# Collection of Scottish legal tracts and broadsides

1628-1782

(Rare Books and Special Collections Dept.)

(EX) **KDC840 .S362f** 

A
Finding Aid
Prepared
by
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Department of Rare Books and Special Collections Princeton University Library 2005

### Collection of Scottish legal tracts and broadsides

### Introduction

The Collection of Scottish legal tracts and broadsides consists of two groups of source documents in Scottish law. This finding aid focuses on earlier, unbound documents.

Range of Collection Dates: 1628-1782

Size: 1.5 linear feet (3 boxes)

Language: English

Restrictions: None.

**Provenance:** Acquired from Ximenes Rare Books.

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### Scottish legal tracts and broadsides

#### I. Series KDC840 .S362f

This series consists of unbound legal tracts, each in a numbered folder within one of three boxes. Organized chronologically, from 1628-1782, they cover various legal proceedings in Scotland. Each tract also has an individual bibliographic record in the online catalogue, indexed with the participants' and pertinent subject headings.

Additional information includes manuscript annotations, docket information, and a brief synopsis.

Note: All entries are also represented in the English Short Title Catalogue (ESTC), and each bibliographic record cites the ESTC record number.

For further source material, see the "Scottish legal tracts from the library of Ferguson of Raith," a set of documents bound in 3 volumes, at call no. (EX) KDC840 .S362q.

## Collection of Scottish legal tracts and broadsides Box/Folder List

Box	Folder	
1	1	<u>Peebles (Scotland)</u> . Minutes in the cause, the town of Peebles against the Laird of Halton. [Edinburgh?], 1628.
	2	Edinburgh (Scotland). Unto the right honourable the convention of burrows, the representation for the good town of Edinburgh. [Edinburgh?, 1697?]
	3	Allan, William, fl. 1701. Information for William Allan merchant in Hamiltoun, as assigney by progress from Robert Robertson late weaver in Rutherglen, now Periwig-maker in Hamiltoun, against John Scot and Andrew
	4	Leith Burgesses in Rutherglen. [Edinburgh?, 1701?]  Irvine, John, conveener of the trades of Drumfries. Defences for John Irvine deacon conveener in Drumfries, Robert Newall, and others. Against the libel raised by John Corbet one of the present baillies of the said burgh, and cornet
	5	George Dumbar, with concurse of Her Majesty's advocat. [Edinburgh?, 1701?] <b>Robertson, Robert, fl. 1703.</b> Petition by way of answers for Robert Robertson
		late weaver in Rutherglen now piriwigmaker in Hamilton, and William Allan merchant in Hamilton his assigney, to the petition given in by John Scot and Andrew Leitch burgesses of Rutherglen against them. [Edinburgh, 1703]
	6	<b>Drummond, George, Keeper of the tolbooth of Edinburgh.</b> To his grace, the duke of Queensberry, her Majesty's high commissioner, and the esta[tes] of Parliament. The petition of George Drummond, keeper of the tolbooth of Edinburgh. [Edinburgh, 1705?]
	7	Short remarks on the gross misrepresentations advanced by Baillie Corbet, in his information to the Lords of Council. Against the deacon conveener of Dumfries. [Edinburgh?, 1706?]
	8	Irving, John, fl. 1706. Information for John Irving Deacon Conveener, Robert Newall, and others of the trades of Dumfreis. Against John Corbet one of the baillies of the said town. [Edinburgh?, 1706?]
	9	Montagu, James, Sir, 1666-1723. The solicitor general's opinion anent the merk per pack and tun. To the Right Honourable Sidney Earl of Godolphin, Lord High Treasurer of Great-Britain. [London], 1708.
	10	Irvine, John, conveener of the trades of Drumfries. Answers for John Irvine present conveener in Dumfries. To the petition presented to the lords of council by Robert Corbet late baillie there. [Edinburgh?, 1710?]
	11	Irvine, John, conveener of the trades of Drumfries. Unto the Right Honourable, the Lords of Her Majesty's most Honourble [sic] Privy Council. The petition of John Irvine present conveener of the trades of Drumfries and others. [Edinburgh?, 1710?]
	12	<b>Prince, Katherine, fl. 1713.</b> Additional-petition for Katharine Prince and Thomas Nicolson her husband, [Edinburgh?], 1713.
	13	<b>Peebles (Scotland).</b> Interrogators upon which the witnesses adduced for the town of Peebles, against the Laird of Cringletie have deponed. [Edinburgh?], 1716.
	14	Peebles (Scotland). Information for the magistrates and community of the town of Peebles. Against John and Alexander Murrays, elder and younger of

Cringlety. [Edinburgh?], 1717.

