

Registers and Records of Scotland.



1.
Deed of Gift
By
George A. Cooper
containing I. Deed
To

Lord Provost Magistrates
& Councillors of City and

Royal Burgh of Elgin &
B. Deed by them to J. & A. Cooper

REG:GAS:
ELGIN
&
FORRES
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At Edinburgh the Twenty
fifth day of August in
the year one thousand
nine hundred and three
between the hours of
ten and eleven forenoon
the Deed of Gift under
written with Warrant of

— Registration thereon was presented by J.

Grosvenor Register of Sasines and is with
said Warrant of Registration recorded as
follows, vizt. I George Alexander Cooper of
The College Elgin heritable proprietor of the
subjects herein after disposed considering that
on twenty eighth December Nineteen hundred

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and one I offered to present as a Free Gift to the Community of Elgin the property of Grant Lodge and grounds as a Public Park and at my own expense to convert the Mansion House of Grant Lodge into a Public Library and Reading Rooms and a Museum of Arts and Industries for the use and benefit of the Inhabitants of Elgin and that said Gift was accepted by the Town Council as representing the Community Further considering that the foresaid lands and house of Grant Lodge have now been laid out and converted as aforesaid and that it is right and proper that I should grant these presents Therefore I do hereby give grant and dispose to and in favour of the Lord Provost Magistrates and Councillors of the City and Royal Burgh of Elgin incorporated under the Town Councils (Scotland) Act 1900. as representing the whole body and Community of said City and Royal Burgh and their successors in office as representatives foresaid All and Whole the lands situated in the neighbourhood of the Town of Elgin and in the Parish and County thereof bounded as after mentioned with the Mansion House thereon hitherto known as Grant Lodge and the whole other offices and buildings

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erected on the ground hereby disposed
bounded on the north by the River
Lossie on the west partly by the
River Lossie partly by the public road
leading from Elgin to Bishopmill partly
by what was formerly known as Harries
Stairs now a road of access to the
north side of the Burgh Properties
and partly by the properties of Doctor
Charles Adam Mrs Isabella Harvie and
the Elgin and Morayshire Literary and
Scientific Association respectively on the south
by North College Street and on the
east partly by the Public Road leading
past the front of Elgin Cathedral and
partly by the property of the College
belonging to me all as delineated and
coloured red on a plan thereof hereto
annexed and signed as relative hereto which
lands and subjects hereby disposed are parts
and portions of the subjects described as
follows in the title deeds thereof recited
(First) "All and Whole that great tenement
or lodging which formerly pertained to
Thomas Mackenzie of Plusscarden now rebuilt
and commonly called Grant Lodge lying within
the territory of the Burgh of Elgin."
(Second) "All and Whole the lands of
Harriesburgh with the whole parts pindies
and universal portions of the same as

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formerly occupied and possessed by John
Innes of Dunblair and his tenants lying
within the Parish of Elgin and County
of Elgin and Innes and Thirid, All
and whole the garden and grounds
in the College of Elgin containing according
to measurement thereof by George W. within
Land Surveyor two acres three roods and
twenty nine poles imperial measure with the
houses and buildings thereon and walls
enclosing the ground as now or formerly
occupied by George Sutherland residing in Elgin
tenant thereof and which subjects are de-
scribed in the title deeds thereof as
All and Heill that mansion with garden
and house of the Vicar of Elgin
built within the Cathedral College of Elgin
lying within the Barldom of Moray. But
expressly excepting from the lands & others
above described (First) that piece of ground
extending to thirty poles imperial measure or
thereby on which stands the old house
now in ruins at the east corner
opposite the Cathedral grounds which was
formerly the Bishop's House or Palace and
was sometime known as "Dunfermline House"
which subjects were conveyed to the Town
of Elgin conform to Disposition by the
Right Honourable Caroline Countess Dowager of
Seafield in favour of the Lord Provost.

