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Altoat
2 Jan. 1904
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Waddington Lib: 203. 22. 29
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Lyle & Wallace,
Solicitors,

North Berwick

George & Co

Disposition

— by —
Sir Walter Hamilton
Dalrymple of North Berwick
Baronet

— in favor of —
The Provost Magistrates
and Councillors of the
Burgh of North Berwick.

20th / 11 / 1906.
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of Rhodes Links and part of
Farms of Rhodes and Castleton.

dated 24th Dec
1907

A. D. Wallace,
Solicitor, North Berwick.



No 19 of

R 669 B 06

Produced to the Commissioners of Inland Revenue in compliance with the provisions of Section 12 of the Act 58 Victoria, Chapter 16.

27 MAR 1907

Edinburgh
Deputy Surveyor
Comptroller of Stamp Taxes

Sir Walter Hamilton Dalrymple of North

Baronet, formerly named and designed Walter Dalrymple Esquire, residing at Dalrymple Villa, North Berwick, heritable proprietor of the lands subjects and others hereinafter disposed. Considering that by Minute of Agreement entered into between me on the one part and The Provost Magistrates and Councillors of the Burgh of North Berwick on the other part, dated the twenty ninth day of January and the thirtieth day of February both in the year Nineteen hundred and six, I agreed to sell to the said Provost Magistrates and Councillors certain lands subjects and others (being subject to a slight readjustment of boundaries those hereinafter disposed) forming part of my Estate of North Berwick in the Parish of North Berwick and County of Haddington for the purposes of a public park and place for public resort and recreation, at the price of Six thousand two hundred and fifty pounds under and in terms of the several conditions, reservations and restrictions set forth in the said Minute of Agreement, and that the said Provost Magistrates and Councillors in order to enable them to complete and carry through said purchase and make sundry necessary arrangements and regulations in connection therewith obtained Parliamentary authority therefor by virtue of the North Berwick Incorporation Links and Burgh Extension Order, 1906, confirmed by the North Berwick Incorporation Order Confirmation Act, 1906, and that by Section Seven of said Order the foresaid Minute of Agreement was duly confirmed. And, now seeing that the said Provost Magistrates and Councillors have instantly made payment to me of the said price of Six thousand two hundred and fifty pounds of which sum I hereby acknowledge the receipt and discharge the said Provost Magistrates and Councillors therefore. I in implement of the said Minute of Agreement and in consideration of the said sum of Six thousand two hundred and fifty pounds do hereby with and under the conditions, reservations, and restrictions hereinafter specified sell and dispose to the said Provost Magistrates and Councillors and their successors in office and assigns whomsoever, heritably and irrevocably **All and Whole** the lands subjects and others all situate in the Parish of North Berwick and County of Haddington, and extending to One hundred and twenty eight acres and three hundred and decimal or thousandth parts of an acre or thereby and bounded as follows, videlicet:— On the North and North East by high water mark at ordinary Spring tides; on the East by grazing ground belonging to me; on the South partly by the public road leading from North Berwick to Dumber, partly by portions of the Farm of Rhodes in the occupation of Peter Wilson and belonging to me, and partly by land leased by me to the Reverend Peter Nately Waddell, Doctor of Divinity; on the South West by the Glen belonging to me; and on the West partly by land leased to the said Peter Nately Waddell and partly by the Millburn dividing the property belonging to the Royal Burgh of North Berwick from that belonging to me, which lands, subjects, and others are tinted green on the plan or sketch annexed and signed by me, as relative hereto. Together with right to take and remove from the foreshore ex adverso of the said lands subjects and others such sand and gravel as may reasonably be required.

Walter Hamilton Dalrymple



This Disposition with Warrant of Registration thereon was presented for Registration at Edinburgh on the second day of January in the year One thousand nine hundred and seven and is with said Warrant of Registration engraved on the 22-29 and intervening folios of the Two hundred and third Book of the Division of the General Register of Incomes applicable to the County of Haddington.

Certified Correctly
Walter Hamilton Dalrymple

James Depute Keeper

EXEMPT from STAMP DUTY
under 54 & 55 Vic. Cap. 39

EDINBURGH 28th April 1922. Received from the Provost Magistrates and Councillors of the Burgh of North Berwick, by the hands of A. D. Wallace, Esquire, Town Clerk, the sum of Seven pounds thirteen shillings and sevenpence Sterling, being (1) Casualty of Composition and (2) Compensation payable under the Feudal Casualties (Scotland) Act 1914, for the extinction of all Casualties exigible in respect of and incident to the estate of superiority belonging to His Majesty in the following lands and others, videlicet: - All and Whole that part of the Barony of North Berwick in the Parish of North Berwick and County of Haddington, particularly described in this Disposition.