- Haddington (Scotland). Answers for the provost, bailies and town-council of Haddingtoun, to the bill of suspension presented in name of William Dick and others. [Haddington?], 1719.
- Peebles (Scotland). Memorial for the town of Peebles. [Edinburgh?], 1719.
- Murray, Alexander, of Cringlety. Memorial for Alexander Murray of Cringlety, against the town of Peebles. [Edinburgh?], 1719.
- Peebles (Scotland). Petition for the magistrates and community of the town of Peebles. [Edinburgh?], 1719.
- Murray, Alexander, of Cringlety. Answers for Alexander Murray of Cringlety, to the petition of the magistrates and community of the town of Peebles. [Edinburgh?], 1719.
- Haddington (Scotland). Petition for the magistrates and town-council of Haddingtoun. [Haddington?], 1720.
- Haddington (Scotland). Information for the magistrates and town council of Haddingtoun, against the deacon-conveener, and some other of the deacons of crafts. [Edinburgh?], 1720.
- Haddington (Scotland). Unto the Right Honourable the Lords of Council and Session, the petition of the magistrates and town-council of Haddingtoun, humbly sheweth, that in the process of reduction of the election of the magistrates and town-council of Haddingtoun, pursued in the name of the deacons and trades of that burgh, upon this ground, that the Provost and one of the Bailies elected, were not residing burgesses and merchants of the town: ... [Haddington?], 1720.
- Bethune, Thomas. Information for Thomas Bethune of Tarvit; against Jean Smollet relict of the deceast John Bethune collector of Kirkaldy. [Edinburgh?, 1720?]
- Haddington (Scotland). Answers for the magistrates of Haddingtoun, to the condescendence of William Dick, and a few other burgesses thereof. [Haddington?], 1721.
- 25 <u>Haddington (Scotland)</u>. Memorial for the magistrates and town-council of Hadingtoun, defenders; against a few of the trades of Hadingtoun, pursuers. [Haddington?], 1722.
- Haddington (Scotland). Information for the magistrates and town council of Haddingtoun; against the deacon-conveener, and some other of the deacons of crafts. [Edinburgh?], 1722.
- Fisher, Alexander. Information for Alexander Fisher, Deacon Conveener, and the other deacons for themselves, and the respective trades of the burgh of Kirkcudbright, against the magistrates and town council thereof. [Edinburgh], 1725.
- Haddington (Scotland). Unto the Right Honourable, the Lords of Council and Session, the petition of the magistrates of Haddingtoun, and their Procurator-Fiscal. Against John Greig journey-man wright in Edinburgh. [Haddington?], 1722.