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Magistrates and Town Council of Elgin dated the tenth day of April and recorded the fourth day of July both in the year eighteen hundred and eighty five (second), the piece of ground extending to seven poles imperial measure or thereby at the south west corner of said lands adjoining the Elgin Museum which subjects were conveyed to the Elgin and Morayshire Literary and Scientific Association conform to Disposition granted by the said Right Honourable Caroline Countess Dowager of Seafield in their favour dated the tenth day of April eighteen hundred and eighty five and Thirdly All and Whole that piece of ground as delineated and coloured blue on the plan annexed and lying along the eastern boundary of said lands and bounded as follows, starting at the north west corner of the ground round the Bishop's Palace adjacent to the Town of Elgin by the said Right Honourable Caroline Countess Dowager of Seafield the boundary of the said piece of ground runs twenty feet ten inches or thereby in a southerly direction thence one hundred and eighty nine feet three inches or thereby in a westerly direction thence five hundred and twenty seven feet or thereby in a southerly direction thence following

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the line of the old Deansburgh Road
five hundred and one feet or thereby
in a southerly direction thence thirteen feet
six inches or thereby in an easterly
direction and thence also in an easterly
direction one hundred and thirty nine feet
six inches or thereby and containing
two rods and thirty two and one
half poles or thereby imperial measure
Together with the right to the pew
number eleven in the gallery of the
Parish Church of Elgin and my whole
right title and interest present and future
therein Declaring that the lands hereby
disposed shall be held by my said
dispones and their forefathers as representing
the inhabitants of Elgin as a public
park or pleasure ground for their use
and enjoyment and that it shall not
be in their power at any time to
give off fees of, sell or let
on long lease the whole or any
part of the same it being specially
provided and declared that if the said
Town Council or other body coming in
their place shall contravene the above
provision and declaration by alienating or
attempting to alienate in any way the
whole or any part of the subjects
hereby disposed then the same shall ipso

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facts revert to me or my heirs as if this Deed had never been granted. But notwithstanding the above provision and declaration my said disposes shall be bound if and when required by me or the officer commanding the Third Monmouthshire Volunteer Battalion of the Seaforth Highlanders to grant a Disposition to the said Battalion for the site of a Drill Hall as after mentioned Reserving to me and my heirs and assignees as a private entrance to said lands from my property of The College the gateway in the old Deanshaugh Road as at present existing but with power to me and my forefathers at any time to build up the same if and when I or they so desire and declaring that it is a condition of these presents that my disposes or their forefathers shall be bound to grant a Disposition in favour of the said Battalion of Volunteers (at their expense) of a suitable part of said lands as a free site for the erection of a Volunteer Drill Hall for the use of the local companies and as the Head quarters of the Battalion if such at any time be desired as aforesaid and that without payment of any price fee duty or ground

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unusual the exact situation of the said Drill Hall to be adjusted between the Lord Provost of Elyon and the officer commanding the said Battalion both for the time being and failing agreement between them the matter shall be referred to the said Lord Provost of Elyon the officer commanding the Sheriff of the County and the Convenor and Vice Convenor of the County Council of Elyonshire whose decision shall be final and binding on all parties interested and my said disponees shall also allow the said Battalion of Volunteers or any companies forming part thereof to drill and exercise in the said Park free of charge under such regulations and restrictions as may be adjusted between the said Lord Provost and the officer commanding and failing agreement as to such regulations and restrictions the matter shall be referred to the arbiters above named But always with and under the express reservations burdens provisions conditions declarations restrictions limitations and clauses irritant specified or referred to in First, Notarial Instrument in favour of the said Right Honourable Caroline Countess Dowager of Seafield formerly proprietrix of said subjects recorded in the Divisions of the General

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Register of Sasines applicable to the Counties of Inverness and Elgin and Forres on the ninth day of December eighteen hundred and eighty five (Second) Notarial Instrument in favour of the said Caroline Countess Dowager of Seafield recorded in the Divisions of the General Register of Sasines applicable to the Counties of Elgin and Forres and Banff on the nineteenth day of March eighteen hundred and eighty five and Third, Extract Decree in Petition for completing title obtained before the Sheriff of Banff on the instance of the said Caroline Countess Dowager of Seafield dated the ninth recorded in Banff and extracted the twelfth days of May and with Warrant of Registration thereon recorded in the Division of the General Register of Sasines applicable to the County of Elgin and Forres on the eleventh day of June eighteen hundred and eighty five with entry at the date hereof and I assign the units conform to Inventory hereto annexed and signed by me as relative hereto and have delivered numbers twenty two to thirty two inclusive and thirty five thirty six and thirty seven thereof and in respect numbers one to twenty one inclusive of said Inventory contain other subjects of greater

value than those herein before disposed
and so cannot be delivered up I hereby
assign the obligation contained in the Dis-
position by the said Caroline Countess
Dowager of Seafield of the said lands
and others in favour of John Clark
Esquire sometime Planter in Beylon afterwards
residing at Blackhills House near Elgin
dated twenty third November eighteen hundred
and ninety nine whereby she bound herself
and her successors to make the same
forthcoming to the said John Clark and
his heirs and assigns on all necessary
occasions and that on a receipt and
obligation to redeliver the same within a
reasonable time and under a suitable penalty
and the said Lord Provost Magistrates and
Councillors of the City and Royal Burgh
of Elgin incorporated as aforesaid and their
foresaids shall also by acceptance hereof be
bound to make forthcoming to the said
Caroline Countess Dowager of Seafield and her
foresaids the writs numbers twenty two to thirty
two of said Inventory herewith delivered to
them and that on all necessary occasions
on a receipt and obligation for redelivery
as aforesaid and I assign the rents
and I bind myself to free and
reheir the said Lord Provost Magistrates and
Councillors and their foresaids of all fees

