

FALKIRK ARCHIVES

Forbes of Callendar Papers Part 18 – Herbertshire estate legal papers

This collection consists of 36m of records from 1531-1974. The records have been arranged into twenty eight series (see introduction for details) and the finding aid has been separated into these series to make it easier to download from our website.

Part 18 contains legal papers relating to estate of of Herbertshire in sheriffdom of Stirling.

<i>Reference No</i>	<i>Date</i>	<i>Description</i>
A727.4058	1687-1781	Writs of lands of Nethermain in parish of Denny and sheriffdom of Stirling, disponed by David Cuthill and Janet Oswald, his spouse, to Alexander Johnstoune [Johnston] of Hollhouse [Holehouse] and Helen Simpstone [Simpson], his spouse [disposition damaged]; disponed by Johnstoune [Johnston] to Duncan Fletcher in Lerox; disponed by Fletcher and Margaret Johnston, his spouse, to James Baird, son of William Baird of Meadow; disponed by heirs of Baird, latterly writer in Denny, to William Jervay [Jarvie] in East Borland; a liferent interest being granted to Isabel Watt, daughter of John Watt, tenant in Abbotsgrange, by Jervay [Jarvie] in their contract of marriage; the lands disponed by Jervay [Jarvie] and his spouse to William Morehead [Muirhead] of Herbertshire. (9 items)
A727.4059	1718-1858	Writs of temple lands of Chapel of Denny commonly called the lands of Dryburgh in parish of Denny and sheriffdom of Stirling, disponed by John Oswald of Dryburgh to James Oswald, his son, and Mary Wright, his spouse; disponed by James to John Oswald, his son; disponed by them to Mr Thomas Oswald, minister in London, also son of James, to whom William Stirling of Herbertshire dispones the teinds of Seamoir [Seamores] Faulds and Cavills in the Muir thereof; the lands feued by said Mr Thomas Oswald, now of Craigengelt, to said John Oswald, farmer at Denny Miln [Denny Mill], his brother, while the superiority is disponed to Sir Laurence Dundas of Kerse; the superiority disponed by Sir Thomas Dundas of Kerse and the property by said John Oswald to James Henry Oswald, son of said Mr Thomas; acquired by Harry Harmood [Harwood?], son of Captain Harry Harmood RN, as heir of provision, and by Isabella, Emma and Elizabeth Sarah Harmood as heirs of Harry, their father; and disponed by them to William Forbes of Callendar. Include inventory of these and other title deeds awaiting; missive of tack by [James Henry] Oswald to Thomas Kirkwood of muir of South Herbertshire, 8 September 1788, and copy feu disposition by James Henry Oswald to Robert Kirkwood, portioner of South Herbertshire, of said muir, 20 March 1789. (36 items)
A727.4060	1722-1782	Writs of various lands in East Borland in parish of Denny and sheriffdom of Stirling disponed by Thomas Burn, wright, Denny, son of deceased Thomas Burn, wright and portioner there, to

- William Morehead of Herbertshire, the lands being disposed to the said Thomas Burn elder by, respectively, William Scott, portioner of Borland, Captain Thomas Mallard of Boghead, William Hanna [Hannah], son of deceased William Hanna [Hannah], smith at Denny Kirk, and James Russell, tenant in Carnock. (15 items)
- A727.4061 1722-1814 Writs of lands of Burnfoot in parish of Denny and sheriffdom of Stirling, adjudged from James Muirhead of Burnfoot in favour of Patrick Syme [Sim] in Backraw of Bothkennar; disposed by James Muirhead to Patrick's son, John Syme, tenant in Backraw; disposed by him to George Thomson, merchant in Denovan, and Margaret Cuthill, his spouse; disposed by them to Richard Allan senior, Archibald Smellie [Smillie] and Richard Allan junior, merchants in Glasgow in company; disposed by them to Thomas Muirhead, wright in Glasgow; disposed by him to John Cuthill at Headswood; disposed by his son, Patrick Cuthill, baker in Paisley, in favour of trustees of deceased William Muirhead of Herbertshire. (23 items)
- A727.4062 13 Dec 1723 Inventory of writs belonging to the laird of Herbertshire in the hands of Colin Kirk [WS].
- A727.4063 26 Jun 1724 Memorials by William Stirling of Herbertshire concerning his claim to the teinds of Denny. Appended to No 1 is letter to George Gordon WS, Edinburgh. (2 items)
- A727.4064 09 Dec 1726 Extract disposition and assignation by George Stirling of Herbertshire to William Stirling, his son, of barony of Herbertshire and other lands, reserving the liferent. Registered: B of C & S, 4 March 1729. Extract made in 1859.
- A727.4065 1727-1781 Writs of lands of Easter Holhouse [Holehouse] or Burnside in parish of Denny and sheriffdom of Stirling, disposed by Alexander Johnstoun [Johnston] of Holhouse [Holehouse], with consent of Agnes Cuthill, his mother, to Mr William Oswald, schoolmaster and writer in Kirkintilloch; disposed by him to Mark Scot [Scott] in Haystoun [Hayston], portioner of Easter Balgrochan; disposed by him, now of Wardhill, to Andrew Oswald, tenant in Powside, and Helen Hay, his spouse; disposed by them to William Morehead [Muirhead] of Herbertshire. (7 items)
- A727.4066 1731-1836 Writs of that part of lands of Castlerankine called Parkhill in barony of South Herbertshire, parish of Denny and sheriffdom of Stirling, acquired by John Gentles, portioner of Castlerankine, as heir to deceased William Gentleman [Gentleman], portioner thereof, his grandfather; disposed by John to William Gentles, tenant in Gateside, to whom William Stirling of Herbertshire disposes the teinds of Parkhill; disposed by William Gentles to John Aitken, portioner of Rashiehill, in liferent, and John Aitken, his second son, in fee; disposed by John Aitken [elder] to William Morehead [Muirhead] of Herbertshire; resigned by deceased William Morehead of Herbertshire in favour of Rev Dr Robert Morehead. Note that the lands were sold in 1908.
- A727.4067 1739-1793 Writs of parts of lands of East and West Borland, part acquired by Alexander Young, portioner of Denny, as heir to Robert Young, portioner thereof, his grandfather, and disposed by Alexander to John Cuthill, portioner of Burnfoot; part disposed by Adam Russell, tenant in Gunnershaw, to said John Cuthill;

