

on 16th October 1838, corroborated by the Truster's sister, the said Isobel Mitchel, who survived him, but died many years ago.

That the Petitioner, the said George Arthur Ferguson, is the only son and successor of the said George Ferguson, and is now proprietor of the family estate of Pitfour proper, and the Petitioners, the said Andrew Boyd and William Boyd, are now his factors on that estate.

That the following provision was, *inter alia*, made by the Truster in his said Deed of Settlement, viz., (1) 'I make over to my said Trustees the Tack I hold on the North Yard of Mintlaw, with the Houses built thereon, to be appropriated by them for the residence and accommodation of the Parochial Schoolmaster of Mintlaw in all time coming, he to have the privileges and advantages of the said yard and buildings thereon, subject to the payment of rent and fulfilling other conditions affecting the same to the proprietor, and keeping the buildings in proper and good repair, and under the condition that the School shall not be situated on the Yard or made any part of the Buildings on it. The southmost Yard in Mintlaw having the House and other Buildings on it, marked on the plans and my Tack number 4, I ordain my said Trustees to give it as the residence of, and a School for a Female Teacher of an Infant Female School in Mintlaw, under the same provisions affecting the Schoolmaster in regard to paying rent and keeping in repairs—the Teacher to be appointed by the said George Ferguson and his successors aforesaid, who is to be unmarried or a widow, well recommended as an Infant Scholar Teacher, and so as she can add to Infant School Teaching any other common branches of education, and the General Assembly of the Church of Scotland's Shorter Catechism is to be taught and committed to memory by all the children to be admitted to the School—I leave and bequeath to the Female Teacher of this School a perpetual yearly salary of Fifteen pounds sterling; (2) and the said Settlement then further proceeds,—'The Yard in the Village of Fetterangus on which I hold a Tack, I ordain my said Trustees to appropriate as a residence and School for a Female Teacher of an Infant Female School in that Village, under the same conditions as to paying rent and keeping the House in repair as the one in Mintlaw; and I leave and bequeath to this Teacher an annual salary of Ten pounds sterling, my said Trustees always fixing the fees to be paid by the Scholars to these and the aftermentioned Female Teachers named under this Settlement.'

That in the Deed of Corroboration of the said Deed of Settlement granted by the said Isobel Mitchel it is set forth, *inter alia*, that the said George Ferguson, on the 19th February 1836, obliged himself and his successors, proprietors of the said Village of Fetterangus, to enter into a renewed Lease of the said Yard in that Village, at the expiry of the Lease thereof then current, for a period of ninety-nine years, and so to be renewed in perpetuity by his successors, at the same Yard rents and on the other conditions as they should let the other Yards within that Village when the Leases thereof expired and were periodically renewed.

That the Trustees appropriated the said Yard in the Village of Fetterangus as a residence and School for a Female Teacher of an Infant Female School in that Village, and appointed a Teacher, and fixed a table of fees, and established rules for the regulation of the said School and the other

Schools provided for by the Truster, in accordance with his intentions and directions, a copy of which is submitted herewith. Teachers of the School in succession have been duly appointed by the Trustees who preceded the Petitioners, the rules and regulations have continued to be observed, the Teachers in succession have paid to the proprietor annually the sum of Fourteen shillings sterling as the rent of the said Yard, and kept the House thereon forming the said residence and School in repair, and have been regularly paid from the funds of the Trust an annual salary of Ten pounds sterling, all in further compliance with the directions and intentions of the Truster.

That the Petitioners have resolved that it is expedient, and they are desirous that provision should be made, for a transference of all their right and interest in the said Yard at Fetterangus and the Lease thereof, and the said residence and School for a Female Teacher thereon, to the School Board of the Parish of Old Deer, and also for the payment by them and their successors, as Trustees foresaid, to the said School Board, at such terms as may be agreed on, of the said sum of Ten pounds sterling annually, being the amount of the yearly salary directed to be paid to the Teacher of the said School, or at the option of the Petitioners and their successors, if and when it may seem desirable to them, for payment to the said School Board of a principal sum of Two Hundred and Fifty pounds sterling, being the amount required to yield the said yearly sum of Ten pounds sterling on the investment thereof at interest at the rate of Four pounds per centum per annum, in lieu and place of the said yearly sum of Ten pounds sterling, for the purpose of being applied by the said School Board towards the maintenance by the Board of a residence and School for a Female Teacher at Fetterangus, on condition that provision is also made for the directions and intentions of the Truster thereanent, subject to such alterations or modifications, not being inconsistent with the general principles thereof, as may be found to be requisite, being continued to be carried into effect as heretofore.

That the said School Board have approved of, and expressed their concurrence in, this Petition, conform to an Excerpt from the Minutes of a Meeting held by them on 6th November 1880, herewith submitted.

May it therefore please you Honour to take the premises into consideration, and after such notice and remit as may be deemed necessary, to issue a Provisional Order in accordance with the resolution of the Petitioners, or with such alterations or modifications thereon, not being inconsistent with the general principles thereof, as may appear to your Honour to be requisite, and containing a discharge to the Petitioners of the Trust vested in them and their successors, in so far as it relates to the premises; and

Your Petitioners shall ever pray.

(Signed) GEO. A. FERGUSON.
ANDREW BOYD.
WILLIAM BOYD.

A true copy, published by order of the Secretary of State acting under the provisions of the Endowed Institutions (Scotland) Act, 1878.

A. & W. BOYD, Solicitors, Peterhead,
Agents for the Petitioners.

Peterhead, 8th December 1880.