

At Kirkwall the Thirti First Day of January One  
Thousand Seven hundred and Fifty Six years It is con-  
-tracted agreed and finally ended Between the party follow-  
-ing To wit William Halero of Couister on the one part and  
- Thomas Balfour merchant in Kirkwall on the other  
part as follows That is to say the said William Halero  
binds & obliges him and his heirs to burn all the Kelps he  
can possibly make on the Shoars of his Estate on the main  
- land & island of Cava in Orkney once in the three years  
at Longest, Or once in two years provided the said Thomas  
Balfour shall give the said William Halero notice so to  
do any time in the month of March of the Season, &  
that for the Space of nine years commencing from this  
current year which is hereby declared to be the first year  
of this Contract, and which kelps so to be made is to be  
curd and ready to be delivered at Houlon bay on such  
Ships decks as the said Thomas Balfour shall impleor  
at or before the first day of September of any of the said Space  
of nine years in which kelps shall be burnt on the Shoars  
Then and there to be delivered to the said Tho. Balfour  
or his order free on board at one hundred & thirty eight  
Stons amsterdamm per Ton, For the which Com. 155-  
The said Thomas Balfour hereby binds & obliges  
him and his heirs To pay to the said willm. Halero  
his heirs or assignors for each ton of the said Kelps that  
shall be so delivered and that at the term of Marti-  
-mas yearly after delivery the different prices following  
- 372 If we shall have no certain <sup>at or before</sup> of a Declaration of  
war Between Britain and France or Spain at or before  
the delivery of the Kelps that shall be made any of the  
Seasons of the continuance of this Contract, In that case  
the said Thomas Balfour shall pay to him Forty two  
Shillings Sterling per ton of kelps that shall happen to  
be delivered in manner above written But in case  
during any time of the foresaid Space there shall happen  
to be certain information at or before the delivery of  
the Kelps That a declaration of War is actually made  
- in or Between Britain and Spain or France, In that case Thirty  
Shillings per ton only at the foresaid term of Martinmas  
after the delivery of the Kelps. But whether in time  
of peace or war the said William Halero shall happen  
to deliver more or a fifth part of the kelps small in  
proportion to the round, In that case there is to be a  
discount of ten Shillings of the Ton of the small  
shall happen to be delivered more than a fifth part in

Wm Halero  
Tho. Balfour

Proportion to the round and the said Tho<sup>s</sup> Balfour  
 obliges him to pay the said W<sup>m</sup> Haler three or four  
 months before the delivery of the help any sum not  
 exceeding ten pounds Sterling of preadvance free of  
 interest in case the said William Haler shall have  
 occasion for it and Likewise the said Tho<sup>s</sup> Balfour  
 is to bring home and deliver to the said W<sup>m</sup> Haler  
 on his the said W<sup>m</sup> Haler's risque One or two hundred  
 pounds weight of Lint at Eight pence per pound yearly  
 at prime coast and charges in case he shall desire the  
 said Tho<sup>s</sup> Balfour so to doe and the value of the  
 Lint to be discountred out of the first end of the price  
 of the help as it happens to be delivered, as is such  
 money as shall be given him in manner ford upon  
 preadvance and here to both parties bind & obliges you  
 to perform & fullfill their respective parts of the pre-  
 mises here into to others under the penal sum of  
 Fifty pounds Sterling to be paid by the party breaker  
 to the party observed or willing to observe by  
 attour performance of the Court or by the  
 ratification hereof in the books of Council or Session  
 or others competent within the Kingdom and if  
 need be of full legal execution pass hereon in  
 form as aforesaid and constitute

Their persons &c In  
 witness whereof These presents Consisting of this  
 and the preceding page wrote upon Stampd paper  
 by William Spence Esq<sup>r</sup> Justice in Larkwall on a Sabbath  
 day month and year of God first above set  
 down Before these Witnesses Robert Sutherland  
 merchant in Larkwall & the said W<sup>m</sup> Spence  
 above designed

Wm Haler

Tho<sup>s</sup> Balfour

Robt Sutherland Witness

Wm Spence Witness

Contract

1756

Contract of  
Mr Bulmer

1756

815/215