

GD 10 1265

Tack betwixt James Murray Esqr and John Hunter Baker in Gatehouse of Fleet for 15½ Yrs from Whitsunday 1784.

It is agreed by way of tack between James Murray Esqr of Broughton on the one part and John Hunter Baker in Gatehouse on the other part in manner following, That is to say the said James Murray hath sett and hereby setts and Letts to the said John Hunter and his Heirs secluding assignees and subtenants, two fields of Ground lately possessed by the Brewerie Company of Gatehouse and of present by Thomas McCaa at Bridgend of Fleet with a small piece of pasture ground lying along the River adjoining the said fields, lying in the parish of Anwith and Stewartry of Kirkcudbright and that for the space of fifteen years from and after the term of Whitsunday next... (1784) and with liberty to the said John Hunter to put a Crop on the ground this spring if he chuses.

It is always to be understood that the priviledge of loading and unloading vessels at the landing place with a road for Carts, Horses and foot passengers with the use of as much ground as is necessary for said purposes be reserved as usual - Which Tack the said James Murray binds himself to warrant at all hands as law will - For which lands the said John Hunter binds himself his Heirs and successors to pay to the said James Murray his Heirs or Assignees The sum of fifteen pounds twelve shillings and sixpence Sterling of yearly rent payable by equal portions at the terms of Martinmas and Whitsunday paying the first terms rent or seven pounds sixteen shillings and three pence sterling at the term of Martinmas 1784 with fifteen pounds sterling of penalty for each terms failure - And likewise the said John Hunter hereby consents that the Lands hereby sett unto him shall be thirled unto the Miln of Scairburn and obliges himself to pay the usual Multures and Miln services that the said Lands are liable for to the said Miln. And also he obliges himself to keep the Dykes, ditches and fences on the said Lands hereby Sett in constant good order and repair and to leave them such at the issue of the said tack -

And in regard the parties do hereby agree that the tillage and cultivation of the said Lands shall be left to the discretion of the said John Hunter for the first ten years of this Tack. So the said John Hunter hereby becomes bound that during the last five years of this Tack he shall manage the Farm in such a manner as shall be equally beneficial to both Master and Tenant not having above one half of the arable Land in Crop at one time nor taking above three successive Crops of any port of the said Lands.... For the encouragement of the Tenant Mr Murray hereby becomes to allow him five pounds sterling to assist him in the improvement of the said Lands -

And hereto both parties being agreed they oblige themselves to perform and fulfill their respective parts of the primises to each other as incumbent upon them under the penalty of Fifty pounds sterling to be paid by the party failing to the party observing or willing to observe the same over and above performance - And consenting to the registration hereof in the Books of Council and Session, Stewart Court Book of Kirkcudbright, Sheriff Court Books of Dumfries.....

...In witness whereof these presents consisting of this and the two preceding pages of Stamp paper wrote by Sam Macdowall at Borland are subscribed by the said parties at Cally the thirtyeth day of January....1784 before these witnesses Samuel Macdowall and William Stewart in Borland.

Sam Macdowall Witness Jas Murray

William Stewart Witness John Hunter

Gatehouse of Fleet, 19th March 1785, I do hereby Assign unto John Parker of Skipton in Craven in the County of York, the within written and agreed Lease, on the Terms, and for the Term of Years therein specified, (on the consent of James Murray Esqr being had and obtain'd thereunto) and this assigned shall be extended on Stamp paper whenever required. Witness my Hand John Hunter

Tho. Birtwhistle Witness

Jos. Taylor Witness

The above mentioned John Parker having resigned ... the within tack, I the said John Hunter do hereby renounce ... to and in favour of James Murray Esqr of Broughton ... all and whole my tack as within of the said lands granted by him to me as within mentioned ... from and after the term of Marts ... 1792 ... which is declared to be his Entry thereto ... and with power to him and his aforesaid to enter to the said lands and occupy or dispose of the same directly as they think proper in all time hereafter in the same manner as if the within tack had never existed, and that in Consideration of Three pounds three shill. Paid me this day, and with Liberty to an

outcow of two Cows on the premises till the first of March next, and on the boat green till Whitsunday ensuing, and a grant of the first feu on the south side of the road next the soap house done at Gatehouse the twenty first dy of Decem 1792 John Hunter.