Interest together; and the said *Archibald Campbell*, *Sir Henry Jardine*, and the Representatives of the said deceased *Alexander Campbell*, as Trustees under the said recited Act, shall be held to be and be completely discharged of the said Sum and Interest so transferred, and of all Charge and Responsibility of, for, or concerning the same or the Administration thereof in any Manner of Way.

Sum transferred to be at the Disposal of new Trustees, and former Trustees discharged thereof.

III. And be it enacted, That it shall and may be lawful for the said Trustees, with the Approbation of the said Court of Session in either of the Divisions thereof, to be signified upon the Application by summary Petition of the said Trustees and of the said General *Duncan Campbell*, or of his Heirs or Executors, and out of the Sum so to be invested or transferred as aforesaid, to pay all the Costs, Charges, and Expences which shall be proved to the Satisfaction of the said Court to have been incurred in the Execution of the Trusts and Purposes of the said recited Act, in so far as the said Costs, Charges, and Expences have not already been paid, and also the Costs, Charges, and Expences which have been or shall be incurred in and about the applying for, obtaining, and passing this Act, and in all Proceedings relative thereto, and in the Execution of all and every the Trusts and Purposes thereof, and in obtaining the Discharge of the said Trustees, as after mentioned.

Expences of Trusts and this Act to be paid out of Sum transferred.

IV. And be it enacted, That it shall and may be lawful to the said Trustees hereby appointed, and they are hereby directed, upon a written Requisition to that Effect being made to them by the said General *Duncan Campbell*, or his Heirs or Executors aforesaid, to apply summarily by Petition to the said Court of Session in either Division thereof, exhibiting the Amount of the Balance of the said Sum after Deduction of Costs and Charges paid or to be paid as aforesaid, and praying for the Warrant and Authority of the said Court, which the said Court are hereby directed to grant, for Payment to the said General *Duncan Campbell*, or his Heirs or Executors, or to any Person or Persons to whom he may have assigned the same, of the

Trustees, under Sanction of the Court, may pay Balance to General Campbell in extinction of his Claim.

the Sum or Balance which shall then remain in the said Bank, in extinction, as far as the same will go, of the aforesaid Sums of Two thousand seven hundred and nine Pounds Ten Shillings and Two-pence, and Six hundred and six Pounds Twelve Shillings and Four-pence Halfpenny, and Six thousand one hundred and sixty-three Pounds, amounting together to the Sum of Nine thousand four hundred and seventy-nine Pounds Two Shillings and Sixpence Halfpenny, for which the said *Duncan Campbell*, his Heirs, Executors, or Assignees aforesaid, are Creditors upon the said entailed Estates.

General Campbell bound to execute Discharge therefor.

V. And be it enacted, That upon Payment thereof the said General *Duncan Campbell*, or his Heirs or Executors or Assignees aforesaid, shall be bound to execute, at his or their own Expence, a valid Discharge or Discharges of his or their Claim upon the said entailed Estates for the Sum or Sums so paid; and the said entailed Estate; and the Heirs of Entail succeeding to the same after the said General *Duncan Campbell*, shall be freed and relieved of and from all Liability for so much of the Sum for which the said General *Duncan Campbell* is a Creditor as aforesaid as shall be contained in such Discharge or Discharges; and such Discharge or Discharges shall be recorded by the said General *Duncan Campbell* or his aforesaid in the Particular Register of Sasines for the County of *Argyle* or in the General Register of Sasines kept at *Edinburgh*.

General Campbell to remain a Creditor for Balance unpaid.

VI. Provided always, and be it further enacted, That the said General *Duncan Campbell*, and his Heirs and Executors and Assignees, shall continue to be Creditor or Creditors upon the said entailed Estates for so much of the said Sum of Nine thousand four hundred and seventy-nine Pounds Two Shillings and Sixpence Halfpenny for which the said *Duncan Campbell* is a Creditor upon the said Estates as aforesaid, as shall remain unsatisfied after Payment made to him or them as aforesaid, and shall be entitled to proceed for Recovery thereof in the Manner authorized and directed by the said recited Act of the Tenth Year of the Reign of His Majesty King *George* the Third.

Trustees may be discharged.

