



**Inventory**

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**The Stair Memorial Encyclopaedia of the Laws of Scotland**

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## **Administrative papers and drafts etc of the text**

*Presented, 1995 & 1997, by the Law Society of Scotland.*

Some of the drafts and re-drafts of various texts have become quite extensive and in these cases the subjects have been split into multiple numbers of folders/files. Note that no attempt has been made “to weed” the various drafts; this is to allow researchers to compare draft against draft and so follow each expert’s ‘train of thought’ in particular fields. For any particular area of interest, all the folders/files relating to the subject should be consulted. In items 322-366, particularly, there are extensive drafts and re-drafts of titles with accompanying proofs, amendments and any related correspondence.

### **Administrative papers**

- 1-2 Minutes of joint meetings, 1985-95.
- 3-6. Minutes of editorial meetings, 1983-95.
- 7-10. Progress reports, 1986-95.
- 11-15. Editorial progress reports, 1985-92.
- 16-23. Correspondence with Law Society, 1985-94.
- 24-26. Copyright correspondence (general, vol.1-12, vol.13-25).
- 27-35. Correspondence with publishers, 1985-93.
- 36-39. Editorial correspondence, 1982-8.
- 40-44. Correspondence with contributors, miscellaneous early papers, etc
- 45. Allocation of titles; contributors’ addresses
- 46. Glossary
- 47. Offprints and papers
- 48. Correspondence concerning receptions for the publication of various volumes of the encyclopaedia
- 49. Index box
- 50. Index box
- 51. Number not allocated

### **Papers and drafts relating to individual titles**

- 52. Accountants, accounting, auditors
- 53. Administrative law
- 54. Admiralty
- 55. Advertising
- 56. Agency and mandate
- 57-58. Agriculture (2 folders)

- 59. Animals
- 60. Arbitration
- 61-2. Armed forces (2 folders)
- 63. Associations and clubs
- 64. Aviation and air transport
- 65. Banking and financial institutions
- 66. Bankruptcy
- 67. Betting, gaming and lotteries
- 68-9. Building contracts (2 folders)
- 70-1. Building controls (2 folders)
- 72-4. Building Societies (3 folders)
- 75. Burial and cremation
- 76-7. Carriage by land (2 folders)
- 78-9. Cautionary obligations (2 folders)
- 80-81. Charities (2 folders)
- 82. Children and young persons
- 83-5. Churches and religious bodies (3 folders)
- 86-7. Civil jurisdiction (2 folders)
- 88-9. Commercial paper (2 folders)
- 90-6. Companies (7 folders)
- 97. Compulsory acquisition
- 98-101. Constitutional law : 1st series (4 folders)
- 102-8. Constitutional law : 2nd series (7 folders)
- 109. Consumer credit
- 110-11. Consumer protection (2 folders)
- 112. Contempt of Court
- 113-4. Conveyancing (2 folders)
- 115-9. Courts and competency (5 folders)
- 120-24. Criminal law (5 folders)
- 125-7. Crown and regalia (3 folders)
- 128. Customs and excise
- 129. Deeds
- 130. Deposit
- 131-33. Diligence and enforcement of judgements (3 folders)
- 134. Donation
- 135-9. Education (5 folders). *See also* item 305 below.
- 140. Elections
- 141-3. Employment (3 folders)
- 144-5. Energy (2 folders)
- 146. Entertainment
- 147. Environment
- 148-51. European institutions (4 folders)
- 152. Evidence
- 153-5. Family law (3 folders)

