

The Feudal Land Divisions of Denny and Dunipace

Part 2

John Reid

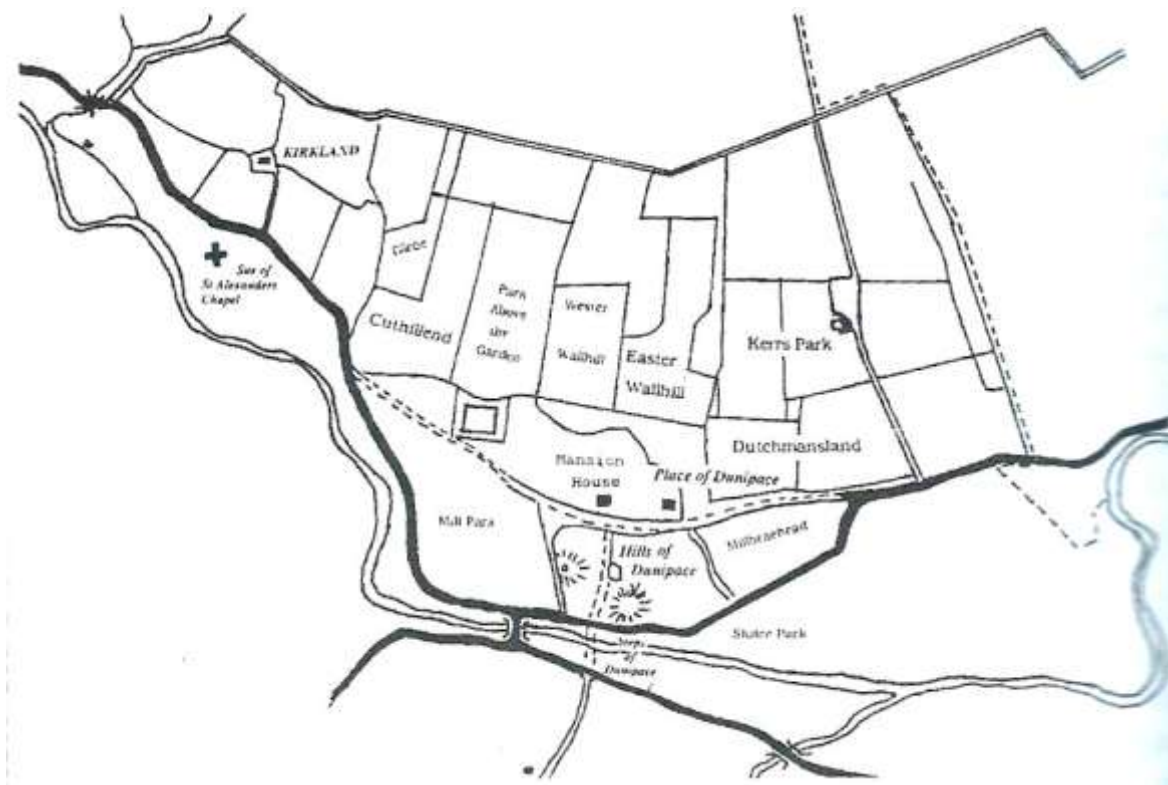
Dunipace is one of the few outlying areas of Falkirk District to have enjoyed the advantage of having an in-depth history written for it. Its author, John C. Gibson, is held in high regard by those who have followed in his footsteps. His main interest was, without doubt, genealogical and while this is an important aspect and one which it is hoped has not been neglected here, emphasis is given in this interpretation to other aspects of the lands. The greatest pleasure in bringing this contribution to fruition would be to have it seen as complimentary to Gibson's "The Lands and Laids of Larbert and Dunipace".



The Principal Divisions of Dunipace Parish

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The nucleus of the estate and barony of Livingston-Dunipace was formed in the twelfth century when the Abbey of Cambuskenneth took possession of lands lying in Dunipace. Several parcels of land, all apparently more or less adjacent, were acquired by the Abbey over a period of time. For instance, sometime around 1200 Malcolm, thane of Callendar and John [Morham ?] of Stenhouse were among those who witnessed a charter confirming a gift of land by Gilbert de Umfraville to the Abbey. The tenor of part of the charter reads:

“half a ploughgate of land in my territory of Dunypais, with toft and croft thereof with a house situated in a suitable place, specifically two oxgangs of land lying adjacent to the east side of the chapel lands and two oxgangs on the other side of the water, beginning at Louchbank and continuing westwards to Floors.”

Most likely it was these four oxengates which were the subject of a dispute sometime around 1398. At that time the overlord of Herbertshire was the Earl of Douglas and he sat as judge at an arbitration held at the Court Hill of Herbertshire when the Abbot of Cambuskenneth contested the occupancy of the *“four oxengates within and without the town of Dunipace”* by John Kerr. This would suggest that Kerr claimed to hold the land by feu, wadset or even by kindly tenancy, all of which could be hereditary. However, after an inspection of the relevant charters, Kerr was ordered to leave. His son, also named John, re-opened the matter about thirty years later but had no more success than his father.¹ For the present purpose, the suspicion of injustice felt here is outweighed by the indications that, for whatever reason, some at least of Cambuskenneth's holdings had been placed outwith their direct control; despite the fact that in that early period both the crown and the papacy frowned upon the feuing of land, or any other means of disposal. Evidence shows that, despite such disapproval, transactions of this kind were taking place. The property which was the subject of that enquiry was probably that known as 'Kerr's Land' which for many centuries later was in the Dunipace Livingstons' possession.

As stated at the outset, it was largely Abbey lands such as these which were to form the nucleus of the estate of Dunipace under the lairdship of the Livingstons. There is evidence which indicates that several Cambuskenneth holdings in Dunipace may have been in the hands of others before they came to be held by the family. There were other lands, both adjacent and further afield, which were added to the estate over a period of years.

