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568\LI568\F0\FS16\tab\B CS 235/11/MISC-3\PAR
\PAR
\tab DEPOSITIONS OF MR ALEXANDER MACKENZIE AND
EDWARD CALLENDER\PAR
\tab 1720\PAR
\tab\PAR
\tab ANSWERS FOR MR ALEXANDER MACKENZIE ONE OF THE
PRINCIPAL\PAR
\tab CLERKS OF SESSION\PAR
\PAR
\PAR
\tab\cf1 THE PETITION OF THE COMMISSIONERS AND
TRUSTEES FOR SALE OF \PAR
```

\TAB FORFEITED ESTATES\cf2\PAR

\PAR

\PAR

\TAB\B0 THE SAID COMMISSIONERS AND TRUSTEES HAVE EXHIBITED A PETITION\PAR

\TAB AGAINST THE SAID MR ALEXANDER MACKENZIE COMPLAINING OF HIS\PAR

\TAB REFUSEING TO GIVE THEM AN EXTRACT OF A DECREET PRONOUNCED\PAR

\TAB ON AN EXEPTION OF KENNETH MACKENZIE OF ASSINT AND COLLONEL\PAR

\TAB ALEXANDER MACKENZIE OF CONASBAY HIS CURATOR AS SUPERIOR OF \PAR

\TAB THE LANDS OF \cf1 TROTTERNESS \cf2 LATE THE PROPERTY OF THE LATE SIR\PAR

\TAB DONALD MACDONALD.\PAR

\PAR

\TAB AND CRAVEING THAT HE AND HIS SERVANT MAY BE EXAMINED UPON\PAR

\TAB THE MATTER CONTAINED IN THE SAID PETITION AND THAT HE MAY\PAR

\TAB BE ORDAINED TO GIVE AN EXTRACT OF THE PROCESS OR TO SECURE\PAR

\TAB THE TRUSTEES AGAINST FUTURE EXTRAITES AND TO ORDAIN HIM\PAR

\TAB TO FIND CAUTION FOR SUCH DAMAGES AS MAY ARISE TO THE TRUSTEES\PAR

\TAB AND THAT HE MAY BE CENSURED AND TO PRODUCE THE GROUNDS AND\PAR

\TAB WARRANTS OF THE PROCESS THE SAID MR ALEXANDER MACKENZIE WILL\PAR

\TAB WITH GREAT EASE MAKE ANSWER TO WHAT IS CHARGED UPON HIM\PAR

\PAR

\TAB AND FIRST HE SAYS THERE WAS AN EXEPTION AS TO THE LANDS OF\PAR

\TAB\cf1 TROTTERNISH\cf2 EXHIBITED IN THE MANNER MENTIONED IN THE \PAR

\TAB PETITION AND THAT THERE WERE ANSWERS PUTT IN BY THE\PAR

\TAB COMMISSIONERS TO THE SAID EXCEPTION\PAR

\PAR

\TAB BUT THEN HE SAYS THAT THERE WAS NO SUCH INTERLOQUITORY\PAR

\TAB SENTENCE AS MENTIONED IN THE PETITION PRONOUNCED BY THE\PAR

\TAB COURT NOR DID HE DELIVER A COPIE OF SUCH AN

INTERLOQUITOR\PAR
\TAB TO \cf1 THOMAS FORDYCE AGENT\cf2 AND DOER FOR
THE TRUSTEES NOR\PAR
\TAB DOES HE BELIEVE THAT \cf1 EDWARD CALLENDER \cf2
HIS SERVANT DID \PAR
\TAB DID DELIVER ANY SUCH INTERLOQUITOR OR DECREE IN
THE \PAR
\TAB TERMS MENTIONED IN THE PETITION\PAR
\TAB\PAR
\TAB THAT WHAT ENDEVOURS WERE USED FOR OBTAINING AN
EXTRACT\PAR
\TAB WAS A FRUITLESS LABOUR FOR REASONS
FORESAID\PAR
\PAR
\TAB AFFIRMS THAT ASSINT WHO PRESENTED THE EXEPTION
DID AGAIN\PAR
\TAB WITHDRAW HIS EXCEPTION AND QUITT ANY CLAIM HE
THEREBY\PAR
\TAB AND THIS APPEARS BY WHAT IS WRITT ON THE BACK OF
THE \PAR
\TAB EXCEPTION\PAR
\PAR
\TAB HE IS ALTOGETHER UNCONCERNED WHAT MAY BE THE
CONSEQUENCE\PAR
\TAB OF THE PETITIONERS WANT OF AN EXTRACT OF A
SENTENCE THAT \PAR
\TAB WAS NEVER GIVEN\PAR
\PAR
\TAB THAT HE NEITHER HAS ANY SUCH INTERLOQUITOR NOR
DOES BELIEVE\PAR
\TAB THAT ANY SUCH EVER WAS PRONOUNCED\PAR
\PAR
\TAB THAT HE WAS WILLING TO PRODUCE AND LAY BEFORE
YOUR LORDSHIPS\PAR
\TAB AS NOW HE HAS DONE THE PRINCIPAL EXCEPTION WITH
THE ANSWER\PAR
\TAB DELIVERED\PAR
\PAR
\TAB NOR IS HE CONCERNED IN THE REASONING PART OF
THE PETITION\PAR
\TAB WHERE THE PETITIONERS WOULD FORM AN ARGUMENT
AGAINST\PAR
\TAB HIM AS IF IT WERE INCREDIBLE THAT ASSINT WOULD
MOVE AN\PAR
\TAB OBJECTION AGAINST HIMSELF THOUGH HE BELIEVES
THE TRUE\PAR
\TAB REASON WAS THAT WHEN ASSINTES PROCURATORS

CAME\PAR
