

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 and presented by J. Crossan, 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 hereinafter disposed considering that on Twenty-eighth December, Nineteen Hundred and One, I offered to present as a Free Gift 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 own 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 dispone 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 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 Harvie's Stank now a road of access to the north side of the Burgh Properties and partly by the properties of Doctor Charles Adam,

Mrs. Isabella Hardie 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 videlicet:- (FIRST) ALL and HAILL that great tenement or lodging which formerly pertained to Thomas Mackenzie of Pluscarden now rebuilt and commonly called Grant Lodge lying within the territory of the Burgh of Elgin; (SECOND) ALL and WHOLE the Lands of Harvieshaugh with the whole parts, pendicles and universal pertinents of the same as formerly occupied and possessed by John Innes of Dunkinty and his tenants lying within the Parish of Elgin and County of Elgin and Forres; and (THIRD) ALL and WHOLE the garden and grounds in The College of Elgin containing according to measurement thereof by George McWilliam, 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 described in the title deeds thereof as ALL and HAILL that Mansion with yard and dovecot of the Vicar of Elgin built within the Cathedral College of Elgin lying within the Earldom of Moray: BUT EXPRESSLY EXCEPTING from the Lands and 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, 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 the 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 (THIRD) ALL and WHOLE that piece of ground delineated and coloured blue on the plan annexed and lying along the eastern boundary of the said Lands and bounded as follows, starting at the north-west corner of the ground round the Bishop's Palace disposed 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 the line of the old Deanshaugh Road five hundred and one feet or thereby in a southerly direction, thence thirteen feet six inches or thereby in an easterly direction and then also in an easterly direction one hundred and thirty-nine five and six inches or thereby and containing two roods and thirty-two and one-half poles or thereby Imperial Measure together with the right to the feu number eleven in the gallery of the Parish Church of Elgin in my whole right title and interest present and future therein: DECLARING that the Lands hereby disposed shall be held by my said disponees and their foresaids 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 feus of, sell or let on long lease the whole or any part of the same it being specifically 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 facto revert to me or my heirs as if this Deed had never been granted BUT NOTWITHSTANDING the above provision and declaration my said disponees shall be bound if and when required by me or the Officer Commanding the Third (Morayshire) 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 foresaids 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 disponees or their foresaids 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 Headquarters of the Battalion if such at any time be desired as aforesaid and that without payment of any price feu duty or ground annual the exact situation of the said Drill Hall to be adjusted between the Lord Provost of Elgin and the Officer Commanding of the said Battalion both for the time being and failing agreement between them the matter shall be referred to the said Lord Provost of Elgin, the Officer Commanding, the Sheriff of the County and the Convener and Vice-Convener of the County Council of Elginshire 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, limitation 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 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 Chancery at the instance of the said Caroline, Countess Dowager of Seafield dated the Ninth recorded in Chancery 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 writs 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 Disposition by the said Caroline, Countess Dowager of Seafield of the said Lands

and Others in favour of John Clark Esquire sometime Planter in Ceylon 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 furthcoming to the said John Clark and his heirs and assignees on all necessary occasions and that on a receipt and obligation to redeliver the same with 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 furthcoming 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 relieve the said Lord Provost, Magistrates and Councillors and their foresaids of all feu duties, casualties and public burdens DECLARING that the proportion of Minister's stipend effeiring to the Lands and Others hereby disposed amounts to three firlots and one half lippy of meal, three firlots and one-half lippy 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 warrandice 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 of 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 Deanshaugh Road so far as it runs from the Bishop's Palace to the Deanshaugh Bridge over the Lossie hereby give grant and disposed to the said George Alexander Cooper and his heirs, executors and

assignees (FIRST) ALL and WHOLE the solum 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 hereto 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 thereto and we the said Lord Provost, Magistrates and Councillors grant warrandice from fact and deed and I the said George Alexander 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 paper by Forbes Herbert Anderson Clark to Messieurs Wink and Mackenzie, Solicitors in Elgin are subscribed by me the said George Alexander Cooper at Glenfeshie Forest, Invernesshire on the Eleventh day of August, Nineteen Hundred and Three before these witnesses Mary Emma Smith or Cooper, my Wife and Walter Montague Stopford, 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 and 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 and Young, Solicitors, Elgin and Acton Alexander Turriff, 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 (L.S.); M.E. Cooper, Witness; Walter M. Stopford, Witness; William Munro, Witness; Acton A. Turriff, Witness.

Register on behalf of the Lord Provost, 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 interest as within mentioned in the Register of the County of Elgin and Forres (Signed) Stewart and McIsaac, Solicitors, Elgin, Agents for the said Lord Provost, Magistrates and Councillors, Wink and 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.

Signed: C.T. McInnes.

DEED OF GIFT

By

GEORGE A. COOPER

Containing

- (i) Disposition to Lord Provost,
Magistrates and Councillors of the
City and Royal Burgh of Elgin, and
- (ii) Disposition by Them to said G.A.
Cooper.