

b+m

balfour + manson

Solicitors since 1888

The History of Balfour+Manson LLP: the first 125 years

As recalled by Ian Balfour

Grandson of William Balfour,
who founded the firm in 1887



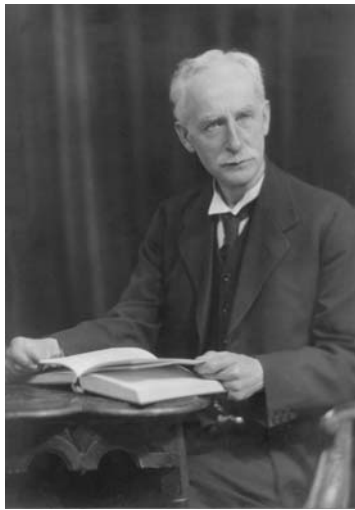
History of Balfour+Manson LLP

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Section One - Background to the Partnership (1855-1903)

Overview of 1855 to 1903

On 4th November 1887, a 32-year-old Orcadian, William Balfour, who had just completed a five-year apprenticeship, put up his plate as a Law Agent at 76 Queen Street in Edinburgh. The business prospered and sixteen years later, most of which were spent at 3 Queen Street, he invited a fellow Orcadian, his 29-year-old nephew, Peter Manson, to enter into partnership. Their early years, their apprenticeships and the legal scene in their adopted city at the end of the nineteenth century are the background to the formation of Balfour & Manson SSC in 1904.



William Balfour (left) and Peter Manson (right), the first partners of the firm, were both originally from Orkney.

William Balfour (1855-1939)

Early years

William Balfour was born in 1855 at the farm of Berriedale on Westray, the north-west-most of the Orkney Islands. His father, George, was a tenant farmer and his mother, Janet, came from the neighbouring island of Sanday. William, their fifth child, was educated at Westray Public School; although he also worked on the farm, he did so with a textbook resting on the handles of the plough, using his photographic memory to store away knowledge that would take him, at the age of eighteen, to a business career in the Central Belt of Scotland.



The farm of Berriedale on Westray. William Balfour maintained the Westray connection for the rest of his life, visiting it annually for both business and pleasure.

He went first to Glasgow, studying for several years to become a patent agent. He then preferred a career in law and, moving to Edinburgh, he served a five-year apprenticeship from 1882 to 1887 in the front basement room of the two-partner firm of Duncan Smith & MacLaren at 62 Frederick Street. By coincidence, his son, Francis, acquired the right to purchase that room, along with the rest of the building, shortly after William Balfour's death in 1939; by a further coincidence, his grandson, his namesake William, started his legal career in 1962 in the same room. By that time, generations of apprentices had scratched their names on the windows of the room – ostensibly to check whether stones in the rings they were handling in executries were genuine, because only real diamonds cut glass.

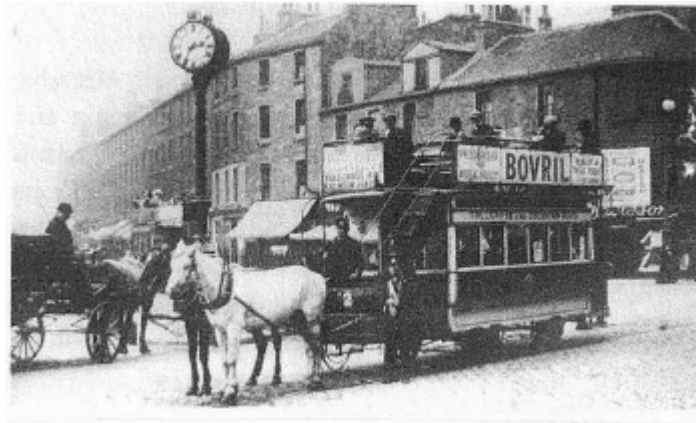
Becoming a Law Agent

The description Solicitor was not commonly used by lawyers in general practice until the Solicitors (Scotland) Act 1933 provided that 'all Law Agents in Scotland are now to be known as Solicitors'. Between 1873 and 1933, there were two ways of becoming a Law Agent in Scotland. One was to obtain a Scottish University degree in law and to serve a three-year apprenticeship in an office. The other was to pass a preliminary examination in general knowledge, set by the Incorporated Society of Law Agents, and to serve a five-year apprenticeship. Both routes culminated in the Society's final exams, followed by an application to the Court of Session for registration under the Law Agents (Scotland) Act 1873. See the note at the end of this section about the use of the words 'Law Agent' after 1933.

William Balfour took the longer of the two routes; during the five-year apprenticeship he attended one class at the University of Edinburgh from 9 to 10 am and two more classes between 4 and 6 pm, with the time between spent in the office, without matriculating – as did the next two partners, Peter Manson and Francis Balfour. It was common in those days to attend lectures without matriculating and so without

graduating, either through lack of funds or through not regarding a degree as important for a Law Agent's career. Attending lectures was important, because there were almost no student textbooks and no law library at the university, so listening and taking notes was the way to learn.

One of the three compulsory papers in the Law Agents' exams included translation from set books in Latin. William Balfour's remarkable memory made up for his limited knowledge of the classics; to prepare for this exam, he memorized the text from books that set out the Latin on the left-hand page and an English translation on the facing page. When he came to a Latin passage in the exam paper, he mentally identified its location on the left-hand page and wrote down the corresponding English paragraph on the right-hand page. The exam questions were still in Latin when the writer studied Civil Law at the University of Edinburgh in 1953 – part of one of the exam papers is reproduced in section four.



When William Balfour came to Edinburgh in 1882, there were three hundred horse-drawn tramcars and over one thousand horses. Advertisers realized the potential and tramcar destinations became difficult to spot among hoardings for Bovril and other groceries.

Notary Public and SSC

After passing his final exams and registering as a Law Agent, William Balfour put up his plate on 4th November 1887 outside a flat at 76 Queen Street – literally, a new brass plate, with his name on it as Law Agent. In 1887, there were 546 Law Agents in Edinburgh and Leith; many were single practitioners, or in partnerships of two or three; the largest firm had six partners.

He moved temporarily in 1889-90 to a flat at 6 North Charlotte Street and then back to 76 Queen Street for three years. In 1893 he rented a flat at 3 Queen Street and practised from there for the next fifteen years, until 1908. The description of Law Agents as Solicitors was becoming more popular by the end of the nineteenth century, and the earliest extant document in the firm's records is a public notice in the *Edinburgh Gazette* in 1897 signed by 'William Balfour, Solicitor, 3 Queen Street, Edinburgh'.

He had applied immediately to become a Notary Public – for Notaries, see section ten; this entitled him to solemnize legal documents. In 1899 he joined the hundred-year-old Society of Solicitors in the Supreme Courts of Scotland and for the rest of his life he signed his letters as ‘William Balfour, SSC’, believing that the full title on his letterheads was more meaningful to the general public than the letters ‘WS’ – Writer to the Signet – the other, and more prestigious, legal society in Scotland. The SSC Society had recently, in 1892, completed the splendid new Solicitors’ Buildings, containing its Library and Hall, rising for six floors from the Cowgate and connected by a bridge to Parliament House. A hundred years later, the writer became the Secretary of the SSC Society, and a large part of his responsibility is keeping this venerable building in good repair and adapting it to modern heating, lighting and information technology.



William Balfour’s office for fifteen years, between 1893 and 1908, was a flat at 3 Queen Street. This photograph shows No. 3 (left) and No. 4 (right) today. They are still leased out as offices, with the description: ‘Prominently situated overlooking the picturesque Queen Street Gardens, 3 & 4 Queen Street form part of a handsome terrace of stone and slate townhouses, conveniently located within Edinburgh’s Golden Rectangle. The accommodation provides open plan space and suites are available to lease on highly flexible lease terms.’

Court practice

William Balfour soon built up a substantial Court practice, which included preparing cases and then instructing Counsel to appear in the two Supreme Courts in Scotland, the Court of Session for civil cases and the High Court of Justiciary for criminal cases. As explained in the next paragraph, a major part of his business was to act as Edinburgh agent for out-of-town colleagues, who were known as his country correspondents. As all important cases, which in those days included all actions of

divorce, came to the Supreme Courts, Edinburgh firms built up a network of informal but meaningful relationships with firms throughout Scotland.

Reported Cases

Cases that have significance for the wider legal profession are reported (published) in volumes known as *Session Cases* for Court of Session civil actions, *Justiciary Cases* (for High Court criminal cases) and *Scots Law Times* for both of these and for Sheriff Court cases also. The reports end with the names of the solicitors involved. WestLaw has digitalized these, and a search for William Balfour brings up twenty-two Supreme Court cases while he practiced on his own between 1887 and assuming Peter Manson as a partner in 1904. Half of these were Inner House cases in the Court of Session, because (as an appeal Court) that is where important points of principle are decided and considered worth reporting. Seven were appeals from Sheriff Courts to the High Court of Justiciary and four were new cases, heard by a single judge in the Outer House of the Court of Session. No Sheriff Court cases were reported while he was a sole practitioner, but that does not mean that he did not undertake Sheriff Court work – only that none of his cases was significant enough to be published.

Nearly all of these twenty-two reported cases came through country correspondents, from Lerwick to Dumfries. Of the civil cases, six involved land (crofting, mining subsidence, landlord/tenant and challenging the validity of a Disposition), three were for compensation following fatal accidents, four were about money (a disputed Will, banking and debt recovery), and two were matrimonial. Of the criminal appeals, four were against convictions for poaching, one about a coalmine, one for a hotelier's breach of his liquor licence and one for helping a prisoner to escape from police custody. It has to be said that William Balfour's success rate was not high, especially on the criminal appeals, but he had at least one case reported nearly every year between 1889 and 1904, with six in 1901 alone, so his correspondents must have had confidence in his handling of their cases.

The Balfours of Westray go to law

One of William Balfour's reported cases, in June 1899, involved the family on Westray. A tenant-farmer on the island had died and left a widow and five married daughters, who disputed which of them should succeed to the croft. The eldest daughter wanted her two sons to have it, but the fourth daughter, who was living on the farm with her husband, claimed that as occupier she had priority. The landlord, Colonel Balfour of Trenable, asked the Court of Session to decide and it ruled in favour of the sons of the eldest daughter.

Peter Manson (1875-1965)

Early years

Peter Manson was born on the 'mainland' of Orkney in 1875, the youngest of five children of William Balfour's elder sister, Barbara. On 17th December 1869 she married Archibald Sharp Manson, who had been born on Westray but who was now a tenant-farmer at Anderswick, Stenness, near Stromness. After primary education locally, Peter attended Kirkwall Grammar School with a bursary. The relations in

Edinburgh maintained their interest in Stenness, Francis Balfour noting in his diary on 17th March 1940: ‘Air raid on Orkney to-day. First civilian killed. Bombs all round Stenness district, falling among Peter’s early playmates.’

Family tradition has Peter beginning to study law at the University of Aberdeen and then responding to a call from his Uncle William to come to Edinburgh and help with the expanding business here. He completed his academic studies at the University of Edinburgh and while it is not known where he served his apprenticeship, it could (and logically should) have been with his uncle, because there was no restriction in those days on being apprenticed to family. Having been a Prizeman in the University class of Conveyancing, he was invited by Professor Wood to be a tutor in that subject.

Glasgow experience

When Peter Manson became a Law Agent in January 1900, aged 24, he was living with his Uncle William at 23 Dublin Street, Edinburgh, but he moved immediately to Glasgow to gain wider experience – as Francis Balfour did in 1919 and as his grandson David MacLennan did in 1971. In those days, a Law Agent’s Certificate had to be endorsed by the Sheriff Clerk before he could appear in the Courts of that Sheriffdom; Peter’s was stamped in Lanarkshire in February 1900, Lothians & Borders in August 1902 and Aberdeen in October 1904; that does not imply residence in either of the latter counties, but records his first appearance in their Courts. In 1905, he married Emily Palmer in Balham, London, and they set up home in Craigcrook Road, Edinburgh. He became a Notary Public in 1910, but never applied to be a Solicitor in the Supreme Courts.

He recounted, with amusement, an incident when he was in his eighties. He had sent an Initial Writ (the document which starts a case in a Sheriff Court) to Aberdeen. The Sheriff Clerk returned it, without a Warrant, saying that he had searched the Court records back to 1910 and could find no trace of a Peter Manson enrolled in the Sheriffdom. Peter returned it to Aberdeen with a note – ‘search further back’ – and got his Warrant by return of post.

It is nearly time to see William Balfour and Peter Manson entering into partnership in 1904, under the name Balfour & Manson SSC, but first a brief look at legal office life in Edinburgh during their apprenticeships and their early years in business

Office equipment

Telephones and electricity

Alexander Graham Bell’s invention, the telephone, reached Edinburgh in 1879 but uptake was slow and often vigorously resisted. In February 1880, Scottish Telephonic Exchange Limited offered to put a telephone into legal offices and to leave it for six months, free of all cost, and thereafter to remove it if it had not been found useful, but most firms refused to have even a free trial. When William Balfour applied for one for 3 Queen Street in the late 1890s, his telephone number was Edinburgh 153.

One of his colleagues was unimpressed: ‘The telephone has broken in upon the quiet of chambers. If any client is charged a consultation fee for legal advice by telephone

and grudges it as too easily earned, let him rest assured that his agent would much rather have been called on and consulted face to face instead of mouth to ear with so many ‘I can’t hear you,’ ‘What do you say?’ ‘Don’t disconnect me’ and phrases of that sort...’ (*Scottish Law Review*, 1895, p 246.)

When electricity was installed in 3 Queen Street is not known, but it was probably before 1900. Street lighting had been tried in Princes Street and the North Bridge in the autumn of 1881, leading enterprising citizens to impress their friends by having ‘the electricity’ installed in their homes. Nowadays, candlelit dinners are *chic*, but in the 1890s there was no more stylish invitation than to dine at a table lit by electricity. By April 1895, electric street lighting was installed permanently in Princes Street and shops were beginning to choose it in preference to gas; the power station in Dewar Place could not cope, and a butcher who had an electric mincing machine was asked not to use it during the hours of darkness, because it dimmed the city’s streetlights.

Edinburgh Corporation, who supplied the electricity, were the opposite of the salesmen in the telephone company – they played hard to get. William Balfour was a member of the SSC Society when it decided in 1899 ‘to introduce electric lighting into the library and the rooms connected therewith’; the Corporation demanded guaranteed annual consumption of £25 for three years before they would install a line from the Cowgate, and the installation itself cost £169.

Typewriters and Letterbooks

When William Balfour commenced practice in 1887, typewriters, which had appeared on the Scottish market in 1883, were slowly coming into use in lawyers’ offices. The first extant typed letter over William Balfour’s signature is dated 25 June 1902, but the majority of the other correspondence in that Letterbook is in his handwriting. In 1909, an observer wrote: ‘Although many old-fashioned firms in Edinburgh were as slow to introduce the typewriter into their premises, as they were to adopt the telephone, typewriters worked by female operators are today to be found in all offices, great and small. The law clerk is now an almost unknown quantity in the smaller offices.’ (*Scottish Law Review*, 1909, p. 201.)

Because the Court of Session had ruled in 1901 that women could not be admitted as Law Agents in Scotland, the same observer went on to say that since growing numbers of women were employed in legal offices in secretarial and clerical positions, until marriage automatically ended their office careers:

It seems a strange anomaly that the Court of Session while refusing ladies admission to practise as law agents does yet permit law agents’ charges to be earned for their employers by lady typists who not only copy papers but also attend in Parliament House to watch the progress of the Rolls and at the Register House, to lodge and borrow processes and copy interlocutors, and, in short, do and charge for according to the official table of fees. (*same citation*).



A Hermes typewriter from 1900. In the main photograph, the keys have jammed because another key had been pressed before the first lever had returned to its place – a common problem for impatient typists. The second photograph shows the result – the keys had to be manually dislodged and returned to their place.

Outgoing mail, whether typed or handwritten, was put through a Letterpress, a mangle with blue die that reproduced the writing onto specially prepared paper, for binding into Letterbooks. These were bound chronologically and not thematically, so although there was a subject-index at the back, it was customary to repeat much of the incoming letter in the reply – ‘We thank you for your letter which asked ...(quoting)... and the answer is’ – this minimized the number of letters that had to be looked up to track a transaction. The business world has gone full circle in this respect, because twenty-first-century emails are often followed automatically by all the previous exchanges between the parties – giving the full picture without the need to look backwards through the in-box

From the later 1940s, Letterbooks in Balfour & Manson were replaced by files, in which incoming letters and a carbon copy of outgoing letters were filed together in separate folders under subject-matter - described in section three. However, pre-1940 Letterbooks were consulted so regularly in the 1950s that when the caretakers vacated the basement of No. 62 Frederick Street in 1960, the writer was asked to collect Letterbooks from cupboards all round the office and to put them into numbered order on shelving erected for the purpose in the caretakers’ former living room – and they almost filled it.

Late nineteenth-century legal Edinburgh

Main doors and stairs

Queen Street, Hanover Street, Frederick Street and Castle Street, in all of which Balfour & Manson have had an office, were built between 1780 and 1795 with main door private houses (first floor, ground floor and basement) alternating with a common stair leading to multiple flats above them. Queen Street’s status as ‘the most

fashionable street in the best part of Edinburgh’ was recognized by inserting Queen Street Gardens between it and the next phase of the New Town development, Heriot Row, so as not to destroy its fine views to the north.

Over the next fifty years, some lawyers in main-door houses combined their home with their office, consulting in the dining room while their clerks laboured in the basement. However, by 1880 many of the buildings in Hanover Street and Frederick Street and Castle Street were legal offices rather than homes, while the service roads of the New Town, Young Street, Hill Street and Thistle Street, were ‘awash with lawyers’ offices’, but there were none in Rose Street. Sole practitioners and two-partner firms were mostly located in the flats up the stairways, but even some small firms had main door addresses – including Stuart & Stuart WS at 56 Frederick Street and Duncan Smith & MacLaren SSC at No. 62; both buildings were later acquired by Balfour & Manson, after it had moved to No. 58, as described in Section Three.

Office life

Office hours were long and unrelenting. A staff memorandum from a nearby legal firm narrates that week-day hours were 9.30 to 5.30, and 9.30 to 2.00 pm on Saturday, but that ‘an absence of about 10 minutes during the day must suffice for luncheon’; evening work was not unknown. Public holidays were New Year’s Day, Good Friday, 1 May, 1 August and Christmas Day.

Register House and the Courts

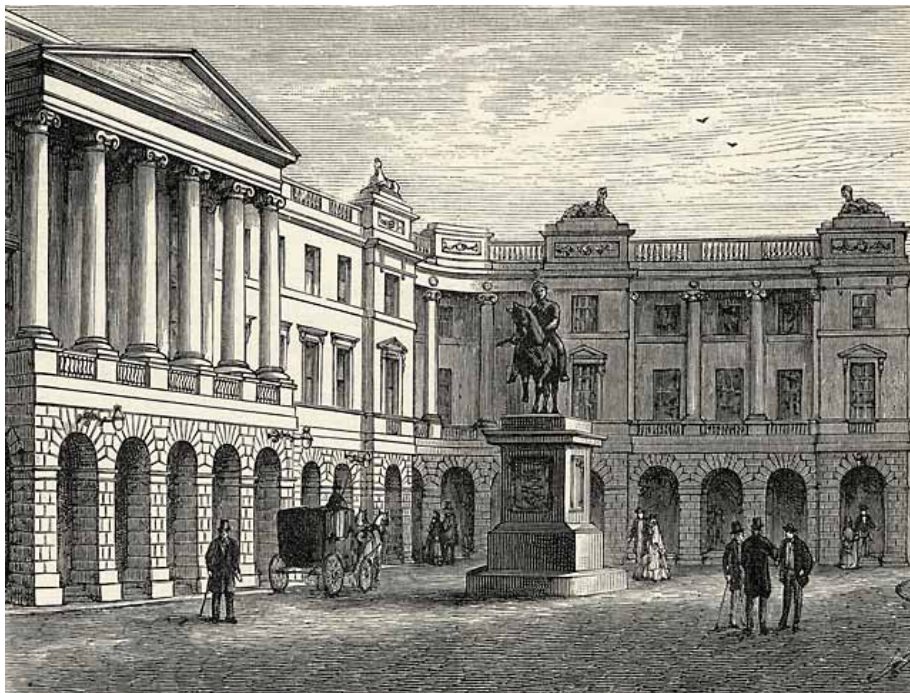
The vast majority of Edinburgh’s Law Agents in the 1880s and 1890s practised within walking distance of each other, in the mainly commercial area bounded on the west by Charlotte Square, on the east by St Andrew Square, on the south by George Street and on the north by Queen Street. However, the two hubs of legal activity, out of the office, were:

- (1) a campus at the east end of Princes Street, which included Register House, where all Scottish land transactions were recorded, and the building behind it, New Register House, for the administrative staff for the Court of Session; all Court papers, except for the ones being used in Court that day, were available (only) there and it was there that new cases were started and documents lodged.
- (2) the Court of Session, behind St Giles Cathedral in the High Street, and Edinburgh Sheriff Court, just around the corner in George IV Bridge, now the site of the National Library of Scotland. Law Agents prepared cases for the Court of Session and then instructed Counsel, who alone had right of audience there, but they themselves handled all stages of Sheriff Court activity.

Court work therefore involved walking from the New Town up the Mound to the Courts, along with the judges and advocates – everyone was expected to walk, not to take a tram or taxi. For apprentices and younger Law Agents, the return journey was often down North Bridge, to lodge or pick up documents at the Court of Session’s administration department mentioned above.

Law Agents and Solicitors

When the Solicitors (Scotland) Act 1933 provided that ‘all Law Agents in Scotland are now to be known as Solicitors’, it was generally assumed that this made the ancient title Law Agent obsolete. However, the Scottish Law Agents’ Society, of which Francis Balfour was a life-long supporter and of which Fraser MacLennan and David MacLennan were Presidents, never got round to changing its name. In June 2013, its Council proposed creating a separate identity of Law Agent to operate within the solicitors’ profession in Scotland, on the basis that the profession now consists largely and possibly by a majority of practitioners who are not law agents in the sense of taking instructions for the legal representation of members of the public. ‘If members are in any doubt as to the wisdom of doing so, they should perhaps ask themselves what other national body exists exclusively to attend their interests.’



Parliament House and Statue to Charles II - Parliament Square



Edinburgh marked the coronation of King Edward VII in 1902 with a floral crown in West Princes Street Gardens. It was so much admired that, in the following summer, the city gardeners planted a moving floral clock – the first in the world.

Section Two – Establishing the business – 1904 to 1938

Overview of 1904 to 1938

In 1904, William Balfour entered into partnership with his nephew Peter Manson and they practised under the name of 'Balfour & Manson SSC, 3 Queen Street, Edinburgh and 9 Union Terrace, Aberdeen'. After moving the Edinburgh office to 77 Hanover Street in 1908 and then to 24 Castle Street in 1917, they finally settled into 58 Frederick Street in 1931. In the meantime, they had assumed William Balfour's son, Francis, as a partner in 1922.



Princes Street after a snowfall in 1906

The First World War (1914-18) had profound consequences for the Scottish economy. The East coast fishing industry collapsed through loss of export markets; steel-making, ship-building and coal-mining prospered during the war only to slump, along with textiles, in the trade depression of the 1920s. Unemployment reached twenty-seven percent and 400,000 Scots emigrated between 1921 and 1931 - the highest figure for any European nation. Only seven of the country's seventy-seven steel furnaces were in blast in 1931 and, even when re-armament began to stimulate the economy from 1933 onward, prosperity came slowly and patchily.

Despite economic difficulties, the firm steadily expanded its Court work and its Chamber practice. One sentence in Francis Balfour's diary sums up the firm's relationship with clients. He had a sum of money to invest, so he 'opened an account at the Bank of Scotland, George Street, for the manager's sake, as he had brought me his father's executry'.

Urgent communication was by telegram; since telegrams were charged by the number of words, Balfour & Manson registered a single (unique) word with the Post Office in 1926, known as its 'telegraphic address'; this was printed alongside the telephone number on the firm's stationery – there is a sample in Section Three. Telegrams from anywhere in the world, addressed with the two words 'Balfoned, Edinburgh', were delivered to 58 Frederick Street. The original application to the Post Office was for

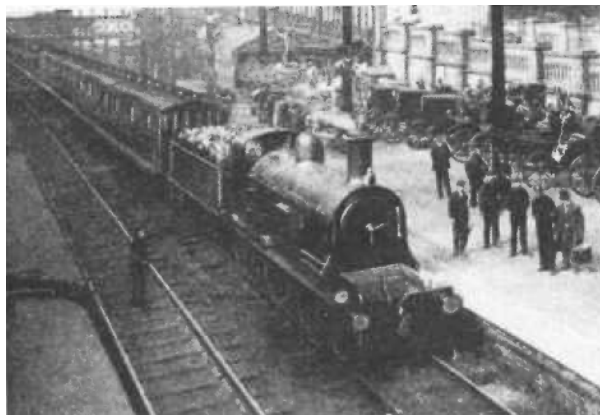
‘Balfron’ (BALFouR mansON), but as this is a village in Stirlingshire, the officials insisted on ED (Edinburgh) being added.

Telegrams were also used locally, to contact people who did not have a telephone. Francis Balfour wrote in his diary: ‘Very busy at the office all day; supposed to go to Bathgate tonight to see a client but had to send a telegram that I could not get.’ As soon as such a telegram reached the nearest post office, a boy on a bicycle delivered it to the house.

Balfour & Manson SSC

Edinburgh and Aberdeen

The Aberdeen office was to maintain the Orcadian connection – Islanders came by ferry to Aberdeen, midway between Edinburgh and Orkney, to consult Law Agents whom they knew and trusted. It was given up after a couple of years, but one or other of the partners travelled regularly to the Granite City, as described later in this Section, to meet by arrangement with Orcadian people.



One or other of the partners travelled regularly to Aberdeen from Waverley Station, Edinburgh, to keep the connection with clients in the North-East and the Orkneys. The background of this 1908 photograph includes the ‘carriage entrance’, which was then open to all vehicles – now only taxis are allowed into the station.

77 Hanover Street and 24 Castle Street

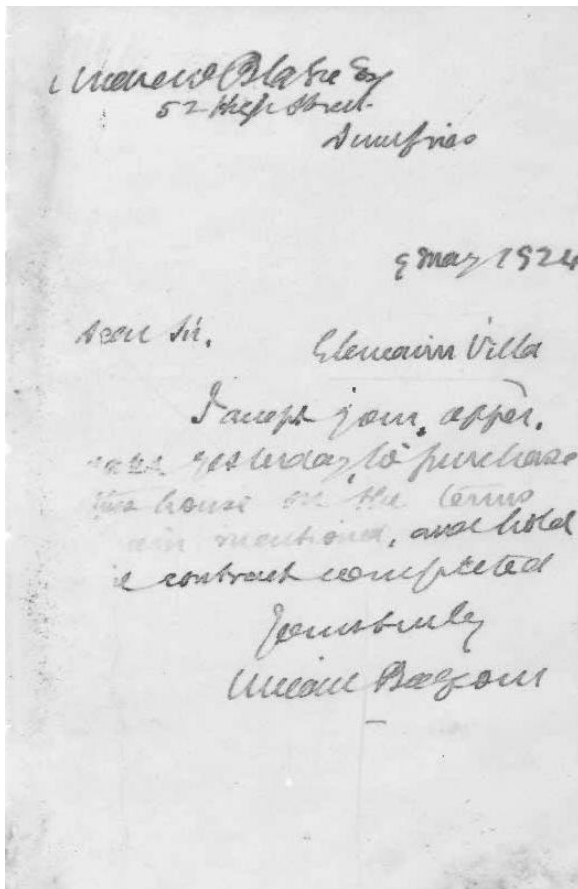
In 1908, the firm moved from 3 Queen Street to 77 Hanover Street, the main north-south artery in the New Town, and at the same time discontinued the Aberdeen office. To the relief of the horses and their drivers, cable tramcars had by now replaced the horse-drawn trams that brought people up the steep hill from Canonmills to Princes Street.

The firm’s telephone number at 3 Queen Street had been Edinburgh 153, but the telephone service in Edinburgh was at last expanding, and the new number in Hanover Street was Edinburgh 4878. In 1926 a prefix was added, making it 24878, and that number remained, despite two subsequent moves, until 1952.



77 Hanover Street

In 1917, the firm moved from 77 Hanover Street to 24 Castle Street, keeping the telephone number 4878. They were tenants, not owners, and stayed there until 1931.



Extant Letterbooks from the Castle Street days have a mixture of typed and handwritten correspondence. The sale of heritable property was usually simple, compared to twenty-first century Missives.

This letter reads:

Andrew Blakie, Esq., 52 High Street, Dumfries. 9 May 1924.

Dear Sir, Glencairn Villa

I accept your offer, dated yesterday, to purchase this house on the terms and conditions, and hold the contract as completed.

Yours sincerely, William Balfour.

Francis Edmund Balfour

In 1922, William Balfour and Peter Manson assumed William Balfour's second son, Francis (Frank), as a partner in the firm. Born in Edinburgh on 25 September 1894, he attended Daniel Stewarts College – now Stewarts-Melville. The family home was at 2 Osborne Terrace, looking into Donaldson's Hospital. He was apprenticed to the family firm in 1912; he must have been a young-looking eighteen, because when a client turned up with a red tie at the Court of Session, seeking damages from a jury for the death of his son, his King's Counsel said: 'Boy, take that man out and buy him a black tie before the jury sees him'. Francis Balfour enjoyed Court work, and when he heard about the death of Viscount Horne, some years later, he reminisced in his diary: 'I always associate him most with the case of *Menzies v Denny*, a motor collision in 1912, when George Watt was our Counsel and Horne was for the Pursuer. Daddy was in Shetland and Peter in Tiree, and I was left with the case, which we won.'

The First World War interrupted his legal studies at Edinburgh University; conscription did not begin until 1916, but as soon as War was declared in 1914, he volunteered for the Royal Army Medical Corps. As he completed his training in the Scottish Borders, the British Army in Egypt asked the War Office in London for '1 or 2' additional medical orderlies; somewhere along the line the 'or' became a '0', and '102' men were sent. As the Army in Alexandria had facilities for only two, the other hundred were told that they were not wanted and it was up to them to make their way back to Britain. On no one's payroll, and with no travel warrants or other documentation, they scrounged a lift on a ship to Brindisi, Southern Italy, and from there travelled overland – with little assistance from the military because no one wanted to take responsibility for them.

Life then became earnest, and Francis Balfour spent the remainder of the war as a medical orderly with the Royal Scots on the Western Front. On one occasion he went with a stretcher to rescue a wounded soldier, under enemy fire; as no other orderly had arrived, he could not use the stretcher, so he said to the wounded man, 'I'll have to carry you out'. The ungrateful response was: 'No way – I'll get shot in the back and you'll get a Victoria Cross.' He was awarded the British Medal and the Victory Medal, but not for that exploit.



On the outbreak of the First World War in 1914, Francis Balfour volunteered to serve in the Royal Army Medical Corps, interrupting his legal studies at Edinburgh University.

Completing his studies after the war, he was admitted as a Law Agent in 1919. Like Peter Manson before him, he went immediately to Glasgow to gain further experience. In the firm of G.H. Robb & Crosbie in George Square he made friendships and business connections that lasted for the rest of his life. He came back to Edinburgh in 1921, initially as qualified assistant with Balfour & Manson and then, in 1922, he became the third partner and also a Solicitor in the Supreme Courts. In the following year he became a Notary Public and for the rest of his life his letterheading was 'Francis E. Balfour, SSC, NP'.

Business ethics

Although his war experience had taught him much about human nature, Francis Balfour soon learned about sharp practice in the business world. In his early years as a solicitor, a client's tractor was damaged in transit with the North British Railway Company. The farmer insisted that he had paid for it to be sent from the factory at "carrier's risk", but the Company claimed it was at "owner's risk". Francis went to Waverley Station in Edinburgh to investigate. He arrived during the staff's lunch break, and an office junior invited him to look at the ledger for himself. A note read: 'This tractor was sent at "carrier's risk" but it has been damaged; say it was at "owner's risk"'. He copied the note and quoted it in a letter to the North British; when he arrived at the office in Castle Street on the following morning, a representative of the railway company was waiting on the doorstep with a cheque book, asking how much he required to settle the claim.



Francis Balfour aged 34 and his wife Isobel aged 31 on holiday near Mallaig, on the west coast of Scotland, in 1928. His camera had the option of a five-second time-delay switch, so he could press the button for the picture and still get himself into the shot.

In those days, and until the 1970s, some partners took the whole of August as holiday and the other partner(s) took the whole of September. That was possible because the Court of Session went into summer vacation at the end of July and did not resume until the first Tuesday in October. In those days, vacations were vacations – time periods did not run, so if the Court had ordered something to be done within three months, that automatically became five months if it bridged the summer vacation.

Nothing happened at Parliament House during vacations, except for a twice-weekly (Tuesday and Friday) vacation court, when one judge sat, without robes, in the well of the Court, for urgent business; solicitors could address him directly if the advocate for that case was out of town. (One judge was available to be brought in at any time for real emergencies, like Interdicts.) The summer vacation gradually moved to the present mid-July to late September for two reasons – many witnesses were unavailable in July due to the Edinburgh Trades holidays (the first half of the month, when the city emptied) and the Glasgow Fair (the second half) and, secondly, when Edinburgh schools began to break up earlier and to resume earlier, it suited lawyers with children to have the same holidays as the schools.

58 Frederick Street

A main door

In March 1931, the partners bought 58 Frederick Street, which had its own front door. This was significant in Edinburgh society. As mentioned in Section One, many New Town streets alternated main door houses (originally private homes) with stairways into flats above the houses – which still characterizes these streets. Balfour & Manson moved in between two long-established legal firms with their own main doors; Stuart & Stuart had practised in No. 56 since 1886 and Duncan Smith in No. 62 since 1870. In due course Balfour & Manson acquired both of these buildings and incorporated them into the firm, as described in Sections Four and Six.

58 Frederick Street had been built as a private house, and the large room to the front at street level, the original dining room, served partly as the reception and waiting area for clients and partly, on the other side of a mahogany counter, which ran the breadth of the room, the working area for the receptionist/telephonist, typists and the message-girl. The counter was waist-high, with a curved top, so that clerks sitting on stools could, in former years, handwrite documents on it. Francis Balfour's room was to the rear of the building.

On the first floor, William Balfour occupied the former drawing room to the front of the building, with its splendid painted ceiling.



Peter Manson and his secretarial staff used the two former bedrooms to the back; the only apprentice had a desk in the room of the partner for whom he worked. The cashier used the small room over the front door – and that was it. Everyone worked until 1 pm on Saturday. The caretakers, who had exclusive use of the basement, lit (and cleaned out) cheerful coal fires in all the rooms from October to May.



58 Frederick Street had converted from gas lighting to electricity before Balfour & Manson bought it in 1931, but one globe was left in the corridor to the rear of the building; the writer has used the stump of it as a coat hanger since giving up his own room in 1997. Handling the delicate white membranes that popped into a glowing incandescence when a match was applied is a skill now found on campsites.

Chamber practice

Like most of their contemporaries, the Balfours and Peter Manson were general practitioners, not specialists in any area. Scottish solicitors at the time were described as ‘men of business’, which involved everything to do with the daily lives of Edinburgh businessmen. Their Chamber practice included drawing Wills and advising on succession, winding up estates following death, conveyancing, forming and administering small Limited Companies, trusts and client investments, drafting contracts, advising on employment issues, dealing with bankruptcies, advising in matrimonial breakdown and (unique to solicitors in Scotland, as opposed to English solicitors) acting as estate agents in the purchase and sale of houses and commercial premises, as well as doing the legal work which followed conclusion of the bargain. These were the staple diet, but during the depressed economic situation of the 1920s, the firm accepted anything and everything, except work connected with the liquor trade, because all the partners were prominent in the Temperance Movement.

One incident about employment issues is worth re-telling. A wig-manufacturer in Edinburgh told the writer about the shortest piece of legal advice he had ever received. He had caught a member of his staff smoking in a room where they stored celluloid, so he phoned to ask what notice he should give to terminate the employment? Francis Balfour said ‘none’ and put the phone down.

Court practice

As described in Section One, a major part of Balfour & Manson's business was to act as agents for out-of-town colleagues wishing to use the Supreme Courts in Edinburgh, where only Advocates had right of audience. However, Law Agents could handle all stages of court activity in both civil and criminal cases in Scotland's Sheriff Courts, and did so, without Counsel, in the vast majority of cases – although the sheriff and sheriffs-substitute before whom they pleaded were all drawn from the ranks of the advocates at that time. This included actions for compensation following accidents, neighbourhood disputes, debt recovery, defending drivers charged with motoring offences and much else. Although only the Court of Session could hear divorce cases, the Sheriff Court had jurisdiction in actions of separation, custody of children, access and aliment, and the Sheriff Court was often preferred on the grounds of cost. Law Agents who appeared in Sheriff Courts were then (and until the 1980s) known by the ancient and honourable title of Procurator and they formed local Associations, maintained local law libraries, held annual dinners and, since they knew each other well, respected and trusted each other.

In addition to general Court work, William Balfour had one speciality; his farming background made him a knowledgeable pleader in the Scottish Land Court, which was unique in the Scottish judiciary in that the Court, including the judge, clerks and agents, regularly visited the disputed land, anywhere in Scotland, as part of the evidence.

Reported Cases

As mentioned in Section One, significant Court cases are published in the Law Reports. Digitalized WestLaw brings up over one hundred cases in the first twenty years of the Balfour & Manson partnership. To average five reported cases a year shows a considerable involvement in Court work for two comparatively new practitioners. There is no year without at least one reported case, and in both 1909 and 1910 there were eight cases.

One 1908 case is worth mentioning, although Balfour & Manson were not the agents for either side in it. There was publicity during the Olympic Games in London in 1908 about the extraordinary lengths and heavy-handed methods used by the major sponsors to stop any of their competitors advertising or selling merchandise in the vicinity of the Games. A Scottish National Exhibition was to be held in Saughton Park in Edinburgh in 1908. On the day before its opening, London cigarette makers obtained a Court interdict against an Edinburgh firm of caterers selling any cigarettes other than theirs, because the London company claimed an exclusive sponsorship deal. (*Scottish Law Review* 24 (1908), 112.)

Apprentices

Limitation of space at 58 Frederick Street meant that only one apprentice could be taken on at a time. Reminiscing about apprentices during the inter-war years (1919-39), Francis Balfour had two fond memories and one he preferred to forget. Alistair Cram, whose father was a solicitor in Perth, and who shared Francis Balfour's love of Scottish hills and mountains, was apprenticed from 1932-35. After that, he regularly

called at the office, socially and for advice about his career; after the War, he held high-profile legal appointments in East Africa and dropped into Frederick Street when on furlough to recount his latest adventures. The other fond memory was of Frank Ramsay from Aberdeen, who excelled during his time in Edinburgh from 1935-38; on becoming a partner in J.D. Mackie & Dewar in Aberdeen after the War (in which he was badly wounded), he sent a steady stream of Court work to Edinburgh and remained a firm friend – the only former apprentice invited to Francis Balfour's retirement party in 1972.

As described in more detail in Section Four, part of an apprentice's work was to take deeds to the Stamp Office in Waterloo Place, pay the government duty, have the relevant stamps embossed on the deeds and then 'record' them in the General Register of Sasines in Princes Street. It normally took Register House several weeks, sometimes months, to process deeds and to return them to the firm, but when Francis Balfour asked why the delay was longer than usual, he was told that nothing had been recorded in the firm's name for a very long time – an apprentice had been pocketing the money given to him by the firm's cashier for the Stamp Duty. Francis Balfour called at his lodgings, found the pile of unstamped and unrecorded deeds, and terminated the Indenture on the spot.



William Balfour on the beach at Gullane in June 1934, aged 79, with the writer, aged two. Businessmen in those days frequently wore suits and ties even when relaxing on holiday. He had taken off his hat for the photograph – it is resting on the adjoining chair – but he was wearing it in other photographs taken on the beach on the same afternoon.

Maintaining the Orcadian connection

As mentioned, when William Balfour and Peter Manson founded the firm in 1904, it had offices in Edinburgh and Aberdeen. Although they closed the Aberdeen office after a couple of years, both partners wanted to keep the Orcadian connection and so met clients by arrangement in Aberdeen, which was half way between their respective homes; islanders came by overnight ferry to Aberdeen and one or other of the partners went north by train. The partners took the opportunity of meeting also with North of Scotland businessmen connected with the Brethren Assemblies; all three partners

were active members of the Christian Brethren, many of whom preferred to do business with ‘one of their own’. When the writer was reading the autobiography of the patriarch of a large Aberdeen family, he found this: ‘Mr Manson of Balfour and Manson, solicitors, Edinburgh, who has long been associated with the Assembly at Bellevue Chapel there, prepared the deeds and constitution for the [no client names] Hall building in Victoria Road, Torry (Aberdeen), completed in October 1928 at a cost of £5,400.’ (James Cordiner, *Fragments from the Past*, section 5.)