VII. And be it enacted, That after having so applied the said Monies, and carried the whole Purposes of this Act into effect, it shall and may be in the Power of the said *Archibald Campbell*, *Archibald Swinton*, and *John Ord Mackenzie*, and their Successors, and the Survivors and Survivor of them, and if they think it necessary for their own Relief, to apply by summary Petition to the said Court of Session, in either of the Divisions thereof, for a Discharge and Exoneration of their Proceedings; and the said Court is hereby authorized and required to order Production of the Accounts of the said Trustees, and after Consideration thereof, and if the same shall be found to be correct, to exonerate and discharge the said Trustees of their Intromissions, and to declare them acquitted, released, and discharged thereof for ever.

Providing for the Appointment of new Trustees.

VIII. And be it enacted, That if the said *Archibald Campbell*, *Archibald Swinton*, and *John Ord Mackenzie*, or any of them, shall die, or be desirous to be discharged from or shall become incapable to act in the Trusts, Powers, and Authorities hereby in them vested, at any Time

Time before the said Trusts, Powers, and Authorities shall have been fully performed and executed, then and in any of these Cases, and when and so often as the same shall happen, it shall and may be lawful for the said Court of Session, in either of the Divisions thereof, upon the summary Application of the said Trustees or either of them, or of their Survivor, and in case of the Failure of the whole Trustees without substituting others in their Room, then upon the summary Application of the said General *Duncan Campbell* or his Representatives or Representative, to appoint and elect any other fit Person or Persons to be a Trustee or Trustees for the Purposes aforesaid in the Place and Stead of them the said Trustees, or such of them, or of such Trustee or Trustees so to be elected, as shall die, or be desirous to be discharged from or shall become incapable to act in the Execution of the Trusts, Powers, and Authorities by this Act given, and so from Time to Time as often as there shall be Occasion; and so often as any new Trustee or Trustees shall be appointed as aforesaid, the said Sum of Money specified in the said Schedule (A.) hereunto annexed, and hereby authorized to be invested in the Names of the said *Archibald Campbell*, *Archibald Swinton*, and *John Ord Mackenzie*, in Trust as aforesaid, or so much thereof as shall then be unappropriated to the Purposes of this Act, shall thereupon become legally and effectually vested in the surviving Trustee or Trustees and such new Trustees or Trustee, or wholly in such new Trustee, as the Case may require, and the Survivors or Survivor of them, upon the Trusts, and to and for the same Uses, Intents, and Purposes, and with and under and subject to all the Powers and Authorities by this Act given and declared.

IX. And be it enacted, That the Majority of the Trustees above named, or such other or others as may be elected in their Room and Stead as herein authorized, while more than Two survive or continue, shall be a legal and sufficient Quorum for carrying all the Purposes of this Act into execution; and any One of them who only shall survive or continue shall at all Times have full Power to act by himself alone till the Appointment of a new Trustee or Trustees in manner before mentioned. Quorum of Trustees

X. And be it enacted, That it shall and may be in the Power of and lawful for the Majority of the Trustees above named for the Time, or of such other or others to be appointed and chosen in their Room or Stead in manner herein mentioned, to nominate and appoint Factors and Agents for carrying the Purposes of this Act into execution, taking sufficient Security from such Factor for the faithful Execution of his Office before he be allowed to enter upon the Exercise thereof. Trustees may appoint Factors and Agents.

XI. Provided always, and be it enacted, That the said Trustees or Trustee, and his or their foresaids, shall not be charged or chargeable with or accountable for Omissions, or any more Money than he or they shall actually respectively receive by virtue of this Act, nor for any Loss of such Money or any Part thereof, so as that the same happens without his or their wilful Neglect or Default respectively, nor any of them for the others or other of them, but each of them only for his own Acts, Receipts, Neglects, or Defaults. Trustees not to be chargeable for Omissions.

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XII. And

Entails preserved entire.

XII. And be it enacted, That nothing herein contained shall be held or construed to alter, innovate, change, or defeat the aforesaid Entail executed by the said Sir *Duncan Campbell*, or the aforesaid Two Dispositions and Deeds of Entail of the Lands of *Achnaba* and *Auchindoun* and Island of *Berneria*, and the Order of Succession thereby established; and the said General *Duncan Campbell* shall not incur any Irritancy or Forfeiture for or by reason of his receiving Payment of the Sums of Money hereby authorized to be paid to him, and for which he is a Creditor upon the said entailed Estates.

General Saving.

