

Patrick Sellar SC9/36/4 [p.87] At Dornoch the Tenth day of May Eighteen hundred and fifty two years Compeared Patrick Penderlaith Sellar after designed who gave in the following Inventory of the Personal Estate of the late Patrick Sellar Esquire of Westfield and Oath thereto with (with) relative (Inventories and) Extracts of Trust Disposition and Deed of Settlement and Codicil thereto and Deed of partial alteration thereof to be recorded. Inventory of the Personal Estate of the late Patrick Sellar Esquire of Westfield who died testate on the Twenty eighth day of October Eighteen hundred and fifty one [in margin] Stamp duty £310 [main text p.89] 1. Cash in hand 67..12..8 2. Stock on the Farms of Sutherland possessed by the deceased and his Son Patrick Plenderleath Sellar in Copartnership, Vi[delice]zt Sheep, Farm Implements and Smearing Materials , on the Farm of Strathnaver, as valued by Mess[ieu]rs John Hall Farmer Silerscross and Thomas Barclay Manager for the Duke of Sutherland on Farm of Skelbo 5717..13.- Sheep, Cattle, Horses, Crop, Implements of Husbandry on the Farms of Morvich and Culmaily as valued by D[itt]o 4386..19.- Wool of Sheep on the above Farms unsold and on hand at the deceaseds death, and wool bags as valued by Do 1447..10..4 Household Furniture in House at Morvich, as valued by John Strachan, Licensed Appraiser, Tain 382..13..7 / 11,934..15..11 Deduct said Patrick P. Sellars share thereof 1573..2..6 10.361..13..5 3. Stock, of Sheep, Cattle, Horses, Crop, Implements of husbandry on the Lands of Ardtornish and Acharn in Argyllshire, as valued by said John Hall 5380..6.- 4. Wool of Sheep on these Farms unsold and on hand at the deceaseds death and Wool Carried Forward £ Woo Bags as valued by Do £850..17..7 d[enarius] less ad. Named thereon by Consignees £220..8..3d 630..11..4 5. Household Furniture on House of Ardtornish as valued by Dugald Ferguson Cabinet maker and Joiner Oban 244..5..9 6. Crop, Cattle Horses on Farm of Westfield in Morayshire, as valued by James Millis Farmer residing at Sheriff Mill and William Young Farmer Manbeen 943..4.- 7. Books and Portrait in Elgin, as valued by James Adam, Appraiser there £17..18..1 d and Letter Copying Press omitted, £1.. 10/- 19..8..1 8. Sum in Aberdeen Banking Company Branch at Elgin, with interest } 789..15..2 9. Sum in British Linen Company Branch at Tain, with I[te]r[est] 191..19..6 10. Sum in National Bank of Scotland's Branch at Oban with Do 18..9..3 11. Sum in British Linen Companys Branch at Golspie 1..-.- 12. Debts due on open Account by the parties following vizt. By Charles Alexander Liddesdale 137..-.- By Dugald Macdougall Lorn 30..17.- By James Corson Achranich 2..17..6 / 170..14..6 13. Silver Watch 10..-.- Value of the Estate £18,828..19..8 (Signed) P.P. Sellar (. .) Alex Gordon C.D. At [p.91] At Dornoch the Tenth day of May Eighteen hundred and fifty two years, In presence of Alexander Gordon Esquire Commissary Depute of the Commissariat of Sutherland, Appeared Patrick Plenderleath Sellar residing as Morvich in the County of Sutherland, second Son of the deceased Patrick Sellar Esquire of Westfield, residing at Morvich aforesaid, one of the Trustees and Executors of the said deceased Patrick Sellar, who being solemnly sworn and examined Depones That the said Patrick Sellar died on the twenty eighth day of October last. That the Deponent and James Stephen Physician in Elgin Alexander Craig Farmer at Kirkton in the said County of Sutherland William Cross Manager of the Borough Bank Liverpool, Thomas Sellar Merchant, in New Orleans, eldest Don of the said Patrick Sellar, William Young Sellar Fellow of Oriel College Oxford, presently residing in Glasgow his third Son, Robert Sellar New York his fourth Son,

and John Alexander Sellar residing at Ardtornish his fifth Son have entered upon the possession of the said deceaseds personal estate as the surviving and accepting Executors nominated by him in a Trust Disposition and Deed of Settlement executed by him upon the Twenty ninth day of September Eighteen hundred and forty and Codicil to and deed of partial Alteration of the said Trust Disposition and Deed of Settlement dated the Sixteenth day of October last, and both recorded in the Books of Council and Session the eighteenth day of November last, Extracts whereof are now exhibited and signed by the Deponent and the said Commissary Depute of of this date as relative hereto. That the Deponent does not know of any Settlement or writing relative to the disposal of the deceaseds personal estate or effects or any part of them other than the said Trust Disposition and Deed of Settlement and Codicil and Deed of partial Alteration the Extracts whereof are now exhibited as aforesaid That the foregoing Inventory, each page of which is signed by the Deponent