Alexander Livingston of Dunipace, who flourished at the turn of the fifteenth and sixteenth centuries and who was granted a charter by Henry, Abbot of Cambuskenneth, of the lands of Dunipace and St Alexander's Chapel in 1495 is usually held to be the first laird of Dunipace.² Evidently he was not: in a letter written in 1558, his son relates that the four oxengates of Kirkland, the principal Cambuskenneth property there, *“were got as feus by my grandfather”*.³ To this must be added the fact that in 1467 Walter Stewart of Morphy granted a charter to *“Alexander Levingstoun, indweller in Donypace”*.⁴ This was in respect of 8 acres of the lands of Quarrell, a parcel of land which, although detached from Dunipace, was to remain with the family for generations and so it may be inferred that he was an ancestor of the Dunipace Livingstons and, in all likelihood, the father of Alexander of 1495 and that the latter was at least the second successive owner of the estate.

Among the contemporaries of the earlier Alexander was Malcolm Forrester of Torwood and he held lands in Dunipace. In 1475 he bought two merklands there from Richard Porteous, Lord of Verngersland and 'heir of the deceased Helen Vergyne, his grandmother'. These lay on the east side of the 'town of Donipace'. Two years later we find *“Anent pruf assigned to Malcolm Forrester of the Torwood to pruf that the land of Dunypas yat he gaf to Elizabeth Erth war worth sex merkis zerly*

before and in the time yat he maid ye gift of thaim to hir".⁵ Oliver Sinclair of Roslyn, the superior of Herbertshire and therefore overlord of all the lands of Dunipace, confirmed Malcolm's right in 1482 to two oxgangs of land there.⁶ Evidently, Malcolm's tenure of his Dunipace lands was not free of difficulty: when his son James attempted to have his father's rights to these confirmed by his feudal overlord, Sir Oliver Sinclair of Roslyn, he was clearly snubbed by the knight and temporarily frustrated in his quest.⁷ It would seem that several of the Forrester's holdings in Dunipace came to be possessed by the cadet branch of Forrester of Bantaskine. Malcolm of Bantaskine died in 1498 and was succeeded by his son Henry.⁸ Malcolm of Torwood had also died by then and his lands were then owned by his son, Duncan. Henry of Bantaskine, in 1501, confirmed David Livingston, son of Alexander, in his possession of lands in Mungall and so began another local cadet house, that of Livingston of Bantaskine.⁹

During the early years of the sixteenth century, we can see the Forrester family relinquishing their Dunipace holdings in favour of the feudal superiors: the Sinclairs of Roslyn. Among these were 2 oxengates known as Dunmore's Lands, which, it is related, lay at "the west end of the town" and the two merk land called Porteous' Land situated 'at the east end of town'.¹⁰ It is important to understand that the frequent mention of the 'town' or 'town of Dunipace' refers to the township which lay close to the Hills of Dunipace and not to the modern settlement which now bears the name 'Dunipace'. People other than the Forresters were also resigning lands in favour of the Sinclairs. Helen Murray granted a sasine to Sir Oliver Sinclair of the 40 shilling land of Dunipace in 1511.¹¹ Each of these lands: the "2 merk land of Dunipace called Portuus landis", the "2 oxgates there called Dunmuiris landis", the "3 merk landis there formerly belonging to Helen Murray", along with "3 merk lands called Crowthest", came into the ownership of the Livingstons.¹² They were added to the original 4 oxengates of Kirkland which had been acquired sometime in the mid-fifteenth century. Over and above these, by 1506, his descendant, Alexander, held an additional 9 'measures' (perticates) of land in Dunipace, which lands previously belonged to Herbert Stobney and which came to be known as 'Stobnesland' to successive generations of the family.¹³ These lands are described as 'lying on the west side of Rid Lonyng' might be interpreted as being the road which led down to the ford of Dunipace. In 1522 the family took possession of 3 roods of the lands of Dunipace which had been resigned by Walter Forrester of Torwood.¹⁴ This land lay at the east end of the township of Dunipace and the relevant charter is endorsed "*Chartour quhairupone the place is situat*". We may infer from this that the 'place', that is the tower house of Dunipace, was built shortly after the acquisition of this parcel of land. The lands actually lying at Dunipace are precisely enumerated by a later Alexander when, in 1588, he wrote a letter to his son defining the extent of the estate.¹⁵ It is described in a later transcript as "*Information be Mr Alexander Lewingstone to his sone Johne of ye marches of Donypace*". Translated from the archaic vernacular, it reads:

"Concerning my lands of Dunipace – I use the Greens and Offers as my heritable property by reason that my father took them into cultivation from the common muir and have been so held until this present day. For this reason 4 merks must be paid yearly, if notified, to the Lord of Roslynn. You may continue to use the land until such time as it is formally divided (although this will not be soon) provided

that you maintain good fellowship with your friends and take every opportunity to be on good terms with the Lord of Roslyn [the superior of the Dunipace lands]

“Concerning David Henderson’s room of land in the west end of the town of Dunipace. It is rightfully my toft. And the Lord of Roslyn has given, by charter and sasine, my two oxengates of land which lie at the west end of the town of Dunipace. I have never seen these lands delineated other than by charter but, should any question concerning their bounds arise, it should be understood that they extend as far as the west cross and, should they prove to be insufficient to complete the extent of two oxgates then according to the charter, the shortfall should be made up to the legal extent from the remainder of Headshaugh.

“The number of oxengates of land in Dunipace which I own and from whom they were originally purchased.

“Drumore’s lands and Porteous’ lands, otherwise called ‘the Six Merk Lands’, are four oxengates of land, the greater part of which lies in the east haugh – called the Bogton haugh – and which are lying detached from our other lands. It is to be noted that one part of the lands, near to where the lands of Broomage begin, is now on the Dunipace side [of the River Carron] as a result of a change in the course of the river. The men of Bogton who told me of this will show you where the boundaries are. These lands were originally obtained as a tack and thereafter bought from Henry Sinclair.

