



The Stair Society

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THE STAIR SOCIETY HISTORY, PART 3 – 1967–2019

THOMAS H. DRYSDALE

Author's note

In two previous articles, I considered the Society's history from its inception in 1934 up to an indeterminate point in the late 1960s. The story has continued for half a century since then, and I have been persuaded to bring it up to date. What follows is my attempt to do so. My text is largely based on a study of minutes of meetings of the Society and its Council as well as its annual reports and accounts, all of which, with the exception of those relating to one year's accounts, have been preserved, and also from my experience as the Society's Secretary and Treasurer from 1998 to 2016. During this fifty-year period, the Society has published more than forty volumes of valuable historical material and, as we shall see, has survived a revolution in the publishing and printing industries and the economic downturn of 2008–9, and it has come to terms with the electronic age. It has also seen a significant growth in the number of academic lawyers, most of them researchers and teachers in the universities, taking a specialist interest in legal history, engaging in extensive research projects and passing on to their students their enthusiasm for the subject.

My text is a personal interpretation of how the Society has fared over this time as reflected in the available material. I have been to some extent selective in the choices I have made from that material; unlike most of the colleagues with whom I have so much enjoyed working in the Society, I am not a trained historian, and I am aware that the methods of my research and my style of writing may be considered to fall short of their high standards. For these shortcomings I hope I may be forgiven.

Some of the information shown in the appendices duplicates what was shown in the appendices to the two earlier articles, but I have repeated it in this one in order to give an overall picture of the Society's history from its inauguration in 1934.

A starting point

At the end of the previous article on the Stair Society's history,¹ it was noted that by the late 1960s a new generation of legal historians was becoming active in the Society's work and that they would all play their part in the next phase of its

1 "The Stair Society – the middle years", in *Miscellany Six*, Stair Society vol. 54 (Edinburgh, 2009), pp. 283–308.

development. This has proved to be the case – and what follows takes the story on from that point to the present day.

Matters criminal

In the late 1960s and early 1970s, the publication of two long-standing criminal law studies was brought to a successful conclusion. The first part of the justiciary records of Argyll and the Isles, edited by John Cameron, had been published in 1949 as volume 12 in the Society's publication series.² Dr John Imrie edited the remaining material, and it was published as volume 25 in 1969. Professor Ian Willock, joint Literary Director with Dr Imrie at the time, reported at the 1969 AGM that the volume had been published and that it provided a vivid insight into the more turbulent aspects of rural life in the West Highlands in the eighteenth century, as well as showing a sophistication in legal pleadings and wide citation of authority that was the equal of that of the High Court in Edinburgh at the time.

Dr Imrie was born in 1923. When he joined the staff of the Scottish Record Office (SRO), it was considered to be an old-fashioned, rather inward-looking institution, presided over by the patrician figure of Sir James Fergusson of Kilkerran.³ Imrie was appointed Curator of Historical Records at the SRO in 1961, succeeded Sir James as Keeper of the Records in 1969 and in that post did much to rationalise the storage of records on a national and local basis. Despite his official duties, he devoted much time to his own historical research and to the affairs of the Society. He was joint Literary Director with Professor Willock 1967–71, Chairman of Council 1973–83 and Vice-President from 1994 until the time of his death in 1996. He is one of only two people to have delivered two of the Society's annual lectures: the first was at the 1973 AGM, entitled "The background to a Lord of Session", which he read following the death of its author, Sir James Fergusson, a week before the meeting; and the second was on his own account in 1982, entitled "The parliament of Scotland: a postscript to an auld sang".

The second criminal law study completed at the time was *Selected Justiciary Cases, 1624–1650*. The first volume of this work had been published as the Society's volume 16 in 1953 by Stair A. Gillon, advocate, covering the period 1624–39. Gillon died in 1954, and Hector McKechnie, the Chairman of Council at the time, who had been the Society's first Literary Director, agreed to take on the outstanding work. He had, however, not completed it by the time of his own death in 1966. The work was then taken up by Irvine Smith, and it was published in two further volumes, No. 27 in 1972 and No. 28 in 1974, the latter including an index to all three volumes. Smith had already made a major contribution to the work of the Society, having been Literary Director in 1960 and 1961, and he would go on to become Vice-Chairman of Council 1979–83, Chairman 1983–91 and Vice-President 1997–2006. He also delivered the Society's annual lecture at the 1998 AGM, his title being "The trial of Captain Thomas Green for piracy in 1705".⁴ His signal service to the Society was recognised in his being awarded honorary life membership at the 2006 AGM. After graduating MA, LLB from the University of Glasgow, he had been called to the Bar

² *Ibid.*, pp. 294–5.

³ *Herald* obituary, 2 March 1996.

⁴ Published in the Society's vol. 62, in 2015.

in 1953 and had been a member of the Society since at least 1958. He had written five of the thirty-four contributions to the Society's volume 20, *An Introduction to Scottish Legal History*, published in 1958. In accepting the award of honorary life membership, he recalled in characteristically humorous style that his interest in the Society had started fifty-six years previously, when he had purchased a complete set of the Society's volumes, then thirteen in number, in a second-hand bookshop for five shillings (25p) each. He died in 2016 at the age of 89.

The *Justiciary Records* and the *Selected Justiciary Cases* spanned the period 1624–1750. Another important study of the criminal law of this period, of a later date, was the republication in 2012 of Sir George Mackenzie's *Laws and Customs of Scotland in Matters Criminal* by Olivia Robinson, formerly Douglas Professor of Roman Law at the University of Glasgow.⁵ She had given a foretaste of this work when she delivered the Society's annual lecture at the 2006 AGM, her title being "Law, morality and Sir George Mackenzie".⁶

Miscellany volumes

Two other important elements of the Society's publications programme were initiated in the 1970s. The first of these was the introduction of Miscellany volumes, by Professor Ian Willock and John Imrie as joint Literary Directors 1967–71, and the second the *Minute Book of the Faculty of Advocates*, introduced by Professor Willock as sole Literary Director 1971–7. Willock was born in 1930 in Perth. Educated at Robert Gordon's College in Aberdeen, he graduated MA, LLB from Aberdeen University, and after national service in the Intelligence Corps he held a Fellowship at the University of Michigan, was called to the Bar and undertook a PhD at Glasgow University. His thesis, *The Origins and Development of the Jury in Scotland*, was published in 1966 as volume 23 in the Society's series. In 1965, he was appointed Professor of Jurisprudence in the Faculty of Law at Queen's College, Dundee, then part of the University of St Andrews. One of his many obituarists, Robin White, his former colleague at Dundee, summed up his character as follows:

Ian was a shy, modest, very private, sometimes awkward (and occasionally infuriating) man but he inspired great loyalty among those he helped along the way. His brother George, for whom he had chief responsibility for many years, was severely disabled, and his wife Elizabeth, who shared that responsibility, both predeceased him, but he was sustained by his Christian faith.⁷

Elizabeth was one of the small band of members' wives who catered for lunch after the Society's AGM for many years.

The first Miscellany volume was conceived in 1970. The minutes of the 1970 AGM record that it was set to be published in the spring of 1971 and that it would be titled *Miscellany One* in the hope that other Miscellany volumes would follow. They certainly did, the seventh such volume having been published in 2015. The intention of these volumes was to provide an opportunity to publish works shorter

⁵ The Douglas chair of civil law had its title changed following Robinson's appointment to Roman law instead of civil law from 2001 to 2006, reverting thereafter to its original title.

⁶ Published in the Society's vol. 54, *Miscellany Six*, in 2009.

⁷ Obituaries, *Scotsman*, 16 October 2013 and *Journal of the Law Society of Scotland*, November 2013.

than those which would comprise a full volume but which nevertheless would be of serious interest in the context of the Society's work. Lord Clyde, the Society's President, wrote in the preface as follows:

A collection of essays by various authors is not a new venture for the Stair Society but, as the title implies, this Miscellany differs from the earlier combined volumes in that there is less insistence on a unified theme. The eight [in fact there were nine] contributions which follow span a wide range of Scottish legal history from the middle ages to the nineteenth century. This diversity is not surprising – the members of the Society who conceived the idea of a Miscellany saw it as a place for varied articles within a broad legal framework ... In directing attention to subjects which interest them the authors of the papers here presented ... suggest paths for further research ... Other readers will find their own signposts and if some are stimulated by this volume to investigate and report their findings to the Literary Director there can be little doubt that the confident title "Miscellany One" will prove to be justified.

This confidence, and the objectives of the series, have been more than fully justified. The first seven volumes contain a total of nearly eighty articles of varying length, examples ranging from major contributions such as Dr Adelyn Wilson's "The textual tradition of Stair's *Institutions*, with reference to the title 'Of Liberty and Servitude'" (in *Miscellany Seven*), running to 124 pages, to "Thoughts from nearly forty years ago" by Karen Bruce Lockhart, a former partner in Brodies (in *Miscellany Six*), taking a light-hearted look at work in Parliament House in the 1970s. In an interesting postscript to *Miscellany Three*, Lord Avonside, a former President of the Society, pointed out at the 1993 AGM that it contained two articles by a father-and-son combination: "A memorial and opinion of 1762 given by Robert McQueen, later Lord Braxfield", by Angus Stewart, and "Regulation of agriculture in 17th-century Kintyre", by his father, A. I. B. Stewart.

Faculty of Advocates Minute Book

The second initiative of Ian Willock referred to above was the publication in 1976 of the first volume of the Faculty of Advocates' minute book, the earliest surviving manuscript register of the Faculty. It was edited with an introduction by John Pinkerton, advocate, at that time Clerk of the Faculty. The volume, No. 29 in the Society's main series, was entitled, expectantly, *The Minute Book of the Faculty of Advocates, Volume 1, 1661–1712*. The editor and the Society had it in mind that volume 2 would soon follow, with a cumulative index for both volumes. This it did, and *The Minute Book of the Faculty of Advocates, Volume 2, 1713–1750*, also edited by Pinkerton, duly appeared as volume 32 in 1980.

Following Pinkerton's death in 1988, the task of continuation was taken up by Angus Stewart QC (later The Hon. Lord Stewart, who was the Society's President 2013–20) during his period of office as Keeper of the Advocates' Library from 1994. *The Minute Book of the Faculty of Advocates, Volume 3, 1751–1783* was published by the Society as its volume 46 in 1999. It was edited with a commentary by Stewart and an introduction by The Hon. Lord Davidson, who as C. K. Davidson QC had been Keeper of the Advocates' Library 1972–7. *Volume 4, 1783–1798*, edited by Stewart and Dr David Parratt, advocate, with an introduction by Stewart, appeared as the

Society's volume 53 in 2008. The editors had the benefit of access to other Faculty records, contemporary with the manuscript minute books, which had been sorted and numbered by Alan Rodger – later the Rt Hon. the Lord Rodger of Earlsferry – during his term as Clerk of Faculty.⁸

Lord Stewart has commented⁹ that the published minute books provide ready access to a source of importance for specialist and general histories. The records show the evolution of the Faculty into an independent, self-governing, library-based bar, partly professional association and partly, with its copyright privilege, learned society. The records also illustrate how, as the eighteenth century drew to a close, the socially elite make-up of the Faculty was challenged by would-be intrants of modest origins.

Despite the publishing activities of the 1970s and 1980s, these were nevertheless difficult years in the context of the Society's publications programme. In spite of the overall objective of publishing one volume each year, only six and five volumes respectively were published in these decades. The only benefit of this scarcity, albeit a rather perverse one, was that publication costs were limited, and the Society's financial reserves rose from £12,000 in 1970 to £180,000 in 1990. This increase was as much the result of prudent investment of reserves as of direct savings in publication costs – in 1970 the value of the Society's investments stood at a modest £1,430, all in fixed-interest bonds, with cash reserves of about £10,500. In 1990 the value of the investments stood at about £80,000, much of which was held in ordinary shares in investment trusts, with about £100,000 held in cash deposits.

The 1990s

The 1990s proved a more fruitful decade, with ten volumes (Nos 37–46) being published in the main series as well as three in the supplementary series. Of particular interest in this period were perhaps the *Selkirk Protocol Books 1511–1547*, published jointly by the Society and the Walter Mason Trust as volume 40 in 1993, and the *Aberdeen Sheriff and Commissary Court Style Book 1722*, published as volume 47 just after the end of the decade in 2000 and edited by Professors Michael Meston and Angelo Forte. The original of the style book had by good fortune been rescued from destruction during the refurbishment of the Aberdeen sheriff court. As the editors say in the introduction: "In the process of clearing out the old premises in 1992 [the] manuscript stylebook was about to be thrown into a skip. We can only speculate what else may have vanished both at Aberdeen and at other courts being remodelled. Fortunately this volume was spotted and rescued by the late Sheriff David Bogie."

Notable also in the publications at this time were the three volumes of *Bankton's Institute*, published consecutively in 1993, 1994 and 1995 as volumes 41–3. In the foreword to the first volume, the Literary Director and editor of the series, Professor Bill Gordon, commented as follows:

The series of reprinted legal classics commissioned by the Law Society of Scotland has made readily available institutional works which are accepted as formal sources of Scots law. Bankton's Institute has not been given this accolade from the courts with

8 Confirmed to the author by Lord Stewart, to whom he is grateful for information he has provided about the minute book which was not readily available from other sources.