William Balfour kept his Westray roots for the rest of his life, visiting annually, not just to meet clients but to look after the interests of the only Building Society on the island. There was a regular ship service from Leith, overnight to Aberdeen and then on, through the next night, to Kirkwall. In July 1938, aged 83, he flew for the first time from Edinburgh to Kirkwall and then on to the airstrip on Westray.

In the summer of 2012, a long-standing client of Balfour & Manson introduced herself to David Campbell, who had joined the Private Client Department as a partner in April 2010, by mentioning that William Balfour, Senior, had stayed with her grandparents in Kirkwall and that Francis Balfour had stayed with her parents, as they passed through Kirkwall on their way to Westray. With her permission, the writer spoke to her eighty-eight year old father, and found that the link was even closer than that. It was, as in two paragraphs above, based on the Christian Brethren connection. The family owned and ran two drapers shops in Kirkwall, one for gentlemen and one for ladies, on opposite sides of the same street. Wishing to work with a lawyer who shared their religious beliefs, they encouraged the two Balfours to visit and to look after the legal aspects of their family business.

The elderly man just mentioned particularly remembers one visit. Although it took place in March 1943, it is best narrated here. His father, one of the partners in the drapery business, had died. He himself was doing military service in Aberdeen and was given compassionate leave to arrange the funeral. He asked Francis Balfour to come from Edinburgh to advise the family. Kirkwall was a protected area for non-residents, because of the importance of Scapa Flow as a naval base, but he persuaded the authorities to allow his solicitor to visit – although the windows of the seven-seater biplane were blacked out so that passengers saw nothing of what was happening on the ground. Francis Balfour advised the incorporation of the business, with the remaining family taking shares, and dealt with the legal work involved. He continued to visit regularly after the War, on his way to Westray, and usually stayed overnight with the family; he continued this business and family relationship until the late-1960, when the onset of Parkinson’s disease restricted his travel.



William Balfour's elder brother, Sinclair, emigrated to Hamilton, Ontario, about the same time as William moved to Glasgow. He built up a wholesale grocery business, *The Tartan Grocers*. This June 1929 photograph shows William Balfour (second right) with Sinclair's son, St. Clair, and his wife, and St. Clair's son, St. Clair Junior, at Notland Castle on Westray. Generations of Balfours lie buried in the nearby churchyard; it was a family tradition not to give children a name that was not inscribed on a tombstone there.



A family holiday by air to Westray, Orkney, in 1938; From left to right, William Balfour, Mrs Isobel Balfour, Miss Frances Berwick (nanny) and the writer. Photograph taken by Francis Balfour. It was the norm to wear school uniform, including cap, for travel, even on vacation.

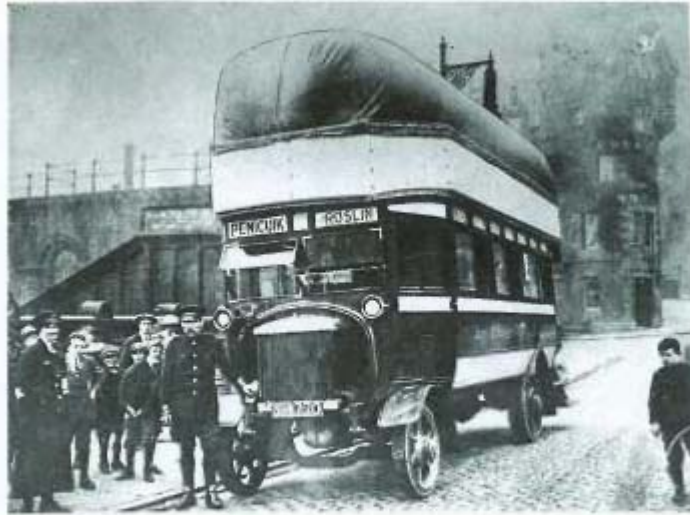
Ruth Horne

Limitation of space precludes mentioning anything about the interests of the partners outside of the law. An exception is made here, because the office was involved. Francis Balfour was the honorary home representative for a medical mission at Raxaul on the Nepal-India border. At the time, Nepal was closed to Christian missionaries, but a family friend, Dr Cecil Duncan, started the Duncan Hospital at Raxaul in 1928 and treated Nepalis who crossed the border to it. Its good work so impressed the Nepali government that eventually they invited medical missionaries to establish a similar hospital in Kathmandu.

Many lawyers use their office to promote their favourite charity; Francis Balfour dictated his Raxaul correspondence to his secretary, Ruth Horne. Through that, she became so interested in the hospital that she volunteered to go to Raxaul and spent the rest of her life working as a secretary with the expatriate team there.



Francis Balfour used the office facilities to compile and sent out quarterly newsletters to the supporters of the Raxaul Medical Mission; he added catchy titles to the photographs from India – Dr Cecil Duncan is on the left of this one.



Shortage of petrol led to some public buses being adapted to run on coal gas. Bags were attached to the roof, and they gradually shrank as the fuel was used up. As someone remarked at the end of the war: 'it seemed a good idea at the time.'



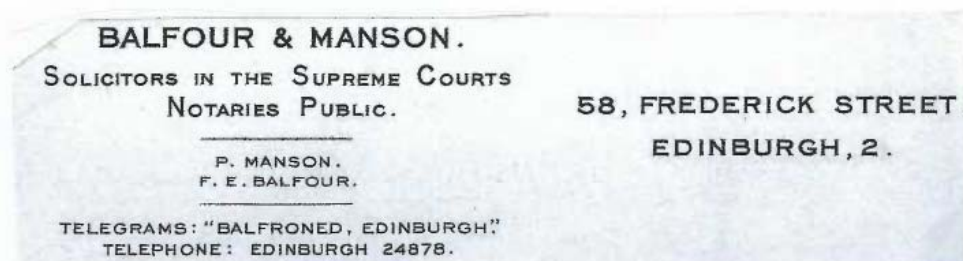
This is not a photograph of the Zeppelin raid on Edinburgh in April 1916, which was carried out in darkness, but it was taken during a courtesy visit after the war.

Section Three – World War Two and aftermath – 1939 to 1949

Overview of 1939 to 1949

The summer of 1939 was overshadowed by preparation for war, including evacuation of children and mobilization of men. Two Territorial Army soldiers, friends of the family, went to their annual fortnight summer camp in the Borders, during which their unit was mobilized and sent to France; they were engaged there until they, along with most of the 51st Highland Division, were captured at St Valery-en-Caux in June 1940, and they did not see their families again until 1945.

Solicitors generally did not have a pension scheme in those days – they went on working, although with a reduced workload, and drew what they needed from the firm. Peter Manson was in the office by mid-morning every day until his death in 1965 at the age of 89. Similarly, William Balfour, the founder of the firm, died peacefully at home on 3 November 1939, aged 84; he had been at work only a few days previously. Peter Manson, now joined in the office by his daughter Elwyn, who was the firm's cashier among other duties, worked in the office throughout the war. Francis Balfour was also full-time in the office during the day, but spent most evenings with the Home Guard, or doing overnight voluntary work at the War Office in Palmerston Place or fire-watching (explained later in this section) on the roofs of various buildings.



The firm's notepaper in November 1939, after William Balfour's death; Section Two explained the importance of the telegraphic address. Professional letterheadings had to be embossed in those days, not just printed. Francis Balfour's brother-in-law was the resident banker at Gleneagles Hotel in the 1930s; he was in the manager's office one day when a doorman said a visitor wanted to see the manager. Without asking who it was, he replied that he was not available; when the banker asked why, the manager said: 'I ran my finger over his visiting card; it was not embossed; I do not see people whose cards are not embossed'.

All of the 1940s were years of austerity. The Chancellor's Budget in April 1941 increased income tax to 10/- (fifty pence) in the pound and the top rate of Estate Duty (now Inheritance Tax) to 65 percent. Balfour & Manson's net profit in 1941 was £1,600 for each partner, half of the pre-war average, and fell to £1,100 in 1942 and 1943. When the war ended in August 1945, factories which had made munitions during the war closed, leaving Scotland over-dependent on her traditional heavy

industries. She lost 34,000 men killed in action and a similar number of young women took permanent jobs in England or married Allied soldiers. Centralized control of life, introduced for the war, temporarily held back emigration, but every year from 1946 to 1964 some 25,000 left Scotland for good - going overseas rather than just drifting south. On the other hand, Labour's 1945 return to government, and the whirlwind nationalization which followed, kept unemployment under four percent for all those years and more.

In 1946, the firm, still in six rooms at 58 Frederick Street, was given the use of four rooms in the adjoining building, No. 62; this was the start of an expansion that, over the next fifty years, saw additions in every decade until the firm occupied seventy-six connected rooms in 1998, from Hill Street to Queen Street – seventy new rooms in just over fifty years.

The later years of the 1940s saw a change of policy about employing staff. As mentioned in Section Two, all the partners were active members of the Christian Brethren (at least until 1946 – page 36, later in this section), and they felt it right – there was no legislation about such things in the 1940s – to offer vacant clerical and secretarial positions to youngsters coming up through the Assemblies (as their local churches were known) – to encourage them into the employment market. They were, without exception, both capable and grateful for the opportunity of working in a sympathetic environment, but gradually the partners came to have reservations about the policy. With the business now coming to them from an increasingly fractured society, it did not seem prudent to have letters typed and phone calls taken by youngsters who sat in the next pew on Sundays to the clients who had consulted the firm on confidential business. The policy went from employing only such people to deliberately employing none of them – both of which would probably be counted today as equally discriminatory.

The decade concluded with Fraser MacLennan and Ethel Houston being assumed as partners in 1946 and 1949 respectively – details at the end of this section.

The Second World War

Interrupted holiday

The firm's practice of one partner taking the month of August as holiday and the other partner taking the whole of September was disrupted in 1939 by the outbreak of World War Two. William Balfour was too frail to leave Edinburgh, but Peter Manson and his wife and two sons went to Wales for August. They returned on the 31st, as Francis Balfour packed his car in order to leave Edinburgh at 4.30 am on Friday 1st September, to catch the mid-day ferry from Oban to Tobermory on Mull. Coming out of church on Sunday 3rd September, they were told that Britain's time limit for Hitler to withdraw from Poland had expired at 11 am and that the country was at war.

Peter Manson was very anxious about the situation; doom-mongers had warned that British cities would be heavily bombed within days of hostilities being declared. He persuaded Francis Balfour to leave the family on Mull and to return to Edinburgh by train on Saturday 16 September. Francis Balfour noted in his diary: 'swarms of evacuated parents and kids returning to Glasgow; had had enough of country life ...

Princes Street station gave first real impression of war; pitch dark, sand-bagged everywhere’.

Air-raid precautions

In the meantime, William Balfour had insisted that all current files and papers in the office should be moved to the strong room under the stair, in case of bomb damage to the building; this, as Francis Balfour noted, made it ‘enormously inconvenient’ to access them for daily business. However, Edinburgh was taking the threat of air raids very seriously, and everyone carried a gas mask.



Poison gas in the Kaiser’s War of 1914–18 prompted fears that it might be dropped from enemy aeroplanes at any time, so gas masks had to be carried by everyone at all times. Masks for babies were operated by adults, suitably masked themselves. Fortunately, they were never needed for real.

The first air raid of the war took place during the afternoon of 16th October 1939, when fourteen German bombers attacked shipping anchored near the Forth Bridge. Instead of taking to shelters, as they should have done, Edinburgh people sought the best vantage point to see four Nazi bombers being destroyed by Edinburgh-based Spitfires. By the next raid, a fortnight later, they had been persuaded to take to basements or purpose-built shelters.

The office in Frederick Street had strips of gauze permanently fixed to all its windows, to minimise the shattering of glass if an explosive bomb fell nearby. Piles of sand, with shovels and pails of water, were placed on every landing, to extinguish incendiary bombs.

BUTTER & MARGARINE 23	BUTTER & MARGARINE 19	BUTTER & MARGARINE 13	BUTTER & MARGARINE 7	BUTTER & MARGARINE 1
BUTTER & MARGARINE 24	BUTTER & MARGARINE 20	BUTTER & MARGARINE 14	BUTTER & MARGARINE 8	BUTTER & MARGARINE 2
PAGE 4 Consumer's Name (BLOCK LETTERS):		BUTTER & MARGARINE 15	BUTTER & MARGARINE 9	BUTTER & MARGARINE 3
Address (BLOCK LETTERS):		BUTTER & MARGARINE 16	BUTTER & MARGARINE 10	BUTTER & MARGARINE 4
BUTTER & MARGARINE 26	BUTTER & MARGARINE 21	BUTTER & MARGARINE 17	BUTTER & MARGARINE 11	BUTTER & MARGARINE 5
BUTTER & MARGARINE 25	BUTTER & MARGARINE 22	BUTTER & MARGARINE 18	BUTTER & MARGARINE 12	BUTTER & MARGARINE 6
PAGE 4.—BUTTER & MARGARINE COUNTERFOIL.			GENERAL R.D. 1.	
Consumer's Name (BLOCK LETTERS):				
Address (BLOCK LETTERS):				
Date: _____				
Name & Address of Retailer: _____				
AS 887306				

One page of the writer's ration book in July 1940. Tea was the first to be rationed – two ounces per person per week. Bacon, butter, margarine and sugar were the next to require coupons, then meat, jam, biscuits, breakfast cereals, dairy products and canned fruit were added. Clothing was rationed from June 1941.



With the prospect of imminent invasion after Dunkirk in June 1940, all road signs, names on railway stations, shop names, even addresses on butchers' and bakers' vans, were removed so that German invaders would not know where they had landed. The word EDINBURGH was (as seen in this picture) obscured on the façade of the head office of the EDINBURGH SAVINGS BANK in Hanover Street.

The office in wartime

Unusual business

Francis Balfour's diary records an almost equal division of his working life at this time between Chamber practice and Court work. Before looking at these, it is worth noting unusual areas of business that came and went with the war. German nationals were interned, some in Donaldson's Hospital at Murrayfield and others in camps outside Edinburgh; they looked to their solicitors, who were allowed to visit them, to keep their businesses going and to be their liason with their staff. Francis Balfour was sympathetic to their position, seeing most of his interned clients as harmless to the national interest.

Next to come was the Conscientious Objectors Tribunal in the Sheriff Court and, if that failed, the Appeal Tribunal for Conscientious Objectors in the Court of Session. Francis Balfour represented several young men, which meant leading evidence from people who knew and understood the objector and then addressing the Tribunal or the Court. In all the cases mentioned in his diary, he was successful – although he never recorded his personal opinion about his clients, however much they were ridiculed in the local paper.



In April 1940, the Conscientious Objectors Tribunal granted this young man exemption from military service because he was a member of a religious sect that forbade haircutting.

When women began to be conscripted as well as men, in the summer of 1942, he was asked to put forward new and even more ingenious objections. One refused to join the Land Army, as the Old Testament made it 'an abomination unto the Lord for a woman to wear breeches'; another had to go to the Appeal Tribunal before her conscientious

objection to war was accepted, and the Tribunal granted exemption only on condition that she trained to become a gardiner or a nurse.

Other work, peculiar to wartime, included appearing in the Sheriff Court for clients who had allowed a light to show from their house during the hours of darkness – taken very seriously by the Court as lights could give away the presence of cities to enemy aircraft – or who had left their motor cars unattended without immobilising them – also taken seriously, because that would provide invading enemy paratroopers with transport. Air Raid Wardens patrolled the city and reported any breaches; the penalty for conviction was usually One Pound.

True identity was also taken seriously, so in August 1941: ‘Appeared at Sheriff Court for a Polish officer and a girl, giving false names at a hotel; not at all concerned about sin – only about being found out and it appearing in the paper, as she was married to an R.A.F. man.’ One other entry is worth repeating, as it could have happened only in wartime: ‘Appeared in the Sheriff Court for an agricultural worker summoned for not attending the Home Guard; he was busy at harvest and had joined only the day before; on my making strong representations to the Sheriff, the man was let off’.

Some work, that would have been routine in peacetime, was severely complicated by the hostilities. One of the functions of a Notary Public is to sign documents on behalf of people who are blind; this involves reading the document to them in full, making sure that they understand its contents, and then signing it on their behalf in the presence of (then) two witnesses. There was no Notary on the island of Tiree in April 1940, when Peter Manson had to get a deed signed in this way. Being now aged seventy-five, he asked Francis Balfour to go.

Normally he would have gone by air and been back the same day, but there were no civilian flights to Tiree because of the war. Travel to coastal areas of Scotland was severely restricted from 1940 to 1945, so he had to apply for a military permit, which involved getting a new passport photograph. He took the train to Oban, where the permit was closely scrutinized by a soldier before he was allowed onto the boat. Arriving at lunchtime, he persuaded the hotel-owner to drive him to Balevullin, on the northwest corner of the island, and to act as a witness to the deed. He had to spend that night on the island, as the boat did not call again until the following day; he was not back to Edinburgh until very late on the third day of the expedition.

Although not peculiar to wartime – the writer did it occasionally in the 1960s and 1970s – asking a Sheriff to grant a Special Licence to marry became routine as service-men were posted at short notice. If there was not time to have the usual banns or notice in the Registrar’s Office, the Sheriff could, after hearing both parties, grant a Licence for immediate marriage. The diary records not only many successful applications, but also that the couple sometimes asked Francis Balfour to come with them and to be one of the witnesses at the wedding.

Chamber practice

Office work continued as before the War, buying and selling houses and shops, making Wills and dealing with executries, forming Limited Companies, attending Board Meetings as the Company Secretary, and any other general business that came

along. A Chartered Accountant in Frederick Street, with whom the partners were friendly, regularly sent his own clients if they wanted to make a Will or to wind up a relative's estate. Three regular items in Francis Balfour's diary at the time have now fallen into disuse. First, he often went to the house of the nearest relative after a funeral and read the Will to the family – sometimes he recorded the bitter family disputes that followed. Secondly, if the firm factored blocks of property or rows of houses, usually on behalf of a Trust, he personally went to the location on the two Term Days in the year, 15 May and 11 November, to collect the half-yearly rent and to inspect the condition of the properties.

The third was the regular use of Dowall's auction rooms in George Street, both for selling property – putting it on the market with an 'upset price' – or buying property, for as little as possible over the asking price. In the early part of the War, flats went typically for about £700 and bungalows for about £1,200. He bought 25 Morningside Grove for £1,600 in May 1944, and as it had an upset price of £1,500, he thought this was a bargain; in the same month he sold 2 Southfield Terrace by auction for £1,800.

These public auctions, known by the Scottish word 'roup' (noun: a sale by auction; verb: to sell by auction) were still going when the writer qualified as a solicitor in 1955 – bidding at a roup was too responsible to be entrusted to an apprentice. It was anxious work, because the solicitor for a potential purchaser had to satisfy himself, by examining the title deeds beforehand, that there was a marketable title; when the hammer came down, title to the property passed to the highest bidder, and that was that. On the day, every potential bidder was allocated a table in Dowall's George Street premises, and the auction began at the 'upset price'. The writer soon learned to be wily; if there were no bids for the expected price, did one offer it, and secure the property, or did one say nothing, and then phone the seller's solicitor in the afternoon and use the absence of any offer to negotiate a lower price?

Court of Session work

Country correspondents sent a stream of claims for Damages (now called Personal Injury cases) to their Edinburgh agents, for actions to be raised in the Court of Session; as mentioned, they had to send all their actions of divorce to Edinburgh, as only the Supreme Court had jurisdiction until 1984. Tuesday 13 July 1943 may not have been typical, as the Courts were about to rise for August and September and a lot of business was put through, but Francis Balfour had three cases on that day, all of which required leading evidence – an action to declare that a marriage was null, an action of divorce, and a sad case about a wealthy young airman who was missing in action. He had piloted a bomber on an airraid to Hamburg and the aircraft had not returned. No one knew what had happened, and there was no trace of him being a prisoner of war; the Court agreed to administer his assets for the next seven years, until he could legally be declared dead and his substantial estate distributed among his heirs.

One case gave Francis Balfour particular satisfaction. A friend had been knocked down and injured by a bus in Edinburgh. The Company's insurers refused any compensation, but a judge in the Outer House of the Court of Session awarded him damages of £1,200 on 8 July 1942. The bus company, with its large resources, appealed to the Inner House of the Court of Session, lost on 4 December 1942, and

appealed to the House of Lords. As expenses followed success, both solicitor and client were greatly relieved when, on 19 October 1943, the House of Lords upheld the original decision. The whole costs were recovered on 20 January 1944.

By this time Francis Balfour had been made a local Edinburgh director for a nationwide Insurance Company, and wrote: 'Very busy in the office; I seldom remember such an inrush of new work – the Company are sending me a lot of cases'. He recorded only one appearance in the High Court of Justiciary, where he acted for a Police Sergeant charged with attempted murder for (allegedly) shooting a nurse in the grounds of a hospital; the jury found the charge 'Not Proven'.

The Sheriff Court and other Courts

Civil cases – like petitions for the adoption of children and neighbours going to Court over boundary disputes – and criminal prosecutions – for keeping dangerous dogs, Road Traffic offences and selling walnuts above the maximum price – are not worth mentioning, except to illustrate the breadth of the practice. Valuation Appeals and Income Tax Appeals, one against an assessment of £320,000, on the civil side, and Courts Martial, on the criminal side, illustrate weightier responsibility in the litigation side of the business. There were also appearances at the Dean of Guild Court, either to apply for a building warrant in the face of objections by the client's neighbours or to oppose someone else's application which had upset his own clients.

Lessons from Court

Court cases which distressed Francis Balfour included feuding among families of his acquaintance, where someone challenged a Will or a property settlement and friends fought out their differences in public. This made him generous – perhaps over-generous – in dealing with his own relations. When some members of his family wanted more than their fair share of the household goods and furniture left by his father, he took a conciliatory line, noting 'otherwise it just makes trouble; I've seen this so often in business'. His father had left his share of the business to him, giving Francis Balfour a two-thirds interest in the firm, but – for the same reason – he insisted that the new partnership agreement with Peter Manson should treat them as equal partners.

Stubbs' Gazette

Published continuously since 1836, Stubbs Gazette is a weekly magazine (now fortnightly in Scotland) that lists Court decrees for money against debtors, both businesses and individuals, and gives details of personal bankruptcies and company liquidations. It is read by traders, shopkeepers, debt management companies, credit agencies, local authorities and others – including lawyers. To liven up the otherwise boring (unless your eye lit on someone you knew) columns of names and addresses, the front page of the Scottish edition carried a light-hearted but informative article on some recent Court case. Francis Balfour wrote this every week from 1935 to 1958, when the writer took over. It was anonymous, but he was delighted when he heard people discussing it; if the comments were favourable, he identified himself as the author.

It was common in those days for employers to present staff with a gold watch when they retired, although from the scores of 'retirement gold watches' up for sale on eBay now, their families do not have the same pride in them as the original recipients did. Stubbs did not (apparently) recognize when Francis Balfour handed over writing the weekly article to the writer – perhaps because it was another Balfour – but when the writer gave it up through pressure of other business in 1975, he was given a splendid gold watch with the inscription 'for forty years of service to the company'.

Matrimonial work

Although marriage breakdown was only a fraction of what it is today, the firm was regularly involved in actions of divorce. The irony was not lost when, on three consecutive business days, one client wanted a divorce while another wished the Court to declare her lawfully married to the man with whom she had lived until his death – in order to inherit his estate and to claim the State benefits payable to a widow. The divorce case was heard on Saturday 10 February, 1940 and involved a relation, who, having got his divorce, called at the office on the Monday to introduce his new fiancée and to make a new Will. The Declarator of Marriage, a procedure peculiar to Scottish Law, was successfully concluded on the Tuesday.

Wartime extras

Firewatching

From September 1940, all businesses were required to appoint Fire Watchers and position them on the roofs of buildings outside of working hours, not to 'watch fires' but to look out for small incendiary bombs, which were dropped, hundreds at a time, from enemy aircraft, and to extinguish them before a fire could take hold. Fire Watchers were issued with a bucket of sand, a bucket of water and a stirrup pump. David MacLennan remembers his mother talking about firewatching on the roof of 58 Frederick Street and Ethel Houston's brother, James, who was at Edinburgh University for part of the war, recalls firewatching on the roof of the Old College. Francis Balfour was an elder in the Brethren Assembly (Church) in Rodney Street, and his diary records many a night spent on the roof of the adjoining school, from which he and others could keep watch on the property for which they were responsible.

Disruption of normal life

When the sirens went off at 3 am on Monday 4 November 1940, Francis Balfour wrote in his diary:

We carry identity cards; gas masks; tin hats.

Our houses are blacked-out; lights are masked; sand and water stand about for incendiary bombs, and stirrup pumps are handy. Windows are plastered with gauze or criss-crossed with strapping.

All sign-posts, directions and place-names are gone.

In the streets, there are sand-bags, anti-tank traps; in the country, barbed wire entanglements, trenches, posts & pillars to obstruct enemy aircraft; playing fields and parks are littered with rollers, seats, anything to make them useless as

landing-grounds; everywhere are shelters for air-raids – basements, cellars, surface ones; every pleasant garden and many parks have been tunnelled into. We cannot go where we would; the Western Highlands, Orkney & Shetland are debarred; much of the coast is closed off. Trains are uncertain. Motoring is almost excluded for want of petrol.

Separation is universal. Children are sent away from parents, wives from husbands. Irritation comes from unwilling guests thrust upon resentful hosts. We are not free to speak as we want; letters are censored; it is hardly safe to use a camera. Even the weather forecasts are stopped.

The moon is unwelcome; it lights the way for the bomber. The darkness is equally hostile; people fall over obstacles, and lose the way; torches may only be used when considerably dimmed. Cars with their darkened lights can scarcely find their way, even with white lines on the streets.

Shortage prevails in many commodities. A pinch of sugar only in tea; a scrape of butter; strictly rationed tea, etc. Scarcity of paper; limited supplies of razor-blades; and many others.

Enormous taxation. Income tax 8/6 per £. Postage on a letter is 2 1/2d. On a card 2d. Greatly diminished business for many.

Wailing sirens, warning us of the bomber; the explosions when the bombs drop; the fires started by incendiary bombs; demolished houses; fine old buildings, statues, works of art, reduced to dust; and the constant loss of life; mutilation; disease contracted through exposure; unsanitary conditions in shelters, which are packed all night to suffocation.

And yet with it all, we have much to give praise for; we really lack nothing essential; we are kept in perfect peace. God is over all. And we should be ever so much worse on the Continent.

This has been written during a heavy raid over Edinburgh, with German planes droning overhead, bombs bursting, and machine guns rattling, while the skies are brilliant with searchlights.

The War Room

On 4 June 1940, Francis Balfour ‘felt I ought to do some kind of service’, so he volunteered to help with staffing an intelligence-gathering operation based at 25 Palmerston Place, known as the War Room. This had nothing to do with the law, but it merits a mention here because most of the other volunteers were judges, sheriffs, King’s Counsel, advocates and solicitors. Under the guidance of an RAF Intelligence Officer, the volunteers received reports from observation posts all over the country about enemy aircraft threatening Scotland; they had to decode the information, which came in on machines called teleprinters, analyse it, categorize the threat as Red, Purple or Yellow and alert whoever needed to respond.

Volunteers gave as much time as they could, some during the day but mostly (since hostile aircraft now usually came under cover of darkness) in the evening and through the night. If there were no raids, they could sleep on the premises, but four days after being inducted Francis Balfour wrote: ‘Spent last night on duty at the War Room with McLarty (an advocate), relieving Sheriff Mackintosh at 11 pm. Constant Nazi raiding for five-and-a-half hours. Was rather sleepy this morning ...’ (Saturday 8 June). Other typical entries were:

‘At the War Room last night with Lord Murray. Quite busy, with a nasty raid on Aberdeen.’ (Friday 12 July 1940); ‘Went to the War Room last night at 7, and stayed all night. Quite busy until 5 am, when lay down for one-and-a-half hours.’ (Saturday 20 July); ‘War Room at 9, very busy night – enemy at Clydeside again all night, also bombed Arran, Rothesay and many others; 70 incendiaries on Edinburgh. Slept next day until 5 pm, then went at 8 pm to Bellevue for fire-watching from the roof of the school, comfortable night, no alarms’. (Friday/Saturday 15/16 March 1941).

and so it went on, month after month, although he was now forty-six years old. These duties lasted until the end of the war, but by 1943 volunteers were usually able to sleep through the night at Palmerston Place. However, they had to be there: ‘5 May 1943, a busy time at the War Room last night, red alerts on Berwick, Galashiels, Edinburgh and all the way up the East Coast, but the enemy turned out to be reconnaissance planes, not bombers’.



Francis Balfour was also an active member of the Home Guard. When training took place on Sunday, he commented on the anomaly of spending the morning on the Pentlands, firing Sten guns with live ammunition and throwing hand grenades, and then, as a lay preacher, extolling the Gospel of peace in a Church service in the evening.

Francis Balfour's family

Francis Balfour was able to give so much time to the War Room and the Home Guard because he had responded, in June 1940, to increasingly urgent requests from a Canadian cousin, St. Clair Balfour (St. Clair, Junior, on the right of the photograph at page 21 of Section Two) to send his wife Isabel and his two children, Ian and William, to Hamilton, Ontario, as evacuees for the duration of the War. At first he (and they) were reluctant to accept the offer, but after Dunkirk it seemed sensible, so they sailed from Greenock and were in Hamilton as guests of the Balfours there until after D-Day in June 1944. Friendships were formed that have lasted through the generations, as the narrative with the photograph below shows. This photograph was taken at the cottage on the Balfour estate on the outskirts of Hamilton, which St. Clair made available to the evacuees. With his own family's Scottish roots – as mentioned

in Section Two, at page 22, the wholesale grocery business in Hamilton was called 'The Tartan Grocers' – he insisted on kilts being worn whenever possible.



In July 2013, Mary Balfour in Hamilton, Ontario, was clearing out her late father's effects; he was another William, the youngest son of the St. Clair Balfour who invited Isabel Balfour and Ian and William to Canada in June 1940. She sent this photograph, with the message: 'Going through the mountains of paper and stuff at my father's house I came across this photograph which used to be in a desk at Chedoke [the Balfour estate]. It always fascinated me and I was quite taken aback in 1967 when I met you to find that you were no longer cherubs in kilts!!!

Two new partners

Alexander Fraser MacLennan (1910-1988)

Fraser MacLennan – he preferred his middle name – was born in Edinburgh in 1910. After attending Broughton Secondary School, he combined University studies with a legal apprenticeship in Charlotte Square, graduated as Bachelor of Law and qualified as a solicitor in 1940. He was then called up for wartime service with the Legal Department of the Royal Air Force, serving in the South of England, mainly in Reigate, Surrey. On 31 December 1943, he married Elwyn, Peter Manson's only daughter. She continued to live at home and work in the office while her husband was away, keeping her father company as his wife Emily (Emmie) had died on 15 November 1943.

On demobilisation in 1945, Fraser MacLennan joined Balfour & Manson as a qualified assistant and was assumed a partner in 1946 – the first partner of the firm

with a University degree. As an active member of the Elder Memorial Free Church of Scotland, he was also the first partner not associated with the Christian Brethren. The first floor of the adjoining building, No. 62 Frederick Street, was now available to the firm as described below, so Fraser MacLennan occupied the large front room, with an assistant in the smaller room to the front and his secretarial staff in the rooms to the rear.

Ethel May Houston (1924 to now)

In 1949, Ethel Houston was the first lady to be assumed as a partner in a Scottish legal firm. Although she did not have personal ties like the others, she counted as family because of a link that went back to the 1890s. Her mother had been friendly at school with Emily, the future (first) wife of Peter Manson – both attended the same Brethren Assembly. They kept in touch, and when the Houstons settled in Edinburgh in the early 1930s, after years of missionary work in Spain, the families linked up socially and Peter Manson acted professionally for them in buying their house.

In the Spring of 1940, when she was 16, Ethel's brother James, who was two years older, secured admittance to the University of Edinburgh. Her father quixotically decided that they should go to the University together, so although in only her fourth year at James Gillespie's High School for Girls, Ethel crammed two years of school work into three hectic months and passed the University's Preliminary Exams, an alternative to the more usual Scottish Highers route.

Graduating Master of Arts in 1943, aged 20, with medals in both Roman Law and Jurisprudence, she applied for the next step in the traditional route for entrance to the legal profession – a degree of Bachelor of Laws, combined with apprenticeship in a legal office. She did not wish to presume on the family friendship with Peter Manson, and so made enquiries elsewhere, but the general attitude was 'we don't take women'. When she applied to R. Addison Smith & Co in Heriot Row (with whom Balfour & Manson merged in 1982), the Senior Partner, who knew the Edinburgh scene well, advised her to go back to where she was known; she did this and accepted an invitation to be apprenticed to Balfour & Manson, starting on 4 October 1943. However, a second degree was not a reserved occupation in wartime Britain, so after only four months of combined University legal study and apprenticeship, she was called up for military service and left on 29 February 1944. The University had alerted the Army about talented graduates, so Ethel was posted to top-secret code-breaking Bletchley Park, where she worked in the (now well-publicized) Hut Six, intercepting, decoding and interpreting German Army cipher traffic.

In March 1945, with the War in Europe drawing to a close, she was demobilized and resumed her Bachelor of Laws studies at Edinburgh University, combined with her apprenticeship at Balfour & Manson. She had a small desk in Peter Manson's room but, as described in Section Four, an apprentice was sometimes as much out of the office as in it.

On graduating LL.B. and qualifying as a solicitor in 1947, she thought of going to Glasgow for a few years, to gain wider experience, but Peter Manson and Francis Balfour urged her stay and two years later, to her astonishment, they invited her to become a salaried partner.

Post-war office life

Files replace Letterbooks

Fraser MacLennan's years in the Legal Department of the Royal Air Force had taught him the value putting incoming correspondence and a copy of outgoing correspondence together in one file or folder, instead of binding all the office mail chronologically in Letterbooks. This soon became the norm in Balfour & Manson, but two solicitors who have recently written their autobiographies mention that Letterbooks, not individual client files, were still used in their firms, one in Edinburgh in the early 1950s and the other in Kilmarnock in 1952. When Malcolm Wylie, who joined Balfour & Manson as a partner in 1991, started his apprenticeship with Nightingale & Bell in 1955, there was a filing system in place but the typists still made an extra copy of all outgoing correspondence; one of his daily duties was to bind the day's work into Letterbooks and carefully index, at the front, where every client's business could be found in the volume.

Duncan Smith & MacLaren

62 Frederick Street, the adjoining building and the mirror image of No. 58, was owned and occupied by Miss Eveline MacLaren, who carried on business as Duncan Smith & MacLaren, SSC. It was here that William Balfour had been apprenticed from 1882 to 1887. When Eveline MacLaren graduated in law at the University of Edinburgh in 1900, women could not become Law Agents and so she could not enter into an apprenticeship. By the time this became possible, in 1920, she was so well established in the office that she decided it was not important to gain a formal qualification – although other women did, and there is no doubt that she had the ability, had she wished, to become a Law Agent after serving an apprenticeship. In consequence, when the last qualified solicitor in the firm died in January 1940, she became dependent on her neighbours in No. 58 to sign documents which required a solicitor's signature, such as Court Writs and Warrants of Registration on title deeds.

The arrangement worked so well from 1940 to 1943 that she made a new Will, giving Francis Balfour the option, on her death, of purchasing the building and the practice. Anticipating this, she allowed Balfour & Manson to use the first floor of her building when Fraser MacLennan joined the firm in 1945.

Linking the buildings

Initially this meant leaving by the front door of No. 58, walking down Frederick Street and re-entering by the main door of No. 62 (the present Reception), but in 1949, with Eveline MacLaren's consent, a tunnel (still there) was slapped through between the foot of the main staircases in the two adjoining buildings. When Eveline MacLaren died in September 1955, Francis Balfour purchased No. 62 at the District Valuer's figure of £3,000. Links at the other two levels came later – 1960 for the basement and 1972 for first floor.

The Poores' Roll and Legal Aid

Solicitors in Scotland have a long and honourable history of providing what are now called *pro bono* services. The Poores' Roll, set up in 1424, continued with various

refinements until the introduction of civil Legal Aid in Scotland in 1949. From the beginning of Balfour & Manson, younger partners and assistants took their turn at providing free legal services, including ‘speculative’ court actions – conducting cases on the basis that they recovered fees from the other side if they won the case, but were paid nothing if they lost. Such actions were described in the Rolls of Court as ‘(Poor) John Smith against Edinburgh Corporation’ (or whatever). From 1949 and continuing, they were designed as ‘John Smith (Assisted Person) against Edinburgh Corporation’, the difference being that, win or lose, solicitors were now paid something from public funds.

It was reckoned in 1949 that seventy percent of solicitors’ fees went on office overheads, so the Legal Aid Fund paid eighty-five percent of the usual Table of Fees for civil court work – on the basis that the State and the Profession should contribute equally to the profit element of such work. Balfour & Manson accepted Legal Aid clients from the inception of the scheme. For nearly forty years, it was administered by the Law Society of Scotland; committees of local lawyers, serviced by one of their own number on a part-time basis, issued Legal Aid Certificates for the Sheriff Courts and a Central Committee, consisting of three advocates, five solicitors and two lay members, dealt with Court of Session applications.

The system ran admirably until the Government (the paymasters) decided in 1987 that its bureaucrats could do a better job than the lawyers who were managing an efficient and cheap system; they created the Scottish Legal Aid Board, an example of a trend that has accelerated ever since – Government’s belief that a cumbersome and expensive semi-lay administration, working within a statutory framework, is better than the system run by lawyers that it purports to streamline. Three other examples, affecting three different partners of Balfour & Manson personally, are given in Section Eight.

The legislation that introduced civil legal aid in 1949 provided also for criminal legal aid, but this part of the Act was not activated for some years because of the anticipated expense; until then, Balfour & Manson continued to provide volunteers to staff the rota, run by the Society of Solicitors in the Supreme Courts of Scotland, to represent accused persons in serious criminal cases.

Counsels’ fees

The arrival of legal aid meant that letters of instruction to counsel could be marked with the fee which would be paid in due course, when the solicitor’s account was paid from public funds. Until then, counsel’s fee had to be sent with the instructions (unless some other arrangement had been made) or the papers were returned. The Faculty insisted on this, and occasionally it led to some hostility between the two branches of the profession – solicitors saying that they had not been put in funds by their clients and advocates saying they could not afford to give credit. Fees of five guineas or less were sent in cash. (A guinea was one pound and one shilling in pre-decimal currency.) In his *Retrospect & Prospect* (Edina Press, Edinburgh, 1987, page 12), John G. Gray described how banknotes had to be folded in triangular form and the appropriate number of shillings inserted. The notes were then placed in a small envelope and sealed. It was widely believed that the envelope was opened by the advocate’s wife, who appropriated the shillings as a personal perk – the equivalent of the farmer’s wife’s ‘hen money’. When legal aid cases were marked with a fee to follow, the cash-

with-instructions tradition died out and non-legal-aid letters of instruction were similarly marked – advocates could get a bank overdraft on the basis of letters which noted the fee to be sent at the conclusion of the case.

Complex legislation

The post-war Government churned out Acts of Parliament and Statutory Instruments which both in volume and in obscurity of language drove older practitioners like Peter Manson and Francis Balfour to despair. They were not alone. The *Scots Law Times* light-heartedly asked its readers to make up, and send in, spoof legislation. The winning entry was: ‘The Statutory Definition of the Whole Number Two shall hereinafter be such Whole Number as is greater than the Whole Number One and less than the Whole Number Three as the Ministry may by Order in Council from time to time prescribe ...’

Section Four – The first two mergers – 1950 to 1959

Overview of 1950 to 1959

The firm's growth throughout the second half of the twentieth century, from four partners and seventeen staff in 1950 to fifteen partners and one hundred and thirteen staff in 1999, was due in part to merging with, or acquiring, six smaller Edinburgh legal practices. The first of these was in 1955. As mentioned in Section Three, the firm had had the informal use of the first floor of No. 62 Frederick Street from 1945, but took over the whole building, and the business of Duncan Smith & MacLaren, on the death of Eveline MacLaren in 1955. Francis Balfour moved to the large front room of No. 62 (the present reception/waiting room) and the cashier, who now had two assistants and an electric adding machine, took over his old room.

