

EXTRACT FROM THE DISPOSITION

by

THE TRUSTEES OF THE UNITED PRESBYTERIAN CONGREGATION, AYTON

in favour of

WILLIAM MARTIN, SPRINGBANK, AYTON

dated 27th May 1898

I Robert Logan sometime Tenant of Flemington, now residing at Summerhill, Ayton, sole surviving Trustee heritably vested in the subjects and others hereinafter dispossed for behoof of the West United Presbyterian Congregation of Ayton, afterwards called the Springbank, United Presbyterian Congregation, now united with the Summerhill United Presbyterian Congregation of Ayton, under the name of the United Presbyterian Congregation, Ayton and we the Reverend David Smith Cairns, Master of Arts, the present Minister of the United Presbyterian congregation, Ayton, Isaac Wood Knox, Grocer, Ayton, Robert Marshall Hume, Painter, Ayton, Thomas Learmouth, Shepherd, Whiterig the present elders and William Nisbet, Farmer, Ayton, James Young, Sawyer, Ayton, Peter Nisbet, Labourer, Ayton, John Davidson, Merchant, Ayton, John Wilson, Driver, Ayton, Thomas Bell, Labourer, Ayton, James Kennedy Livingstone, Merchant, Ayton, William Hume, Painter, Ayton, John Lawrie, Dairyman, Ayton, Thomas Purves, Railway Servant, Ayton, Alexander Paterson, Baker, Ayton, Thomas Redpath, Farm Steward, Prendergust, the said Thomas Learmouth, William Marshall, Farm Servant, Ayton Law, John Friskin, Shepherd, Ayton Law, John White, Farm Servant, Ayton Cocklaw, William Patterson, Builder, Ayton, William Allan, Shoemaker, Ayton, and William Purves, Shepherd Cocklaw, the present Managers and we the said Robert Logan, Alexander Smith, Tenant of Prendergust and William Cook, Schoolmaster, Ayton, as Trustees for the use and behoof of the said Congregation. Considering that on the nineteenth day of May Eighteen hundred and ninety eight, after such advertisement as we thought necessary the said subjects and others with and under the burdens and reservations affermentioned were exposed by us in our foresaid capacities acting with the advice and consent of the said Congregation previously had and obtained thereto, at a Meeting duly called for the purpose according to the rules of the United Presbyterian Church, to public Roup and Sale in terms of certain Articles and Conditions of Roup executed by us, dated eighteenth and nineteenth May Eighteen hundred and ninety eight, and were purchased by William Martin, Paper Manufacturer, Bleachfield Mills, Ayton at the price of Two hundred and twenty six pounds Sterling. And now seeing that the said William Martin has at our request instantly made payment to the Treasurer of the said United Presbyterian Congregation of Ayton (and as aforesaid) of the said price, of which we hereby acknowledge the receipt and discharge him. Therefore we as Trustees and others foresaid with our consent and assent do hereby sell and dispone to the said William Martin and his heirs and Assignees whomsoever heritably and irredeemably, but exclusive of Assignees before these presents are recorded in the Register of Sasines or the feudal investiture hereon is otherwise completed. (First) All and Haill that piece of ground upon the East side of Beanburn measuring thirty seven polls and three tenths of a poll of an English or superficial measure, bounded by the outside of the Dyke, presently built on the East side of Beanburn on the west, that is to say from a pit made on the side of the Dunse Road going backward up that dyke the length of One hundred and thirty nine feet ten inches. By a direct line from a pit on the said dyke to the North East corner of the said ground measuring sixty feet on the North, by another direct line from the said North East corner to another pit on the South East corner of said piece of ground measuring two hundred feet and seven and one half inches on the East. and by another direct line from said pit on the South East corner to the pit on the Dunse Road first

above mentioned measuring eighty five feet nine inches on the South West all lying within the Parish and Barony of Ayton and Sheriffdom of Berwick.