and the said Commissary Depute as relative hereto, is a full and true Inventory of all the personal or moveable estate and effects of the said deceased Patrick Sellar wheresoever situated and belonging or due beneficially to him at the time of his death in so far as the same has come to the Deponents knowledge; and that the value of the said estate, situated in Scotland, is of the value of Eighteen thousand pounds and under the value of Twenty thousand pounds, All which is truth as the Deponent shall answer to God. ____ (Signed) P.P. Sellar (..) Alex Gordon C.D. At Edinburgh the eighteenth day of November in the year One thousand eight hundred and fifty one, In presence of the Lords of Council and Session Compeared George Munro Esquire Advocate Procurator for Patrick Sellar after designed and gave in the Trust Disposition and Deed of Settlement underwritten desiring the same might be registered in their Lordships Books conform to Law: which desire the said Lords found reasonable and ordained the same to be done accordingly whereof the tenor follows, I Patrick Sellar of Westfield residing at Morvich in the County of Sutherland considering [p.93] considering it proper to settle my affairs and provide for the management and disposal of my estate and effects after my death, in the manner after mentioned: and having confidence in the persons herein after names, as Trustees for executing the trust hereby committed to them have therefore assigned and disposed, as I so hereby give Grant assign and dispo to and in favor of William Young Burghead in the County of Elgin, James Stephen physician in Elgin Thomas Sellar Farmer in Barnyards of Findlater in the County of Banff my Cousin Alexander Craig in Kirkton in the County of Sutherland Alexander Gordon Esquire Sheriff Substitute of Sutherland, and to such other person or persons as I may appoint by any writing under my hand subsequent to the sate of these presents and to the acceptors or acceptor and survivors or survivor of them, as Trustees for the ends uses and purposes after mentioned all and sundry lands and heritages, goods and gear debts and sums of money, and in general the whole estate and effects heritable and moveable, real and personal of every kind and description and wherever situated heirship moveables included presently pertaining or which shall pertain and belong to me at the time of my death, with the whole writs and evidents titles vouchers and securities of and concerning my said estate and effects, and all that has followed or may be competent to follow thereon: And I I Bind and oblige me and my heirs and successors successors to Grant all necessary deeds in favor of my said Trustees foe implementing and fulfilling the above general Disposition and conveyance of my said Estate and Effects to them, And I hereby nominate and appoint my said Trustees and the acceptors or acceptor and survivors or survivor of them to be my sole and only executors and intromitters with my moveable and

personal estate and effects, But declaring that these presents are granted in trust for the ends uses and purposes and with and under the powers, provisions conditions and declarations herein after written videlicet In the first place my said Trustees shall, out of the first and readiest of my said Estate and effects, pay all my just and lawful debts, my sickbed and funeral charges, and the expences of executing this trust, In the second place, my said Trustees shall out of and from my said estate and Effects make pay(able)-ent to Mrs Anne Craig or Sellar my wife in case she shall survive me of the Liferent annuity of Four Hundred Pounds Sterling settled upon and provided to her by a Contract of marriage betwixt her and me dated the Seventeenth day of November One thousand eight hundred and eighteen, with the additional sum of One hundred pounds Sterling thereby provided to be paid to her along with the first half years annuity; and that at the terms and with penalty and interest as therein mentioned, and under the condition, and subject to the restriction therein specified: and shall also implement to her the provision of Household furniture thereby made [p.95] made to her, and to afford facility to my Trustees in the winding up of my affairs and to afford my said Wife perfect security for the payment of her annuity during all the days of her life, I direct my said Trustees to purchase for her, upon as first and ample heritable security a sure life rent annuity payable to her of the amount and in the precise terms conditioned in our said Contract of marriage And I hereby declare as it is by said Contract of marriage provided and declared, that the said provisions to my said Wife shall be in full satisfaction to her of all terce of Lands or other heritage half or third of moveables or