\TAB TO LOOK INTO THE DEEDS OF MAILLS AND DUTIES
OBTAINED AT HIS\PAR
\TAB INSTANCE AGAINST THE VASSALLS THEY FOUND THAT
\CF 1 SIR DONALDS\CF 2\PAR
\TAB TENNENTS WERE NOT CALLED THEREIN NOR HAD HE
OBTAINED HIMSELF \PAR
\TAB INFECT IN THE SAID LANDS IN THE TERME OF THE ACT
FOR ENCOURAGEING\PAR
\TAB SUPERIORS ETC\PAR
\PAR
\TAB AND IT IS SOMEWHAT TOO SUBTILL TO SAY THAT IF
ASSINT HAS WITHDRAWN\PAR
\TAB ANYTHING TIS SUSPECTED TO BE SIGNED
INTERLOQUITOR FOR BY THE\PAR
\TAB TERM "WITHDRAWN"; HERE NOTHING ELSE
COULD BE MEANT BUT\PAR
\TAB THAT ASSINT HAD WAVED OR PASSED FROM HIS
EXCEPTION\PAR
\PAR
\TAB HE SAYS THAT HE HAD NOT WITHDRAWN THE PROCESS
NOR ANY\PAR
\TAB PART OF THE PROCESS ALL IS STILL EXTANT AND IS
HEREWITH\PAR
\TAB PRODUCED.\PAR
\PAR
\TAB\PAR
\PAR
\PAR
\CF 1 \TAB CS 235/11/MISC-4\CF 2\PAR
\PAR
\TAB AS TO WHAT IS ALLEGED THAT THE INTERLOQUITOR WAS
ACTUALLY\PAR
\TAB SIGNED UPON AN AGREEMENT ADDUCED FROM THE ACT
OF REGULATION\PAR
\TAB 1672 THAT DOES NOT CONCERNE HIM NO DOUBT THE
COMMISSIONERS\PAR
\TAB MIGHT HAVE OBTAINED PROTESTATION BUT THEY DO
NOT PRETENT\PAR
\TAB THAT THE SAME WAS SOUGHT AND THEY MIGHT HAVE
GOT NOTTICE\PAR
\TAB FROM THE PROCURATORS COMPEARING FOR THEM
THAT THE \PAR
\TAB EXCEPTANT DID WAVE HIS CLAIM WITHOUT ANY
OPPOSITION\PAR
\TAB ON THEIRSIDE\PAR
\PAR

\TAB NOR IS IT HIS BUSINESS MUCH TO NOTICE WHAT IS
ARGUED\PAR
\TAB FROM THE PRESIDENTES ROLL IT IS SUFFICIENT FOR HIS
\PAR
\TAB EXONERATION TO SAY THAT NO SUCH
INTERLOQUITOR\PAR
\TAB WAS SIGNED BY THE PRESEDENT AND THEREFORE HE IS
NOT\PAR
\TAB FARTHER CONCERNED\PAR
\PAR
\TAB HE SUBMITTS HIMSELF TO ONE EXAMINATION AND TO
YOUR\PAR
\TAB LORDSHIPS JUDGEMENTS AFTER THE EXAMINATION IS
MADE\PAR
\TAB AND HOPES THAT AFTER TRIAL THE PETITION WILL BE
FOUND\PAR
\TAB GROUNDLESS ONLY THIS HE MUST OBSERVE THAT
SEEING\PAR
\TAB THE PETITIONERS PRETEND TO HAVE A COPY OF THE
\PAR
\TAB INTERLOQUITOR UNDER \cf 1 EDWARD CALENDERS
\cf 2 HAND THE SAME\PAR
\TAB OUGHT TO HAVE BEEN PRODUCED AND TILL IT BE
PRODUCED \PAR
\TAB HE WILL BEG LEAVE TO SAY THAT HE HAS GREAT
DIFFERENCE\PAR
\TAB THEREOF.\PAR
\PAR
\TAB\tAB\tAB\cf 1 YOUR LORDSHIPS MAY PROCEED TO
EXAMINATION\PAR
\TAB\tAB\tAB AND TRYALL WHEN YOU PLEASE MR
MACKENZIE\PAR
\TAB \TAB\tAB IS READY TO MAKE ANSWERS BUT IN THE
MEAN\PAR
\TAB\tAB\tAB TIME HE EXPECTES THAT YOUR LORDSHIPS
WILL\PAR
\TAB\tAB\tAB ORDAIN THE COPIE OF THE
INTERLOQUITOR\PAR
\TAB\tAB\tAB MENTIONED IN THE PETITION TO BE EXHIBITED
WHICH\PAR
\TAB\tAB\tAB HE FIRMLY BELEIVES WAS NOT DELIVERED
TO \cf 2 THOMAS\PAR
\TAB\tAB\tAB FORDYCE \cf 1 THE AGENT\cf 2\PAR
\PAR
\TAB\tAB\tAB\tAB\tAB\tAB\tAB\tAB\tAB ALEXANDER HAY.\PAR
\PAR
\PAR

\TAB UPON THE FIRST DAY AUGUST 1M [1000] VIJC [700] AND
NINETEEN\PAR
\TAB YEARS I THOMAS GRAME ONE OF THE MACERS BEFORE
THE RIGHT\PAR
\TAB HONOURABLE THE LORDS OF COUNCIL AND SESION BY
VIRTUE\PAR
\TAB OF AND IN OBEDIENCE TO THE SAID LORDS THEIR ACT
OF SEDERUNT\PAR
\TAB DATED THE FOURTEENTH OF JULY LAST FOR
RECORDING EXEPTIONS\PAR
\TAB IN A PARLAR REGISTER CONFORM TO THE ACT OF
PARLIAMENT\PAR
\TAB QUINTO GEORGII IN THE FIFTH OF GEORGE\PAR
\PAR
\TAB DID PASS WITH THE WITNESSES AFTERNAMED AND
HERETO SUBSCRIBING\PAR
\TAB TO THE OFFICE WITHIN THE PARLIAMENT CLOSS OF THE
COMMISSIONERS\PAR
\TAB OF INQUIRE AND TRUSTEES FOR DISPOSING OF
