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EDINBURGH COURT.TXT</TITLE>
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{\*\GENERATOR MSFTEDIT
5.41.15.1507;} \VIEWKIND4 \UC 1 \PARD \F0 \FS20 SCOTTISH
RECORD OFFICE REFERENCE C22/92 CROSS REFERENCED
TO C24/92 ORIGINAL RETOUR MONTHLY NO 6. \PAR
\PAR
THIS ENQUIRY WAS HELD IN THE COURT CURIA OF THE VICE-
COUNTY OF EDINBURGH IN THE HOUSE OF THE SUPERIOR
COUNCIL OF THE SAID BURG TOWN ON THE 17TH DAY OF THE
MONTH OF JANUARY A.D. 1798 17-1-1798 BEFORE JAMES
CLERK ARMIGERO ADVOCATO VICECOMITE DEPUTY MILITARY
ADVOCATE-COUNTY DEPUTY OF THE SAID VICE-COUNTY
SPECIALLY CONSTITUTED BY THESE HONEST PROVEN AND
FAITHFUL MEN OF THE FATHERLAND BELOW WRITTEN VIZ MR
WILLIAM RICHARDSON SOLICITOR AT LAW OF THE CHANCERY
OF EDINBURGH MESSRS JOHN EISTON WILLIAM SCOTT
WILLIAM SPROTT ALEXANDER NEILSON EDWARD YOUNG
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JAMES TEGGANS OR FEGGANS JOHN WOOD JOHN ORMSTON
JOHN GRAY ANDREW CROMBIE ALEXANDER PONTON
DONALD GRASSICK ROBERT TENNENT AND JAMES
ROBERTSON ALL SOLICITORS AT LAW OF THE SAME PLACE
THESE HAVING BEEN SWORN IN ON OATH MAGNO
SACRAMENTO INTERVENIENTE DECLARED THAT A CERTAIN
KENNETH MCKENZIE MILITARY MAN ARMIGER LATELY OF
CROMARTY WHO WAS THE LEGITIMATE ELDEST SON OF THE
DEFUNCT CAPTAIN RODERICK WHO WAS THE LEGITIMATE
SECOND SON OF THE ALSO DEFUNCT JOHN EARL OF
CROMARTY WHO WAS THE LEGITIMATE ELDEST SON OF
GEORGE VICE-COUNT OF TARBAT LATER EARL OF CROMARTY
DIED AD FIDEM ET PACEM OF OUR SOVEREIGN LORD THE
KING NOW REIGNING\PAR
AND THAT THE LIEUTENANT-COLONEL ROBERT MCKENZIE IN
THE SERVICE OF THE HONOURABLE EAST INDIA COMPANY OF
MERCHANTS IS THE ELDEST LEGITIMATE SON LIVING OF THE
DEFUNCT ALEXANDER MCKENZIE LATELY OF ARDLOCH WHO
WAS THE LEGITIMATE ELDEST SON OF THE ALSO DEFUNCT
JOHN MCKENZIE OF ARDLOCH WHO WAS THE LEGITIMATE
ELDEST SON OF THE ALSO DEFUNCT ALEXANDER MCKENZIE
WHO WAS LEGITIMATE SON OF LORD JOHN MCKENZIE OF
TARBAT AND GERMAIN BROTHER OF THE SAID GEORGE VICE-
COUNT OF TARBAT AND LATER VICE-COUNT OF CROMARTY
BOTH OF WHOM ARE ALSO DEAD IS THE LEGITIMATE AND
NEAREST MALE HEIR TO THE TALLIA ET PROVISIONIS OF THE
SAID KENNETH MCKENZIE LATELY OF CROMARTY WHO WAS
HEIR DESERVITUS ET RESTORNATUS OF LORD KENNETH
MCKENZIE DE GRANDVILLE WHO WAS HEIR DESERVITUS ET
RETORNATUS OF LORD GEORGE MCKENZIE DE GRANDVILLE
HIS ELDEST BROTHER WHO WAS ELDEST SON OF LORD
KENNETH MCKENZIE OF CROMARTY LEGITIMATE SECOND
SON OF THE SAID GEORGE VICE-COUNT OF TARBAT AND
LATER EARL OF CROMARTY BY VIRTUE OF AND ACCORDING
TO THE DISPOSITION AND CHARTER OF TALLIA CONTAINING
THE SUBSTITUTION PROVISIONS CONDITIONS IRRITANT
CLAUSES AND REOLUTIONS THEREIN SPECIFIED WHICH WAS
MADE AND GRANTED BY THE SAID GEORGE VICE-COUNT OF
TARBAT LORD MCLEOD AND CASTLEHAVEN AND LATER EARL
OF CROMARTY GIVEN ON THE 28TH DAY OF NOVEMBER A.D.