other whatsoever which she can or may be entitled to claim or demand form me or my representatives, or my estates heritable and moveable, in case she shall survive me, and by and tho' this my decease in any manner of way, In the third place my said Trustees shall out of my estate and effects pay all such annuities, legacies, gifts or bequests as I may leave and make or appoint to be paid by any codicil hereto or by any writing under my hand clearly expressive of my Will and intention altho[ugh] not formally executed, In the last place my said Trustees shall pay and divide the whole residue and remainder of my said Estate, and effects to and among all the Lawfull children born or to be born to me, in such proportions or times as I shall appoint or direct by a writing under my hand at any time time of my life and even on deathbed: And if I shall leave no such writing apportioning and dividing the said said residue and remainder of me said estate and effects among my said Children, then and in that event, my said Trustees shall pay and divide the same to and among all the Lawfull Children born or to be born to me, equally between and among them, share and share alike, and that as soon after my death as the same can conveniently be realized and divided according to the tenor of these presents But declaring that if at the period or periods of division of my said estate any of my said children shall be under twenty four years of age, the share or shares of such of them as shall be so, shall not be payable to them, untill, if Sons they shall attain the age of twenty four years, and if daughters untill they shall attain that age, or be with their mothers written consent married which ever shall first happen, but the same shall bear interest from the period of division untill paid and it shall be in the power if each Child, the payment of whose share is so postponed to insist that such share be forthwith deposited, for the greater security, in the Bank of Scotland or British Linen Companys Bank for his or her behoof and farther that if any of my said daughters shall before being twenty four years of age, marry without their mothers consent then the portion falling to such daughter shall not be paid to her or to her husband or be liable for his or her debts of deeds but it shall be invested on first and sufficient

heritable security and the securities for the same taken payable [p.97] payable to such daughter, exclusive of the Jus mariti of her husband, in Liferent for her Liferent use only, and to the heirs of her body, whom failing to the person or persons who shall be nearest of kin to me at the time of her death, in Fee And declaring also that untill the final division of my said estate and effects as aforesaid, my said Trustees shall pay and apply such part of the interest or annual profits thereof, to and for the maintenance and education of my said Children, as they my said trustees shall think fit in the circumstances, and the sum or Sums so paid and applied shall be deducted form the respective share or shares of my said Estate and effects following (to respective Share or shares of my said Estate and effects following) to those respectively for whom such sum or sums shall have been so paid or applied, and the same discretionary power shall be and is hereby vested in my said Trustees, with respect to the interest or annual profits of any share or shares apportioned to any of my said Children, but the payment of which to them is postponed from the date of the division untill such Child or Children shall attain the age of Twenty four years complete, And also declaring that in the case of no particular writing being found under my hand, fixing the share payable to each of my said Children and that an equal division shall take place as before described, In that case it is hereby directed, that, to the fund in medio shall be added the sum total total of all payments made by me preceding the time of my death, to or on Account of my said Children, as the same shall be attested under my hand, or provision by my Books, or by documents under the hand of any of my Children; and in settling with each Child foe his share of the fund in medio, credit shall be taken with him and her, for what had so been by me previously advanced on his or her Account, my intention being (that failing of the particular writing under my hand referred to in the preceding pages) each of my Children shall ab initio have an equal share and no more, bestowed on him of my Estate and Effects, and that what I may have expended on or paid to for Account of either of them shall lessen in so far, or go to the debit of his or her portion, in final Account with his or her brothers and Sisters concerning my Estate and effects declaring also that if any one or more of