1835 Lothian, Richard (Wills and testaments Reference SC70/1/53, Edinburgh Sheriff Court Inventories) Image 345 Last image 351
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White

Deponent does not know of any Settlement or entitle left by the deceased relative to his disposal of his Personal Estate or effects or any part of them other than that now exhibited & the personal Inventory such paper produced & signed by the Deponent & said Commissioner as relative hereto is a full & true Inventory of all the Personal or moveable estate & effects of the said deceased Lieutenant Colonel Henry Dansilliard White upon whom situated & already recovered or known to be in existing Belonging or due to him beneficially at the time of his death and that the value of said Effects situated in Scotland is of the value of Two thousand pounds and under the value of Twelve thousand pounds and under the value of Twelve thousand pounds Stg which Deponent requires to be confirmed as which is truth as the Deponent shall answer to God (sgd) Thos White George Cay Solr Cor

Follows Extract of said Will & Testament

At Edinburgh the nineteenth day of December One thousand eight hundred & thirty five years In presence of Mr Robert Connell & Alison Chappard John Hope Esq Advocate Reversioner for Lt Colonel Henry D White after designed & gave in the said Will & Testament underwritten desiring the same to be registered in the Books of Council & Session conform to warrant of the said Colonel Lt Colonel Henry Dansilliard White of Ramshill for the affection I bear to my Mother Thomas White & for other good & honorous causes me thereunto moving do by these presents with & under the conditions & reservations undermentioned assign convey & make over to good debts & sums of money bonds stocks securities bonds & plate and in general the whole Personal Estate & effects of whatever description & in whatever manner invested and secured at present (invested) belonging or which shall belong to me at the time of my death excluding & appointing the said Thomas White to be my sole Executor & Intromitter with my means & effects aforesaid with power to him to make up Inventories & confirm my Testament & recognosce but the said Thomas White shall be bound as by acceptance hereof he binds himself to pay all my just and lawful debts & disbursements & expenses Reserving to myself my liferent assignment & entire disposal of the premises with power to alter or revoke these presents at any time and I consent to the Registration hereof in any Books Books competent for execution & preservation and thereof Competitis John Hope Esq Advocate In witness whereof I have written & subscribed this Will & Testament at Edinburgh the eighteenth day of December One thousand eight hundred & thirty five before these witnesses (signed) Henry Dansilliard White — John Watson witness — Alex Kidd witness

The following is written on a piece of paper annexed to the foregoing Deed signed these witnesses John Watson Manager of the Gas Co & Alex Kidd Secretary to the

12 Decr 1835 - Received Extract Will & Testament by Mr C. White for Mr Humphrey Graham Advocate
John Wilson Agent

same — Extracted for the Records of the Court of Session in Scotland upon three sheets of stamped paper by me Thomas Peel Keeper of the Records of Edinburgh & compared to act of Parliament Tho Peel

Edinr 30th November 1835 This is the Extract Last Will & Testament of Lieutenant Colonel Henry Dansilliard White of Ramshill & referred to in my expedition on the Inventory of his Personal Estate of this date (sgd) Thos White
George Cay Solr Cor

Richard Lothian
4 December 1835

At Edinburgh the fourth day of December Eighteen hundred & thirty five years the following Inventory of the Personal Estate of Richard Lothian deceased and the relative to the disposal thereof were presented by Mr William Pattie Servant to the Deponent

Inventory of the Personal Estate of Richard Lothian formerly in Dalkeith who died on the 10th day of January 1834

Amount of Rents sold of deceased's furniture &c sold by public auction at Dalkeith on 26 January 1834	£53. - . 4
Value of Effects retained	5. 5. -
	£58. 5. 4

(signed) Janet Lothian — George Cay Solr Cor

At Edinburgh the fourth day of December Eighteen hundred and thirty five years In presence of George Cay Solicitor Cor Deponent appointed by the Reverendable the Commissaries of Edinburgh Appeared Janet Thomson Relict of Richard Lothian Gardener & Portioner in Dalkeith which Deponent declared & examined deposes that Richard Lothian died upon the 10 day of January 1834 years and the Deponent has retired upon the proceeds of the Personal Estate as Executor nominated by the 19 day of November 1832 years which is now in of this date the relative hereto Thos the Deponent does not know of any Settlement or entitle relative to the disposal of the deceased's Personal Estate or any part of them other than that now exhibited Peel & Commissioner as relative hereto is a full & true Inventory of all the Personal Estate and Effects of the said deceased within situated recovered or known to be existing belonging or due to him beneficially at the time of his death & that the value of said Estate