9 In correspondence with the author.

the same enthusiasm as other institutional works. It is nevertheless both scarce and interesting. The Stair Society has taken the view that it should be reprinted and made more widely available for consultation ... No new edition was called for in Bankton's lifetime and no-one has since undertaken the massive task of re-editing the Institute in the fashion of Stair, Erskine, Bell or Hume. Choice of an edition to reprint has therefore not posed a problem. The text as published by the Society was copied from the original volumes held by the WS Society and the University of Glasgow.

At this time, mention started to be made in the minutes of the preparation by Dr David Fergus of his edition of *Quoniam Attachiamenta*,¹⁰ and it was noted in the Council minutes of 14 May 1996 that it had been completed and was in course of being distributed. This work was a development of Fergus's doctoral thesis. In the preface, he comments that, at the time he was writing, the existence of *Regiam Majestatem* was reasonably well known, and it was considered to be the Scottish medieval law book *par excellence*. "But", he stated, "there are others, notably the treatise known from its opening words as *Quoniam Attachiamenta*; by 1425 it and *Regiam* were considered as the two 'bukis of law of this realm'." And there is an interesting link here to the Society's recent volume (no. 66), Dr Alice Taylor's *The Laws of Medieval Scotland*, in which she refers extensively to both of these medieval works. In her introduction (page 2), she narrates how she was initially baffled by the initials Q.A., but, she writes, "I had the good fortune to have been conducting research *after* [her italics] the publication of David Fergus's masterful edition of the mysterious Q.A. or *Quoniam Attachiamenta*, the text on legal procedure dating from (probably) the first half of the fourteenth century".

The new century – the first decade

The first decade of the new century was another fruitful period for the Society's publications programme, with eight volumes being published. Notable among these was *The Business of the College of Justice in 1600* by Dr Winifred Coutts, who is a long-standing member of the Society, as was her husband the late Gordon Coutts QC. This was published as volume 50 in 2003. In her preface, Dr Coutts explains that although the Society had published volumes which included commentaries on and excerpts from the legal archives of the Supreme Courts, no study of a complete year's work at the College of Justice had hitherto been undertaken; she had chosen the year 1600 for analysis because it came near the end of James VI's rule in Scotland, when his confidence and assertiveness were not yet at their height.

Another work, volume 51, followed in 2004. This was *Compulsion and Restitution, a historical and comparative study of compulsion in Scottish private law, with particular emphasis on its relevance to the law of restitution or unjustified enrichment*, by Professor Jacques du Plessis, of the University of Stellenbosch in South Africa. Du Plessis had presented this as his doctoral thesis at the University of Aberdeen in 1997. It was notable in that it was the first of the Society's publications to have been written by someone who was not a citizen of the United Kingdom.

Prepared in this decade, and issued just into the following one, was the three-volume series, *Scotland under Jus Commune*, published together in 2010 as volumes

10 See minutes of the AGM on 5 November 1994 and subsequent Council minutes.

55–7 and being a census of manuscript legal literature in Scotland, mainly between 1500 and 1660, by Professor Gero Dolezalek. Professor Hector MacQueen, the Society’s Literary Director at the time, reported to Council¹¹ that he expected the work would run to two volumes, and commented that “it looks likely to lead to major revisions in our understanding of legal development and sources in Scotland in the early modern period”. In the event, it ran to three volumes. Professor MacQueen commented in the foreword to the first volume as follows:

The Stair Society is grateful to Professor Gero Dolezalek for the great scholarship and enormous energy with which he has carried through his project. It has revealed a mass of new material from the centuries during which much that remains distinctive of the Scottish legal system took definite shape. We may therefore be confident that a fresh base has been laid for future research on a crucially formative period in the history of Scots law.

More recently, Professor MacQueen has commented to the present author in correspondence that he believes the value of what Professor Dolezalek achieved in these three volumes is confirmed by the recovery of the *Regiam Majestatem* MS, which he identified (volume 55, page 180); he also comments that Dolezalek’s volumes are cited not infrequently in the Society’s latest volume, *Laws of Medieval Scotland* by Dr Alice Taylor, mentioned previously and below, and that these two pieces of work and enormous scholarship really go together as a guide to the sources of law before 1600 – and much more. At the time he prepared his series of volumes, Dolezalek was Professor of Civil Law in the University of Aberdeen, 2006–9. He had previously enjoyed a distinguished career at the Max Planck Institute for European Legal History, Frankfurt (1971–89), the University of Cape Town (1989–95), where he held the Schreiner Chair of Roman and Comparative Law, and the University of Leipzig, holding the Chair of Private Law, Roman Law, European Jus Commune, and History of Church Law (1996–2005).

The new century – the second decade

By the second decade of the present century, the Society’s improved publishing procedures, which are referred to below, were well bedded down, and a good supply of new material was available to it. Notable among this was a work running to two volumes (Nos 60 and 63) on the legal papers of James Boswell edited by Hugh Milne, covering the period of Boswell’s active work at the Scottish Bar between 1766 and 1769, and a study by Thomas Green on the consistorial decisions of the Commissaries of Edinburgh 1564–1576/7. Hugh Milne graduated in law from the University of Edinburgh and qualified as a solicitor in 1977. Despite undertaking a busy professional life, he has established a reputation as a leading scholar of Boswell’s life, notably through his edition of Boswell’s *Edinburgh Journals, 1767–1786*. In the prefaces to his works for the Society, he expresses the view that the principal merit of the papers he has studied and of Boswell’s consultation book, covering the period 1766–72, is that they give a unique and vivid insight into the day-to-day work of a busy advocate and the practice of the law in general in eighteenth-century Scotland.

11 Literary Director’s report to Council, and Council minutes, 7 November 2009.

He was able to draw extensively from the collections of Session papers held in the Advocates' and Signet libraries.

As will be noted later, Dr Green was the recipient of the second of the Society's postgraduate scholarships, in the period 2006–9, and his volume (No. 61) develops the work he undertook during that period to gain his doctorate. In the preface, one of his doctoral supervisors, Professor Jane Dawson, now Professor Emerita of Reformation History in the University of Edinburgh, explained that the volume publishes for the first time a selection of decisions of the Commissary Court of Edinburgh during the initial period of its existence and reveals a source that is virtually unknown and has been very little discussed or considered in scholarship. As she states, the volume "offers a veritable goldmine of information that will delight, inform and amuse readers drawn from many different approaches to sixteenth-century Scotland and its people". In his acknowledgements at the beginning of the volume, Dr Green recognises the assistance of Sheriff David Smith, who shared with him freely his extensive knowledge of the history of the Commissary Courts and the spiritual jurisdiction in Reformation Scotland, and also that of Sheriff Peter McNeill, who provided many insights into the legal history of the Scottish Reformation. As we shall see, these two sheriffs were major figures in the Society in the period under review.

An interesting publication in this period was *Scottish Formularies*, being volume 58, published in 2011, edited by Professor Archie Duncan, Emeritus Professor of Scottish History at the University of Glasgow, with a legal afterword by Professor Hector MacQueen, at that time the Society's Literary Director. The formularies edited by Professor Duncan laid down the form of action to be used in contested disputes during the period from at least the mid-thirteenth century up to 1500. As stated in the afterword, Professor Duncan's introduction to and commentary on the contents of the volume concentrated most on the diplomatic, palaeography and inter-relationship of the formularies, while the afterword comprises a legal commentary to provide some more context for the formularies as a whole and to expand upon their significance as a source for the legal history of Scotland. Duncan held his Chair at Glasgow from 1962 to 1993, described by Dauvit Broun, its present incumbent, as a feat of academic tenure unlikely to be matched.¹² He is described by his obituarist as "an acclaimed historian and academic who had spent decades at the forefront of research into all aspects of medieval Scottish history, pioneering an approach that involved detailed study of contemporary documents and texts. He was renowned as much for the passion with which he taught the subject as for the diligence he brought to writing about it". The Society is fortunate to have counted him among the contributors to its publication series.¹³

As will be apparent from even a cursory study of the three most recent additions to the Society's publications series, Craig's *Jus Feudale*, edited, translated from the Latin and annotated by Dr Leslie Dodd (volume 64), Alexander King's *Treatise on Maritime Law*, edited and translated from the Latin by John Ford, Professor of Civil Law at the University of Aberdeen and the present Chairman of the Society's

¹² *The Times* obituary, 21 February 2018.

¹³ He also gave the Society's annual lecture in 1986, "Who compiled the Register of Brieves?"

Council (volume 65), and *The Laws of Medieval Scotland: Legal compilations from the thirteenth and fourteenth centuries*, edited and translated by Dr Alice Taylor, Reader in Medieval History at King's College London (volume 66), are among the most scholarly and detailed of all the Society's publications. Between them, and in company with Professor Dolezalek's trilogy on *Jus Commune* previously referred to, they underline the important role the Society continues to play through its publications series.

Dr Dodd is Lecturer in Law at Edinburgh Napier University, holding an LLB from the University of Edinburgh and an MA in Greek, Latin and ancient history and a PhD in classics from the University of Glasgow. Professor Ford has held his Chair at Aberdeen since 2013. A graduate of the Universities of Glasgow, Pennsylvania and Cambridge, he taught previously for twenty years at Gonville and Caius College, Cambridge. In 2010, he delivered the Society's annual lecture, "Four models of union".¹⁴ Dr Taylor undertook her undergraduate studies at Oxford in 2004 and her master's studies there in 2005, and completed her doctorate also at Oxford in 2009. She then held a research fellowship at King's College, Cambridge until 2011 before taking up her present post at King's College, London. Her main research interests include medieval states and government (Europe, eleventh to thirteenth centuries), law and legal norms, feudalism and lordship and medieval Scotland (eleventh to fifteenth centuries), particularly its laws.

The supplementary series

The proposal to establish a supplementary series of publications was first put forward in a paper circulated by Hector MacQueen and discussed at a Council meeting on 28 January 1986. The first volume in the series would be a reprint of Professor Robert Kerr Hannay's work, *The College of Justice*, published in 1933 to mark the quatercentenary of the erection of the College in 1532, along with other work by him. Hannay had been Professor of Scottish History and Palaeography at the University of Edinburgh from 1919 to 1930. As MacQueen explains in his introduction, the main justification for reprinting the work was that since the original publication in the period between the two world wars it had not been superseded, yet it was difficult to obtain. Hannay's copyright consent would be required.

This publication was to be a trailblazer for the new series, for which it was thought there should be a market among both lawyers and historians. It would possibly be manufactured in a smaller format than the volumes in the main series, in a more modest binding, and would be offered for sale to members and non-members, the former at a discount. If the initiative was successful, it could be followed by other volumes. By November 1986, the Literary Director, Professor Gordon, reported that progress on the publication had been delayed. Further delay, at the hands of the publisher, was reported at the Council meeting on 14 November 1987, when Gordon reported that the volume would be issued in lieu of an annual volume for that year. Further delays were reported at successive Council meetings and at the AGM on 10 November 1990, but at the Council meeting in May 1991 Gordon was able to confirm that it had been distributed. There appears to be no record of

¹⁴ Published in the Society's vol. 62, *Miscellany Seven*, pp. 381–409.

how many copies were sold to the general public, but the volume is still listed by Avizandum, the Society's stockholders, as available for sale.

Two further volumes were issued in the supplementary series. The first of these was *The Civil Law Tradition in Scotland*, a series of essays edited by Robin Evans-Jones, Professor (now Emeritus) of Jurisprudence at the University of Aberdeen. This was first considered by Council at their meeting on 9 November 1991, when it was left to Professor Gordon to decide whether it should be added to the main series or the supplementary one. He reported at the AGM on 7 November 1992 that it would be published in the supplementary series. After reports of several delays, it was finally announced at the AGM on 4 November 1995 that it had been published.

The third volume in the supplementary series, *A Guide to the National Archives of Scotland*, was a joint publication with the Scottish Record Office (SRO). A decision had been made to place the production of this volume with Her Majesty's Stationery Office (HMSO), which, as the project progressed, was in a process of fundamental change involving the privatisation of most of its publishing functions. This led to a series of delays in the publication of the volume, but Professor Gordon reported to Council at their meeting on 7 June 1997 that it had been published at the end of 1996. At that meeting, he recommended that if the Society was to participate in similar joint publishing exercises in the future, it should put itself in a position to control the process through appropriate contractual arrangements better than had occurred in relation to this publication. It was noted that HMSO had regarded the SRO as its client (notwithstanding that the Society was making a substantial contribution to the cost) and had largely ignored comments provided by the Society.

By this time, a healthy supply of material was being identified for future publication by the Society itself in the main series, and to date no further volumes have been published in the supplementary series.