my said Children shall predecease me or die without having Lawfull Issue before receiving payment of his or her share of my said Estate and effects, then the share or shares of my said Estate and effects provided or intended for those so predeceasing or dying shall accresce to the Survivors equally among them, share and share alike, But providing nevertheless, that if any one or more of my said Children so predeceasing or dying shall have left lawfull issue, such issue shall be entitled to and be paid the share or shares which their deceased parent or parents would have been entitles to if alive, but the share of shares so falling to such issue shall not be payable to them if Sons untill they attain the age of twenty four years and if daughters [p.99] daughters untill they shall respectively obtain that age or be married with their parents consent as aforesaid with respect to my daughters which ever shall first happen, but shall be deposited for their Account in one of the Banks before named, and bear interest from the period or periods of division of my said estate and effects and untill paid, and also declaring that it shall be lawfull to and in the power of my said Trustees, at their discretion to apply and dispose of any part or parts of the presumptive share or shares of my said Estate, provided or intended for any of my Sons who shall be under the age of twenty four years for apprenticing him to any business or employment, or for his or their instruction therein, notwithstanding that such share or shares shall not then have become due or payable. Which provisions above written in favor of my said Children, shall be accepted of by them, and the same are hereby declared to be in

full of all Legitim, portion natural, bairns part of gear executry or others whatsoever which they or any of them can ask or demand by & through my decease, or by or through the death of their Mother or by virtue of the said Contract of Marriage betwixt her and me, or in any other manner of way whatever And I do hereby declare that these presents are granted with and under the following express powers to my said Trustees or Trustee acting for the time which I Give and Commit to them or him in the fullest manner, without prejudice to all such as they they may possess at Common Law, vizt with power to enter into possession of the said whole Estate and Effects heritable and moveable real and personal herein before conveyed immediately after my death, and to call, sue for, uplift and receive (the sums) all principal sums of money then due to me by Bond heritable or moveable, Bill account or otherwise and the rents mails duties and interests or annual profits arising from the said estate and effects; and to grant all necessary discharges, Renunciations assignations, translations and other writs of and concerning the same. With power also to sell and dispose of all or any part of my said estate and effects hereby conveyed at such time or times, at such price or prices, and either by public roup or private bargain all as to my said trustees or trustee shall seem proper, and to grant all dispositions thereof or other necessary writs to the purchasers containing clauses of absolute warrandice upon me and my heirs; and the purchasers shall be noways concerned with the application of the price. With power also to compound settle and adjust all debts due to or by me, or which may become due to or by my said Trust Estate and to submit and refer to Arbiters all claim disputes questions and differences which may arise in relation to the Trust estate With power also to my said acting trustees or trustee to appoint factors, either of their own number or other fit persons for uplifting receiving and discharging the rents mails and duties and interest and annual profits of the said Trust Estate, and the principal sum or sums of money hereby conveyed; which factors shall be [p.101] be paid and allowed a suitable gratification for their trouble and I hereby declare that a Majority of my said trustees acting at the time shall form a quorum foe executing the purposes of this trust and that all acts and deeds done or executed by such quorum or by the surviving Trustee if there shall be only one alive, shall be good valid and effectual to all intents and purposes And I hereby nominate and appoint my said Trustees above named and the Acceptors and Acceptor and Survivors or Survivor of them and any other Trustees or Trustee to be appointed hereafter by me, to be tutors and Curators to such of my said Children as shall be in pupillarity and minority at the time of my death, the major part of them accepting and surviving at the time being always a Quorum And I hereby declare that the said Trustees and Tutors and Curators above named and those to be appointed as aforesaid