- Hamilton, Elizabeth Hamilton, Duchess of, 1681 or 2-1744. The most noble Elizabeth Dutchess of Hamilton, appellant. The most noble James Duke of Hamilton, respondent. The appellant's case. [Edinburgh?, 1727]
- Baynes, Richard. Richard Baynes administrator of John Fisher deceas'd, in trust for Ann Langton, and the said Ann Langton, appellants. Peregrine Bertie Esq; and Elizabeth his wife, respondents. The appellants case. [Edinburgh], 1728.
- 2 31 **Haddington (Scotland).** Petition for the deacon-conveneer and trades of the burgh of Dumfries. [London?], 1736.
  - Observations for the Marquis of Lothian and others, on the proof adduced for and against them. [London?], 1738.
  - Memorial for William Marquis of Lothian, and the other defenders in the reduction and declarator, at the instance of John Haswell, and pursuers of the counter-reduction. [London], 1738.
  - Abstract of and observes upon the proof adduced in the reduction, John Haswell provost of Jedburgh, and others, against the most Honourable William Marquis of Lothian, and others. London?, 1738.
  - Objections for the Marquis of Lothian and others, against the declarator pursued at the instance of John Haswell and others. [London?], 1738.
  - Memorial for John Haswell Provost of Jedburgh, and others, pursuers. [London], 1738.
  - Unto the Right Honourable, the Lords of Council and Session, the answers and petition of the Marquis of Lothian, and others, defenders ... [London?, 1738]
  - Haswell, John, fl. 1738. Unto the Right Honourable, the Lords of Council and Session, the petition of John Haswell provost, and others, magistrates and counsellors of Jedburgh. [Edinburgh, 1738]
  - Ross, Charles, of Balnagown. Unto the Right Honourable, the Lords of Council and Session, the petition of Charles Ross of Balnagown, Esquire. [Edinburgh?], 1739.
  - 40 **Ross, Alexander, d. 1787**. Information for Alexander Ross of Pitcalny, pursuer, against Master Charles Ross, second lawful son to George Lord Ross, and his curators, defenders. [Edinburgh, 1739]
  - 41 **Hyndford, John Carmichael, Earl of, 1710-1787**. Information for John Earl of Hyndford, sheriff of the shire of Lanark, and Mr. George Sinclair advocate, his depute, against the magistrates of Hamilton, and others. [Edinburgh?], 1740.
  - 42 **Ross, Alexander, d. 1787.** Additional information for Alexander Ross of Pitcalny, pursuer, against Master Charles Ross second lawful son to George Lord Ross, and his curators, defenders. Edinburgh, 1740.
  - **Ross, Alexander, d. 1787.** Unto the Right Honourable, the Lords of Council and Session, the petition of Alexander Ross of Pitcalny. [Edinburgh, 1740]

- Dormer, John, d. 1747. Between John Parkhurst, Esq; Thomas Stanley, Judith Brazell, John Franklin, John Brazell, John Cox, Richard Morgan, John Hill, Richard Collins, Sir John Fortescue Aland, knt. Richard White, Joseph Stapp, Margaret Grace, Joseph Smith, Elizabeth Harland, William Cotsell, Samuel Harland, John Taylor, Benjamin Pithum, Richard Franklin, William Budd, Mary Butcher, Elizabeth Butcher, Clement Field and Joseph Harland - - - - plaintiffs in error. Joseph Smith, and ejectment, for the manor of Shibdon, otherwise Shipton, otherwise Shipton Lee and Lee Grange, and divers messuages and lands, with the appurtenances, in Shibdon, ... Quainton, Waddesden, and Hogshawe, in the county of Bucks - - defendant in error. The case of John Dormer, Esq; the lessor of the plaintiff in the said ejectment, and now defendant in error. London, 1741.
- Edinburgh (Scotland). Magistrates. Answers [for] the magistrates of Edinburgh; to the petition of Mr. Robert Black[wood] of Pitreavie, advocate, and Alexander Blackwood merchant in Edinburgh. [Edinburgh], 1741.
- Hamilton (Scotland). Answers for the baillies of the borough of Hamiltoun, on behalf of themselves, and the whole inhabitants of the said borough, and for James and Arthur Nasmiths, and sundry other freeholders of the shire of Lanerk; to the petition of John Earl of Hyndford High-Sheriff of the said shire, and of Mr. George Sinclair advocate, his deputy. [Edinburgh?], 1741.
- 47 **Edinburgh (Scotland). Town Council.** Information for the treasurer of the good town of Edinburgh, against John Bruce, late tacksman of the weighhouses of Edinburgh and Leith ... [Edinburgh?], 1743.
- 48 **Ross, Charles, of Balnagown.** Information for Charles Ross of Balnagown, Esq; against James earl of Moray. [Edinburgh?], 1743.
- Moray, James Stuart, Earl of, 1708-1767. Information for James Earl of Moray, against Mr. Charles Ross second lawful son to George Lord Ross. [London], 1743.
- Moray, James Stuart, Earl of, 1708-1767. Unto the Right Honourable, the Lords of Council and Session, the petition of James Earl of Moray, apparent heir of Tailzie in the estate of Balnagowan, ... [Edinburgh, 1743]
- Information for the magistrates of Edinburgh and Andrew Hay their tacksman, against John Russel and others. [Edinburgh, 1750?]
- **Binning, William, 1710-1791.** Petition for Sir William Binning, against the town of Edinburgh. [Edinburgh?, 1750?]
- Binning, William, 1710-1791. Petition for Sir William Binning, and the Linen Company, against the magistrats of Edinburgh [sic]. [Edinburgh?, 1750?]
- Walker, John, fl. 1782. Account of expences in the conjoined processes of count and reckoning and reduction, John Walker in Acquhirrie; against William Young, sheriff-clerk of Kincardine. London?, 1782?
- Walker, John, fl. 1782. Objections for John Walker, tenant in Acquhirrie, pursuer; to the accompt of expences given in for William Young, sheriff clerk of Kincardine shire, defender. Edinburgh, 1782.