FORFEITED ESTATES\PAR
\PAR
\TAB AND THEN AND THERE DID INTIMATE TO THE
COMMISSIONERS AND TRUSTEES\PAR
\TAB THAT THE EXCEPTIONS FOR \cf 1 KENNETH MCKENZIE
OF ASSINT \cf 2 AND HIS \PAR
\TAB CURATORS FOR THE INTEREST EXCIPIENTS WERE UPON
THE THIRTY \PAR
\TAB FIRST DAY OF JULY LAST PRESENTED TO THE SAID
LORDS OF SESSION\PAR
\TAB\PAR
\PAR
\TAB TO THE INTENT THE SAID EXCIPIENTS THEIR RIGHT AND
TITLE TO THE\PAR
\TAB\cf 1 FOURSORE MERK LANDS OF TROTTERNESS \cf 2
MIGHT BE ASCERTAINED AND\PAR
\TAB DECLARED NOTWITHSTANDING OF THE ATTAINER OR
CONVICTION OF\PAR
\TAB\cf 1 SIR DONALD MACDONALD OF SLATE \cf 2 AND
LATE \cf 1 EARL OF SEAFORTH\cf 2\PAR
\PAR
\TAB AND WITH THE VOUCHERS AND INSTRUCTIONS
THEREOF ARE LODGED\PAR
\TAB AND IN THE OFFICE OF MR \cf 1 ALEXANDER
MACKENZIE\cf 2 ONE OF THE\PAR
\TAB PRINCIPAL CLERKS OF SESSION WHERE THE SAME ARE
TO BE SEEN\PAR
\TAB\TAB\PAR

\PAR
\TAB THIS I DID BY LEAVING WITH AND DELIVERING A FULL
DOUBLE OF\PAR
\TAB THE SAID EXCEPTIONS AN AUTHENTICK COPY HEREOF
THERETO\PAR
\TAB SUBJOINED WITHIN THE SAID OFFICE TO \cf 1
ALEXANDER MONRO\PAR
\TAB\cf 2 HOUSEKEEPER IN ABSENCE OF THE SAID
COMMISSIONERS AFTER\PAR
\TAB I ENQUIRED IF ANY OF THEM WERE PRESENT AND IN THE
OFFICE\PAR
\TAB AT THAT TIME BEFORE AND IN PRESENCE OF ARCHIBALD
AND\PAR
\TAB DUGALD CAMPBELLS BOTH WRITERS IN EDINBURGH
AND\PAR
\TAB FOR THE MORE VERIFICATION HEREOF I THE SAID
WITNESSES\PAR
\TAB SUBSCRIBED THESE PRESENTS DAY AND DATE SAID.\PAR
\PAR
\PAR
\PAR
\TAB\cf 1 CS 235/11/MISC-5\cf 2\PAR
\TAB\PAR
\TAB COPY INTERLOQUITOR ASSINT AGAINST SIR DONALD
MCDONALD\PAR
\TAB LANDS \cf 1 TROTTERNISH 1719\cf 2\PAR
\PAR
\TAB 3 SEPTEMBER 1719\PAR
\PAR
\TAB THE LORDS HAVING ADVISED THE EXCEPTIONS
PRESENTED BY \cf 1\PAR
\TAB KENNETH MCKENZIE OF ASSINT AND COLLONEL
ALEXANDER\PAR
\TAB MCKENZIE OF CANNASBY \cf 2 HIS CURATOR ACTS OF
PARLIAMENT\PAR
\TAB REFERED TO THEREIN ANSWERS FOR THE PUBLIC WITH
THE\PAR
\TAB WRITS PRODUCED AND DEBAITE\PAR
\PAR
\TAB THEY FIND THAT THE EXCEPTANT HATH RIGHT TO THE
PROPERTY\PAR
\TAB OF \cf 1 FOURSCORE MARK LAND OF TROTTERNESS
\cf 2 LYING WITHIN\PAR
\TAB THE PAROCHIAL DISTRICT AND SHERIFDOM OF
-----\PAR
\TAB WHICH WERE HOLDEN OF THE EXIPIENT AS SUPERIOR BY
THE\PAR

\TAB LATE \cf1 SIR DONALD MCDONALD \cf2 WHO WAS
ATTAINED OF HIGH\PAR
\TAB TREASON BY AN ACT 1 GEORGII OF THE 1ST OF
GEORGE\PAR
\TAB INTITLED AN ACT FOR THE ATTAINER OF \cf1 GEORGE
EARL MARSHALL\PAR
\TAB ETC\PAR
\PAR
\TAB\cf2 AND FIND THE EXCEPTANT HATH RIGHT TO THE
RENTS PROFITS AND \PAR
\TAB ISSUES PAYABLE FOR THE SAID LANDS FROM AND SINCE
THE 27TH\PAR
\TAB OF JUNE 1715 WITH THE BURDEN OF PROPORTION OF
THE DEBTS IN\PAR
\TAB THE TERMS OF THE ACT OF PARLIAMENT 5 GEORGII OF
THE 5TH\PAR
\TAB OF GEORGE INTITLED ACT FOR ENLARGING THE TIME TO
DETERMINE\PAR
\TAB CLAIMS ON FORFEIT ESTATES AND THAT THE PUBLIC
HATH NO\PAR
\TAB RIGHT THERETO AND FIND DECERN AND DECLARE
ACCORDINGLY\PAR
\TAB\PAR
\TAB SIC SUB SCRIB ITUR THUS IT IS SUBSCRIBED \cf1
JAMES ERSKINE\PAR
\PAR
\PAR
\TAB\cf2 4TH FEBRUARY 1720\PAR
\TAB LORD PENCAILLAND\PAR
\TAB THIS IS THE COPY OF THE ALLEGED INTERLOQUITOR
STO WHICH\PAR
\TAB ALEXANDER MCKENZIE ONE OF THE CLERKS OF
SESSION HIS\PAR
\TAB OATH OF THIS DATE RELATES\PAR
\PAR
\TAB \cf1
J.HAMILTON\PAR
\PAR
\PAR
\PAR
\PAR
\TAB CS 235/11/MISC-6\PAR
\PAR