shall not be liable for omissions or neglect of management nor singuli in Solidum but each for his own Acts receipts and intromissions only, now for the insolvency of factors to be appointed by them farther than that they be habit and repute responsible at the time And I do hereby revoke all former dispositions and Settlements or Wills and Testaments made and granted by me and I reserve always my own liferent of the estate and Effects hereby conveyed, with power to me at any time of my life and even on deathbed to alter innovate and revoke these presents in whole or in part as I shall or may see proper but declaring that that the same so far as not altered or revoked by me shall be a valid and effectual deed altho[ugh] found lying by me at the time of my death or in the Custody of any other person undelivered; with the delivery whereof I have dispensed and hereby dispense and I consent to the Registration hereof in the Books of Council and Session or others competent therein to remain for preservation and execution and

thereto Constitute George Munro Esquire Advocate my Procurators In Witness whereof I have subscribed these presents with the marginal note on the third page and the two marginal notes on the seventh pages all written with my own hand on this and seven preceding pages of paper duly Stamped At Morvich aforesaid this Twenty ninth day of September One thousand eight hundred and forty years before these Witnesses William Little my shepherd here and Donald Murray my Servant both residing at Morvich witness also to the marginal note on this page (signed) Patk Sellar William Little Witness Donald Murray Witness Extracted furth of the Books of Council and Session upon the twenty three preceding pages of Stamped paper by me George Ritchie Kinloch Principal Keeper of the Register of Deeds Probative Writs & c[etera] conform to Act of Parliament and holding Commission to that effect from the Lord Clerk Register of Scotland, (Signed) Geo R Kinloch Dornoch 10 May 1852 Referred to in my Oath of this date before the Commissary depute of Sutherland (Signed) P.P. Sellar (..) Alex Gordon C.D. At [p.103] At Edinburgh the Eighteenth day of November in the year One thousand Eight hundred and Fifty one In presence of the Lords of Council and Session Compeared George Munro Esquire Advocate Procurator for Patrick Sellar Esquire after named and designed and gave in the Codicil and Deed of partial alteration underwritten desiring the same might be registered in their Lordships Books conform to Law: which desire the said Lords found reasonable and ordained the same to be done accordingly whereof the tenor follows. I Patrick Sellar Esquire of Westfield and A[r]dtornish presently residing in Elgin Considering that on the Twenty ninth day of September Eighteen hundred and forty years I executed a Trust Disposition and Deed of Settlement of my means and estate heritable and moveable, in favor of William Young of Burghead now deceased, James Stephen, Physician in Elgin, Thomas Sellar at Barnyards of Cullen, now also deceased Alexander Craig in Kirkton and Alexander Gordon Sheriff Substitute of Sutherland, and to such other person or persons as I might appoint by any writing under my hand and to the Acceptors or Acceptor and survivor and survivors of them as Trustees for the ends uses and purposes mentioned in my said Trust Disposition and Settlement, And I inter alia therein directed my said Trustees after making payment, of all my just and lawfull debts, deathbed and funeral expences, with the expence of the trust, and the provisions to my Spouse, to divide the whole residue and remainder of my said said estate among my lawfull Children as I might direct by any writing under my hand and failing my leaving such writing that such division should be made among my lawful Children, share and share alike, in the manner set forth in my said Settlement, And whereas since the date of my said Deed of Settlement my daughter Jean Plenderleath Sellar has been married to John Lang Esquire of Overwells, and in the Contract of Marriage between them I became bound to make payment to the said John Lang of the sum of Three Thousand Pounds Sterling at the time specified in the said Contract, as the provision of the said Jean Penderlieth Sellar and in full of all she or her said husband could claim form me or my estate in any manner of way: And my other daughter Helen Ann Sellar having likewise been married I am now to provide a similar sum for her: and considering that since the date of my said Trust disposition and Settlement various (Settlement) circumstances have made certain changes and alterations thereon necessary and that William Young and Thomas Sellar, two of the Trustees therein named have deceased I therefore in the first place do hereby nominate and appoint Major Peter Grant Peterkin of Grange and Inverue, William Cross Esquire Manager of the Borough Bank Liverpool, Thomas Sellar, Merchant in New Orleans, my eldest Son, Patrick Plenderleath