(Second) All and Haill that piece of ground upon the North end of the piece of ground first above described measuring forty six feet four inches from South to North and sixty feet from East to West, bounded by a direct line with the West boundary of the foresaid piece of ground first described on the West by another direct line with the East boundary of the said piece of ground on the East, by the said piece of ground itself on the South and by the land belonging sometime to John Fordyce Esquire of Ayton on the North. And which piece of ground under description in the second place is said to contain two thousand seven hundred and eighty square feet superficial measure and lies within the Parish and Barony of Ayton and Sheriffdom of Berwick. and (Third) All and Whole that angular piece of ground situated in the immediate neighbourhood of Ayton, being sometime part of the lands of Ayton Mill, bounded as follows vizt :- on the North by the feu or property belonging to the Proprietors of the Meeting House sometime possessed by the Reverend James Stark, on the West by the stone and lime dyke, erected between the said subjects and the feu or property belonging to William Hately, Writer in Ayton of which the said angular piece of ground was a part and on the South by the road leading from Ayton to East Reston, lying in the territory and Barony of Ayton, Parish thereof and Sheriffdom of Berwick. Together with the Meetinghouse or place for public worship and manse or house for the Minister and other buildings erected on the said piece of ground and with the liberty of quarrying and awayleading what stones the Proprietors of the said subjects may have occasion for, for building upon the premises out of such part of the bed of the Water of Eye between Ayton Mill and the bridge at the foot of Ayton path as the said John Fordyce's successors shall at any time appoint, with this condition that the said Proprietors shall be always obliged to satisfy the tenants or possessors of the lands on which they may happen to lead such stones. Which whole subjects above described, and lying together were lately and still are known as the Springbank United Presbyterian Church and Manse in Ayton. With the pertinents of the said Subjects and others and the whole right title and interest of the said Congregation and of us the Granters hereof as Trustees and others foresaid present and future therein; but always with and under the burden and reservation to the Reverend William Wilson residing at Springbank Manse, Ayton, Minister of the said Springbank United Presbyterian Congregation of Ayton, at the time of the Union with the Summerhill United Presbyterian Congregation, Ayton and now Emeritus Minister of the United Presbyterian Congregation, Ayton, of his, the said Reverend William Wilson's free liferent occupation of the Manse and Offices and Garden forming part of the subjects hereinbefore disponed during all the days and years of his life, and with and under the burden and conditions that our said Disponee and his forsaids shall be bound and obliged to pay the whole of the feuduty and owners taxes thereon and to keep the Manse wind and watertight during the life of the said Reverend William Wilson and relieve the said Congregation of the liability incumbent on them therefor under the arrangement entered into with the said Reverend William Wilson at the Unions of the said two United Presbyterian Congregations in Ayton, the said Reverend William Wilson being at the expense of internal repairs and paying Tenants or Occupants taxes throughout his said occupation. and also receiving from this Conveyance the Memorial Window of the Carter family and the marble tablet to the Memory of the late Reverend James Stark presently in the Church forming part of the said subjects hereby disponed, with the right and power and faculty to us or any of us, to remove said Memorial Window and marble tablet, or either of them, from the premises at any time we may think proper : Providing and declaring also, as it is hereby specially provided and declared that it shall not be lawful to, or in the power of, our said Disponee and his forsaids to use the said Church or permit the same to be used for any ecclesiastical or religious purpose whatever unless with the special written consent and approbation of the