\TAB\cf2 ANSWERS FROM MR ALEXANDER MACKENZIE TO
THE PETITION\PAR
\TAB GIVEN IN BY THE TRUSTEES TO FORFEITED ESTATE
1720\PAR

\TAB\PAR
\TAB 4 FEBRUARY 1720\PAR
\PAR
\TAB IN THE PRESENCE OF THE LORD PENCAILLAND
COMPEARED ALEXANDER\PAR
\TAB MCKENZIE ONE OF THE CLERKS OF SESSION\PAR
\PAR
\TAB AND BEING SOLEMNLY SWORN EXAMINED AND
INTERROGAT IN TERMS\PAR
\TAB OF THE INTERLOQUITOR OF THIS DATE\PAR
\PAR
\TAB DISPONES THAT THE DEPONENT DID NEVER WRITE ANY
INTERLOQUITOR\PAR
\TAB SUSTAINING THE EXEPTION AT THE INSTANCE OF \CF 1
KENNETH MCKENZIE\PAR
\TAB\CF 2 OF ASSINT AND HIS CURATORS AGAINST THE
PUBLIC FINDING THAT\PAR
\TAB THE EXEPTANT HAD RIGHT TO THE PROPERTY OF THE
LANDS OF\PAR
\TAB\CF 1 TROTTERNISH \CF 2 WHICH WERE HOLDEN BY THE
LATE \CF 1 SIR DONALD\PAR
\TAB MCDONALD \CF 2 OF THE EXCEPTANT.\PAR
\PAR
\TAB AND THAT IT DOES NOT CONSIST WITH HIS KNOWLEDGE
THAT ANY\PAR
\TAB SUCH INTERLOQUITOR WAS WRITE BY ANY OTHER OF
THE CLERKS\PAR
\TAB OF SESSION AS MENTIONED IN THE PETITION AND
COMPLAINT\PAR
\TAB OFFERED IN NAME OF THE COMMISSIONERS AND
TRUSTEES FOR\PAR
\TAB THE SALE OF FORFEITED ESTATES AN ALLEDGED
COPY\PAR
\TAB WHEREOF IS PRESENTLY PRODUCED AND MARKED BY
THE \PAR
\TAB LORD EXAMINATOR\PAR
\PAR
\TAB AND THAT THE DEPONENT DID NEVER SEE ANY SUCH
INTERLOQUITOR\PAR
\TAB SIGNED BY THE LORD GRANGE THEN PRESIDENT OF THE
COURT OF\PAR
\TAB SESSION WHICH BEARS TO BE DATED THE THIRD DAY OF
SEPTEMBER\PAR
\TAB LAST\PAR
\PAR
\TAB AND THAT THE DEPONENT DOES NOT REMEMBER THAT
ANY SUCH \PAR

\TAB INTERLOQUITOR PAST IN THE SAID COURT OF
SESSION\PAR
\PAR
\TAB AND FURTHER PRODUCED THE PRINCIPAL EXCEPTION
WHICH\PAR
\TAB HAS NO SIGNED INTERLOQUITOR UPON IT EXCEPT THAT
OF THE\PAR
\TAB LAST OF JULIE ORDERING THE SAME TO BE INTIMATED
AT THE\PAR
\TAB ENQUIRIE OFFICE\PAR
\PAR
\TAB AND APON THE BACK OF THE SAID EXEPTION THERE IS
WRITEN\PAR
\TAB THE WORD "WITHDRAWN" WITH THE
DEPONENTS OWN HAND\PAR
\TAB\PAR
\PAR
\TAB AND THAT IT WAS NOT ORDINARY IN OTHER CASES TO
SIGN\PAR
\TAB THAT WORD "WITHDRAWN" WHEN THERE
WAS NO MORE\PAR
\TAB UPON IT\PAR
\PAR
\TAB HE ALSO PRODUCES THE EXECUTION OF THE SAID
EXCEPTION WITH\PAR
\TAB TWO ANSWERS GIVEN IN BY PUBLIC TO THE
EXCEPTION\PAR
\PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB\CF 1 ALEXANDER
MACKENZIE\PAR
\PAR
\TAB\CF 2\TAB\TAB\TAB\TAB\TAB\TAB\TAB\CF 1 J.HAMILTON\PAR
\PAR
\TAB\CF 2 PRESENTED BY \CF 1 MCKENZIE OF ASSINT \CF 2
AND HIS CURATORS ONE DATED\PAR
\TAB TENTH OF AUGUST AND THE OTHER THE THIRD
SEPTEMBER LAST\PAR
\TAB WHICH ARE THE ONLY ANSWERS GIVEN IN BY THE
COMMISSIONERS\PAR
\TAB TO THE HAILL EXCEPTIONS PRESENTED BY \CF 1
ASSINT\PAR
\PAR
\TAB\CF 2 AND DEPONES HE HAS NO OTHER GROUNDS OR
WARRADS\PAR
\TAB IN RELATION TO THE SAID INTERLOQUITOR NOR
DOES\PAR
\TAB HE REMEMBER THAT THERE WERE ANY WRITES

PRODUCED\PAR
\TAB RELATING TO THE LANDS MENTIONED IN THE SAID
EXCEPTION\PAR
\TAB EXCEPT SUCH AS WERE PRODUCED BY THE
EXCEPTANTS\PAR
\TAB AND TAKEN UP BY THEM OR THEIR DOERS \PAR
\TAB AND THIS IS THE TRUTH AS HE SHALL ANSWER TO
GOD\PAR
\PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\CF 1 ALEXANDER
MACKENZIE\PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB J.HAMILTON\PAR
\PAR
\PAR
\TAB CS 235/11/MISC-7\PAR
\PAR
\TAB\CF 2 23 FEBRUARY 1720\PAR
\PAR
\TAB\CF 1 EDWARD CALLENDER \CF 2 SERVITOR TO\CF 1 MR