For most of this decade, there were four partners (Peter Manson, Francis Balfour, Fraser MacLennan and Ethel Houston), three qualified assistants, four apprentices and ten secretarial and clerical staff. In 1956, the firm employed its first-ever specialist solicitor, James Clark, who did nothing but conveyancing; all the others were still general practitioners, sharing whatever work came in.

Although the Second World War had ended in 1945, food was still rationed; meat and tea rations were increased in 1952 but butter was still a luxury. Austerity was evident everywhere, and shortage of housing caused many domestic problems. The BBC began broadcasting monochrome television in Scotland in March 1952, for a few hours a day, but until Queen Elizabeth's coronation in the following year, which led many people to buy or rent a set for the first time, very few watched it.

Office Life in the 1950s

Parking in Frederick Street

Trams ran up and down the centre of Frederick Street, with a stop at the office door, until trams were scrapped in 1956. Cars could be parked all day, nose in to the kerb, on both sides of the street, and there were always spaces available. Ethel Houston made her little blue Ford available on a daily basis as the office car, and the writer's diary for 1952 records adventurous trips in CFY 9 (the elderly Ford car) to see clients and witnesses. It had seen better days and provided the writer with a dilemma on his first outing in it. He went to see police officers in Longniddry about a fatal road accident on the road to Aberlady. After the officers had given their statements at the police station, one of them offered to show the writer the scene of the accident if the writer would drive him to it – but it was raining and CFY 9's windscreen wipers weren't working.

Robert Johnston, one of the qualified assistants, an ex-wartime-RAF pilot, had saved enough to buy a small car for himself; the writer remembers his indignation when, in the mid-1950s, the police required him and others to park parallel to the kerb on the west side of Frederick Street, and not nose-in – which, as the streets were getting busier, reduced his chance of parking at the door. Nose-in parking was still permitted

on the east side of Frederick Street, although when buses replaced trams, space had to be made for them to pull into the kerb at bus-stops; elsewhere in Frederick Street there was no difficulty in finding all-day parking throughout the 1950s – very few in Balfour & Manson and the surrounding offices owned a car.



The last week of the old trams in Edinburgh, in November 1956, was nostalgic for many. Routes 24 and 29 passed the office in Frederick Street, both going north through Comely Bank to Craighleith Station and both going south to Marchmont, one via the West End of Princes Street and the other by the East End.

Everyone worked from nine to one every Saturday, but the week-day lunch break was a generous (staggered) hour and a half. As there were no cafes or retail food outlets in the area at that time – only hotels and restaurants like Crawfords, Mackies and McVitties served lunch in the New Town in the 1950s – many went home and others took a packed meal into Queen Street Gardens, for which the office had a key. The 1950s telephonist/receptionist, Mrs Helen McIntyre, now aged ninety, remembers reaching her home in Musselburgh by bus in less than fifteen minutes, as there was so little traffic, making lunch, having a rest, and being back well within the allotted time.

Equipment

There were three external telephone lines, linked through a small switchboard to nine extensions. In 1952, the expanding national telephone network changed Balfour & Manson's number from 24878 (which it had had since 1926) to CAL 6834 – CAL for Caledonian, as Edinburgh was divided into districts (WAVerley, COLinton, etc) and telephone dials had letters as well as numbers. The number '0' was not used anywhere in the new system, except for contacting the operator.

From 1953, a mechanical adding machine was available in the front office, but people were so accustomed to adding Pounds, Shillings and Pence mentally that it was seldom used. The receptionist challenged John Flett, one of the apprentices, to a race – and before she could type the figures into the machine, cranking the handle after

every entry, he had run his eye and his pencil down the three columns and come up with the correct total. However, when the Cashroom acquired its first electric adding machine, two years later, where everything worked by pressing buttons, no one could compete with it for speed and accuracy. Affordable pocket calculators, as we know them today, did not come onto the market until the late 1980s.

The first photocopier – 1954

The firm had a substantial practice in what are now called Personal Injury cases, which usually included recovering the records of the hospital where the injured person had been treated. Five copies were required, for Senior and Junior Counsel, the judge, the instructing correspondent and the firm. Four sheets of carbon paper usually sufficed to type this at one go, although the fifth copy was often fuzzy. If the typist made a mistake, and spotted it before the sheets were removed from the typewriter, the situation could be retrieved by rolling the page forward, rubbing out the error on the individual copies one by one with a typewriter eraser, then winding the whole bundle back and typing in the correct data – a time consuming and frustrating procedure. It was, however, worse if the error was not spotted until the paper was out of the machine, because that meant correcting every sheet separately – and some errors were not noticed until the copies were ‘compared’ by one member of staff reading the original medical records to another person, who was following on, and checking, the copy.

There was therefore considerable interest when a photocopier was installed in a cupboard in No. 62 in the summer of 1954. It had to be in a cupboard because the sensitive sheets of copying paper had to be handled in dimmed red light. A chemical mixture of brown liquid was poured into the machine, a rubber blanket was rolled back from the glass top, the document was placed onto the glass and the blanket was re-placed; with half-a-dozen strokes of what looked like a bicycle pump, the air between the glass and the blanket was sucked out, pressing the paper onto the glass; lights flashed and a motor forced the brown liquid through various tubes. A short while later, the machine disgorged a single copy of the document, which looked so like the original that unsuspecting partners mistook the copies for originals. However, if the chemicals had not been correctly mixed, the copy faded away within a few weeks.

There was one downside to photocopying medical records. After copy typists had struggled to interpret the doctors’ handwriting, the notes were much easier to read, but a photocopy simply passed the problem of interpreting the scribbles to Counsel and to the solicitors who were preparing the case for Court. Nevertheless, there was much amusement when one almost blank page was being copied in June 1959. The medical history of the patient read:

When did you last attend a doctor?

26 February 1919.

Why was that?

Birth.

Office supplies

Whoever designed 58 Frederick Street in 1790 must have assumed that the dining room would have sideboards, because there were - still are - only two tiny 'presses' (built-in cupboards) in the large room to the front of the ground floor. They had to house the entire stationery stock, letters, envelopes, shorthand notebooks, typewriter ribbons, etc., for the five secretaries who worked there. The writer suggested buying a stand-alone metal cabinet, but this was not approved because the partners thought it would cheapen the elegant room, which doubled as the client waiting area. In consequence, the writer, who had been put in charge of stationery and equipment, arranged for frequent small deliveries of supplies. In those days, 'representatives' cold-called to seek orders; competition was fierce and sob-stories were frequent - 'Please help a sailor's widow' - so the 'reps' were glad of repeat orders, even small ones. The writer soon learned that some would, if they thought they could get away with it, take an order for two boxes of paper, deliver four and invoice for six. As the firm expanded, he made an arrangement with one trustworthy company to come weekly, check the stock of the increasingly complex office requirements, and automatically top it up.

'Tell Scotland'

From 1953 to 1956, a Church of Scotland evangelist, the Rev. David Patrick Thomson (popularly known as 'D.P.') conducted meetings and training sessions under the title 'Tell Scotland'. He concentrated on Edinburgh in August 1954, speaking wherever he could get an invitation. Peter Morrison, one of the qualified assistants in Balfour & Manson - his uncle was the Speaker of the House of Commons at the time - invited D.P. to speak to the partners and staff at a meeting at 8.30 a.m., before the office opened. It was held in the large front office on the ground floor of 58 Frederick Street, and was well attended. From time to time, the partners have invited public figures to join them for lunch and then to give a talk on their subject, but this is the only occasion, as far as the writer can recollect, when the whole office has been invited to hear a speaker on a subject other than legal training.

Following that, 'Tell Scotland' promoted the All-Scotland Crusade, with Billy Graham as the principal preacher, centred on the Kelvin Hall in Glasgow for six weeks in March and April 1955. Dr Fiddes, the lecturer in Forensic Medicine at the University of Edinburgh, asked the writer (because he knew of the writer's involvement) to get him tickets for one of the meetings, which the writer was happy to do, and the writer asked, in return, to attend a post-mortem examination conducted by Dr Fiddes, which was most instructive, if a bit gruesome.

Mergers

Duncan Smith & MacLaren

How the firm of Duncan Smith & MacLaren came to occupy No. 62 Frederick Street is described in Appendix One. As mentioned earlier, Balfour & Manson had had the use of the first floor from 1945, but took over the whole building, and the business, on Eveline MacLaren's death in September 1955. Peter Manson and Francis Balfour had been the only partners of Duncan Smith & MacLaren since 1940, signing the mail, but

as long as Miss MacLaren was alive, she did the actual work and the firms were run as separate businesses. On her death, the notepaper was combined and headed 'Balfour & Manson incorporating Duncan Smith & MacLaren', but the door of No. 62 remained a separate entrance and there was a separate phone. Loyal clients of Duncan Smith & MacLaren expected no less. For example, the firm had been Secretaries to a Limited Company of livestock auctioneers at Gorgie since the market was built in the nineteenth century. Although Francis Balfour had attended the Board meetings and dealt with all the company's business from 1940, when he reported Evelyn MacLaren's death and suggested that Balfour & Manson might be appointed as Company Secretaries, the Chairman said, 'No, we'll stick with Duncan Smith & MacLaren'. When the writer took over his father's role in 1960, and made a similar suggestion, the response was the same. It was 1969 before Balfour & Manson deemed it 'safe' to drop Duncan Smith & MacLaren from the firm's name.

John Grant & Co, incorporating Cunningham & Lawson

On the death in 1956 of the sole remaining proprietor of the legal firm of John Grant & Co, incorporating Cunningham & Lawson, Fraser MacLennan took it over. For two years, he went daily to its office at 16 Young Street and conducted its business from there; he then moved the two remaining staff to the music room in 62 Frederick Street, behind his own room. This brought the Cunningham & Lawson name back to Frederick Street, where the firm had practised for thirty-six years, from 1912 to 1948, in an office entering from the common stair at 64 Frederick Street – literally through the wall from Fraser MacLennan's room. As with Duncan Smith & MacLaren, client loyalty meant keeping the name alive, as a separate entity until 1966.

Apprentices

Indenture of Apprenticeship

An apprentice's first task was to draft his or her own Indenture of Apprenticeship. Being new to the law, most followed the Style Book word for word, even although it contained some phrases which, even in the 1950s, sounded a touch archaic. It bound the apprentice 'to serve the (named solicitors) honestly faithfully and diligently ... to conceal the secrets and affairs of his masters' business and the business of their clients, to behave civilly and respectfully toward his masters (yes, that was the term used) and to abstain from bad company and vicious practices; for which causes the (named solicitors) bound themselves to teach him in their profession as solicitors so far as they know themselves and so far as the apprentice shall be capable to learn.' That last phrase was brought to the writer's attention whenever he claimed not to understand what he was supposed to do.

Learning from experience

The staff greeted the writer in August 1952 with: 'We'll treat you like any other apprentice who is going to inherit the firm some day'. The four apprentices joined the clerical staff when the caretaker, Mrs Campbell, brought coffee and biscuits to the various rooms at eleven o'clock every morning and work stopped for ten minutes. It was humbling and instructive to hear older members of staff talk about their

experiences – James I’Anson (photograph on page 54) had started as an office boy in 1909 and talked about life during the First World War, when poor health kept him from being conscripted to the armed forces. One of the typists, Miss Potter (Vera, but no one used first names for older people in those days), described waving good-bye to her eldest brother as his regiment marched along Princes Street on their way to the Second Boer War in 1901. As most office etiquette was unwritten, the best way to learn was to listen and to ask questions.

Until typewriters with memories became available in the mid-1960s (Section Five), every document that had been engrossed by a typist from a draft had to be ‘compared’ by one person reading the draft out loud to another person, who had the final copy, to ensure that it had been accurately transcribed. Secretarial time was at that stage more valuable than apprentices’ time – the latter’s pay was £3 a month for the first year in 1952, £4 a month for the second year and £5 a month for the third – so a significant part of an apprentice’s time was spent in comparison – which was no hardship, because reading documents out loud was a good way to learn. Until photocopiers became user-friendly, apprentices were similarly in demand to check the accuracy of the copy-typing of medical records in Court cases, as described above. If £3 a month seems paltry, it was significantly better than Simpson & Marwick paid to the flamboyant Nicholas Fairbairn during his apprenticeship from 1953 to 1956, which was £5 for his first year, £15 for his second and £25 for his third. (In 2012, the Law Society of Scotland’s recommended rate was £16,200 a year for first year trainees and £19,400 for second year trainees.)

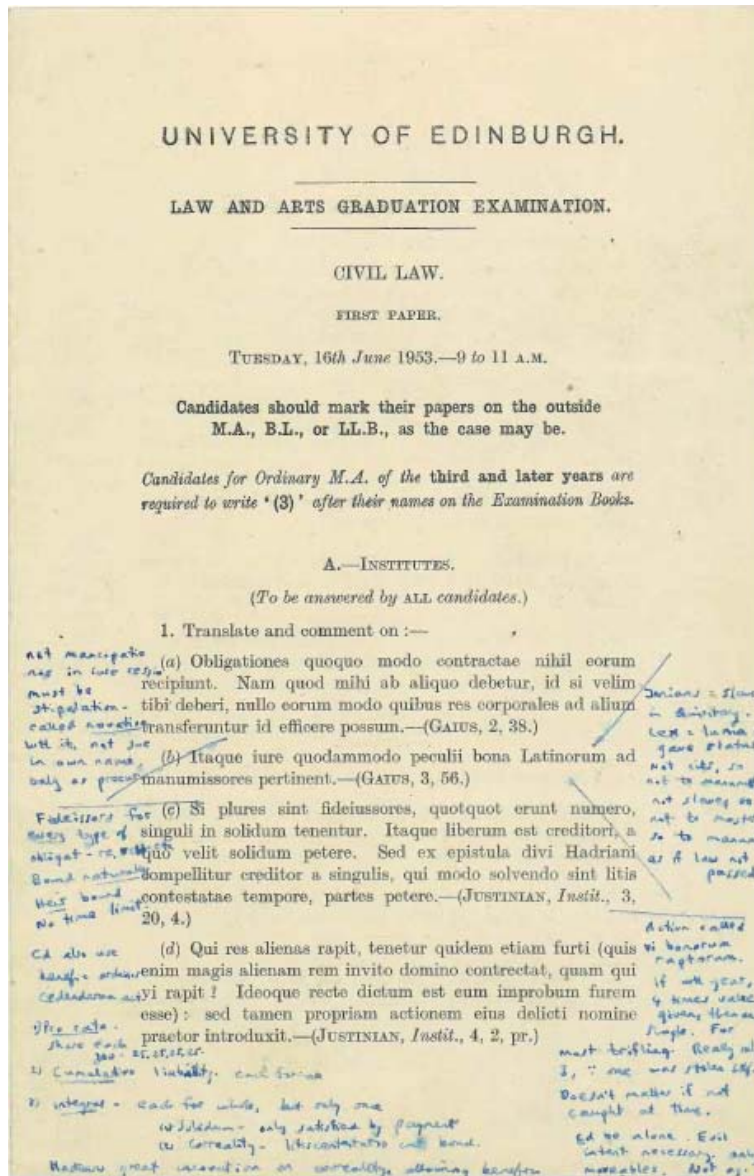
The writer took for granted the integrity of the secretarial staff, in correcting any mistakes they had noticed while engrossing or copy-typing, but Rufus Smith, who became the Auditor of the Court of Session from 1967 to 1982, used to tell about his first day as an apprentice with the Edinburgh firm of Dundas & Wilson in October 1930. He was called on to ‘compare’ a ‘Proposal for Loan’ which had been typewritten, with three carbon copies, after the draft had been approved.

Mr. Dalling [the personal clerk to the senior partner] asked me to read it out, which I did. He then said “Now read it again to compare the first carbon copy”. It seemed to me quite unnecessary to compare a carbon copy but Mr. Dalling said, “No, just read it out”. So we read it out three times. When I read it the fourth time, the inevitable happened. Mr. Dalling discovered that the typist had not altered a mistake she had made on the fourth copy. He said to me, “That is a very good lesson you have learnt today and I hope you will keep it in mind all your life in the law. Remember that you can never be too careful when dealing with matters in a solicitor's office.” (David Burns, *Dundas & Wilson CS, The First Two Hundred Years*, page 61.)

Learning through study

Whether through matriculation at Edinburgh University, with a view to graduating LL.B. or B.L. and serving a three-year apprenticeship, or whether through attending classes without matriculating and serving a five-year apprenticeship, Edinburgh’s intending solicitors went to lectures in the Old Quad on South Bridge from 9 to 10 am during the three ten-week University terms before going to their offices or to Parliament House. All were back at the Faculty of Law for another lecture from 5 to 6

pm, and some had a lecture from 4 to 5 pm as well. There were no lectures or tutorials between these times, as both the LL.B. and the B.L. were part-time degrees until 1961. Working in an office for most of the day, while attending university classes in the morning and the evening, made lectures on Conveyancing and Court Procedure more meaningful than when they were taught as wholly academic studies to full-time students after 1961, but part-time law students were unable to participate fully in the life of a university student, and there was also the issue of Government grants to part-time students, so the centuries-old combination of office life with university study ended, probably forever in Scotland, in 1961.



As described in Section One, William Balfour, Senior, translated Latin passages in his exams in the 1880s by memorizing the equivalent pages in an English translation. Not having his photographic memory, the writer had to do it the hard way, as his notes in the margin of this Civil Law paper show. Scrap paper was not permitted in the exam room, so any drafting had to be done on the margins of the question sheet – what a way to spend one’s twenty-first birthday.

Learning from site visits

Apprentices involved in Court work were regularly asked to visit the site of an industrial or traffic accident, to take statements from witnesses and to draft a report to the instructing client – usually an Insurance Company or a Trade Union. It was not long before they realized the cavalier attitude of both employers and workers to safety regulations. The writer's first investigative visit to a factory was after an employee, whose monotonous task was to insert a strip of metal between the jaws of a machine, press a foot-pedal which brought the jaws together and pass the resulting newly-shaped metal to the next person in the production line, pressed the pedal before his hand was clear of the jaws. In theory it could not have happened, but the cynical foreman explained to the writer that the first step he took, on being informed about an accident, was to put the safety-guard back onto the machine.

The writer saw this attitude at first hand on one occasion in 1954, deep under the mountains of Perthshire. As part of the Breadalbane Hydro-Electric Power Scheme, an underground power-station was being constructed near the village of St Fillans, to be fed by water from a dam at Loch Lednoch, higher up the hill. There were frequent accidents, and on behalf of the contractors' Insurers, Balfour & Manson became very familiar with the safety regulations. The tunnel, to link the dam with the power-station, was created (in theory) by drilling eight foot holes into the face of the tunnel, inserting explosives, and sending everyone except the foreman a quarter of a mile back down the tunnel; the foreman then withdrew to two-hundred yards from the face, pressed a detonator with a delayed-action mechanism and drove an electric locomotive along rails, to join the others in a place of safety. After the dust had settled, everyone returned to load the eight feet of rubble onto wagons, which the locomotive pulled to the entrance of the tunnel and the drilling of new holes began.

On this occasion in 1954, the writer drove to the camp where the workers lived, just outside St Fillans, to interview a key witness to an accident. Through some misunderstanding, the witness had not been informed and had just started a twelve-hour shift underground. Not wishing to await his return, the writer asked whether he might talk to him as he worked. No one seemed bothered, so a hard-hat was provided and the writer hitched a lift on the wagons going back, empty, to the top of the tunnel. The noise of the drills was deafening, but when they stopped, for the explosives to be packed into the holes, the writer was getting the statement he needed, when everyone jumped onto the wagons, pulling the writer with them, as the foreman pressed the plunger and the driver of the locomotive let in the clutch. A few moments later, a blast of hot air and dust whistled past; the driver stopped, and then reversed the wagons back up to the front, where the witness completed his statement. Theory and practice.

The Register House Run

A 'real right' to heritable property in Scotland does not pass to the purchaser until a Disposition has been recorded in the Register of Sasines (now the Land Register of Scotland). In the 1950s, this was at the east end of Princes Street, in Register House, one of the architect Robert Adam's buildings. The four apprentices took turns to go round the office early every afternoon, collecting deeds from the partners. The first step was to work out the Government Stamp Duty, based on the value of the property transferred by the deed, and to uplift cash or a cheque from the cashier – public bodies

did not operate Credit Agreements in those days. The second step was to take the deeds and the money to the Stamp Office in Waterloo Place, and to wait while the figures were checked and bright orange stamps were embossed onto the deeds, signifying the duty paid. One of the unkind tricks played on new apprentices was to say: 'And don't forget to ask about the cost of stamping a verbal agreement'.

The third step was to present the deeds to the General Register of Sasines. The deeds were carefully marked by the clerk with the hour of presentation and the name of the presenter, because if a dispute arose as to who owned property, the earliest deed took priority. This routine work was enlivened one afternoon as the writer arrived at New Register House. The office of the Lord Lyon King of Arms, who oversees heraldry in Scotland, was up a circular iron staircase near the front door. We were asked to stand back while some distinguished visitors made their way to meet Lord Lyon, the eccentric Sir Thomas Innes of Learney. When the dignitaries reached the foot of the stair, no one was there to meet them. The leader impatiently called up: 'Lord Lyon, Viscount Montgomery of Alamein is here to meet you'; Sir Thomas' high-pitched voice responded: 'Lord Lyon comes down to meet the reigning sovereign; everyone else comes up to me.'

The Register House Run was usually combined with a visit to the adjoining building which, as mentioned in Section One, housed the administration for the Court of Session. Four large rooms, all with pigeonholes covering three walls and a mahogany counter to separate the public from the Clerks of Court in charge of the room, held papers for current cases. A fifth room, similarly laid out, dealt with Petitions – a different type of action. One of Peter Manson's two sons, Hedley, was working his way up the hierarchy of the Court of Session – all Clerks were qualified solicitors in those days – and eventually he became the Principal Clerk. In the early 1950s, he was in charge of the Petition room. While other clerks went to the pigeonholes and brought the requested papers over to the counter, Hedley had a better method – he sat at his desk, pointed to the appropriate pigeonhole, told the apprentice to come round and to help himself, note what he wanted, and put the bundle back into its place.

'Offers over ...'

While most of an apprentice's work was interesting, one aspect was positively exciting – blind bidding. Houses were usually put on the market with a price of 'offers over £x'. When at least one party had 'noted interest', the seller's solicitor fixed a closing date and time, usually 12 noon. If there was known to be a lot of interest, potential purchasers had to decide where to pitch their offer, depending on their resources, how badly they wanted that particular house, and so on. Sometimes – not often, but sometimes – if the house had been on the market for a long time, or if there had been few viewers and little interest shown, an apprentice might be dispatched to the office of the seller's solicitor with two sealed offers, identical except for the price offered.

If asked at five to twelve to hand over the offer, and to sit in the waiting room to await the result, and if there was no one else there, the question was whether other offers had been received, perhaps by post; the apprentice's instinct could either lose the bid or cost the client more money than necessary. If he innocently asked the receptionist whether there was much interest in the house, could he rely on the answer?

Sometimes, however, to the apprentice's relief, the message to the receptionist was, 'Ask the bidders to come up to my room'. If there were several, the higher offer went in; if there was no one else, and the solicitor's desk was clear, it was fairly safe to hand over the sealed envelope with the lower bid. In those situations, the solicitor opened the offer(s) in the presence of the bidder(s) and announced the result. Although a formal acceptance had to follow, it was safe to report the outcome to the client right away.

The Sheriff's Small Debt Court

Apprentices could speak in the Sheriff Court on behalf of either party in the Small Debt Court, which had jurisdiction in money claims up to £20. The Sheriff appeared briefly on the Bench, to constitute the Court, and then retired to his chambers and left the running of the Court to his Clerk. Apprentices, in their neat charcoal grey suits and often with rolled umbrella, occupied the first row or two of the Court. If there was no answer by or on behalf of the debtor, when the Clerk called the number and name of the case – there were usually well over a hundred on the Roll – the apprentice asked for Decree to be granted. If the debtor attended, he or she was asked by the Clerk whether the debt was admitted? Almost always the answer was 'yes', with a request to be able to pay by instalments. About a shilling (five new pence) in the pound was generally regarded as reasonable – so a debt of £20 would be payable at £1 per week.

If agreement could not be reached, the case was put to the end of the Roll, when the Sheriff came back onto the Bench. He listened to parties, and had a wide discretion, but when one sheriff granted Decree payable by instalments of only one shilling and sixpence (nine new pence) a week for a debt of £20, remarking that it would give the creditor a steady income for the next six years, his decision was challenged by the creditor and the High Court allowed the appeal. (*Alexanders' Stores Ltd v Brown* (1957) 73 Sheriff Court Reports 196.)

The procedure was informal, with documents produced out of pockets or handbags as the evidence was heard. The writer was exceptionally fortunate in one case, appearing for the Defender. A draper was suing a former customer for £20, the price of a dress. The defence was that the draper and the customer had been good friends and that the dress had been a present. Between the 'sale' and the Small Debt Summons being served, the Defender had moved house. The draper gave evidence on oath that it had been a commercial transaction from the beginning, and that friendship had not come into it.

The Sheriff asked the Pursuer to let him see the sales ledger, had a look at it and asked the Sheriff Clerk to pass it to the writer. Suspecting that the Sheriff had spotted something worth challenging, the writer examined the ledger and then asked the draper whether the entry had been made on the day the dress had been 'purchased'. When this was emphatically affirmed, the writer asked, innocently, why the Defender's address in the ledger was the one to which she had only recently moved? The draper fainted in the witness box and the Sheriff sent the papers to the Procurator Fiscal with the recommendation that the draper be charged with perjury.

An Apprentices' Room

Until 1952, every apprentice had a desk in the room of the partner for whom he or she was working at the time; partners asked clients if the apprentice could stay in the room while business was discussed and most had no objection - a marvellous learning opportunity, as part of the training was learning how to treat clients and to respect their needs. There were no Interview Rooms. However, when Miss MacLaren's dwindling staff no longer needed a room to the rear of No. 62, now called the Scott Room, the partners asked the four apprentices in late 1952 to decorate it and to make it into a room for themselves – the first and only Apprentices' Room, as later generations went back to sitting in with partners or qualified solicitors.

As mentioned, Court of Session practice was based on a network of Edinburgh and country correspondents. Many of the country agents asked if their sons and daughters could train at the office with which they had built up a working relationship, with a view to the next generation returning to their roots and developing the link from there. The occupants of the Apprentices' Room in 1953 were the writer, John Flett from T.P. and J.L. Low in Kirkwall, Colin Black from Mathie Morton & Black in Ayr, and Sylvia Macpherson, whose father was the Town Clerk of Melrose.

When Sylvia married one of the qualified assistants, John Ure, and went with him to G.H. Robb & Crosbie in Glasgow, and Colin married one of the secretaries, Christine Brown, and returned to Ayr, it was jocularly said that Balfour & Manson offered both legal training and matrimonial prospects. John Flett married an Orkney girl, Naismie, and they have offered generous hospitality for the rest of their lives to friends visiting Kirkwall.

Sewing skills

When apprentices came to the Court of Session part of their training, those who had never previously sewn with needle and thread had to learn quickly – because every document that was going to be lodged in Court had to be backed up with cartridge paper and sewn down the left hand side with three doubled threaded stitches – two on the face of the document and one behind. Apprentices quickly learned where to start the stitches, and how to measure the exact length of thread required (three times the length of the page). If new apprentices questioned the necessity of this, they were told that a Court of Session judge had once gashed his finger on a staple in a bundle of documents and that the Court had immediately forbidden the use of staples.

When apprentices began to learn about criminal work in the High Court of Justiciary, and asked why this rule did not apply when the same judge took off the red robes worn in the Court of Session for civil work and put on the white robes worn in the High Court for criminal work, there was no satisfactory answer except 'tradition'.

Delivering papers

The resulting sets of papers, sewn or stapled, then had to be tied together with pink ribbon, but never with elastic bands, because (a) elastic bands perish and (b) papers thrust through a letter box with only an elastic band would come apart. The old rule that an advocate had to live or have chambers in the New Town, so as to be accessible

to solicitors for the delivery of papers and for holding consultations, still prevailed – chambers at No 14 Moray Place were the official address of numerous counsel – so apprentices often made a tour of the New Town on their way home, with bundles of papers folded and tied with pink ribbon in such a way that they would go through a letter box. Counsel's papers, even in fully defended cases, would normally consist of the Closed Record, two or three precognitions, a medical report and some pages from the medical records, all of which went easily through a letter-box. Ring binders, so common now, were not seen or required in Scottish Courts until the mid-1970s.

Incidentally, Francis Balfour was the first solicitor ever to put papers directly into Counsel's boxes, which until the summer of 2013 lined the main corridor in Parliament House. When he started, all papers had to be delivered to Counsel's home or chambers in the New Town, and brought up to Court every morning by the bagman. If he was walking from Frederick Street to Parliament House, it seemed to him unnecessary to go via Moray Place or whatever, so he just deposited his instructions alongside the other papers already in the boxes, and the idea caught on.

The apprentice and the baronet

Apprentices had to be ready for anything, but one of them had an unusual task in the mid 1950s. In winding up an executry, the firm discovered that a New York house-painter had, unknown to him, inherited a Scottish baronetcy and an estate with a castle in Dumfries-shire. The partner involved instructed William Balfour to go to Southampton, collect a new car that the firm had bought for the baronet, meet him off the liner Queen Elizabeth, take him in the car to Dumfries-shire, show him round the estate and introduce him to Scottish society.

Bar apprentices

As well as apprenticeships for those who aimed to become solicitors, the firm (along with others) offered a shorter and more focussed apprenticeship for law graduates on their way to the Bar. Three of the 1950s Bar apprentices became Judges in the Court of Session, two of them as Senators of the College of Justice and the third as a Temporary Judge. In 1950, Ian MacDonald came to the firm as a man of thirty with a family, after serving through the War in Europe as a tank commander, being awarded the Military Cross, and, on demobilization, working for *The Scotsman* before studying law. Once Bar apprentices had been 'called', the firm encouraged them by instructing them first of all in divorce cases and then in personal injury cases – all junior counsel cut their teeth on divorce cases, learning to handle witnesses and judges, and incompetent solicitors as well. Ian MacDonald's practice expanded rapidly, and when he was appointed to the Bench, there was already a Lord McDonald (Bob), so he took the judicial title of Lord Mayfield.

T. Gordon Coutts was an Aberdonian, whose apprenticeship at Frederick Street from 1956 to 1958 was followed by a career at the Bar which included the Chairmanship of Industrial and Medical Appeal and Financial Services and VAT Tribunals. He was a Temporary Judge from 1991 to 2004, and also a Special Commissioner for Income Tax. At the time of writing this section, he is arbitrating in disputes between the City and the contractors building Edinburgh's tramlines.

The Bar Indenture at the end of the decade was the beginning of the career of the firm's most distinguished apprentice, Douglas Cullen. By 1986 he was a Judge, then Lord Justice Clerk from 1997 to 2001, and Lord President of the Court of Session until he retired in 2005. In 2003 he was created a life peer, as Baron Cullen of Whitekirk in East Lothian, and a Lord of Appeal in the House of Lords. In 2008 he was knighted by the Queen as a Knight of the Thistle.

Others, whose aim was probably the Bar, kept their options open by completing the full three-year apprenticeship, so that they were then eligible to become either a solicitor or an advocate – the greater included the lesser. One such was James McGhee, whose apprenticeship ran from 1966 to 1969, at which point he decided to go to the Bar. He has been a Senator of the College of Justice since 1996, with the judicial title of Lord McGhie; he sits as Chairman of the Scottish Land Court and President of the Lands Tribunal for Scotland.



Walking up and down the Mound during the autumn of 1959 was made more interesting by watching workmen laying miles of cable and covering them with tar. The electric blanket was intended to keep the surface free of ice and snow in winter, so that buses and cars would not skid, but it was expensive to run, and frequently broke down, so it was soon abandoned.

Three partnership events

The third generation

The writer was assumed as a partner in April 1959, the first of three grandsons of the founding partners to join the firm – William Balfour followed in 1964 and David MacLennan, grandson of Peter Manson, in 1975. The writer's schooling at Edinburgh Academy had been interrupted by evacuation from Edinburgh during the Second World War (mentioned in Section Three), but completed in 1950. National Service, two years for all able-bodied males up until 1962, could be deferred until tertiary education had been completed. The writer went straight to Edinburgh University for the then-traditional route of studying Arts full-time for two years, commencing a three-year apprenticeship in a legal office at the beginning of the third (part-time) academic year, graduating M.A. and then studying part-time in the Law Faculty for two years. There was no barrier to being apprenticed to family. It all came together

with graduating LL.B. in the summer of the fifth year and being admitted as a Solicitor in Scotland in the autumn of it.

The writer's salary as a qualified assistant in October 1957 was £450 a year, a little less than most of his contemporaries, but it was increased to a generous £750 when he became a partner – sufficient to support a wife and young family and pay a mortgage, but not enough to think of buying or running a motor car as yet.

The writer realized his ignorance of the wider commercial world when, as the junior partner, he was asked in 1959 to represent the firm at a Building Society dinner. An English Society was trying to break into Scotland, and was advertising itself extensively. On the six o'clock Scottish television news, the national chairman said that his Society would lend not only the price of the house, but also a sum to cover the legal costs involved in the purchase. The chairman was in the line-up to receive the guests at the dinner that evening; trying to show that he was 'with it', the writer said to the chairman, 'what an imaginative idea'. His response was: 'It's a ridiculous idea and probably illegal, but it got me and the Society onto television, and that's what matters.'

Mail opening and prayers

When the writer became a partner, he was introduced to two traditions, one common to most small legal firms at the time and the other fairly unusual. The partners (only) met every morning at 8.30 round a table in Francis Balfour's room, to open the incoming mail. This was partly to ensure that documents or bank notes which were said to be enclosed were actually there, but chiefly (as the opening was random) to make sure that no letters of complaint were being concealed from the partnership. This was standard among smaller practices in Edinburgh at the time.

As the partners were all active and committed evangelical Christians, they took turns, before opening the mail, to read a short passage from the Bible and to pray. One new member of staff, coming in without knocking, and seeing the partners kneeling at their chairs (the usual posture for prayer at that time) bent down and asked if he could help them to look for whatever was lost. Regular staff did not intrude, because opening the working day in this way was well known, both in the office and outside it; indeed, staff were sometimes asked why their partners held prayer meetings – was business really that bad?

Over the years, as the number of partners increased, it was impracticable and unnecessary for all of them to open the mail, so volunteers from the staff (who were paid for the early start) joined a rota of two partners, opening and allocating letters and parcels and then taking them to the partner concerned. When the four partners of Nightingale & Bell came to Frederick Street in 1991, they gratefully gave up the requirement, which they had observed until then, of all partners being present every morning for the opening of the mail.

In 1995, partner involvement was reduced to the token presence of one partner, and now, since the first decade of the 2000s, even that has gone. The mail is now opened by the Cashroom, who give it to the trainees to take to the partners, so it is seen by a partner before being distributed.

Anniversary dinner – 11 December 1959

The fortieth anniversary of Francis Balfour qualifying as a Law Agent in 1919, and the fiftieth anniversary of James I'Anson starting as a clerk with Duncan Smith & MacLaren, were commemorated at a dinner in the Learmonth Hotel. After speeches by Fraser MacLennan and Ethel Houston, Peter Manson was presented with a book about his contemporary, Winston Churchill, and Francis and Isabel Balfour were presented with tickets for a package tour of Palestine.



Standing, left to right: Fraser MacLennan, Ian Balfour, David MacLennan, Mrs Joyce Balfour, Mrs Elwyn MacLennan (Peter Manson's daughter), James Clark, Mrs Agnes Clark, Miss Ethel Houston, William Balfour, James I'Anson (who died in April 1963).

Seated: Francis Balfour, Mrs Kathleen Manson, Peter Manson, Mrs Isabel Balfour.

Autographs

Clark.

E. BalfourJ. E. Mayhew

Bill Balfour.

S. H. Houston

Wm. H. R. Balfour.

Jas. J. Anderson

Walter M. S. Balfour

W. H. Anderson

D. P. H. Maclean.

Jr. Clark.James W. Guffey

H. E. Anderson

Jas. C. S. Balfour

Section Five – Specialization in the Sixties – 1960 to 1969

Overview of the 1960s

The 1960s saw steady growth in the firm, its clientele, its accommodation and its equipment. As both Court work and Chamber work grew in volume and in complexity, general-practitioner partners began to concentrate, although not exclusively, on one area or the other. When William Balfour became a partner in 1964, Francis Balfour increasingly passed over his private clients to him, as he had been passing over his Court contacts to the writer since 1959.

As mentioned earlier, Peter Manson, the 89-year-old senior partner, was still coming into the office by mid-morning every day throughout 1964. He had occupied the former drawing room on the first floor of 58 Frederick Street, with its magnificent ceiling, for twenty-five years; his secretary worked in a corner of the room – ‘silent’ typewriters were available at a price. He died suddenly at home on 3rd January 1965. His mind and his memory remained sharp until the end; he came into the writer’s room for a chat on one occasion in the early 1960s, and, seeing various textbooks open on the desk, asked what the problem was? The writer had been asked urgently to raise a Sheriff Court action of Lawburrows, which he had never done before; Peter Manson explained in detail, from memory, exactly what to do. (It is still available, although little used; if someone has been physically threatened, he or she may ask the Sheriff to order the other person to lodge a sum of money in Court, as security against further ‘illegal violence of which he is in dread’.)

During the 1960s, four new partners were assumed, three of them with no family connection. With increasing pressure on accommodation, the caretakers in both Nos. 58 and 62 were asked to leave, and the basement areas were incorporated into the office. Their departure meant the end of the cheerful coal fires which they had lit (and cleaned out) in all the rooms from October to May; gas fires were now available that so closely resembled coal fires that one professional colleague wrote in his memoirs that Fraser MacLennan ‘enjoyed a coal fire in his room until he retired in 1987’. (*Retrospect & Prospect*, quoted in Section Three, page 6).

The building

Reception

By 1960, the bench in the front downstairs room of No. 58, which had served as the waiting-room for clients since 1931, was no longer adequate; a separate waiting area was created in the lobby of No. 58 by boarding over the staircase from the ground floor to the basement and building a glass-framed waiting room on top of it – unkindly known as ‘the horse-box’. As the receptionist/telephonist still sat in the front room, a window was slapped through the wall so that clients could be welcomed without coming into the room and directed where to go. The new waiting room had not only the usual magazines, but a Gideon Bible, as found in hotels; this led to some interesting discussions when clients asked ‘why’?



Looking toward the front door of No. 58 Frederick Street in the 1960s; the receptionist/telephonist, who was inside the room to the right of the photograph, slid back the glass panel, spoke to clients and directed them to a waiting room to the left of this picture. The window was boarded up in 1996.

Looking for space

By early 1960, the caretakers in the basement of No. 62 Frederick Street had left and their rooms had been taken over to accommodate the expanding office staff. In May 1960, the Campbells, the caretakers in No. 58, invited staff to join them during their lunch break and watch Princess Margaret's wedding on television, but soon after that they too had to leave to provide more space for office staff. The street-door to No. 62 was closed to the public in 1960 and its lobby, now the telephone exchange, became an integral part of the Court Department. Ethel Houston moved into Peter Manson's old room and, as mentioned in Section One, when William Balfour came back from gaining experience elsewhere, the only available room in the two buildings was in the basement of No. 62. He was there for the next ten years, until the firm purchased adjoining property to the south, as described in Section Six.

The people

New partners

Four new partners were assumed during the decade. One was Francis Balfour's second son, William Harold St. Clair Balfour, in 1964. The other three were the first in the history of the firm to have no family connection. James McDougall Clark had been employed as a qualified assistant in 1956 for one specific role – conveyancing – and the partners now wished to recognize his contribution (and to anchor him in the firm) by offering a partnership in 1964. John Alexander Crawford MacFadden had come to Frederick Street as an assistant in 1962 and became partner in 1965. The growing private client sector was strengthened by the assumption of Neil McTaggart in 1968. There are brief biographies of all four at the end of this Section.

The beginning of specialization

The firm's present Departments, with specialities within Departments, are a far (but necessary) development from professional life in the 1960s. Until 1964, all the partners were general practitioners, turning their hands to whatever their clients needed, both in Court work (of all types) and in Chamber Practice (of all types).

In order to pass his long-term clientele to his sons, Francis Balfour had, with typical generosity, declined an invitation to become the Auditor of the Court of Session, the plum job for a solicitor in Scotland, with the rank, although not the title, of a judge of the Supreme Court. Specialization among the partners began with the assumption of his son William Balfour in 1964, as Francis Balfour introduced his private clients to him, and continued to pass more and more of his litigation clients to the writer.