- the whole acquired by Patrick Cuthill, baker in Paisley, as heir to said John. (9 items)
- A727.4068 1748-1781 Writs of lands of Custonhall [Custon Hall] and Torbrex in parish of Denny and sheriffdom of Stirling, granted to John Bruce, portioner of Borland and tenant in Broomhill, as heir to James Bruce, portioner of West Borland; disposed by John Bruce and Isobel Taylor, his spouse, to James Bruce, their son; disposed by him to William Morehead [Muirhead] of Herbertshire. (6 items)
- A727.4069 1752-1772 Writs of part of lands of Macmurrah and Smiddiehill [Smiddyhill] in parish of Denny and sheriffdom of Stirling, disposed by David Finlay [Findlay] of Boogside [Bogside] to Mark Scott of Wardhill; and disposed by him with consent of Nicol Baird at Carron to William Morehead [Muirhead] of Herbertshire. (3 items)
- A727.4070 1752-1789 Writs of 11s lands of Stonywood [Stoneywood] and 20d lands of Macmurroch, disposed by David Finlay [Findlay] of Bogside to Thomas Johnstoun [Johnston] of Holehouse; disposed by him to John Johnstone [Johnston], his son, later distiller at Hall of Stonywood [Stoneywood]; who granted heritable bond on lands to John Russell, tenant in Dykehead; the lands adjudged from Johnstone [Johnston] in favour of James Wright, writer in Stirling, and William Auchy, merchant in Falkirk, trustees for Johnstone's creditors; disposed by them to William Morehead [Muirhead] of Herbertshire. (15 items)
- A727.4071 06 Jun 1757 Disposition by William Muirhead of Burnhouse and others, to George Stirling of Herbertshire of the miln of Herbertshire in parish of Dunipace and sheriffdom of Stirling.
- A727.4072 1764-1771 Writs of 18s 6d lands of Stonywood [Stoneywood] in parish of Denny and sheriffdom of Stirling, acquired by Archibald Cuthill, portioner of Stonywood [Stoneywood], as heir to John Cuthill, portioner thereof, his brother ; disposed by Archibald to John Denovan, milner and farmer at Denovan Miln; and by him to William Morehead [Muirhead] of Herbertshire. (6 items)
- A727.4073 1768-1794 Writs of barony of Herbertshire in parishes of Denny and Dunipace and sheriffdom of Stirling:- Extract disposition by Dame Jean Stirling of Auchyle to William Morehead [Muirhead], of Cavendish Square, Westminster. Instrument of sasine following. Extract copy thereof. Crown charter of resignation in favour of Morehead [Muirhead] and heirs of his marriage with Isobel Lockhart. Instrument of sasine following. Copy and extract of deed of entail. Crown charter in favour of William Morehead [Muirhead] of Herbertshire, son of said William Morehead [Muirhead]. Instrument of sasine following. (9 items)
- A727.4074 11 Nov 1771 Extract instrument of resignation ad remanentiam by Robert Riddoch of Miltoun [Milton] with consent of Jean Benny [Bennie], his spouse, in hands of William Muirhead of Herbertshire of lands of Miltoun in parish of Dunipace and sheriffdom of Stirling. Recorded: PRS Stirling, Vol 23, f.122.
- A727.4075 1773 Inventory of writs, 1583-1773, including tacks, 1750-72, of estate of Denovan disposed by David Forrester of Denovan to John Johnstone [Johnston] of Hangingshaw.
- A727.4076 1774-1814 Writs of parts of lands of West Borland in parish of Denny and sheriffdom of Stirling acquired by Marion Cuthill, daughter of John Cuthill, sailor in Falkirk, as heir of deceased Thomas