XIII. Saving and reserving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Person or Persons, Bodies Politic or Corporate, and their Heirs and Successors; Executors, Administrators, and Assigns, (other than and except the said General *Duncan Campbell*, and all and every the other Heirs of Entail entitled by virtue of the before-mentioned Deeds of Entail to succeed to and take the Lands and others therein contained,) all such Right, Title, Interest, Claim, and Demand whatsoever, in, to, and out of the Monies which are consigned in the said Royal Bank, or the Claims of the said General *Duncan Campbell* as a Creditor upon the said entailed Lands and Estate, as the same are instructed by the Two Decrees of Declarator of the Court of Session before specified, as they or any of them had before the passing of this Act, or could or might have had or enjoyed in case this Act had not been made.

Act to be printed by the King's Printers.

XIV. And be it further enacted, That this Act shall be printed by the several Printers to the King'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.

SCHEDULE (A.) to which this Act refers.

Account of the Sum of £22,000 arising from the Sale of the Lands of Glenkinglas and others, sold under the Powers contained in an Act passed in the Forty-ninth Year of the Reign of King George the Third.

		£	s.	d.
1831. May 14.	Sum consigned of this Date	22,000	0	0
July 28.	Sum paid out of this Date to pay Costs and Expences of procuring the Act, and of conducting the Sale by virtue of Warrant of Court of Session dated July 8th 1831	1,650	17	10
	Remains	20,349	2	2
1832. January 18.	Sum paid of this Date by virtue of Warrant of Court of Session dated December 16th 1831, viz.:— Price of Achnaba - - - - - £5,465 14 7 Interest thereof from Whitsunday 1831, the Date of the Entry of the Heir of Entail, to this Date - 185 13 7	5,651	8	2
	Remains	14,697	14	0
May 14.	Interest accumulated to this Date, at Two per Cent.	378	13	0
		15,076	7	0
June 22.	Sum paid of this Date by virtue of same Warrant, viz.:— Price of Auchindoun and Island of Bernera - - - - - £8,000 0 0 Interest from Whitsunday 1831, the Date of the Entry of the Heir of Entail, to Martinmas 1831, at Five per Cent. - - - - - 197 5 2 Interest from Martinmas 1831 to this Date, at Two per Cent. - 98 3 10	8,295	9	0
	Remains	6,780	18	0
1833. February 26.	Sum paid of this Date by virtue of Warrant of Court of Session dated February 9th 1833, to pay further Costs and Expences incurred in making the Purchases	566	3	0
		6,214	15	0
May 14.	Interest accumulated to this Date, at Two per Cent.	150	18	9
		6,365	13	9
1834. May 14.	Interest accumulated to this Date, at Two per Cent.	127	6	0
		6,492	19	9
1835. May 14.	Interest accumulated at this Date, at Two per Cent. Balance in the Royal Bank, bearing Interest at the Rate of Two per Cent. per Annum from this Date	129	16	9
		6,622	16	6

Anthony Murray.

SCHEDULE (B.)

Account of the Sums expended by General Duncan Campbell of Lochnell in the Improvement and Benefit of the entailed Estates of Lochnell in the County of Argyle, under the Powers and in obedience to the Directions of the Statute 10th George 3. Cap. 51., 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," as the same are ascertained by the Decrees of Declarator by the Court of Session after mentioned.

	£	s.	d.
1. Amount of Sums expended by General Duncan Campbell in inclosing, planting, and draining, and in erecting Farm Houses and Offices or Outbuildings for the same, on the said entailed Estate of Lochnell, from the 14th Day of January 1809 to the 30th Day of October 1824, per Decree of Declarator of Improvements obtained by General Campbell, dated 30th of November 1825	3,612	13	7
Three Fourths whereof are	2,709	10	2
2. Amount of Sums expended by the said General Campbell on the same Purposes from the Month of September 1827 to the 30th Day of October 1833, per Decree of Declarator of Improvements obtained by him, dated 11th of June 1834	£808	16	6
Three Fourths of which are	606	12	4½
3. Amount of Sums expended by the said General Duncan Campbell in adding to and repairing the Mansion House and Offices on the entailed Estate of Lochnell, from the 14th Day of January 1809 down to the 30th Day of October 1824, per Decree of Declarator obtained by the said General Duncan Campbell and above mentioned, dated 30th of November 1825	15,186	3	0
Three Fourths whereof are	11,389	12	3
But the free Rental of the said Estates, as specified and contained in the annexed Schedule (C.), amounting only to £3,081 10s., General Campbell is a Creditor to the succeeding Heirs of Entail for a Sum amounting to only Two Years free Rent of the said entailed Estate, viz.	£	6,163	0 0
Sum for which General Campbell is a Creditor on the entailed Estate of Lochnell in Terms of 10th George 3. Cap. 51.	£	9,479	2 6½

Anthony Murray.