- 156. Fire services
- 157. Firearms and explosives
- 158-9. Fishing and fisheries (2 folders)
- 160. Food, dairies and slaughterhouses
- 161. Forestry
- 162. Fraud
- 163. Game
- 164. General legal concepts
- 165. Guardianship
- 166. Harbours, docks and piers
- 167. Health services
- 168. Heraldry
- 169. Hotels and tourism
- 170-74. Housing (5 folders)
- 175. Human rights
- 176-8. Immigration and extradition (3 folders)
- 179-80. Industrial, Provident and Friendly Societies (2 folders)
- 181-2. Insurance (2 folders)
- 183. Interest
- 184. Interpretation of statutes, deeds and other documents
- 185. Investor protection
- 186. Intoxicating liquor
- 187. Judicial and other remedies
- 188-90. Landlord and tenant (3 folders)
- 191. Lawburrows
- 192. Leasing and hire of moveables
- 193. Legal aid
- 194-8. Legal profession (5 folders)
- 199. Libraries, museums and galleries
- 200. Liferent
- 201. Loan
- 202-9. Local Government (8 folders)
- 210. Medical and related professions
- 211. Medicine, poison and drugs
- 212. Meetings
- 213. Mental health
- 214. Messengers-at-arms and Sheriff Officers
- 215. Mines and quarries
- 216. Money and means of exchange
- 217. Nationality and citizenship
- 218. Nuisance
- 219. Obligations
- 220. Partnership
- 221. Passports

- 222. Peerages and titles of honour
- 223. Personal bar
- 224-5. Police (2 folders)
- 226. Posts and telecommunications
- 227. Precedence
- 228. Prescription and licence
- 229. Press and broadcasting
- 230. Prisons
- 231. Private international law
- 232. Private legislation procedure
- 233. Prize
- 234-8. Procedure (5 folders)
- 239-48. Property (10 folders)
- 249. Public corporations
- 250. Public health
- 251. Public international law
- 252. Public records and registers
- 253. Railways and canals
- 254. Registration of births, deaths and marriages
- 255. Revenue: Scottish specialities
- 256-7. Rights in security (2 folders)
- 258. Road Traffic
- 259-60. Roads (2 folders)
- 261. Sale and exchange (moveable and immoveable)
- 262. Sea and continental shelf
- 263. Servitudes and rights of way
- 264-7. Shipping and navigation (4 folders)
- 268-71. Social security (4 folders)
- 272. Social work
- 273-4. Sources of law (formal) (2 folders)
- 275. Sources of law (general and historical and legal method)
- 276. Sports and recreation
- 277. Stamp duty
- 278. Time
- 279-81. Town and country planning (3 folders)
- 282-3. Trade regulation (2 folders)
- 284-5. Trade unions and trade disputes (2 folders)
- 286. Tribunals and enquiries
- 287-8. Trusts, trustees and judicial factors (2 folders)
- 289-92. Udal law (4 folders)
- 293-4. Valuation for rating (2 folders)
- 295. Valuations
- 296. Veterinary practitioners
- 297. Water and water rights

- 298. Water supply
- 299-301. Wills and succession (3)
- 302. Papers relating to uncertain titles, but probably from the following subjects (1) Feudal system (2) Debt (3) Causation (4) Liability (5) Treason (6) VAT

**Supplementary papers received after the project was completed. (Presented in 1997). This section begins, as does the last, with administrative papers and is followed by drafts and other papers of individual titles**

303. Copies of letters, agreements, minutes of meetings and other administrative papers of the editor and deputy general editors of the *The Laws of Scotland : Stair Memorial Encyclopaedia* before the enterprise was involved with, and leading up to negotiations with, the publisher Butterworths, 1981-4.
304. Copies of letters of Professor J Ross Harper, Professor Robert Black and others concerning the Dedication of the encyclopaedia to HRH Prince Charles, Duke of Rothesay. There are various drafts of the text of the Dedication and related observations. It also includes a mock-up, with coat of arms, of parts of vol.I of the series, 1985.
305. Various additional papers and drafts relating to the title on Education. *See also* items 135-9 above.
306. Drafts of the *Introduction by the General Editor*, Sir Thomas Smith QC, DCL, LL.D, FRSE, FBA, Professor Emeritus of Scots Law in the University of Edinburgh, n.d. [?1985]
307. A paper by Ronald M.Sunter, Associate Professor of History, University of Guelph, Ontario on *Constitutional Law: Scottish Electoral System to 1868*. N.d. [?1985].
308. A Politics thesis for the Honour School of PPE by Michael G J Upton of St Edmund Hall on *The Union of 1707 and the United Kingdom Constitution*, 1985. With a covering note of Professor J M Thomson on its use for inclusion in the encyclopaedia.
309. Photocopies of articles, off-prints from *The Scots Law Times* and other legal journals, with related papers concerning the subject of Sale and Supply of goods ; probably included here as the research/working papers for the Mercantile Law title, n.d., [ca. 1986-7]
310. Photocopies of articles concerning the launch of the encyclopaedia, 1987; with newspaper cuttings relating to Lord Mackay of Clashfern, 1987.
311. Copies of reviews of the encyclopaedia, 1987-8.
312. Agendas for editorial meetings with their related papers, 1988.
313. Correspondence (principally between Professor Sir Thomas Smith and J Ross Harper), publishing proposals and other working papers concerning negotiations with Butterworths on editorial (not commercial) matters relating to the encyclopaedia, with minutes and other papers of the publications committee, 1984-6. (File originally labelled B/1).