- Young, William, sheriff-clerk of Kincardine-shire. Answers for William Young, sheriff-clerk of Kincardine-shire; to the objections for John Walker, tenant in Acquhirrie. Edinburgh, 1782.
- Edinburgh (Scotland). Town Council. Answers for the Lord Provost, magistrates, and town-council of the city of Edinburgh, defenders; to the petition of William Pirnie, mason in Edinburgh, pursuer. [Edinburgh, 1782] bound with: Pirnie, William. Unto the Right Honourable the Lords of Council and Session, the petition of William Pirnie, mason in Edinburgh; [Lord Gardenston, Ordinary.] [Edinburgh, 1782]
- 3 **Ross, David.** Copy of David Ross of Balnagown's tailie to Mr. Francis Steuart. [London, 1685]
  - Trevor, Edward, Esq. Between John Trevor, Arthur Trevor, and Tudor Trevor, Esquires, and Prudentia Trevor, spinster, four of the younger children of the Right Honourable Sir John Trevor, Kt. late master of the Rolls, by Dame Jane his late wife, appellants: and Edward Trevor, Esq; eldest son and heir of the said Sir John Trevor, by the said Dame Jane, and the Right Honourable Allen Lord Viscount Middleton, and Anne his wife, eldest daughter of the said Sir John Trevor, by the said Dame Jane, respondents. The case of the respondent, Edw. Trevor. [London?, 1720]
  - Blake, Walter, Sir, d. 1748. John Kirwane, Esq; commonly called Sir John Kirwane, appellant. Sir Walter Blake, Baronet, respondent. The respondent's case. [London?], 1721.
  - Leighton, William, fl. 1721. Sir Edward Leighton, Bart. appellt. William Leighton, Esq; and Dorothy his wife, John Jones, William Jones, and John Braine, respondts. The respondent's case. [London?, 1721]
  - **Kirwan, John, Sir**. John Kirwan, Esq; commonly called Sir John Kirwan, Kni. -- appellant. Sir Walter Blake, Bart. -- respondent. The appellant's case. [London?], 1721.
  - White, Ann, fl. 1722. Ann White widow, Paul Howell Esq; and Thomas Burrows gent. appellants. Stafford Lightburne Esq.; and Catharine his wife, James Kennedy and Jane his wife, Richard Murphy and Alice his wife, Elizabeth Pue, Mary Pue, and Sarah Pue, respondents. [London?], 1722.
  - Mac Clellan, Marjory, Lady. Dame Marjory widow of Sir Samuel Mac Clellan deceased; Patrick, William, Marjory and Samillia Mac Clellan, four of the children of the said Sir Samuel by the said Dame Marjory, and John Montgomery of Wray, esq.; appellants. Hugh Hathorn and Margaret his wife, Thomas Fardyce and Lillias his wife, which said Margaret and Lillias are two other of the daughters of the said Sir Samuel by the said Dame Marjory, respondents. The appellants case. [London?], 1723.