Continuing general practice

Although some partners were beginning to specialize, others still did whatever work their clients asked them to do, in whatever field; the firm's business was partner-based, not subject-based, because most clients wanted it that way. If a partner tried to pass a client to someone else within the firm, the answer often was: 'You consult with whoever you like, but it's you that I want to speak with me.'

In consequence, the writer was regularly in the Court of Session, mostly for civil business, and in various Sheriff Courts for Personal Injury cases, Road Traffic prosecutions, Fatal Accident Inquiries, Special Licences to marry, Debt Recovery, Bankruptcy and much more; actions to establish the paternity of children were particularly anxious, because of the long-term emotional and financial consequences – there was no DNA in the 1960s and blood-tests took one only so far. The writer also conducted two successful Planning Appeals, both bitterly opposed by local people, one for a caravan site at Hawick and the other for the first-ever café in Hill Street. At the same time, he was engaged in two hostile bids by Limited Companies, who were long-standing clients of Duncan Smith & MacLaren, to take over rival Companies – and in smoothing ruffled feathers when the merged Companies had to work as one.

Nowadays it would be considered foolhardy for one solicitor to do whatever came along, but both the law and Court procedure were much simpler in the 1960s. Environmental law, energy law, computer law, European Community law, employment law, gender-related law, extradition law, social law, welfare law, housing law and many more were either in their infancy as specialist areas or non-existent.

Having said that, the writer looks back now with some awe at what general practitioners were expected to do in those days, and how they did it alongside their other work without feeling stressed. When a company operating a car and passenger ferry service between Granton and Burntisland went into liquidation, Ethel Houston was instructed by the creditors to take possession of its fleet of converted steel tank-landing crafts, to keep them in working order and to sell them to the highest bidder. To ensure that they did not rust in Granton harbour, she arranged for the captain and crew to take the staff of Balfour & Manson for evening sails up and down the Firth of Forth until a purchaser took the ferries off her hands.

When an Old Bailey jury in London acquitted the publishers of *Lady Chatterley's Lover* of a criminal breach of English obscenity law on 2 November 1960, the company was about to distribute the book widely when someone pointed out that Scots law was different from English law. A courier delivered a brown-paper parcel to the writer, with instructions to advise the publishers on the following day whether they should sell copies in Scotland. The writer's advice to go ahead was (to his relief) vindicated when the High Court of Justiciary refused to allow an office-bearer in the Boys Brigade to prosecute a bookseller here. (*McBain v Crichton*, 1961 Justiciary Cases, 25.)

Some criminal work

The firm did not have a large criminal practice, but some of the pleas that the writer was asked to put forward stretched even his credulity. A gang had rented a house in Leith, next to the vaults of a bank. They spent nights tunnelling into the common wall, until they broke through and removed the contents of the vault. They asked the writer to tender a plea of Not Guilty and the case was set down for trial before a Sheriff and Jury. In interviewing the prosecution witnesses, the writer found that the gang had rented the adjoining property in their own names, giving their home addresses, but they still denied any involvement. Another man, in a different Sheriff and Jury trial, called a prostitute as a witness and insisted that he had been with her when the alleged crime took place. After his conviction, he sent an appreciative letter to the writer from Saughton Prison, thanking him for his efforts and saying: 'the Sheriff didn't believe my alibi, the jury certainly didn't, and I suspect that you didn't, but my wife did and she is divorcing me'.

Licencing

The partners did not turn away any work at this time except, because of their support for the Temperance Movement, applications for Liquor Licences; they spent many a morning at the City Chambers opposing, on behalf of clients, applications by others for a Licence. One such plea is worth recording; it may seem unduly pious and judgemental now, but it echoes the convictions and passion of the Abstinence movement in 1969. Edinburgh Corporation had applied to sell excisable liquor in the stadium they were building at Meadowbank for the 1970 Commonwealth Games. Two clients asked Balfour & Manson to object, on the grounds that it was irresponsible for a local authority to provide alcohol at a sports centre, and that it was 'out of keeping with the athletic purposes for which the stadium is to be used'.

The writer quoted an article by Edinburgh's Medical Officer of Health in the *Edinburgh Evening News* of 11th March, 1969, that 'the most serious problem in Edinburgh is alcoholism', and the writer's submission went on:

A sports centre of this nature will attract a large number of young people and there is ample evidence that alcohol is detrimental to crowd behaviour and control and the provision of liquor within the centre would only encourage a deterioration of atmosphere, which would mar the enjoyment for many of the spectators of the facilities provided. ... Furthermore, one of the main contributing factors in the degradation of moral character is the abuse of strong drink. Many crimes are committed under its influence, and much anti-social behaviour

stems from its influence. There is a close connection between, for example, drink and sexual immorality. Many a man or woman under its influence has slipped into acts of immorality. Because their customary alertness and self-control had been weakened by alcoholic liquor, they consented to acts which they would never have tolerated if sober. These vices are staunch allies, and to indulge in the one is often to surrender to the other. This applies also to many other forms of immorality, since drink fuddles the reason and weakens the will. ... Whatever others may do in a free enterprise society, it is not for an elected Local Authority to set an example by promoting such a scheme.

There was more along the same line; it might not get much sympathy today, but the objection was successful and the Meadowbank stadium was 'dry' throughout the 1970 Games.



The Ninth Commonwealth Games, held in Edinburgh in 1970, became known as the Friendly Games. The caption for this photograph is being written during the build-up to the twentieth Commonwealth Games in Glasgow in July 2014, and the informality of the Scottish team entering the Meadowbank Stadium, during the opening ceremony, contrasts with the hype and publicity and razz-ma-jazz and security at such Games now.

Out-of-town work

Throughout the 1960s, two Edinburgh insurance companies preferred to employ a firm they knew well, rather than instruct different solicitors throughout the Lothians, Borders and Fife. Accordingly the writer went to interview witnesses over all these counties, and then went back to conduct the Proofs (civil cases) or Trials (Road Traffic cases) in Sheriff Courts at Haddington, Peebles, Selkirk, Duns, Linlithgow, Dunfermline and Kirkcaldy. This led to an amusing (but not for the client) encounter in the waiting area of Selkirk Sheriff Court, the imposing building just to the north of the town centre, where Sir Walter Scott was Sheriff in his day. A local man wanted to take his neighbour to Court over a boundary dispute, but he was convinced that all the local solicitors knew each other too well to be objective. He wanted an outsider and he had seen the writer's name in an Edinburgh case reported in *The Scotsman*. The writer told him that he did work throughout the Borders, and knew many people there, but the man wanted him to take on the case. Having made the preparations, the writer

arranged to meet him inside the Court building. As the writer came in, the Sheriff Clerk greeted him with, 'Hello, Ian, how nice to see you again'. When Sheriff James Paterson, always unconventional, arrived a short time later, he came across to ask about the family. When Alex Stevenson, the solicitor for the other party, waved a greeting, the client asked in disbelief – 'Do you two know each other?' and got the reply from Stevenson, 'We played together in the second row of the scrum all the way up school'.

Court of Session

Court of Session cases included a great deal of matrimonial work – divorce, custody of children and access to them, judicial separation, aliment, and occasional exotica like annulment – but with the preparations made and Counsel instructed, attendance at Parliament House in matrimonial cases was largely undertaken by apprentices, as described below.

The most demanding work, which could not be delegated when Francis Balfour began to hand over his cases to the writer in the early 1960s, was civil jury trials. People injured at work or in traffic accidents or anywhere else believed (with justification) that a jury would be more sympathetic to them on both liability and damages than a sheriff or a Court of Session judge sitting alone. Civil jury trials were almost always in the Court of Session, as Sheriff Courts had very limited jurisdiction for them; accordingly, work came to the firm from correspondents all over Scotland, and the Inner House overturned jury awards of damages only if, broadly speaking, they were more than double or less than half of the 'going rate'.

Acting through several Trade Unions for Pursuers and through several insurance companies for Defenders, Francis Balfour had built up a formidable team of Senior and Junior Counsel – there was no perceived incongruity in acting for a Pursuer one day and for the Defender the next. Whenever possible, he instructed George Emslie, later Lord President of the Court of Session, as Senior Counsel and James P.H. Mackay, later Lord Chancellor and a judicial Lord, as Junior Counsel. Civil jury trials started on Tuesdays and Thursdays, on the basis that two days would suffice, and this was almost always enough. That meant consulting with Counsel and the client on the Monday or Wednesday evening, to make the final preparations, so excellent working relationships and mutual trust were important.

At these consultations, it would have been inconceivable for anyone to address anyone else by their Christian names – it was 'Mr', 'Mrs' or 'Miss' – and clients too were addressed by their formal names. It was – and still is – a useful barrier in keeping the relationships on a professional basis and avoiding any suggestion of becoming personally involved.

Civil jury trials

Thirty-six people were cited for every civil jury trial, because each side could object to half-a-dozen potential jurors without giving a reason and to half-a dozen more if some acceptable reason was given. Their occupation was given along with their name and address. Counsel for the Pursuer routinely objected to anyone connected with the insurance industry and Counsel for the Defender routinely objected to anyone

connected with a Trade Union; all Counsel routinely objected to schoolteachers, because they tended to treat the other eleven like a class to be taught what teacher thought best.

A jury of twelve was empanelled shortly after 10 am and after a brief opening speech by Junior Counsel for the Pursuer, outlining the case against the Defender, the Pursuer recounted his accident from the witness box. Supporting witnesses and medical evidence followed, but by lunchtime or early afternoon, the Defender's case had usually started, even if the trial judge had heard and repelled the Defender's submission, made in the absence of the jury, that there was no case to answer. The Defender's evidence was generally finished by lunchtime on the second day, leaving the rest of the day for speeches by each side's Senior Counsel – George Emslie always summed up without a single reference to notes – the judge's charge and the jury's consideration of the case and their verdict – usually awarding modest damages to the Pursuer but occasionally finding for the Defender.

What complicated matters for the solicitors and the client was that a Defender could at any stage in a case lodge a 'Tender' – an offer to pay a stated amount of damages. The existence of a Tender was not disclosed to the trial judge or to the jury, so what appeared to be a suitable award of damages might fall on one side or the other of a Tender – with serious consequences, because if a Pursuer failed to beat the Tender, expenses (costs) were awarded against the Pursuer from the date of the Tender. One case lives in the writer's memory. A witness was giving unexpected evidence, which made it increasing likely that the Pursuer's case would fail. Senior Counsel for the Pursuer turned round and said to the writer *sotto voce* 'Let's accept the Tender immediately', at the same time as Senior Counsel for the Defender told his instructing solicitor to 'Withdraw our Tender immediately'. In those days, all Court documents attracted Government Stamp Duty, paid by affixing an adhesive Law Court stamp to the document itself – One Pound for key documents and Five Shillings for subordinate documents. While one Junior Counsel hurriedly wrote an Acceptance of the Tender and the other wrote a Withdrawal of it on plain sheets of paper, the solicitor for the Defender hurried off to buy a Five Shilling stamp at the door of the Court of Session; the writer had a spare stamp in his wallet and handed it to Counsel, who advised the Court that the case need not proceed before the jury as the Pursuer had accepted a Tender.

'What would you like for breakfast?'

In one Court of Session action in June 1962, the insurance company provided the writer with a British European Airways first-class ticket to London, to take statements from engineers conducting an investigation. A distillery in the Highlands had been destroyed in an explosion, allegedly through a defective gas installation, which was now being examined in a laboratory in London. On the 8 am Vanguard flight from Edinburgh, the steward asked the half-a-dozen first-class passengers what they would like for breakfast, cooked it on a hotplate beside them and served it, sizzling, on the tables between the first-class seats – and likewise dinner on the return flight, getting back to Edinburgh at 9.15 pm.

Work and play

New work poured in throughout the 1960s and this, together with repeat business, meant that most partners either took files home for the evening or came back into the office for an hour or more after dinner. Improved dictating machines meant that work could be done as effectively after-hours as during the day – often more effectively as there were no interruptions from telephone calls. In addition, Building Societies trying to extend their influence and clients thanking their various professional advisers (solicitors, bankers, accountants, brokers, etc) held lengthy evening dinners in expensive restaurants, sometimes including spouses in the invitation. Clients in the wholesale fruit business duly impressed the writer and his wife in January 1960 by flying in strawberries from California for a dinner– at that time fruit was not available here out of the British season.

The writer compensated for evening commitments, both work and social, by taking the full office lunch break, which was still a generous hour and a half. With the purchase of his first car in 1962, it was possible to spend over an hour with the children in the garden in Davidsons Mains; indeed, it was easier to entertain friends with young families over a leisurely lunch than to arrange baby-sitters for the evening.

If seeing clients or taking statements from witnesses meant visiting them at their homes in the country, there was no embarrassment at making a day of it with the family, because work not done during the day could be covered in the evening. An entry in the writer's diary for Friday 21 June 1963 reads: 'Had to see witnesses in Abbey St. Bathans in Berwickshire for a Court case; on the way, we all had lunch on the beach at Coldingham Bay and then a swim; after seeing the witnesses, picnic tea on the banks of the Whiteadder Water – spectacular.'

At the beginning of the 1960s, everyone worked on every Saturday from 9 to 1. The married ladies then asked if they could have every third Saturday off, to catch up with their shopping, because no shops were open on Sunday at that time. It soon became two out of three, and by the end of the 1960s the office was closed on Saturday; the one or two responsible for undefended divorce cases went straight to Parliament House and met the clients and their witnesses there – as described in Section Six.

New clients

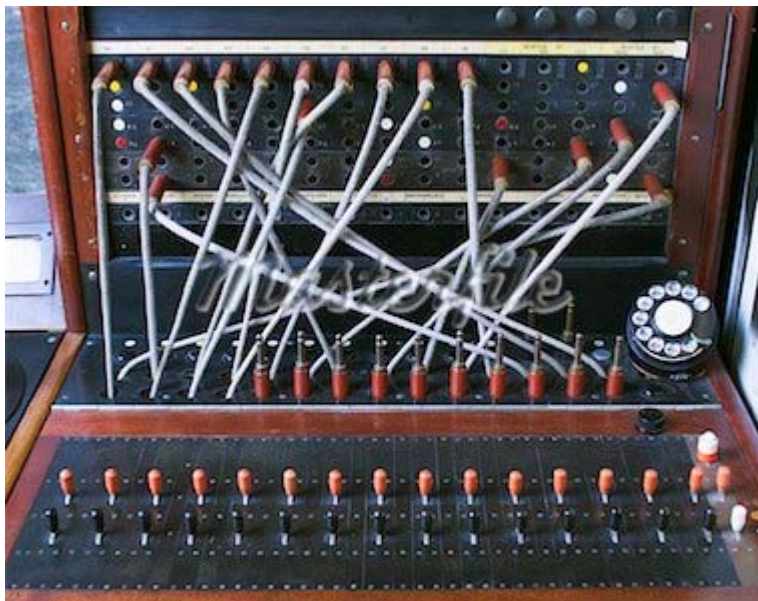
The clientele became increasingly diverse throughout the 1960s for four reasons. First, the friends of the younger partners were getting married and buying houses and making Wills – the writer's diary is full of invitations to weddings and William Balfour had an even wider social circle. Secondly, the contemporaries of the two older partners were, as Robert Louis Stevenson put it poetically in *Aes Triplex*, 'dropping through the ice' and their families brought their executries to the office. Thirdly, Edinburgh University and the Edinburgh hospitals were expanding rapidly, with a high turnover of staff; satisfied clients recommended the firm to colleagues who were coming and going. The writer was delighted when he asked one new client what had brought him to Frederick Street and the answer was that he had asked three members of staff if they could recommend a solicitor and all three had mentioned this firm. Fourthly, the Scottish Arts Council was making generous funding available to

charities that were set up as Companies Limited by Guarantee. Ethel Houston and William Balfour had floated the first of these and had done it well; word spread around the arts world, and the firm was instructed by many new groups that have since become household names.

Equipment

Telephones

In 1960, the telephone exchange with three incoming lines and nine extensions had to be upgraded to ten lines and twenty extensions. All incoming calls were still answered by the operator and announced to the person concerned – direct inward dialling did not come until 1991.



Incoming calls to the new telephone exchange, known as a PBX (private branch exchange) were picked by the operator, wearing headphones, flicking the switch in the foreground of this picture and then manually plugging the corresponding cord into the socket for the desired extension. It could also be used to connect one extension internally to another extension. The Balfour & Manson PBX had ten lines and twenty extensions in the 1960s – the one in the photograph has fifteen lines and many more extensions.

Even with this larger switchboard and an increasing number of people calling, the telephonist/receptionist, Mrs Helen Bonner (now, McIntyre) volunteered to produce a peculiarly Scottish document, called 'An Account of Charge and Discharge for the intrusions of Balfour & Manson with the funds of ...'. These executive and trust accounts were laid out on A3-sized paper, with figures in multiple columns. Mrs Bonner tackled them with enthusiasm on a typewriter with an extra-wide carriage for A3 paper. Such Accounts are still common, although now compressed onto A4 paper and produced on Personal Computers.

Photocopiers

Throughout the earlier 1960s, the firm experimented with better copying machines, as they came on the market. In a particularly large Court of Session case in 1962, it would have been impossible for typists to have kept pace with the volume of copying that was required – although there were still outside agencies offering copy-typing, overnight if required, at a price. However, when the office photocopier went on fire in 1968, there was a nervous reaction and it was decided not to replace it. Brenda Rennie's memories of her apprenticeship, starting in 1969, include being sent to the office next door, in No. 66, to use their machine.

The Society of Solicitors in the Supreme Courts of Scotland, whose splendid library in Parliament House was frequently used by the writer and others in the firm engaged in Court work, was equally reluctant to install a photocopier. In 1970, the newly-appointed Secretary of the Society, Alistair Brownlie, balked at having to walk down to his office in Abercrombie Place to make a copy of Society papers, so he persuaded a reluctant Council to install its first photocopying machine.

Although other firms were now doing this, it was 1971 before the writer, having been assured by others that their copiers did not go on fire, persuaded the partnership to try another one. Gradually, copiers became more sophisticated – double-sided copying, collating, stapling – but the writer had retired in 1997 before the firm purchased one that copied in colour.

The Table of Fees for the Court of Session took a long time to recognize the reduced cost of copying documents by machine. The Table provided that copying 'by any means' could be charged at £1 per sheet. That was reasonable when copying was through the labour-intensive process of one person typing and then another comparing a document, as described in the last section. When Evan Weir became Auditor of the Court of Session in 1982, he flatly refused to allow what the anachronistic Table of Fees provided, remarking, acidly, that he was not going to remunerate an Office Junior on the photocopying machine at a higher rate than the Senior Partner advising on a complex commercial dispute.

Memory typewriters

Typists' work was made easier and more productive by a series of innovations during the 1960s. By the beginning of the decade, everyone who wanted an Olivetti golf-ball electric typewriter had one – two of the older secretaries refused to abandon their manual ones and the cashier, Miss Allison, retired in 1988 still using hers – photograph in Section Seven. These golf-balls were cutting-edge technology for the 1960s – when the firm merged with another Edinburgh practice in 1982, R. Addison Smith & Co., none of their staff had an electric typewriter.



The golf-ball of an Olivetti electric typewriter. It spun round and hit the paper as the letters were pressed; its three advantages were speed, no collision of keys if the letters were pressed too quickly (because there were no keys) and minimal touch was required to operate the letters.

The next advance was Remington typewriters with sufficient memory for the text to appear in, and run along, a thin window between the keyboard and the paper. The actual typing was therefore a dozen words behind the keying, allowing the typist to stop, scroll back and correct an error as the words rolled along the screen and before they appeared in print. With this opportunity of putting things right before the machine transcribed the text, typists raced through their work, with a headphone from their Dictaphone-player in their ears and the words dancing along the line before their eyes. To the onlooker it was mesmerising.

The biggest 1960s innovation was a typing-machine that recorded everything on magnetic tape. This required a skilled operator, and was used for drafting lengthy documents, like Wills or Leases or Dispositions for the purchase of property. Once the draft had been revised, either internally or by the other solicitor in an external transaction, or both, the tape was retrieved from a storage cabinet and fed into the machine. Revisions had to be made manually, by stopping the tape and typing the correct text, but otherwise the operator sat back as page after page was engrossed automatically onto deed paper. People dropped into the basement room to watch the spectacle. When this machine was replaced by an even greater innovation, the Word Processor, below, the Royal Scottish Museum took it to Chambers Street, as an exhibit of novel, but already obsolete, developing technology.

Word Processing

A Word Processor, which held text in memory or on removable discs – there was only one in the office throughout the 1960s and 70s – revolutionized document preparation in four ways. First, a fee-earner could write a letter or frame a deed by giving the operator a note of variables to insert into standard paragraphs in the style-book.

Secondly, when the draft came back with revisions, the original text could be brought up on screen and amended before the button was pressed to engross the final deed. This seems obvious to present-day users of Personal Computers, but it was regarded as miraculous in the 1960s.

The third difference was that the Word Processor automatically justified text – making both margins straight as opposed to the right-hand margin being ragged. On a manual typewriter, a bell rang as the carriage neared the end of a line, alerting the operator either to pull the lever to move the paper up one line or to stop and count the spaces and to fill them in, by hyphenating a word or by spacing the remaining characters. Otherwise, text could be justified only by sending it to a professional printer.

The fourth innovation was shift-working. Because the Word Processor was so productive, Rosemary McRobert, who later became the firm's cashier, came in from 5 to 8 pm after the birth of her daughter in 1965, and took over from Pat Kelly, the main machine operator. It was located in a small but central room of its own, at the top of the main staircase in No. 58. When (occasionally) it was not busy with the firm's work, the operators typed the writer's part-time Ph.D. thesis for the University of Edinburgh, where it was not only 'passed' in the academic sense, but it was also 'passed' around New College as the first thesis they had ever seen with justified text.

Dictating machines

Edinburgh lawyers began to use dictating machines toward the end of the 1950s – publicized by a spat in 1957 between five advocates and their clerk. Clerks invoiced solicitors for Counsel's fee for work done and added a percentage for their own role. These five advocates wanted their clerk to transcribe the material they had dictated onto machines, in the same way as the clerk typed out handwritten work as part of the percentage he was paid. The clerk refused and made them send it to an outside agency, which charged the advocates for the work. This led to the whole system being changed.

From 1960, fee-earners in Balfour & Manson increasingly dictated their work to tape-recorders instead of to shorthand typists, and a new job-description appeared on the salary sheets – audio-typist.



The first dictating machines were large and heavy, with two three-inch spools on top; the tape wound its way from one to the other, through the jaws where recording took place. The inconvenience of threading tape spools led to the development of more convenient formats, notably the cassette, as in the second picture.

Audio-typists collected bundles of files, with a cassette on top, and brought them back an hour or so later, with a copy of the letter or document inside the file, and gave the top copy to the fee-earner. The firm looked at various centralized dictating systems, by which the author spoke into a telephone and a bank of typists, elsewhere in the building, took the next disc from a recording machine; Balfour & Manson did not pursue this until 2004, because of the importance of the typist having the file at hand. Much legal work was repetitive, and dictators frequently marked an existing document on a file in pencil with a letter 'A' at one point and a letter 'B' at another, and said on the tape: 'Take in A to B from the letter of ...', and so on through the alphabet. By 2004, the person dictating could cut and paste the required passage from his or her own screen and the typist picked it up electronically.

The next innovation, in the mid-1960s, was portable battery-operated hand-held machines. The writer used the time between cases in Court to dictate a report on the previous case – leading one passing wag to say, 'Jings, there's a man speaking to himself'. Parliament House clerks now dictated Interlocutors onto tape, instead of writing them on bits of paper that got scattered through the file; typists added every new one to a single sheet at the front of the file.



Hand-held, battery-operated dictating machines were a great boon from the mid 1960s, especially for those with time to fill in at Court or describing the scene of an accident or making notes about a property to go onto the market.

Although it was now easy to capture words on tape, few had video recorders in the 1960s, so when a popular television drama was screened on Sunday evening, Church services all over the country suffered – one either stayed at home or never saw it. When BBC1 showed *The Forsyte Saga* for 26 consecutive Sunday evenings in 1967, publicans and vicars complained that they might as well shut up shop, as 18 million people watched.

Tannoy

The writer was in the waiting room of a lawyer's office in Kirkcaldy in 1968 when an announcement, asking for someone to contact the switchboard, came over a public address system. Impressed by this, he suggested that Balfour & Manson explore the idea. Twelve speakers were installed in May 1968 as an experiment, eleven of them with a cut-out switch in the individual rooms, so that conversation with clients need not be disturbed; the twelfth speaker, in the toilet in No. 58 (still the only toilet on the ground and first floors of both buildings) could not be switched off, on the basis that if the receptionist wanted someone to take a phonecall or to meet a client, the sooner that person knew about it the better.

The experiment was a success, and by 1981 there were 43 speakers and separate microphones for the two receptionists. Ten more speakers were added in 1988, and another ten in 1990, as more and more rooms were taken over from adjoining buildings.

Book-keeping

Until 1964, all book-keeping was manual. Entries were made throughout the day into a Daybook, divided into four columns, two for clients' money (incoming and outgoing) and two for the firm's own money. After these had been totalled and balanced, and reconciled with the Bank Statement, the entries were copied to bound ledgers with sheets for individual clients. Every new client got the next sheet in the ledger, so an accurate index was essential, especially if a client's entries extended over several sheets.

All that changed in 1964, when the Cashroom took delivery of its first accounting machine, a Remington. Heavy-duty cards were prepared for every piece of work, colour-coded by partner. These were kept, loose-leaf, in trays; the operator took them one at a time, added a sheet of carbon paper and inserted them into the Remington accounting machine. She then transcribed the entry from the 'slip' which had been written by the person depositing or uplifting money. The machine did not hold any information in memory, so the new balance had to be calculated and typed in manually. The only way to balance the books was to go over every card at the end of every month, make a note of the last figure on it, and reconcile the totals with the bank statements. If they were a penny out, the Cashroom called for help and went over the figures again and again until the discrepancy was found.

Since the loose-leaf card was the only record of that client's business, it was imperative that the cards never left the Cashroom. Every card therefore had a 'flimsy' attached to it – hence the carbon paper when entries were made. Flimsies could be borrowed by people making up Cash Statements or Accounts of Charge and

Discharge. At the end of the year the cards were professionally bound into books, but they were so heavy to carry that microfiches were made and copies were freely available for all those who needed to work on historical figures.

New partners during this decade

William Harold St. Clair Balfour

Francis Balfour's second son was educated at Edinburgh Academy and then combined a long apprenticeship in Balfour & Manson with studies at Edinburgh University from 1952 to 1958. He qualified as a solicitor in 1958, had two years experience with Fraser, Stoddart and Ballingall in Castle Street, and returned to the family firm as a qualified assistant in 1962. He became a partner in 1964 and retired in 1997.

James McDougall Clark had, as mentioned above, been employed as a qualified assistant in 1956 for one specific role – conveyancing – and the partners now wished to recognize his contribution (and to anchor him in the firm) by offering a partnership in 1964. He was a Blairgowrie man, educated at the High School there and then at University College, Dundee. He was exempt from active military service on health grounds, but served in the Home Guard. Since qualifying as a solicitor in 1944, he had worked entirely in conveyancing and came to Balfour & Manson from Haldanes in Edinburgh. He died prematurely on 17 December 1975 at the age of 54; he suffered a heart attack on the bus from Blackhall on his way to work, and although the driver went straight to the Western General Hospital, Jim was already dead. His widow, Agnes, remained a client of the firm until her death in 2011.

John Alexander Crawford MacFadden had gone from Robert Gordon's College, Aberdeen, to the University there, followed by two years' National Service in the Royal Artillery. He came to Frederick Street as an assistant in 1962 and was assumed a partner in 1965. After six years with the firm he moved, in 1968, to a general practice in Dumfries. He has now retired and still lives there, and is an Honorary Sheriff.

Neil McTaggart became a partner in 1968. Although born in Edinburgh in 1938, his parents moved when he was four to a farm at Dulnain Bridge, three miles from Granton-on-Spey. After attending the local Primary School and then the Granton Grammar School, he came to Edinburgh University in 1956. After graduating LL.B. in 1961, he worked for Dundas & Wilson before coming to Balfour & Manson in 1964 and retired in 1999. He died in 2008, aged 69, after a long struggle with cancer. One aspect of the well-attended Thanksgiving Service for his life (as Funeral Services were becoming known) in Holyrood Abbey Church struck the writer as eminently sensible, although few seem to have copied it; his widow, Anne, shook hands with the mourners as they arrived at the church door, over a space of half-an-hour or so, which gave more opportunity to talk than is available in the traditional line-up after a service.

Section Six –North and South, Up and Down – 1970 to 1979

Overview of 1970 to 1979

In 1971, Balfour & Manson bought No. 56 Frederick Street, the adjoining building to the south (up the hill) and linked it to No. 58 at all three levels – first floor, ground floor and basement. The additional accommodation enabled the firm to integrate non-lawyers into the front line of its business, people known then as managers and now as executives. The firm was the first in Edinburgh, and probably the first in Scotland, to pioneer this concept. Then, in 1975, the partnership merged with the firm occupying No. 66 Frederick Street, the adjoining building to the north (down the hill).

The firm also went upwards throughout the 1970s, making more and more use of the flats over Nos. 56 and 58 Frederick Street, which entered by the common stair No. 60. The final addition to the property in this decade was downward; in 1977, the owners of a building in Hill Street Lane North, at the back of 56 Frederick Street, had no further use for their basement storerooms, so Balfour & Manson bought them, blocked off the existing door, and incorporated them into the basement of No. 56.

Francis Balfour retired in 1972 through ill health and passed away only two years later, aged 79. As mentioned in Section Five, Jim Clark died prematurely in December 1975 at the age of 54. The firm assumed eight new partners in the second half of the decade, growing from seven partners and thirty staff in 1970 to thirteen partners and eighty-eight staff in 1979 – over one hundred people in the building for the first time. Those who remember the 1970s say the firm remained ‘friendly and family’, despite the increase in numbers. During a strike that closed Edinburgh’s primary schools, working mothers brought their children with them and the firm ran an impromptu creche in the staffroom.

Industrial strife throughout the 1970s, including the postal workers’ strike in 1971 and the miners’ strike in 1973, had lasting consequences for the way the firm did its business, as described below. Budgets became strained by hyper-inflation in the years from 1974 to 1979 – in these years, respectively, inflation was 16%, 24.2%, 16.5%, 15.8%, 8.3% and 13.4%. Bank base rate was at one time 17%, and the court rate of interest – what was added to awards if they were not paid timeously – was 15%. People naturally tried to maintain their living standards, but this exacerbated industrial unrest; Prime Minister James Callaghan’s attempt to keep public sector pay rises below 5% led to the Winter of Discontent of 1978-79.

Pioneering concepts

Property sales and purchases

Traditionally, the youngest partner had been responsible for domestic property sales and purchases. After William Balfour had done this for six years, he decided it was easier to teach property people to deal with the law than to teach lawyers to deal with property. In 1971 he employed Michael Fox, a retired army colonel with a flair for selling property, and encouraged clients to deal directly with him until an acceptable offer was received. For the next nine years, Colonel Fox, occupying the back room in No. 58, beside reception and the waiting room, was accessible to clients and enquirers alike and, being free from any other duties, gave his whole attention to marketing

clients' properties. As mentioned, for a non-lawyer to do this in a legal office was previously unknown in Scotland, but it was so successful that other firms followed.

Michael Fox had a whimsical approach to arriving at an upset price. When a client mentioned a property he wanted to sell, Fox wrote a figure on a piece of paper and placed it face-down on the table. After a lengthy session with the client, about the neighbourhood, transport, schools, recent comparable sales, the state of the property and much else, he asked the client what, in light of their discussion, he expected to get. When the client named a figure, Fox asked the client to turn over the paper and, as often as not, the figure on it was near-enough to the price the client had just come up with.

With property sales up and running, William Balfour replicated the concept of managers dealing directly with clients by employing Sylvia Matthews for property purchases from 1974. When Michael Fox retired in 1980, and Sylvia Matthews in 1982, he not only replaced them but expanded the manager concept to furnished lettings and to social work, but that belongs to the 1980s and will be covered in Section Seven.

Edinburgh Solicitors Property Centre

In 1971, Balfour & Manson were involved in another long-term change to traditional ways of doing business – setting up the Edinburgh Solicitors Property Centre. From earliest times, Scottish solicitors had been known as general men of business, which included marketing domestic property. House hunters from England, of whom there were many after World War Two, knowing that solicitors there dealt only with conveyancing, looked to Edinburgh estate agents to find them a house here. Even after living in Scotland for some time, they tended to engage a local estate agent when they came to sell. This encouraged English estate agents to try aggressively to increase their market share here.

Individual solicitors were not permitted to advertise in any way at this time – ‘unworthy of a learned profession’ – but they persuaded the Law Society of Scotland to launch a Scotland-wide advertising campaign, explaining to the public that there was no need to use an estate agent – a solicitor could handle both the marketing and the conveyancing. The advertisement did not say, as it might truthfully have done, that solicitors' charges for the estate agency part of a sale, usually one percent, were less than the commission charged by most estate agents.

The next step was for solicitors to come together and form Property Centres, where the public had maximum information, free from pressure to buy, as bidders had to contact the selling solicitor's office to note an interest or put in an offer. The Edinburgh Centre in George Street, started in a small way in March 1971, was (and still is) the most successful of these. It has enabled solicitors to retain a substantial share of the housing market in a way helpful to the public. Estate agents have made repeated attempts to advertise their properties in the Centres, but as everyone using them has to operate under the Law Society of Scotland's Master Policy for Professional Indemnity Insurance, they have not been able to join. The Monopolies and Mergers Commission conducted a lengthy inquiry and reported in August 1997 that although this was a monopoly, it operated in the public interest and should be allowed to continue.

Because no one was prepared, in March 1971, to be guarantor for the bank overdraft and the lease of the property in George Street, the Councils of the SSC Society (the Society of Solicitors in the Supreme Courts of Scotland) and of the WS Society (the Society of Writers to Her Majesty's Signet) floated 'ESPC Ltd', a Company Limited by Guarantee and put their reputations behind it. Even after they had nursed it into good health, Edinburgh's solicitors were reluctant to take responsibility for it, and for all the years that the writer was Secretary of the SSC Society he attended regular meetings to elect the ESPC directors, approve its Accounts and report back to the Society.

However, to bring the story up to date – the Company ran into financial difficulties in the late 2000s, and the two Societies prudently said that if the firms using the ESPC wanted it to survive they should fund the shortfall; the users decided that if they were going to pay for the Company they might as well own it. The two Societies were happy to relinquish their custodian role, and on 6 August 2013, ownership of ESPC Ltd passed to the 114 member solicitor estate agent firms who had agreed to become its guarantors. In return, every member firm was given the right to vote at its AGM and to appoint directors to the Board.

The Chairman of ESPC said on that day: 'The WS and SSC were forward thinking in supporting the establishment of ESPC and providing the backing and guarantees when it started up in 1971. In particular they stood as guarantors of the lease on the first ESPC premises. During the period of their stewardship ESPC has steadily grown into an excellent model in the property market and continues to serve, support and attract members.' These paragraphs are included in the story of Balfour & Manson because of the firm's active involvement in the ESPC throughout its history and also because of its active participation on the Councils of both the SSC and the WS Societies.

Undefended divorces

The availability of civil Legal Aid from 1949, the breakdown of marriages contracted in haste during the Second World War and the legacy of the Swinging Sixties, were all factors in the year-on-year increase in the number of divorces in Scotland. Even if a case was unopposed, the Pursuer and two supporting witnesses had to give evidence personally in the Court of Session. By 1971, the writer saw no reason why a qualified solicitor or an apprentice was needed to see this through – since an advocate did all the speaking in Court, anyone with people-skills could meet the client and witnesses, guide them through the procedure and settle their travelling expenses. Indeed, a manager with no other pressure on time probably did it better than a busy lawyer. So, at the same time as Michael Fox began to deal directly with clients on house-sales, the writer employed a retired policeman to look after clients in divorce proceeding. The volume of cases, mostly through the correspondent network described already, became so great by 1975 that two people were needed. Sally Fowler and Pamela Mason divided the clients alphabetically by surname; although in character they could not have been more different, they worked harmoniously together. As with property, this use of managers in Court of Session work seems to have been pioneered by Balfour & Manson, and then copied elsewhere.

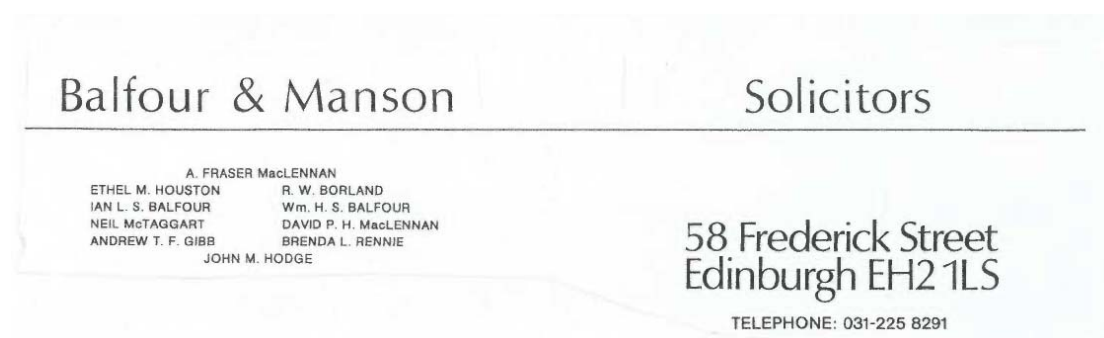
Eurodevils

Between 1975 and 2006, the British Council funded a European Young Lawyers Scheme, bringing ten lawyers a year from across the European Union to Edinburgh for six months, from mid-January to mid-July. Known as Eurodevils (because Scottish advocates ‘devil’ while they train for the Bar), they worked with solicitors, advocates and judges to gain an insight into Scots law. The ones seconded to Balfour & Manson for two of their six months were a delight to entertain, eager to learn and to compare notes with their own jurisdiction; after their time here was finished, they were valuable contacts in their own countries over future years.

Post-Qualifying Legal Education

Another pioneering concept of the 1970s became known as P.Q.L.E. In 1972, the Law Society of Scotland heard that the Institute of Chartered Accountants was arranging a study/training weekend at St. Salvator’s College in St. Andrews, and sent two Council members to observe. They were so impressed that they booked the same venue for the Society for the following year. To attract Scotland’s solicitors, they gave it the title ‘The Future of the Legal Profession’ and also arranged for rounds of golf on the Old Course and Divine Worship in the University Chapel on the Sunday morning.

Favourable reports about the weekend led the Society to set up a Committee for Post-Qualifying Legal Education, a clumsy title quickly abbreviated to the acronym P.Q.L.E.; it is now a whole Department of the Society, with the snappier title of ‘Update’. Balfour & Manson did not initiate the idea, but provided speakers and enthusiastic support for its training and refresher courses. The first of these was for Advocacy Training; one session was based on a road traffic ‘accident’ staged outside the gates of Stirling University with the assistance of the local police. For many years, attendance at such events was voluntary, but in 1993 the Society introduced a requirement for all solicitors to undertake what it called Continuing Professional Development – self-certification of twenty hours of study a year, of which fifteen had to be collective, leading to many bodies setting up seminars to provide ‘CPD’.



Following the retirement of Francis Balfour and the death of Jim Clark, the five remaining partners assumed eight new ones before the end of the decade. The firm’s notepaper in the Spring of 1977, after John Hodge had become a partner but before Kathleen Law had been assumed. All the notepaper was still embossed.

New buildings

56 Frederick Street

In 1971, the legal firm of Stuart & Stuart, who owned and occupied the main door No. 56 Frederick Street, offered to sell it to Balfour & Manson for £19,000 because they were moving. Linking it to No. 58 at all three levels (basement, ground floor and first floor) required several steps up on all floors because of the different levels of the buildings. The private client department took over the new building, while the expanding Court practice was consolidated in Nos. 58 and 62.

Creating the corridor on the ground floor meant eating into the large front room and removing the long mahogany counter that had been a feature of the office for forty years; older clients then reminisced nostalgically about the number of documents they had signed on it. What remained of the room became a dedicated waiting room, with armchairs, tables and magazines. The 'horse-box' in the lobby was dismantled and replaced by a desk for the receptionist. The window in the photograph on page 57 (now covered over) was retained so the receptionist could see clients and vice-versa. This arrangement lasted until 1996, although a greatly-improved desk was installed in 1985.