Sellar Farmer Morvich my Second Son William Young Sellar fellow of Oriel College Oxford my third Son, Robert Sellar New York my fourth Son and John Alexander Sellar, residing in Ardtornish, my fifth Son, and the Acceptors and Acceptor survivors [p.105] survivors or survivor of them to be trust disponers and Executors, for executing the said trust disposition and Settlement, and these presents along with the surviving and accepting trustees named and designed in my said Settlement, which the same powers and under the same conditions as are therein described, Secondly I hereby revoke and recall the division of the residue and remainder of my means and estate appointed by my said trust disposition and Settlement to be made among my Children equally in the terms therein particularly set forth and declare such equal division to be null and void; And I also revoke and recall the direction in my said Deed of Settlement to my Trustees, that all payments made by me, preceding the time of my death, for or on Account of any of my Children, should be added to the fund in medio, and deducted from his or her share in the division, and hereby declare such direction to be null and void; Third I appoint my said Trustees to lay out and invest on satisfactory heritable security for the behoof of my daughter, the said Helen Ann Sellar, Spouse of the Reverend Alexander Wishaw Vicar of Chipping Norton in the County of Oxford, and her said Husband the sum of Three Thousand pounds Sterling and this within year and day from my death, or as soon after, as such security can be obtained, taking the same payable to the said Helen Ann Seller or Wishaw, and Alexander Wishaw, and to the longest liver of them in in liferent for their liferent only and to the issue of their Marriage in fee equally among such issue share and share alike, and which sums shall bear interest from the day of my death, until it shall be so invested. But declaring always that it shall be in the power of my said Trustees to purchase a contingent annuity for the said Helen Ann Sellar or Wishaw and her said Husband with a part of the said principal sum if they shall think proper to do so, and to invest the balance on heritable security to be taken, it shall not be within the power of the said Helen Ann Seller or Wishaw, or her said Husband, to uplift the said principle sum, or any part thereof, without the consent of her brothers the said Thomas Sellar, Patrick Plenderlieth Sellar, William Young Sellar, Robert Sellar and John Alexander Sellar and so oft as the said principal sum, or such part thereof as may be invested, shall be uplifted, it shall be reinvested in the same terms, at the sight of these parties or the survivor of them And declaring that in the event of them being Child or Children of the Marriage of the said Helen Ann Sellar or Wishaw or that such Child or Children should die before majority, and without having lawful issue, then the one half of the sum so invested, shall on the death of the said Helen Ann Seller or Wishaw and Alexander Wishaw, fall and belong to the nearest heirs of the said Helen Ann Seller of Wishaw, and the other half to the nearest heirs of the said Alexander Wishaw, and it is hereby provided and declared that the said sum of Three thousand [p.107] thousand pounds Sterling, shall be in full satisfaction to the said Helen Ann Seller or Wishaw and the said Alexander Wishaw, of all they could ask or claim, of and from me or my heirs and executors, through my death or the death of Anne Craig or Sellar my Wife, the said Helen Ann Sellars Mother, in name if legitim, portion natural bairns part of gear, executry and every thing else, whether by law or under the Contract of marriage between me and the said Ann Craig of Sellar. Fourth In order that my estates may not be prematurely hurried into the Market, and to give my said Trustees ample time to turn the same to the best Account. I hereby declare that this trust shall continue and subsist until the year eighteen hundred and fifty eight, within which period, my said Trustees are hereby directed to have my estates sold and disposed of, and my