- Lightburn, Stafford. Anne White, widow, Paul Howel, Esq; and Thomas Burrows, gent. ---- Appellants. Stafford Lightburn, Esq; and Catharine his wife, James Kennedy and Jane his wife, Richard Murphy and Alice his wife, Elizabeth Pue, Mary Pue, and Sarah Pue.--- Respondents. And the said Stafford Lightburn and Catharine his wife, James Kennedy and Jane his wife, Richard Murphy and Alice his wife, Elizabeth Pue, Mary Pue, and Sarah Pue,---- appellants. Anne White, Paul Howell, Thomas Burrows, John Usher, and Constance Ashmore, --- respondents. The respondents case, as they are respondents to the original appeal; and as they are appellants in the cross appeal. London, 1723]
- MacLellan, James. Dame Margery Thomson, William and Samilia Mac Lellans, appellants. James Mac Lellan, eldest son of the deceas'd Sir Samuel Mac lellan late Lord Provost of Edinburgh, Hugh Hathorn and Margaret Mac Lellan his wife, Thomas Fordyce and Lillias Mac Lellan his wife, and Mr. John Montgomerie of Wrae, one of the two accepting trustees: respondents. The respondents case. [London?], 1723.
- 67 **Tham, Volrath.** Volrath Tham merchant in Gottenburgh, appellant. Charles Sheriff and Richard Sheriff, merchants in Prestenpans, respondents. The appellant's case. [London?, 1725]
- Wynn, Maurice. Maurice Wynn Esq; son and heir of Owen Wynn, Esq; deceased, appellant. Richard Wynn gent. respondent. The appellant's case. [London, 1726]
- Wynn, Richard, gent. Maurice Wynne, Esq; only son and heir of Owen Wynne, Esq; deceased, appellant. Richard Wynne, gent. cousin and heir at law of Robert Wynne, Esq; and Maurice Wynne respondent. The respondent's case. [London, 1726]
- Schaw, John, Sir, d. 1752. Dame Margaret Schaw alias Houstoun, widow, the assignee and executrix of Dame Helenor Nicholson alias Schaw, her mother, deceased, --- appellant. Sir John Schaw, Bart. ---- respondent. The respondent's case. [London, 1726]
- Houston, Margaret, Lady, 1683-1757. Dame Margaret Schaw alias Houstoun, widow, the assignee and executrix of Dame Helenor Nicholson alias Schaw, her mother, deceased, --- appellant. Sir John Schaw, Bart. ---- respondent. The appellant's case. [London, 1726]
- Hamilton, James Hamilton, Duke of, 1703-1743. Her Grace Elizabeth Dutchess Dowager of Hamilton and Brandon, appellant. His Grace James Duke of Hamilton and Brandon, respondent. The respondent's case. [London, 1727]
- Haldane, Patrick, 1683-1769. Patrick Haldane Esq; ------ appellant. Sir Alexander Anstruther, Robert Lumsdean of Inner Gallie, Issobell Ellies his mother, Mr. Walter Wilson, and Sir John Anstruther Baronet; respondents. The appellant's case. [London, 1727]
- Kenrick, John, Esq. Jasper Jones gent. and Frances his wife, ---- appellants. John Kenrick Esq; executor of Sir William Cranmer Knt. respondent. The respondent's case. [London, 1728]

- Bertie, Peregrine, 1688-1743. Richard Baynes, gent. administrator of John Fisher, for the benefit of Anne Langton, sister of the said John Fisher; also the said Anne Langton appellants. Peregrine Bertie, Esquire, and Elizabeth his wife ----- respondents. The respondents case. [London, 1728]
- Bransby, Bridget. Anne Kerrich, widow; Giles Bladwell, and Elizabeth his wife - - appellants. Bridget Bransby, widow of Tho. Bransby Esq; deceas'd, and Astley Bransby, the only child of the said Thomas Bransby, William Bransby, James Bransby, George Bransby, Elizabeth Bransby, Margaret Bransby, and Brandesby Bransby, infants; and John Kerrich; respondents. The case of the respondent Bridget Bransby, and of the other respondents the infants. [London?, 1728]
- Howth, William St. Lawrence, Baron, 1688-1748. The Right Honourable William Lord Baron of Howth, in the kingdom of Ireland, ---- appellant. Eleazer Peirson, ---- respondent. The appellant's case. [London, 1737]
- Peirson, Eleazar. The Right Honourable William Lord Baron of Howth, in the kingdom of Ireland, ----- appellant. Eleazar Peirson, Esq; Marshal of the Four Courts in the city of Dublin, respondent. The respondent's case. [London, 1737]
- Kynnynmound, Hugh Murray. Hugh Murray Kynnynmound Esq; the only acting trustee under the last settlement of Sir James Rochead of Inverleith Bart. deceased, in behalf of the whole persons for the whole behoof the said settlement or trust-right is granted, and James Dalrymple an infant, second son of Sir James Dalrymple Bart. by Mr. Hugh Somerville his tutor ad litem, appellants. James Cathcart of Carbiston Esq; Mrs. Elizabeth Rochead spinster, Sir Francis Kinloch Bart. and Dame Mary his wife, and Sir James Dalrymple Bart. respondents. The appellants case. [London, 1738]
- Dormer, John, d. 1747. Between Samuel Berington gent. on the demise of John Dormer Esq; in trespass and ejectment. Plaintiff in error. John Parkhurst Esq; and Ricarda his wife, Sir John Fortescue Aland, Kt. and Dame Elizabeth his wife, and Catherine Dormer spinster, and others. Defendants in error. The case of John Dormer, Esq; the lessor of the plaintiff in error. [London, 1727]