SCHEDULE (C.)

RENTAL of the entailed Estate of LOCHNELL.

Commence- ment of Lease.	Endurance.	Termina- tion of Lease.	Possessions.	Tenants.	Rent payable at Whitsunday and Martinmas.
1825 and 1826	14	Yearly	Achinduin, Half of First Division	John M'Coll, junior	£ 55 0 0
			Achinduin, Half of First Division	Dougald M'Intire	55 0 0
			Achinduin, Half of Second Division	Dugald Carmichael	46 5 0
			Achinduin, Half of Second Division	John Carmichael	46 5 0
			Achinduin, One Third of Third Division	Donald M'Coll's Heirs	29 3 4
			Achinduin, One Third of Third Division	John Campbell	29 3 4
			Achinduin, One Third of Third Division	Colin Campbell	29 3 4
			Achinduin, Croft	Donald M'Donald	10 0 0
			Ardmucknage, House and Farm	Proprietor	70 0 0
			Ardmucknage, Croft, No. 1.	John M'Coll	3 0 0
			Ardmucknage, Croft, No. 2.	Archibald M'Iriach	18 0 0
Ardmucknage, Croft, No. 3.	Archibald M'Gregor	1 13 4			
Ardmucknage, Croft, No. 4.	Neil Livingstone	1 13 4			
Ardmucknage, Croft, No. 5.	Widow Campbell	1 13 4			
Ardmucknage, Croft, No. 6.	Duncan M'Coll	2 16 8			
Ardmucknage, Croft, No. 7.	Dugald M'Coll	2 16 8			
Ardmucknage, Croft, No. 8.	Archibald Sinclair	1 10 0			
1839 and 1840	14	Yearly	Achnaba	James Stewart	150 0 0
			Achnacremore, East Half	Neil M'Laren, Rent - £17 17 0 5 Bolls (5 Stone) } 3 15 0 Meal @ 15s. } Kain - - - 0 7 6	21 19 6
			Achnacremore, East Half	Serjeant Duncan Sinclair, Rent - £18 6 0 5 Bolls (5 Stone) } 3 15 0 Meal @ 15s. } Kain - - - 0 7 6	22 8 6
			Achnacremore, West	Alexander M'Iriach, Silver Rent £19 18 1½ 9 Bolls (9 Stone) } 6 15 0 Meal @ 15s. } Kain - - - 0 9 0	27 2 1½
			Achnacremore, Black Croft, No. 1.	Colin Sinclair	3 2 6
			Achnacremore, Black Croft, No. 2.	Donald M'Phail	3 2 6
			Achnacremore, Black Croft, No. 3.	Peter M'Coll	3 2 6
			Achnacremore, Black Croft, No. 4.	Ann and Janet M'Gregor	2 17 6
			Achnacremore, Black Croft, No. 5.	Archibald M'Killop	3 2 6
			Achnacremore, Black Croft, No. 6.	Duncan M'Gregor	3 2 6
			Achnacremore, Black Croft, No. 7.	Dugald Cowan	3 12 6
Achnacremore, Black Croft, No. 8.	Duncan M'Callum	3 12 6			
Achnacremore, Black Croft, No. 9.	Widow D. Rowan	2 17 6			
Achnacremore, Black Croft, No. 10.	Donald Black	2 13 3			
Achnacremore, Black Croft, No. 11.	Donald M'Intyre	3 2 6			
		Carried forward	£ 659 1 8½		

[Private.]