whole property and effects of every description converted into money, the free annual proceeds from time to time after my death, being allowed to accumulate, and the said Trustees shall at the term of Martinmas in the said year eighteen hundred and fifty eight wind up the trust, and after satisfying and (and) defraying all claims prestatable against me and my estate, providing for the annuity to my Spouse, and paying the provisions made for my daughters, with all and every expence attending the Management, divide the free residue and remainder of my means and estate, among my Sons Thomas Sellar, Patrick Plenderleath Sellar, William Young Sellar Robert Sellar Sellar, John Alexander Sellar, David Sellar, and Alexander Sellar share and share alike, And declaring that it shall not be in the power of any of my Sons to call for payment of the whole or any part of the Share fixed for the division, but it shall be in the power of my said trustees to make payments to Account to any of my Sons, if they see proper to do so, my said Trustees defraying form the annual proceeds of my estate the maintenance of my Son David during the period yet to run of his apprenticeship without deducting the same from his share; and declaring that my said Sin David shall not be entitled to payment of his share even after he shall have obtained Twenty four years of age if the period of division should have then arrived, if my said Trustees shall have ascertained and satisfied themselves that his conduce has not been steady and respectable, and they shall in that case have the power to postpone the payment if they see fit to do so until he attain the age of Twenty eight years And declaring always as it is hereby specially provided and declared, And I invest my Trustees with the fullest power that in the event my said Son David should not after arriving at the age of Twenty eight years have conducted himself in a proper manner and satisfactory to my Trustees they shall with such part of the share falling to him as they may judge right purchase a suitable annuity for him, the balance being laid out at interest, and allowed to accumulate and should he fail in conducting himself prudently and respectably, and [p.109] and such as in the opinion of my trustees would warrant them to pay over the balance of his Share to him, then I hereby direct that such balance shall with the interest that may have accumulated thereon be paid over to my other Sons equally And in the event of my Youngest Son Alexander, not having attained the age of Twenty four years before the period of division, my said Trustees are hereby directed to invest the Share falling to him in satisfactory landed security in his own name, if such can be obtained, and if not to lodge the same in the Bank of Scotland, or British Linen Co[pan]ys Bank for his behoof, authorising my said trustees also out of the amount proceeds of my estate to defray his Maintenance and the expence of his Studies for any profession he may incline without deducting such from his Share in the division, in respect each of my Sons had his education defrayed from my Funds Fifth, I hereby authorise my said Trustees to borrow such sum or sums of money as may be necessary for satisfying and defraying the debts owing by me, or for the other purposes of the trust and to grant Bonds and Dispositions in security therefore over my Estates Sixth, whereas I on the Twentieth day of January Eighteen hundred and forty five, entered into an agreement with my Son the said Patrick Plenderleath Sellar, regarding the leases of my farms in the County of Sutherland and the whole stocking and effects thereon, and the concern having since been carried on, in terms of said Agreement for our joint behoof, I think it right here to declare that the sum due due to me, will be clearly seen from the annual balance of the joint concerns on the Thirty first day of December last, and as particularly dictated in the Journal Waste Books and Ledger, which have been most regularly kept, since the commencement of the joint concern and are now in the Custody of the said Patrick

Plenderleath Sellar; Seventh, I hereby recall the nomination of Tutors and Curators, made by me in my said Deed of Settlement and hereby nominate and appoint my Sons Thomas Sellar, Patrick Plenderleath Sellar, and William Young Sellar, to be Curators to such of my Children as may be in minority after my death, with full power to the said Curators to act in every respect in loco parentis. Lastly, I hereby authorise my said Trustees, and the Acceptors or Acceptor Survivors or survivor of them, from time to time to nominate and assume such other person or persons as they shall think fit to be a Trustee of Trustees, along with them, or after their decease declaring that the person or persons so appointed shall have the same powers of acting in every part of this trust as the trustees nominated by me, and that all Acts and deeds done by such assumed Trustees shall be equally valued and effectual as if their names had been herein inserted, And I do hereby direct that my said trustees shall cause regular Accounts to be kept of their intromissions with my means and estate, and shall annually at such period as may be fixed by them for the examination of the