“Murray’s lands are two oxengates occupied by George Forsyth which lie runrig with the lands of John Gilmore and Robert Sclanders. They lie in the west corner of the Place of Dunipace [the tower house], across the outfield lands on the right side of the Place of Dunipace. These lands were bought from Mr Henry Sinclair.

“The two oxengates which lie at the west end of the town of Dunipace were occupied ‘pro indiviso’. It was also bought from Mr Henry Sinclair.

“Half an oxengate called Stobney’s land lying below Roughmute on the one side, to the north of David Henderson’s toft on the other, and the back of George Henderson’s house on the third side. George Henderson’s toft and Stobney’s land toft were bought by my father from [Harvie?] who left the country

“The four oxengates of Kirkland got as feus by my grandfather lying for the best part in the haugh nearest to Greendyke beside the clerk’s lands in which Monteith formerly dwelt and now occupied by Andrew Dick.

“The clerk has three butts of land at the end of my dovecote.

“My charter provides for a share of the common moor proportionate to the following lands: Porteous’ lands, Drumore’s lands, Murray’s lands, the two oxengates at the west end of the town of Dunipace and Stobney’s lands. As for the Greens and Offers, these I hold of Roslyn of blenche and have used them so within living memory.

“As to the Kirkland, there is a perambulation which I delivered to you which indicates the relevant commonity and if, as you fear, the document is in some way inaccessible, then obtain a copy from the Sheriff’s Books for the year 1508”

Therefore in 1588 the estate contained the following: Drumore’s lands and Porteous’ lands, Murray’s lands, the two oxengates which lie at the west end of the town of Dunipace, Stobney’s land, four oxengates of Kirkland, Greens and Offers. It is worth noting that some of these, according to Livingston’s descriptions, lie to the south of the River Carron: this would explain why a portion of land on the Bonnybridge side which geographically should belong to Denny parish, lying contiguous with the estate and directly opposite to the site of the mansion, is part of the parish of Dunipace. Further additions were to come: by exchanging some of their lands in 1559 with Mr Henry Sinclair, Dean of Glasgow and, presumably, a member of the Roslyn family, a third of the lands of Little Denovan also became part of the Dunipace property.¹⁶ Sir James Forrester of Garden infefted John Livingston of Dunipace in 1604 in the lands of Howishill, Hewishill and Ryeflat.¹⁷ Another property which belonged to the estate was the Haugh of Heads and it is evident from a perambulation of these lands that they were in the family’s possession in 1609.¹⁸

As well as the 8 acres of Quarrell noted above, the Livingstons of Dunipace owned other substantial holdings detached from Dunipace. In 1497 Alexander bought two parts of the lands of Seabegs with the mill of Seabegs from Alexander Straton of Straton.¹⁹ Although some difficulties appear to have been envisaged in the finances of this transaction, it is evident that the sale was brought to fruition as a crown charter for these lands was granted in Alexander’s favour in 1506.²⁰ This was obviously a period of prosperity for him; a state which is reflected in the further expansion of his estate when, in 1507, he acquired the lands and barony of Plean from James Livingston of Manerston.²¹ Alexander and his wife, Alison Gourlay, purchased the lands of Tulliallan from John Blackadder of Tulliallan in 1521.²² Mr Alexander of Felde, their son, acquired the lands of Perthshire from which he took his designation in 1516.²³ Ten years later, Alexander the younger bought the lands of Ballenbreich in Muiravonside parish from Archibald Crawford of Haining.²⁴ His ownership of Felde was transferred to John, his son and heir apparent, upon the latter’s marriage to Margaret Elphingstone.²⁵ When David Livingston succeeded to the estate in 1620, he received the customary crown charter which specified all of the lands, both those lying in Dunipace as well as those remote from there.²⁶ The relevant part reads:

“The King consents to the infeftment of David Levingstoun of Donypace, his heirs etc., in the lands and barony of Seybegis and Craigis ...,- lands of Donypace with the castle, manor place and pertinent comprehending lands called Murrayislandis, the Fyvemerkland, Offiris, Grenes, Keirisland of Donypace, Strobuesland,

Portueslandis, Entebaid, Dummoiris landis, all being lands of Donypace, lands of Crawnst which pertained formerly to the late John Chapnai and now possessed by the said David, lands of Househill and Howieshill, and the Hauch lands of Heidis from the north east side of the water of Carroun to the Cuthill-burne at Dunipace (formerly occupied by William Baird and John Cuthill in Heidis), a remnant [reliquo] of the said haugh bounded by William Sinclair of Roslyng on the other side of the said water [RMS viii, 1770 gives: 'bounded by the marche-stanes and pittis located by William Sinclair of Rosling] a third part of Little Dennoven (occupied by the said David) with the muris thereof on the north side of the said water, 8 acres in the lands of Querrell and Skaithmure (possessed by the said David) with the contents &c., in the barony of Herbertshire."

David was a direct descendent of Alexander Livingston who feued the four oxgangs of Kirkland in the sixteenth century. His son, also called Alexander, the one who received a charter from Cambuskenneth in 1495, had at least 2 sons. The elder of these was David who, it will be recalled, took possession of lands belonging to Forrester of Bantaskine and founded the cadet house of Livingston of Bantaskine. He died before his father and for some unknown reason his children did not succeed to Dunipace; the principal estate went instead to another of Alexander's sons, Alexander Livingston, an advocate and so distinguished as 'Mr Alexander'.