United Presbyterian Congregation of Ayton which provision and objective shall be enforceable not only at the instance of the said Congregation but also at the instance of any one or more of the Members of session thereof or any one or more of the Managers thereof or any three of the Members of said Congregation present or future, and with and under the further express provision and declaration that if the said Church shall be used for any ecclesiastical or religious purpose unless with consent as aforesaid these presents and all that may have followed thereon shall become void and null without declarator or other process of law to that effect, any law or practice to the contrary notwithstanding, and our said Disponee and his foresaids and any others deriving right from or through them shall admit, lose and forfeit all right and interest in the said whole subjects hereby disposed, which shall thereupon revert and belong to the said Congregation free and disencumbered of all burdens whatever in like manner, as if these presents had never been granted: All which burdens reservations, provisions, declarations, conditions and clauses, irritant and resolute are hereby declared real burdens on said subjects and others and shall not only be recorded in the Register of Sasines as after provided or inserted in any Instrument to follow hereon but also hereby appointed to be validly and sufficiently referred to in the future Writs or Deeds of transmission, Notorial Instruments and other Writs of the said subjects, otherwise all such Writs or Deeds shall be null and void : With entry at the term of Whitsunday Eighteen hundred and ninety eight : And we as Trustees and others foresaid assign the Writs and have delivered the same according to Inventory, our said Disponee and his foresaids being bound if required to make the foresaid Articles of Roup and the letter by the said Reverend William Wilson, Number eleven of said Inventory forthcoming to us or our successors in office at our expense on all necessary occasions on receipt and obligation to redeliver the same within a reasonable time and under a suitable penalty. And we as Trustees and others foresaid bind ourselves and the said Congregation to free and relieve the said Disponee and his foresaids of all feudities and public burdens due at and prior to the said term of entry : And we as Trustees and others foresaid grant warrandice, but under burden and reservation as aforesaid : And we consent to registration hereof for preservation : And we direct the whole of this Deed to be recorded in the Register of Sasines : In Witness Whereof, these presents as written on this and the three preceding pages of stamped paper by Robert Burns Shed, Apprentice to James Thomas Simpson Doughty, Writer, Ayton are along with the Inventory annexed hereto, subscribed by me the said Robert Logan at Ayton on the twenty seventh day of May in the year Eighteen hundred and ninety eight before these Witnesses Miss Agnes Logan residing at Summerhill, Ayton, and Thomas Purves Doughty, Writer, Ayton and as subscribed by us the said David Smith Cairns, Robert Marshall Hume, William Nisbet, James Young, Peter Nisbet, John Davidson, John Wilson, James Kennedy Livingstone, William Hume, Thomas Purves, Thomas Redpath, William Patterson, William Allan, William Purves and William Cook, and by Archibald Spence, Dairyman, Ayton, now also a Manager of said Congregation, being a majority and quorum of the said Trustees, Managers and others all in General Meeting at Ayton on the said twenty seventh of May and year last mentioned before these Witnesses the said James Thomas Simpson Doughty and William Thomson, Apprentice to the said James Thomas Simpson Doughty.

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Index of Names listed in above document

Alexander Paterson, Baker, Ayton,
Alexander Smith, Tenant of Prendergust
Archibald Spence, Dairyman, Ayton,
Isaac Wood Knox, Grocer, Ayton,
James Kennedy Livingstone, Merchant, Ayton,

James Thomas Simpson Doughty
James Young, Sawyer, Ayton,
John Davidson, Merchant, Ayton,
John Fordyce Esquire of Ayton
John Friskin, Shepherd, Ayton Law,
John Lawrie, Dairymen, Ayton,
John White, Farm Servant, Ayton Cocklaw,
John Wilson, Driver, Ayton,
Miss Agnes Logan residing at Summerhill, Ayton
Peter Nisbet, Labourer, Ayton,
Reverend David Smith Cairns, Master of Arts, the present Minister of the United
Reverend James Stark
Reverend William Wilson residing at Springbank Manse, Ayton,
Robert Burns Shed, Apprentice to James Thomas Simpson Doughty, Writer,
Robert Logan sometime Tenant of Flemington, now residing at Summerhill,
Robert Marshall Hume, Painter, Ayton,
Thomas Bell, Labourer, Ayton,
Thomas Learmouth, Shepherd, Whiterig
Thomas Purves Doughty, Writer, Ayton
Thomas Purves, Railway Servant, Ayton,
Thomas Redpath, Farm Steward, Prendergast,
William Allan, Shoemaker, Ayton,
William Cook, Schoolmaster, Ayton
William Hately, Writer in Ayton
William Hume, Painter, Ayton,
William Marshall, Farm Servant, Ayton Law,
William Martin, Paper Manufacturer, Bleachfield Mills, Ayton

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INVENTORY OF TITLES REFERRED TO IN DISPOSITION

I. Subjects first described (Feuduty £1.1/-)

1. Feu Disposition by John Fordyce Esquire of Ayton to William Johnston, Tenant in Blackpotts and John Young, Wright in Coldingham dated 24th July 1778

II. Subjects second described (Feuduty 7/6)

2. Instrument of Sasine following thereon in favour of the said William Johnston and John Young dated 12th November 1778 and recorded in the particular Register of Sasines for the Shire of Berwick at Lauder on 11th December 1778.
3. Feu Disposition by the said John Fordyce to the said William Johnston dated 4th April 1783.
4. Instrument of Sasine following thereon in favour of the said William Johnston dated 21st July 1783, and registered in the said Particular Register of Sasines for the Shire of Berwick on 1st August 1783.