ALEXANDER MCKENZIE \TAB\PAR
\TAB\CF 2 ONE OF THE CLERKS OF SESSION AND BEING
SOLEMNLY SWORN\PAR
\TAB EXAMINED AND INTEROGATED IN THE TERMS OF THE
INTERLOQUITOR\PAR
\TAB OF THE 4 TH FEBRUARY INSTANT\PAR
\PAR
\TAB DEPONES THAT HE DID NOT DELIVER TO \CF 1 MR
FORDYCE \CF 2 OR TO ANY\PAR
\TAB OTHER DOER FOR THE COMMISSIONERS OR TRUSTEES
FOR FORFEITTED\PAR
\TAB ESTATES THE COPY OF THE INTERLOQUITOR
MENTIONED IN THE SAID\PAR
\TAB TRUSTEES THEIR PETITION DATED TWENTY FIRST
JANUARY LAST\PAR
\TAB FINDING THAT \CF 1 KENNETH MCKENZIE OF ASSINT AND
COLLONEL\PAR
\TAB MCKENZIE \CF 2 HIS CURATOR HAD RIGHT AS SUPERIORS
TO THE PROPERTY\PAR
\TAB OF THE LANDS OF \CF 1 TROTTERNISH \CF 2 WHICH
HELD OF HIM BY THE LATE\PAR
\TAB\CF 1 SIR DONALD MCDONALD \PAR
\TAB\CF 2 IN SO FAR AS THE DEPONENT REMEMBERS\PAR
\PAR
\TAB AND THAT HE KNOWS NOTHING OF THE GIVING OUT
DOUBLE OF THE\PAR
\TAB SAID INTERLOQUITOR TO THE SAID COMMISSIONERS OR
THEIR DOERS\PAR

\TAB WHICH COPY OF THE SAID INTERLOQUITOR AS
MENTIONED IN THE \PAR
\TAB SAID PETITION IS MARKED BY THE LORD
EXAMINATOR\PAR
\PAR
\TAB AND BEING EXAMINED AND INTERROGATED BY THE
PROCURATORS\PAR
\TAB OF THE SAID TRUSTEES IF THE PAPER PRESENTLY
PRODUCED BY\PAR
\TAB THEM AND MARKED BY THE ORDINARY WHICH CONTAINS
AN\PAR
\TAB INTERLOQUITOR IN FAVOUR OF \cf 1 KENNTH
MCKENZIE \cf 2 IN RELATION\PAR
\TAB TO THE PROPERTY OF THE LANDS AND ESTATE OF \cf 1
APPLECROSS\PAR
\TAB\cf 2 WHICH HE CLAIMED AS SUPERIOR OF THE SAID
LANDS\PAR
\PAR
\TAB\tab\tab\tab\tab\tab\tab\tab\cf 1 EDWARD
CALLENDER\PAR
\TAB\tab\tab\tab\tab\tab\tab\tab J.HAMILTON\PAR
\PAR
\TAB\cf 2 AND TO WHICH IS ADJECTED A MEMORIAL IN THESE
TERMS VIZ..\PAR
\TAB THE LIKE INTERLOQUITOR IS APON THE OTHER
EXCEPTIONS AGAINST\PAR
\TAB THE VASSALS MUTATIS MUTANDIS NECESSARY CHANGES
BEING\PAR
\TAB MADE EXCEPT THESE AGAINST WHOM THE
CONDISCENDANCE\PAR
\TAB WAS GIVEN AND WHEREON THEY ARE ALLOWED A
DILLIGENCE TO\PAR
\TAB PROVE THAT THE LANDS HOLD OF ASSINT\PAR
\PAR
\TAB IF THE SAID PAPERS MARKED AS SAID IS WAS THE HAND
WRITING OF THE\PAR
\TAB DEPONENT AND DELIVERED BY HIM TO THE SAID \cf 1
THOMAS\cf 2\PAR
\TAB\PAR
\PAR
\TAB AND DEPONES THAT HE DID DELIVERED THE SAID PAPER
TO THE BEST\PAR
\TAB OF THE DEPONENTS MEMORY TO THE SAID \cf 1
THOMAS FORDYCE \cf 2 OR\PAR
\TAB HIS SERVANT AS DOERS FOR THE SAID
COMMISSIONERS\PAR
\PAR

\TAB AND DEPONES THAT HE DID NEVER DELIVER ANY OTHER
COPY OF\PAR
\TAB AN INTERLOQUITOR IN RELATION TO ASSINT RIGHT OF
PROPERTY\PAR
\TAB TO THE LATE \cf1 SIR DONALD MCDONALD LANDS
TROTTERNISH\cf2\PAR
\TAB OR THE OTHER VASSALS OF THE LATE \cf1 EARL OF
SEAFORTH\PAR
\TAB\cf2 EXCEPT WHAT IS ABOVE DEPONED ON TO THE BEST
OF THE \PAR
\TAB DEPONENTS MEMORE\PAR
\PAR
\TAB AND BEIND INTERROGATED IF THE DATES WRITEN ON
THE MARGINS\PAR
\TAB OF THE SAID PAPER BE THE TRUE DATES DEPONES HE
DOES NOT\PAR
\TAB KNOW BUT IS WILLING TO PRODUCE THE PRINCIPAL
WARANDS\PAR
\TAB THEMSELVES\PAR
\PAR
\TAB AND THAT ORDINARLY THE COMMISSIONERS DOERS GET
COPIES\PAR
\TAB OF THE INTERLOQUITORS BEFORE THE SAME WERE
SIGNED\PAR
\TAB BY THE LORD PRESIDENT\PAR
\TAB AND THIS IS THE TRUTH AS HE SHALL ANSWER TO
GOD\PAR
\PAR
\TAB\tab\tab\tab\tab\tab\tab\tab\tab\cf1 EDWARD
CALLENDER\PAR
\PAR
\TAB\tab\tab\tab\tab\tab\tab\tab\tab J.HAMILTON\PAR
\PAR
