

he had, since the execution of the said original Deed of Mortification, acquired the subjects after mentioned, which, from their situation, were well adapted to the purposes of a School, and that he was desirous that they should be appropriated accordingly, gave, granted, disposed, and mortified to and in favour of the said George Thomson and Alexander Irvine, Ministers foresaid, and the said George Watson, Sheriff-Substitute foresaid, and their successors in the said Ministry and office of Sheriff-Substitute, and to any two of them who should accept and act as Trustees for the uses and purposes mentioned in the said Deed of Mortification, and in the said Supplementary Deed of Mortification, perpetually, All and Whole a certain piece of ground, therein particularly described, with the buildings thereon, situated in the Town of Stonehaven, in the said Parish of Fetteresso and County of Kincardine. In the Supplementary Deed of Mortification it is declared that it is granted under the burdens and conditions, and for the uses and purposes mentioned in the original Deed of Mortification, but with certain alterations and additions, the first being that the houses built or to be built on the ground conveyed by the Supplementary Deed, or such part thereof as might be requisite, should be used for a school-house for the Charity or Free School endowed as aforesaid, and also for the necessary and suitable accommodation of the schoolmaster, in place of the school-house authorized to be rented, built, or purchased by the original Deed. Power is given to the Trustees and Governors to alter or add to the houses, and, when there should be sufficient funds, to erect new buildings on the ground for the School and to lay out playground for the scholars. It is also declared, that if at the commencement of the Institution, or at any other time, the whole of the ground, or houses thereon, should not be required for the said purposes, then such part or parts thereof as might not be so required should be let to tenants, and the rents should form part of the general trust fund under the said Deed of Mortification. The second alteration or addition set forth in the said Supplementary Deed, provides that in the case of an increase of the establishment, the additional scholars should be admitted only from the Parishes of Fetteresso and Dunnottar, and in the proportion of three from the former Parish to two from the latter; such additional scholars being taken from the poorest families of the said respective Parishes, as provided for with regard to the original number of scholars by the original Deed of Mortification, giving preference always as therein mentioned. The third alteration or addition gives directions for the accumulation of a sum of money that might be available for answering any emergency or unforeseen or unexpected occurrence; and the fourth alteration or addition provides, that notwithstanding any increase in the establishment, or any alteration of circumstances, the whole rules and regulations should, as far as possible, be strictly adhered to and enforced, and should not be departed from or relaxed in consequence of any such alteration of circumstances; and in particular, no money should at any time, or on any account, be taken or received from the scholars or their parents, or others on their account, but that the School should be, and continue to be, a Free School, without fee or remuneration.

That the School was opened on the 17th day of July 1838, and was carried on by the Trustees and Governors, duly elected in accordance with

the provisions of the Deed of Mortification, until the year 1853, when, so far from any surplus having accumulated, a considerable amount of debt had been incurred in the improvement of the Trust Estate, in the support of the School establishment, and in the general management of the Trust, which rendered it expedient and necessary to suspend the operation of the School for such time as might be found requisite for bringing the pecuniary affairs of the Trust into such a state as to enable the Trustees and Governors to resume the operation of the School upon a footing calculated to produce increased advantage to those entitled to the benefit of the Institution. The School was accordingly closed, and remained closed till the 13th day of June 1864, when, the debt having been nearly liquidated, it was again opened, and has continued to be and is now being conducted by the Trustees and Governors in accordance with the provisions of the Deeds of Mortifications.

That the now deceased Clementina Fraser, who resided in Stonehaven, by her Deed of Settlement, dated the 5th day of March 1851, a copy of which is herewith produced, ordained that whatever residue of her means and estate, heritable and moveable, there might be, after satisfying the legacies therein left and bequeathed by her, and any other legacies which she might leave and bequeath by any writing under her hand, should be accounted for and paid over to the Minister and Elders of the Kirk Session of Dunnottar for the time being, for the purpose of being laid out at interest by them; and after deduction of expenses and charges, the annual rent should be applied by them and their successors in office, at the sight of her Trustees therein named, or the survivor of them, so long as they were in life, on the first day of January yearly, as follows, viz.—one-half of said annual rent to be divided among such old and poor people of decent character, residing in the Parish of Dunnottar, and not in receipt of parochial relief, in such number and proportions as they might think proper, and the other half of said annual rent, the said Clementina Fraser appointed to be paid over to the Trustees and Managers of Donaldson's Free School, Stonehaven, to be applied in assisting the annual revenue of that Seminary, with an instruction to the said Minister and Elders to make application to the Trustees of said School for the admission to the benefit thereof, in consequence of this bequest, of one or more children belonging to the Parish of Dunnottar, to be named in addition to the number then admitted from said Parish to said School, if such a proceeding were competent by the rules and regulations laid down under the Settlement of the founder of the said Institution. The Trustees and Governors took the benefit of this bequest, and have since received annually one-half of the interest or annual rent accruing on the residue of the means and estate of the said Clementina Fraser. The residue amounts to the sum of £491, 19s. 10d., and the share of interest or annual rent received by the Trustees and Governors annually has been about £7, 7s., which has been given to the Teacher of the School as an addition to his small salary.

That as at the term of Whitsunday 1877, the savings arising from the surplus of income (arising from the Estate conveyed to the Trustees by the foresaid Deeds of Mortification) over expenditure had accumulated to a sum of about £270, but at that term the lease of the Farm of Beltraigs (the rent of which forms the bulk of the income of the