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Lothian

situated in Lothian is of the value of twenty pounds & under the value of five hundred pounds Sterling and which no Confirmation is required. All which is truth as the deponent shall answer to God. signed Janet Lothian – George Crichton Comptr

Lothian Disposition & Settlement

I Richard Lothian formerly Cabinet maker now Gardener and Pensioner in Dalkeith for the love favour and affection I have & bear to Janet Hovel my spouse ~~to Elizabeth Darnell~~ all the rest of her days for her separate use although in case she shall survive her and to the children that may be procreated of the marriage between me and the said Janet Hovel equally among them share and share alike and their heirs in fee simply and irredeemably but that always under the reservation after expressed All and whole that area of land in the Goldenfield Parish the lands sometime occupied and possessed by Mungo Mills William Shaw on the east the said Lady William Mills on the west the water of Esk on the north and the lands of old occupied by William Shaw and William Gibb on the south parts and all and whole that other area of arable land in the field called the Impales belonging the lands of said occupied by Mungo Mills John Dawson Elder, the latter by John Dawson Junior Allan in Corpt & his therefore by John Dawson and further all & whole that area of land in the field called the Gallowrigs with the pertinents belonging the lands of William Mills on the East and the lands occupied & possessed by Mungo Brand Douglas on the west parts & all & whole that area in the field called the lands of old occupied by James Hopkirk on the east & the lands of old occupied Mungo Richard Paterson on the west parts all lying in the Lordship & Sub Regality of Dalkeith & Holyrood House of Dalkeith and that conform to Charter of Confirmation & Resignation & Sasine by the Commissioners of Thirty Dukes of Hamilton in favour of the deceased Richard Lothian Junior & Isabella his Dalkeith my father dated the eighteenth of September Eighteen hundred and twenty four & Instrument of Sasine thereon in favour of the said deceased Richard Lothian dated the twelfth and recorded in the Particular Register of Sasines at Edinburgh the fourteenth days of October thereafter as also all & whole that area of land commonly called the Lochs Dismantique, the rent proceeds & interest thereof the lands of Thomas Calderwood in the north and the lands sometime possessed by James Smith on the east, and the other of Mungo Brand the lands of Mungo Mills William Calderwood Elder on the west and the lands of Abraham Bertie on the east lying within the said Regality of Dalkeith and Shrievdom of Edinburgh As also all & hail two acres of arable land lying in the field called the Impales contiguous bounded by the lands of old occupied pertaining to Thomas Gifford Merchant

* The Lady Grace Grant Suttie & is proper to & in favour of the said Janet Hovel mentioned above

X of my own life and use and enjoyment thereof and under the reservation

Recorded 21st January 1836. Recorded Dalkeith by Rich. Lothian Mr Hallie

& William Mungo on the east the lands of old pertaining to Thomas Hardie & thereafter to John Dawson on the west the water of Esk the north & the minerals on the south lying in the said Regality & Shrievdom aforesaid which two acres and lands in the field of Dalkeith the same lands by Sasine of Division of Lady Dundas Lauderdale and which with the lands of Division at the instance of John Watson Carter in Leith opened the proprietors of the underlying acres in the said field divided among the several Lenders lying adjacent thereto and the parts allotted to him & place of Hard lands above mentioned and also in accordance to the following and the acres divided are as follows in the Lochs Dismantique the acres three roods and three lugs bounded by the Grass the Lochs & the Latter road on the east and the Burgh Lands on the south as also all & whole that area of land lying in that ch of old called the Lochs Lying in the parts of Dalkeith Richard Lothian on the east by Sergeant Ralph on the south by the Lochs Road Pathway Parish on the east to the same one acre proposed by William Hood all lying within the Burgh & Lordship & Regality of Dalkeith & the Shrievdom of Edinburgh & that conform to a Charter of Resignation by the Commissioners of the said Duke of Dalkeith in favour of the said deceased Richard Lothian dated the eighteenth of September Eighteen hundred & ninety four and Instrument of Sasine following thereon in favour of the said Richard Lothian dated the twelfth and recorded in the Particular Register of Sasines at Edinburgh the fourteenth days of October thereafter as also all & whole that area of land commonly called the Lochs Dismantique, the rent proceeds & interest thereof the lands of Thomas Calderwood in the north the lands sometime possessed by James Smith on the east, and the other of Mungo Brand the lands of Mungo Mills William Calderwood Elder on the west and the lands of Abraham Bertie on the east lying within the said Regality of Dalkeith and Shrievdom of Edinburgh As also all & hail two acres of arable land lying in the field called the Impales contiguous bounded by the lands of old occupied pertaining to Thomas Gifford Merchant in Edinburgh & Mungo Mills