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Commence- ment of Lease.	Endurance.	Termina- tion of Lease.	Possessions.	Tenants.	Rent payable at Whitsunday and Martinmas.	
				Brought forward -	£ 659 1 8½	
		Yearly	Achnacremore, Black Croft, No. 12.	John Drummond -	1 0 0	
			Achnacremore, Black Croft, No. 13.	Archibald Carmichael -	1 0 0	
			Achnacremore, New Croft, No. 1.	Archibald M'Phail, Rent - - - £7 10 0 Kain - - - 0 1 6		7 11 6
			Achnacremore, New Croft, No. 2.	Dugald M'Callum, Rent - - - £8 3 0 Kain - - - 0 3 0		8 6 0
			Achnacremore, New Croft, No. 3.	Archibald M'Callum, Rent - - - £4 1 6 Kain - - - 0 2 0		4 3 6
			Achnacremore, New Croft, No. 4.	Robert M'Kaim, Rent - - - £4 1 6 Kain - - - 0 2 0		4 3 6
			Achnacremore, New Croft, No. 5.	John M'Gregor, Rent - - - £7 3 0 Kain - - - 0 3 0		7 6 0
1833	10		1843	Achnacrebeg - - -	Duncan Sinclair - - -	80 0 0
				Achaleven, One Fourth	Paul M'Phail, Silver Rent - £14 3 9 2 Bolls Meal - 1 12 0 Kain - - - 0 2 0	15 17 9
				Achaleven, One Fourth	Hugh M'Phail, Silver Rent - £14 3 9 2 Bolls Meal - 1 12 0 Kain - - - 0 2 0	15 17 9
				Achaleven, One Fourth	Duncan M'Callum, Silver Rent - £14 3 9 Two Bolls Meal } 1 12 0 @ 16s. } Kain - - - 0 2 0	15 17 9
				Achaleven, One Fourth	Duncan M'Coll, Silver Rent - £14 3 9 Two Bolls Meal } 1 12 0 @ 16s. } Kain - - - 0 2 0	15 17 9
				Achaleven, Croft, No. 1.	John Cameron, senior -	3 2 6
				Achaleven, Croft, No. 2.	Widow M'Callum -	3 2 6
				Achaleven, Carding Mill and Croft	Peter M'Nab -	13 17 0
			Achaleven, Smithy and Croft	Alexander Morrison -	7 5 0	
			Balligowan - - -	Donald M'Callum -	95 0 0	
			Balloure - - -	George Clark, Rent - - - £70 0 0 Kain - - - 0 6 0 Services - - 0 9 0	70 15 0	
1833 and 1834	10	1843 and 1844	Cabrachan - - -	Dugald M'Lauchlane -	74 0 0	
				Carried forward £	1,103 5 2½	

Commence- ment of Lease.	Endurance.	Termina- tion of Lease.	Possessions.	Tenants.	Rent payable at Whitsunday and Martinmas.
					£ s. d.
				Brought forward	1,103 5 2½
1825	14	1839 and 1840	Clachadhu	Donald M'Gregor	140 0 0
		Yearly	Clanamacrie	John M'Intyre	133 17 6
			Connel, Ferry, Inn, and Farm	Lachlan M'Fayden	60 0 0
			Craignuik, Smithy Croft	Charles M'Pherson, 1833, £6; 1834, unlet; 1835, £6	6 0 0
			Dalnacabeg, One Third	Duncan Campbell	22 1 0
			Dalnacabeg, One Third	Donald M'Intyre	22 1 0
			Dalnacabeg, One Third	John M'Phail	22 1 0
			Dalnacabeg, Croft	Dugald M'Phail	4 4 0
			Duntanachan and Barglas	Duncan Clarke	165 15 0
			Eriska	Mrs. B. Campbell	56 0 0
1830	10		1840	Fishing of Awe and Etive, besides Salmon in Kind	A. Thomas Steavenson
		Yearly	Fishing of Lochnell	Angus M'Innes	2 0 0
1828	9		1837	Keil Hill	Donald M'Iriach
		Yearly	Keil Croft, Kintallan Miln, No. 1.	John M'Arthur, Rent - £10 0 0 Kain - 0 12 0	10 12 0
			Keil, Croft, No. 2.	John M'Coll	1 10 0
			Keil, Croft, No. 3.	Widow Donald Connel	1 10 0
			Keil, Croft, No. 4.	Duncan M'Iriach	1 10 0
			Keil, Croft, No. 5.	James Morrison, Rent - £7 0 0 Kain - 0 1 6	7 1 6
			Keil, Croft, No. 6.	Duncan M'Coll, Rent - £8 0 0 Kain - 0 1 6	8 1 6
			Keil, Croft, No. 7. One Half	Duncan Brown, Silver Rent - £3 0 0 Kain - 0 1 6	3 1 6
			Keil, Croft, No. 7. One Half	Dugald M'Callum, Rent - £3 0 0 Kain - 0 1 6	3 1 6
			Keil, Croft, No. 8. One Half	Archibald M'Calmen, Rent - £6 0 0 Kain - 0 1 6	6 1 6
			Keil, Croft, No. 9.	Duncan M'Iriach, Silver Rent - £13 0 0 Kain - 0 1 6	13 1 6
		Keil, Croft, No. 8. One Half	James Lawson, Silver Rent - £6 0 0 Kain - 0 1 6	6 1 6	
		Keil, Croft, No. 10.	Finlay M'Eachan's Heirs, Rent - £11 0 0 Six Days Service 0 6 0	11 6 0	
			Carried forward	£ 2,003 17 8½	

