

self, and herein particularly engrossed. Provided only, as it is hereby, and shall be by my said trustees or their quorum, expressly provided and declared, as among the fundamental and unalterable rules to be established and observed with respect to said proposed institution: First, That the objects of said charity shall, as above mentioned, be poor boys, and such only. Secondly, That, in the choice of the children to be admitted to the benefit of said institution, there shall uniformly and perpetually be given a preference to those of the surname of Schaw and Macneil; and, next after them, to those of the surname of Cunninghame and Stewart. Thirdly, That the children of these surnames so to be admitted shall be truly in poor and indigent circumstances, so as to stand in need of this charity, and shall, by certificates of unquestionable truth and authority, be attested as proper objects in these respects, before admission. Fourthly, That said children shall not be admitted under the age of four years, nor above the age of seven years, and shall be free of the king's evil, and of all contagious diseases; nor shall any boy be allowed to remain in the hospital after attaining to the age of fourteen years. And, fifthly, That the foresaid lands and barony of Preston, and residue of my other estates, herein before appointed to be applied for the purpose of founding and endowing the aforesaid hospital or charitable institution, shall be considered, and is hereby declared to be the stock or capital of said foundation, never to be diminished or encroached on; nor shall the said lands and barony of Preston ever be sold or alienated, under any pretext whatever, but shall be let out in lease from time to time, by the directors of the aforesaid institution, appointed or to be appointed in manner before specified: the house of Preston itself shall be fitted up, under direction of my said trustees, to receive as many boys as can be conveniently accommodated in it, until the institution shall be put upon a more mature and perfect establishment, when my said trustees may judge it proper to cause erect a suitable building for the purpose, which I recommend to them in that case to cause be done in a neat, plain, frugal manner, studying therein use more than ornament, and keeping always in their eye the meaning of this institution, and the diffusing the benefits thereof as extensively as the funds will admit, to the poor boys who are the objects thereof; and the yearly rents and produce of the said lands and barony of Preston, with the yearly interest and produce of my said other funds, destined for the purposes of founding, supporting, and perpetuating the said institution, shall be applied solely to these purposes, and to no other use or purpose whatsoever. Under which conditions, provisions, and declarations, these presents are granted, and shall be accepted by my said trustees allenerly, as the said Trust-Deed and Settlement, containing sundry other clauses, in itself more fully bears.

The said Dr. James Schaw, by deed of nomination relative to the said Trust-Deed and Settlement, and of even date therewith, and in order to reader said Trust-Deed more complete and effectual, nominated and appointed James Balmain, Esq., one of the Commissioners of His Majesty's Board of Excise in Scotland; Alexander Alison, Esq., Deputy-Cashier of Excise; George Fairholme of Greenhill, Esq.; Alexander Thomson, Accountant of Excise, and Robert Boswell, Writer to the Signet, and such of them as should accept, and the survivors and last survivor of those accepting,

to be his executors, universal legators, and intromitters with his whole moveable means and estate, which should pertain and belong to him at the time of his death, but in trust always for the uses, intents, and purposes specified in the foresaid Deed of Trust, and with and under the burdens, conditions, and provisions therein expressed, as the said Deed of Nomination, recorded in the Books of Council and Session as aforesaid, the 20th day of December 1784, in itself also more fully bears; which last-mentioned Deed of Appointment of executors, together with the said Deed of Trust to which it relates, was also duly proved in the Prerogative Court of the Archbishop of Canterbury, and administration granted to the parties therein named, conform to Probate of the same, under seal of the said Prerogative Court, dated the 7th day of June 1785.

The parties named by the above Trust-Disposition and Settlement, and Deed of Nomination of executors relative thereto, having all accepted of the offices of trustees and executors thereby conferred upon them, entered upon the possession and management of the whole estate, and made payment of the Trustee's funeral expenses, and of his just and lawful debts, and of the legacies and other bequests in favour of Jean Schaw, his daughter, and of the various other legacies specified in said Trust-Deed and Settlement; and, having been advised by Counsel, with the view of carrying out the ultimate purpose of the Trust-Deed, viz., the founding and establishing of the Hospital therein mentioned, that they might legally, properly, and effectually denude themselves of the trust vested in them by said Trust-Deed and Settlement, in favour of the second set of Trustees named in said settlement, executed a Deed of Divestment and Reconveyance in favour of the said second set of Trustees, dated the 28th, and recorded in the Books of Council and Session the 30th days of November, both in the year 1787, whereby, in terms of the Trust-Deed before mentioned, they reconveyed and disposed to and in favour of themselves during their lives, and to the other persons therein before and after mentioned, viz.:—'The Right Honourable John Earl of Hyndford, present proprietor of the estate of Prestongrange, or any other the proprietor of the said estate of Prestongrange for the time; James Syme, Esq., present proprietor of the estate of Northfield, in the neighbourhood of Preston, or any other the proprietor of the said estate of Northfield for the time; the Minister of the parish of Prestonpans, and the Minister of the Parish of Tranent, for the time; the Sheriff-Depute of the shire of Edinburgh, and the Sheriff-Depute of the shire of Haddington, for the time; the Lord Provost, the Eldest Bailie, the Dean of Guild, and Treasurer of the city of Edinburgh, for the time; the Preses and Treasurer of the Merchant Maiden Hospital, for the time; the Preses and Treasurer of George Watson's Hospital, for the time; and the Preses and Treasurer of the Orphans' Hospital, for the time; the Principal of the University of Edinburgh, for the time; and the Ministers of the aforesaid parish of West Church, for the time; declaring any seven of the said persons to be a quorum, and to such of the aforesaid whole persons as should accept, and to their assignees: in trust always to the ends, uses, and purposes therein after mentioned, and with and under the burdens, provisions, and declarations thereinafter specified: All and whatsoever estates, lands, tenements,