Before succeeding to Dunipace, Mr Alexander held the lands of Felde in Perthshire, which he had acquired in 1516 and from which he took the earlier title 'of Felde'.²⁷ During his middle and later life, he became a man of power and influence, serving as Director of Chancery before being created an Extraordinary Lord of Session, whereupon he took the title of Lord Dunipace. His wife, Elizabeth Hepburn, gave him several legitimate children to add to his four natural sons. The eldest of the legitimate children, James, died young and so the second son, John, became laird of Dunipace in 1561.²⁸ It was he who was the recipient of the letter mentioned above. He married Margaret Elphinstone and together they had a large family. The estate fell to their eldest son, John, sometime around 1598.

Young John's life was not without incident. In 1583 he was granted a remission by the crown for his part in the Ruthven Raid.²⁹ He was in further trouble in the following year when Alexander Livingston, apparent of Callendar, was granted the escheat of his goods when John was 'put to the horn' for failing to appear before the Privy council "*to answer sic thingis as sould have bene inquyrit of him at his cumming*".³⁰ John had several children, one of whom became a figure of some notoriety: his daughter Jean murdered her husband, Kincaid of Warriston! She alleged she had been driven by fear and terror to take this step. She was tried, found guilty, sentenced to death and was beheaded by 'the maiden'. Her nurse and coachman, both of whom had been induced to help her in her gory task, also suffered death by execution. Two of Jean's brothers died before their father and it was David, the third son, who succeeded John.

David married Barbara Forrester, sister of Sir James Forrester of Garden. David, it would seem, was a man of pretensions: he was involved in the acquisition of significant properties, including a thousand acres in Nova Scotia and was created

a Baronet. A charter to this effect was granted in 1625 within which the king *"incorporates [the lands] in the free barony and regality of Levingstoun-Donypace"*.³¹ Perhaps it might be viewed as ironic that it should be David, to all intents and purposes, the last of the Livingston incumbents of the estate, who succeeded in raising Dunipace to the status of barony. His abilities, however, did not match his pretensions and his profligate lifestyle led to enormous debts from which, after his death, his son John had to seek royal protection.³² Evidently, the estate was beyond redemption and in 1634 John had to sell it to Lord Robert Spottiswood of Newabbey.³³

Having acquired the lands, Spottiswood almost immediately used them as collateral to raise a loan from an Edinburgh advocate, Mr James Aikenhead. For the next nine years he tried to clear the outstanding debts on the estate but by 1643 he was in a state of profound financial difficulty and he disposed of Dunipace absolutely to Aikenhead, who thereupon took the title "of Dunipace". Three years later, Aikenhead and his wife, Marie Bothwell, sold the lands to James, Earl of Callendar.³⁴ James was at the height of his powers at that time and was expanding his land holdings. In 1653, Earl James conveyed the estate to Sir Thomas Nicolson of Carnock and his wife, Dame Margaret Livingston.³⁵ It is possible that this may have been part of a marriage settlement. Sir Thomas was succeeded in 1664 by his son, also called Thomas.³⁶ The younger Thomas, who was still in his minority at the time, sold Dunipace to William Murray of Longhermiston, second son of Patrick, Lord Elibank, who promptly adopted the title "of Dunipace".³⁷ Murray remained laird of Dunipace from 1665 until 1677, in which year he disposed of the lands in favour of Sir Archibald Primrose of Carinton in life-rent and Sir Archibald Foulis, the eldest son of John Foulis of Ravelston, as fiar.³⁸

Archibald Foulis was married to Margaret, daughter and heir of Foulis of Ravelston and by then he had taken the name "Archibald Primrose" to allow his father-in-law's name to be perpetuated. As indeed it was: the eldest son of Archibald and Margaret was named Archibald Primrose and he succeeded to Dunipace. The first part of his life must have been idyllic: being raised in such beautiful surroundings, having more than modest prospects, marrying and fathering several children. Little could he have dreamed of the horrendous end which was to befall him; a nightmare born largely of the fact that his estate contained an important crossing of the River Carron. When the Jacobite army retreated from England in 1746, their route took them through Glasgow before adopting the tactic used so often before by Scottish armies of lying in the Torwood area with the Carron giving a degree of protection. The house of Dunipace was commandeered by Charles Edward Stewart's officers and Primrose was persuaded to aid and abet their plans. When it was decided to occupy the south muir of Falkirk and give battle there, the Jacobite army marched from their encampment on Plean Muir by way of Torwood and then through the lands of Dunipace before crossing the Carron at the ford which lay a little way below Sir Archibald's house. At the end of that fateful day, it was to that very house that many of the Jacobite officers took shelter, not knowing that, in fact, their prince and his commanders had taken possession of the town of Falkirk. Because of his part in the rising, despite his lack of enthusiasm for the cause, he was executed by the Hanoverian Government.³⁹



The Mansion of Dunipace (destroyed by fire in 1897)

Dunipace was sequestered and administered for a few years by a factor appointed by the Court of Session before being sold by roup in 1754. It was bought by James Spottiswood, described as a merchant and “lately of Jamaica”. For some unknown reason he gifted an annuity of 20,000 merks, about £13,000 Scots, to the daughters of Sir Archibald Primrose and John Foulis, brother of the late Sir Archibald.⁴⁰ It is possible that he was a descendant of Lord Robert Spottiswood of Newabbey who, it will be recalled, held the estate during the first half of the previous century. He was to establish a dynasty which, after a century of the possessors of the estate going from pillar to post, was to have a degree of continuity.