Commence- ment of Lease.	Endurance.	Termina- tion of Lease.	Possessions.	Tenants.	Rent payable at Whitsunday and Martinmas.	
					£ s. d.	
				Brought forward - -	2,003 17 8½	
			Keil Croft, No. 11. - -	Donald M'Iriach, Silver Rent - £12 0 0 Kain - - - 0 7 6	12 7 6	
		Yearly	Keil, Croft, No. 12. - -	Duncan M'Callum - -	3 0 0	
			Keil, Croft, No. 13. - -	Alexander M'Callum - -	5 0 0	
			Keil, Croft, No. 14. - -	Dugald Carmichael - -	1 10 0	
			Keil, Croft, No. 15. - -	Neil Connal - - -	1 10 0	
			Keil, Croft, No. 16. - -	Widow Colin M'Callum - -	1 10 0	
			Keil, Croft, No. 17. - -	John M'Arthur - - -	1 10 0	
			Keil, Croft, No. 18. - -	James Gebbie - - -	5 0 0	
1833	10		1843	Kilmaronaig - - -	Captain Angus M'Intyre - -	170 0 0
				Kilchinich - - -	John Sinclair - - -	50 0 0
				Kilmore, One Third - -	Alexander Connel - - -	23 15 0
				Kilmore, One Third - -	Alan M'Dougal - - -	29 2 6
				Kilmore, One Third, and Change } House - - - - - }	Malcolm Clark - - -	37 2 6
				Kilmore, School Croft - -	Hugh Campbell - - -	4 4 0
				Kilmore, Croft - - -	Donald M'Kenzie - - -	5 5 0
				Kilmore, Smithy Croft - -	Malcom M'Arthur - - -	5 5 0
				Kilvarie - - -	Duncan M'Lauchlane - -	52 10 0
				Kilvarie, Croft, No. 1. - -	Dugald Cowan - - -	3 15 0
				Kilvarie, Croft, No. 2. - -	Donald Sinclair - - -	3 15 0
			Laggan - - -	Dugald M'Dougall - - -	38 0 0	
		Yearly	Lailt, One Third - - -	John M'Gregor - - -	13 10 0	
			Lailt, One Third - - -	Duncan M'Gregor - - -	13 10 0	
			Lailt, One Third - - -	Gregor M'Gregor - - -	13 10 0	
			Lailt Croft, No. 1. - -	John Sinclair - - -	3 12 0	
			Lailt Croft, No. 2. - -	Dugald M'Callum - - -	1 10 0	
			Ledaig, North - - -	Donald M'Iriach - - -	26 2 6	
			Ledaig, Middle - - -	Malcolm M'Laren, Silver Crop - £25 0 0 7 Bolls, 7 Stone, } Meal @ 15s. } 5 5 0 Kain - - - 0 9 0	30 14 0	
			Ledaig, South - - -	John M'Iriach, Silver Rent - £28 5 0 6½ Bolls Meal } @ 15s. - } 4 17 6 Kain - - - 0 9 0	33 11 6	
			Lachanbeach - - -	Duncan M'Gregor - - -	10 15 0	
			Lachanbeach, Croft - -	Mrs. Campbell - - -	10 7 6	
1753	110	1863	Muckairn, etc. - - -	{ Lorne Furnace Company, } including Cess - - - }	434 15 3	
1757	106		Mackairn, Glebe Croft - -	Rev. P. M'Vean - - -	5 0 0	
		Yearly	Mustal - - -	Duncan Sinclair - - -	126 0 0	
			Shenvally, One Half - -	John M'Iriach, Silver Rent - £13 13 0 Kain - - - 0 7 0	14 0 0	
			Shenvally, One Half - -	Archibald Campbell, Silver Rent - £13 13 0 Kain - - - 0 7 0	14 0 0	
				Carried forward - £	3,208 16 11½	