Book production – problems and solutions

Selection and provision of the texts to be published by the Society is one thing. Bringing the resultant volumes into physical being is quite another. Estimates for the production of the Society's first volume were approved by Council at their meeting on 8 May 1935, and it was agreed to place the work with the Glasgow printers R. MacLehose & Sons. A very precise specification of the design was agreed.¹⁵ The design of that volume has set the standard for all subsequent ones. Arrangements for the production of the early volumes seem to have been left in the hands of the Literary Director, Hector McKechnie, and the Secretary, Dr Charles Malcolm. When Malcolm retired in 1961, he was succeeded as Secretary by Dr George Thomson, managing director of W. Green & Son Ltd, the law publishers, and editor of the *Scots Law Times*. It seems likely that, over many years, Drs Malcolm and Thomson and successive Literary Directors handled the practicalities of publication without much discussion in Council, printing being placed with a number of the Scottish printing firms, including MacLehose, Neill & Co. Ltd, J. Skinner & Co. Ltd and T. & A. Constable. This process seems to have remained relatively stable, and

¹⁵ See "The Stair Society – the early years", in *Miscellany Five*, Stair Society vol. 52 (Edinburgh, 2005), p. 248.

gradually rising printing costs in the early years are shown in Appendix 5. At the AGM on 8 November 1969, it was noted that the cost per member of producing a volume was twice the annual subscription rate. At Council on 21 April 1971, concern was expressed at the cost of circulating volumes to members. It is apparent from the minutes of that meeting that this was handled by Greens, and it was agreed that they should charge 15p per volume to include packing and materials. This charge was increased to 25p per volume in 1975.

At the AGM on 1 November 1980, it was reported that publication of the second volume of the minute book of the Faculty of Advocates had been delayed owing to a number of unforeseen circumstances, the most important of which being that the Society had had to look for another printer. Printing was then placed in the hands of Clark Constable. Then it was reported at the Council meeting on 25 May 1982 that volume 34, *The Court of the Official in Pre-Reformation Scotland*, was well advanced; the printers, Clark Constable, were unfortunately in receivership, but it was thought that the receiver would want to complete the contract. At the subsequent AGM, on 6 November that year, it was reported that the year had not been an easy one on the printing front. A new company, Clark Constable (1982) Limited, had been formed and was continuing the Society's printing, notably volume 34, although inevitably there was some delay. The next volume, *Miscellany Two*, was "proceeding according to plan although perhaps not as quickly as could be desired". The minutes of this meeting are notable in apparently containing the first reference to "Mr Hector MacQueen", whose article, "Jurisdiction in heritage and the Lords of Council and Session after 1532", would be included in *Miscellany Two*. They also state that the Treasurer (who was Ivor Guild) "explained the reason for lunch not being available after the meeting", but annoyingly they do not record what that reason was.

It was reported at the Council meeting on 10 May 1983 that *Miscellany Two* was proceeding slowly – and it was not in fact issued until late in 1984. It was reported at the AGM on 8 November 1986 that Clark Constable had decided to wind up their business but that none of the Society's work would be affected by their decision.

At the Council meeting on 29 May 1987, the Secretary was authorised to approach Scottish Academic Press and Edinburgh University Press to see if they would act as publishers to the Society. Further delays were reported at the AGM on 14 November that year, but at the Council meeting on 25 August 1988 it was agreed that Scottish Academic Press, led by Douglas Grant, should be invited to proceed with printing further volumes in the main series and the first volume in the supplementary series – *The College of Justice: Essays* by Professor R. K. Hannay. Alas! At the Council meeting on 9 November 1991, the Literary Director, Professor Bill Gordon, reported that Scottish Academic Press had gone into receivership. Douglas Grant was, however, willing to continue advising on publications on a personal basis, and this was agreed. Frequency of publications improved, with ten volumes being issued during the 1990s, but it was reported at the Council meeting on 14 May 1996 that discussions had been held with the publishing firm T&T Clark on the subject of the production of publications in the longer term. Later that year, on 3 September, it was reported that T&T Clark had offered to produce the annual volume at a fixed price of £12,500, with

VAT in addition. At the Council meeting on 3 June 1997, Professor Gordon reported that Douglas Grant's advice was that T&T Clark's offer should not be accepted, and it was agreed that it should be declined. This seems to have been a wise decision, since annual publication costs did not exceed £12,500 until 2012, some fifteen years later.¹⁶

Despite the decision not to proceed with T&T Clark, discussions with them continued and were still live at the time of the AGM on 6 November 1999. As a result, they produced Volume 47, *The Aberdeen Stylebook 1722*, on a single-contract basis, and it was later reprinted. At the following AGM, however, Professor MacQueen, who had succeeded Professor Gordon as Literary Director in 1998, reported that the ownership of T&T Clark had changed and that he thought they would wind down their legal business. As it turned out, that business had in fact been taken over by Butterworths, who had indicated a willingness to continue publishing the Society's volumes. They handled the publication of volumes 49 and 50 in 2002 and 2003 respectively, but the relationship with them was not a happy one. They failed to engage on contractual terms or to render accounts, for which special provision had to be made in the Society's accounts for 2004, 2005 and 2006. It was reported to the Council meeting on 7 May 2004 that they had terminated their (uncompleted) contract with the Society and that it was proposed that Lawrie Law, a former employee of T&T Clark, who by this time was working as a self-employed publications consultant, should take over the handling of the publications. Such an arrangement had been under discussion between Professor MacQueen, Mr Law and David Fletcher, a publishing consultant who had previously been a director of Greens.

As has been shown, for some two decades up until this time, the Society had suffered as a result of the upheavals taking place in the publishing industry – but calmer waters lay ahead. It was agreed that the responsibility for production of future volumes should be placed in Mr Law's hands. Hector MacQueen as Literary Director and the author as Secretary and Treasurer quickly formed an excellent working relationship with him, and he has handled the production of every volume since 2004. His small team includes Ivor Normand, the copy-editor and proof-reader, and Graham Lumsden of Waverley Typesetters – and even a cursory look at the Society's recent volumes makes clear the high standards achieved in their handling of complex work. The part they have played in the success of the publications programme over the last few years cannot be overstated. Mr Law is a stickler for ensuring that the Society obtains value for money: since 2003, the contract for printing and binding the volumes has been awarded to companies within the CPI Print Group, mostly CPI Antony Rowe, although for each volume Mr Law always takes steps to ensure that their price is the most competitive available, consistent with the high standard of product the Society expects. Distribution costs are now a significant part of overall expenditure, and these have been reduced in recent years through competitive tendering. Publication costs over many years are shown in Appendix 5. Although at first glance these appear to be rising inexorably, it will be noted from the appendix that recent volumes have had a significantly larger page count than many of the earlier ones. Considered on a cost-per-page basis, and

16 See the analysis of publication costs in Appendix 5.

taking inflation into account,¹⁷ it is apparent that the costs of these longer volumes have been well controlled. There was, however, a sharp rise in the production costs of the most recent publication, Volume 66, the implications of which have not yet been assessed.

Annual lectures

The inauguration of the Society's lectures in 1965 is referred to in the author's previous article "The Stair Society – the middle years".¹⁸ A lecture has been delivered at every AGM since then – fifty-five in total. It has become the focal point of each Annual General Meeting, and in recent years non-members of the Society have been encouraged to attend it in the hope that this will encourage them to join the Society. Several of the lecturers have come from other European jurisdictions, including from England, Germany, the Republic of Ireland and Norway, and a number from further afield, including the USA. Several of them have been among the Society's own members. In only two cases have lecturers spoken twice. The first of these was Dr John Imrie as noted previously, who in 1982 delivered the lecture on his own account, having in 1973 spoken in lieu of Sir James Fergusson of Kilkerran who had died a week before the meeting, having already prepared his talk. The other was Lord Mackenzie Stuart, who spoke in 1979 and again in 1989. Appendix 2 contains a full list of the lectures, with the names of the lecturers. In many cases, a transcript of the lecture has been published; and in recent years a podcast, containing a full audio-recording of the lecture, has been posted on the Society's website. Full access information is shown on the lectures page of the Society's website.

The electronic age

Computerisation was first mentioned in the minutes of a Council meeting on 25 May 1982, when the possibility of computerising the list of members was raised but was considered unnecessary. At that time, the Society's administration was undertaken by Shepherd & Wedderburn, in which the Secretary and Treasurer, Ivor Guild, was a partner (the two office-bearing roles being combined in 1982); and, although it is not recorded in the minutes, it is known to the author as a former colleague of Mr Guild that basic electronic records of membership were developed and maintained by the firm from about that time. By the early years of the present century, it was becoming clear that the time had come for a more streamlined arrangement for the Society's administration to be introduced. At the Council meeting on 9 May 2003, the author, who was no longer a partner in Shepherd & Wedderburn, spoke to a note that he had circulated prior to the meeting, reporting that that firm was no longer willing to undertake the administration of the Society at a fee which he considered acceptable, and proposing that it should be handed over to Chiene + Tait C.A., who had been auditing the accounts for several years. They had indicated that they were willing to take this on at a fee level less than that charged by Shepherd

17 For example, *Retail Prices Index, August 2004*, 187.4, *August 2018*, 284.2; source: Office of National Statistics.

18 Published in the Society's vol. 54, *Miscellany Six*, pp. 297–8.

& Wedderburn. This was agreed, and the handover was implemented prior to the AGM in November 2003. The arrangement with Chiene + Tait has worked well over the ensuing years, and the Society's records have been absorbed into their automated office systems.

The possibility of the Society having a website is first referred to in the minutes of the Council meeting on 4 November 2000, when Professor MacQueen reported that he had been working with Penny Barr, a consultant introduced through the University of Edinburgh, with a view to establishing such a site, but that she was now committed to other projects. At the next meeting, on 11 May 2001, he reported the possibility of the Society establishing a website to be hosted by the Scottish Archive Network (SCAN), operated by the National Records of Scotland; and at the AGM on 10 November that year he demonstrated a prototype of a site and reported that development work on it was nearly complete. It was reported at the Council meeting on 10 May 2002 that the site was now live. In common with many websites of that era it was a fairly simple affair, but it provided basic information about the Society on a publicly available platform at a time when many organisations such as the Society were feeling their way cautiously in respect of the new technologies. SCAN provided it free of charge to the Society, and it was well managed by one of their staff, Robin Urquhart.

By 2007, SCAN made it clear that their free service could not be continued, and at the Council meeting on 7 November that year there was discussion about the Society establishing a new website under its own control. This in turn led to consideration of the Society's publications being computerised and being made available online and to discussion with the American legal publishers W. S. Hein & Co. Inc. about their being added to their well-established online legal database. At their meeting on 29 May 2009, Council approved the terms of a contract with Hein, subject to issues of copyright being resolved. The arrangements proceeded apace. A full set of the Society's publications was shipped out to Hein's headquarters in Buffalo, New York State, and it was reported to the AGM on 7 November 2009 that the whole series had been scanned, free of expense to the Society, and was available online to Hein subscribers. The Society would receive a royalty of 20% of the gross income generated by Hein from their subscribers' access; members of the Society, including individuals within institutional memberships, would have free access to the material as soon as the Society's new website was operational. To avoid devaluing the hard-copy publications, a "moving wall" was agreed with Hein, whereby volumes would not become available online for a period of three years after hard-copy publication. Contributors to the Society's publications series known to be still alive were contacted and readily gave copyright consent.

The arrangement with Hein has worked well in practice and generates a regular, albeit modest, addition to the Society's overall income. Once operational, it emphasised the need for the Society's new website to be established. Proposals were drawn up, and two firms were invited to tender for giving the necessary advice and building the site – HATII, an in-house consultancy of the University of Glasgow, and Lucent Web Design, a small consultancy operated by Justin Reynolds, a young designer who had been highly recommended. Tenders by each firm were received and considered by Council at their meeting on 6 November 2010 and referred to an

implementation group of Council members. Justin Reynolds' proposals were accepted, and good progress had been made with the design and commissioning of the new site by the next Council meeting, on 3 June 2011. The site went live in April 2012, and it was reported at the AGM on 17 November that year that the members' area, including the link to HeinOnline giving them free access to the Society's publications, had also gone live.

Since its inception, the website has been managed with considerable skill by a former Council member, Dr Karen Baston, a graduate of the University of Detroit and a postdoctoral research fellow at the University of Edinburgh, having graduated PhD there with a thesis on *The Library of Charles Aerskine (1680–1763): Scottish Lawyers and Book Collecting, 1700–1760*. Dr Baston also acted as Secretary and Treasurer of the Society in 2016 and 2017 during a brief interlude between the author's retiral from that post and its assumption by the present holder, Alistair Burrow.

Postgraduate scholarships

As is well known, the Society was established as an educational charity with the primary object of encouraging the study and advancing the knowledge of the history of Scots law, especially by the publication of original documents and by the reprinting and editing of works of sufficient rarity and importance. Suggestions had been made from time to time that this object should be widened. A proposal to establish a postgraduate scholarship in a subject relevant to this primary object was made by Dr Mark Godfrey at Council on 6 November 1999, and a working party was established to report to Council at its next meeting. A detailed proposal was subsequently put to the AGM on 4 November 2000 and given cautious approval. Proposals were drawn up by a committee of the Council, and applications were invited. At their meeting on 11 May 2001, Council considered four submissions. It was decided to make an award for a period of one year, subject to review thereafter, to an American postgraduate student, Eileen O'Sullivan, who while completing an LLM in international law at the University of Glasgow had also embarked on a PhD in the department of medieval history there, involving an examination of early Scottish charters specifically as they related to dispute resolution. The award was in the sum of £10,305 for the first year, to include a contribution of £2,805 to the university's fees and a maintenance grant of £7,500. It was extended for a further year with an inflation increase in the amount paid, following receipt of a satisfactory report from Ms O'Sullivan's supervisors.