Casualty £ 4 . 7 . 9
Compensation 3 . 5 . 10
£ 7 . 13 . 9

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Required from time to time by the said Provost Magistrates and Councillors for use on the said lands subjects and others on the roads to be formed by them thereon: Which lands subjects and others above disposed form part and portion of All and sundry the lands and Barony of North Berwick and other lands and heritages partly in the County of Haddington and partly in the Burgh of North Berwick and County of Haddington being the whole lands and others particularly described in the Disposition granted by Sir John Dalrymple of North Berwick Baronet in favor of himself in feoffment alternately and of me in fee dated the twenty sixth day of April and twentieth day of May and recorded in the Register of the General Register of Scotland applicable to the County of Haddington on the twenty ninth day of May and in the New Particular Register of Devises so kept for the Burgh of North Berwick on the twenty seventh day of June all in the year eighteen hundred and eighty eight: But it is hereby specially provided and declared that the lands subjects and others before disposed are so disposed always with and under and subject to the conditions reservations and restrictions following videlicet: - (First) The said lands subjects and others hereby disposed shall be held by the said Provost Magistrates and Councillors only for the purposes of a public park and place for public resort and recreation for the inhabitants of North Berwick and for the use of golf and other clubs and resorts relating to or temporarily resident in North Berwick or its neighborhood and that on such conditions and for such payments as may be prescribed by the said Provost Magistrates and Councillors and subject always to the management, regulation, and control of the said Provost Magistrates and Councillors; and the said Provost Magistrates and Councillors shall be entitled to set apart or lease or let any part of the said lands subjects and others for a golf course and for the playing of golf or any other game or games thereon on such terms and under such conditions and for such period or periods as the said Provost Magistrates and Councillors may think proper and in general to deal with the said lands subjects and others for public parks and public resort and recreation purposes with powers of putting up and maintaining shelters, club houses, restaurants, shops for the disposal and dealing in goods and articles used for or in connection with the games to be played on the said lands subjects and others or any part thereof, band stands, bathing houses and other such erections, and of regulation management and control and of letting and taking such rents or rates in respect of the user of the lands subjects and others or any part thereof and of such shelters, club houses, restaurants, shops, band stands, bathing houses or other erections as the said Provost Magistrates and Councillors may in their discretion think right: (Second) Notwithstanding the title and conveyance by me to the said Provost Magistrates and Councillors of said lands subjects and others I and my heirs and successors shall have power at any time and on various intimations to them to continue for the use of me and my forecloses and my and their heirs, executors, tenants, and others in or line to be adjusted with the said Provost Magistrates and Councillors

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the existing road east of Tantalion Terrace, North Bewick, from its point of termination as at the date hereof at Rhodes Braes eastwards and southwards to join the Tantalion Road but that always in such a way as to interfere as little as possible with the playing of games on the lands subjects and others before disposed and which continuation of said existing road if and when formed by me or my forecissors shall be maintained and upheld by me or them in all time thereafter, declaring that the said Provost Magistrates and Councilors shall be bound to maintain and uphold the present road so far as extending from the existing eastern boundary of the Royalty of the Burgh of North Bewick at the east end of Tantalion Terrace to the top of the Rhodes Braes and which present road, so far as already existing, is tinted brown on the said plan or sketch annexed and signed as relative hereto: (Third) The said Provost Magistrates and Councilors shall forthwith fence with fences of a kind to be approved of by me in so far as not already done the whole of the southwest south and east sides of the lands subjects and others before disposed in so far as the same are bounded by property belonging to me and shall thereafter maintain and uphold not only such fences but all existing walls and fences dividing the property belonging to me from the lands subjects and others before disposed, and in respect of the said Provost Magistrates and Councilors have already erected wholly on ground belonging to me, walls of stone and lime not less than four feet in height between the points A and B and the points C and D on said plan or sketch annexed and signed as relative hereto, it is hereby provided and declared that in the event of any of the said walls or fences being damaged by the operations of me or my tenants or those for whom I am responsible, I shall be bound to repair such damage when called on by the said Provost Magistrates and Councilors: (Fourth) Notwithstanding the said sale and conveyance by me to the said Provost Magistrates and Councilors of said lands subjects and others I and my forecissors shall have power at any time and from time to time hereafter to lay in and through the said lands subjects and others before disposed in such lines and at such depths as may be approved of and adjusted by the said Provost Magistrates and Councilors any drains or sewers or gas and water pipes which may be necessary for any buildings which are already or may hereafter be erected on my ground lying to the south of said lands subjects and others and I and my forecissors and those having my or their authority shall also have power to cart seaweed, sand and gravel across the said lands subjects and others by the roads or paths existing thereon at the date of these presents or by such roads or paths as may hereafter be made thereon by the said Provost Magistrates and Councilors, and also power to remove by cart along a road or track immediately to the north of the farm cottages of said farm of Rhodes the contents of the midden or ashpit used in connection with said cottages and also power at any time and from time to time to enter upon the said lands subjects and others for the purpose of making such repairs to my or their buildings or walls as I or they may consider necessary; and in respect