\TAB\cf2 MR CARDEN PROCURATOR OR FOR THE SAID
TRUSTEES DECLAIRED\PAR
\TAB THAT HE HAS CONCLUDED HIS PROBATION BY THE
ABOVE OATHS\PAR
\TAB THE LORD ORDINARY IS TO REPORT THE SAME TO THE
LORD WITH\PAR
\TAB HIS FIRST CONVENIENCE AND ALLOWS TH SAID
PROCURATORS\PAR
\TAB IN THE MEAN TIME TO SEE THE INTERLOQUITOR AS TO
THE\PAR
\TAB PROPERTY OF \cf1 APPLECROSS \cf2 TO THE END
THEY MAY KNOW THE DATE\PAR
\TAB THEREOF\PAR
\PAR

\TAB\tAB\tAB\tAB\tAB\tAB\tAB\tAB\CF 1 J.HAMILTON\PAR
\PAR
\TAB\PAR
\PAR
\TAB CS235/11/MISC-1\PAR
\PAR
\TAB\CF2 EXCEPTIONS FOR \CF 1 KENNETH MACKENZIE OF
ASSINT \CF2 AND HIS CURRATORS\PAR
\TAB ANENT THE LANDS OF \CF 1 TROTTERNISH \CF2
BELONGING TO THE DECEASED\PAR
\TAB\CF 1 SIR DONALD MACDONALD\CF2 WITHDRAWN
1719 \CF 1 MCKENZIE CLERK\PAR
\TAB T.G. THOM.GRAEM\PAR
\PAR
\TAB AD & DC \CF2 SIGNED\PAR
\PAR
\TAB EXCEPTIONS FOR \CF 1 KENNETH MACKENZIE OF ASSINT
AND COLLONEL\PAR
\TAB ALEXANDER MACKENZIE OF CONANSBAY \CF2 HIS
CURATOR FOR HIS\PAR
\TAB INTEREST AGAINST THE POSSESSION TAKEN OR TO BE
TAKEN\PAR
\TAB\CF 1 OF THE FOURSCORE MERK LAND
TROTTERNISH\CF2 SURVEYED\PAR
\TAB BY ORDER OF THE COMMISSIONERS AND TRUSTEES
APPOINTED\PAR
\TAB FOR FORFEITED ESTATES\PAR
\PAR
\TAB HUMBL Y PRESENTED IN PURSUANCE OF THE ACT
QUINTO GEORGII IN\PAR
\TAB THE FIFTH YEAR OF GEORGE ENTITLED ACT FOR
ENLARGEING\PAR
\TAB THE TIME TO DETERMINE CLAIMS ON THE FORFEITED
ESTATES\PAR
\PAR
\TAB TO THE RIGHT HONOURABLE THE LORDS OF COUNCIL
AND\TAB\PAR
\TAB SESSION\PAR
\PAR
\PAR
\TAB TO THE INTENT HIS RIGHT AND TITLE TO THE SAID \CF 1
FOURSCORE\PAR
\TAB MERK LANDS TROTTERNISH \CF2 HOLDEN BY \CF 1 SIR
DONALD MCDONALD\PAR
\TAB LATE OF SLATE \CF2 OF THE SAID EXCIPIENT AS
SUPERIOR THEREOF\PAR
\TAB\PAR

\PAR
\TAB MAY IN THE TERMS OF TH ACT OF THE FIRST OF THE KING
ENTITLED\PAR
\TAB ACT FOR ENCOURAGEING ALL SUPERIORS VASSALS ETC
BE ASCERTAINED\PAR
\PAR
\TAB BY THE FORESAID ACT OF THE FIRST OF THE KING
ENTITLED ACT FOR\PAR
\TAB ENCOURAGING ALL SUPERIOR VASSALLS LANDLORDS
AND TENNANTS\PAR
\TAB IN SCOTLAND IT IS AMONGS OTHER THINGS ENACTED
THAT IF ANY SUBJECT\PAR
\TAB OF GREAT BRITAIN HOLDING LANDS OF A SUBJECT
SUPERIOR IN SCOTLAND\PAR
\TAB HAS BEEN OR SHALL BE GUILTY OF SUCH HIGH TREASON
OR TREASONS\PAR
\TAB AS ARE MENTIONED IN THE SAID ACT EVERY SUCH
OFFENDER WHO\PAR
\TAB SHALL BE THEREOF DUELY CONVINCED AND ATTAINED
SHALL\PAR
\TAB BE LIABLE TO THE PAINS PENALTIES AND FORFEITURES
OF HIGH\PAR
\TAB TREASON AND HIS LANDS OR TENEMENTS HELD OF ANY
SUBJECT\PAR
\TAB SUPERIOR IN SCOTLAND SHALL RECOGNISE AND
RETURN INTO \PAR
\TAB THE HANDS OF THE SUPERIOR AND THE PROPERTY
SHALL BE AND\PAR
\TAB IS HEREBY CONSOLIDATED WITH THE SUPERIORITY IN
THE SAME\PAR
\TAB MANNERAS IF THE LANDS OR TENEMENTS HAD BEEN BY
THE VASSAL\PAR
\TAB RESIGNED INTO THE LANDS OF THE SUPERIOR AD
PERPETUAM REMANENTIAM\PAR
\TAB REMAING THERE FOR EVER\PAR
\PAR
\TAB AND IT IS FURTHER ENACTED THAT IF THE SUPERIORS TO
WHOM THE LANDS\PAR
\TAB AND TENEMENTS ABOVE MENTIONED ARE DECLAIRED
AND ORDAINED\PAR
\TAB TO BELONG SHALL SHALL NOT WITHIN SIX MONTHS TO
BE RECKONED FORM\PAR
\TAB THE TIME OF THE ATTAINDER OF THE OFFENDERS
RESPECTIVELY OBTAIN\PAR
\TAB THEMSELVES INFECT OR DO DILLIGENCE REALLY AND
WITHOUT COLLUSION\PAR
\TAB FOR ATTAINING POSSESSION IN EVERY SUCH CASE THE

FORFEITURES\PAR