A further scholarship was advertised for 2004/5, and an award made, only for the successful candidate to feel compelled to decline the offer owing to personal circumstances. Nevertheless, Council decided to award a further scholarship, to start in the academic year 2006/7. After advertisement, four applications were received, and it was agreed at the Council meeting on 12 May 2006 to make an award to Thomas Green, who had a BA Hons in History from Lancaster University and was studying for a master's degree (MTh in Theology in History) at the University of Edinburgh. He had been admitted to undertake a PhD at Edinburgh, his subject being the early history and unpublished records of the Edinburgh Commissary Court and its inferior courts. Green's scholarship ran for a full three academic years; and, as previously noted, his thesis was published in 2014 as volume 61 of the Society's

main series. He has since taken up a post as a lecturer in law at the University of Aberdeen after holding a British Academy postdoctoral fellowship in the School of Law at the University of Edinburgh, followed by an honorary research fellowship in the School of Law at the University of Glasgow.

After Green's award expired, the scholarship lay in abeyance until 2014. At the Council meeting on 16 November 2013, it had been agreed that the scholarship's revival would be likely to generate interest in the Society and would further its charitable objects, although it was accepted that if the scholarship involved significant encroachment into the Society's financial reserves, that would have an adverse impact on the income on which it relied for other activities, notably its publications programme. As a compromise, it was suggested that consideration should be given to the possibility of funding the fourth year of PhD courses, which many students found it necessary to undertake to complete their research, despite being unfunded for that year. This course of action was agreed at the next Council meeting, on 30 May 2014, and after open competition Council agreed in November of that year to make an award of £3,000 to Julien Bourhis, a postgraduate student at the University of Edinburgh, to assist with completion of his PhD, dedicated to the study of witchcraft trials in the Edinburgh Justiciary Courts in the seventeenth century. Since then, the Society has made a number of minor bursary awards but has taken a cautious financial approach in view of the continuing relatively high cost of the publications programme.

At the time the first scholarship was awarded, the Society's object as stated in its constitution did not explicitly provide for the grant of scholarships, but this was changed (rather belatedly) when a number of alterations were made to the constitution at the AGM in November 2007. The extended objects clause was amended to provide as follows:

The object of the Society shall be to encourage the study and advance the knowledge of the history of Scots Law especially by the publication of original documents in both printed and electronic formats, by the republishing and editing in both printed and electronic formats of works of sufficient rarity or importance and by the grant of scholarships and other awards.

The book stock and the Myanmar connection

Traditionally, the Society's stock of surplus volumes had been held on its behalf free of charge by W. Green & Son – but Ivor Guild as Secretary and Treasurer reported to Council in 1991 that, on their move from St Giles Street to Alva Street in Edinburgh, Greens could no longer continue that service. When T&T Clark took over the publication contract, the stock was moved to their warehouse; and, after Butterworths took them over, it was moved from there to Butterworths' distribution centre. With the termination of the Society's relationship with them, it was decided, on the recommendation of Lawrie Law, who, as has been noted, had been appointed to handle future volume production, to invite Elizabeth Thompson, a former colleague of his at T&T Clark, who had founded the Avizandum specialist legal bookshop, to hold the stock and handle resales. She readily agreed to this, and it was agreed that she would receive compensation for doing so by way of taking a commission on sales. The arrangement has worked well

in practice, but in 2014 it was agreed with Avizandum that, as sales turnover was quite modest, the number of stored volumes should be reduced to lower levels than had been customary. Books were offered to the Advocates' and Signet Libraries and to the libraries of the university law schools for disposal to interested members or students, and in the case of the Advocates' Library members of Faculty were asked (on the library's initiative) to make a donation to charity in exchange for books they received. This distribution process led to a reasonable take-up, the resultant surplus being remaindered.

Prior to completion of the disposal programme, there was an interesting development: Dame Elish Angiolini, the former Lord Advocate and by this time the Principal of St Hugh's College Oxford, where the Myanmar patriot and leader, Aung San Suu Kyi, had studied from 1964 to 1967, had approached the Keeper of the Advocates' Library about a scheme she was initiating to encourage UK institutions to supply surplus law books to Rangoon University to help re-establish its library, which had been liquidated as a result of the political upheavals in Myanmar. The Faculty invited the Society to assist, and at their meeting on 15 November 2014 Council agreed to do so. In liaison with Avizandum, a full set of the Society's volumes was assembled and sent to Oxford for onward shipment to Rangoon free of expense to the Society. Alas! The appeal was so successful that they were unable to cope with the number of books that were donated, and Dame Elish has confirmed recently that the Society's set is being held meantime in safe storage in the China Centre in Oxford. It is hoped there will still be an opportunity to ship it out in the future.

Finances and membership

The bare history of the Society's finances is set out in Appendix 4, covering the full period from 1935, when the first annual accounts were published, to 2019. As will be seen, the finances have remained quite healthy overall. The ups and downs of the surplus and deficit figures reflect the uncertain timing of publication billings, though the costs of running the Society's administration have remained reasonably stable. In recent years, the only time the Society has realised investments to meet expenditure was in 2010, when investments to the value of £10,000 were sold to help cover the exceptional cost of publishing the three Dolezalek volumes in one year. Traditionally, the Society had adopted a cautious policy of maintaining a high level of cash reserves – apparently against the danger of expenditure significantly exceeding income. Such a policy was no doubt justified when reasonably high rates of interest were generated on the reserves, but that is no longer the case, and in recent years the level of cash has been reduced and the Society's investment portfolio increased. From a high of about £90,000 held in cash in 2004, the cash reserves were reduced to about £40,000 by 2009, although this is a fluctuating figure.

For many years, the investment portfolio was reviewed by the stockbrokers Bell Lawrie on an implementation-only basis, Council making decisions as to what should be bought and sold, but in 2014 on the advice of Chiene + Tait it was decided that for reasons of good governance the portfolio should be placed under discretionary management. Three investment-management firms were invited to

tender for the contract, which they did. They were each then interviewed, and on an objective assessment the contract was awarded to Brewin Dolphin, into which Bell Lawrie had been absorbed. In the Society's early years, the bulk of its income was derived from members' subscriptions, but in recent years only about 40% has come from that source, most of the balance being derived from income on the investment portfolio. For this reason, the maintenance of the portfolio and the income generated from it are essential to the Society's financial well-being.

There is always pressure to increase subscription levels, but equally there is a fear, based on experience, that this will result in a reduction in membership numbers and will thus be counterproductive. As will be seen from Appendix 3, the membership numbers have reduced gradually over the years, and it seems likely that this trend will continue. This will no doubt present a challenge in the future.

The financial reports contain one quirk: there are no accounts for 2007. At that time, the accounting regulations applying to charities were changed, requiring that the annual return had to be lodged with the charities regulator within ten months (reduced after the first year of the new regulations to nine months) after the end of the charity's financial year. For many years, the Society's year end had been 31 December, with the AGM held in the November following the year end. Under the new regime, it would have had to be advanced to 30 September at the latest, and Council considered that this would be awkward, coinciding with the start of the academic year and thus possibly affecting the ability of many of its members to attend. To maintain the *status quo*, it was decided, with the approval of the charity regulator, to move the year end to 31 March. Thus accounts were prepared for a transitional fifteen-month period, from 1 January 2006 to 31 March 2008. The change was accomplished without any problems. An increase in subscriptions was, however, built into the transitional arrangements. A big drop in membership numbers was experienced over this time, from 530 in 2006 to 419 in 2009, but it seems likely that this was as much a result of the recession of 2008–9 as of the subscription increase.

Personalities

Inevitably in a relatively brief review of the Society's history over such a long period as fifty years, it has not been possible to mention everyone who has contributed to its success. That said, several people have already been mentioned, and a number of others are highlighted as follows:

GORDON DONALDSON – Lord (James L.) Clyde, the Society's President, died on 30 June 1975, and at the ensuing AGM the Vice-President, Lord Avonside, was elected to take his place. It was agreed at that meeting, on Avonside's suggestion, that it should be left to Council to propose a nominee for the post of Vice-President. The minutes of the Council meeting on 3 May 1976 record that some discussion took place about this. Views were expressed that the post might be filled by a historian. The name of Professor Donaldson was suggested, and it was agreed that the Chairman of Council, Dr Imrie, would approach him after consultation with the President. As a result, Donaldson was duly elected as Vice-President at the AGM the following November.

Donaldson, the son of a postman of Shetland ancestry, was born in 1913 and educated at Broughton School and the Royal High School in Edinburgh. From there he went to the University of Edinburgh, where he graduated with first-class honours, and then to the Institute of Historical Research in London, where he gained his PhD. Returning to Edinburgh in 1938, he worked as an archivist at the General Register Office until 1947, having been excused military service.¹⁹ He took up an appointment as lecturer in Scottish history at the University of Edinburgh in 1947 and was promoted to Reader there in 1955 and to the Chair of Scottish History and Palaeography in 1963, a post he held until 1979. He was Vice-President of the Society until 1988, when he succeeded Lord Avonside in the presidency, a post he held until his death on 16 March 1993.²⁰ He is the only holder of that office not to have been a Senator of the College of Justice or a Lord of Appeal in Ordinary. In an engaging obituary in the *Guardian*,²¹ Tam Dalyell, who was a close friend, commented: “Ask Donaldson about any character in the chronicles of our turbulent Scottish land from the time of the Norsemen to the Wee Frees, and he would chat about their strengths and foibles as if he knew them personally and had gossiped in their company. [He] was their candid friend and knew them well.”

Donaldson had edited the two-volume publication of the St Andrews Formulare, volumes 7 and 9 of the Society’s main series,²² and had written chapter 27 (“The church courts”) in *An Introduction to Scottish Legal History* (1958, volume 20 of the Society’s main series). He had also contributed an article, “Problems of sovereignty and law in Orkney and Shetland”, to the Society’s *Miscellany Two* (volume 35), and an essay on early Scottish conveyancing in volume 36, *Formulary of Old Scots Legal Documents*, compiled and edited by Peter Goulesbrough.

ATHOL L. MURRAY was born in Tynemouth, Northumberland, in 1930, the son of a bank manager. Educated at Lancaster Royal Grammar School, he graduated in law from the University of Cambridge (BA 1952, MA 1957) and Edinburgh (LLB 1957, PhD 1961). In 1953, he joined the Scottish Record Office. Having been the youngest permanent Assistant Keeper there, he was appointed Deputy Keeper in 1984 and Keeper of the Records in 1985, a post he held until his retirement in 1990. He was a long-standing member of the Society, serving on Council from 1982 to 1988. He took a particular interest in the history of the Scottish Exchequer; and his article, “Sir John Skene and the Exchequer 1594–1612”, was published in the Society’s *Miscellany One* (volume 26). He delivered the annual lecture in 2003, his topic being “The post-union Court of Exchequer: the history of that court from 1709 to 1856, when its functions were transferred to the Court of Session”.²³ He died in 2018 at the age of 87.²⁴

19 The circumstances surrounding Donaldson’s occupation during the war are discussed in James Kirk, *Her Majesty’s Historiographer: Gordon Donaldson 1913–1993* (Edinburgh, 1996), pp. 31–2.

20 Lord Hope, *Lord President 1989–1996: Lord Hope’s Diaries* (Edinburgh, 2018), p. 93.

21 18 March 1993.

22 This work had been commenced by Professor R. K. Hannay, who died before it was completed (see Council minutes, 21 May 1940). It was completed by Professor Donaldson, assisted by Dr C. Macrae.

23 Published in the Society’s vol. 52, *Miscellany Six*, pp. 103–31.

24 See *Scotsman* obituary, 20 September 2018.

ALAN WATSON was born in Hamilton in 1933 into a family in modest circumstances. He shone at school and attended the University of Glasgow, where he graduated MA in 1954 and LLB in 1957. After teaching law for some eight years at the University of Oxford, he was appointed to the Douglas Chair of Civil Law at Glasgow in 1965, and in 1968 he was appointed to succeed T. B. Smith as Professor of Civil Law at the University of Edinburgh. He was elected Literary Director of the Society in 1977, but two years later he moved to the School of Law at the University of Pennsylvania, and in 1989 to the University of Georgia in Athens. Despite settling in the USA, he maintained strong links with Scotland – and herein lies an interesting diversion.