A727.4077	15 Mar 1775-08 Apr 1775	Muirhead of Boreland; disponed by her, with consent of James Stiven [Stephen], merchant in Stirling, her spouse, to William Morehead [Muirhead] of Herbertshire; and confirmed by Charles Fleming of Biggar and Cumbernauld, superior, to William Morehead [Muirhead], son of said William. (6 items) Disposition by Adam Russell in Gunnershaw, portioner of East Boreland, to William Morehead [Muirhead] of Herbertshire of ridges of land in Haughs of Denny. Instrument of sasine following. (2 items) 4078 1775-81 Writs of parts of lands of Easter Gairth in parish of Denny and sheriffdom of Stirling, disponed by James Hay, portioner of Easter Gairth, to William Morehead [Muirhead] of Herbertshire. (4 items)
A727.4079	15 May 1781-12 Jun 1781	Writs of 4s land in East Boreland acquired by David Young, son of deceased James Young, blacksmith in Denny, as heir of deceased David Cuthill, portioner of East Bordland, his grandfather, and disponed by David Young to William Morehead [Muirhead] of Herbertshire. (4 items)
A727.4080	19 Apr 1782	Charter of confirmation by Lady Clementina Fleming of Biggar and Cumbernauld to William Morehead [Muirhead] of Herbertshire of various lands in parish of Denny and sheriffdom of Stirling.
A727.4081	1788-1836	Writs of part of lands of Holehouse in parish of Denny and sheriffdom of Stirling, disponed by Thomas Johnston of Holehouse to William Morehead [Muirhead] of Herbertshire, confirmed to William Morehead [Muirhead], his grandson, and disponed by him to the trustees of the late William Forbes of Callendar. (6 items)
A727.4082	1790-1836	Writs concerning an annual rent on the barony of Herbertshire granted by William Morehead [Muirhead] of Herbertshire to Dr Peter Spence sometime of Charlestown, South Carolina [U.S.A.], disponed and assigned by his testamentary trustees to Josiah Maxton, saddler in Edinburgh, confirmed to John Maxton, merchant in Leith, his son, and discharged and renounced by him to the trustees of late William Morehead [Muirhead] of Herbertshire. (14 items)
A727.4083	1793-1814	Writs of piece of ground in parish of Denny and sheriffdom of Stirling disponed by William Muirhead, wright in Denny, to William Morehead [Muirhead] of Herbertshire and confirmed to his son. (4 items)
A727.4084	25 Sep 1795	Instrument of sasine in favour of Marianne Brown, daughter of deceased Thomas Brown of Langside and spouse of William Morehead [Muirhead] of Herbertshire, of parts of barony of Herbertshire in liferent following on her contract of marriage.
A727.4085	1795-1810	Decreet of sale in favour of William Morehead [Muirhead] of Herbertshire of teinds of lands in parish of Denny; and subsequent writs. (8 items)
A727.4086	10 Aug 1801	Copy of notarial copy of agreement between William Morehead [Muirhead] of Herbertshire, Archibald Napier of Randolphill [Randolph Hill] and John Reid of Bonnymill to build a dam dyke across River Carron above Tamacre.
A727.4087	1804-1832	Writs of lands of Bankend and Edgeface in barony of Dunipace and sheriffdom of Stirling - charter of confirmation by Robert Spottiswoode [Spottiswood] of Dunipace to James Raymond Johnstone [Johnston] of Alva, advocate, and precept of clare

