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Fee Disposition
by
Sir James Miller Bart.
to
The Lord Provost Magis-
trates and Council of
the City of Edinburgh.

At Edinburgh the
sixteenth day of
November in the
year One thousand
eight hundred and
ninety eight between

the hours of Three and Four afternoon
the Fee Disposition under written with
Warrant of Registration thereon was presented
by Robert Linton Writer Edinburgh and is
with said Warrant of Registration recorded
as follows viz: I Sir James Miller
of Manderston in the County of Berwick
Baronet Heritable Proprietor of the Lands
and others after disposed in consideration
of the sum of Twenty five thousand
Pounds sterling now paid to me by
The Lord Provost Magistrates and Council
of the City of Edinburgh and in
consideration of the feuduty and other
prestations after specified with and under
the reservations conditions provisions and
declarations after written Do hereby sell
alienate and in fee farm dispose to
and in favor of the said The
Lord Provost Magistrates and Council
of the City of Edinburgh and their
successors in office as representing the
Community of said City heritably and
wredeemably All and Whole that area or

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piece of ground part of the Lands
 of Easter Duddingston belonging to me
 as the said area or piece of
 ground is shewn and delineated and
 coloured pink on the plan annexed
 and signed by me as relative hereto
 extending to Fifty five acres and two
 hundred and forty four decimal or one
 thousandth parts of an acre or thereby
 Imperial Measure but which measurement
 is not warranted bounded as follows
 videlicet on the north north west and
 north in the first place by the
 street or Road called Stanley street
 in the second place by the ground
 feued by me to Miss Mary Elizabeth
 Burton and in the third place by
 ground belonging to the North British
 Railway company wherever the boundary
 between the ground belonging to the said
 North British Railway company and the
 ground belonging to me hereby feued
 may be on the east by the road
 called Hopes Road on the south by
 the Road called Milton Road and on
 the west by the street or Road
 called Duke street which area or piece
 of ground hereby disposed is part
 and portion of All and whole certain
 parts and portions of the Lands and

estate of Master Duddingston belonging to me lying within the Parish of Duddingston and bounth of Edinburgh as particularly described in the Disposition thereof granted by the Benhar Coal Company Limited incorporated under the Companies Acts eighteen hundred and sixty two and eighteen hundred and sixty seven and John Turnbull Smith Chartered Accountant Edinburgh and Andrew Watson Turnbull five Brunstane Road Portobello Liquidators appointed for the Voluntary winding up of the said Company by an Extraordinary Resolution passed at an Extraordinary General Meeting of the Shareholders of said Company held on thirtieth December eighteen hundred and eighty which Liquidation was by an Interlocutor of the First Division of the Court of Session dated eighteenth January eighteen hundred and eighty one directed to continue subject to the supervision of the Court of Session with consent therein mentioned in my favor dated said Disposition tenth and eleventh November and recorded in the Division of the General Register of Sasines applicable to the County of Edinburgh for publication and also as in the Books of Council and Session for preservation tenth December all in the year eighteen hundred and ninety Reserving

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always to me and my heirs and
 successors the whole mines minerals
 metals fossils coal limestone ironstone fire:
 clay and freestone within the said area
 or piece of ground hereby feued with
 full power to me and my foresaids
 to search for work win manufacture
 and carry away the same but not
 by any operations on the surface of
 the area or piece of ground hereby
 disposed and also to convey by under:
 ground workings through the said area
 or piece of ground hereby disposed
 all minerals whatever from other lands
 belonging to me or from lands belong:
 ing to other parties in the neighbourhood
 thereof I being bound to make payment
 to my said disponees and their fore:
 saids of all damages which the said
 area or piece of ground may sus:
 tain by the exercise of the said
 reserved rights and powers or any of
 them as the said damages shall be
 ascertained by two Arbiters mutually
 chosen or by an Overseman to be
 named by them in the event of
 their differing in opinion Declaring that
 these presents are granted with and under
 the reservations conditions provisions and
 declarations following videlicet Primo That the

any area or piece of ground hereby disposed shall be used exclusively as a Public Park and Recreation Ground for behoof of the community of said city and it shall not be competent to nor in the power of my said disponees or their foresaids to erect or build or give liberty to any person or persons to erect or build houses or buildings of any kind whatsoever thereon except buildings to be used as a house or houses for the Park officers and Gate Keepers to be employed by my said disponees or for other purposes appropriate to the uses of the area or piece of ground hereby disposed as a Public Park or Recreation ground. Secundo That my said disponees shall form outside the line of the fence to be erected as hereinafter provided for a road of not less than twenty feet in breadth with a footpath of not less than six feet in breadth from the east end of Stanley Street from the point to which the said street has already been formed along the northern boundary of the area or piece of ground hereby disposed on the line shewn on said Plan