The minutes of the Council meeting of 7 May 1979 record that the Secretary, Dr George Thomson, raised the matter of the Society's Secretary for the USA. For many years, this honorary post had been held by Colonel John H. Tucker Jnr of Shreveport, Louisiana, who, Thomson suggested, "must be getting on a bit". Thomson was asked to investigate and report. He did so at the AGM later that year. Tucker, he said, had passed the age of 90. Professor T. B. Smith (subsequently knighted in 1981) suggested that he should be awarded honorary membership of the Society (for which there was no provision in the constitution, but which had been awarded on a few occasions in the past). The honour was duly bestowed. The date of Tucker's retiral as Secretary for the USA is not recorded in the minutes, but he died in 1984 and is considered to have been one of Louisiana's foremost legal scholars.²⁵

In any event, the minutes of the Council meeting on 10 May 1983 recorded that Alan Watson had agreed to act as the Society's representative in the USA. He delivered the Society's annual lecture, "Transformations of law: J.1.2, Stair and Mackenzie", in 2001.²⁶ Watson died in 2018. An excellent obituary of him, written by his old friend and former student Professor John Cairns, incumbent Professor of Civil Law at the University of Edinburgh and at that time the recently retired Chairman of the Society's Council, was published in the *Scotsman* on 5 December 2018.

W. M. (BILL) GORDON was born in 1933 in Inverurie, Aberdeenshire, the son of a local bank manager. He was educated at Inverurie Academy and Robert Gordon's College in Aberdeen, after which he attended the University of Aberdeen, graduating MA in 1953 and LLB in 1955. He was admitted as a solicitor in 1956 before doing his National Service in the Royal Navy 1956–7, based at Devonport, Plymouth. From 1957 to 1960, he lectured as assistant in jurisprudence at Aberdeen University before moving to the University of Glasgow as a lecturer in civil law in 1960. He completed his PhD in 1963 under the supervision of Professor Peter Stein, University of Aberdeen. In 1965 he became senior lecturer in private law at Glasgow, and in 1969 he succeeded Alan Watson as Douglas Professor of Civil Law. He retired from that Chair in 1999 but continued his work at the university as a research fellow. He was awarded an Honorary LLD by the University of Aberdeen in 2005.

25 See LSU Law/Law Library, "The Tucker Collection at LSU Law": <https://libguides.law.lsu.edu/c.php?g=378033>.

26 Published in the Society's vol. 49, *Miscellany Four* (2002), pp. 243–54.

Gordon first became closely involved in the Society's work when he was elected to Council in 1983 and as Literary Director in succession to David Sellar the following year. He continued in that office until 1998. That year, he was co-opted back onto Council, supposedly for a period of five years, but he continued to attend Council until 2011, when he was elected Vice-President of the Society. He died the following year. He was a regular attender at Council meetings, at which he was always an active and constructive participant. He delivered the annual lecture at the AGM in 1999, his subject being "The civil law of Scotland"; and his article on Balfour's *Registrum* was published in *Miscellany Four* (2002).

Gordon published widely, both on his own account and jointly with colleagues. Among his own published works were *Roman Law, Scots Law and Legal History, Selected Essays* (2007) and *Scottish Land Law*, first published in 1989 and running to several later editions; and he co-wrote with Olivia Robinson and David Fergus *An Introduction to European Legal History* (1985), also running to later editions as *European Legal History*. He was still updating the third edition of *Scottish Land Law* until shortly before he died. Commenting on his *Roman Law, Scots Law and Legal History*, his obituarist quotes the *Edinburgh Law Review* as follows: "The essays are impeccably crafted, characterised by conciseness and lucidity in expression, demonstrate excellent sense and judgement in the handling of complex issues, and, perhaps above all, reveal a mastery of the civilian sources."²⁷

JAMES (J.J.) ROBERTSON was born in 1932 in Dumfries, where his father, also James, was the county roads surveyor; he graduated MA, LLB from the University of St Andrews. After a spell in private practice as a solicitor in Edinburgh, in 1964 he took up an appointment as a lecturer in law at Queen's College, Dundee as part of the University of St Andrews, shortly before it gained independent status as the University of Dundee.²⁸ He was one of only six staff in the law faculty at that time. He taught Roman law, but his principal research interest was the canon law of medieval Scotland, and he carried out extensive research in the Vatican archives. Robertson had the unusual distinction of serving three terms on the Society's Council: 1970–4, 1980–4 and 1994–8. He delivered the Society's annual lecture in 1987, his title being "Aspects of Scottish legal research in the archives of the Roman rota and the Roman penitentiary".²⁹ He was held in high regard by his colleagues and students at Dundee. As Kevin Veal, one of his students and later sheriff at Forfar, commented: "Jim was a popular lecturer who very clearly had a total grasp of his subject. He took a great personal interest in his students and their welfare, and he and [his wife] Anne were generous hosts, welcoming his students to their home."³⁰ He died in February 2011.

PETER G. B. McNEILL was born in Glasgow in 1929. He was educated at Hillhead High School and for a year at the end of the Second World War as an evacuee at Morrison's Academy in Crieff. He read law at the University of Glasgow and was awarded a Carnegie Fellowship and subsequently a Faulds Fellowship which

²⁷ See *Herald* obituary, 20 September 2012.

²⁸ Robin M. White, *Dundee Law School 1865–1967: The Development of a Law School in a Time of Change*, Abertay Historical Society (Dundee, 2018), p. 323.

²⁹ Published in *Renaissance Studies*, ii (1988), 339–46.

³⁰ Obituaries, *Scotsman* and *Courier*, both 8 February 2011.

enabled him to obtain his PhD, his doctoral thesis being on the jurisdiction of the Scottish Privy Council 1532–1708. He was called to the Bar in 1956. In 1964 he was appointed Advocate Depute, and in 1965 Sheriff of Glasgow and Strathkelvin, a post he held until 1982. He then became Sheriff of Edinburgh and the Borders until he retired in 1998.

McNeill edited both volumes of Balfour's *Practicks*, published as volumes 21 and 22 of the Society's main series. He also contributed an article, "Discours particulier d'Escoce, 1559/60", to *Miscellany Two* (containing an edition and translation of a significant mid-sixteenth-century description of Scottish governance and legal institutions), and another, "The legitimacy of the Earl of Arran", to *Miscellany Five*. He served as a member of the Society's Council from 1973 to 1976 and in 1981 and 1982, as Chairman of Council from 1990 to 1998 and as the Society's Vice-President from 2006 until his death in 2011. Sheriff David Smith, another of the Society's stalwarts (see next), who was a good friend of McNeill, summed him up as follows: "Despite Peter's formidable brain and knowledge of history, he was a very unassuming man. He did not seek publicity or honour for himself. He never used the title 'Doctor' to which his PhD entitled him."³¹

DAVID SMITH was born in 1936 in Paisley and educated at Paisley Grammar School. He graduated MA (Glasgow) and LLB (Edinburgh), undertook a Bar apprenticeship with Shepherd & Wedderburn and was called to the Bar in 1961. In 1975 he was appointed Sheriff of North Strathclyde at Kilmarnock, a post he held with distinction – and with some notoriety on account of his individual approach to sentencing and other aspects of his judicial role – until his retirement in 2001. He was also a long-standing member of the Society. He served two terms on Council, 1963–7 and then 1992–8, when he was elected to be its Vice-Chairman. He had been nominated to succeed Professor John Cairns as Chairman at the AGM in November 2015 but sadly had to withdraw his nomination on account of ill health. His first mention in the Society's minutes is in November 1964, when he was instrumental in unlocking an impasse in the publication of William Hay's *Lectures on Marriage*, volume 24 of the Society's series. In 1991 he gave the Society's annual lecture, his subject being "The spiritual jurisdiction 1560–1564".³² He contributed two articles to the Society's *Miscellany* volumes, "A sixteenth-century legal opinion", which he edited and explained (*Miscellany Three*), and "A Banffshire process of perambulation, 1558: Alexander, Lord Salton v. Sir Walter Ogilvie of Boyne, knight" (*Miscellany Four*). His help is also acknowledged by at least two of the Society's editors or authors in their volumes: by Peter McNeill, in *Balfour's Practicks*, and by Dr Thomas Green in *The Consistorial Decisions of the Commissaries of Edinburgh, 1564–1576/7*, each of these works being mentioned above. He contributed his own learned articles on various historical subjects to the *Juridical Review*, the *Records of the Scottish Church History Society*, the *Scots Law Times* and the *Journal of the Law Society of Scotland*. He also edited the maps on courts spiritual that appeared in the *Atlas of Scottish History to 1707*, edited by Peter McNeill and Hector MacQueen (1996). Although he listed the history of the laws and institutions of Scotland as his principal recreation, another of

³¹ *Scotsman* obituary, 17 May 2011.

³² Published in *Records of the Scottish Church History Society*, xxv (1993), 1–18.

his consuming interests was the sport of curling, on which he published extensively. He died on 2 December 2015.

DAVID SELLAR was another long-serving member of the Society. Born in 1941 in Glasgow, he was educated at Kelvinside Academy and then at Fettes College. He graduated in history from Oxford (St Edmund's Hall) in 1962 and in law from the University of Edinburgh in 1964, then served an apprenticeship at Shepherd & Wedderburn, qualifying as a solicitor in 1966. He then joined the staff of the Land Court as a legal assessor, and in 1969 he took up an appointment as a lecturer in law at the University of Edinburgh, being promoted to senior lecturer in 1975. He had a deep interest in, and understanding of, Highland history and genealogy. He was a natural choice for appointment as Lord Lyon King of Arms, a post he held with distinction from 2008 to 2014. Tall, with a shock of fair hair and a copious beard to match, he was a formidable figure dressed in his tabard on formal occasions. Apart from being made a Member of the Victorian Order by the Queen on his retirement as Lord Lyon, he also received the honorary degree of Doctor of Laws from the University of Glasgow in 2016 in recognition of his services to legal history.

Sellar gave long service to the Society. He was a member of Council 1970–3, and in the annual reports he is listed also as such continuously from 1979 to 1990, although the years 1980–5 also covered his years as Literary Director. He was Vice-Chairman of Council 1991–5 and Vice-President 2012–17. As Literary Director, he supervised the publication of volumes 32 to 36 of the Society's main series. He was the author of countless learned articles and contributed one of them, "Courtesy, battle and the Brieve of Right 1368 – a story continued", to *Miscellany Two* (volume 35), as well as "Birlaw courts and birleyemen" to *Miscellany Seven* (volume 62). He gave the Society's annual lecture in 1997, "Scots law: mixed from the very beginning? A tale of two receptions".³³ His former university colleague, Professor Hector MacQueen, has written an in-depth memoir on his life and work which can be accessed on the Edinburgh Law School website.³⁴ He died on 26 January 2019.

DR GEORGE THOMSON was a largely unsung hero of the Society. He was one of its founder members and was its Secretary for more than twenty years. There is, however, little mention of him in its extensive records. At a Council meeting on 9 January 1961, Dr Charles Malcolm, who had been the Society's Secretary since its inauguration in 1934, advised of his intention to retire. This was accepted with regret, and it was agreed to recommend that Dr Thomson should be elected in his place. This appears to have been accepted as the position at the ensuing AGM on 18 March 1961, although Thomson's election seems to have been assumed rather than actually minuted. He held the post until 1982, when it was combined with the office of Treasurer, both offices being held thereafter by Ivor Guild.

Thomson was until 1976 the managing director of W. Green & Son Ltd, the leading Scottish law publishers, and, upon his retirement, a director of the company. He was born in 1911 and educated at the Edinburgh Academy and the University

³³ Published in the *Edinburgh Law Review* 4 (1), 185–98.

³⁴ See <https://www.law.ed.ac.uk/news-events/news/memori-am-david-sellar-27-february-1941-26-january-2019>; also *Scotsman* obituary, 11 February 2019.

of Edinburgh, where he graduated in law in 1931. After qualifying as a solicitor, he practised in Forfar and Edinburgh before joining Greens at the beginning of the war. War service took him away until early in 1947, when he returned to Greens. He was editor of the *Scots Law Times*, and from 1948 onwards he applied his skills and enthusiasm to the publication of *Current Law*. He was also editor of the *Juridical Review*. As well as these commitments, in the words of his obituarist

he maintained and increased the high output of specialist legal publications in Scotland, and none of his authors will forget his efficiency and kindness in arranging for the publication of their books and his helpfulness in the various crises that arise in the preparation of legal texts ... There can be no doubt that the legal profession in Scotland, and Scots law itself, owe him an immense debt of gratitude.