The beginnings were not auspicious: a series of tragic circumstances were to lead to five of Spottiswoods’s sons, in turn, becoming laird of Dunipace. The oldest of these, John, died very soon after his father and his place was taken by James, the second son.⁴¹ His stewardship was short: a mere five years. William, the next brother in line, at the time of his succession was sailing on board a ship of the East India Company captained by his younger brother, Robert. The ship was attacked by a French privateer who had superior fire power and, despite defending the East Indiaman for one and a half hours, the British ship was boarded and captured. In the course of the action, William was fatally wounded.⁴² This meant that Robert fell heir to the estate but, in the following year, he too died.⁴³ And so, yet another brother came to be laird. This was Thomas who, at the time of his brother’s death, was serving with the East India Company in Bengal.⁴⁴ According to Gibson, he was married to Elizabeth Allan but a surviving marriage contract shows him to have been betrothed to Maria Allan of “the town of Calcutta at Fort William in Bengal”.⁴⁵ He and his wife had only one child, Elizabeth, who took possession of Dunipace upon his death in 1837. Elizabeth married John Harvie Brown of Quarter and it was their son, John Alexander Harvie-Brown, who carried Dunipace into the twentieth century.⁴⁶

Today, the lands are divided amongst several farmers and the estate no longer exists. All that remains of the former grandeur is a little turret, latterly used as a dovecote but which in reality is the last vestige of the ancient baronial tower-house known as ‘the place of Dunipace’ built, apparently, by Alexander Livingston in the sixteenth century. The later mansion house of Dunipace, begun by James Spottiswood in the eighteenth century and built in the Georgian style, was destroyed by fire in 1897 and no part of it remains.

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NOTES : The Barony of Livingston-Dunipace

- 1 *Cartulary of Cambuskenneth*
- 2 Scottish Records Office, GD1/529/6
- 3 ibid GD1/529/47
- 4 ibid GD65/7
- 5 *Acta Dominorum Concilii* i page 73
- 6 *Abstract of the Protocol Book of the Burgh of Stirling* 1469-84
- 7 Reid, J., [Calatria 8, page 21](#) (page 43 in hard copy)
- 8 Scottish Records Office, GD1/529/10
- 9 ibid GD1/529/1.7
- 10 ibid GD1/529/1.14-15
- 11 ibid GD1/529/1.16
- 12 ibid GD1/529/36
- 13 ibid GD1/529/1.10
- 14 ibid GD1/529/32
- 15 ibid GD1/529/47
- 16 ibid GD1/529/48
- 17 ibid GD1/529/53
- 18 ibid GD1/529/56
- 19 *Protocol Book of James Young 1485-1515*, Scottish Records Society, Edinburgh 1952
- 20 *Register of the Great Seal of Scotland* ii 3013
- 21 ibid ii 3090
- 22 ibid iii 212
- 23 ibid iii 125
- 24 ibid iii 1193
- 25 ibid iv 693
- 26 ibid vii 2134
- 27 ibid ii 125
- 28 Gibson, J. *The Lands and Lairds of Dunipace*
- 29 *The Register of the Privy Seal of Scotland* viii, 1527
- 30 ibid viii 2012
- 31 ibid viii 797
- 32 ibid, ix 56
- 33 ibid ix 180
- 34 ibid ix 1690
- 35 Scottish Records Office, GD1/529/155
- 36 ibid, GD1/529/171
- 37 ibid, GD1/529/173
- 38 ibid, GD1/529/2
- 39 Bailey, G.B., *Falkirk or Paradise*, Edinburgh 1995
- 40 Scottish Records Office, GD1/529/273
- 41 ibid, GD1/529/286
- 42 ibid, GD1/529/288
- 43 ibid, GD1/529/264
- 44 ibid, GD1/529/290
- 45 ibid, GD1/529/266
- 46 ibid, GD1/529/302

KIRKLAND

When Robert Bruce, king of Scotland, died his remains were carried from Dumbarton over the Campsie Hills into Strath Carron and then down towards Stirling. Before being taken to Cambuskenneth and then to Dunfermline, his corpse lay for the night in the Chapel of Dunipace.¹ It was not, if tradition be true, the first occasion that the Bruce had visited there for Henry the Minstrel tells us that, late on the day and in the aftermath of the disastrous battle of Falkirk, Wallace and Bruce met.² He reports that they discussed at length the peril that had befallen Scotland. As darkness fell, Bruce brought the conversation to an end:

*“Wallace, he said, it prochys ner the nycht,
Wald throw to morn, quhen that day is hycht,
Or nyn of bell, meit me at this chapel,
Be Dunypass, I wald haiff your consell.”*

The chapel of their intended tryst lay within Kirkland of Dunipace and vestiges of it were still visible in 1723.³ The lands of Kirkland had belonged to the abbey of Cambuskenneth from the twelfth century: in 1190 two clerics, Roger, prior of Manuel and Elia, clerk of Dunipace, were among those who witnessed a gift of two oxgangs of land in Dunipace to the abbot and convent of Cambuskenneth by Gilbert de Umphraville, overlord of the lands. The bounds of the land gifted are defined thus:

“the western side lies by the stream which descends by the three stones and continues to the brow of the Hill of St Alexander and so continuing all the way from the summit of the hill to the chapel of St Alexander.”

Kirkland remained with Cambuskenneth until feued by the Livingstons of Dunipace in the fifteenth century. It is tated that, when first feued, their extent was 4 oxgangs. This is reinforced in 1643 when they appear as “4 bovates vocat. terras ecclesiaticas de Donypace”. When Alexander Livingston of Dunipace inherited this property in 1582, they were described as ‘the lands of the chapel of Saint Alexander’ and they included ‘the little wood called Saint Alexanders Cuthill with Cuthillbrae’. To this day, one of the fields of Kirkland is called ‘Cuthellend’. Close to the road-end of Kirkland Farm is a well known as St Alchenter’s Well, that is ‘St Alexander’s Well’. Anciently, it was held to be a spa with power to cure several conditions.⁴

Several generations of ‘Livingstons of Kirkland’ are recorded. Traditionally the heir apparent of a landed house would be granted a parcel of land during his adult years prior to succeeding to the principal estate. At Dunipace it would seem that apparent’s portion was, customarily, Kirkland. As was often the case, from this custom a cadet house would arise and this appears to have been so in this instance, with the incumbents designed as ‘of Kirkland’. Earliest of these recorded was ‘Thomas Levingstoun of Kirklandis’ in 1554.⁵ Almost a century elapses before the branch re-emerges in the form of John Livingston of Kirkland in 1648. John, who died before 1682, was married to Jean Monteith and they had at least three children, William, John and Margaret.⁶ His brother Robert was one of the Baillie-deputes of the barony of Falkirk and Callendar.⁷ John, along with his eldest son, William, was Baillie of the barony of Seabegs. His second son, John, married Margaret Young.