\TAB SHALL BELONG TO HIS MAJESTY HIS HEIRS AND
SUCCESSORS\PAR
\PAR
\TAB BY A SUBSEQUENT ACT OF THE SAME YEAR OF HIS
MAJESTYS REIGN\PAR
\TAB ENTITLED ACT FOR THE ATTAINDER OF \cf 1 GEORGE
EARL OF MARISHAL\PAR
\TAB WILLIAM EARL OF SEAFORTH \cf 2 AND OTHERS OF
HIGH TREASON\PAR
\TAB UNLESS THEY SHALL SURRENDER THEMSELVES TO
JUSTICE BY A DAY\PAR
\TAB CERTAIN HEREIN MENTIONED\PAR
\TAB IT IS ENACTED\PAR
\PAR
\TAB THAT IF THE ABOVE PERSONS AND OTHERS THEREIN
NAMED AMONG\PAR
\TAB WHOM IS THE SAID \cf 1 SIR DONALD MCDONALD OF
SLATE\cf 2 SHOULD\PAR
\TAB NOT RENDER THEMSELVES TO ONE OF HIS MAJESTYS
JUSTICE\PAR
\TAB OF THE PEACE ON OR BEFORE THE LAST DAY OF JUNE
1716\PAR
\PAR
\TAB THEN EVERY OF THEM NOT RENDERING HIMSELF AS
AFORESAID\PAR
\TAB SHOULD FROM AND AFTER THE 13 OF NOVEMBER 1715
STAND\PAR
\TAB AND BE ADJUDGED ATTAINED OF THE SAID HIGH
TREASON TO\PAR
\TAB ALL INTENTS AND PURPOSES WHATSOEVER AND
SHOULD SUFFER\PAR
\TAB AND FORFEIT AS A PERSON ATTAINED OF HIGH TREASON
BY THE LAWS\PAR
\TAB OF THE LAND OUGHT TO SUFFER AND FORFEIT\PAR
\PAR
\TAB\cf 1 CS235/11/MISC-2\PAR
\PAR
\TAB\cf 2 THE ESTATE OF SEAFORTH WAS AFFECTED WITH
MANY AND VARIOUS\PAR
\TAB APPRISEINGS ALL LED BEFORE THE YEAR 1650 FOR
SUMS FAR \PAR
\TAB EXCEEDING THE VALUE OF THE ESTATE AND WHEREOF
THE LEGAL\PAR
\TAB WAS EXPIRED AND WHICH WERE PURCHASED BY \cf 1
SIR GEORGE MACKENZIE\PAR
\TAB OF TARBET \cf 2 AFTERWARDS EARL OF CROMARTY

AND CERTAIN OTHER\PAR
\TAB PERSONS WHO UPON THE RIGHTS ACQUIRED BY THEM
DID EXPEDE\PAR
\TAB INFETEMENTS IN THEIR OWN PERSON AS WILL APPEAR
BY THE CHARTER\PAR
\TAB UNDER THE GREAT SEAL DATED 30TH SEPTEMBER 1678
WHICH IS APON\PAR
\TAB PUBLICK RECORD AND THEIR INFETMENT FOLLOWING
THEREAPON\PAR
\TAB IS DATED THE 15 OF NOVEMBER 1680 AND PRODUCED
WITH THE \PAR
\TAB VOUCHERS OF MY EXCEPTIONS FOR ASCERTAINING MY
RIGHT\PAR
\TAB AND TITLE TO THE ESTATE OF SEAFORTH\PAR
\PAR
\TAB THE SAID \cf1 GEORGE MACKENZIE \cf2 AND OTHER
PERSONS DENUDED\PAR
\TAB THEMSELVES OF THE SAID LANDS AND ESTATE IN
FAVOUR OF \cf1 \PAR
\TAB KENNETH MACKENZIE \cf2 BROTHER TO\cf1 SIR
GEORGE MCKENZIE\PAR
\TAB OF ROSEHAUGH \cf2 IN THE YEAR 1680\PAR
\PAR
\TAB AND THE SAID\cf1 KENNETH MCKENZIE \cf2
DISPONED THE SAME IN\PAR
\TAB FAVOUR OF \cf1 ISOBELL COUNTESS OF SEAFORTH
\cf2 IN THE YEAR\PAR
\TAB 1681 WHO IN VIRTUE OF HER RIGHT POSSESSED THE
SAID ESTATE\PAR
\TAB AND PERTINENTS THEREOF UNTIL THE MONTH OF
FEBRUARY\PAR
\TAB 1715\PAR
\PAR
\TAB UPON THE DEMISE OF THE SAID \cf1 ISOBELL
COUNTESS OF SEAFORTH\PAR
\TAB\cf2 THE RIGHT OF THE SAID ESTATE DEVOLVED UPON
THE EXCIPIENT\PAR
\TAB AS HEIR NEAREST PROTESTANT HEIR \cf1 WILLIAM LATE
EARL OF\PAR
\TAB SEAFORTH\cf2 THOUGH A NEARER HEIR BY BLOOD
THAN THE EXIPIENT\PAR
\TAB BEING EXCLUDED BY THE ACT 23RD NOVEMBER 1700
ENTITLED ACT\PAR
\TAB FOR PREVENTING THE GROWTH OF POVERTY\PAR
\PAR
\TAB\cf1 THE FOURSCORE MERK LAND TROTTERNESS \cf2
LYING WITHIN THE\PAR

\TAB PAROCHIAL OF \cf1 SNIZORT SKYE AND SHERIFDOM OF
INVERNESS\PAR
\TAB\cf2 AND WHICH BELONGED TO THE SAID \cf1 SIR
DONALD MCDONALD\PAR
\TAB LATE OF SLATE\cf2 NOW ATTAINED BY THE FORECITED
ACT ARE PART AND\PAR
\TAB PORTION OF THE FORESAID ESTATE OF SEAFORTH AND
WERE HOLDEN\PAR
\TAB BY THE SAID \cf1 SIR DONALD MCDONALD \cf2 OR HIS
PREDECESSORS OF---\PAR