That gratitude was acknowledged with the award of the OBE in 1982. His death on 2 May 1987 was noted with regret at a Council meeting later that month, when Ivor Guild, the Secretary, was instructed to write to Mrs Thomson expressing the Council's sympathy and to send her flowers. It was also noted at the AGM that November, when Irvine Smith, in the chair, spoke of the great loss suffered through his death and commented that he had held a unique place in Scottish legal publishing.³⁵

IVOR GUILD was born in 1924, the son of a Dundee stockbroker, and was educated at Cargilfield, in Edinburgh, and Rugby. Being assessed as medically unfit for military service, on leaving school in 1942 he went up to New College Oxford, graduating MA, and later gained his LLB at the University of Edinburgh. He qualified as a solicitor and was admitted as a Writer to the Signet in 1949. In 1950 he was assumed as a partner in Shepherd & Wedderburn, in which his uncle, Reginald Guild, was a senior partner, and he spent his whole career in that firm, retiring in 1994. He was a director of several investment trusts based in Edinburgh and Dundee, Procurator Fiscal to the Lyon Court, 1960–94, and Bailie of the Palace of Holyroodhouse, 1980–95, that office bringing him into regular contact with the Queen and other members of the Royal Family. He was Registrar of the Episcopal Synod of the Scottish Episcopal Church, 1967–2007, and Chancellor of the Diocese of Edinburgh, 1985–95 and of the Diocese of St Andrews, Dunkeld and Dunblane, 1985–98. He was elected Treasurer of the Society in 1967 and was appointed CBE in 1985. When Dr George Thomson retired as the Society's Secretary in 1982, the offices of Secretary and Treasurer were combined, as has been mentioned, Guild holding both of them from then until his retirement in 1994. He had a wide circle of friends and a sharp sense of humour. From 1957 he lived in a small apartment in Edinburgh's New Club from which, as he used to say, he could walk to work in seven minutes. He never owned a car and he rarely took a bus, walking almost everywhere in Edinburgh whatever the weather. He died in January 2015 at the age of 90.³⁶ He was one of the great characters of his age.

³⁵ See his obituary in *Scots Law Times* (1987), News, p. 179. The author is grateful to James Hamilton, Research Principal, The Signet Library, for retrieving this for him.

³⁶ Obituaries, *Scotsman*, 15 January 2015; *Independent*, 8 February 2015 (by his friend and client Tam Dalyell); *The Times*, 13 March 2015.

Looking ahead

With the centenary of the Stair Society beginning to peep over a not very distant horizon, it will be apparent from its history over the last eighty-six years, as told in this article and the two earlier ones, that it has been blessed throughout by input from a wide range of scholars, supporters and well-wishers both within and beyond its membership. It is to them that thanks are due for what it has achieved. Some of those who are still actively involved in its work, and there are many and their commitment is considerable, may not have been given due prominence in the story as told so far, or even been mentioned in it; it will be for a later historian to note and assess their contributions.

The study of, and research into, legal history in the Scottish law schools at the present time is in rude good health, and there seems every likelihood that the Society will continue to flourish for many years to come.

APPENDIX 1

Publications directory 1936–2019

Main series

- 1 *An Introductory Survey of the Sources and Literature of Scots Law*. By various authors. 1936.
- 1a *Index to An Introductory Survey of the Sources and Literature of Scots Law*, compiled by James Cowie Brown, M.A., LL.B., Ph.D. 1939.
- 2 *Acta Curiae Admirallatus Scotiae, 6th September 1557—11th March 1561–2*. Edited by Thomas Callendar Wade, M.A., LL.B. 1937.
- 3 *Hope's Major Practicks, 1608–1633*. Edited by the Rt Hon. James Avon Clyde, LL.D. Volume I. 1937.
- 4 *Hope's Major Practicks, 1608–1633*. Edited by the Rt Hon. James Avon Clyde, LL.D. Volume II. 1938.
- 5 *Baron David Hume's Lectures, 1786–1822*. Edited and annotated by G. Campbell H. Paton, M.A., LL.B. Volume I. 1939.
- 6 *Lord Hermand's Consistorial Decisions, 1684–1777*. Edited by F. P. Walton, LL.D., K.C. (Quebec). 1940.
- 7 *St Andrews Formulare, 1514–1546*. Text transcribed and edited by Gordon Donaldson, M.A., Ph.D. and C. Macrae, M.A., D.Phil. Volume I. 1942.
- 8 *Acta Dominorum Concilii, 26 March 1501—27 January 1502–1503*. Transcribed by J. A. Crawford, M.A., LL.B. 1943.
- 9 *St Andrews Formulare, 1514–1546*. Edited by Gordon Donaldson, M.A., Ph.D. Volume II. 1944.
- 10 *The Register of Brieves, 1286–1386, as contained in the Ayr MS., the Bute MS. and Quoniam Attachiamenta*. Edited by the Rt Hon. Lord Cooper, LL.D. *Thomas Thomson's Memorial on Old Extent*. Edited by J. D. Mackie, C.B.E., M.C., M.A. 1946.
- 11 *Regiam Majestatem and Quoniam Attachiamenta*. Based on the text of Sir John Skene. Edited and translated with Introduction and Notes by the Rt Hon. Lord Cooper, LL.D. 1947.
- 12 *The Justiciary Records of Argyll and the Isles, 1664–1705*. Transcribed and edited by John Cameron, M.A., LL.B., Ph.D. Volume I. 1949.
- 13 *Baron David Hume's Lectures, 1786–1822*. Edited and annotated by G. Campbell H. Paton, M.A., LL.B. Volume II. 1949.
- 14 *Selected Cases from Acta Dominorum Concilii et Sessionis. From 27 May 1532, the inception of the Court, to 5 July 1533*. Edited by Ian Hamilton Shearer, M.A., LL.B. 1951.
- 15 *Baron David Hume's Lectures, 1786–1822*. Edited and annotated by G. Campbell H. Paton, M.A., LL.B. Volume III. 1952.

- 16 *Selected Justiciary Cases, 1624–1650*. Edited and annotated by Stair A. Gillon, B.A., LL.B. Volume I. 1953.
- 17 *Baron David Hume's Lectures, 1786–1822*. Edited and annotated by G. Campbell H. Paton, M.A., LL.B. Volume IV. 1955.
- 18 *Baron David Hume's Lectures, 1786–1822*. Edited and annotated by G. Campbell H. Paton, M.A., LL.B. Volume V. 1957.
- 19 *Baron David Hume's Lectures, 1786–1822*. Edited and annotated by G. Campbell H. Paton, M.A., LL.B. Volume VI. With a Biography of Baron Hume by the Editor. 1958.
- 20 *An Introduction to Scottish Legal History*. By various authors. 1958.
- 21 *The Practicks of Sir James Balfour of Pittendreich*. Reproduced from the Printed Edition of 1754. Edited by Peter G. B. McNeill, M.A., LL.B., Ph.D. Volume I. 1962.
- 22 *The Practicks of Sir James Balfour of Pittendreich*. Reproduced from the Printed Edition of 1754. Edited by Peter G. B. McNeill, M.A., LL.B., Ph.D. Volume II. 1963.
- 23 *The Origins and Development of the Jury in Scotland*. By Ian Douglas Willock, M.A., LL.B., Ph.D. 1966.
- 24 *William Hay's Lectures on Marriage*. Transcribed, translated and edited by the Right Reverend Monsignor John C. Barry, M.A. (Cantab.), D.C.L. (Rome). 1967.
- 25 *The Justiciary Records of Argyll and the Isles, 1664–1742*. Volume II, 1705–1742. Edited by John Imrie. 1969.
- 26 *Miscellany One*. By various authors. With a Preface by the Rt Hon. Lord Clyde, P.C., LL.D. 1971.
- 27 *Selected Justiciary Cases, 1624–1650*. Edited with an Introduction by J. Irvine Smith, M.A., LL.B. Volume II. 1972.
- 28 *Selected Justiciary Cases, 1624–1650*. Edited with an Introduction by J. Irvine Smith, M.A., LL.B. Volume III. 1974.
- 29 *The Minute Book of the Faculty of Advocates*, Volume 1, 1661–1712. Edited by John MacPherson Pinkerton. 1976.
- 30 *The Records of the Synod of Lothian and Tweeddale, 1589–1596, 1640–1649*. Edited with an Introduction by James Kirk, M.A., Ph.D. 1977.
- 31 *Perpetuities in Scots Law*. By Robert Burgess, LL.B. (Lond.), Ph.D. (Edin.). 1979.
- 32 *The Minute Book of the Faculty of Advocates*, Volume 2, 1713–1750. Edited by John MacPherson Pinkerton. 1980.
- 33 *Stair Tercentenary Studies*. By various scholars. Edited by David M. Walker, Q.C., M.A., Ph.D., LL.D., F.B.A., F.R.S.E., F.S.A. Scot. 1981.

- 34 *The Court of the Official in Pre-Reformation Scotland*. Based on the Surviving Records of the Officials of St Andrews and Edinburgh. By Simon Ollivant, M.A., Ph.D. 1982.
- 35 *Miscellany Two*. By various authors. Edited by David Sellar, B.A., LL.B. 1984.
- 36 *Formulary of Old Scots Legal Documents*. Compiled by Peter Gouldesbrough, with a Supplementary Essay on Early Scottish Conveyancing by Gordon Donaldson. 1985.
- 37 *The Scottish Whigs and the Reform of the Court of Session 1785–1830*. By Nicholas Phillipson. 1990.
- 38 *The Court Book of the Barony and Regality of Falkirk and Callendar*. Volume 1. 1638–1656. Edited by the late Doreen M. Hunter, M.A. 1991.
- 39 *Miscellany Three*. By various authors. Edited by Professor W. M. Gordon. 1992.
- 40 *Selkirk Protocol Books 1511–1547*. The Protocol Books of John Chepman, 1511–1536 and 1545–1547, Sir John Chepman, 1536–1543, John and Ninian Brydin and Other Notaries, 1526–1536 and John Brydin, 1530–1537. Transcribed and edited by Teresa Maley and Walter Elliot. 1993.
- 41 *An Institute of the Laws of Scotland in Civil Rights: With Observations upon the Agreement or Diversity between Them and the Laws of England*. In *Four Books*. Volume I. By Andrew McDouall, Advocate [Lord Bankton]. 1993.
- 42 *An Institute of the Laws of Scotland in Civil Rights: With Observations upon the Agreement or Diversity between Them and the Laws of England*. In *Four Books*. Volume II. By Andrew McDouall, Advocate [Lord Bankton]. 1994.
- 43 *An Institute of the Laws of Scotland in Civil Rights: With Observations upon the Agreement or Diversity between Them and the Laws of England*. In *Four Books*. Volume III. By Andrew McDouall, Advocate [Lord Bankton]. 1995.
- 44 *Quoniam Attachiamenta*. Edited and translated with an Introduction by T. David Fergus. 1996.
- 45 *Medieval Papal Representatives in Scotland: Legates, Nuncios, and Judges-Delegate, 1125–1286*. By Paul C. Ferguson, Ph.D. 1997.
- 46 *The Minute Book of the Faculty of Advocates*, Volume 3, 1751–1783. Edited with commentary by Angus Stewart, Q.C. 1999.
- 47 *The Aberdeen Sheriff and Commissary Court Stylebook 1722*. Edited by M. C. Meston and A. D. M. Forte. 2000.
- 48 *The Development and Use of Written Pleadings in Scots Civil Procedure*. By David R. Parratt. 2006.
- 49 *Miscellany Four*. By various authors. Edited by Hector L. MacQueen. 2002.
- 50 *The Business of the College of Justice in 1600*. By Winifred Coutts, Ph.D. 2003.

- 51 *Compulsion and Restitution. A historical and comparative study of the treatment of compulsion in Scottish private law with particular emphasis on its relevance to the law of restitution or unjustified enrichment.* By Jacques Etienne Du Plessis. 2004.
- 52 *Miscellany Five.* By various authors. Edited by Hector L. MacQueen. 2005.
- 53 *The Minute Book of the Faculty of Advocates, Volume 4, 1783–1798.* Edited by Angus Stewart, Q.C. and Dr. David Parratt. 2008.
- 54 *Miscellany Six.* By various authors. Edited by Hector L. MacQueen. 2009.
- 55 *Scotland Under Jus Commune. Census of manuscripts of legal literature in Scotland, mainly between 1500 and 1660, Volume I.* By Gero Dolezalek. 2010.
- 56 *Scotland Under Jus Commune. Census of manuscripts of legal literature in Scotland, mainly between 1500 and 1660, Volume II.* By Gero Dolezalek. 2010.
- 57 *Scotland Under Jus Commune. Census of manuscripts of legal literature in Scotland, mainly between 1500 and 1660, Volume III.* By Gero Dolezalek. 2010.
- 58 *Scottish Formularies.* Edited by A. A. M. Duncan. 2011.
- 59 *The Laws and Customs of Scotland in Matters Criminal by Sir George Mackenzie.* Edited by Olivia F. Robinson, F.R.S.E., F.R.Hist.S., kM.Oest.Ak. 2012.
- 60 *The Legal Papers of James Boswell, Volume 1, in relation to cases in which Boswell first became involved in the period 29 July 1766 to 11 November 1767.* Edited by Hugh M. Milne. 2013.
- 61 *The Consistorial Decisions of the Commissaries of Edinburgh, 1564–1576/7.* Selected and edited by Thomas M. Green, B.A, M.Th., Ph.D. 2014.
- 62 *Miscellany Seven.* By various authors. Edited by Hector L. MacQueen. 2015.
- 63 *The Legal Papers of James Boswell, Volume 2, in relation to cases in which Boswell first became involved in the period 12 November 1767 to 11 November 1769.* Edited by Hugh M. Milne. 2016.
- 64 *Jus Feudale Tribus Libris Comprehensum by Thomas Craig of Riccarton.* Book 1. Translated, edited and annotated by Leslie Dodd. 2017.
- 65 *Alexander King's Treatise on Maritime Law.* Edited and translated, with an Introduction and Commentary, by J. D. Ford. 2018.
- 66 *The Laws of Medieval Scotland. Legal compilations from the thirteenth and fourteenth centuries.* Edited by Alice Taylor. 2019.