The next building work was simple but the result was spectacular. Until 1973, the north wall of the first-floor landing at No. 58, which was also the south wall of the corresponding landing of No. 62, divided the two buildings, leaving each with a small area at the top of its staircase. The No. 58 area was even more cramped because four filing cabinets protruded over the stair. Demolition of the wall in 1973 created the large open area in use today; the writer remembers the astonishment of those present when the builders took down the dividing wall and it was possible to walk between the buildings at first floor level. The files were sent off for storage in Leith, which was cheaper than storage in Edinburgh.

60 Frederick Street

In 1971, building-contractors Mowlem owned and occupied all of the building over Nos. 56 and 58; two separate flats were accessed by the common stair No. 60 Frederick Street, one (on two floors) over No. 56 and the other (also on two floors) over No. 62. When Mowlem put the flats on the market, William Balfour was keen for the firm to acquire them and to expand the office into them. Other partners were against the idea, so Ethel Houston said to him: 'Since you feel so strongly, why don't you buy them yourself and we'll see what develops.' He did, but if he had made them residential, he would not (in light of the City Planners' policy of encouraging people to live in the New Town) have got change-of-use back to office if and when the firm needed them.

With the Planners approval, he let the flats to some of the firm's apprentices on the basis that the firm could (and did) use the common areas during the day. What is now the Library was regularly used for staff and other meetings; initially this meant exiting No. 58 and re-entering by the stair No. 60, but when the first-floor landings of Nos. 58 and 62 were joined up, as described above, a passageway was slapped through into

the stair. This was used more and more during the 1970s, as the firm gradually took over more and more of the rooms in the flats. The creation of the present link and the closing of the door into the common stair is described in the next Section; details of all the building work involved are given in Appendix Two.

66 Frederick Street

The firm of Hutton Jack & Crawford had practised in 66 Frederick Street since 1936. By 1975, the sole proprietor was Robert (Bertie) Borland. He was friendly with Fraser McLennan, and suggested a formal merger of the two firms. This was agreed, but in practice he continued with his existing staff in No. 62 for the next ten years. Balfour & Manson decided not to buy No. 66 from Mr Borland, so he sold it to an architect, who has leased it to the firm ever since, and it is now an integral part of the business.

As long as Bertie Borland worked in his own offices, there was no reason to link the buildings physically, but on his death in 1985, passages were driven through between No. 58 and No. 66, as described in Section Seven.

Cellerage under 2 Hill Street Lane North

This deserves no more than a brief mention. In June 1977, the owners of a three-storied building at 2 Hill Street Lane North (now demolished), had no further use for the storerooms and vaulted cellerage under their building. As these adjoined Balfour & Manson's basement at the back of No. 56, they offered to sell it to the firm for £1,500. It was simple (total cost £400) to block off the existing door and to make a new door, creating a stationery stock room, which is now the main storage space for title deeds.

Industrial unrest

Document Exchanges

From the earliest days of Balfour & Manson until 1971, letters and parcels of title-deeds were hand-delivered daily throughout the New Town. First one, and then two, messengers were employed, to collate local mail which had been held back from the previous evening, work out the best route, and then deliver it. In the 1960s, one went east and the other went west, returning to deal with banking, do a second round of deliveries, and then dispatch the evening post.

All that changed in 1971. For seven weeks, from 20 January to 8 March, Post Office workers nationally went on strike for higher wages. Desperate for their members to get mail to and from other solicitors, the Law Society of Scotland rented the rooms in George Street where the Edinburgh Solicitors Property Centre was being set up. At five-thirty every week-day evening, messengers converged and handed mail to each other; cars then set off from Edinburgh and Glasgow to a half-way point, where mail bags were exchanged. Aberdeen and Perth solicitors soon joined in, then Galloway solicitors linked up with Ayr and Ayr with the other cities.

This covered only mail between legal firms, so apprentices who could lay hands on a car were recruited to deliver mail to the back streets of Edinburgh and its housing

estates; the mileage allowance gave them an addition to the modest salary that apprentices were paid at the time, as described later in this Section.

The solicitors' Document Exchange network was so successful and so cheap, compared to the Post Office, that when the strike was over, what had begun as a temporary solution to an emergency was expanded by a private company based in Rutland Square – and the Rutland Exchange was born. It was later extended to English cities and, taken over by Hays Document Exchange, still operates. The Post Office never recovered its market share which, until the strike forced customers to improvise, had been a near-monopoly. On a personal level, Alex McIntyre, who after many years with the Post Office is today in charge of the firm's Dispatch Room, remembers that his father, who was involved in the stoppage, never recouped the money lost during those seven weeks – he received nothing until the last week, and if his wife had not been working, the situation would have been even more critical for the family.

The strike overshadowed the introduction of decimal currency in the United Kingdom on 15 February 1971.

The Three Day Working Week

On 11 February 1972, a bitter dispute between the Government and the National Union of Miners over wages led to a Three Day Working Week being imposed on the country, to conserve coal stocks at powerstations. This first affected Frederick Street on Monday 14 February; in theory, electricity was available on alternate days, one day from 8 am till 12 noon, and then from 4pm to 8pm, and the next day from 12 noon until 4pm, but in practice power suddenly went off, sometimes for hours, on days that were meant to have power.

Court work and conveyancing had to go on, so the office did not close; paraffin and calor gas heaters in a few rooms enabled staff to work, some in overcoats, during daylight hours; essential work was then completed by camping-gas lanterns or candle-light. There were no longer coal fires in the office, but the room over the front door of No. 58 had a working gas fire. Brenda Rennie, in that room, found that an unusually high number of staff wanted to discuss their business with her – and to get warm.

The problem was not only lack of heat and light but also lack of typing, because all but two of the typewriters were now electric-powered; they, together with retired manual typewriters from cupboards, pounded out essential documents while other letters and draft deeds were hand-written.

As different areas of Edinburgh were blacked out on different days, the writer saw nothing untoward in taking four of his secretarial staff by car to his home in Murrayfield Road, where they worked with electric typewriters on the study table on alternate days. One of the four, Elaine Grieve, is still with Balfour & Manson, now the senior secretary in the Litigation Department. This went on for a fortnight, but with hiccups because lights suddenly went off when they should have been on. The writer's diary for the last day scheduled for cuts, 29 February, notes that he kept the gas lamps and heaters in the office on standby for the following morning, just in case.

Government buildings were not affected, and the lights in Argyll House burned throughout the day and night all through that building. Rumour had it that there was only one light switch on each floor – so if one person was working there, or a cleaner was in, the whole floor had to be lit. As Government buildings were exempt, there was competition in the office to find an excuse to go to Parliament House, which was always warm.

There were two long-term consequences of the Three Day Week. Prior to it, there had been no canteen facilities on the premises, but the need for lunch, when the city-centre was without power and travel was difficult, led to the installation of a gas cooker in a basement room; this was so popular that it developed into a permanent facility. The other consequence was that, because of the cold, Ethel Houston, the only lady partner, relaxed her opposition to ladies coming to work wearing trousers and the ban was never reintroduced. She was not the only one to object to trouser suits; about this time, one of the Court of Session judges, Lord Avonside, refused to have a female witness in his court in a trouser suit. The witness went out of the Court, removed her trouser suit, and returned in a short mini skirt.

The sheriff clerks' strike

As part of the Winter of Discontent of 1978-79, mentioned in the introduction to this Section, the sheriff clerks and court officers all over Scotland went on strike in February 1979. They did not attempt to prevent sheriffs crossing their picket line, but without officers to guide people and clerks to record the proceedings, there was little the sheriffs could do. People who had been arrested and kept in custody overnight were brought into court by the police and the sheriff taking the court wrote out the essential paper-work. The Government, the paymasters, seemed in no hurry to deal with the grievance, which, as in most strikes, was pay and conditions of employment, and the strike lasted for three months. As the sheriffs got accustomed to the clerking, they gradually took on more and more, beyond dealing with persons in custody, but in Glasgow two clerks sat in the public benches to observe whether the sheriffs were extending their work beyond what the clerks considered essential.

At the end of strike, the enormous backlog of cases waiting to be heard gave the writer and other sheriff court practitioners an unprecedented opportunity to plea-bargain with the procurator fiscals, who wanted to get rid of as many summary and solemn cases as they decently could. Any reasonable explanation could lead to summary cases being quietly forgotten, and offers to plead guilty to absurdly reduced charges in other cases were accepted until the backlog was cleared.

Office life

Monday lunch

The Court of Session does not sit on Mondays, because in olden days the judges drove out to their country estates after their business had finished on Saturday and they could not break the Sabbath by coming back before Monday morning. Accordingly, the partners met for lunch every Monday, largely social but with a formal agenda on the first Monday of the month. Until the Three Day Week, most of the informal meetings took place in a restaurant at 66 Queen Street, owned at that time by a client,

but cooking facilities on the premises, mentioned in the last paragraph, led to partners' wives offering to serve hot meals on most Mondays. This continued until the number of partners made volunteer cooking impractical and professional caterers took over.

This is an appropriate point to mention that, following the example of the founders of the firm, the chairperson at formal partners' meetings either opened the business with prayer or invited one of the others to do so. This was on the agenda so the nominated person could come prepared – some partners did not wish to be on the rota. The tradition lasted until January 1996, when the majority felt that the time had come to discontinue the practice and it fell to Murray Burns to open a partners' meeting in prayer for the last time.

Morning coffee

Those to whom the writer had spoken recently, when asked about their memories of Court work in the 1970s, have all mentioned the gathering in the writer's room every morning at eleven o'clock, when Sybil, one of the staff, produced a dozen or more cups of coffee. What they remember most is the ingenious colour-coding of the plastic cups, according to how much milk and sugar each contained. This was in the large front room of No. 62, which is now the Reception and Waitingroom; it was a useful ten minutes for sharing news and discussing events in the Court – very much a working break.

The effect of inflation

In 1974, before annual inflation reached the staggering figures mentioned at the beginning of this section, the firm paid annual salaries as listed in the first column below. In 1974 and 1975 there had to be salary reviews half-way through the year, and by 1979, they had risen to the figures in the second column. The figures in brackets are the number of people in each category:

	1974	1979
Qualified assistants	up to £3,000 (8)	up to £6,000 (9)
Apprentices		
First year	£1,000 (4)	£1,850 (4)
Second year	£1,200 (4)	£2,200 (4)
Cash and accounts	up to £2,400 (9)	up to £5,000 (6)
Telephone, reception, dispatch	up to £1,200 (4)	up to £3,250 (8)
Court para-legals	up to £2,000 (5)	up to £4,000 (8)
Property para-legal	up to £3,000 (2)	up to £5,500 (3)
Secretaries	up to £1,500 (7)	up to £3,400 (15)
Typists	up to £1,350 (19)	up to £2,900 (13)
Office manager	£2,470 (1)	£4,900 (1)
Cleaners, 15 hours a week	60p per hour (3)	£1.20 per hour (4)

Apprentices' Christmas Parties

In the 1970s, Balfour & Manson took on four new apprentices every autumn. The 1973 intake were Peter Anderson, who went on to a distinguished career with

Simpson & Marwick, Philip Brodie, who became a Senator of the College of Justice in 2002 (Lord Brodie), Alan Paterson, Professor of Law at the University of Strathclyde since 1984 and Fred Tyler, who stayed with the firm and has been its Chairman since 2006.

When they were joined a year later by Anne Mitchell, who later became a solicitor at the Scottish Parliament, Henry Mitchell, Eric Mulholland, who went into industry, and Alexander Wylie, who became a Senator of the College of Justice in 2005 (Lord Kinclaven), the eight of them were persuaded to put on a fancy-dress party in the staff room in December 1974, featuring themselves and offering some very pungent punch which they made. Mortgages were hard to come by at the time, and Sandy Wylie's appearance as the Lone Ranger, with a placard that he was the 'Loan Arranger', was voted the best of the evening. Philip Brodie's fancy-dress was a track-suit, signifying, he explained, the speed at which apprentices had to run up the Mound to Parliament House for last-minute business. The chorus of one of their songs was: 'As for life at B&M – it's mayhem!'

One other skit is still talked about. At the 1977 party, Alan Drummond (who later went to the United Nations in New York, but who is now dead) played the part of the firm's receptionist, while one of the others portrayed a client who wished to see a partner of the firm. As the 'client' asked why one after another was not free, Alan explained, by hilarious if irreverent reference to the life-styles of individual partners, why they were not available - sleeping after lunch, abroad, 'too efficient to be bothered with clients' (the writer), sailing his boat, and so on down the list.

Numbers attending increased year by year, so the party moved to William Balfour's room in No. 56. Latterly it started with everyone gathering in Fraser MacLennan's room, for a short seasonal speech from him and a glass of wine, and then moved to the largest room with the least furniture, which was in No. 60 (now the Library). This continued until 1984, when the new apprentices said that entertainment was not their forte and could they be excused? There was no point in continuing if the enthusiasm was not there, so the Apprentices' Christmas Party was discontinued and has never been revived.

The ratio of men to women in the names above (seven to one) illustrates one of the most striking features of legal practice in Scotland over recent years. In 1970, fewer than twenty percent of law students in Scotland were women; by 1980, the figure had risen to forty percent and in 1984 parity was achieved and has continued. (By 2006, Balfour & Manson had an equal numbers of men and women in the partnership, which compared favourably with the position in Scotland generally.)

Apprentices' salaries

Karen Bruce-Lockhart, who was an apprentice with Balfour & Manson from October 1970 to August 1972 (she transferred her two-year Indenture to Courtney Crawford & Co, because they offered to employ her as a qualified assistant from October if she moved to them right away) recalls the financial pressure on students and apprentices in the late 1960s and early 1970s.

‘As students the grant had been £350 which covered 8 months of the year and we all worked during the vacations. As apprentices with an ordinary decree we got £500 for the whole year and had to dress appropriately. We were eligible for social security payments, which meant free glasses, prescriptions etc. A number of us, led by Donald Mackay, formed a protest group to negotiate with the Law Society for a ‘living wage’. Most of those in the group were in the higher bracket of £650 per year – and not eligible for social security, which handicapped us from one angle but was an advantage from another. We got nowhere until at a meeting round the Boardroom table in the Council Room in Drumsheugh Gardens. We were met by remarks such as ‘When I was an apprentice my father had to *pay* for my apprenticeship.’ We took the firm view that we should be paid a living wage, and the Law Society should be looking to weed out those who could not succeed, not promise every graduate an apprenticeship. Eventually Donald Mackay drew back the velvet glove and mentioned the Press. The atmosphere changed rapidly and we got our increase – £650 to £800 and £500 to £650. Those who lost their right to free prescriptions etc were not entirely grateful!’

That is the background to the figures of £1,000 and £1,200 in 1974 in the chart above. Forty years later, in 2010, the Law Society of Scotland recommended that trainee solicitors (the successors, from 1980, of apprentices) should be paid £15,500 in the first year of their traineeship and £18,500 in the second, noting that some of the commercial law firms paid trainees significantly more than that.

Undefended divorce cases

The 1970s were the hey-day of the Pursuer and two supporting witnesses coming personally to the Court of Session for undefended actions of divorce. Until 1984, when Sheriff Courts throughout Scotland were given equal jurisdiction with the Court of Session, only the Supreme Court could dissolve Scottish marriages, although from 1978, evidence could be by Affidavit and application could be made by post.

For the reasons mentioned earlier in this Section, the number of divorce cases steadily increased throughout the 1970s. The flood became a torrent in 1977, when Parliament added a new ground for divorce – no cohabitation for two years, provided the other spouse consented, or five years if the other spouse refused to consent. This meant that one spouse could now unilaterally end a marriage without the fault or the consent of the other; until then, the Pursuer had to be the innocent party, and had to prove adultery or cruelty or desertion on the part of the other.

The writer headed up a team of qualified solicitors, apprentices and managers who processed divorce cases coming from the network of correspondents throughout Scotland, together with some direct cases from clients of the firm. Until 1978, when Affidavit evidence could be used, three or four judges (sometimes more) heard undefended divorces on Thursdays, Fridays and Saturday mornings, with sixteen cases per judge – which meant sixteen sets of Pursuers and their witnesses being shepherded into the witness room for that court.

From the late 1960s, the office did not open on Saturday morning, but the apprentices took turns to attend Parliament House for a couple of hours and to see these cases through. Saturday mornings were dress-down days – suits were not required, and

tweed jackets were often worn. The Saturday Rolls were desertion or adultery cases – cruelty cases would have taken too long. Woe betide the solicitor who did not have everything organized like clockwork on a Rugby International day.

Arranging dates for these cases was an art that the writer inculcated into the firm's apprentices. In theory, one filled in a form, lodged it with the Court of Session, and waited to be given a date – which might not suit either the Advocate who had prepared the case or the solicitor who was in charge of it. By calling personally on the formidable Miss Robertson, who was in charge of the Roll, with the form and the diaries of Counsel (borrowed for the occasion from their Clerks) and one's own diary, it was possible not only to obtain mutually convenient dates but also to have twelve cases put out together before the same judge. This avoided having to rush from Court to Court on the appointed day, with clients and witnesses scattered around different waiting rooms.

Their day in Court

Wives seeking divorce often put on their best clothes for the occasion, some with flowery hats, gloves and their best handbag. Two reactions were common after their day in court; one was disappointment at the size of the courtroom, because the smallest courts were allocated for cases where there was no public interest; the other was the speed of the proceedings – most Pursuers, sitting behind their solicitor after they and their witnesses had given their evidence, did not hear the judge murmur the word 'decree' and were unaware of the outcome until they were hustled out of court by their solicitor, to make way for the next case, and told that their marriage had been dissolved.

Not every case, even undefended, led to divorce being granted. Desertion was defined as one spouse leaving the other for a period of three years. The Pursuer had to swear that he or she had remained willing to have the departed spouse back for all of these three years; as soon as the triennium expired, that willingness was no longer required, and he or she was free to seek a divorce. This artificial concept had to be supported by two witnesses, and led to a great deal of insincere or downright perjured evidence. The judges applied the rule strictly, and if they believed that the deserted spouse had not remained willing to have the deserter back at any time within these three years, decree was refused.

When evidence could be presented to the Court by Affidavit, from 1978, the team developed an efficient system of dictating the required material onto tapes, which were picked up by three typists who preferred to work from home. They delivered an 'oven ready' set of papers, for signature by the Pursuer and witnesses and counter-signature by a solicitor, and picked up the next waiting bundle.

Defended divorce cases

As a 'guilty' spouse – desertion, adultery or cruelty – got no financial provision from the Court until 1976, it was common to have defended cross actions of divorce. There were two reasons for this. If the wife was the Pursuer, she usually sought money as well as divorce; the husband defended the case, to avoid paying capital and maintenance, but when he realized that a successful defence meant he would stay

married, he was usually horrified and raised his own action against his wife. If the husband was the Pursuer, the only way for the wife to get a financial award was to defend the husband's case and raise one of her own. As a result, it was not unusual for both parties to be granted a divorce on the same day.

Money was simple in those days – the wife could expect to get both her income and her capital made up to one third of their joint assets and/or income; if she already had that much or more she got nothing. It was as simple as that. If there were children, something was allocated to them, depending on whether school fees were involved, and the one-third rule was applied after that. The Courts constantly pretended that there was no such rule, but it was universally applied. The rationale was one third for the Chancellor – income tax was 33 pence in the £1 – one third for the wife and children and one third for the husband. To take more from the husband would, it was argued, simply encourage him to go on the dole. The only complication in the arithmetic was when the wife was in receipt of social security, because every pound payable by the former husband was one pound less payable from the State; as the DHSS was a more reliable paymaster than an errant spouse, lower figures were often negotiated on the 'bird in the hand' basis.

Defended divorce cases at Balfour & Manson in the 1970s had the personal attention of two qualified solicitors, each responsible for one half of the alphabet by client surname. In 1978 and 1979, one of these was Iain Peebles, now a Supreme Court judge since 2008 (Lord Bannantyne) and the other was Richard Keen, now the Dean of Faculty since 2007.

Disturbing aspects of 'access'

Although only the Court of Session had jurisdiction in actions of divorce until 1984, actions for separation, aliment, access to children, adoption and other family matters could be (and usually were) heard in the Sheriff Court. Counsel were hardly ever employed in such cases, so it was the solicitor who had to deal with clients who put their own selfish interests before those of their children. Despite agreements which they had made earlier in order to get an award of aliment, mothers would invent all sorts of spurious excuses to prevent their estranged husband from seeing the children. Sometimes, after a divorce, a woman would re-marry and then she and her new husband would apply for an adoption order for her children, for no reason other than to deny their father, her former husband, any legal right to see the children. It was unedifying to represent such people.

Unsatisfactory changes in divorce procedure

A powerful consumer's lobby had been pressing the Government, since the 1970s, to end the requirement for the Pursuer and two supporting witnesses to attend personally at the Court of Session for undefended actions of divorce. Instead of doing some worthwhile research into the growing social problems caused by the increasing number of marriage breakdowns, and perhaps setting up family courts embodying the best features of other countries' legal systems, particularly from the point of view of children, the Government's response came in two unsatisfactory stages. In 1978, it allowed the Pursuer and the witnesses to swear or affirm an Affidavit before a local solicitor and to make the application for divorce by post. In 1984, it gave Sheriff

Courts throughout Scotland concurrent divorce jurisdiction with the Court of Session. All this achieved was to transfer the problems encountered in the Court of Session to the various Sheriff Courts and did it nothing to address the grave social problems that follow the dissolution of many marriages.

Thos. J. Addly Son & Co

This is an appropriate place to mention the acquisition of the Court practice of a long-established Edinburgh firm, Thos. J. Addly Son & Co. The founder qualified as a solicitor in 1912, and in 1947 assumed his son, Francis, as a partner and named the firm Thos. J. Addly Son & Co. In 1950, they moved to 13 Young Street and developed a substantial Court of Session Pursuer practice, both in actions of reparation and actions of divorce. By the early 1970s, the sole remaining practitioner was, for reasons set out in Appendix One, increasingly seeking help from the Court partners of Balfour & Manson. The writer was often at 13 Young Street to give him a hand, but in 1975 he retired, passing the books and the private client work to another firm but making over all the Court work, the bulk of the practice, to Balfour & Manson. It was not a merger, and the building was sold, but it brought a lot of new Court work to Frederick Street.

Young, Robertson & Co, Thurso

The 1970s saw one more link with other firms. Gilbert Robertson, a good friend of Fraser MacLennan, was by 1973 the sole proprietor of the firm of Young, Robertson & Co in Thurso. His son, Gilbert D. Robertson, was studying law with a view to joining his father in the practice. On Gilbert Robertson's death in 1973, Fraser MacLennan offered to run the business until young Robertson could take responsibility for it. For a year he did this entirely on his own, commuting to Thurso as required, and then he assumed George McDougall as a partner but continued to be the Senior Partner until Gilbert D. Robertson was assumed in 1977. For these four years, Fraser MacLennan's entry in the Scottish Law List for Edinburgh described him as 'also at Thurso', while the corresponding entry for the northern town was 'also at Edinburgh'.

Equipment

An ingenious switchboard

When the firm wished, in the summer of 1978, to employ a blind telephonist, this was made possible by adapting the switchboard for her to feel, rather than see, the keys. Pins in the keys jumped up, so she knew which lines needed answering, and cards in Braille carried the information to answer questions. Roslyn McCaskill's independence, as she made her way to the office by bus and down Frederick Street with her white stick, was an inspiration to others seeking to overcome disability. She was the firm's main telephonist from August 1978 until new equipment in 1985 required two new operators.

Less successful was an attempt to help a disgraced accountant to start again. In prison visitation, Fraser MacLennan met a man from the Borders who appeared to have repented of the embezzlement that had got him there. He was given a job in the office

with absolutely no access to money, but after a few years he had found ways of falsifying the books and helping himself. No one contacted Balfour & Manson after his dismissal, but a few years later a furious senior partner from another legal firm demanded to know why we had not warned them about the man, who had done it again. The reasonable response was that no one in Balfour & Manson knew where he was working and that the other firm had not asked for a reference – which would have been truthfully given.

In/Out board

The writer was always on the lookout for new ideas, and noticed that another firm had replaced the traditional board, where one slid a sliver of wood across to say whether a named person was ‘in’ or ‘out’, with an electronic version. The firm’s electricians soon ran one up and fixed it to the wall beside the reception desk. It was incorporated into the desk itself in 1985 – seen in the photograph at page 92). Its usefulness, compared to the wooden version, was even more evident when Reception and the telephone switchboard were later located in separate places, neither of which was visible from the staff entrance; people coming or going pressed their button – now mounted at the door of the staff entrance – and a ‘repeater’ went on or off at the telephone switchboard.

A recent look back to 1973

With the developments mentioned in this Section, the partners at the time not unreasonably regarded the 1970s as thoroughly modern and progressive years. However, only thirty years later, in reissuing a 1973 book in 2004, the editor remarked in the Preface on the changes which had taken place in only three decades. In 1973:

‘The internet had yet to be developed and the Cold War had yet to be terminated. Women were still to be paid the same as men for doing the same job, and a minimum wage had yet to be agreed. No one had benefited from laser eye surgery or been brought back to life by an automatic defibrillator. Nor were there wind farms, personal computers, debit cards, junk food, speed bumps or job centres. No one and no thing was “past its sell-by date” or the subject of scrutiny by a “focus group”. How language and the society which articulates it have changed.’ (*Church Hymnary*, Preface to fourth edition, 2004.)

New partners during this decade

Robert W Borland
 Harold John Jolly Denholm
 Andrew Thomas Fotheringham Gibb
 John M Hodge
 Kathleen M Law
 David Peter Hugh MacLennan
 Brenda Louise Rennie
 Alfred J Tyler

Short biographies are available for:

Robert W Borland became a partner in 1975 on merging his firm of Hutton Jack & Crawford in No. 66 Frederick Street with Balfour & Manson. He was a confirmed bachelor, living in Ainslie Place. On the death of his mother, he discovered the delights of cruising and regaled to all who would listen to his discoveries of European ports.

Harry John Jolly Denholm was one of triplets born on 23 March 1931 to the Rector of St Peter's Episcopal Church in Fraserburgh, Aberdeenshire. All three were educated at Glenalmond, where the writer first got to know them as all three played in the same rugby team against Edinburgh Academy. And after studying law at Edinburgh University, he became a partner in Simpson & Marwick, where he was primarily a conveyancer. By 1979 he was unhappy there and moved to become a partner in Balfour & Manson.

Andrew Thomas Fotheringham Gibb was born in 1947, educated at Perth Academy and studied law at Edinburgh University before being apprenticed to Balfour & Manson from 1969 to 1971. He then went to be a qualified assistant with the York Place firm of Cuthbert, Marchbank, Paterson and Salmon, SSC, for two years and came back to Balfour & Manson in 1973. He became a partner in 1975 and retired at the end of 2012, becoming a consultant.

John Maxwell Hodge was born in Edinburgh in 1950, completed his secondary education at Glenalmond College, studied law at Edinburgh University and was apprenticed to Tods Murray & Jamieson in Edinburgh. He qualified in 1973 and came to Frederick Street as a qualified assistant in October 1975; on the sudden death of Jim Clark at the end of that year, he took over the commercial aspects of the practice. He was assumed as a partner in 1977.

Kathleen Margaret Gibson (Law) was born in 19xx in Dumbarton, where her father was a well-known lawyer, whose firm used Balfour & Manson as their Edinburgh agents. She graduated MA at St Andrews and then LL.B at Glasgow, followed by apprenticeship in Glasgow. She married an Advocate, James Law, and before coming to Frederick Street she worked with Ketchen & Stevens and Murray Beith. She came as a qualified assistant in 1972, and was assumed a partner in 1977. She retired in 1991 and in 2012 she was in poor health.

David Peter Hugh MacLennan, the only son of Fraser MacLennan and the grandson of Peter Manson, was born in Edinburgh in 1947. He attended the Edinburgh Academy from bottom to top, from 1952 to 1965. After graduating from the University of Edinburgh in 1969, he served a two-year apprenticeship with Drummond & Reid in Moray Place, Edinburgh – two years only, because the LL.B. became a full-time degree in 1961 and the apprenticeship which followed became two full-time years. He then gained wider experience in Glasgow, working with a sole practitioner, David Whyte, from the autumn of 1971 to the spring of 1973, before coming to Balfour & Manson. He became a partner in 1975 and retired in 2007.

Brenda Louise Dewar (Rennie) attended Aberdeen Academy and Aberdeen University, where she graduated in 1969, the first woman to graduate with the new full-time degree of LL.B with Honours. She was apprenticed from 1969-1971 (two

years only, because of the new degree), and married Donald Rennie in 1971. She was a qualified assistant from then until 1976, when she became a partner. She retired in 2011.

Alfred James Tyler was born in 1951 and educated at Daniel Stewart's College, Edinburgh from 1956 to 1969 and then at Edinburgh University from 1969 to 1973. After being apprenticed to Balfour & Manson, he qualified in 1975 and was invited to stay with the firm and became a partner in 1979. He is now Chairman of the firm.

Section Seven – Rapid expansion – 1980 to 1989

Overview of the 1980s

The eighties brought enforced changes in the legal profession in Scotland, on a scale previously unmatched in its history. Until 1985, solicitors were strictly and absolutely forbidden to advertise their services, and the slightest breach was reported to the Scottish Solicitors Discipline Tribunal – an example is given in this Section. Until 1985, the Law Society of Scotland prescribed the fees chargeable by any and every solicitor for any and every non-court piece of business, such as conveyancing, trust and executry work, corporate work and general business – the ‘scale fee’ (fixed price) was applicable throughout the country. Until 1985, solicitors could act for buyer and seller of heritable property, for landlord and tenant and for others in what is now regarded as ‘a conflict of interest’ situation.

When the Royal Commission on Legal Services for Scotland reported in 1980, it recommended that solicitors should be permitted to advertise, that scale fees should be abolished and that Conflict of Interest Rules should be drawn up. It was clear that the government would legislate for all of these, and more, if the Law Society of Scotland did not introduce them voluntarily. For example, in 1985, two out of three Scottish solicitors were opposed to advertising as unethical, but under government duress, limited advertising was permitted in 1985 to avoid the imposition of a government regulatory regime; once the genie was out of the bottle, advertising was virtually unrestricted by new Rules in 1987.

In the same way, scale charges were abolished and new professional conduct rules were promulgated. These are rigidly enforced – in September 2012, a Crieff solicitor was ‘demoted’ from partnership to being a qualified solicitor in someone’s employment for three years for a single breach of the 1986 Practice Rules; he had been pressured by clients to act for both seller and purchaser in a conveyancing transaction when one of them was not already a client (this is permissible only where both are existing clients).

Balfour & Manson continued to expand steadily throughout the decade, as it had in the previous two decades, in people and accommodation and equipment. The thirteen partners and eighty-eight staff at the end of the previous decade grew to seventeen partners and one hundred and thirty staff by 1989. Further specialist-managers assisted with social work and furnished letting. Merger with R. Addison Smith & Co in 1982 brought not only new clients but also the public Registry of Friendly Societies for Scotland. Representing clients at three major Public Inquiries gave the Court Department a high profile, and cases involving international child abduction included visits to Johannesburg and Chicago.

After the flats above Nos. 58 and 62 Frederick Street had been fully integrated into the office, and the maindoor building at No. 66 had been linked by corridors to No. 62, Balfour & Manson’s accommodation almost doubled, from thirty-three rooms (eleven in each of Nos. 56, 58 and 62) to sixty (with eighteen new rooms in No. 60 and nine in No. 66). This enabled partners and staff to consolidate specialist work in areas of their choosing. A large new Cashroom was added to the rear of the building in 1982, and in 1985 the front room of No. 62, now Reception, became exclusively a

Property Showroom. As building work took place almost continuously throughout the decade, that will be the first main heading below.

The early 1980s brought ‘choices, choices’ in the installation of equipment. Three rival Scottish companies were developing the first computerized accounting packages for solicitors’ Cashrooms; they were all different, and they were all expensive – which one should the firm go for? Typewriters had moved from internal memory to loading data from removable discs and then storing it back onto discs. As they developed into Word Processors and then into Personal Computers, there was rival (incompatible) hardware on the market – Wang and IBM – and rival (incompatible) software – WordPerfect and Word – which to install?

In 1985, the Law Society of Scotland relaxed its opposition to solicitors advertising their services. Balfour & Manson took advantage of this in three ways. They produced a diary for 1986 which included the firm’s logo on the cover and eight pages about the firm and the partners. To celebrate the centenary of William Balfour’s qualification as a solicitor, they took a two-page-spread in *The Scotsman* in November 1987 and held receptions in the Signet Library in Parliament House and a lunchtime Service of Thanksgiving in St Andrew’s Church in George Street. In 1988, the firm entertained clients at a private showing of the *Gold of the Pharaohs* exhibition at the City Art Centre.

The building

1980 – Improved access to the flats at No. 60

As the firm was making more and more day-time use of the former Mowlem flats, and beginning to take over some of them permanently as offices, improved access from the first-floor landing of Nos. 58/62 was created in June 1980 by covering over the stair down to the lobby of No. 62 and using the extra space to build a ballustrade and new steps into the stair – no longer a ‘common stair’ as the firm now had exclusive use of the flats. For many years after 1980, a florist provided fresh plants on a weekly basis for the ballustrade. The stone stair down to the street was still available as a fire escape, but otherwise it was never used. The writer moved the entire (and expanding) Court Department into the rooms over No. 62, and the large front room over No. 58 became (and still is) the Library. The third floor was upgraded in 1989, with better toilet facilities, but otherwise the eighteen rooms in the flats are today more or less as they were in 1980.

1982 – A new Cashroom

The firm’s biggest-ever new-build, as opposed to taking over existing buildings, involved buying ground at the rear of 56 Frederick Street in 1981 and demolishing the existing decrepit building on it. The area was Grade B Listed and included in the New Town Conservation Area, but the firm’s Planning Application in October 1981 was supported by the Scottish Georgian Society and welcomed by the Cockburn Association, who said it ‘would replace an inferior structure revealed by the demolition of the adjoining property with a finish in stone’. The work was completed in August 1982, in time for the arrival of the first office computer – six screens linked to a processor – described later in this Section.



This 1981 photograph shows the demolition of an old building to the rear of No. 56 Frederick Street, which Balfour & Manson had purchased; once the site had been cleared, the present Cashroom was built on it.

1983 – Underground storage

Car parking was at a premium in central Edinburgh in 1983, so the owners of 2 Hill Street Lane North, also behind No. 56 Frederick Street, demolished it in order to create parking spaces, to be let out commercially. What could they do with the huge space under their carpark, the cellars of the original building? They offered to sell it to Balfour & Manson, but the writer was concerned that ownership would carry liability for supporting the car park above; accordingly, the firm took a twenty-year lease from 1983, with a suitable disclaimer about no responsibility for the car park. Access to what became the firm's main storage area for files was easily arranged by slapping through the rear basement wall of No. 56.

From the beginning, the area was damp and dehumidifiers had to run continuously, but it was fully utilized when the writer retired in 1997. Over subsequent years, increasing water ingress made the area less and less suitable for long-term storage of files and the lease was not renewed at its twenty-year break. At the time of writing, the cellarge is tolerably dry, and as it cannot be accessed by its owners except through the basement of No. 56, it will presumably sit there indefinitely. Files, which have to be kept for a number of years under Law Society of Scotland's Rules, are now farmed out to repositories.

1985 – Property Showroom

In 1985, the front room of No. 62 was redecorated by a client, with murals on the wall, given its own entrance through the door of No. 62, and fitted out with racks to

display properties for sale or lease. The sales team, supplemented by two additional managers, worked from behind a desk in the room.



Three pictures of the Property Showroom show (1) murals being painted on the walls, (2) the room's first Christmas tree, with the separate entrance to the Showroom in the background, and (3) some exhibits from the Edinburgh International Festival, which the property sales team rescued from the scrap-heap and used to give the already impressive room even greater distinction.

There are Adam's 'chimney pieces' (as they were originally known) in all the main rooms in the building, and the open-plan room showed the Adam's fireplace in the first picture in all its splendour.

1985 – Reception

At the same time, the main entrance to the office, still through No. 58, was floored with marble and an impressive desk was purchased from London for the two telephonists/receptionists. A new telephone system was installed and the 'in/out' board, which had been on the wall, was incorporated into the desk, where the receptionists could see it, although fee-earners still operated it as they passed by.



This reception desk was installed, and the floor was tiled, in 1985. Those who recognize the people in the photograph (Jim Rodger, Alison McCann and Sarah Roxton) will know that it was taken in 1991. As seen in the left-hand photograph, the 'in/out' board was incorporated into the desk. The desk is now in the front room of No. 62, and the 'in/out' board is back on the wall of No. 58.

1985 – No. 66 Frederick Street

As mentioned in Section Six, Balfour & Manson merged in November 1975 with the firm of Hutton Jack & Crawford, whose sole proprietor was Robert Borland. His building, No. 66 Frederick, comprised only the ground floor and basement. Unlike Nos. 56, 58 and 62, where the original houses had been on three floors, No. 66 had never had a drawing room flat; the first floor above street level was entered separately from the common stair No. 64.

For ten years after the merger, Mr Borland ran his own domain with his former staff. It was only after his death in 1985 that passageways were driven through the mutual walls at ground and basement levels, to connect the two adjoining buildings; the corridors ate into the rooms to the rear of No. 62 and it was necessary to build stairways to join the different levels. The Court Department moved from its short sojourn in the flats on the second and third floors above No. 62 and took over the whole of No. 66.

1985 – A link too far

Shortly after No. 66 was linked to the main building, as just described, one of the two shops at the corner of Frederick Street and Queen Street came onto the market. The firm looked seriously at it for two reasons. One was that Property Showrooms, where solicitors advertised houses for sale in large plate-glass windows seen directly from busy streets, were all the rage at the time; the other was that wheelchair access to the office could have been created from the back of the shop into the basement of No. 66. Neither was pursued, the latter because it would have made a very long corridor for wheelchairs, and the former because it was hoped to find a property outlet nearer to George Street. Disabled access was later provided at the door of No. 58, as described Section Nine.



The west side of Frederick Street, from Hill Street to Queen Street, in June 1987. Looking for a birthday present for the writer, his son Robin asked a friend to take this picture and framed it.

Office life

Summer Outings

By 1980, most large Edinburgh legal offices had a summer staff-day-away. Balfour & Manson's first outing was to the Marine Hotel in North Berwick in June 1979. The idea – continued throughout the 1980s – was to offer a choice of activities (sailing, golf, swimming, shopping) in the afternoon and then to dress up and come together for drinks, an evening meal and a dance. Busses left the office in mid-morning; those who opted not to go provided a skeleton staff at the office until normal closing time – taking the afternoon off was not an option.

In 1980, there was a choice in the afternoon of visiting the Blair Drummond Safari Park or cruising on Loch Katrine or golfing or hill-walking, with everyone converging on the Forrest Hills Hotel at Aberfoyle for the evening. Subsequent annual outings were to Crieff Hydro, Peebles Hydro, the Atholl Palace at Pitlochry (mountain-bike riding), Dunkeld Hydro, Inchyra Grange Hotel near Stirling and Dunblane Hydro (archery and bowls), with return visits to the most popular ones. However, in 2006, again to North Berwick, less than half of the staff opted to go; one reason was that Friday – outings had to be on Fridays so the participants had the week-end to recover – was the traditional day for settlement of property transactions, and in a busy week there could be a dozen of them on the one day. Other ideas were tried, as described in Section Nine.



Balfour & Manson were unfortunate with the weather on their first two summer outings. In 1979, thick fog over North Berwick prevented the planned sail around the Bass Rock; in this 1980's picture, those cruising on Loch Katrine on the steamship *Sir Walter Scott* are keeping dry under the ship's awning.

1982 - R. Addison Smith & Co

R. Addison Smith practised as a solicitor at 19 Heriot Row from 1902 to 1955 and also held a number of distinguished appointments. In 1952 he assumed James Craig, who had qualified in 1939, as a partner. When Addison Smith retired in 1955, James Craig continued on his own until 1972, when he assumed his son, James L.J. Craig, as a partner. They were general practitioners, with both Court work and Chamber work; in addition, the Craigs (in succession) held two part-time Government appointments, described in Section Ten, the Assistant Registrar of Friendly Societies for Scotland and the Assistant Certification Officer for Scotland for Trade Unions and Employers Associations.

By 1981, Mr Craig Senior wished to wind down, so they looked for a firm whose ethos and practice was compatible with their own. Through getting to know both Balfour & Manson and Nightingale & Bell by acting on the other side in Court cases, they were drawn to one or other of these firms. Little did anyone know, when they arranged to merge with Balfour & Manson on 1 November 1982, that nine years later Nightingale & Bell would be the next firm to link up with the expanding practice in Frederick Street. James Craig, Senior, became a consultant for two years, and James Craig, Junior, was a partner in Balfour & Manson until 2004.