Commence- ment of Lease.	Endurance.	Termina- tion of Lease.	Possessions.	Tenants.	Rent payable at Whitsunday and Martinmas.
				Brought forward	£ 3,208 16 11½
			Stronafine Miln, etc.	Ronald Connel, Silver Rent - £14 0 0 Kain - - - 0 6 0	14 6 0
Yearly			Strontailer, One Fourth	Widow M'Callum	25 4 6
			Strontailer, One Fourth	John Sinclair	22 7 6
			Strontailer, One Fourth	Colin M'Niven	23 4 0
			Strontailer, One Fourth	Alexander M'Arthur	23 14 0
			Strontailer, Waulk, Miln, etc.	Peter Whyte	12 12 0
			Torrintuirk, One Fourth	Donald M'Intyre	29 10 0
			Torrintuirk, One Fourth	Duncan M'Intyre	29 10 0
			Torrintuirk, One Fourth	Duncan M'Gregor	29 10 0
			Torrintuirk, One Fourth	Archibald M'Arthur	29 10 0
				£ 3,448 4 11½	
			Deduct Muckairn Glebe Croft, Part of Land let to Lorne Furnace Company	5 0 0	£ 3,443 4 11½
<p>There is a large Extent of Wood on various Parts of the Estate to which the Proprietor has Right, exclusive of the Lands and Woods let to the Lorne Furnace Company, but of which no Rent is set down.</p> <p>The Land of Ardmucknage, in the natural Possession of the Proprietor, extends to about Eighty-nine Acres of Arable Land, besides a large Extent of rough Pasture.</p>					
<p><i>The following Feu Duties are payable for Lands included under the Entail.</i></p>					
					£ s. d.
			Ardchattan — Robert Campbell, Esquire		0 9 2
			Ardchonnell — Donald Campbell, Esquire, of Dunstaffnage, and Twelve Salmon		1 11 6
			Ardintallen — Dugald M'Dougal, Esquire, of Gallanach		0 5 0
			Creegan } Sir John Campbell of Airds		1 16 8
			Tirfuir }		
			Coultie and Ballich — Robert Downie, Esquire		2 0 0
			Kilcheran and Balloure — Rev. Bishop M'Donald, now Sir Duncan Campbell		0 14 5½
			Kilmun — Archibald M'Calmen, Esquire, of Ormaig		5 11 1¼
			Heirs of Campbell of Ormaig		0 3 7½
			Sonachan Lepeny and Barbea — Robert Campbell, Esquire, of Sonachan		21 0 0
			Selma, New — Finlay M'Kitchan		0 15 0
			Tirlagan and Derrynaneach — Sir Duncan Campbell of Barcaldine		0 10 6
			Torrenmore — John Campbell, Esquire, of Inverliver, now Malcom of Poltalloch		0 13 7½
			Glenkinglas and Auchaharne — the Marquis of Breadalbane, £6 Scots		0 10 0
					36 0 8¼
			Amount of Rental and Feu Duties		3,479 5 7¼
<p>PUBLIC BURTHENS.</p>					
<p>I. Stipends.</p>					
			Muckairn	£84 5 0	
			Ardchattan	41 5 11¾	
			Kilmore	30 14 2½	
			Inishail	7 5 0	
			Lismore	9 2 7¼	
			Amount of Stipends		172 12 9½
			Carried forward	£	172 12 9½
					3,479 5 7¼

[Private.]

		£	s.	d.	£	s.	d.
	Brought forward	-	-	-	172	12	9½
II. School Salaries.							
Muckairn	-	£23	14	9			
Ardchattan	-	3	11	2¾			
Kilmore	-	8	18	3¼			
Inishail	-	3	13	6			
Lismore	-	2	2	3			
	Amount of School Salaries	-	-	-	42	0	0
III. Cess and County Rates							
		-	-	-	149	19	9
IV. Feu Duties.							
Synod of Argyle — Duties in Crown Charter	-	£12	9	2⅞			
Duke of Argyle	-	18	2	2⅞			
Mr. Conway Campbell	-	0	5	0			
Marquis of Breadalbane	-	1	6	8			
Mr. Callender of Ardkinglas	-	0	10	6			
	Amount of Feu Duties	-	-	-	32	13	7¼
	Sum of Public Burthens	-	-	-		£	397 6 1½
							3,081 19 5½
	Stated at	-	-	-		£	3,081 10 0
	Two Years Rent is	-	-	-		£	6,163 0 0

Anthony Murray.

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