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duties casualties and public burdens Declaring
that the proportion of Minister's stipend
appertaining to the lands and others hereby
disponed amounts to three firlots and one
half lippie of meal three firlots and
one half lippie of barley and three
shillings and ten pence Sterling money
conform to the locality of the said
stipend modified ninth July eighteen hundred
and fifty six and I grant warrantice
and we the Lord Provost Magistrates and
Councillors of the City and Royal Burgh
of Elgin incorporated as aforesaid heritable
proprietors of the pieces of ground after
mentioned in consideration of the free gift
of the above lands off Grant Lodge
to us by the said George Alexander
Cooper and the formation by him of
a new public road through the said
lands to take the place of the
old Deaneshingh Road so far as it
runs from the Bishop's Palace to the
Deaneshingh Bridge over the Forvie hereby
give grant and dispone to the said
George Alexander Cooper and his heirs executors
and assignees First All and whole the
column of the said old road in so
far as we have right thereto all as
delineated and coloured light blue on the
plan annexed and signed as relative thereto

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and Second, All and Whole that small piece of ground lying at the north west corner of the Bishop's Palace part of the piece of ground round the Bishop's Palace disposed by Caroline Countess Dowager of Seafield in favour of the Burgh of Elgin and bounded as follows, namely starting at the north west corner of the Bishop's Palace the boundary of the said piece of ground runs due west fifty six feet or thereby to the original boundary of the ground disposed to the Town of Elgin thence in a northerly direction twenty feet ten inches or thereby thence in an easterly direction sixty one feet or thereby and thence one foot six inches or thereby till the point of starting is reached containing in all two and one third poles imperial measure or thereby and all as delineated and coloured yellow on the plan annexed and signed as relative hereto and we the said Lord Provost Magistrates and Councillors grant warrant under our seal and deed and I the said George Alex. Carden Cooper and the said Lord Provost Magistrates and Councillors consent to the registration hereof for preservation in witness whereof these presents written upon this and the four preceding pages of stamped

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paper by Forbes Herbert Anderson Clerk to
Messieurs Wink and Mackenzie Solicitors in
Elgin are subscribed by ^{us} the said
George Alexander Cooper at ^{Elgin} ~~Elgin~~ Forest
Invernessshire on the eleventh day of
August Nineteen hundred and three before these
witnesses Mary Emma Smith or Cooper my
wife and Walter Montague Hopford my
Secretary and are sealed with the common
seal of the City and Royal Burgh of
Elgin and subscribed by John Young Chemist
in Elgin Lord Provost and Hugh Stewart
Town Clerk Elgin for and on behalf
of the Lord Provost Magistrates Councillors
of the City and Royal Burgh of Elgin
both at Elgin in Council assembled on
the fourteenth day of said month and
year last above mentioned before these witnesses
William Munro Cashier to Messieurs Grigor
& Young Solicitors Elgin and John Alexander
Turniff Burgh Surveyor Elgin Declaring that
the word "Lord" occurring on the fifteenth
line counting from the top of page
third hereof was written on an erasure
before subscription Signed George A. Cooper
John Young Lord Provost Hugh Stewart - Clerk
G. A. Cooper witness Walter M. Hopford
Witness William Munro Witness ^{John A. Turniff}
Witness
Register on behalf of the Lord Provost

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Magistrates and Councillors of the City and
Royal Burgh of Elgin incorporated under
the "Town Councils (Scotland), Act 1900"
and of George Alexander Cooper of The
College Elgin for their respective rights and
interests as within mentioned in the Register
of the County of Elgin and Forres
(Signed) Stewart & Mc Isaac Solicitors Elgin
Agents for the said Lord Provost
Magistrates and Councillors Wish &
MacKenzie Solicitors Elgin Agents for the
said George Alexander Cooper.

EXTRACTED on this and the thirteen preceding pages by me
holding a Commission to that effect from the Keeper of
the Registers and Records of Scotland.

C. T. M. Jones.