James Craig, Senior, and the two Registry staff that he brought with him from R. Addison Smith & Co to Balfour & Manson. The photograph is at the retirement party for one of them, May Laing, in September 1994. James Craig, Junior, is on the right of the photograph.

Specialisation

Specialisation, including the employment of managers who had direct contact with clients, which had begun in the 1970s as mentioned in Section 6, expanded throughout the 1980s. In 1987, William Balfour employed an experienced social worker, Stephen Fox, who after training as an RGN and gaining a degree in Psychology at Stirling University had been working with the Borders Health Board. He managed the firm's Client Welfare Services. Another specialist was Sian Lewis, who ran the firm's Residential Leasing Department; again, both of these appointments are believed to be 'firsts' for a legal firm in Scotland.

When Michael Fox left in 1980, after nine years of innovative house selling, he was succeeded by Gordon McMurray; Sylvia Matthews, who had pioneered property purchases, handed over in 1983 to Murdoch Hartman for one year and then to Anne Hunter, who headed up the property purchase team for the next fourteen years.

Lawyers Christian Fellowship

Two of the partners, Neil McTaggart and John Hodge, were active members of the nation-wide Lawyers Christian Fellowship. (Its Honorary President, Lord MacKay of Clashfern, attended Neil's funeral in 2008 in recognition of Neil's contribution to the Fellowship.) They encouraged staff to join them for a snack lunch followed by a short Bible Study and time of prayer, sometimes on the office premises but more often at a venue, attended also by other legal offices, in one of the city-centre churches.

In the mid-1980s, half a dozen staff (not partners) took the initiative in arranging a lunch-time prayer meeting in the office. They included Alan Miller, Jonathan Prime, Dorothy Smith, Roslyn McCaskill (the blind telephonist), Alex Hutt (the Insurance manager) and Kathleen Stewart's secretary (who had sung a solo to Pope John Paul II

during his meeting with ‘The Young People of Scotland’ at Murrayfield Stadium on 31 May 1982). They encouraged as many staff as they could to join them – Norma Morgan remembers the pressing invitations that she received from Dorothy Smith and her curiosity at what took place. Those who attended felt supportive of each other and encouraged by the fellowship they enjoyed.

Apprentices become trainees

When the Scottish universities made the LL.B. a full-time degree in 1961, apprenticeship in the office was reduced from three part-time years to two full-time years. However, the Law Society of Scotland were increasingly concerned as the University curricula became more and more academic, and less and less vocational, with little training in professional skills. This meant that law graduates going to an apprenticeship were ill-prepared for practical work, and many offices were unaccustomed to providing structured training. The Society decided that it was not realistic to issue apprentices with a full Practising Certificate at end of the two years.

After lengthy discussions with the universities, it was decided that starting in 1980, LL.B. graduates who wished to become solicitors or advocates had to stay on at a university and take a post-graduate Diploma in Professional Legal Practice. Although it was taught in the universities, the tutors were all practising solicitors, reversing the trend toward full-time academics which had begun in the 1960s. The Diploma introduced students to the realities of legal practice, as distinct from the academic law they had been studying in the classroom. Those who completed the Diploma and still wished to become solicitors had first to enter into a two-year ‘contract of training’, which closely resembled apprenticeship except that firms no longer had to cover the whole gambit of conveyancing, litigation and trusts and executries. They were called trainees, not apprentices, and after the first year they could apply for a Restricted Practising Certificate.

Generations of trainees should be grateful to Bill Bryden, who became a partner in Balfour & Manson in 1991, for his intervention on their behalf. He had lectured in Civil Procedure at the University of Edinburgh since 1978. When the Diploma Course was under discussion, the academics wished to retain the traditional university policy that students must pass all seven subjects at one sitting. If they failed in one, they had to resit all seven at the next exam session. Bill Bryden, as a practitioner, persuaded them to allow post-graduate students to re-sit only the subject or subjects in which they had come down in the first round of exams.

Good though the intention may have been in 1980, it has to be said that the situation now is dire. Many who graduate LL.B. cannot find, or cannot afford, a place on the Diploma Course; many who complete the Diploma cannot find a firm willing to take them as trainees; many who complete the traineeship cannot find employment within the legal profession. It seems to be getting worse every year.

Retirement

When Fraser MacLennan retired voluntarily in 1984, at the age of seventy-five, the remaining partners decided that with the increasing complexity of the law, and with younger partners having built up pension funds, they should, for the first time, set a

retiring age for partners. Sixty-five was agreed, with the exception of Ethel Houston, who was already approaching that and who would stay until seventy. The writer, who supported the idea, was the first to go at sixty-five, but it was the right policy decision to take. Those who wished to maintain a connection with the firm, without being actively involved, could ask to be offered a consultancy.



Miss Elma Allison, the cashier from April 1965, retired in November 1988 at the age of 62. She still used the manual Remington typewriter on the desk in front of her at this retirement party in the Cashroom. The cards along the mantelpiece wish her well, but as a chain-smoker she had only another two years.

Domestic Property Purchases

Throughout the 1980s, the Property Purchase Department was a significant part of the firm. In 1989, four managers, working for three partners, submitted offers for about twelve hundred houses and made about four hundred purchases, a success ratio of one to three. They noted, however, how much more time was now required for a typical offer than had been the case only a few years before; an average house purchase now took four hours of their time and the average cost to the client was £120. Time-recording was just starting within the firm, and the team noted that their existing charging rate of £30 per hour for executives seemed fair to all concerned – the conveyancing that followed was carried out by qualified assistants at higher hourly rates.

Marketing and celebrations

Advertising

Until 1985, the Law Society of Scotland vigorously enforced its blanket prohibition on solicitors advertising their services in any way – taking them to the Scottish Solicitors Discipline Tribunal for professional misconduct. ‘The nameplate outside your office should not be unduly large and the object should be not to advertise your existence to the general public, but to enable a client to find your office.’ (*Webster*, 4.06) ‘The only permissible way of making your business known is the personal recommendation of a satisfied client.’ (*Webster*, 4.21). In any newspaper notice, such

as a specific house for sale or publicizing a Court order, the name, address and telephone number of the solicitor ‘must not appear in type larger or bolder than the largest other type appearing in the notice, and never larger than ten point capitals bold’. The writer was involved in one such prosecution in 1982. Solicitors in Ayrshire advertised in the local paper that they ‘would be open on 29, 30 and 31 December for anyone wishing further particulars of the properties they had for sale’. They were charged before the Tribunal, which held it was a breach of the Rules because it made no reference to any specific property – it was a general invitation to the public to come to their office ‘and in any event it is not customary for solicitors to advertise when they are open for business’. The Tribunal’s judgment concluded: ‘It is to be hoped that the publicity to be given to this decision will remind the profession of the importance of respecting the established prohibition against advertising’. (*Journal of the Law Society of Scotland*, 1982, 77-78.)

When the rules were relaxed, various ingenious ideas were tried. One Edinburgh firm placed banners on the side of the city buses; although it produced a good deal of comment, it did not produce any new clients and was discontinued. Professional advertising agents subsequently told the firm that it would have been more effective to place the information on the back of the buses, where following motorists had little option but to sit in traffic delays and look at the message blazoned there.

Balfour & Manson’s first ‘good idea’ was to have diaries for 1986 bound with the firm’s logo on the cover and eight pages of information at the front of the diary about the firm and the partners. These were distributed freely and many clients looked out (some even asked) for a diary in the autumn of subsequent years. The writer was pleasantly surprised at the response when he asked friends and business colleagues, about November, if they would like a diary for next year – the response was almost always, ‘Yes, thank you.’ Diaries have been similarly printed every year since 1986, but with so many people now using electronic devices, this form of advertising may not have a future.



An early diary cover

The Property Purchase Department followed this up by sending a Welcome Card to clients moving into their new home, timed to arrive on the date of entry. They also sent Christmas cards, and entertained surveyors at Christmas receptions. Full of

promotional ideas, they then purchased, and gave away, Balfour & Manson umbrellas; the writer has used the same one ever since, although the firm has twice changed its name and the distinctive grey colour, which the firm had adopted for its image in the 1980s, has long since reverted to white – as seen in the letterheads at the beginning of Section Eight. Umbrellas continued to be a popular with partners, staff and clients – three hundred were given away as Christmas presents in December 1995. Someone attending a wet Game Fair in the summer of the following year counted six among the spectators.

Centenary celebrations

In November 1987, the firm took two full pages in *The Scotsman* for a Special Feature on ‘City law firm marks its first hundred years’, the centenary of William Balfour’s qualification as a solicitor. During November there were two receptions in the Signet Library in Parliament House, one for clients and the other for professional colleagues.



(1) The Centenary Cake being delivered to the Signet Library; (2) on display, admired by partner Neil McTaggart and former trainee Karen Bruce-Lockhart, (3) cut by the senior partner, Ethel Houston and trainee Jeremy Balfour, great-grandson of the William Balfour who founded the firm (4) some of the guests and (5) another view of the cake.

A public service of Thanksgiving was held in St Andrews Church in George Street. One of the partners, Andrew Gibb, played the organ and the sermon was preached by a good friend of the partners, the Right Reverend Professor Thomas Torrance of New College in Edinburgh.

Building on the goodwill generated by the Centenary events, the firm sponsored a private viewing, for clients, of the **Gold of the Pharaohs** exhibition at the City Art Centre in 1988. The mask of Tutankhamun was on loan from the Cairo Museum, and other jewel-encrusted death masks, sarcophagi and priceless relics acquired by tomb-raiders were on display. The crowds during public opening times were so great that it was difficult to appreciate the exhibits, so clients were effusively grateful for having the exhibition to themselves for as long as they wanted.



The mask of Tutankhamun

Yellow Pages

If solicitors could advertise their services, why not take space in the Edinburgh *Yellow Pages*, a telephone directory of businesses, organized by category rather than alphabetically? There was some hesitation, because whenever advertising had been proposed up to 1985, some at the Law Society of Scotland Council repeated the mantra 'We are not plumbers'. The first 'copy', in 1989, was modest in size, but it brought in a few new clients and was continued and expanded over many subsequent years.

New areas of law

The Data Protection Act 1984

Meeting the requirements of this Act introduced the writer to two trends in business, both of which have accelerated over subsequent years. The first was the mind-set of ticking boxes to elicit information. The Data Protection Registrar required ticks on fifty-six sheets of boxes, with no provision for narrative or comment. What mattered was to 'tick all the right boxes'.

The second trend was to pull standard paragraphs out of the memory of an electronic typewriter and to call it a 'letter'. The Registrar's response to the fifty-six sheets of ticked boxes was to send a twelve-page letter, which included the following jargon:

In your above-mentioned change request you asked for the names of partners to be amended. By so doing you complied with the Registrar's requirement that you inform him of changes in partners. We intend to incorporate the following phrase within your entry: 'As the Data User is a partnership consisting of more than twenty partners, a list of the partners as last notified to the Registrar may be inspected on request.

Every change in partnership required the submission of another eight sheets of boxes, which elicited two more pages of standard paragraphs.

The Child Abduction and Custody Act 1985

If a separated or divorced parent had legal custody of a child, or was entitled to regular 'access' to a child, and if the other parent wrongfully took the child from Scotland to one of the many countries that had adopted the 1980 Hague Convention on International Child Abduction, the Court of Session could ask the Supreme Court of the other country to return the child to Scotland immediately. The feature of the Hague Convention was that the child's welfare was to be assessed only by the Court of the child's habitual residence; the function of the other Court was summarily to return the child to that country, without the usual enquiry into the best interests of the child. If a child had been wrongly brought to Scotland, the procedure worked the other way round – the Court of Session was to ensure the child's immediate return to the country from which he or she had been abducted.

The writer happened to be instructed in several of the earliest cases, and the successful conclusion of these led to other cases coming from correspondents all over Scotland. Increase in family breakdown and ease of international travel led to the Hague Convention being invoked more and more in this new and developing field in the later 80's.

There was, however, one complication. While the welfare of the child was not a reason for delaying a child's return, if the abducting parent claimed that return would place the child in an intolerable situation or run grave risk of physical or psychological harm, the local Court had to investigate and rule on that. These two (often spurious) defences were the last refuge of an abducting parent. If the claim was made, and if a key witness to it was resident in the other country, the Court of Session could appoint a Commissioner (an Advocate, to represent the judge) to go to that country, accompanied by the advocate and the solicitor for both parties (to question the witness) and a short-hand writer (to record the evidence).

Initially the Scottish Legal Aid Board accepted that if the Court of Session had granted a Commission, and if the client was in receipt of Legal Aid, the time and travel costs of these six people was a proper charge against the Fund. The writer obtained Commissions in two different cases, one to Johannesburg and the other to Chicago; the Board authorized Club Class travel to South Africa, but allowed only the

cheapest seats to America – to the disgust of the Commissioner, who sulked at the back of the plane. By the time the writer made his third application, to go to Australia, the Board were opposing Commissions so vehemently, on the grounds of cost, that no further overseas trips were sanctioned.

The media was often interested in these cases, but the writer learned the hard way not to give recorded interviews. Asked by a television reporter whether it was possible to get a Court Order in a country that had not adopted the Convention, the writer said that provided x and y and z could be done, the answer was ‘yes’. The BBC broadcast the question and ‘yes’, which may have made snappy viewing but it was nonsense to anyone with a knowledge of the law.

No Win, No Fee

In 1988, the Law Society of Scotland was concerned when Frank Lefevre, a solicitor who had practised in Aberdeen since 1959, set up (and was chairman of) a company called Quantum Claims Compensation Specialists Ltd. As mentioned in Section Three, solicitors in Scotland, including Balfour & Manson, undertook speculative Court work, that is they did not charge the client a fee for the work done and were remunerated only if they won the case and recovered expenses from the other side. The concern about Quantum were that they ‘negotiated, settled or prosecuted claims for damages’ on the basis of keeping a percentage (in the only reported case, twenty percent) of any damages recovered.

It was well-settled Scottish law that solicitors and advocates could not enter into such an arrangement with clients and, looking to the American scene (which it deplored), the Society tried to have it declared illegal for anyone to operate on a percentage basis here. It was held that as Quantum was a company, not a solicitor or advocate, freedom of contract applied; Quantum has flourished and now deals with about five thousand cases at any given time. Typing the words ‘no win, no fee’ into Google produces over a hundred thousand responses – and which of us has not been cold-called on the phone by someone asking if we have had any kind of accident within the last three years?

Public Inquiries

The Court Department of Balfour & Manson was involved in four major Public Inquiries within the space of a decade. In 1986, a Chinook helicopter carrying oilrig workers plunged into the North Sea off the coast of Scotland, with forty-five deaths. In July 1988, an explosion and the resulting fires destroyed the North Sea oil production platform *Piper Alpha*, killing one hundred and sixty-seven men. On Wednesday, 21 December 1988, Pan Am Flight 103, named *Clipper Maid of the Seas*, was destroyed by an explosive device, killing all two hundred and forty-three passengers and sixteen crew members. Large sections of the plane crashed into the town of Lockerbie, killing a further eleven people on the ground. On 2 June 1994, another Chinook helicopter, this one carrying almost all the United Kingdom's senior Northern Ireland intelligence experts, crashed on the Mull of Kintyre, killing all twenty-five passengers and four crew on board.

At the same time, the Court Department was heavily involved in pressing for compensation for haemophiliac clients infected with AIDS.

Conclusion of missives

When an offer in writing is made by one solicitor to another, for the purchase of heritable property, and when the offer is accepted in writing, the resulting contract is known as the 'conclusion of missives'. The writer, as a general practitioner during his early years with Balfour & Manson, was involved in the purchase and sale of many properties. The two great advantages of the Scottish system, in the 1950s and 60s, were speed and certainty. Offers usually covered less than a single sheet of paper, specifying the purchase price, the date of entry and maybe some simple and uncontroversial conditions, such as the inclusion of furniture. The parties had usually agreed these points verbally in advance, so they provided no surprise and could be readily agreed. An acceptance was usually sent by return of post, and this became a binding contract. Everything else was covered by 'common law'.

Scottish solicitors compared their procedure favourably with the English system whereby, although parties might agree terms in principle, they did not become legally bound until 'contracts were exchanged', typically only a few days before the intended completion date. Because no legally binding contract was in place, parties were free to change their minds or withdraw altogether. Gazumping and gazundering (almost unknown in Scotland) were rife, and it was reckoned that one in three English deals fell through prior to 'exchange'.

'One-up-man-ship' conditions

However, by the 1980s, some Scottish solicitors were adding their own 'one-up-man-ship' conditions to their offers, many of which were unacceptable to the seller. Some tried to obtain a higher rate of interest than the common law allowed if a purchaser failed to settle on the due date; others called for certificates about the central heating or about permission for building work done many years before. The next step was to append a schedule of conditions to the offer, some of which had no relevance to the property in question. As everyone initially had their own style of schedule, run off on their photocopier, scrutiny of offers became increasingly complex and time-consuming. Recognizing this, local Societies produced standard schedules, containing thirty or more conditions, extending to four or five pages. These had to be considered and agreed, modified or rejected, which could take weeks; during this, the original offerer might walk away or another offerer might intervene with a better deal.

Although the property was described as 'under offer', it was not sold, and the profession lost the great prize of a speedy conclusion of the bargain. Things improved for a while with the introduction of Combined Standard Missives and Clauses, which helped parties to conclude a bargain more quickly, but two new obstacles have now come along – outwith the control of the legal profession. One is that buyers and their solicitors are rightly wary of concluding missives until they know that a mortgage is available, and lenders (also wary) can be very slow in confirming the position. Prior to the recession in the mid 2000s, buyers would often act on the strength of a 'nod' from the lender, but when the recession came, some 'nods' were withdrawn because

of new lending criteria. Solicitors now urge buyers to obtain a definite offer of loan before concluding the bargain.

The other present-day cause of delay in the conclusion of missives is that before the recession, purchasers were 'purchase driven', buying the property they wanted and then marketing their own house, knowing it would very likely sell without a problem. Now, most buyers will not take that chance and will not conclude missives for a purchase until they have sold their own house ('sale driven'). In the writer's continuing role as Joint Auditor of the Edinburgh Sheriff Court, he goes over files from other firms where, not infrequently, missives were concluded only a day or two before settlement took place.

Registration of Title

Conveyancing practice was fundamentally altered in 1980 by the coming into force of the Land Registration (Scotland) Act 1979. Until then, the solicitor for the purchaser of heritable property in Scotland had to start from the beginning of the title deeds, in every transaction, no matter how often it had been done before, and trace the title from the first deed, usually a Feu Charter, through the various linking titles, to the present seller. This was called 'noting the title', and a conscientious solicitor would write out by hand, on a sheet of paper, a précis of every relevant deed – not least to demonstrate, in case questions were subsequently asked, that the job had been properly done. The new system, introduced across Scotland County by County, required the purchaser's solicitor to apply for First Registration in the Land Register, which replaced the Register of Sasines. Once a title was registered, the solicitor for a future purchaser need go no further back.

Equipment

The first computers

By 1980, three newly-formed Scottish companies were pitching for solicitors' business in two related but initially separate areas – computerized word-processing for text-production and computerized accounting packages for the Cashroom. They were all desperate to install their system in at least one office, and then to give demonstrations to other solicitors of something up and running. None of them claimed at that stage to have a package which combined both word-processing and accounting, although they all said this would come. The writer remembers looking at an accounting system in 1981, in the Cashroom of a neighbouring firm, Warden Bruce, which had cost £20,000, and which had a staggering (for that time) twenty megabytes of memory.

The decision on which word-processing package to install was the easier of the two, because, as mentioned at the beginning of this Section, Visual Display Units (VDUs) were simply a progression from memory typewriters, through removable discs, to terminals linked to a Central Processing Unit (CPU) or to stand-alone machines with huge memory capacity. The hardware which the various vendors offered was more or less the same, but the problem was with the software, because there were two rival (incompatible) word-processing packages on the market, WordPerfect and Word. The writer opted for the former, and throughout the 1980s it out-performed its rival.

However, when WordPerfect was taken over by Coral, they stopped developing it and by the 1990s it was eclipsed by Microsoft Word; what happened next is taken up in Section Eight.

To decide on the best computerized accounting package for Balfour & Manson's Cashroom was more difficult. As mentioned, there were three Scottish companies actively canvassing for this business. One was technically the best, but the designer's jargon was incomprehensible; the second was easily understood, but their product was mediocre; the third was attractive but their financial stability was questionable. The writer therefore recommended going to another company altogether, then called Micos and soon to change their name to Optim; they were leaders in computer technology and clear in explaining it, but they had no existing legal customers. They were, however, prepared to start with a blank sheet and write whatever programme the firm wanted – a 'bespoke' programme.

There was an amusing incident while they were making their presentation to the partners in their Glasgow office. One of Balfour & Manson partners was sceptical about their claims, and asked about their present clients. On learning that these included the National Trust for Scotland, the partner challenged them to find her name on their database. When the name was keyed in, the instant response was not only the name and address, but also the comment 'this year's subscription outstanding'.

Further 'choices, choices'

With the decision about the supplier made, there were further 'choices, choices' – what size of screen (15 inches), what colour for the text on the screen (orange), how many terminals (six), where to put them (all in the Cashroom), what layout for the data, etc. The hardware was delivered on 15 December 1982 and quickly cabled to a central processor. An office competition to give the new system a nickname was won by George Shiels with the name 'Abacus'.

Abacus expanded rapidly, and by the end of the decade there were sixty-five terminals throughout the office. The system served the firm well for seventeen years, but it was not compatible with the Personal Computer network which was started in 1992. The writer noted at that time: 'all new applications and enhancements to the network system must have in view the eventual transfer of the Abacus system into the network'. The writer retired before that happened, but it was achieved in 2000 by a newly-appointed professional computer manager, as described in Section Nine. Bespoke systems had had their day, and a new network took the place of both existing networks.

Scottish Society for Computers and Law

In 1970, the Law Society of England and Wales set up a committee to look at the possible use of computers in solicitors' offices; its focus was on time-recording and on accounting systems. When a law lecturer at Edinburgh University heard about it, he organised a conference here, which led to publication of a report entitled *Computers for Lawyers*.

The English committee started a Society for Computers and Law in 1973 and Scotland soon followed with a Scottish branch. When Balfour & Manson first began to think about a computer, in 1978, the writer became an enthusiastic learner at the monthly meetings of the Scottish Society. Attendance at SSCL meetings has always been free, with members encouraged to bring colleagues to its events. Its thinking and advice was a significant help in Balfour & Manson's learning curve into the use and understanding of information technology, as it came to be known – IT.

Telephones

By 1985, the firm's telephone exchange could no longer cope with the volume of business. The writer therefore went to London in October 1985 with the office manager and the personnel manager, to inspect a PABX (private automated branch exchange) on offer by Thorn-Ericson. This formidable machine had 102 extensions, although still only one operator. It required a whole room in the basement to store its batteries and accessories, and the entire building had to be rewired. The firm took the opportunity of upgrading the receptionist's desk in the lobby of No. 58, from which the new system would operate. There are pictures of the desk at the beginning of this Section.

Telecom Gold

The Internet, which had been created for military use as far back as 1969, was made available to the public in 1984; the World Wide Web, which runs over the Internet, was invented in 1989, but did not 'take off' with the public until the ability to 'point and click' (using a mouse to move the pointer to a location on the screen and then clicking the button on the mouse) became widely available in 1994. This made the operation of Personal Computers much easier than moving a blinking dot around the screen by pressing the arrow keys. However, two years before the Internet was available, Balfour & Manson were using email – the first legal firm in Scotland to do so. Telecom Gold, British Telecom's first commercial electronic mail service, was available to the public from 1982. It had online directories and a notice board and other databases, but the most exciting feature was e-mail to and from other users worldwide, especially in European countries and the Americas – the first online chat facility. The writer acquired several new clients by chatting with people on-line. Telecom Gold became obsolete when the Internet took off in the later 1980s.

Telex

In April 1983, the firm installed a Telex machine in the cupboard under the stair of No. 58, partly because one of the firm's major clients was doing business with New Zealand, and Telex was particularly useful in communicating with different time-zones. Once the user had connected our machine by telephone to another user, whatever was typed on one machine was instantly reproduced on paper on the other machine. A message sent during business hours from here was read and responded to during business hours in New Zealand, to await the next business day here, and so on. It was, however, useful for local business as well, and the Law Society of Scotland published a Directory of Scottish Telex Users. The arrival of Fax in November 1984 largely superseded Telex, but it was kept on until the end of 1988, because the office stationery had the Telex number on it.



The British Telecom 1980s telex machine

Fax

Fax is so familiar that little need be said about it here. Balfour & Manson installed their first one in 1984, and there are now five machines scattered around the different Departments.

Pagers

There were no mobile telephones in the 1980s but in January 1987 the firm leased three British Telecom radio pagers. People going to Court or to visit a client took one, and if the office wanted to contact them, the telephonist typed a short message and sent it via a unique phone number to the window of the pager. The recipient could not respond over the pager, so the message was often simply to phone the office, but at least information could be got to people who would otherwise have been out of contact.

New partners during this decade

Telfer Blacklock (Lit. 1987-92),
 James Craig (Pte. 1992-2004)
 Alastair Keatinge (Com. 1988-2003)
 Janis Mackay (Pte. 1987-88),
 Margaret Neilson (Lit. 1987-2006)
 Johnny Prime (Lit. 1988-93),
 Ken Robertson (Pte. 1987- now),
 Kathleen Stewart (Com. 1984-88),

Short biographies are available for:

Telfer Blacklock was born in Edinburgh in 1958, his secondary education was at George Heriot's School, his legal education at Edinburgh University (MA L.L.B and

Diploma in Legal Practice) and he did his traineeship with Balfour & Manson from 1982-84. He stayed on as a qualified assistant in the Court Department and was assumed a partner in 1987. In 1992 he left to set up his own practice in Leith under the name Blacklock Thorley, and is still there, now under the name Blacklocks.

James Leith Johnston Craig was born in Edinburgh in 19xx, educated at George Watson's College and at Edinburgh University and served his apprenticeship with W & J Burness in Edinburgh from 1966 to 1968. They offered him a post as a qualified solicitor at £1,000 a year. Looking for wider experience, he found a firm in Kirkcaldy that offered £1,600, £1,800 and £2,000 for a three year contract, which not only gave him the experience he was looking for, but enabled him to get married. He joined his father in Heriot Row in 1971, and became a partner in 1972. He retired in 2004 and died in June 2013 after a long battle with cancer.

Kathleen Margaret Stewart was born on 25 January 1946 in St Andrews, graduated MA (History) from the University there in 1968, went on scholarship to Virginia, USA, from 1968-69 and then graduated LLB (Law) at Edinburgh University in 1971. Her traineeship was partly with Strathern & Blair and partly with Maclay Murray & Spens in Glasgow, where she stayed as an assistant until 1975. From 1975-80 she was senior corporate assistant with Coward Chance, London, during which she studied English Law to complement her Scots Law qualification. From 1980-84 she was senior legal assistant with Dundas & Wilson, Edinburgh and Maclay Murray & Spens, Glasgow, then came to Balfour & Manson as (our only) corporate law partner until 1988. She moved to McGrigor Donald for a decade, then Semple Fraser, Solicitors, Glasgow and Edinburgh and in 2004 she set up her own legal practice for mid range corporate bodies and other organisations.

Section Eight – Queen Street to Hill Street – 1990 to 1999

Overview of the 1990s

Many of the developments during earlier decades were ‘writ larger’ in the 1990s, together with other and novel ideas. Balfour & Manson’s merger with Nightingale & Bell (four partners and thirty-one staff) in January 1991 created the largest litigation practice in Edinburgh. The merger required a new telephone system which, with direct inward dialling and voice mail, improved clients’ contact with individuals in the firm. In 1992, the office’s Personal Computers, stand-alone novelties in the 1980s, were linked into a network communicating electronically with each other and with the outside world. In 1993, smoking was prohibited in the building except in designated areas. In 1994, three of the most senior partners retired, with memorable farewell events for clients and for partners and spouses. In 1995, Time Recording became mandatory and the first formal staff appraisals were introduced.

1996 brought the biggest reorganization the firm has ever undertaken. Most partners had gradually been specializing to some extent over the years, but the firm was, in parts, still a collection of individual practices under one roof. After taking specialist advice, the firm divided itself into formal Departments, with teams within the Departments, and no one was permitted to dabble outside their area. In 1998, further property acquisitions extended the building from Queen Street in the north to Hill Street in the south. The first Human Resources Director and the first Central Services Manager were appointed; Post Qualifying Legal Education became compulsory; Associate solicitors were appointed; a Chairman replaced the Senior Partner. In short, the traditional ‘family firm’ became a ‘business’ during the later 1990s.

Expansion and its consequences

Nightingale & Bell

A brief history of Nightingale & Bell is set out in Appendix One. In 1990, its four partners Bill Bryden, Malcolm Wylie, Spencer Kennedy and Kenneth McGowan (details at the end of this Section) were practicing from 5 Alva Street, acting for five major United Kingdom insurance companies and specializing in personal injury cases, fire and flooding and contract disputes. They approached Balfour & Manson, who had just bought yet another flat, this one entering from the common stair No. 64 Frederick Street. It was easily linked into the Court Department at No. 66, so Nightingale & Bell’s litigation team moved in there in January 1991.



The firm's notepaper before and after the merger with Nightingale & Bell. As well as the change in design, the grey-green background which the firm had used during the 1980s reverted to a traditional white. The combined name was used for four years, until the end of 1995, and was then shortened back to Balfour & Manson.

Financial pressures

The merger created a medium to large firm by Scottish standards, but it is only fair to say that the cost of the new flat and its integration into the rest of the building, together with the inability of the former Nightingale & Bell partners to sell 5 Alva Street, made the Spring of 1991 very tight financially for everyone. The combined salaries of the thirty-one new staff was £288,700 a year, and it was some time before fees for their work in their new environment began to come in. Salaries were reviewed annually on 1st April, and it was the writer's practice to hand a personally-addressed letter to everyone on the staff, with the new figure and some general comments. His letter of 28 March 1991 read:

I believe that the merger of Messrs. Balfour & Manson with Messrs. Nightingale & Bell has gone smoothly, and sincere thanks are due to all who have worked hard to achieve this. We have tried to strike a balance between the expenditure which was necessary to bring 35 new people into an existing building, and the need to stay sufficiently in the 'black' to keep the business going. With the installation of central heating, re-wiring, adaptation of the larger rooms, new desks, chairs and cabinets and certain basic equipment, we have spent over £150,000 since 1st November 1990. Adding that to the salary bill, which is now £1.5 million per annum, means that this year's annual review could not be as generous as we would have wished.

It has been a difficult winter for some aspects of the legal profession. Property sales are down, because of the recession, and commercial clients are undoubtedly holding back just now. With the spread of our business, through most of the aspects of legal practice, we are confident that we can hold our own and that when there is an upturn in the economy we will be well placed to take advantage of it. What we are able to say, with satisfaction, is that there will be no redundancies in this firm through the present recession. We have heard of other firms, where there has either been no increase in salary at all or where this has been possible only by making some of the staff redundant. We are determined to avoid both of these drastic measures.

With the building work behind us, we hope to see better days in the future, but for now we have to consider carefully what we can afford at this particular time. The latest Government predictions are that inflation will fall to about 4% by the end of this year, but we are conscious that the salary review at 1st April 1991 is not as generous as we would have wished. All I can say is that with 127 different salaries to be reviewed, this is all the firm can afford at this present time.

Some of the responses to that letter made clear that the authors were very concerned about their personal and family situations. However, the determination expressed in that letter, to avoid compulsory redundancies, was achieved.

Property

64 Frederick Street

In January 1990, the National Dock Labour Board, which owned and occupied the whole of the first floor flat entering from the common stair No. 64 Frederick Street, moved elsewhere. Balfour & Manson bought it for £300,000, and built a staircase from the ground floor of No. 66 to the south end of the new flat – a continuation of the existing stair from the basement to the first floor of No. 66. The door into the common stair was closed except as a fire escape. The renovation and decoration cost £30,000, but it created space so that when the partners of Nightingale & Bell approached the firm shortly after the work had been completed, their litigation people could be integrated into the Court team already there.

54 Frederick Street

Until 1996, the flats over No. 56 Frederick Street were entered only by the common stair No. 54; their history is set out in Appendix Two. In April 1993, the owners and occupiers, the charity Samaritans offered to sell the property to Balfour & Manson for £115,000, provided they could have a lease-back for twelve months certain and then until either party gave three months notice. This gave the firm the option of further expansion in the future, and income of £13,000 a year in the meantime. When the Samaritans gave up the tenancy in the Spring of 1995, Balfour & Manson looked for other tenants; when none were found, it was decided in February 1996 to take the plunge and to link No. 54 by corridors with the existing office in No. 56 and (to quote the Planning Application) ‘to incorporate all three floors of No. 54 into the adjoining No. 56, for office use’.

Mutual walls were slapped through at second and third floor levels. Again, this meant eating into existing offices to create corridors, and forming stairs to connect the half-landings. Some of the larger rooms were partitioned and this part of the building now houses the Commercial Department.

52A Frederick Street and a view to the south

In the final building project of the decade, a new corridor in 1998 took the firm into the first floor flat known as No. 52A Frederick Street, and so to a view of Hill Street.

Sime-Malloch, the owners of the shop at the corner of Frederick Street and Hill Street, had used the self-contained flat as print rooms; it was now surplus to their needs and they offered to sell it to Balfour & Manson for £98,000.

As with the other flats incorporated into the main building, the stone staircase to the street was closed except as a fire-escape. There was, however, a problem because the stair to No. 54, which had to be preserved as a fire-escape, was in the path of any link between the new flat and the rest of the building. The solution was to bridge over it; one could now look out onto Hill Street to the south and then walk (dropping down a floor at some point) to look out onto Queen Street to the north. The first floor of 52A is the only part of the complex where the firm does not now occupy the basement, ground and first floors.

Summary of the expansion

From six rooms in 58 Frederick Street in 1931, Balfour & Manson expanded by 1998 to occupy almost the whole of the west side of Frederick Street between Hill Street and Queen Street – acquiring seventy new rooms in less than seventy years. The property is now a Category A Listed Building, in the New Town Conservation area, and a World Heritage site. It may be helpful to summarize the developments, as nothing further has taken place since 1998 and the partners have taken the policy decision to remain in Frederick Street.

- 1931 Purchase of No. 58 (three floors)
- 1945 Allowed to use the first floor of No. 62
- 1949 Link by tunnel from No. 58 to No. 62 at street level
- 1955 Purchase of No. 62 (three floors)
- 1960 Stair to basement of No. 58 floored over, and waiting room created
- 1960 Front door of No. 62 closed and its vestibule used as an office
- 1971 Purchase of No. 56 (three floors) and links to No. 58 at all three levels
- 1971 Lease of flats in No. 60, and daytime use made of some rooms by the firm
- 1973 Link from No. 58 to No. 62 at first floor by removing the dividing wall
- 1973 First link from No. 62 into the common stair, No. 60
- 1974 Cellarage created under No. 2 Hill Street Lane North
- 1975 Lease of No. 66 (ground and basement), used by Mr Borland and staff
- 1980 Improved access to the flats in No. 60 and closing the common stair door
- 1981 Purchase of ground in Hill Street Lane and cash room built on it
- 1982 Cellarage and storage area created under Hill Street Lane North
- 1985 No. 66 linked to No. 62 at ground and basement levels
- 1990 Purchase of first flat of No. 64, and link to No. 66 by a new stairway
- 1996 No. 54 (purchased in 1993) linked to No. 56 at second and third levels
- 1998 Purchase of first floor of No. 52A and link to No. 54

Despite all this, the entire building was, at a recent practice fire drill, evacuated in one minute and fifteen seconds.

Office life before the 1996 Review

Solicitor Advocates

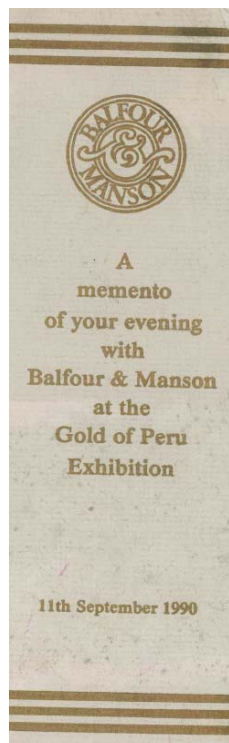
In 1990, suitably qualified solicitors were granted rights of audience in the Supreme Courts of Scotland and also in the House of Lords and the Judicial Committee of the Privy Council. They could apply to be heard in civil or criminal Courts or both. Their professional conduct and reputation and their competency in the practice and procedure of the Supreme Courts was examined by the Law Society of Scotland, who provided training and set an examination. The first to become a Solicitor Advocate in Balfour & Manson, Nightingale & Bell was Spencer Kennedy.

Accredited specialists

Also in 1990, the Law Society of Scotland started an accreditation scheme, 'to recognize solicitors who develop specialist knowledge during their careers, and to help the public choose a solicitor with the necessary expertise, particularly in more complex cases.' At the time of writing this Section, Pamela Loudon, David McIntosh and Lisa Gregory are accredited in Personal Injury Law, and Andrew Gibb, Shona Smith, Alastair Milne and Morven Douglas in Family Law.

Entertaining clients

The enthusiastic response from clients invited to the private showing of the **Gold of the Pharaohs** exhibition in 1988 encouraged the firm to have a similar evening when the *Gold of Peru* was on display in the Art Gallery in Edinburgh in September 1990. The reverse of the book-mark-memento of the evening describes the firm as it was just before the merger, three months later, with Nightingale & Bell.



The book-mark-memento of the *Gold of Peru Exhibition* carried, on the reverse, full details of the firm sponsoring the evening.

Children's parties

For three years, from 1992 to 1994, the partners' wives arranged a Christmas party in the office library for the younger children of the firm's staff. The large mahogany table in this picture has a history. Francis Balfour and his wife were always hospitable at home, and in 1934, looking for a table large enough to put out food and drink for many guests and yet small enough for family meals at other times, went to the auctioneers Lyon & Turnbull in George Street and bought a multi-purpose dining room table. It was basically a small square table that comfortably seated four, but it could be expanded by 'cawing' a handle to open it up in the middle and add up to three additional sections. The result, when fully extended, is seen in this picture. It went with them to their various homes and then, when their last home at 18 Moray Place was sold in 1978, it came to the office. When the library needed more flexible desks, William Balfour took it to his New Town flat, where it still expands and contracts as required.



The 1993 children's Christmas party in the office library. Pat Gibb and Joyce Balfour are at the far end of the table.

Scotland the What?

The firm arranged occasional outings to the King's Theatre in Edinburgh, to a musical or to a pantomime. The one on Tuesday 8th October 1992 was memorable, because Bill Bryden, one of the partners, had helped the three Aberdonians who made up the comic team *Scotland the What?* at a turning point in their careers. They remembered this and entertained the partners and staff of Balfour & Manson privately after the show.

The background was that in the 1960s, Steve Robertson was the junior partner in a firm of solicitors in Aberdeen who sent their Court of Session work to their Edinburgh correspondent, Bill Bryden at Nightingale & Bell. Steve Robertson and Buff Hardie

had performed together in student shows in Aberdeen since 1952, and they later teamed up with George Donald. In 1969, Steve phoned Bill Bryden to say that the trio had decided to concentrate on their careers – he in law, Buff in the Grampian Health Service and George as a deputy headmaster – but as a finale and farewell to their cabaret years, could Bill rent a hall for them for a week during the Edinburgh Festival Fringe, for them put on a show under the banner of *Scotland the What?*

Accommodation was (and still is) hard to come by during the Festival, but Bill found them a hall in Albany Street. Favourable reviews of their sketches and songs, performed in the dialect of the North-east of Scotland, the Doric, and often set in the fictional Aberdeenshire village of Auchterturra, encouraged the manager of His Majesty's Theatre in Aberdeen to book them for two nights. Both nights were sold out, so one by one they gave up their existing jobs and embarked on a twenty-six-year stage career. Steve's book includes a parody of his conversation with Bill Bryden that started it off.

Departmental Christmas lunches

The success of the summer outings, described in the last Section, prompted the idea of having Departmental lunches as Christmas approached, with the rest of the afternoon free. Starting in December 1992, the partners were encouraged to arrange a Christmas lunch for everyone in their embryonic Department, for which the firm contributed £15 a head. By doing this on different days, the majority of the office was still open for business. From 1995, Departments were asked to make up smaller groups, eight or ten people, to get to know each other better. It has to be said, looking back, that since people were not expected to return to the office, the lunches became excessively long, and since existing friends went out together, there was not much new team-building; the idea was replaced by an all-office lunch, as described in the next Section.

