

Transcript of 2493.3

At Tain the sixth day of March One thousand seven hundred and Seventy eight years
In presence of John Gorry Esqr of Balblair Commissary principal of Ross Compeared
Donald Davidson Writer in Tain as pror for the after designed Capt John Ross, and gave
in the Commission under written desiring the samen might be insert and registred in the
said Commissary his Court books conform to the Clause of registration therein contained,
Which desire the said Commissary finding reasonable. He ordained the samen to be
according done, and of which Commission the Tenor follows

I Captain John Ross of Balnagown Forasmauchas I am ordered to attend His Majestie's
service, and go abroad – and as it is necessary that I should appoint a proper & skilfull
person for managing my Affairs, in the County of Ross, and particularly for lining out
and dividing such parts of my Estate in the said County as are not already under Tacks,
and for granting Tacks to such Tenants on my Estate, as may require the same during my
Absence. And having experience of the faithfulness and diligence of Alexander
McCulloch my Servant at Balnagown. Therefore Will ye me to have made and
Constitute, Likeas I hereby make & Constitute, the said Alexr McCulloch my
Commissioner & Doer, in my Absence, to line out the farms in Westray & parish of
Eddertown, and such other ffarms as may require lining out, and dividing in the Parishes
of Kincardine, Loggie Easter, Kilmuire, Fearn, and Nigg, as it must tend greatly to the
interest of the Tenants that every man's farm may be sett apart, and not running back &
fore as they have been of Old. With full power warrand & Commission to the said Alexr
McCulloch to value each farm according to the best of his skill & knowledge, and to put
such a reasonable rent on each farm, without hurt to me or Tenants, as to him shall seem
meet. And also with power and Commission to the said Alexr McCulloch to output and
input Tenants, Issue Warnings and proceses of Removing in my name and his own, and
to grant Tacks to the Tenants of their farms, for any Number of Years, not Exceeding
Nineteen Years; which Tacks so to be granted by him shall be as sufficient & binding
upon me my heirs & successors, as if the same had been Executed personally twixt me &
my Tenants. And it is hereby specially provided & declared that the said Alexander
McCulloch at filling the Tacks to be granted by him, shall give always preference to the
Tenants in possession upon equal terms with any other Offering. And this power &
Commission to Continue & endure untill the same is revocked & recalled by a writing
under my hand. The said Alexander McCulloch being always accountable to me for his
Conduct & management of my Affairs intrusted to him in my Absence. And I Consent to
the registration hereof in the books of Council and Session, Commissary Court books of
Ross or others Competent, therein to remain for preservation, and as need be, to receive
Execution in form as Effiers(?). And thereto I Constitute Donald Davidson Writer in Tain
my pror &c. In witness whereof these presents – (written upon this and the preceeding
page of Stamp't paper by Donald Davidson Writer in Tain) are subscribed by me att
Plymouth the nineteenth day of February one thousand seven hundred & seventy eight
years before these witnesses, Alexander Fordyce & Hugh Lawson my first & second
lieuts. aboard the Sherwsburry [sic] man of war (signed) John Ross Alexr Fordyce
witness Hugh Lawson witness Extracted upon this and the two preceeding pages By John
Barclay (illegible abbreviation)