Accounts proceed with such examination, and after these shall be duly examined, appointed of [p.111] of and doquitted and signed by the said trustees, or a quorum of their number, such shall operate as an exoneration of the Intromissions had by them for the year preceding the date, to which such Accounts shall be yearly brought up to: And declaring that my said Trust disposition and Deed of Settlement shall remain in full force and effect, unless in so far as the same has been hereby altered, and to be acted on by my said trustees along with these presents accordingly; reserving hereby to myself full power to alter or innovate these presents,, in whole or in part as I may think proper, at any time of my life ac etiam in articulo, to my said deed of Settlement that may have been executed by me at any time prior to the date hereof I Consent to the Registration hereof in the Books of Council and Session or other Judges Books competent for preservation and thereto Constitute George Munro Esquire Advocate My Pro[curato]rs & c[etera] in Witness whereof these presents written upon this and the six preceding pages of duly stamped paper by Alexander Brown Writer in Elgin are subscribed by me at Elgin the Sixteenth day of October One thousand eight hundred and fifty one years before these Witnesses the said Alexander Brown Writer hereof and Robert Grant his Clerk the word 'not' on the seventh line from the top page third being obliterated before signing and the word 'my' in the eighth line from the top of said page, and the word 'David' on the first line of of page fifth, being both written on erasures before signing (Signed) Patk Sellar, Alex Brown Witness Robt Grant Witness, Extracted furth of the Books of Council and Session upon these twenty one pages of Stamped paper by me George Ritchie Kinloch Principal keeper of the Register of Deeds Probative Writs &c conform to Act of Parliament and holding Commission to that effect from the Lord Clerk Register of Scotland The word 'one' on the third line from the bottom of page first hereof delete before signing (Signed) Geo R Kinloch Dornoch 10th May 1852. Referred to in my Oath of this date before the Commissary Depute of Sutherland (Signed) P.P. Sellar (..) Alex Gordon. The Testament Testamantar and Inventory of the Goods Gear and Effects Debts and Sums of money which belonged and were addebted and resting owing to Umquhil Patrick Sellar Esquire of Westfield at the time of his death which took place upon the Twenty eighth day of October One thousand eight hundred and fifty one made and given up by Patrick Plenderleath Sellar Esquire residing at Morevich in the Parish of Dornoch and County of Sutherland Son of the Deceased and one of the surviving and accepting Executors nominated by him in a Trust Disposition and Deed of Settlement executed by him upon the Twenty ninth day of October One thousand eight hundred and forty and

Codicil to and Dees of partial alteration of the said Trust Disposition and Deed of Settlement dated the Sixteenth day of October last and [p.113] and both recorded in the Books of Council and Session the Eighteenth day of November last Extracts whereof are hereafter engrossed Follows the Inventory. Follows the Extract of Trust Disposition and Deed of Settlement of the Deceased. Follows the Extract of the Codicil to and deed Deed of partial Alteration of the foregoing Trust Disposition and deed of Settlement. I Hugh Lumsden Esquire Advocate Sheriff and Commissary of the Shire and Commissariat of Sutherland having power of Confirmation of Testaments within the bounds of my Jurisdiction Do by these presents ratify approve and confirm this present Inventory and Testament before written together with the Executors nominate therein constituted in so far as the same is justly and truly made and given up and no otherwise. And I by these presents commit full power to the said Patrick Plenderleath Sellar, James Stephen, Alexander Craig, William Cross, Thomas Sellar, and John Alexander Sellar, within designed to meddle and intromit with the goods gear and effects Debts sums of money and others given up and contained in the foregoing Testament and if need be to call and pursue therefor[e] to uplift and receive the same grant discharges thereof and generally every other thing thereanent to do that to the Office of Executors nominate is known known to belong, Provided always just count and reckoning be made by the said Executors when and where the same shall be legally required. Given and subscribed by the Clerk of Court at Dornoch the Twenty second day of May Eighteen hundred and Fifty two years. ___
(signed) WS Fraser Court Clerk Written on this and the forty three preceding pages by William Atchison and collated & signed by me this 22nd day of May 1852,
(Signed) W.S. Fraser C.C.