In addition, groups within the office arranged many social evenings, especially at Christmas time. Surviving photographs of these evenings – deliberately not printed here, to avoid embarrassing the revellers – show that 'a good time was had by all' who went.



A social occasion in the 1990s – Kathleen Law, Bill Bryden, Anne Pacey and John Hodge.

Smoking ban, 1993

A questionnaire to all staff in January 1993 showed that seventy-five percent favoured a ban on smoking throughout the office, except in one designated area. The minority accepted this without protest, and the new policy became effective immediately. It applied also to clients in public areas of the office, but if a client asked to smoke during an interview in a private room, the person conducting the interview had discretion – after all, it was that person, and that person only, who would have to work with the consequences after the client had left. Throughout the 1990s, more and more offices in Edinburgh, and also some restaurants, voluntarily became smoke free and then, in March 2006, Scotland became the first country in the United Kingdom to make smoking illegal in public places.

New clients

In August 1994, one of the partners analysed where new business was coming from, and found that 327 recent new clients had come to the firm by:

	No.	%
Referral from a country correspondent	90	28
Recommendation by existing clients to relatives	78	24
Off the street or telephone enquiry	45	14
Law Society, CAB, Building Society	31	9
Partners and assistants personal contacts	26	8
Recommendation by existing clients (no relation)	23	7
Army (as explained below)	11	3
From another partner	9	3
From other Department	8	2
Relative of partner or staff	4	1
Advertising	<u>2</u>	<u>1</u>
	<u>327</u>	<u>100</u>

The first category meant that people moving to Edinburgh had asked their local solicitor to recommend a firm here, and those for whom Balfour & Manson acted as Edinburgh agents in Court of Session work had provided an introduction – another example of the importance of the correspondent network. The Army link was through Sarah Connon, one of the qualified assistants, whose husband was a serving officer; she offered a package to help service personnel relocate to Edinburgh from overseas postings, and went to overseas garrisons, like Berlin, to promote the package.

The compiler of the analysis added two notes to his chart; one new client had come simply because he liked the firm's logo. The other note was that while the writer was being operated on for a hernia by a surgeon, who was renting a house in Edinburgh and looking for one to buy, the writer had recommended the firm to the surgeon, but the compiler commented that there must be easier ways of gaining the ear of the medical profession.

Three partners retire

In October 1994, three of the most senior partners retired – Ethel Houston, whose working life had been spent with the firm and who had been assumed a partner in 1949, and Harry Denholm and Malcolm Wylie, who had joined the firm in 1979 and 1991 respectively after being partners elsewhere. October was the usual month for such events as the firm’s financial year ran from November to October.

A Reception was held for clients in the Playfair Library in the University’s Old Quadrangle, with the three retiring partners choosing the guest list. Even more spectacular was the Retirement Dinner for partners and spouses in the Scottish National Gallery of Modern Art in Ravelston. The current Exhibition was open to the guests before the meal, provided that only white wine was carried round the Gallery – it could be mopped up if accidentally spilled, but red wine stains were much harder to remove. The dining room was then opened, and a string quartette played throughout the meal. Unfortunately, no photographs of the event are available.

The first Associate

In 1990, the partners recognized the contribution that Gretta Pritchard was making to the firm by offering her a new role, with the title of Associate – a great deal more than a qualified assistant, with her name on the notepaper and with the authority to sign mail, but not a partnership. It was an excellent idea, and when she retired in February 1995, the same balance was struck by having a small Reception in the office boardroom, for clients to meet the partners to whom she was handing over her work, and an early-evening Reception in the Merchants’ Hall for the legal profession and some of her personal friends – light refreshments and no speeches.



At the Reception in the Merchants’ Hall in Hanover Street on Friday 10 February 1995, the day of Gretta Pritchard’s retirement as an Associate. On the left, her choice of a retirement present from the firm – the picture that hung on the wall of her room; on the right, speaking with the Lord President of the Court of Session, David Hope, who had, in the previous month, been created Baron Hope of Craighead.

More associates

The concept of Associate had worked so well that when Gretta Pritchard retired, all the qualified assistants were invited to apply, if they believed they were making an outstanding contribution to the firm. Two were appointed right away, Elaine Motion (later a partner) and Dorothy Shanks, and in the following year three more, Christine Stuart (later a partner), Ann Logan and Jill Sutherland. By 1999, there were eight Associates and seventeen partners and fifteen other qualified solicitors.

Continuing Professional Development

As mentioned in Section Six, the Law Society of Scotland had encouraged Post-Qualifying Legal Education from the early 1970s, but in 1993 the Society made it compulsory. Under the new title of Continuing Professional Development, all solicitors were required to undertake twenty hours of study a year, of which fifteen had to be collective. This led to many bodies, including Balfour & Manson, setting up seminars to provide CPD hours; careful records had to be kept of the subject and the names of the people attending, because the Law Society of Scotland carried out spot-checks on the self-certification forms lodged annually with them.

Staff appraisals

As mentioned earlier, staff salaries were reviewed annually, in time for the new figures to take effect on 1st April. In preparation for the 1995 review, it was decided that all staff, qualified and unqualified, should be formally appraised – the first time that such a thing had happened. This meant everyone filling in a form and then going over it with a senior person at a personal interview. It was symptomatic of the way that Management was expanding in offices generally, that there was a training session ‘on the correct way to fill in the forms’.

Hockey and cricket

Throughout the 1990s, Balfour & Manson participated enthusiastically in hockey matches arranged through an informal league of legal and accountancy firms and the Faculty of Advocates. The team was captained by as senior a partner as possible, and James Craig was deemed to be the fittest of the older partners.



James Craig (on the right of the back row) captained the hockey team for five years in the mid-1990s.

Only one other firm, Drummond Miller, wanted to hold cricket matches on a regular basis, so these were keenly competitive on the basis of 'you won last time'.



Mountaineering took two forms. Alastair Keatinge arranged for groups to climb at least one Munro a year. For the afternoon of the annual office outing, John Hodge led a hill-walking expedition every year from 1989 to 1994.

Statutory 'take-overs'

In Section Three, lamenting the creation of the Scottish Legal Aid Board, there was mention of three other examples of Government replacing an efficient and cheap system, run by a single lawyer, with a cumbersome and expensive administration staffed by non-lawyers. The admission of solicitors as Notaries Public is described in Section Ten; until 1992, this was dealt with personally by a solicitor in private practice appointed by the Crown – Francis Balfour held the post from 1937 to 1971 and William Balfour from then until 1992. It was self-financing – the applicant paid an admission fee to the Clerk – and there was one known, friendly and knowledgeable person for both applicants and members of the public to contact until, by Statute in 1990, 'the offices and functions of the Clerk to the Admission of Notaries Public and the Keeper of the Register of Notaries Public are to be transferred to the Council of the Law Society of Scotland'.

As mentioned above, James Craig was, in succession to his father, the Assistant Registrar for Scotland for two public bodies. Like the Clerk to the Admission of Notaries, he kept the files, met the people, answered their questions and used his own office staff for the secretarial work. When the Financial Services Authority became involved in 2001, James found communication with them to be impracticable and resigned.

The third area has not happened yet, but is due to take place soon. The writer was appointed Joint Auditor of Edinburgh Sheriff Court in 1991. The work did not require one penny of public money, as it was financed by charging a percentage of the Account to the person lodging it. Plans by the Scottish Government are well under way to make this a salaried post, paid for from public funds, with not necessarily a

solicitor appointed – as would have happened when the last Auditor of the Court of Session retired if the Government had not overlooked the legislation which made only solicitors eligible for that post.

One story, probably apocryphal, about Government trying to take over, is worth recording. When the writer first became involved in the Court of Session, a bagman called Willie Scoon emptied the boxes of papers in the corridor of Parliament House into bags and collected the papers from the judges' rooms, and then, with his elderly van, delivered them to the advocates' and judges' homes or chambers in the New Town. He went back on the following morning, uplifted the bags, and delivered them to Parliament House. For this, he had a key to all of their front doors. Someone in the Civil Service questioned why someone who was not accountable to Government had this access, and the Civil Service was asked to take it over. According to the story, they said that sixteen people and four vehicles would be required; the report was quietly shelved and Willie Scoon and his van continued with the work until he retired.

Equipment and office services

One hundred and twenty telephones

Those who have known the office only since 1990 may wonder why one hundred and twenty telephones are given a heading and a paragraph. It is to contrast the position in 1990 with the position only thirty years before, when nine extensions were sufficient for all the office needs (Section Five). With the imminent arrival of thirty-five people from Alva Street, Balfour & Manson's telephone suppliers advised that one hundred and twenty extensions were required, and that two operators, sitting side by side at the desk in the entrance hall – photograph on page 92 – could no longer be expected to answer every incoming call and announce it to the recipient. They recommended direct inward dialling to dedicated numbers, with 'hunting groups' so that unanswered calls would automatically pass from extension to extension until someone in the group took the call. Callers had the option of voice-mail if they wanted to leave a message for a particular person, and call-transfer within the building enabled anyone who had answered the phone to pass the caller to someone else. Partners and staff could divert calls with a 'do not disturb' button, and music played while an incoming call was on hold. Another innovation was a discreet signal in the ear of someone on the phone to advise that another call was stacked and waiting. This is all now 'old hat' compared to what is available today, but in 1991 it was exciting and new.

One curious feature, looking back, is that direct telephone numbers were not publicized, and the firm's telephonists were not permitted to give them to enquirers – only the fee-earner concerned could give out his or her personal number. Also looking back, the writer may have been overanxious about putting the new technology to its best use, but in his capacity as Senior Partner he sent a memorandum to the other partners in November 1994 which included this rather intemperate paragraph:

Partners should encourage everyone occupying multiple rooms to stagger their breaks, so that there is always someone available to take a message. With the pick-up facility on phones, no one need move out of their seat to answer another phone. Unavailability of someone to take messages causes great dissatisfaction, not only to clients, but to opponents in contentious matters. Why must calls go

round the building and back to the switchboard, while the caller is left holding the phone, because all the group go out together?

Apologies now for any offence caused.

A network of Personal Computers

By 1992, all the secretaries and most of the fee-earners had Personal Computers with WordPerfect; the former preferred a blank screen in monochrome, without a mouse, so they could work without lifting their hands from the keyboard, while the latter, who had various specialist packages, liked a coloured screen and a mouse – but they were all ‘stand-alone’ machines. The enormous leap forward in September 1992 was to link them into a network, able to communicate electronically with each other and with the outside world. Everyone on the network could now send emails to each other or to a group, and everyone could access the client accounts in the Cashroom. Several fee-earners now kept their diaries on the system, where any user could look at them. From 1994, everyone in the office could access the World Wide Web; as mentioned in the last Section, this had been invented in 1989 but did not take off until the facility to ‘point and click’ became widely available in 1994.

Specialist Packages included Debt Recovery, which churned out standard letters and reports, and Investment Management and Tax Management programmes. The Property Purchases Department had had Mortgage Matcher for some time, but until 1992 it was up-dated fortnightly; now it was live online to the mortgage suppliers. None of this came cheaply – two Personal Computers for the Property Sales Department, with a printer and software, cost £4,185.

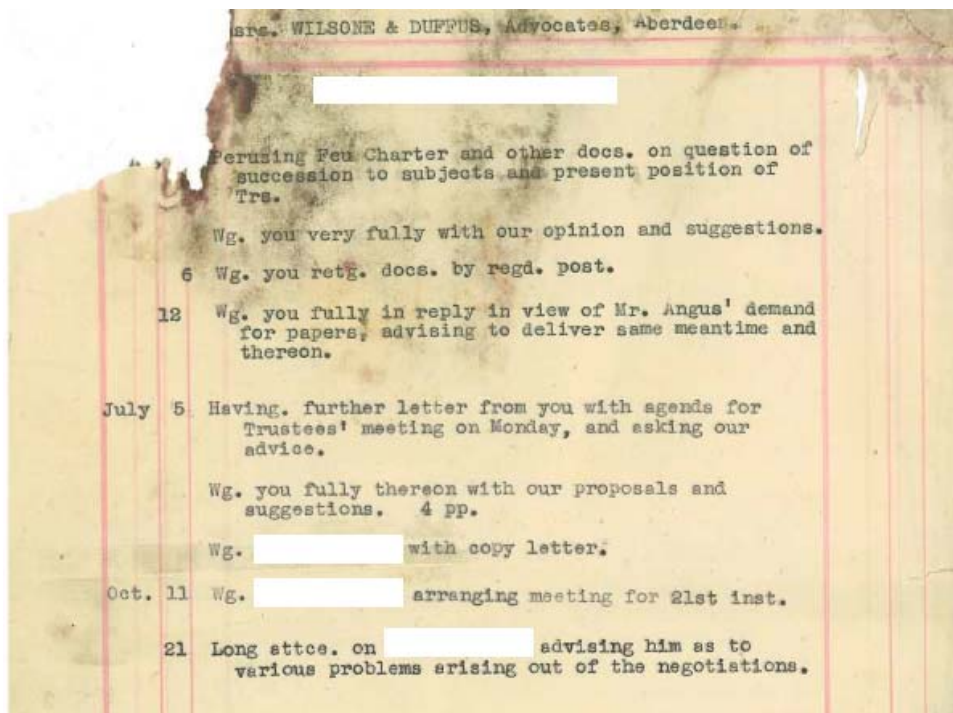
One of the marvels of the new system, taken for granted today but regarded with amazement in 1992, was the ability to ‘hot-key’, by which someone working in a programme could, with one keystroke, put that programme into the background and work on a different programme. Having completed that task, the same keystroke took the user back to the point where they had left the original programme.

Time Recording

Something else that is now mandatory throughout the office, but which was almost unknown before 1994, is fee-earners recording how much time they had spent on clients’ business. In the first pilot scheme, in July 1994, fee-earners were asked to account for thirty hours per week, that is an average of six hours per day. Twenty-five hours were to be billable to identified clients and the other five hours were to show what personal or office development they had undertaken.

There were four stated aims in the scheme, which became obligatory in November 1994. One was to compare the fee charged to a client with the time expended on the work, to see whether it had been profitable, the second was to see at a glance how much work had been done but not yet billed to a client. The third was to see who had contributed to a particular transaction, with a view to delegating the work of senior people if the analysis showed that someone less qualified could have done it equally well. The fourth reason was to show clients how much time had been involved in a transaction or a case if the client queried the fee-note.

The writer had a wry smile to himself when the boffins came up with this ‘new idea’. Francis Balfour had always recorded the time he spent on his various pieces of business, with a view to charging fees at appropriate rates. Before his secretary and other typists left in the evening, they brought all the files on which they had worked throughout the day to his room. First thing next morning, he went over the files and dictated a short ‘entry’ (the whole system was called ‘keeping entries’) to a secretary, at the same time giving her the sheet for that client from the box where he kept a sheet for every client, in alphabetical order. She then typed the dictated ‘entry’ onto the sheet and returned it to the box. It was simple and effective, and anticipated by forty years what became mandatory for all fee-earners in 1994, under the name ‘Time Recording’.



An example of Francis Balfour's ‘entries’, with the client's name blocked out. He did not put time against the entries, but it was simple to run his eye down the sheet at any time and evaluate the work that he knew he had done. This sheet is dated in 1946, and relates to a dispute among trustees with bitterly conflicting ideas about the use of a building owned by the trust.

From a family firm to a business

The first Departments

From 1985, when Scottish solicitors were first permitted to publicize their services, Balfour & Manson's diary and other publicity material advertised their (1) Court work of all types, (2) Residential Leasing for landlords of domestic rented property, (3) Property purchase, sale and residential conveyancing, (4) Commercial purchase, lease and sale and partnership and commercial contracts, (5) Corporate work, including limited companies, trademarks and liquidation, (6) Wills, Executries and Trusts, (7) Tax advice, (8) Agriculture and Forestry, (9) Insurance and Pensions, (10) Financial Services and (11) Legal Social Work. With only thirteen partners to cover all of these

areas in 1985, some names had to appear in two or three different places as the person to contact.

Realizing that this was ‘bitty’, the firm refocussed in 1994 and publicity was grouped for the first time around three Departments – Litigation (eight partners), Private Client (seven partners) and Commercial/Corporate (three partners), with no partner appearing in more than one Department – a step towards genuine specialization. At the same time, the names of Qualified Assistants were included in the firm’s annual diary, and front-line unqualified staff, who until now had been described as managers, were now called executives. While all of this was an improvement in image, the partners realised that the legal marketplace was changing rapidly and radically and that more was needed. They decided in 1995 to bring in outside consultants for advice.

Consultation

The consultants carried out four surveys. One asked clients how they perceived the firm; the second canvassed staff; the third put searching questions to the partners; the fourth sounded out professional colleagues. The consultants then met with the partners for two ‘days away’ in November 1995.

The key recommendation was: ‘the firm must develop and provide truly specialist services built on a team-based approach. This will involve moving away from the traditional “family” general firm.’ They recommended the creation of four departments, sub-divided into teams; every partner was to become a specialist in one niche area and general practitioners were to hand over their work to the appropriate specialist. ‘Partners who presently straddle departments will have to move into a primary area of practice’; no one was to dabble with work outside their team.

The consultants also believed that progressive firms had to be known primarily for their outstanding expertise in one area of legal practice, backed by a good reputation for competence in other areas. Looking at Balfour & Manson, they recommended focusing on litigation, with the others in supporting roles. At the end of the two-day conference, the turkeys (the general practitioners) dutifully voted for Christmas, and adopted the recommendation that:

The profile for the firm is to become a leading Scottish practice that is acknowledged to be one of the pre-eminent firms in the provision of litigation services whilst continuing to be highly regarded for its private client services, and providing quality company/commercial services.

This profile was never seen by the firm as a bar to the growth of its private client and commercial work, both of which have increased in size and turnover, but it was accepted as the basis for the firm’s ambitions over the next five years.

All partners were to become ‘practice and client developers’ as much as fee-earners – ‘profile raisers, selling the services of the firm and marketing all aspects of the firm’s services’. Two per cent of the firm’s turnover was to be spent on marketing. The consultants’ advice that the firm must be prepared to turn away low profit work sat

uneasily with many partners' traditional views, but the consultants were simply following through the logic of their proposals.

Implementation

With the principles agreed, the consultants were asked to define the four departments and the teams within the departments. In February 1996, having canvassed the partners, they proposed:

Litigation, headed by Fred Tyler, with teams for personal injury, insurance litigation, medical negligence, professional negligence, family, employment, commercial, debt recovery and criminal appeals.

Private Client Services, headed by Brenda Rennie, with teams for Wills, executories, trusts, investments, care of the elderly, life assurance, general insurance and personal taxation.

Property Services, headed by Ken Robertson, with teams for estate agency, conveyancing purchase and sale, mortgages and leasing.

Commercial, headed by John Hodge, initially with only one team, dealing with family businesses, retailers, publishers, charities and the voluntary sector; other teams should be created, by acquisition of a firm or recruitment of individual new partners.

The four Heads of Department were to be accountable to a Managing Partner (Ken McGowan); Andrew Gibb was to be Chairman and the position of Senior Partner – achieved by longevity – was to disappear when the writer retired in the following year. Two other new posts were created, a Finance Manager and a Central Services Manager, neither of whom was to be a lawyer. All the existing committees were replaced by two – a Management Consultative Board, to assist the Managing Partner in implementing the policies adopted by the firm, and a 'Think Tank' for longer planning, called the Strategy Committee, to report to the Chairman.

The partners accepted the consultants' proposals and the new structures were working sufficiently well for them to be publicized in the Balfour & Manson diaries for 1997. When the Strategy Committee reviewed the position at the end of 1998, they reported that 'much has been successfully implemented'; one of the few areas still needing attention was 'greater specialisation'.

Not forever ...

The consultants pointed out that while their recommendations would take the firm in a new direction, other strategies might follow in future years. They mentioned 'client-based focus' as a possible future development, and that is under active consideration now.

Office life after the 1996 Review

Client relations

Two other recommendations in the Review were that Reception should be separated from the switchboard and that the office should be more accessible to clients and professional contacts by opening from 8 am to 6 pm instead from 9 am to 5 pm. The former was quickly implemented by creating a dedicated switchboard area overlooking the door into No. 62, and moving the reception desk into the front room of No. 62 – the present set-up. The latter was partially implemented by opening at 8.30 and closing at 5.30.

Central Services Manager

To recruit a full-time, non-legal, Central Services Manager, the new Management Consultative Board drew up a job description covering five areas – (1) the premises (cleaning, maintenance, security, furniture, fire precautions, filing systems, catering and stationery), (2) personnel (recruitment, induction, contracts of employment, training, post-qualifying education, holidays, record-keeping, welfare, insurance and accident records), (3) equipment (phones, fax, computers, photocopiers, dictating machines, franking machines and kitchen facilities), (4) libraries (statutes, textbooks, law reports, style books, journals, archives) and (5) marketing (brochures, newsletters, events, sponsorship, press-releases and public relations generally).

The biggest difference between this job specification and the writer's experience of the role over many years was the need to provide manuals and written policy statements on every aspect of office life. A sceptic remarked to the writer that these only 'elaborated the obvious and complicated the simple'.

The Balfours retire, October 1977

Reception for clients

Most retirements from partnership and assumptions to it took place on 31 October/1 November, the close and the start of the firm's financial year. As the writer approached his sixty-fifth birthday, in June 1997, William Balfour, who was two years younger, decided that he would voluntarily retire at the same time. The firm invited their clients and friends to a stand-up Reception at the Edinburgh International Conference Centre in Morrison Street. It was an enjoyable occasion, with only a few speeches, although the numbers attending made it difficult to spend time with any one group of guests. In an acknowledgement of developing technology, pictures of the Balfours at various stages of life were projected via a continuous loop onto the large screen over the platform.

Dinner for partners and spouses

This was held on 24 October in Inverleith House in the Royal Botanic Gardens; it was a delightful and informal evening, well-attended as seen in the photograph.



Partners and spouses at the dinner in Inverleith House in the Royal Botanic Gardens, for the retirement of Ian and William Balfour.



The cover for the menu was a sketch of 58 Frederick Street, and this copy has everyone's signature on the back of it.

The later 1990s

The Parlex Group

In 1998, the firm was invited to join an international consortium which exists to give clients of every member-firm instant access to specialist legal advice throughout the European Economic Area and beyond – there are affiliated members in the United States of America, China, Israel and Malaysia. It works in two ways; firms can consult each other on questions arising, or they can refer clients directly to other firms, confident in the professional service the clients will receive there. The members meet every May and November, rotating the host countries, leading to personal as well as professional ties of friendship and trust. In 2009, it was Balfour+Manson's turn, and a splendid occasion was held in Edinburgh Castle.

On the Parlex website now, under Scotland, there is only one name for the whole country, Balfour+Manson LLP, followed by this description:

Founded in 1887, Balfour+Manson is a well-established 18-partner Edinburgh firm. Clients range from individuals, families, businesses, charities and local government bodies. A number of partners are accredited as specialists. There are also five solicitor-advocates. The firm combines the best of traditional values with a modern, forward-thinking attitude.

The litigation department (one of Scotland's largest) has particular expertise in personal injury, medical negligence, public and human rights law, as well as professional disciplinary and regulatory work. The department also deals with employment law, general commercial and civil litigation. The family law team has considerable experience in international financial provision and child abduction.

The private client department deals with Wills, Taxation, Executries and Trusts. Advice to elderly and disabled clients is a particular specialism, with a dedicated client welfare team. The property team offers a complete service for residential property, purchase, sale, lease and full estate agency services.

The commercial department offers advice in most areas of commercial practice, including partnership agreements, company formations and company secretarial services. It has notable experience in commercial property matters. Particular specialist areas include charities, professional appointments, social housing and licensing.

New partners during this decade

Bill Bryden (Lit. 1991-92, Consult 1992-94)

Murray Alfred Agnew Burns (Pte, 1993-2008, Consult 2008-10)

Una Doherty (Lit. 1993-98)

Spencer Kennedy (Lit. 1991-2009, Consult 2009-)

Ian Leach (Lit. 1992-2001)

Pamela Loudon (Lit. 1999-now)

Kenneth John McGowan (1991-
 David McIntosh (Lit. 1999-now)
 Elaine Motion (Lit. 1997-now)
 Anne Marguerite Pacey (Pte, 1991-2005)
 Malcolm M Wylie (Pte. 1991-94)

Short biographies are available for:

Bill Bryden was born in Edinburgh in 1930, attended the Royal High School, was exempt from National Service on health grounds, and practised law from 1954. He retired in 1992, and was a Consultant with the firm for two years.

Una Frances Doherty was born in Stirling in 196x, attended the High School of Stirling and then Edinburgh University, graduating LL.B. in 1998, and was a trainee with xx. She joined Balfour & Manson's litigation team as a qualified assistant in 1991 and was assumed a partner in 1993. In 1998 she began to devil for the Bar and was called in 1999.

(Alistair James) Spencer Kennedy – as he is described in *Who's Who in Scotland* – was born in Dumfries in 1945 but he too attended the Royal High School in Edinburgh and Edinburgh University. After qualifying, he worked with the Estate Duty Office from 1965 to 1968, then with Connell & Connell in Edinburgh from 1968 to 1970, when he joined Nightingale & Bell. He became a partner in Balfour & Manson until retiring in 2009 and was a Consultant for some years.

Ian Paul Leach was born in Glasgow in 1959, attended Jordanhill College Secondary School and the University of Dundee, did his traineeship at Simpson Boath Lyall in Dundee and then worked at Sinclairs SSC and Nightingale & Bell SSC before joining Balfour & Manson in 1991.

Elaine Motion was born in Edinburgh in 1962, attended St Augustine's High School in Edinburgh and Edinburgh University, did her traineeship with Bonar MacKenzie, came to Balfour & Manson as a qualified assistant in 1993, became an associate in 1995 and was assumed a partner in 1997.

Kenneth John McGowan was also an Edinburgh Royal High School pupil and took his law degree at xx University. He became a solicitor in 1982, a partner in Nightingale & Bell in 1987, a partner in Balfour & Manson in 1991, a solicitor advocate in 1998 and moved to be a partner in Dundas & Wilson from 1998 to 2002. Since then he has held various judicial appointments and is now a sheriff of Tayside, Central & Fife based at Stirling.

Malcolm MacLeod Wylie joined the team of private-client partners. Born in 1934, he attended several schools in Glasgow and then had a year at the University of Glasgow before moving to Edinburgh to complete his M.A. and go on to the LL.B. degree. For the last three years of his study in Edinburgh, he was apprenticed to Nightingale & Bell, qualifying as a solicitor in 1958. After two years of National Service with the Royal Army Service Corps / Intelligence Corps, he applied to Nightingale & Bell, and became a general practitioner in their Chamber practice – conveyancing, Wills, executries and other non-Court business. He retired from Balfour & Manson in 1994.

Two Statistics

People

Following the merger with Nightingale & Bell in 1991, there were more people in the Frederick Street building than at any time before or since. The number of fee-earners has continued to grow but, as set out in Section Nine, email and the availability of templates on Personal Computers has resulted in a sharp drop in the numbers of secretarial staff – fee-earners now do much of their own correspondence by email.

The problem with comparison is that in 1991, analysis was by work-type, but when the writer retired in October 1997, the analysis was by Department, without a breakdown of who-did-what in the Department. For what it is worth, the available figures are:

Following the merger with Nightingale in 1991, there were:

21 partners
 21 qualified assistants
 15 in Property
 11 in Finance
 20 managers
 55 secretaries or typists (13 of these part-time)
 12 on reception, dispatch, filing, etc
16 trainees (because of the merger)
171

When the writer left in October 1997, the numbers were

Dept	Partners	Staff
Litigation	9	36
Private Client	4	18
Property Services	2	25
Commercial	3	8
Finance	-	10
Central Services	-	17
Trainees	=	<u>9</u>
	18	123
		<u>18</u>
		141

At the end of 2012, the total number on the premises was 125.

The law

Between 1985 and 1999 there were 23,326 new pieces of legislation in Britain – United Kingdom and Scottish Acts of Parliament and Statutory Instruments – plus innumerable written opinions from the UK Courts, material from Brussels, the

European Court of Justice and the Court of Human Rights. Establishing what is current law kept getting harder – one case reached the House of Lords before anyone noticed that the section it turned on had been repealed.

The increasing flow of material created problems for the practitioner at three levels. One was the hours spent looking for the law before the process of interpreting it could begin. The second was that unless one was a specialist in the field, it almost inevitable to consult a specialist; few transactions of any size now involved only one lawyer on each side. Thirdly, lawyers are presumed to know the law, but when even specialists are struggling to keep up, it exposes the practitioner to greater risks than ever.



BALFOUR & MANSON
Solicitors

Private Client Department
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Brenda Rennie

Brenda has been a Partner since 1976. In addition to her Executory and Trust practice she has a special interest in the problems of the elderly and disabled, contentious succession matters and charities. She became Head of the Private Client Department in 1995 following a reorganisation in the firm.



Bill Balfour

Bill has been a Partner since 1962 and is a grandson of one of the founding Partners. He has many years of experience in looking after individuals and charities. He has a special interest in investments. He plans to retire as a partner in October 1997.



James Craig

James became a Partner of R. Addison Smith & co. in 1972. The firm amalgamated with Balfour & Manson in 1982. In addition to considerable experience in dealing with private client matters he is the Registrar of Friendly Societies and the Certification Officer for Trade Unions and Employers Associations in Scotland.



Murray Burns

Murray has been a Partner in private practice since 1978 and joined the firm in 1993. His special interests are tax and investment matters. He was a tutor at Edinburgh University Department of Legal Practice in Finance and Investment from 1982 to 1996, latterly as Senior Tutor and National Course Leader.



George Shields - Manager Executory and Trust Section

George joined the firm in 1967. His primary responsibility is the day to day administration of estates and trusts. He is a member of the Society of Trust and Executory Practitioners and the Society of Law Accountants in Scotland with which body he has both lectured and examined.



Colin Shepherd - Manager Personal Tax Section

Colin has been with the firm since 1990 and has been Manager of the Personal Tax department since 1993. He deals with Income and Capital Gains Tax Returns for individuals and Trusts and also tax recoveries for charities. He is a member of The Society of Law Accountants in Scotland.



Jim Rodger - Manager Insurance Section

Jim joined the firm in 1985. The Insurance Department deals with all aspects of general insurance business (building contents and motor policies) and of life insurance and pensions. He is a member of the Insurance Brokers Registration Council and Chartered Insurance Institute, holding its Financial Planning Certificate.



Stephen Fox - Manager Client Welfare Services Section

Stephen joined the firm in 1990 after training as an RGN and gaining a degree in Psychology at Stirling University. He worked with Borders Regional Council Social Work Department and Borders Health Board. He is particularly interested in community care issues.

Section Nine – Into the Twenty-first Century – 2000 to 2013

Overview of 2000 to 2013

The 1995 commitment, ‘to become one of the pre-eminent firms in the provision of litigation services whilst continuing to be highly regarded for private client services, and providing quality company/commercial services’, set the agenda for ‘the noughties’ (a popular way of saying ‘the 2000s’).

The decade opened with Balfour & Manson merging with the firm of Cuthbertson, Riddle & Graham. Four years later, the firm took over a substantial part of the personal injury practice of an Aberdeen firm and opened an office there – its first outside Edinburgh since 1908. In November 2004, the firm merged with G W Tait & Sons, whose two partners, three associates and staff further enhanced Balfour & Manson’s private client practice.

The result was that by 2007, there were twenty-one partners, fifteen associates, fourteen qualified assistants, fourteen executives and a total staff of one hundred and forty-four. The Litigation Department employed half of the total payroll, and accounted for sixty percent of the firm’s income. The Private Client Department had grown through the mergers mentioned and now accounted for thirty percent of the firm’s income. Two partners from other firms joined the Commercial Department, giving it a ten percent share of the business.

Specialization was not confined to the lawyers. In 2000, the firm employed its first systems manager, who introduced dazzling advances in information technology. At the beginning of the decade, people looked at the firm’s diary to learn about the firm; by the end of the decade, pictures and biographies of all fee earners were on the firm’s website.

The number of secretarial staff fell dramatically during the decade, for three reasons. Computer-literate fee-earners responded directly to incoming emails, instead of dictating a memorandum or letter for someone else to type. Secondly, much routine legal work was now set out in templates on the Personal Computers, and filling in forms was much quicker than typing documents from new; thirdly, allied to that, documents stored in the system’s memory could be retrieved and adapted instead of having to start them from new – and anyone with access could do that, even if they did not have the skills of the original author.

In 2005, the marketing people recommended changing the firm’s image – see the stationery below – and in 2007 they further recommended changing the firm name from Balfour & Manson to Balfour+Manson.



There were four changes of notepaper in just over a decade: (1) when Nightingale & Bell's name was discontinued in 1995, (2) when a new logo was adopted in 2005 and (3) when the name Balfour & Manson changed to Balfour+Manson in 2007, (4) when the website was re launched and rebranded in 2013.

In 2011, the long-established Edinburgh firm of Bonar Mackenzie approached Balfour+Manson about a merger. As the Court Department was fully staffed, there was no room for the Court people of Bonar Mackenzie (who went elsewhere) but the private client staff, one partner, one associate, one paralegal and secretarial staff, moved to Frederick Street.

Mergers and partners

Cuthbertson, Riddle & Graham

From 1990, Eric Cuthbertson, WS and Marjory MacGregor, WS carried on a general practice, but not Court work, at 21 Melville Street Lane, Edinburgh, under the name

of Cuthbertson, Riddle & Graham; their antecedents went back to before 1843, as described in Appendix One. As Eric approached the age of sixty-five, they looked for a practice with whom they could happily merge. In July 2000, finding they had much in common with the ethos of Balfour & Manson, they moved to Frederick Street. Eric became a consultant for two years, and Marjory became a partner in the Private Client Department. They brought all their clients except one with them. They had provided investment advice to elderly wealthy clients to an extent that Balfour & Manson had not traditionally done, and Marjory continued to do this until stringent new Government regulations in 2007 made it impractical to continue; the cost of complying with the same legislation obliged the firm to make Jim Rodger, who had been its insurance specialist for twenty-two years, redundant.

The Aberdeen connection

In May 2004, Balfour & Manson established a branch office in Aberdeen – one of the first of what soon became a number of Edinburgh firms to do this. An established Aberdeen practice, Burnside Kemp Fraser, was about to merge with Simpson & Marwick, whose Court practice was largely for Defenders. This would have created conflicts of interest with Burnside Kemp Fraser’s Pursuer litigation practice, so one of their associates, Lisa Gregory, spoke to her Edinburgh correspondents at the time, Balfour & Manson. The upshot was that she, with supporting staff, took the Pursuer clients to 23 Rubislaw Den North in Aberdeen, and headed up a branch office of Balfour & Manson. Malcolm Mackay joined shortly afterwards as a qualified assistant. He became a partner in 2008, but moved in 2011 to Brodies, who had also established a branch office in Aberdeen.

The Aberdeen office moved in 2009 to 38 Albyn Place, and now has one partner (Lisa Gregory), one associate (Julie Clark-Spence), two solicitors (Laura Edmonds in litigation and Lesley McKnight, who joined in September 2011 as the first private client practitioner) and five support staff.



Incidentally, this practice of Edinburgh firms (like Simpson & Marwick and Brodies) opening branch offices had a significant impact on the traditional correspondent network, by which out-of-Edinburgh firms instructed firms in the city for Court of

Session and other work. Apart from reducing the number of local firms who could choose their correspondent, it meant, with the expertise now available to the local solicitors from their main office, that they raised actions in the local Court instead of sending them to Edinburgh – but the volume of correspondent work is still substantial.

Disability Legal Services

Elizabeth Craigmyle qualified as a solicitor in 1980 specializing in mental health law and helping people with learning difficulties. After practising in Glasgow with ENABLE, she established a charity, Disability Legal Services, and in 2004 she was practising from home, 27 Hills Road, Strathaven, Lanarkshire under that name. Following discussions that both she and Balfour & Manson believed would be in their mutual interests, she became a partner in the firm's private client department in May 2004, heading up a new team in her speciality, but still working from home and still working as Disability Legal Services. By the end of 2007, it did not seem worth continuing this rather unusual arrangement, so she resigned as a partner and resumed her former independence.

G W Tait & Sons

In November 2004, the firm of G W Tait & Sons SSC, Constitution Street, Leith (partners George Tait, grandson of the founder of the firm in 1903, and Allen Kerr and associates Peter Wilson, Madelaine Murray and Claire Comerton) merged with Balfour & Manson's private client department, bringing their business together under one roof.

As mentioned in the Overview to this Section, the firm of Bonar Mackenzie approached Balfour+Manson in November 2011 about a merger. There was no room for the Court partners, who went elsewhere, but the Private Client Department (partner Nikki Dundas, associate Shona Brown, one paralegal and secretarial staff) moved to Frederick Street.

The route to partnership

Until 1975, all the partners of Balfour & Manson except for James Clark (who was recruited in 1967 as a specialist conveyancer) were home-grown – starting with the firm as apprentices and being invited to stay on, or coming in as family. By contrast, only three of the twenty-six new partners between 2000 and 2012 (listed at the end of this Section) had trained with the firm. The change was partly because specialization meant headhunting for expertise, and partly through the mergers mentioned, although when vacancies were anticipated it was still preferred to bring on promising talent within the firm.

As mentioned earlier, the partnership had an equal numbers of men and women in April 2006, which compared favourably with the position in Scotland generally. At that time, about forty percent of all practising solicitors in Scotland were women but 'this gender balance has yet to be reflected in equity partners in private practice'.

Office life

Forty-four years in the Cashroom

Rosemary McRobert – she was then Rosemary Ward – started as the office junior in 1956 and, on the retrial of Elma Allison in 1988, she was appointed the firm’s cashier. She was the last person to hold that post, because with the increasing complexity of office life, she was succeeded by the firm’s first Financial Director, David Hastie. She had seen the firm move from handwritten ledgers, through accounting machines, to computerized packages.



Three pictures from Rosemary McRobert’s farewell party in the office in 2000. (1) the cake, (2) the Cashroom staff at the time and (3) George Shiels, who had worked with the Cashroom since 1967, with the partner in charge of the Cashroom, Brenda Rennie.

Thirty years of mothering the staff

Patricia Lawson-Stott joined the firm in 1972, and over the next thirty years she was the ‘Jill-of-all-Trades’, covering Reception, looking after the staff, arranging the catering and doing whatever was needed. Her oft-repeated phrase to new staff – ‘I know that I sound like your granny, but ...’ kept standards high. When she retired in April 2002, her outstanding contribution to the firm was recognized by a Reception in the Signet Library.



Andrew Gibb, the firm's chairman, proposes a toast to Patricia Lawson-Stott at a Reception in the Signet Library in April 2002, to mark her re-entrance to the firm. In the other picture, the writer and his wife with Tricia.

Limited Liability Partnership (LLP)

Entering into partnership involves personal responsibility for the firm's solvency, putting at risk the partners' assets outside the business as well as the business itself. When the Limited Liability Partnerships Act 2000 became law, the letters LLP appeared after many familiar names in the legal world. By June 2007, there were two reasons for converting Balfour & Manson from a partnership to an LLP. One was that people were becoming more and more litigious, and there was always the lurking fear that no matter how large the Professional Indemnity cover, someone might make a mistake that led to litigation which bankrupted the firm. The other was that when talented younger solicitors were approached with a view to partnership, they were more likely to make their career with firms that offered the protection of Limited Liability.

Mention of Limited Companies tempts the writer to boast about the only occasion during his student days when he was awarded a higher mark in an exam than his fellow-student James P. H. McKay, who became Lord McKay of Clashfern. Both of us enjoyed the classes in Mercantile Law, but James McKay was a brilliant student and on every occasion but one he had the top marks. Running out of answers to a question on the formation of Limited Companies, the writer added: 'The first person to float a limited company was the Biblical character Noah, who did it because the rest of the world was in liquidation'. The tutor added one mark for humour and that topped the list on that one occasion.

Should we move?

In 2006, the partners debated whether to move to a modern and purpose-built office; their decision to stay, and to spruce up the existing building, inside and out, was confirmed as the right one when the business world was thrown into disarray in August of the following year by crisis after crisis in the banks and the wider economy. At the same time, a firm of estate agents, who had moved some years previously from the New Town into one of the glittering new buildings in Fountainbridge, came back to Castle Street – saying that they rarely met clients and would-be clients casually in

their new surroundings, whereas every time they walked up to George Street for transport or to buy a sandwich, they came across people who said ‘hello’ or stopped for a chat.

Abolition of recommended fees

As mentioned in Section Seven, until the end of 1984, Scottish solicitors’ fees for non-court business such as conveyancing, trust and executry work, corporate work and general business, were regulated by the Law Society of Scotland’s scale of fees. This meant that the cost to the client should be the same, no matter who did the work and where in Scotland it was carried out. While it was open to a solicitor to modify the scale fee after the work had been completed – to temper the wind for the shorn lamb as Francis Balfour used to describe it – it was professional misconduct to quote a lower figure before the work was done in order to attract business.