Supplementary series

- 1 *The College of Justice.* Essays by Professor R. K. Hannay with an introduction by Hector L. MacQueen. 1990.
- 2 *The Civil Law Tradition in Scotland.* By various authors, edited by Robin Evans-Jones. Contributors: Robin Evans-Jones, William M. Gordon, Reinhard Zimmermann, Peter Birks, Douglas J. Osler, David L. Carey Miller, David Johnston, Alan Rodger, Geoffrey MacCormack, Donna McKenzie. 1995.

- 3 *Guide to the National Archives of Scotland*. Published by the Scottish Record Office with the Stair Society. This guide deals with the government of the pre-Union Kingdom and with legal records, covering both the central courts and local courts. The two public registers of private rights in Scotland, the register of sasines and the register of deeds, and the records of the Scottish Record Office itself are also included in this volume. 1996.

APPENDIX 2

Annual lectures 1965–2019

Note: Many of the lectures have been published, and in recent years podcasts containing full recordings of them have been made. For details, see the directory of the lectures on the Society’s website.

- 1965 “A lawyer looks at Stair” – Professor J. M. Halliday, Professor of Conveyancing, University of Glasgow
- 1966 “Judges and judiciaries” – Professor G. W. S. Barrow, Professor of Mediaeval History, University of Newcastle upon Tyne
- 1967 “The Scottish judiciary during the first half of the twentieth century” – The Hon. Lord Walker, Senator of the College of Justice
- 1968 “The tribunal of the sacred Roman rota: ancient and modern” – The Most Rev. James D. Scanlan, Archbishop of Glasgow
- 1969 “From the allod to the feu” – Sir Thomas Innes of Learney, Lord Lyon King of Arms
- 1970 “Some rambles in the foothills of Scots law, with random glances towards the south” – Sir Robert Megarry, High Court of Justice, Chancery Division, later Vice-Chancellor
- 1971 “The Scottish legal system in relation to Scottish political conditions and aspirations” – R. G. Cant, Reader in Scottish History, University of St Andrews
- 1972 “The end of assythment” – The Hon. Lord Hunter, Senator of the College of Justice
- 1973 “The background to a Lord of Session” – Sir James Fergusson of Kilkerran, Bart (read by Dr John Imrie, Chairman of Council, following Sir James’s death a week prior to the meeting)
- 1974 “One lawyer to another: F. W. Maitland and George Neilson of Glasgow” – Professor E. L. G. Stones, University of Glasgow
- 1975 “Recollections of fifty years of Parliament House” – Dame Margaret Kidd, QC
- 1976 “Experiences of a mixed legal society: the American South-West” – Professor Joe McKnight, Professor of Law at the Southern Methodist University and Director of the Family Law Review Project for Texas
- 1977 “Adam Smith on law and society” – Professor Peter Stein, Regius Professor of Civil Law and Fellow of Queen’s College, Cambridge
- 1978 “Entails and perpetuities” – Professor A. W. B. Simpson, University of Kent
- 1979 “The Lord Advocate and the French spy” – The Hon. Lord Mackenzie Stuart, Judge of the European Court of Justice

- 1980 “Registration: the last 100 years and more” – David Williamson, Keeper of the Registers of Scotland
- 1981 “British law: a Jacobean phantasma” – Professor Sir T. B. Smith
- 1982 “The parliament of Scotland: a postscript to an auld sang” – Dr John Imrie, Keeper of the Records of Scotland and Chairman of the Society
- 1983 “*Regiam Majestatem* amongst medieval law books” – Professor Alan Harding
- 1984 “A brief address on the subject of Lord Stair” – The Rt Hon. Lord Avonside, Senator of the College of Justice
- 1985 “The House of Lords as court of last resort for the United Kingdom” – The Rt Hon. Lord Fraser of Tullybelton, Lord of Appeal in Ordinary
- 1986 “Who compiled the Register of Brieves?” – Professor A. A. M. Duncan
- 1987 “Aspects of Scottish legal research in the archives of the Roman rota and the Roman penitentiary” – James J. Robertson, MA, LLB, FSA Scot, Faculty of Law, University of Dundee
- 1988 “Why change the law?” – The Hon. Lord Maxwell, Senator of the College of Justice and Chairman of the Scottish Law Commission
- 1989 “Benjamin Franklin in Scotland” – The Hon. Lord Mackenzie Stuart, Judge of the European Court of Justice
- 1990 “The nature of the crown in Scotland before 1707” – Dr William Ferguson
- 1991 “The spiritual jurisdiction 1560–1564” – Sheriff David B. Smith
- 1992 “The evolution of Parliament House” – The Hon. Lord Cullen, Senator of the College of Justice, later Lord President
- 1993 “What are the public records of Scotland?” – Patrick Cadell, Keeper of the Records of Scotland
- 1994 “As others saw them: an address on the work carried out in the late 19th century and early 20th century by German scholars in examining the civil and criminal procedures in Britain which were used as models in the development of their own system” – The Rt Hon. Lord Rodger of Earlsferry, Lord Advocate, later Lord President and Lord of Appeal in Ordinary
- 1995 “The origins and development of the teaching of law in the Scottish universities from the 13th to 16th centuries, including references to their training abroad and the texts in use” – Dr John Durkan, Department of Scottish History, University of Glasgow
- 1996 “The criminal law in the age of Mackenzie: the question of judicial torture” – Professor Brian Levack, Professor of History at the University of Texas, Austin, Texas
- 1997 “Scots law: mixed from the very beginning? A tale of two receptions” – W. D. H. Sellar, former Literary Director of the Society

- 1998 “The trial of Captain Thomas Green for piracy in 1705” – Sheriff J. Irvine Smith, Vice-President of the Society
- 1999 “The civil law of Scotland” – Professor W. M. Gordon, former Literary Director of the Society
- 2000 “The Court of Session as a *Jus Commune* court” – Professor Gero Dolezalek, Professor of Private Law, Roman Law and the History of Church Law, University of Leipzig
- 2001 “Transformations of law: J.1.2., Stair and Mackenzie” – Professor Alan Watson, University of Georgia, Athens, USA
- 2002 “‘Double cross’: an account of a research project involving a comparison between Scots and South African private law” – Professor Reinhard Zimmermann, Director, Max Planck Institute for Foreign Private Law and International Law, Hamburg
- 2003 “The post-union Court of Exchequer: the history of that court from 1707 to 1856, when its functions were transferred to the Court of Session” – Dr Athol Murray, former Keeper of the Records of Scotland
- 2004 “Scots law in the New World: its place in the formative era of American law” – Professor Richard Helmholz, Ruth Wyatt Rosenson Distinguished Service Professor of Law, University of Chicago Law School
- 2005 “The influence of mixed legal systems on the English common law” – Professor David Ibbetson, Regius Professor of Civil Law, University of Cambridge
- 2006 “Law, morality and Sir George Mackenzie” – Professor Olivia Robinson, Professor Emerita of Roman Law, University of Glasgow
- 2007 “Stair and the natural law tradition: still relevant?” – Professor Sir Neil McCormick, Regius Professor of Public Law and the Law of Nature and Nations, University of Edinburgh
- 2008 “The dissolution of the Anglo–American legal tradition” – Professor John H. Langbein, Sterling Professor of Law and Legal History, Yale Law School
- 2009 “Reshaping private law in Victorian Britain: the view from Westminster” – Professor Michael Lobban, Professor of Legal History, Queen Mary, University of London School of Law
- 2010 “Four models of union” – Dr John Ford, Fellow of Gonville and Caius College, Cambridge
- 2011 “Law at the edge: legal encounters on a maritime periphery” – Professor Nial Osborough, Emeritus Professor of Jurisprudence and Legal History at University College Dublin
- 2012 “Letters from Inveraray: the correspondence between the 8th Duke of Argyll and the 1st Marquess of Dufferin and Ava (with particular reference to the Irish Land Question)” – Professor Norma Dawson, Professor of Law, Queen’s University Belfast

- 2013 “Life on the Law Lords’ corridor: the last 40 years” – Lord Hope of Craighead, formerly Lord President, Lord of Appeal in Ordinary and Deputy President of the UK Supreme Court
- 2014 “England and the German Hanse: the long endgame (1474–1604)” – Professor Alain Wijffels, Professor at Leuven, Kortrijk, Louvain-la-Neuve, Lille, and Leiden Universities
- 2015 “Anglo–Scottish relations, 1290–1513, and the beginnings of international law” – Lord Sumption, Justice of the UK Supreme Court
- 2016 “Reforming legal education in Edinburgh: Roman law, 1792–1800” – Professor John W. Cairns, Professor of Civil Law, University of Edinburgh
- 2017 “Who is in control? Historical perspectives on the role of the judge and the parties in civil litigation” – Prof. Dr C. H. (Remco) van Rhee, Professor of European Legal History and Comparative Civil Procedure at Maastricht University
- 2018 “The kings of Scots v. the earls of Douglas 1406–1455: a game of thrones?” – Professor Hector MacQueen, Professor of Private Law, University of Edinburgh
- 2019 “Birds of a feather flock together? A comparison of the legal order in the Norwegian and Scottish realm in the 13th century” – Professor Jørn Sunde, University of Bergen

APPENDIX 3

Membership statistics 1935–2019

<i>Year</i>	<i>Individuals</i>	<i>Students</i>	<i>Institutions</i>	<i>Total</i>
1935	630		52	682
1936	623		79	702
1937	633		87	720
1938	<i>See note 1</i>			690
1939	576		91	667
1940	552		91	643
1941	518		90	608
1942	488		90	578
1943	481		90	571
1944	469		90	559
1945	447		89	536
1946	438		89	527
1947	430		91	521
1948	429		98	527
1949	416		96	527
1950	413		102	515
1951	408		103	511
1952	394		105	499
1953	392		116	508
1954	383		124	507
1955	381		127	508
1956	374		128	502
1957	365		131	496
1958	370		130	500
1959	406		136	542
1960	411		143	554
1961	402		145	547
1962	386	4	139	529
1963	406	8	127	541
1964	398	7	140	545
1965	404	1	147	552
1966	393	5	145	543
<i>See note 2</i>				
1967	409	<i>See note 3</i>	154	563
1968	384	6	149	539
1969	409		154	553

<i>Year</i>	<i>Individuals</i>	<i>Students</i>	<i>Institutions</i>	<i>Total</i>
1970	410		164	574
1971				593
1972	470		152	622
1973	449		163	612
1974	450		158	608
1975	<i>missing</i>			
1976	442	<i>See note 4</i>	170	612
1977	441		174	615
1978	437		177	614
1979	423		168	591
1980	435		169	604
1981	439		170	609
1982	452		170	622
1983	442		170	612
1984	420		171	591
1985	418		173	591
1986	397		184	581
1987	433		173	606
1988	433		173	606
1989	399		180	579
1990	378		168	546
1991	357		149	506
1992	378		157	535
1993	377		149	526
1994	328		130	458
1995	377		137	514
1996	364		161	525
1997	299	64	149	512
1998	308	22	148	478
1999	314	21	153	491
2000	306	19	153	478
2001	306	12	151	469
2002	301	9	155	465
2003	300	16	153	469
2004	340	18	152	510
2005	344	26	151	521
2006	346	28	156	530
2007	305	12	145	462
2008	297	15	143	455

<i>Year</i>	<i>Individuals</i>	<i>Students</i>	<i>Institutions</i>	<i>Total</i>
2009	276	9	134	419
2010	276	9	132	417
2011	265	7	125	397
2012	258	18	124	400
2013	257	19	120	396
2014	244	22	116	382
2015	239	22	112	373
2016	245	26	111	382
2017	241	32	106	379
2018	233	31	105	369
2019	238	30	101	369

Notes

- 1 The annual report for 1938 does not give a split between individual and institutional members.
- 2 The figures for 1966 differ slightly from those shown in Appendix 1 to the previous article, “The Stair Society – the middle years”, in Volume 54, *Miscellany Six*, and have been corrected after rechecking the annual report for that year.
- 3 The membership numbers for 1967 are shown in the annual report in a different format from previous years, as 409 ordinary members in the United Kingdom, 69 institutions in the UK and 85 foreign members. No separate figure is given for student members.
- 4 Student membership was introduced in 1962. It is not clear from the records whether there were any student members between 1975 and 1996 or whether these were included in the number of individual members.