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particularly specified and described together with all
rights title & interest claim of right property & possession
whatsoever I may predecease said Mother's heirs & assigns
and have to can from may claim or pretend thereto in all
time coming Secondly all & sundry lands & other heritages
debts bonded and moveables ships & shipping moveables & bestiaries
goods & gear sums of money & effects and in general any whole
moveable and actual bestiaries & moveable of whatsoever nature
or denomination or whereever situated presently belonging
unto me the whole premises succeeding & succeeding of the
said debts & the writs and evidents of any said heritable estate
and particularly without prejudice to the said generality the
effects & sums of money behind may be contained in any Gene=
ral Trade aft & subscribed figure as relative to these presents
which shall be as sufficient to exclude the necessity of
Confirmation as if every particular thereof were therein
inserted that which and under the burdens & powers & provisions
rights as aforesaid power & faculty after mentioned and
further under the burden of paying my just & lawful debts
and destined & general legacies that I do hereby nominate
& appoint the said Janet Rowle and the Children to be pro=
tector rights to be my Executors and universal legatees &
administrators with my moveable estate with power to confirm
Confirmations & Vol. Also I also that may be necessary
and I hereby & also give me my heirs & successors to support &
assist the said Janet Rowle my spouse in liferent during
the days of her life for her liferent use & maintenance in case
she shall survive me and the Children to be provided
Liferent as equally among them share & share alike &
their heirs for ever in the said lands & others generally
above disponed requiring Liferent that shall always
under the burden of my said liferent rights & the power &
faculty after mentioned which I hereby expressly reserve
and for that purpose to make grant ratify & deliver
all writs deeds & conveyances that may be necessary con=
taining procuratory of resignation precepts of sasine and all
other clauses needful perfectly vesting & establishing the
premises in the persons with full power to them for their
respective rights and interests & assignees to call for infeft=
ment and discharge the debts goods and effects generally
disponed & ranked & generally to do every thing in
relation to the premises which I might do if I were
personally here and I do hereby bind and oblige me
my heirs and successors to support & secure the said
Janet Rowle my spouse and the Children to be
provided Liferent as for their respective rights to
interest of liferent & fee as aforesaid and under the
burdens & declarations foresaid and the heirs of my said
Children (under the burdens of my said liferent rights & the
power & faculty after mentioned) in the said general
lands & others particularly above disponed to the Children
either of & under me only heirs & successors in free

blank for payment of a penny Scots on the pound of the said
moveable lands and others I hereby jointly if asked only
and relieving me of the forfeitures and crosses payable to our
superiors of feu & any prestations of the lands immediately
lawful superiors thereof in the value mentioned & as jointly in all
respects as I hold or might hold the same and that either by
the other and for ever implying the said Liferment by resignation
of Hereby Constituted and appointed
jointly & severally to be my lawful & irrevocable
procurators with full power to them to compear before any
Magistrates or Council or their Commissioners in their respective
jurisdictions and there for me & in my name to
resign & surrender & solemnly resign surrender & give up
& delivery above described lands and bounded in manner
above mentioned to either with the whole premises & per=
tinents thereto belonging in the hands of said superiors or
their Commissioners foresaid in favour and for the Liferent
use of the said to the said Janet Rowle my spouse in liferent for her liferent use & maintenance
during all the days of her life in case she shall survive
me and to the Children to be provided Liferent as equally
among them share and share alike in fee and their
heirs for ever under the burden of paying said reserved liferent in manner above
mentioned and the power & faculty after mentioned in due
& competent form as offers with the writs & documents
other thereto in the premises which I could have done myself
or which to the effect of procuratory in such cases is usual
to letter Hereby & generally to do & perform every thing
& deed to the said Janet Rowle and to the Children
that may be provided Liferent in their respective rights of liferent & fee as under the burdens
and declarations aforesaid the rents and duties of the
heritable clauses therein contained and all operations
which I be followed or may follow thereon reserving
always to me the said Richard Lothian my own liferent
of the premises with full power to me to any time during
my lifetime and even upon death by a written under my
hand or in part with power also to all & particulars by to
alienate and dispose of the whole or part of the
upon that determine that the same or part as not alienated
or revoked by me shall be a valid & effectual deed
although found lying in my repositories or in the custody
of any person to whom I may entrust the same
understood at the time of my death with the delivery
whereof I have disponed and hereby dispone for other

