

Case 1: Background

This case is taken from the minute book of Glasgow Burgh Justice of the Peace Court, 1677 (Glasgow City Council, Mitchell Library reference B3/2).

On the whole this is a neat hand, with good line spacing, but some care is required, especially with regard to the letter *w* and also to descending letters. In the test, the name of the baillie (the magistrate) and the two parties in the case have been left blank for you to fill in, along with one or two other words.

The writer uses at least two types of *w*. One is the common Secretary Hand type and can be seen in the word *within* in line 1. The second is a curly *w* and can be seen in the word *glasgow* in line 2. This second type of *w* - the curly form - is easily confused with the double-*l*, such as that used in the words *Bell* and *baillie* in line 5. Other letters or combinations of letters can be mistaken for a curly *w* or vice versa. The *lb* in *tolbuith* (line 2) and the *k* in *q[ui]lk* (line 6) are two examples.

Be very careful with descending letters, such as the long *s*, the *h*, the *x*, the *f*, and the *p*. Note how similar these can appear, for example in line 21: *Except annent the words of*.

Some Scots words which appear are:

Scots	English
<i>rugged</i>	pulled out
<i>dang</i>	strike or beat
<i>anent</i>	concerning

And some of the standard court phrases are:

Legal term	Meaning
<i>Samyne</i>	same
<i>Sederunt</i>	present in court
<i>bill of complent</i>	bill of complaint
<i>pro[urato]r fiscall</i>	the public prosecutor
<i>for his entres</i>	for his interest, i.e. for his part
<i>Compearit</i>	appeared in court
<i>def[end]er</i>	defendant
<i>persewars</i>	pursuer's proving
<i>probatioune</i>	
<i>adducit divers</i>	produced in court several witnesses of good
<i>famous wtness[es]</i>	repute
<i>quatt</i>	freed (i.e. from imprisonment in the tolbooth)

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Case 1: Test

1. At ane justice court holdine within the
2. tolbuith of glasgow For the brughe of the
3. Samyne Vpon the Eleavint day of Junij 1677
4. Sederunt
5. Mr _____ baillie
6. The q[ui]lk day annent the bill of complent Given in be the pro[curato]r
fiscall and alex[ande]r
7. Thomsone sone to Alex[ande]r Thomsone merchand for his entres Against

8. _____ spous to _____ mer[chan]d and
he for his entres Making
9. mentione That whair the s[ai]d alex[ande]r yo[unge]r being sporting and
playing
10. himselfe Vpon the hie streit with the rest of his nighbours bairnes Not
11. thinking to be abuisit by any persone The s[ai]d _____ Called him
12. ane _____ with many other baise speaches and not being
satisfiet
13. therwith _____ and rugged the
samyne
14. out and therafter _____ and dang his head against the
15. staines and therby bruised his head q[ui]lk is thought will never mend
16. and ware not the help of god and good nighbours shoe would have bein
17. his deid as the bill beirs Compearit the def[end]er and denyit the bill
18. and the justice of peace admittit the samyne to the persewars
19. proba[tio]ne Who for proveing therof adducit divers famous witness[es]
20. sworn admittit and examined Who proved the said hail bill sufficient-
21. -lie, Except annent the words of scandle And therfor the s[ai]d justices
22. of peace fynit her in _____ and to remaine in waired till
23. that ware payit and the bairne better thereafter quatt

Case 1: Transcription

1. At ane justice court holdine within the
2. tolbuith of glasgow For the brughe of the
3. Samyne Vpon the Eleavint day of Junij 1677
4. Sederunt
5. Mr Patrick Bell baillie
6. The q[ui]lk day annent the bill of complent Given in be the pro[urato]r
fiscall and alex[ander]
7. Thomsone sone to Alex[ander] Thomsone merchand for his entres Against
Catherine
8. mcclane spous to John mcadame mer[chan]d and he for his entres
Makeing
9. mentione That whair the s[ai]d alex[ander] yo[unge]r being sporting and
playing
10. himselfe Vpon the hie streit with the rest of his nighbours bairnes Not
11. thinking to be abuisit by any persone The s[ai]d Catherine Called him
12. ane whours burd with many other baise speaches and not being satisfiet
13. therwith took him by the hair of the head and rugged the samyne
14. out and therafter took him by the feit and dang his head against the
15. staines and therby bruised his head q[ui]lk is thought will never mend
16. and ware not the help of god and good nighbours shoe would have bein
17. his deid as the bill beirs Compearit the def[ender] and denyit the bill
18. and the justice of peace admittit the samyne to the persewars
19. proba[tio]ne Who for proveing therof adducit divers famous witness[es]
20. sworn admittit and examined Who proved the said hail bill sufficient-
21. -lie, Except annent the words of scandle And therfor the s[ai]d justices
22. of peace fynit her in fyftie pounds and to remaine in waird till
23. that ware payit and the bairne better thereafter quatt