\TAB\cf1 EARL OF SEAFORTH \cf2 AND THE RIGHT OF THE
SUPERIORITY OF THE\PAR
\TAB SAID LANDS IS NOW IN THE PERSON OF THE EXCIPIENT
BY HIS TITLE\PAR
\TAB ABOVE DEDUCED\PAR
\PAR
\TAB THE SAID EXCIPIENT AS HAVING THUS RIGHT TO THE
SAID\cf1 FOUR\PAR
\TAB SCORE MERKLANDS OF TROTTERNESS \cf2 LYING AS
SAID IS DID IN \PAR
\TAB PURSUANCE OF THE FORESAID ACT OF PARLIAMENT
PRIMO\PAR
\TAB GEORGII IN THE FIRST YEAR OF GEORGE ENTITLED ACT
FOR\PAR
\TAB ENCOURAGEING SUPERIORS VASSALS ETC DO
DILIGENCE\PAR
\TAB REALLY AND WITHOUT COLLUSION FOR ATTAINING THE
POSSESSION\PAR
\TAB OF THE SAID LANDS\PAR
\PAR
\TAB THEREFOR THE SAID EXCIPIENT AND HIS SAID CURATOR
AS HAVING\PAR
\TAB RIGHT AND TITLE TO THE SAID \cf1 FOURSCORE
MERK \cf2 LAND IN MANNER\PAR
\TAB AFORESAID AND BY VIRTUE OF THE ABOVE RECITED ACT
OF THE\PAR
\TAB FIRST OF HIS MAJESTYS REIGN ENTITLED ACT FOR
ENCOURAGING\PAR
\TAB SUPERIORS VASSALS ETC DOES PRESENT THE ABOVE
EXCEPTIONS HUMBLY\PAR
\TAB PRAYING THAT HIS RIGHT MAY BE DECLAIRED AND
ASCERTAINED\PAR
\TAB TO THE SAID \cf1 FOURSCORE MERK LAND\cf2 WITH
PARTS AND PERTINENTS\PAR
\TAB THEREOF AND THAT THE RENTS PROFITS AND ISSUES
THERETO\PAR
\TAB BELONGING AND PRESENTLY PAY OR THAT MAY BE

PAYABLE BY\PAR
\TAB THE TENENTS TACKSMEN OR POSSESSERS THEREOF
SINCE THE \PAR
\TAB TERM PRECEEDING THE SAID ATTAINER AND IN ALL TIME
COMEING\PAR
\TAB MAY BE DECLARED TO PERTAIN AND BELONG TO THE
EXCIPIENT\PAR
\TAB AND THAT THE COMMISSIONERS AND TRUSTEES
APPOINTED FOR\PAR
\TAB FORFEITED ESTATES MAY BE DISCHARGED FROM
DISQUIETING\PAR
\TAB AND MOLESTING THE EXCIPIENT IN THE PEACEABLE
POSSESSION\PAR
\TAB THEREOF\PAR
\PAR
\TAB SAVEING AND RESERVING TO THE SAID EXCIPIENT ALL
AND SUNDRY\PAR
\TAB HIS FURTHER ALLEGATIONS ANSWERS AND REPLIES
WHICH HE\PAR
\TAB MAY HAVE OR SHALL HEREAFTER MAKE USE OF IN
ORDER TO THE\PAR
\TAB FURTHER CLEARING AND MAKING GOOD HIS RIGHT IF
NEED BE\PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB\CF 1 KENNETH
MACKENZIE\PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB ALEX MACKENZIE\PAR
\PAR
\TAB\TAB\TAB\TAB\TAB\CF2 EXAMINED 31 JULY 1719\PAR
\PAR
\TAB THE LORDS HAVING HEARD THE WITHIN EXCEPTIONS
ORDAIN\PAR
\TAB THE SAME TO BE INTIMATE TO THE COMMISSIONERS OF
ENQUIRY\PAR
\TAB AT THEIR OFFICE AND RECORDED IN THE PARLAR
REGISTER APPOINTED\PAR
\TAB FOR THAT EFFECT CONFORM TO THE ACT OF
SEDERUNT\PAR
\PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB\CF 1 W.ERCHNIES
J.P.L.\CF2\PAR
\PAR
\TAB\PAR
\PAR
\PARD\TAB\CF0\F 1 THOMAS FRASER OF NEWTON * ISABEL
MACKINTOSH\PAR
\TAB\TAB\TAB\TAB\TAB OF DRAKIES\PAR
\PAR

\TAB CAPTAIN WILLIAM FRASER\tAB\tAB HUGH FRASER MARGARET
CHISHOLM\PAR
\TAB OF NEWTON SECOND SON\PAR
\PAR
\TAB\tAB\tAB\tAB\tAB THOMAS FRASER OF NEWTON *
KATHERINE\PAR
\TAB\tAB\tAB\tAB\tAB\tAB\tAB\tAB\tAB MACKINTOSH\PAR
\PAR
\TAB\tAB\tAB\tAB\tAB ALEXANDER FRASER OF NEWTON\PAR
\TAB\tAB\tAB\tAB\tAB B.15.6.1807 HEIC BENGAL \PAR
\PAR
\PAR
\PAR
\PAR
\PAR
\PAR
\PAR
\PAR
\PAR
\PAR
\TAB CAPTAIN WILLIAM FRASER OF CULBOKIE\PAR
\TAB 76TH REGIMENT DIED 31 /8/ 1844\PAR
\TAB INVERNESS SHERIFF COURT\PAR
\TAB SC29/44/6. SERVICE OF HEIR 1844\PAR
\PAR
\PARD\FI-568\LI568\TX6532\tAB\tAB\CF2\F0\tAB\tAB\PAR
\TAB\tAB\CF1\tAB\CF2\PAR
\PARD\FI-568\LI568\PAR
\CF1\PAR
\TAB\CF2\PAR
\CFO\PAR
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