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Lothian & Mc Dowall or Ferguson

and I consent to the Registration hereof in the Books of Council & Session or other competent Court to remain for preservation and for that effect I constitute my Procurators &c

Moreover the in order that my land disposees may be the more readily kept and aided in the said lands and others above disponed for their respective rights of Servitude & for as aforesaid I hereby charge and require you and each of you my Bailie in that part hereby specially constituted that in apt time you help to the Ground of the said lands several lands & others generally and particularly before disponed respectively and severally and therefore & delivery to the said Donees Parties infeft in Spouse in Spouse during all the days of her life for the liferent use allenarly in manner shall survive she tied to the effect that may be provided to them in equally among them where & as aforesaid & their heirs in fee respected and heritable state & otherwise real actual and corporal possession of all & whole the said several lands & others hereby before disponed Giving & Granted as aforesaid & have had & shall have Servitude causes by other duties the whole profitable thereof and privileges thereto belonging and that by delivery to them of to the effect certain attorneys or attorneys in their name leases heirs of Sasine & Infeftment of & upon the ground of the said several lands & others & all other symbolic usual & customary but always with & under the burden of my liferent did make & render the declarations & protestations in manner above written and this in witness we have hereunto subscribed to the Instrument to you & each of you full power by this my Procurator Regain unto to you for that effect the subject others of these presents written upon this & the foregoing preceding pages of stamped paper are subscribed by me at Edinburgh the ninetenth day of December Eighteen hundred & thirty two before these witnesses William Baillie writer to the Signet and Patrick Walker his Clerk - these presents being written by the said Patrick Walker Clerk

Patrick Walker Mc Baillie witness - Patrick Walker witness

Edinr 4 Dec 1835 This is the disposition & settlement by the deceased Richard Lothian Gardener & Partner Balkaith my husband referred to in my deposition on the Inventory of his personal Estate of this date depd Janet Lothian Geo Carphin Cooper

Mrs Graham McDowall or Ferguson 4 December 1835

At Edinburgh the fourth day of December Eighteen hundred & thirty five years the following Inventory of the Personal Estate of Mrs Graham McDowall or Ferguson

deceased and Deed relative to the disposal thereof were presented by Mr Alexander Smith Writer to the Signet

Inventory of the Personal Estate of Mrs Graham alias Dowall or Ferguson of Hermand who died at Hermand in the County of Edinburgh on the nineteenth day of March 1834 with interest thereon principal sums at that date

1	Balance due by J & A Smith Co. S. at 19 March 1834 on an account current between Mrs Ferguson & them	£63. 1. 10
2	Principal sum due by the Earl of Dalhousie being the balance of an original loan of £1800 Interest thereof at 4 p cent from 11 Nov. 1833 - 12 days	1800. - - 18. 4. 8
3	Sum in a Promissory Note by John McDowall Grant of Arndilly dated 23 Sept 1820 Interest thereof from 22 Sept 1833 at 4 p Cent	300. - - 6. 17. 3
4	A sum of £300 stock of the Bank stock Actn. Corp of Edinr £133 p share of £25	132. - -
5	Two shares of £50 each of the New Edinr Academy not saleable	
6	Tenants or Leaseholds Fees issue on the Mass of Hermand with the Seat & Pew & other rights for valuation of Prop. Tenants Leases & Vassals dated 26 March 1834	421. 11. - 1/2
7	Rents &c of the Estate of Hermand due by the Tenants a sum of £400 said to be due by a Bill of David McDonald Grant of Arndilly Esq is mentioned is mentioned in Mrs Ferguson's Settlement but such Bill has not been found	232. 13. 1 1/4
		£2564. 8. - 3/4

Signed Thomas Hartland - G Carphin Jr Cooper

At Edinburgh the fourth day of December One thousand eight hundred & thirty five In presence of George Carphin Cooper Hermand Thomas Hartland Grieve of Hermand Signed Advocate one of the Trustees and Executors of the deceased Mrs Graham McDowall or Ferguson of Hermand who being solemnly sworn & examined deponed That the said Mrs Graham McDowall or Ferguson died on the 19th day of March 1834 & the deponent along with the other persons named by her as her Trustees and Executors have taken up the possession & management of the deceased personal Estate & Trustees and Executors nominated by her in a Trust Disposition & Deed of Settlement of date the 23rd day of December 1827 & Codicil thereto dated 3 January 1829 & both registered in the Books of Council & Session the 25 March 1834 That the deponent does not know of any other Deed or writing relative to the disposal of the deceased personal Estate & Effects or any part thereof other than the Deed now exhibited That the said Inventory which is signed by the deponent & the said Commissioner and