APPENDIX 4
Financial overview 1935–2019

<i>Year</i>	<i>Income £</i>	<i>Expenditure £</i>	<i>Surplus/ (deficit) £</i>	<i>Cumulative reserves £</i>	<i>Publication</i>
1935	786	271	515	515	Volume 1
1936	810	836	(25)	489	Volumes 2, 3
1937	801	618	183	672	
1938	766	912	(145)	526	Volume 4
1939	721	385	336	862	Index to Volume 1; Volume 5
1940	713	747	(34)	828	Volume 6
1941	641	230	411	1,239	
1942	630	560	70	1,309	Volume 7
1943	626	511	115	1,424	Volume 8
1944	634	584	50	1,474	Volume 9
1945	617	236	381	1,856	
1946	620	551	69	1,925	Volume 10
1947	599	706	(107)	1,818	Volume 11
1948	715	208	507	2,325	
1949	613	684	(71)	2,254	Volumes 12, 13
1950	625	806	(181)	2,073	
1951	1,549*	687	862	2,935	Volume 14
1952	667	1,387	(720)	2,215	Volume 15
1953	1,243†	775	468	2,683	Volume 16
1954	906	115	791	3,474	
1955	704	789	(85)	3,389	Volume 17
1956	1,077	1,203	(126)	3,263	
1957	1,048	1,270	(222)	2,811‡	Volume 18
1958	1,005	1,651	(646)	2,194	Volume 19
1959	1,009	1,760	(751)	1,452	Volume 20
1960	1,412	309	1,103	2,340	
1961	980	412	568	2,880	
1962	1,964	1,420	544	3,233	Volume 21
1963	1,875	671	1,204	4,429	Volume 22
1964	1,932	170	1,762	5,932	
1965	2,067	477	1,590	7,611	
1966	2,135	1,763	372	7,927	Volume 23

<i>Year</i>	<i>Income £</i>	<i>Expenditure £</i>	<i>Surplus/ (deficit) £</i>	<i>Cumulative reserves £</i>	<i>Publication</i>
1967	2,273	355	1,915	9,999	Volume 24
1968	2,457	2,674	(217)	10,278	
1969	2,686	392	2,294	12,358	Volume 25
1970	2,645	2,677	(32)	12,327	
1971	3,394	3,248	146	12,473	Volume 26
1972	3,810	563	3,248	15,520	Volume 27
1973	5,106	3,191	1,915	17,656	
1974	<i>missing</i>				Volume 28
1975	5,519	638	4,881	24,005	
1976	5,967	4,355	1,612	25,617	Volume 29
1977	6,976	5,470	1,506	27,124	Volume 30
1978	7,278	1,505	5,773	32,895	
1979	7,825	5,649	2,176	35,072	Volume 31
1980	9,319	2,254	7,065	42,137	Volume 32
1981	11,022	18,992	(7,970)	34,854	Volume 33
1982	14,450	9,926	4,524	47,254	Volume 34
1983	15,313	2,267	13,046	63,890	
1984	16,027	13,388	2,639	70,055	Volume 35
1985	17,058	11,201	5,857	84,247	
1986	17,931	3,238	14,693	109,028	Volume 36
1987	17,379	2,614	14,765	122,566	
1988	19,879	3,444	16,435	142,521	
1989	24,568	3,306	21,262	182,058	
1990	27,479	17,235	10,246	184,277	Volume 37; Supp. 1
1991	27,350	24,321	3,029	199,150	Volume 38
1992	26,669	6,022	20,647	234,757	Volume 39
1993	21,194	16,350	5,564	263,643	Volumes 40, 41
1994	19,476	21,688	(2,212)	244,133	Volume 42
1995	20,148	18,378	1,768	263,106	Volume 43; Supp. 2
1996	19,179	16,610	2,569	271,987	Volume 44; Supp. 3
1997	28,806	16,218	12,588	311,266	Volume 45
1998	29,602	19,830	9,772	333,531	
1999	20,540	22,984	(2,444)	339,743	Volume 46
2000	25,410	21,537	3,874	338,421	Volume 47
2001	21,475	12,203	9,272	231,623	

<i>Year</i>	<i>Income £</i>	<i>Expenditure £</i>	<i>Surplus/ (deficit) £</i>	<i>Cumulative reserves £</i>	<i>Publication</i>
2002	24,357	19,811	4,546	295,272	Volume 49
2003	21,068	26,027	(4,959)	308,324	Volume 50
2004	24,310	27,851	(3,541)	319,575	Volume 51
2005	25,545	13,676	11,869	370,306	Volume 52
2006	29,229	25,561	3,668	411,603	Volume 48 ¶
2007	None §	–	–	–	Volume 53
2008	35,652 §	37,733	(2,091)	375,638	
2009	23,883	35,741	(11,858)	271,953	Volume 54
2010	28,751	37,348	(8,597)	346,851	Volumes 55, 56, 57
2011	30,352	30,292	60	377,593	Volume 58
2012	27,036	29,933	(2,897)	386,949	Volume 59
2013	26,360	25,211	1,149	433,983	Volume 60
2014	26,943	24,162	2,781	469,558	Volume 61
2015	27,601	28,652	(1,024)	502,583	Volume 62
2016	27,030	32,753	(5,923)	477,209	Volume 63
2017	26,879	23,845	3,034	559,820	Volume 64
2018	28,189	35,758	(7,569)	546,589	Volume 65
2019	28,586	28,284	302	576,532	Volume 66

* Includes grant of £1,000 from Pilgrim Trust.

† Includes legacy of £500 from Lord Macmillan's estate.

‡ Up to 1957, most of the Society's reserves were held in fixed-interest investments, and they are stated in the accounts at book value. Thereafter they have been held increasingly in equities. The reserve figures in the above table from 1957 onwards are stated to reflect the market value of quoted investments, thought to give a truer indication of their value.

¶ Out-of-sequence numbering for this volume, to replace Kames: *Principles of Equity*, whose number had been allocated but whose publication has been delayed.

§ In 2007, it was decided to change the accounting year end from 31 December to 31 March. This was to ensure that the AGM could continue to be held in November despite the requirement introduced by the charity accounting regulations that from 2008 the annual return and accounts had to be lodged with the regulator within nine months of the year end. Accordingly, the accounts for 2007–8 covered a fifteen-month period, from 1 January 2007 to 31 March 2008.

APPENDIX 5

Analysis of publication costs 1935–2019

<i>Year</i>	<i>Volume</i>	<i>Cost £</i>	<i>Extent (pages)</i>
1935	Volume 1 – <i>Sources and Literature of Scots Law</i>	405	501
1936	Volume 2 – <i>Acta Curiae Admirallatus Scotiae</i>	302	332
1936	Volume 3 – <i>Hope's Major Practicks</i> , vol. 1	356	411
1938	Volume 4 – <i>Hope's Major Practicks</i> , vol. 2	306	345
1939	Volume 1a – Index to Volume 1	148	66
1939	Volume 5 – <i>Hume's Lectures</i> , vol. 1	356	415
1940	Volume 6 – <i>Hermand's Consistorial Decisions</i>	174	186
1942	Volume 7 – <i>St Andrews Formulare</i> , vol. 1	510	422
1943	Volume 8 – <i>Acta Dominorum Concilii</i>	293	331
1944	Volume 9 – <i>St Andrews Formulare</i> , vol. 2	442	420
1946	Volume 10 – <i>Register of Brieves and Memorial on Old Extent</i>	424	364
1947	Volume 11 – <i>Regium Majestatem and Quoniam Attachiamenta</i>	511	414
1949	Volume 12 – <i>Justiciary Records of Argyll and the Isles</i> , vol. 1	396	272
1949	Volume 13 – <i>Hume's Lectures</i> , vol. 2	534	322
1951	Volume 14 – <i>Acta Dominorum Concilii et Sessionis</i>	387	224
1952	Volume 15 – <i>Hume's Lectures</i> , vol. 3	1,169	477
1953	Volume 16 – <i>Selected Justiciary Cases</i> , vol. 1	806	328
1955	Volume 17 – <i>Hume's Lectures</i> , vol. 4	812	604
1957	Volume 18 – <i>Hume's Lectures</i> , vol. 5	1,078	380
1958	Volume 19 – <i>Hume's Lectures</i> , vol. 6	1,356	438
1958	Volume 20 – <i>Introduction to Scottish Legal History</i>	1,439	518
1962–3	Volumes 21–22 – <i>Balfour's Practicks</i> , vols 1–2	1,847	856
1966	Volume 23 – <i>Origins and Development of the Jury in Scotland</i>	1,420	290
1967	Volume 24 – <i>William Hay's Lectures on Marriage</i>	2,319	446
1969	Volume 25 – <i>Justiciary Records of Argyll and the Isles</i> , vol. 2	2,047	408
Note 1	relating to Volumes 26 to 50 inclusive		
2004	Volume 51 – <i>Compulsion and Restitution</i>	7,241	233
2005	Volume 52 – <i>Miscellany Five</i>	7,994	287
2006	Volume 48 – <i>Written Pleadings</i>	9,678	264
2007	Volume 53 – <i>Faculty of Advocates' Minute Book</i> , vol. 4	8,405	352

<i>Year</i>	<i>Volume</i>	<i>Cost £</i>	<i>Extent (pages)</i>
2009	Volume 54– <i>Miscellany Six</i>	8,503	364
2010	Volume 55– <i>Scotland under Jus Commune</i> , vol. 1	8,217	366
2010	Volume 56– <i>Scotland under Jus Commune</i> , vol. 2	8,283	416
2010	Volume 57– <i>Scotland under Jus Commune</i> , vol. 3	8,890	462
2011	Volume 58– <i>Scottish Formularies</i>	10,917	404
2012	Volume 59– <i>Mackenzie, Matters Criminal</i>	13,032	522
2013	Volume 60– <i>Boswell's Legal Papers</i> , vol. 1	12,615	549
2014	Volume 61– <i>Consistorial Decisions 1564–1576/77</i>	13,225	560
2015	Volume 62– <i>Miscellany Seven</i>	14,694	451
2016	Volume 63– <i>Boswell's Legal Papers</i> , vol. 2	12,565	504
2017	Volume 64– <i>Craig, Jus Feudale</i> , vol. 1	13,823	613
2018	Volume 65– <i>King's Treatise on Maritime Law</i>	14,470	637
2019	Volume 66– <i>Laws of Medieval Scotland</i>	20,475	669

1 From 1969 to 2003 (volumes 26 to 50 inclusive) it is difficult, and in some cases impossible, to attribute publication costs shown in the annual accounts to particular volumes.

APPENDIX 6

Office-bearers 1934–2019³⁷

President

1934	Lord Macmillan
1953	Lord Normand
1963	Lord (James L.) Clyde
1976	Lord Avonside
1988	Professor Gordon Donaldson (died 1993)
1994	Lord Hope of Craighead
2013	Lord Stewart
2020	Lady Wolffe ³⁸

Vice-President

1934	Lord (James A.) Clyde
1945	Lord Normand
1953	Lord Cooper of Culross
1956	Lord (James L.) Clyde
1963	Lord Keith of Avonholm
1966	Lord Avonside
1977	Professor Gordon Donaldson
1988	Lord Fraser of Tullybelton
1993	Lord Hope of Craighead
1994	John Imrie
1997	Sheriff J. Irvine Smith
2006	Sheriff Peter G. B. McNeill
2011	Professor W. M. Gordon
2012	Dr W. David H. Sellar
2017	Professor Hector L. MacQueen

Chairman of Council

1934	David Baird Smith
1950	Lord Cooper
1953	Hector McKechnie QC
1964	Professor T. B. Smith
1968	A. J. Mackenzie Stuart QC
1973	John Imrie
1983	Sheriff J. Irvine Smith
1991	Sheriff Peter G. B. McNeill
1999	Dr John W. Cairns
2015	Professor Ernest Metzger
2016	Thomas H. Drysdale
2018	Professor J. D. Ford

³⁷ In some cases, the minutes are unclear as to whether office-bearers took office as at the date of the meeting at which they were elected (invariably an AGM) or as at the start of the ensuing financial year (the latter being the prescribed rule under the constitution).

³⁸ Elected at AGM on 16 November 2019, took office 1 April 2020.

Vice-Chairman

1934	Lord Normand
1945	Lord Cooper
1950	Professor W. Croft Dickinson
1961	Dr Gordon Donaldson
1963	Professor T. B. Smith
1964	Lord Hunter
1971	Sir Allan Walker
1976	Sheriff J. W. B. Christie
1979	Sheriff J. Irvine Smith
1983	Sheriff Peter G. B. McNeill
1991	W. David H. Sellar
1998	Dr John W. Cairns
1999	Sheriff David Baird Smith
2015	Professor J. D. Ford
2018	Graham Burnside

Literary Director

1934	Hector McKechnie
1946	Hector McKechnie KC and H. M. Paton
1952	Hector McKechnie KC and A. J. Mackenzie Stuart
1953	A. J. Mackenzie Stuart
1954	G. Campbell H. Paton
1960	J. Irvine Smith
1961	Professor A. E. Anton
1967	Professor Ian D. Willock and John Imrie
1971	Professor Ian D. Willock
1977	Professor W. J. Watson
1980	W. David H. Sellar
1985	Professor W. M. Gordon
1998	Professor Hector L. MacQueen
2016	Professor A. Mark Godfrey

Secretary

1934	Dr Charles A. Malcolm
1961	Dr George R. Thomson
1967	Ivor R. Guild

Treasurer

1934	Hugh Watson
1954	D. C. Scott Moncrieff

Secretary and Treasurer

1982	Ivor R. Guild
1994	Lorna M. Smith
1998	Thomas H. Drysdale
2016	Dr Karen Baston
2017	Alistair S. Burrow