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both days of November Eighteen hundred and eighty nine for an Annuity or yearly sum of One thousand one hundred and twenty one pounds five shillings and eightpence payable to her during all the days of her life after my decease; (Second) Bond of Provision and Disposition in Security granted by me in favor of my children Agnes Mary Babymple, Marjorie Babymple, Sibyl Babymple, New Clifford Babymple, and John Babymple and any other child or children to be born of my present marriage dated the Fifth and recorded in the said Division of the General Register of Sasines the Twenty sixth both days of November Eighteen hundred and eighty nine for the sum of Ten thousand and ninety one pounds ten shillings and ninepence sterling payable immediately after my death to them; and (Third) Bond of Annuity and Disposition in Security granted by me in favor of the said Lady Alice Mary Clifford or Babymple, dated the Second and recorded inter alia in the said Division of the General Register of Sasines the Ninth both days of June Eighteen hundred and ninety nine for an Annuity or yearly sum of Eight hundred pounds Sterling payable to her during the joint lives of myself and her; Declaring that my said disponents and their foreaids shall have no right to require and shall not require me during my life to procure Discharges or other deeds releasing the said lands Subjects and others hereby disposed from the securities for the said Annuities and Provisions constituted by the said two Bonds of Annuity and Dispositions in Security and the said Bond of Provision and Disposition in Security but without prejudice always in all other respects to the rights and remedies of my said disponents and their foreaids under and by virtue of the clause of absolute warranty herebefore written: And I consent to registration hereof for preservation: In Witness Whereof these presents written on this and the four preceding pages by John Mc Donald, Clerk to Cyle and Wallace, Solicitors, North Berwick ave, together with the Inventory of Writs and Plan annexed hereto, subscribed by me at Villa della Pergola, Alassio, Liguria, Italy on the Twenty fourth day of December Nineteen hundred and six before these witnesses Ottavio Ernesto Bando (signing Ernesto Bando) my Valet, and Pietro Fantoni my Footman and both, residing at Villa della Pergola aforesaid.

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Ernesto Bando Witness *Ernesto Bando*

Pietro Fantoni Witness.

Register on behalf of the Provost Magistrates and Councilors of the Burgh of North Berwick in the Register of the County of Haddington.

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Walter Allan Solicitor North Berwick
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Inventory of Writs referred to in the foregoing Adjuration.

1. Charter of Resignation under the Great Seal in favor of Sir New Babynghle, President of the College of Justice and Sir Robert Babynghle of Bairston his eldest son and the other heirs of said Sir Robert mentioned dated the 29th day of April 1707.
2. Extract Return of Special Service - Sir New Babynghle of North Broomie to his father Sir John Babynghle of North Broomie dated 28th January 1836.
3. Receipt from Chancery in favor of Sir New Babynghle of North Broomie, heir to his father Sir John Babynghle, dated 5th April 1836.
4. Instrument of Sale following thereon in favor of the said Sir New Babynghle dated the 29th day of April and recorded in the New Particular Register of Deeds, Reservations & within the Shewffards of Edinburgh, Madlington, Linlithgow and Borthgate at Edinburgh the 29th day of May 1836.
5. Extract Deed of Special and General Service - Sir John Mavornder Babynghle of North Broomie Baronet to his brother the said Sir New Babynghle, dated the 24th, recorded in Chancery the 26th both days of October, and also recorded in the Division of the General Register of Deeds applicable to the County of Madlington, the 7th day of December, all in the year 1837.
6. Extract Registered Minute of Agreement between the said Sir John Mavornder Babynghle, otherwise Sir John Babynghle, and Walter Babynghle Esquire, residing at Babynghle Villa, North Broomie only son and heir apparent of the said Sir John Mavornder Babynghle dated the 24th and 30th days of January, and registered in the Books of Council and Session the 3rd day of February all in the year 1838.
7. Extract Deed in Petition and Application by the said Sir John Mavornder Babynghle for authority to record Instrument of Disentail dated the 16th day of February and extracted the 12th day of March both in the year 1838.
8. Extract Registered Instrument of Disentail by the said Sir John Babynghle (formerly Sir John Mavornder Babynghle) dated the 24th day of January and recorded in the Register of Deeds the 13th day of March and also in the said Division of the General Register of Deeds for publication as also as in the Books of Council and Session for preservation, the 23rd day of March all in the year 1838.
9. Disposition by the said Sir John Babynghle in favor of himself

W. Stewart the Deed Register

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himself in person and the said Walter Dabrymphe Esquire in fee, dated the 26th day of April and the 4th day of May and recorded inter alia in the said Division of the General Register of Sasines the 29th day of May all in the year 1888.

10. Search of Incumbrances in Property and Personal Registers.

W Hamilton Dalrymple

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