As well as holding the lands of Kirkland, John the elder and his sons were actively engaged in other activities. The younger John was '*fermeror*', that is tacksman, of Larbert mill. William, who married Marion Carmichael, over and above his role of Baillie of Seabegs, also became a Baillie-depute of Falkirk and Callendar and was tacksman of the coalworks of Falkirk and of the mills of Callendar. He was still active in 1699.⁸

Mention is found of a few of the tenants of Kirkland in the seventeenth century. Robert Williamson and his wife Janet Bain were there in the early part of that century while, in the second half, we find David Muirhead with his wife, Janet Ford.⁹

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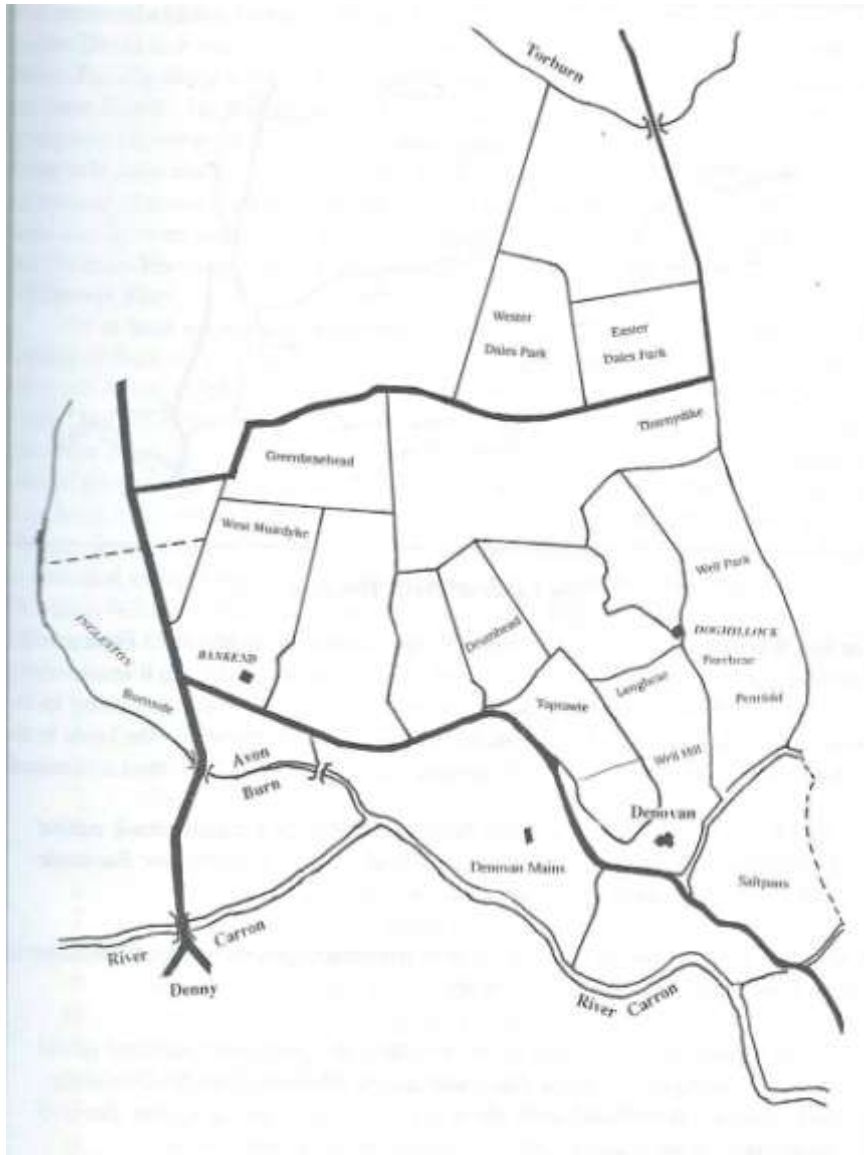
NOTES: Kirkland

- 1 Exchequer Rolls of Scotland
- 2 *The Wallace*, Book Tend v, 506
- 3 *Macfarlane's Geographical Collection*, i 332
- 4 Royal Commission for Ancient and Historical Monuments, Stirlingshire Inventory No. 541
- 5 Scottish Records Office GD1/529/41
- 6 Fraser, W., *Red Book of Menteith*
- 7 Records of the Baron Court Book of Callendar and Falkirk, Scottish Records Office, SC67/1
- 8 *ibid* i & ii
- 9 Commissariat Records of Stirlingshire

DENOVAN

Although this estate is known today simply as Denovan it is, in fact, correctly 'Little Denovan'. It is the lesser part of Denovan. The greater portion, Meikle Denovan, stretched from the Avon Burn (or Anchor Burn, or Louden's Burn, as it is known locally) and took in all of the lands westwards to the Buckie Burn. Little Denovan lies on the other side of the Avon Burn and marched on the east with the lands of Dunipace.