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to Hopes Road and my said Dis:
ponees and their foresaids shall main:
tain the said street called Stanley
Street and the continuation thereof
and the said footpath to be formed
by them in all time coming
And whereas I have granted feus of
various portions of ground which will
be bounded on the south by said
Street called Stanley Street to be formed
by my said disponees I assign to
my said disponees the obligations if
any incumbent on the feuars so far
as unimplemented to pay a proportion
of the expense of making said street
in so far as the same is
made by my said disponees but
expressly declaring that my said dis:
ponees shall have no claim against
me or my foresaids in any event
whatever in respect of said expense
And reserving right to me and my
foresaids to lay along the said proposed
road a built or pipe sewer or
drain from my lands on the east
side of Hopes Road to the present
existing drain in Stanley Street for the
purpose of draining such part of my
Lands feued and unfeued as are capable
of draining into said sewer or drain

with right of access to me and my foresaids at all times for making any necessary repairs thereon I and my foresaids restoring the Road to the condition in which it was in before any of said operations were commenced Tertio That my said Dispones shall be bound and obliged as by acceptance hereof they hereby Bind and Oblige themselves and their foresaids to repay to me the sum of eight hundred and thirty nine Pounds seventeen shillings and eight pence being my share of the expense of forming the said Road or street called Duke street forming the western boundary of the piece of ground hereby disposed and that at the term of Martinmas eighteen hundred and ninety eight with interest on said sum at five per cent per annum from that date till paid Quarto That I and my foresaids and all others on whom I have conferred or may hereafter confer the right shall be entitled in all time coming to use free of any payment therefor the sewer formed in the said street called Duke street for the drainage of the remaining lands belonging to me whether feued or unfeued and my

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said disponees shall be bound in all time coming to maintain said street called Duke Street and the sewer formed therein and I and my foresaids and all others on whom I have conferred or may confer the right shall be entitled in all time coming to use free of charge said streets called Duke Street and Stanley Street and the said Road to be formed by my said Disponees in continuation of Stanley Street to Hopus Road Quinto that my said Disponees and their foresaids shall be bound to erect a suitable fence along the said area or piece of ground on the south east and west boundaries thereof and between the same and the foresaid Road to the satisfaction of me and my foresaids and thereafter to maintain said fences in good order in all time coming in which fences my said disponees shall be entitled to put such gates or accesses to the said area or piece of ground as they may think proper. That if my said Disponees or their foresaids shall act contrary to any of the reservations conditions provisions and declarations herein expressed then this Feu Right and

all that may have followed upon
the same shall become void and null
and the said area or piece of
ground hereby disposed shall revert to
me or my foresaids in like manner
as if this fee had never been
granted Lastly that the whole reservations
conditions provisions and declarations above
written are hereby declared real burdens
upon the area or piece of ground
hereby disposed and shall be fully
recorded in the appropriate Register of
Sassaries or be fully engrossed in any
Notarial Instrument to follow hereon and
also be fully engrossed or a valid
reference made thereto according to law
in all subsequent Titles of the
area or piece of ground hereby dis-
posed otherwise the same shall be void
and null With entry as at the
term of Martinmas eighteen hundred
and ninety eight To be holden the
area or piece of ground hereby
disposed of and under me and my
foresaids in fee farm fee and heritage
for ever for payment to me and
my foresaids of the sum of One
Pound sterling yearly in name of feuduty
and that at the term of Martinmas
yearly beginning the first terms payment

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thereof at the term of Martinmas
eighteen hundred and ninety nine for the
year preceding and so forth yearly there:
after in all time coming with one
fifth part more of each terms payment
of liquidate penalty in case of failure
in the punctual payment thereof
and the interest of the said feuduty
at the rate of five pounds per
centum per annum from the time the
same shall become due till paid as
also to make payment to me and
my foresaids of the sum of one
pound at the expiration of every
twenty first year from the foresaid
term of entry to the foresaid area
or piece of ground but for that
year only payable the said duplicand
with interest and penalty as stip:
ulated in the case of the principal
feuduty and I assign the Writs con:
form to Inventory thereof annexed and
subscribed by me as relative hereto but
to the effect only of maintaining
and defending the said Disponees and their
foresaids in the right of the piece
of ground hereby disposed and for
that purpose I bind and oblige myself
and my foresaids to make the same
furthercoming to the said Disponees and their

foresaids at their expense on all necessary occasions upon a receipt and obligation for redelivery within a reasonable time and under a suitable penalty and I assign the Rents and I bind and oblige myself and my foresaids to free and relieve the said disponees and their foresaids of the feuduties and casualties payable to or exigible by my own Superior now and in all time coming and of all public and parish burdens but only those due at and prior to the said term of entry And I grant warrandice and I consent to registration hereof for preservation And I direct the whole of this Deed to be recorded in the Register of Sasines In Witness Whereof these presents written on this and the three preceding pages by Robert Christie Dewar Clerk to the Firm of John and Francis Anderson Writers to the Signet Edinburgh are together with the said Plan annexed hereto and under the declaration that the word "yearly" is interlined so as to be read as the last word in the twenty sixth line of page third subscribed by me at Manderston Duns on the twelfth day of November eighteen hundred and ninety eight before these

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Witnesses William Long Under Butler and
Charles John Movi Private Secretary both to
me the said Sir James Miller. (Signed)
James Miller, William Long, Witness, Chas. J.
Movi, Witness, _____

Register on behalf of The Lord Provost
Magistrates and Council of the City of
Edinburgh and their Successors in office
as representing the Community of said
City in the Register of the County
of Edinburgh (Signed) Thomas Hunter
W.S. Town Clerk Edinburgh Agent.
Collated by W Gardner Written by
Collated by Geo. A. Dow

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Discharge
by
James Downie

At Edinburgh the
sixteenth day of
November in the year
One thousand eight

hundred and ninety eight between the
hours of Three and Four afternoon the
Discharge under written with Warrant of
Registration thereon was presented by Robert
W. Milne Writer Edinburgh and is with
said Warrant of Registration recorded as
follows viz:- I James Downie residing at
Bonnington Cottage Newhaven Road Leith in
consideration of the sum of Two hundred
and fifty pounds Sterling now paid to
me by Miss Jessie Ritchie formerly