1688 BY WHICH FOR REASONS THEREIN MENTIONED HE GAVE
AND DISPOSED ALL AND INTEGRALLY THE LANDS AND
BARONY OF ROYSTON INCLUDING PARTICULAR LANDS AND
OTHER THINGS THEREIN SPECIFIED LYING IN THE VICE-
COUNTY OF EDINBURGH TO MR JAMES MCKENZIE HIS THIRD
LEGITIMATE SON LATER LORD JAMES MCKENZIE OF ROYSTON
AND ONE OF THE LORDS OF SESSIONS AND TO HIS

LEGITIMATE MALE HEIRS BEGOTTEN OF HIS BODY WHO FAILING TO THE ABOVE MENTIONED LORD KENNETH MCKENZIE OF CROMARTY THEREIN DESIGNATED AS MR KENNETH MCKENZIE SECOND LEGITIMATE SON OF THE SAID VICE-COUNT AND TO THE MALE HEIRS LEGITIMATE BEGOTTEN OF HIS BODY FAILING WHICH TO THE SAID JOHN EARL OF CROMARTY THEREIN DESIGNATED AS JOHN MASTER OF TARBAT ELDEST LEGITIMATE SON OF THE SAID VICE-COUNT AND TO HIS MALE HEIRS BEGOTTEN OR TO BE BEGOTTEN OF HIS BODY WHO FAILING TO THE OTHER MALE HEIRS LEGITIMATELY BEGOTTEN OR TO BE BEGOTTEN OF THE BODY OF THE SAID NOBLE VICE-COUNT HIMSELF FAILING WHICH TO ANY OTHER PERSON OR PERSONS BY HIM NOMINATED IN THE MANNER MENTIONED IN THE CHARTER OF TALLIE FAILING WHICH TO THE HEIRS AND ASSIGNS OF THE SAID VICE-COUNT WHOMSOEVER IN INHERITANCE AND IRREVOCABLY THAT THEREFOR SINCE MALE HEIRS FROM THE BODY OF THE SAID GEORGE VICE-COUNT OF TARBAT AND MAKER FORMATOR OF THE SAID TALLIA ARE NOW DEFICIENT AND DEFUNCT BY THE DEATH OF THE SAID KENNETH MCKENZIE LATE ARMIGER OF CROMARTY AND NO PERSON OR PERSONS WERE NAMED TO THE SUCCESSION BY THE SAID VICE-COUNT IMMEDIATELY AFTER THE DEFECTION OF MALE HEIR BEGOTTEN OF HIS BODY BY THE TERMS OF THE SAID POWERS AND FACULTIES AND AS THE SAID ALEXANDER MCKENZIE GREAT-GRAND-FATHER OF THE SAID COLONEL ROBERT MCKENZIE WAS ONLY GERMAIN BROTHER OF THE SAID GEORGE VICE-COUNT OF TARBAT MAKER OF THE SAID TALIA FROM WHOSE BODY MALE HEIRS ARE NOW IN EXISTENCE THE SAID COLONEL ROBERT MCKENZIE PRESENTER OF THE PRESENT PLEA IS THE MALE HEIR TO THE SAID VICE-COUNBT AND ENTITLED TO THE SAID SUCCESSION UNDER THE SAID CHARTER OF TYALLIA IN THE TERMS DIRECTIVES AND SUBSTITUTIONS ABOVE-WRITTEN FOR THE DISPOSAL OF THE SAID LANDS AND BARONY TO THE MALE HEIRS OF THE SAID GEORGE VICE-COUNT OF TARBAT WHOMSOEVER AND THAT HE IS OF LEGITIMATE LEGAL AGE IN CUJUS REI IN WITNESS THERETO THE SEAL OF THOSE INVOLVED IN THIS ENQUIRY WITH THE BRIEF OF THE KING DULY EXECUTED AND THE SEAL OF THE COMMUNE WITH THE SIGN MANUAL OF JAMES NEWBIGGING PRINCIPAL ARMIGER CLERK OF THE SAID VICE-COUNTY SPECIALLY CONSTITUTED ARE APPENDED TO THE PRESENTS SIGNED JAMES NEWBIGGING 6TH FEBRUARY 1798.\PAR

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