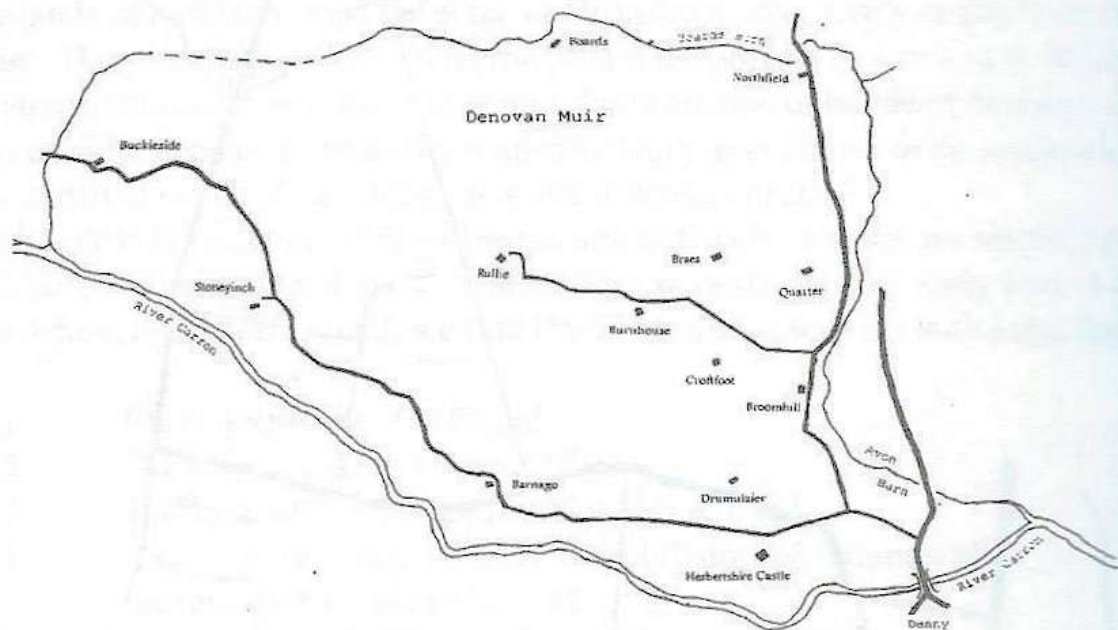
The earliest recovered record for the estate comes from the records of Cambuskenneth Abbey which notes in 1462, "Thomas Gardner of Littill Dunovane". However, it was evidently within the superiority of the barony of Herbertshire and it is from the various writs relating to that barony that most of the notices for Little Denovan appear. Having said that, from the records of the Livingstons of Dunipace we find that family in possession of a third part of Denovan in the mid-sixteenth century.



The Lands of Little Denovan

For the greater part, it is with the cadets of the Forresters of Garden that the estate was associated. Certainly by 1600, John Forrester, brother of Lord James Forrester of Garden, was designed 'of Littill Donovan'. He was married to Elizabeth Forrester and they had a son, David, who succeeded him. He died in 1608 and, it would seem, his son was still in his minority as the property is then described as being in the possession of his wife.¹ Nevertheless, David had certainly come into the lands in his own right by 1620.² The extent of his holding is described in 1635.³ It then comprised:

"the Orchard and Mains of Little Denovan, lands of Scrabtreebank called Doghillock and Burnside, the town and lands of Ingliston, Wester Burnside and Muirdykes, lands of Mossie and Thorns."



The Lands of Meikle Denovan

A sasine of 1701, in favour of a sub-feuer or portioner, gives a further breakdown of one of these lands into its parts.⁴ It reads:

“James Young in Greensbrae of all and hail the parts and portions of the lands of Burnsyde of Little Denovan called Bloodlett[rigs?], Greinbrae, Greinsaiker, Burnfauld with thrie parts off ffour parts of the [lang?] meikledyke in the muir of Little Denovan and tiends.”

There were subsequent David Forresters: one of these was married to Jean Cunningham who received a sasine for part of the lands in 1708.⁵ He was probably a grandson of the earlier David as it was quite common to have the eldest son named after his father's father. Equally likely was that Thomas Forrester who succeeded in 1733 was the son of the later David.⁶ He was a contemporary and neighbour of Archibald Primrose of Dunipace. However, they were not companions in arms at the time of the '45, for Sir Archibald came out for the Prince while Forrester rode with the Stirling Militia, a unit comprised of committed Hanoverians.⁷ Thomas was still alive in 1770.⁸ He seems to have died in or around 1772, when the estate fell to his only son, David.⁹ It would seem that Thomas Forrester, who was married to Ann Haldane, may have been the last of the lineage there.

Of at least equal interest are the people who tenanted or worked these lands. Several of these are on record. The earliest of these are William Robertson and his wife, Margaret Allan, who were in 'Little Denowan' in and around 1600. Margaret died in 1614.¹⁰ In 1650, Robert Muirhead is described as 'in Lytle Denovane'.¹¹ Multiple tenancies were the norm in those days and so it is not surprising to find the testaments of several people who were resident there within a limited period. Thomas Robertson may have been the son of William and Margaret.¹² John

Gilchrist, Robert Hanna, William Wilson, John Morrison, William Cousland and his wife, Christian Brown, are all recorded within a ten year period from 1662 to 1671.¹³ In the following decade John Morrison, William Cuthell, John Andrew and his wife, Elspeth Gilchrist, John Cousland with his wife, Christian Jaffrey and Robert Young and Janet Hardie, also husband and wife, were all indwellers there.¹⁴

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NOTES: Denovan

- 1 *Register of the Great Seal of Scotland* vi 1505
- 2 *ibid* vii 2134
- 3 *ibid* ix 431
- 4 Scottish Records Office, RS83.2.1.533
- 5 *ibid* RS83.12.2.305
- 6 *ibid* C2.94.60
- 7 I am indebted to Geoff Bailey for this information
- 8 Printed Register of Sasines
- 9 Scottish Records Office, C2.112,55
- 10 Commissariat Records of Stirlingshire
- 11 Falkirk Museum, FM a43.17
- 12 Commissariat Records of Stirlingshire
- 13 *ibid*
- 14 *ibid*: and Records of the Baron Court Book of Callendar and Falkirk, Scottish Records Office, SC67/2/16