III. Titles to both these feus conjoined

5. Writ of Clare Constat by Alexander Mitchell Innes Esquire of Ayton in favour of Thomas Hayter Johnston Esquire of Brighton in the County of Sussex, Grandson and heir of the said William Johnston then deceased in second subjects and in one half of the first subjects, dated

23rd and with warrant of Registration thereon on behalf of the said Thomas Hayter Johnston recorded in the General Register of Sasines at Edinburgh on 28th October 1862.

6. Writ of Clare Constat by Alexander Mitchell Innes Esquire of Ayton in favour of Mrs Isabella Young or Hewitt, wife of James Hewitt, Naval Architect, formerly of the Government docks at Deptford then residing in Eyemouth only child and heir of the said John Young then deceased in the other half of the first subjects dated 23rd and with Warrant of Registration thereon on her behalf recorded in the General Register of Sasines at Edinburgh on 28th October 1862.

IV. Additional Ground

7. Disposition by William Hately, Writer in Ayton in favour of Robert Bruce, Shoemaker, Thomas Johnston, Joiner and James Orkney, Weaver all in Ayton, Managers of the Lower Meeting House in Ayton and their successors in office dated 11th January 1833.

8. Charter of Resignation and Confirmation by Thomas John Fordyce Esquire of Ayton, in favour of the said Robert Bruce, Thomas Johnston and James Orkney as Managers foreshaid and their successors in office and assignees dated 13th September 1834, and with Warrant of Registration thereon on behalf of the said James Orkney then only surviving Manager foreshaid recorded in the General Register of Sasines at Edinburgh on 4th August 1862, in which Charter the feuduty for said ground is fixed at 17/6.

V. Whole Subjects

9. Disposition by the said Thomas Hayter Johnston, the said Mrs Isabella Young or Hewitt with consent of her said husband and by the said James Orkney the only surviving Manager foreshaid in favour of William Carter Esquire, Agent of the Royal Bank of Scotland at Ayton, William Inglis, Tenant of Prendergast, Robert Clark, Grocer in Ayton, Joseph L. Wood, Mason there, Robert Bell, Tenant of Netherbyres Mill Robert Logan, Tenant of Flemington and William Innes residing in Ayton as Trustees for the use and behoof of the West United Presbyterian Congregation of Ayton and their successors and assignees of the whole subjects dated 2nd, 15th and 18th September, and with Warrant of Registration on behalf of the said William Carter, William Inglis, Robert Clark, Joseph Wood, Robert Bell, Robert Logan and William Innes, as Trustees foreshaid recorded in the New General Register of Sasines at Edinburgh on 28th October all in the year 1862. 10. Articles and Conditions of Roup and Sale of said whole subjects dated 18th and 19th May 1898, and with Minute and Enactment of Roup and Preference thereon dated 19th May 1898. Miscellaneous Writs 11. Holograph letter dated 19th May 1898 from the Reverend William Wilson agreeing to the terms stated in copy letter with reference to the payment of feuduty and owners taxes and maintenance of the Manse wind and watertight by the congregation and to pay himself the Tenants or Occupants taxes and internal repairs. 12. Certified Extracts of Minutes of Meeting of Congregation and Trustees with reference to sale of Church and Manse.

Index of names listed in above document

Alexander Mitchell Innes Esquire of Ayton

James Orkney, Weaver, Ayton

John Fordyce Esquire of Ayton to

John Young, Wright in Coldingham

Joseph L. Wood, Mason, Ayton

Mrs Isabella Young or Hewitt

Reverend William Wilson

Robert Bell, Tenant of Netherbyres Mill

Robert Bruce, Shoemaker, Ayton

Robert Clark, Grocer in Ayton
Robert Logan, Tenant of Flemington
Thomas Hayter Johnston Esquire of Brighton, Sussex,
Thomas Johnston, Joiner, Ayton
William Carter Esquire, Agent of the Royal Bank of Scotland at Ayton
William Hately, Writer in Ayton
William Inglis, Tenant of Prendergust
William Innes residing in Ayton
William Johnston, Tenant in Blackpotts