

Supplementary written submission by Ian Macgregor, 24 September 2018

As mentioned at the Pow of Inchaffray meeting on 12 September 2018, I would like to clarify the point I made re mistakes on sheets 15A & 15B. It would appear that the differences are merely the odd penny and I must put that down to interpretation of rounding up or down. However, there is another part of the 'Book of reference' which refers to valuation of the land which has significant errors, these can be seen at entries 121 & 131 where I calculate the amount to be £1, 19s 10d and £49, 13s respectively, they can be seen here:

<https://scotlandspplaces.gov.uk/record/nrs/RHP23904%3A%3A%3A2/book-of-reference-for-drainage-of-pow-of-inchaffray-madderty-perthshire?selected=21>.

If errors have been made during this critical calculation stage then it must be taken into account that further errors may have been made, perhaps when defining the 'benefitted land' areas north of the Pow.

Although not fully aware of parliamentary protocol I ask that the following also be taken into consideration before any decisions are made as to whether my property lies in this 'benefitted land' area. I understand that I may have missed my opportunity by not mentioning them at the meeting on 12 Sep 18; however, the feeling of 'me against their lawyer' was daunting!

I have no doubt that the Pow commissioners would not be paying for their lawyer out of their own pockets and would imagine that the fee would be settled by the 'heritors' annual payments? If this is the case then it would appear that, as a newly named heritor, I am paying for a lawyer to 'fight' against me...somewhat ironic! If I had known this I may have hired a lawyer to put forward my case, where I am sure he would have summarised better than I did!! In hindsight, I would have emphasised in my summary that the area in question, area 130, is defined only by straight lines and not land surveys as it is on the south side of the Pow. I would also have added that the opinion of Robert Sutherland, Advocate, is merely that...an opinion! And in my opinion, it would appear that the surveyor at the time has taken care when defining the area south of the Pow but due to the complexity and time taken he has run out of enthusiasm for the north and simply followed field or area boundaries. I thought this feudal system was abolished in Scotland some time ago?

I have also found another map, dated 26th May 1783, in which it shows the Downie Burn as a straight line running from Nethermains of Gorthy to the Pow Water, zoom in on the top left-hand side of the map here: <https://maps.nls.uk/view/74400316>. It is clear that there is no additional ditch on the east side of the Downie burn at this time and the fact that the Downie burn lies in a straight line, which has been described as man made by the commissioners, is neither here nor there. After all, water will take the shortest course downhill and if land properties allow it, it will take a straight line! When walking down the length of the burn it is clear to see that there are slight

deviations in the banks, perhaps to minor to be included in any 1:50,000 scale or even 1:12,500 map!

Since the outcome of these proceedings may result in a further financial burden on my household I would like to formally invite Mr Tom Arthur MSP to my property to personally see the matters in question before any final decisions are made.