314. Correspondence mainly of Professor Sir Thomas Smith and Professor Robert Black with Kenneth Pritchard, The Secretary, and other officials of the Law Society of Scotland concerning the initial stages of the encyclopaedia project with the MS of Sir Thomas's lecture which announced the launch of the project, 1981-3. (File originally labelled A/1).
315. Correspondence principally between Joan Rose, Co-ordinator of the encyclopaedia and Joan Lyle & other staff of Butterworths concerning the printing of various titles and other administrative matters, 1995-6, including weekly 'Progress Reports' for the same years.
316. Working papers (mostly TS) of Professor Sir Thomas Smith relating to his work on the encyclopaedia. These include reviews of the encyclopaedia, a draft of Smith's *DNB* notice for Baron Reid of Drem, and various versions of Smith's scholarly papers and addresses including one entitled 'Planning an encyclopaedia of the Laws of Scotland', n.d., but mostly 1981-5. (File originally labelled P/1).
317. Press release concerning the initial undertaking of the encyclopaedia by some 300 Scottish lawyers and academics, biographical notes on the editors (Professor Sir Thomas Smith & Professor Robert Black) & lists of contributors and titles for which they are responsible, 1985.
318. Press cuttings concerning the initial undertaking of the venture and other press cuttings and copies of reviews following the publication of the encyclopaedia, 1987. (File originally labelled P/1).
319. (Published) copy of *The Laws of Scotland: Stair Memorial Encyclopaedia – Notes for contributors* (1985) (for private circulation only). Together with copies of letters between Professor Sir Thomas Smith and various interested parties; and other papers concerning the editorial process and guidelines, 1981-5. (File originally labelled P/1).
320. Memorandum of Margaret Cherry of the staff of Butterworths (publishers of the encyclopaedia) concerning the production schedules for producing the various volumes of the encyclopaedia, with an annotation by Joan Rose that Butterworths never achieved the programme set in this memorandum, n.d. [?1985].
321. Miscellaneous agendas, minutes and progress reports on the work of later titles, 1992.

**Items nos. 322 - 366 form the material for the last volumes to be published, Vols. VII & XV. The contents are, as in the main run above, working papers, drafts, re-drafts, proofs and final versions, together with related correspondence, of the relevant titles.**

- 322-26. Criminal law (see also items 120-124): final proof version of this title and related correspondence, 1982-95.

- 327-357. Parliamentary and other elections (see also item 140): various drafts and versions final proof of this title and related correspondence, 1982-95. This is the most extensive set of working papers for any title. The Co-ordinator of the encyclopaedia, Mrs Joan Rose, noted on her file (item 354): 'This was one of the most problematic titles – moved from vol 8 to vol 16 to vol 15 – nowhere else to go! All sorts of problems at proof stage – Butterworths' unauthorised alteration of text of author (punctilious) but unable to let go'.
- 358-361. Customs & Excise Law (including VAT) (see also item 128): various drafts, final proof version of this title and related correspondence, 1985-95.
- 362-366. Obligations (see also item 219): various drafts, final proof version of this title and related correspondence, 1985-96.