		constat in favour of James Johnstone of Alva, his son. Note concerning these writs, 1910. (3 items)
A727.4088	28 Dec 1807-04 Jan 1808	Charter of resignation by Charles Fleeming [Fleming] of Biggar and Cumbernauld to William Morehead [Muirhead], son of deceased William Morehead [Muirhead] of Herbertshire, and heirs of entail, of various lands in parish of Denny and sheriffdom of Stirling, resigned by said deceased William. Instrument of sasine following. (2 items)
A727.4089	1813-1815	Act for settling and securing the lands of West Boreland and others in the county of Stirling in favour of William Morehead [Muirhead] and a series of heirs by a deed of entail made by William Morehead [Muirhead], deceased, and for vesting in lieu thereof parts of barony of Herbertshire in trustees nominated by said William Morehead [Muirhead], deceased. Subsequent writs fulfilling the Act. The Act has schedule of the lands, naming possessors. (9 items)
A727.4090	1815-1816	Writs concerning excambions between Charles Fleming of Biggar and Cumbernauld and William Gray of Oxcgang and between William Morehead [Muirhead] of Herbertshire and Neil and Charles Carnie, merchants in Glasgow, respecting the mill and mill lands of Denny. Plan, see RHP.48944. (6 items)
A727.4091	05 Oct 1818	Writs of 3 roods of lands of Lodgehill in parish of Denny and sheriffdom of Stirling, disponded by Alexander Marshall at Dryburgh to Captain John Amory at Denny Brewery and disponded by him to William Morehead [Muirhead] of Herbertshire in excambion. (4 items)
A727.4092	16 Oct 1826-23 Dec 1826	Notarial copy of contract of excambion between William Morehead [Muirhead] of Herbertshire and trustee in sequestration of Dr William Dun Nelson, physician and merchant at Broompark near Denny, whereby Morehead [Muirhead] exchanges parts of lands of West Boreland for three acres of lands of Hydes in parish of Denny and sheriffdom of Stirling. Subsequent writs. (4 items)
A727.4093	1827-1833	Discharges by Margaret Brown of Croftfoot, James Thomas Wingate, son of deceased Thomas Wingate, writer in Stirling, and the trustee in sequestration of Archibald Cuthill, writer and builder in Glasgow, to Harry Harmood at Reading as executor and general disponee of deceased James Henry Oswald of Dryburgh. (3 items)
A727.4094	1827-1836	Writs of ground at West Borland in parish of Denny and sheriffdom of Stirling, disponded by Marion Cuthill in Glasgow, relict of James Stiven [Stephen], manufacturer in Stirling, to William Morehead [Muirhead] of Herbertshire, and confirmed to William Morehead [Muirhead], his son. Endorsement that the ground is that on which the Burgher meeting house is erected at Denny. (4 items)
A727.4095	27 Nov 1832	Extract supplementary trust deed by William Morehead [Muirhead] of Herbertshire respecting the sale of estate of Herbertshire to Rev Dr Robert Morehead [Muirhead], his brother.
A727.4096	1835-1836	Inventories of title deeds of barony of Herbertshire, 1687-1836. (3 items)
A727.4097	1835-1836	Charters of adjudication to Rev Dr Robert Morehead [Muirhead], rector of Easington in Yorkshire, formerly minister of St Paul's

		Episcopal Chapel, York Place, Edinburgh, of barony of Herbertshire and other lands in sheriffdom of Stirling, adjudged from William Morehead [Muirhead], son of deceased William Morehead [Muirhead] of Herbertshire. Instruments of sasine and other writs following. (8 items)
A727.4098	1836-1839	Extract disposition by Rev Dr Robert Morehead [Muirhead], rector of Easington in Yorkshire, to trustees of deceased William Forbes of Callendar of barony of Herbertshire. Subsequent writs. (5 items)
A727.4099	1839-1841	Extract disposition by James Johnstone [Johnston] of Alva to William Forbes of Callendar of lands of Denovan and others, parts of barony of Herbertshire in parish of Dunipace and sheriffdom of Stirling. Subsequent writs, including inventory of title deeds from 1773. (4 items)
A727.4100	1853	Inventory of titles of lands of Stonywood [Stoneywood], 1752-1853.
A727.4101	28 Jun 1854	Extract submission and decret arbitral between Robert Weir of Randolph Hill and Drums and William Forbes of Callendar MP concerning water running through the lands of Myothill in parish of Denny. Registered: B of C & S, 30 October 1854.
A727.4102	1855-1863	Notes concerning Herbertshire writs borrowed from William Forbes WS. (3 items)
A727.4103	1858-1859	Memorial for William Forbes of Callendar concerning interference with spring water at Herbertshire by mineral workings. Related papers. (4 items)
A727.4104	1858-1860	Inventories of title deeds, 1839-59, of lands of Denovan. (2 items)
A727.4105	1885	Description of Herbertshire superiorities.
A727.4106	24 Jan 1889	Closed record in causa William Forbes of Callendar against Robert Addie [Eadie] & Sons, iron and coal masters in Glasgow and Langloan, and others, for payment of rent of ironstone under parts of estate of Herbertshire.
A727.4107	30 May 1928	Memorandum on causes of relief from rates in certain contracts of feu of lands in Herbertshire estate.