- 81 **Kynnynmound, Hugh Murray.** Hugh Murray Kynnynmound Esq; the only acting trustee under the last settlement of Sir James Rochead of Inverleith Bart. deceas'd, in behalf of the whole persons, for the whole behoof of the said settlement or trust right is granted, and James Dalrymple, an infant, second son of Sir James Dalrymple of Haills Bart. by Mr. Hugh Somervill his tutor ad lites. Appellants. Sir James Dalrymple Bart. Hugh, Charles, and John Dalrymple infants, sons of the said Sir James Dalrymple; Sir Francis Kinloch Bart. and Dame Mary his wife; Mr. Francis Kinloch advocate; David Kinloch, and Alexander Kinloch, sons of the said Sir Francis Kinloch by the said Dame Mary his wife; James Cathcart Esq; and Mrs. Elizabeth Rochead spinster; Alexander Hamilton of Pencaitland, and Thomas Dundas of Letham Esq; and John Rochead, merchant in Edinburgh, respondents. And the said Mr. Francis Kinloch advocate, as one of the heirs of the settlement aforesaid, appellant. The said Sir Francis Kinloch Bart. and Dame Mary his wife, and all the other persons abovenamed both appellants and respondents in the foresaid other cause, respondents. The case of the appellants in both appeals. [London, 1739]
- Kent, John, b. 1723 or 4. John Kent an infant of the age of fourteen years, son and heir of Robert Kent gentleman, only brother of John Kent gentleman, deceased, which Robert and the last named John were the only sons of John Kent of Poulrone in the County of Kilkenny Esquire, deceased, and James May an infant, son and heir of James May esquire, son and heir of Edward May, Esquire, deceased, mortgagee in fee of the said John Kent, secondly abovenamed, plaintiffs in error. and Robert Whitby and Katherine his wife, late Katherine Kent, widow of the said John Kent, secondly abovenamed, - defendants in error. The case of the plaintiffs in error. [London, 1739]
- Whitby, Robert. Robert Kent gent. and James May esq; plaintiffs. Robert Whitby Esq; and Catherine his wife, defendants. in error. The case of the defendants in error. [London, 1739]
- Home, John, Sir, 1679-1756. Sir John Home of Rentoun, bart. - appellant. Sir John Home of Manderstoun, bart. respondent. The appellant's case. [London, 1739]
- Home, John, Sir, 1679-1756. Sir John Home of Renton, Baronet, ----- appellant. Sir John Home of Manderston, Baronet, --- respondent. The respondent's case. [London, 1739]
- Parkhurst, John, fl. 1741. John Parkhurst, Esquire, Sir John Fortescue Aland, knight, and several others, who are their tenants; and the tenants of Mrs. Katharine Dormer respectively, - - - plaintiffs in error. Joseph Smith, upon several demises of John Dormer, Esq; - - - defendant in error. The case of the plaintiffs in error. [London, 1740]
- Vernon, John, Captain. Jane Vernon, widow, executrix and devisee of Thomas Vernon, Esq; deceas'd, - - petitioner. Captain John Vernon, - - - respondent. The respondent's case. [London, 1740]

### **Box** Folder

Vernon, Jane. Jane Vernon, widow and executrix of Thomas Vernon, Esq; petitioner. Captain John Vernon, - - - - - - respondent. Mrs. Jane Vernon's case, on her petition, and the answer and petition of Captain John Vernon. London, 1740]