BRAES

Standing high above the main road from Dunipace to Stirling lies the beautiful small mansion house of Braes. This was probably the smallest of the estates of Dunipace. The earliest record recovered for the place comes from 1510 but it is not until 1643 that we find the name Forrester appearing. Then, James Forrester 'of Brayis of Mekill Denoven' and Agnes Crawford, his spouse, registered a sasine of the lands.¹ They may have been responsible for building the house: a heraldic panel is built into the back wall, bearing the hunting horns of the Forresters, with the initials I F along with the mullets of the Crawfords with the initials A C. Braes seems to have remained with the family for the next century and a half; in 1704 John Forrester 'of Braes' took possession of "*all and hail part of the barony of Herbertshire called the Braes and Breadlies*".² He could not have survived long after this, however, as his testament is recorded in 1704.³ He was succeeded by James Forrester of Braes, who contracted a marriage with Susanna Cumming in 1708. As part of the pre-nuptial contract he infefted her in "*all and hail the just and equall half of his lands of Braes and Gartcosh in the barony of Herbertshire with commontie and sicklike in the said James' other lands called Broadlie*".⁴ Evidently James was still alive in 1760 when one of his servants, James Anderson, died.⁵ The last of the family to hold the lands, John Forrester, is described as 'late of Braes' upon his death in or around 1798.⁶

Of the tenants, the name which recurs is 'Young'. Thomas Young died around 1597.⁷ A Thomas Young who was probably his son departed this life a few years later in 1619.⁸ In the middle of the seventeenth century, Robert Young and his wife, Janet Young, were resident there, as was Margaret Young who was married to James Paterson in Wester Braes.⁹

NEXT : [Quarter](#)

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NOTES: Braes

- 1 Index Register of the Great Seal 1631-40
- 2 Scottish Records Office, RS83.2.11.206
- 3 Commissariat Records for Stirlingshire
- 4 Scottish Records Office, RS83.12.2.304
- 5 Commissariat Records for Stirlingshire
- 6 *ibid*
- 7 Commissariat Records for Edinburgh
- 8 Commissariat Records for Stirlingshire
- 9 *ibid*

QUARTER

Despite the excellent research by Gibson in his history of the estates of Dunipace, he does err in his assertion that the earliest records of Quarter show four Airth heiresses taking possession of these lands in 1452, followed by the son of one of them succeeding in 1466.¹ What misled him is that the charters he referred to relate to a quarter of the lands of Airth. In fact, what seems to be the earliest reference to Quarter is found in the records of the abbey of Cambuskenneth where, in 1426, is found 'John Kerr of Quattatar'.² The first unambiguous notices are all contained in the writs and charters of the barony of Herbertshire. And so, as with the great majority of the lands of Denny and Dunipace, it was the barons of Herbertshire who held the overlordship of Quarter but the earliest feuar or laird of this holding was John Brown 'of Quarter of Denovan' who flourished in 1627 and whose wife, Helen Smith, died about that time.³ He must have remarried as in 1630 the Earl of Linlithgow granted a charter to John and his wife, 'Barbara Young'.⁴ Barbara seems to have been related to the Youngs of Rullie, a neighbouring family. John was dead by 1646 and it would seem that his affairs were somewhat disordered; as a consequence, his son Alexander was pursued in the baron court of Falkirk for outstanding sums of money owing to various people.⁵ It might be inferred from the records of the litigation that the Browns of Quarter were kinsfolk of the Browns of Broomage and that Barbara, his second wife, came from the family of Young who lived at neighbouring Rullie. Alexander Brown had several children and his line maintained their possession of Quarter for successive generations. Gibson records that Alexander was succeeded in 1655 by his son, also called Alexander. He had three children and his eldest son, John Brown who was married to Elizabeth Forrester, was in possession of the lands in 1709.⁶ By 1749 Alexander Brown of Quarter is named as having an interest in the Muir of Falkirk.⁷ His son, Alexander

Brown of Quarter, was involved in 1789 in matters concerning his estate.⁸ Apparently it was the great-great grandson of the first Alexander Brown and his namesake who reputedly built the present mansion house of Quarter.⁹ When he died in 1830 aged 78 the property fell to his sister Elizabeth. She was brought out by a relative, John Harvie of Shirlarton who, upon acquiring Quarter, changed his name to Harvie-Brown. He married Elizabeth Spottiswood, heiress of Dunipace, and their son, John Alexander Harvie-Brown became, upon his succession, laird of Quarter and Dunipace.¹⁰

Among the tenants of Quarter of Denovan were James Smith and his wife, Margaret Cuthill. Margaret died sometime around 1613 and James about seven years later. Their son, also called James, cast off his mortal coil in 1675. Barbara Smith, who was married to James Muirhead, the tenant of Loanhead of Quarter, may have been their daughter.

NOTES: Quarter

- 1 Gibson, J., *The Lands and Lairds of Dunipace*
- 2 Cartulary of Cambuskenneth Abbey
- 3 Commissariat Records of Stirling, Scottish Records Society
- 4 Gibson, J., *The Lands and Lairds of Dunipace*
- 5 Records of the Baron Court Book of Callendar and Falkirk, Scottish Records Office, SC87/1
- 6 Gibson, J., *The Lands and Lairds of Dunipace*
- 7 Decret of the Division of Falkirk Muir, William Forbes against James Kincaid and others, Edin., 1807
- 8 Scottish Records Office, GD1/529/224
- 9 Royal Commission for Ancient and Historical Monuments, Stirlingshire Inventory
- 10 Gibson, J., *The Lands and Lairds of Dunipace*

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