On 1 January 1985, the Society ceased to prescribe the level of fees, but published instead an annual Table of Fees for General Business, recommending charges for every aspect of Chamber practice – the Courts have always had their own Tables of Fees for litigation. The Table was revised annually, based on a Cost of Time survey carried out by independent accountants on behalf of the Society. Unless a solicitor had, prior to undertaking any piece of business, entered into a private arrangement with the client, the maximum fees for Chamber work were the figures in the Table of Fees; auditors used it to tax fee-notes submitted to them.

Consumer Groups in Scotland had long protested against the Table, saying that it was a cartel that operated against the interests of the consumer. This proved to be a spectacular own-goal. When the European Commission on Competition in Professional Services fined the Belgian Architects’ Association 100,000 Euros in June 2004, for failing to abolish recommended minimum fees for its members, the Law Society of Scotland withdrew its Table of Fees. In place of it, they required solicitors to enter into a written agreement with clients, at the commencement of every piece of business, setting out the basis on which fees would be calculated.

The result was that some firms (not Balfour and Manson) put figures into these Letters of Engagement that were double or more the Law Society of Scotland’s figure, which was £113 an hour in 2004. If a widow consulted the family’s traditional Law Agents on the death of her husband, and if the Letter of Engagement presented to her provided (in the middle of a five-page document) that work would be charged at £250 an hour, was she going to understand it or question it or even notice it? The abolition of the Table of Fees for General Business has not, in the opinion of the writer as Joint Auditor of Edinburgh Sheriff Court, worked in the interests of the consumer.

Social occasions

As mentioned in Section Seven, the focus of organized social life in the firm from 1979 to 2006 was an all-office summer outing, with small groups arranging subsidized Christmas lunches. As the former were increasingly poorly supported, and as the latter did not encourage team-building, the focus were reversed in 2007, with an informal barbeque in the Royal Botanic Gardens in the summer and an all-office Christmas evening dinner in Edinburgh. This pattern was followed in 2008 and 2009,

but as numbers were again dropping, the time was changed in 2010 to a Christmas lunch starting at twelve noon in the Caledonian Hotel and leading into a disco, concluding at 5 pm, with the entire cost covered by the firm. Almost everyone attended, so it was repeated in the George Hotel in 2011 and then back to the re-branded Caledonian in 2012 and the Broughton Centre in 2013.

Paralegals

Encouraging and training and supporting non-lawyers who had direct contact with clients, which Balfour & Manson had pioneered in the early 1970s under the name of managers, as described in Section Six, was taken a step further in 2010 by the Law Society of Scotland creating a Registered Paralegal Scheme. The word paralegal was becoming increasingly used in the profession, for people who were ‘qualified through education and training to perform substantive legal work that requires knowledge of the law and procedure but who are not qualified solicitors’. However, anyone could call themselves a paralegal, irrespective of qualification or experience, so the Society set up a Scheme so that only those who had met its criteria might call themselves Law Society of Scotland Registered Paralegals; this gave them a defined professional status for the first time. There are eight areas in which applicants may be recognized, civil litigation (debt recovery), civil litigation (reparation), criminal litigation, commercial conveyancing, domestic conveyancing, family law, liquor licensing, Wills and executries.

Technology

Computing

When Hamish Pringle joined the firm in January 2000 as its first systems manager, he found an ageing computer system, with a number of bespoke packages cobbled together through one server. Starting in June 2001, and at a cost £500,000, he replaced the entire Novell-based front office infrastructure with a Microsoft system running on Compaq servers and 130 Personal Computers, all with internet and e-mail access. He also installed a networked CD-ROM, which allowed everyone to access research material from their Personal Computers instead of having to visit the library. The CD-ROM was soon replaced by live on-line accesses to WestLaw and LawTel and other reference material.

The next major step forward, in 2002, was to install a Practice Management package known as LawSoft. To the writer, both developments illustrate the ironies of hindsight. When the firm first considered using computers, in the early 1980s, the two main Word Processing packages on offer were WordPerfect and Word, and the two main suppliers in Scotland were Optim and Pilgrim. At the time, both WordPerfect and Optim were more user friendly, and they were the firm’s choices. By 2000, WordPerfect had been taken over by Coral, who could not compete with Microsoft; as Microsoft Word now dominated the business world, the firm changed to it. Pilgrim, the less attractive option in 1980, now had the best Practice Management package, so the firm installed it.

Dictation

The firm took another enormous stride forward in 2004, installing a dictating system called BigHand, which replaced the tape-based dictation and transcribing machines with a digital version that runs on the office computer. Fee-earners now dictate by microphone to a central server, which secretaries access through their own screens, selecting the most urgent work, and transcribing the dictation onto their screens. The whole network is (subject to a password) accessible by any user. BigHand allows everyone to see their dictation as it goes along, so they can tell at a glance how long it is and where they are in it. This enables fee-earners to make complex edits to their dictation before sending it for transcription; they can check who is typing their work and how it is coming along, without asking the typist.

Hamish next undertook a comprehensive overhaul of the firm's back office, and set up a virtual private network to give fee earners the option of remote working. The office can be accessed with a BlackBerry or Windows mobile phone, and if no internet is available, a phone call takes fee-earners straight into the system from anywhere in the world. In 2012, advancing technology required new desktop Personal Computers for the entire office, 140 of them.

Office life

The Legal 500

Asked to describe itself in 2007 for a legal publication, *the Legal 500*, the firm wrote:

Litigation Department

Acting mainly on behalf of Pursuers, the litigation department is now one of the largest in Scotland and has particular expertise in personal injury work. It has dealt with major disaster cases and has a dedicated serious injuries unit. The firm acts in medical negligence claims, particularly cerebral palsy, as well as in family law, with considerable experience in international financial provision and child abduction. The firm's litigation team also offers significant expertise in administrative, public and human rights law and carries out a large volume of judicial reviews, as well as professional disciplinary and regulatory work.

The department also deals with general commercial and civil litigation, including contractual and property disputes and professional negligence claims, as well as employment law and debt recovery.

Private Client Department

The private client department advises on the preparation of wills and inheritance tax mitigation; executry administration is a particular speciality. Trusts of all kinds are dealt with. Investment and financial management advice is given and all kinds of taxation are handled. Advice to elderly clients and clients with disabilities is an area of expertise, and the firm has a specialist client welfare department.

The property services team offers a one-stop service for those involved in the residential property market, including advice on the purchase and sale of properties as well as leases. Mortgage advice is given and a full estate agency service is offered.



A colourful 'For Sale' board while the firm used this logo in 2007.

The charities and social housing department is one of Scotland's leading teams providing services to this sector, including the setting up and operation of a charity, contracts, property and employment law. Disability legal services form a niche within the private client and charities teams, providing specialist advice in the fields of incapacity and mental health law.

Commercial Department

The commercial department offers advice in most areas of commercial practice. It has notable experience in all commercial property matters, whether leasing, buying, property investment or lending. For those starting in business, .companies are incorporated and company secretarial services are provided. Partnership agreements are prepared and interpreted. Particular specialist areas include charities, professional appointments, social housing and licensing.



Invitation to Brenda Rennie's Retirement Dinner. The genesis of this book was a suggestion to the writer by Andrew Gibb, after he had chaired the Dinner in November 2011.

Sponsorship

Lynsey Sharp

Balfour+Manson sponsored Lynsey Sharp, an 800 metre runner from Edinburgh for over 10 years. Lynsey was selected over four "A" standard contenders to compete in the 2012 Olympic Games in London. Lynsey, a law graduate herself came to the Balfour+Manson offices in 2012 to thank the firm for their support over the last 10 years and give a presentation on "Motivation".



The National Museum of Scotland

In October 2012, the firm sponsored a glittering evening event for five hundred guests in the National Museum of Scotland's AniMotion. Scotland's Dame Evelyn Glennie joined forces with Russian visual artist Maria Rud, cellist Philip Sheppard and vocal consort Canty for a recital in the Grand Gallery, bringing together music and painting in a unique and spectacular event to commemorate the museum's Catherine the Great Exhibition.



Interest Rate Swap Mis-selling – QA Legal

In April 2012, Gordon Deane and others set up an international association of lawyers and financial and banking specialists, called QA Legal, to advise clients about financial claims against banks involved in the scandal of Interest Rate Swap Mis-selling. At hastily convened and brief meetings, **bonus-driven** salespeople forced customers, under threat of loans or overdraft facilities being withdrawn, to commit to paying their banks huge sums of money, with little or no regard to the needs of the businesses targeted, and often to the destruction of their businesses. Gordon explained, in a press release on 24 April, that 'every case is different and has to be examined individually by people with experience and knowledge'. QA Legal will operate across Europe, although its start up was in the United Kingdom and Germany.

Brain Injury Group

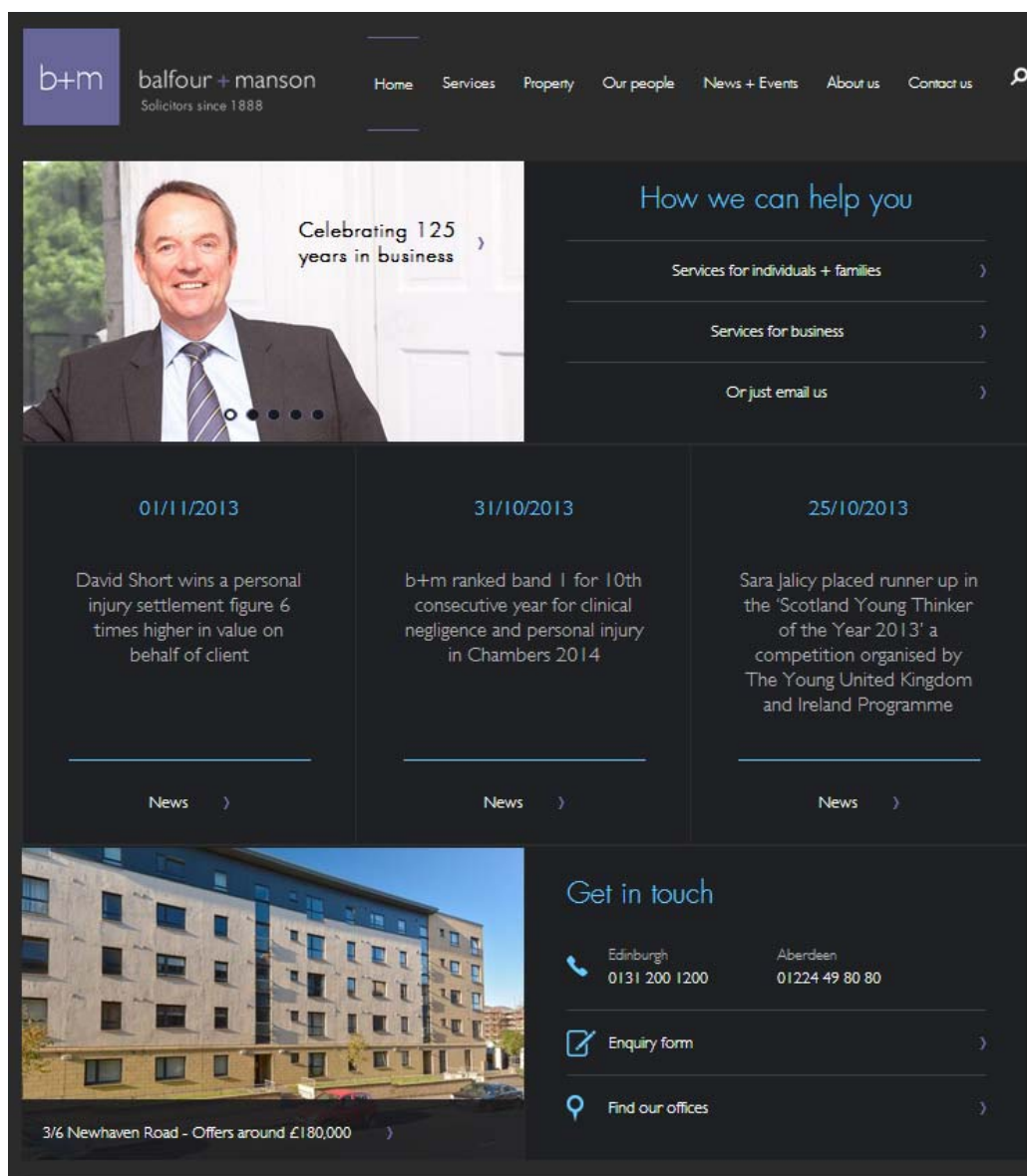
On 23 July 2013, it was announced that the firm had joined a national network of dedicated brain injury lawyers. The Brain Injury Group was formed two years previously, bringing together brain injury lawyers, independent medical reporting teams, financial and welfare advice and a raft of support services to help people affected by brain injury. Previously the group has only operated within England and Wales, but has now joined forces with Balfour+Manson and financial advice firm Towry to extend its services to people in Scotland.

Website

The Balfour+Manson website was redesigned and launched in July 2013. The site itself was designed as 'responsive' with the mobile user first as this is how more clients will be searching for us with the increasing growth and usage of mobile. The first obvious difference is the design however the site was also designed with our clients in mind and how we can help them first and foremost.

The site was enabled so that it can host rich media like videos for our properties and other areas where video content is available. We have also introduced maps for our offices and the property section.

Overall the site is friendlier using photography that differentiates us from other legal sites and we have used simple design features to enhance design for the news stories, comments and events.



Home page on new website

Paint work

In October 2013 scaffolding was erected on the front of the building to re paint all the windows.



The area the scaffolding covers gives you an idea of the size of the office

Long service

At the time of writing this Section, the following are still working with the firm. **George Shiels** holds the long-service medal, having started on 10 October 1967 on executry and financial business, and so he has completed forty-six years continuously in the Private Client Department. **Elaine Grieve** (nee Moffat) joined the Court Department as a typist in April 1973, after working for an Insurance Company, soon became a senior secretary in the Department and is now the Chairman's personal assistant (forty years). **Lorraine Betts** and **Raymond Newton** started in April and July 1974, the former as a typist and the latter in the Cashroom (thirty-nine years). **Margaret Young**, **Linda McLean** and **Paula McFadyen** all started in the Court Department in 1980, respectively as a filing clerkess in March, a typist in September and a Parliament House clerkess in November (thirty-three years). **Douglas McElhany** has been in the Cashroom since July 1983 (thirty years) – eight people giving 293 years to the firm, an average of nearly thirty-seven years per person.

New partners during this decade

Angela Alexander/Wipat (Lit. 2005-08),
 Carolyn Beattie (Lit. 2000-01),
 David Campbell (Pte, 2010-now),
 Elizabeth Craigmyle (Pte., Strathaven, 2004-08)
 Gordon Deane (Lit. 2010-now),
 David Flint (Lit. 2007-now)
 Lisa Gregory (Lit., Aberdeen, 2005-now),
 Robin Hill (Pte. 2003-now),
 Robert Holland (Lit. 2009-now),
 Allen Kerr (Pte. 2004-09, Consult 2009-11),
 John Leyden (Pte 2005-09),
 Marjory MacGregor (Pte. 2000-10, Consult 2010-13),
 Malcolm Mackay (Lit. Aberdeen, 2008-11)
 James McLean (Com. Consult 2011-now)
 Fiona Muirs (Lit. 2005-now),
 Alastair Milne (2012)
 Claire O'Neill (Pte, 2007-10),
 Dawn Robertson (Lit. 2006-10),
 Ken Ross (Com. 2010-now),
 Shona Smith (Lit. 2002-now),
 Christine Stuart (Com 2000-06),
 George Tait (Pte, 2004-06, Consul. 2006-2012),
 Katherine Taylor (Lit. 2000-02)
 Peter Wilson (Com, 2008-2012)

Short biographies are available for:

Angela Alexander (married name, Wipat) was born in Irvine, Ayrshire, in 1972 and after secondary education at Stewarton Academy, Stewarton, Ayrshire, studied law at Glasgow from 1989-93, graduating LL.B (Hons), followed by the Diploma in Legal Practice in 1993-94. She was a trainee at Balfour & Manson from 1994, became a partner in 2005 and left in 2007 because she was living nearer to Perth than to Edinburgh. She is now with Thorntons Law in Perth.

Robert Holland was born in Macclesfield, Cheshire, in 1972, went to school at Edinburgh-Broughton High and George Heriots, followed by the University of Glasgow and the University of North Texas, did his traineeship at Wilson Terris & Co, around the corner from Balfour & Manson, and after working for Warners and Miller Hendry in Perth, was assumed as a partner here in 2009.

Marjory MacGregor was a Mary Erskine girl, who then studied law at Glasgow University, started an apprenticeship in Glasgow and, on marrying, completed it with Dundas & Wilson in Edinburgh and qualified in 1974. She combined various legal posts, including a partnership in Pairman, Miller & Murray, with bringing up young children, but in 1990, when the youngest of the four children was three, she was working from home. When Eric Cuthbertson suffered a stroke in 1990, he invited Marjory to become a partner and to assist with his work. When they moved to Balfour & Manson they provided investment advice to clients to a greater extent than the

larger firm had traditionally been able to do, and developed this until stringent new Government regulations in 2007 made it impractical to continue. When she reached the age of sixty in October 2011, Marjory chose to become a consultant and plans to continue in this role until the autumn of 2013.

Alastair Milne was born in 1964, completed his education at Dundee High School, went to Aberdeen University for the LLB and then back to Dundee for the Diploma, followed by traineeship with Argyll & Bute District Council. After two years as an assistant and then a partner in W G Boyle /Boyle Lyle in Dundee, two years with Warners in Edinburgh, sixteen years with Erskine MacAskill here as an associate and partner, he joined Balfour+Manson as associate in the Family Law Team in 2009 and became a partner in 2012.

Fiona Muirs was born in Glasgow in 1975, had her secondary education at Lenzie Academy, her university education at the University of Glasgow - LL.B. (Hons) First Class 1996, Diploma in Legal Practice 1997 - traineeship at Balfour & Manson, from September 1997, stayed on as a qualified assistant, then an associate and was assumed a partner in 2005.

Section Ten – Public Appointments

To have listed the numerous outside interests of the partners, which were many and varied and which, especially in the first ninety years, focussed on the promotion of evangelical Christianity, would have made this account overly long. On the other hand, it would be inappropriate to close without noting their contributions to the legal profession, particularly in their appointments to a variety of public offices, and also to mark the achievements within the profession of those who passed through Frederick Street as apprentices or trainees on their way to distinguished careers elsewhere.

The University of Edinburgh

Chronologically, the firm's earliest contribution to academic teaching was Peter Manson's appointment to tutoring in Conveyancing at the University of Edinburgh; having been a Prizeman in that class while a student, he was invited by Professor Wood to tutor it.

Bill Bryden lectured in Civil Procedure at the University of Edinburgh from 1978. As mentioned in Section Seven, when the Diploma of Legal Practice was being planned, he persuaded the academics to allow post-graduate students to re-sit only the subject or subjects in which they had come down in the first round of exams, and not to have to re-sit the whole curriculum.

Brenda Rennie lectured in the Diploma of Legal Studies.

Murray Burns tutored in the Diploma in Finance and Investment from 1982 to 1996, latterly as Senior Tutor and National Course Leader.

The firm's most distinguished academic so far is Professor Alan Paterson, who was apprenticed to the firm from 1973-76. He left on completion of his training, and is now Head of the Law School, Strathclyde University.

Clerk to the Admission of Notaries Public

Most firms like to have at least one Notary Public in the partnership, because certain documents have to be validated by the signature or countersignature of a Notary Public. Another important function of a Notary is to sign documents on behalf of people unable to read or to write their names, and another is to authenticate documents that are to be sent abroad.

Any enrolled solicitor in Scotland may apply to the Court of Session to be admitted as a Notary Public. Until 1992, when the role was taken over by the Law Society of Scotland, the Clerk for the Admission of Notaries was an Edinburgh solicitor. Francis Balfour was appointed in October 1937:

The King has, on the recommendation of the Secretary of State for Scotland, approved the appointment of Mr Francis Edmund Balfour, S.S.C., N.P., to be Clerk for the admission of notaries in Scotland in the place of the late ...'
(*Glasgow Herald*, 13 October 1937.)

As he approached retirement in 1971, he tendered his resignation to the Lord President of the Court of Session, who asked if he could recommend a successor. He recommended his son William Balfour.

Solicitors who wished to become a Notary Public contacted the Clerk, who petitioned the Court of Session. After it had been granted, the solicitor had to attend personally at 58 Frederick Street, to take the oath of allegiance, to choose a motto, to sign the Register and to receive a 91-page Protocol Book, in which to record what he subsequently did. The notary's motto went onto his metal seal; a self-adhesive paper seal has now replaced sealing papers with real wax.

Personal contact with solicitors from all over Scotland led to many interesting conversations; occasionally solicitors brought their family along 'to see the ceremony'.

The Law Society of Scotland

In 1975, Ethel Houston was the first woman to be elected to the Council of the Law Society of Scotland, and in February 2009 she was made an Honorary Member of the Council.

After many years of membership of the Council, Andrew Gibb was elected President of the Society and served for the year May 1990 to May 1991.



Andrew Gibb and his wife Pat, with Gretta Pritchard (Associate with the firm) and her husband Kenneth (Secretary of the Law Society of Scotland) at a Reception given by the Lord Mayor of London during Andrew's Presidency.

From 1981 to 1997, the writer was the (only) Fiscal appointed by the Society to present its Complaints (as prosecutions were known) to the Scottish Solicitors Discipline Tribunal. The change in attitude to such appointments between these dates is worth recording. As with the succession to the Notary Public position, mentioned above, where the Lord President asked the outgoing Clerk if he could recommend a successor, the Secretary of the Law Society of Scotland phoned the writer in 1981 to say that their Fiscal was going to become a Sheriff and would the writer take it on? That was it. When the writer retired, a committee was appointed to call for written applications and references, to conduct interviews and assessments, to prepare a short list, etc., etc., etc., in what is called 'transparency'.

Journal of the Law Society of Scotland

Peter Nicholson was apprenticed to the firm from 1979 to 1981. On qualifying, he became legal editor at W Green & Son. 'So there I was at 23, at that time the only qualified member of staff, looking after the Scots Law Times, Scottish Current Law etc, under the watchful but kindly eye of the late Dr George Thomson. I thrived in the work and as the company grew along with its publications list, I became a managing editor, and was General Editor of Scots Law Times from 1985 and of Greens Weekly Digest from 1986 when I started it up. In the 1990s I became focused on the law reports as we switched to preparing them digitally and in-house instead of through the counsel reporter system. In 2003 I was reorganised out of a job, but soon afterwards joined Connect Communications, who hold the contract from the Law Society of Scotland to produce its members' Journal, of which I was formally appointed editor in 2004 and remain so. I have also been a reporter to the Law Society's Client Relations Department, preparing findings and recommendations in relation to client complaints.'

He was named Business & Professional Magazine Editor of the Year at the Scottish Magazine Awards 2012.

Royal Commission for Legal Services in Scotland,

Ethel Houston's most onerous public service was as a member of the Royal Commission for Legal Services in Scotland, which met from 1976 to 1980. This involved wide travel throughout Europe, to compare the Justice Systems in other countries. For her services to the Commission she was made an Officer of the British Empire in the Queen's Honours list.

Judicial office held by former apprentices and trainees

Senators of the College of Justice

Ian McDonald (1950-51) (Lord Mayfield)

Douglas Cullen (1958-59) (Baron Cullen of Whitekirk)

James McGhie (1966-68) (Lord McGhie)

Philip Brodie (1973-75) (Lord Brodie)

Sandy Wylie (1974-77) (Lord Kinclaven)

Ian Peebles (1977-79) (Lord Bannantyne)

Sheriffs	(years with Balfour & Manson)	Sheriff at:
Sir John Dick QC	(1946-48)	Sheriff Principal of Glasgow and Strathkelvin
Peter Morrison	(1951-59)	Haddington
Bill Henderson	(early 1960s)	Stirling
Ken Forbes	(1960s?)	Inverness
Bruce Kerr	(1970-72)	Sheriff Principal of North Strathclyde
Sam Cathcart	(1972-75)	Glasgow
Rita Rae	(1974)	Glasgow
Sam Galbraith	(1975)	Inverness
Douglas Kinloch	(1978-80)	Linlithgow
Ian Miller	(1970s)	Glasgow
Lindsay Foulis	(1978-81)	Perth
Maggie Neilson	(1983-2006)	Inverness
Kenneth McGowan	(1991-98)	Stirling
David Sutherland	(1975-76)	Dornoch

(There may be others)

Honorary and Temporary Sheriffs

Francis Balfour	Honorary Sheriff, Lothians and Peebles, 1966-74
Andrew Gibb	Temporary Sheriff, 1989-2001

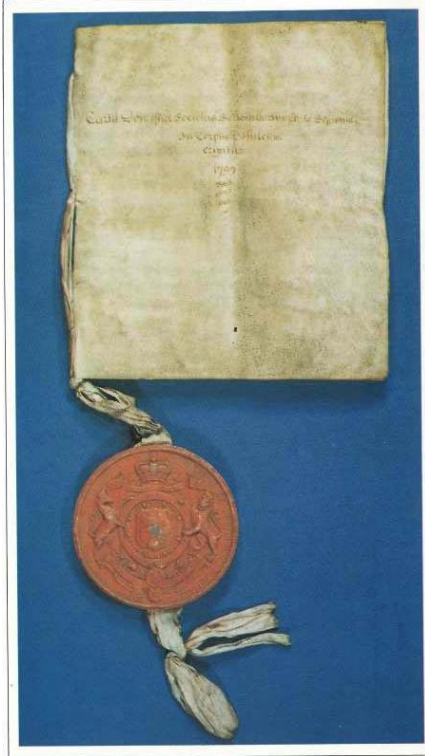
Sheriff Court Auditors

Throughout Scotland, the senior Sheriff Clerk in most Sheriffdoms has from time immemorial been appointed by the Sheriff Principal to act as Auditor for the taxation of Judicial Accounts in that Sheriffdom. However, the situation in Edinburgh and Glasgow (and until recently in Aberdeen) is different; in Edinburgh, two practicing solicitors are appointed, taking their duties on a month-about basis.

Francis Balfour was one of these, as was Bill Brydon for many years before joining Balfour & Manson. The writer has been Joint Auditor of the Edinburgh Sheriff Court since 1991.

Society of Solicitors in the Supreme Courts of Scotland

As befitting a firm which proudly used the initials S.S.C. on its letterhead (Sections Two and Three), many partners have been supportive of the Society and have made extensive use of its library in Parliament House. Spencer Kennedy was President of the Society from 1991-94, and the writer has been its Secretary since 1995.



The S.S.C. Society was incorporated by this Royal Charter, given under the Great Seal of Scotland on 24 January 1797. William Balfour, Senior, joined the Society in 1899 (Section One, page 4), Francis Balfour joined in 1922 and the writer in 1969. One of the present partners, Pamela Loudon, became the second lady member when she joined in 1983. Her Majesty, Queen Elizabeth II, was the guest of honour at the bi-centenary celebrations and spoke at length with several members, including the writer.

Scottish Law Agents Society

This Society was incorporated by Royal Charter in 1884. Membership has always been open to Scottish solicitors and apprentices/trainees and, more recently, to academic lawyers and students. Francis Balfour was an enthusiastic supporter of it, and used its Yearbook to contact like-minded solicitors when he needed to find someone to act for him in another part of Scotland. Fraser MacLennan was actively involved, and David MacLennan was its President from 2009 to 2013.

Statutory Court Councils and Committees

The writer started to make a list of the Statutory Court Councils and Legal Committees on which partners have served, but the list became too long, and the number of people involved too extensive to complete it – the Lord President's Advisory Committee, the Court of Session Rules Council, the Sheriff Court Rules Council, the Supreme Court Legal aid Committee, the Sheriff Court Legal Aid Committee, Lord Coulsfield's Committee on Civil Procedure, the Personal Injuries User Group, the Association of Personal Injury Lawyers, the International Academy of Matrimonial Lawyers, the Scottish Council of Law Reporting, the Family Law Association, the Scottish Child Law Centre, the Personal Injury Panel of the Law Society of Scotland, the Federation of Insurance Lawyers, and many more.

Edinburgh Legal Dispensary

The Edinburgh Legal Dispensary, which opened its door once a week in 1900, gratuitously gave legal advice to the poor who found it difficult to get assistance with legal matters. It met initially at the Canongate Tolbooth, and from January 1908, publicly invited women with legal skills to involve themselves in its advisory work.

From 1951 to 1983, Fraser MacLennan was honorary secretary and treasurer of the Dispensary, which then operated from the Old College of the University. Qualified solicitors from Balfour & Manson and elsewhere – recruited and encouraged by Fraser MacLennan – continued the tradition of free legal advice. He once commented: ‘Dispensary lawyers had no thought of themselves because many, and I was one of them, could be found there as late as 10.30 p.m.’ He also said that ‘the Dispensary is essentially the scene which has given to the modern world legal aid with all its ramifications.’

Registrar for Scotland of Friendly Societies

When James Craig, Senior, joined R. Addison Smith & Co, Chilton Addison Smith held two public appointments, namely Assistant Registrar for Scotland of Friendly Societies and Certification Officer for Scotland for Trade Unions and Employers Associations.

When Chilton Addison Smith died suddenly, Mr Craig was asked to take over the roles, which he did. As he approached Civil Service retiring age – they were Government appointments and the holders were regarded as part-time civil servants – he was asked to recommend a successor, and suggested his son. In due course this was approved, and James Craig, Junior, held both posts until the Financial Services Authority became involved in November 2001.

The Registry was established as a Government department in 1875, for the registration of Friendly Societies. It provided the means for a wide variety of mutual organisations to obtain the privileges of limited liability status to further their social objectives. The Registry, as its name implies, maintained a public register of all mutual societies and in some cases acted as their regulator; until the early 1990s, it also acted as mediator and arbitrator in disputes between societies and their members. The organisations on the register ranged from internationally-known building societies and insurance companies to tiny village allotment societies. They included co-operative societies, housing associations, loan societies, scientific and literary societies, working men’s clubs, benevolent societies, cattle insurance societies, agricultural pest clearance societies, superannuation funds, and, most recently, credit unions.

The Assistant Certification Officer for Scotland for Trade Unions and Employers Associations receives their annual returns and keeps files for ‘Unlisted Trade Unions’ and ‘Listed Trade Unions’, the difference being their status in collective bargaining.

After November 2001, James Craig found communication with the Financial Services Authority to be impracticable and he resigned both positions. The Assistant Registrar’s work was taken over by the Financial Services Authority, and the Certification Officer was passed to Christine Stuart within the firm. When she went to T C Young, she took the post with her to her new firm and she still manages it.

Appendix One – Background to the mergers

1955 - Duncan Smith & MacLaren

John Brown Douglas, WS, was enrolled as a Law Agent in 1833. He practiced on his own until 1857, when he entered into partnership with James Duncan Smith, SSC, who had qualified in the previous year. They began the partnership at 6 Fettes Row, under the name J.B. Douglas & Smith, and then moved in 1862 to 62 Frederick Street. Initially they were tenants of the Accountant of Court, but they bought the building from him in 1870. As described in Appendix Two, this was the building's first use as a lawyers' office.

They parted company in 1874, with Douglas moving across the road to practice from 45 Frederick Street, while Smith stayed on in No. 62. As there was no longer a partnership, each used his own name for his own business. In 1881 James Duncan Smith, still a sole practitioner, assumed his qualified assistant, Duncan MacLaren, as a partner. After various posts in Edinburgh,¹ MacLaren had qualified as a Law Agent in 1876 at the age of twenty-three, and had come to work with Smith in 1877; he did not become an SSC until 1881. They took the name Duncan Smith & MacLaren, SSC.

Had Duncan MacLaren's daughter Eveline, born in November 1883, not stubbornly refused to qualify as a solicitor when in 1920 ladies were entitled to do so – see below – she would not have needed the professional support of the firm next door in No. 58 and would probably not, without that link, have offered her building to Francis Balfour in 1943, as described below.

Eveline MacLaren, together with her friend Josephine Gordon Stuart, also born in November 1883 – see the paragraph below about No. 56 Frederick Street – graduated as Bachelor of Laws (LL.B.) from the University of Edinburgh in April 1909, the first women law graduates in Scotland. Both had already graduated as Edinburgh Masters of Arts, and the LL.B. was a second degree. However, the Court of Session had ruled in 1901 that 'inveterate custom' precluded women taking the examinations of the Incorporated Society of Law Agents and being admitted as Law Agents in Scotland.²

By the time Eveline graduated in 1909, her father was a sole practitioner, but keeping the firm name of Duncan Smith & MacLaren. She became deeply involved in legal practice in her father's firm and never married. On his death in November 1924, he was described as one of Scotland's oldest and leading lawyers. Eveline's lack of status was not a problem because her father had assumed a partner, Alexander Nisbet,

¹ Duncan MacLaren was born in 1853 at Little Dunkeld in Perthshire. He was a Gaelic speaker and served his initial legal apprenticeship in Perth before coming to Edinburgh to work first in the Town Clerk's office, then in the Leith office of Messrs Boyd Jamieson & Co WS, finally joining James Duncan Smith as an assistant in 1877 and then as a partner from 1881.

² Eveline was one of six daughters, and there were also two sons. For further details, see the text of two lectures by Professor Hector L MacQueen, 'Lawyers' Edinburgh 1908–2008', available at <http://papers.ssrn.com/sol3/Delivery.cfm?abstractid=1570626> and 'Scotland's First Women Law Graduates: An Edinburgh Centenary', available at <http://womeninlaw.law.ed.ac.uk/documents/WilsonLecture.pdf>.

and he together with Eveline and some qualified assistants, carried on the business of Duncan Smith & MacLaren.

As mentioned, from 1920 women could apply to become Scottish Law Agents, after serving an apprenticeship, but by 1920 Eveline was so well established in the office that she decided it was not important to gain a formal qualification – although other women did, and there is no doubt that she had the ability, had she wished, to become a Law Agent. Her decision seems to have been partly because she was content, working under her father, to be effectively a principal in private practice and partly to cock a snook at the legal establishment. It was not until the last qualified solicitor in the firm died in January 1940 that she had occasion to regret the missed opportunity.

When Alexander Nisbet died in January 1940, Eveline asked Francis Balfour on 26 January 1940 if he would undertake some Court work for her and sign documents which required a solicitor's signature, such as Court Writs and Warrants of Registration on title deeds. On 29 March, she followed this up by asking Francis Balfour, together with Peter Manson, to take nominal charge of Duncan Smith & MacLaren, and to be its partners, in return for a retaining fee. The deal was finalized on 3 April; they were to get £100 a year and do the Court work; Eveline MacLaren continued to occupy No. 62 and remained in charge of it, but Francis Balfour or Peter Manson signed her letters and documents as Duncan Smith & MacLaren, a separate legal entity from Balfour & Manson although the partners were the same in both firms.

The arrangement worked so well from 1940 to 1943 that Eveline MacLaren made a new Will, giving Francis Balfour the option, on her death, of purchasing the building and the practice. Anticipating this, she allowed Balfour & Manson to use the first floor of her building when Fraser MacLennan joined the firm in 1945, as set out in Section Three.

Eveline was a very secure and happy person. She was in essence the manager of Duncan Smith & MacLaren, and ran what seemed at the time a rather old-fashioned office in which many of the unqualified staff were loyal retainers. The firm kept many good-quality clients. When Eveline died in September 1955, the two practices were formally merged, with the name 'Balfour & Manson incorporating Duncan Smith & MacLaren', but the door of No. 62 remained a separate entrance and there was a separate phone. For the reasons set out in Section Four, the name Duncan Smith & MacLaren continued to be used until 1969.

1956 - John Grant & Co

In 1956, Fraser MacLennan personally (not the firm of Balfour & Manson) became the sole proprietor of the legal firm of John Grant and Co., incorporating Cunningham & Lawson, 16 Young Street, Edinburgh. For two years, he went daily to their office in Young Street and conducted its business from there; he then moved the two remaining staff, Mrs Janet Baldwin and Miss Ella Mitchell, to the large upstairs back room in 62 Frederick Street, behind his own room; although the two ladies later moved downstairs, the firm maintained its separate identity until 1966.

This brought the Cunningham & Lawson link back to Frederick Street, where the firm had practiced for thirty-six years in a flat off the common stair at 64 Frederick Street – literally through the wall from Fraser MacLennan’s room. James Cunningham (who qualified in 1892) and John Lawson (who qualified in 1898) entered into partnership as Cunningham & Lawson in 1903 and practiced from 15 Hanover Street until they moved in 1912 to an office entering from the common stair at 64 Frederick Street. In 1948, the sole proprietor of Cunningham & Lawson, John Grant, who had qualified in 1924, moved to 16 Young Street. In 1951, he assumed James Ogilvie as a partner and renamed the firm ‘Grant & Ogilvie, SSC, incorporating Cunningham & Lawson’. Ogilvie left after a year but John Grant kept the name until 1954, when he assumed a new partner, Pryce C. M’Rae, and called the firm John Grant & Co, incorporating Cunningham & Lawson. As mentioned, on Grant’s death in 1956, Fraser MacLennan took it over and then moved the firm to 62 Frederick Street in 1958, as described above; he kept its phone number CAL 6275 as a separate line and also its own notepaper.

Find out where Pryce C M’Rae went in 1957

1971 - 56 Frederick Street

The next expansion of the firm was to the south, to incorporate No. 56 into Balfour & Manson. The history of the building is set out in Appendix Two, but as only the building was taken over, but not the firm of Stuart & Stuart (who relocated to other premises), nothing further is mentioned here.

1975 - Hutton Jack & Crawford

George M. Hutton and J. Simpson Jack were practising as ‘Hutton and Jack’ at 8 York Buildings by 1890 – not checked earlier – and they were still there when, in 1919, they were joined by Charles S Crawford SSC. In 1920, they moved to 56 George Street and adopted the firm name ‘Hutton, Jack and Crawford’. **By 1936** they were in 66 Frederick Street.

In 1949, they assumed Robert W. Borland, who had qualified in 1939, as a partner. When he was left on his own in 1960, he assumed H. Harley Lumsden, who had qualified in 1956, as a partner, but Lumsden left in 1970. Robert L. Black then joined Bertie Borland, but by 1975 he was again on his own. Through his friendship with Fraser MacLennan of Balfour & Manson, he approached Balfour & Manson about a merger, which took place in 1975, although Borland continued to occupy the building at No. 66 Frederick Street as his own domain until his death in 1985.

1975 - Thos. J. Addly Son & Co

In 1947, Thomas J. Addly, who had qualified as a solicitor in 1912, was practicing on his own at 23 Melville Street, Edinburgh. He then assumed his son, Francis, as a partner and established the firm of Thos. J. Addly Son & Co. In 1950, they moved to 13 Young Street and in 1951 assumed Michael Layden, SSC, as a third partner. In 1954, Francis left and K.M. Gibson was made a partner in his place, but two years later Addly and Layden were on their own. In 1960, Thomas J. Addly’s forty-eight

years of practice ended, and Michael Layden practiced on his own, keeping the firm name, until 1971, when he retired to Kenya. The practice was carried on by Wilfred J.L. Masson for another four years, but he increasingly sought help from the Court partners of Balfour & Manson. When he nominally passed the books and the private client work to A. & W.M. Urquhart in 1975, all the Court work, the bulk of the practice, was taken over by Balfour & Manson, along with the very able Parliament House Clerkess, Jackie Smith.

1982 - R. Addison Smith & Co.

Details of this merger are set out in Section Seven, and the work of the Assistant Registrar of Friendly Societies for Scotland and the Assistant Certification Officer for Scotland for Trade Unions and Employers Associations is set out in Section Ten.

1991 - Nightingale & Bell

Charles T. Nightingale SSC started in partnership with W.R. Ramsay in Edinburgh's New Town in 1896 as W R Ramsay & Nightingale. The firm dissolved after Ramsay embezzled a large sum of money, leaving Nightingale with the task of repaying it all. He did this but understandably did not risk entering partnership with anyone else until in 1939 he assumed J Montgomery (Monty) Bell, who had worked as a qualified assistant since 1932, creating the name of Nightingale & Bell. It is believed that Charles Nightingale and William Balfour of Balfour & Manson studied law at the same time at Edinburgh University.

In 1951 Monty's brother T.D.S. (Tom) Bell was assumed as a partner. His legal studies in Edinburgh had been interrupted by army service in the Second World War, where, rising to the rank of Major, he had been a Chindit serving in the Burmese jungle with General Wingate. He never tired of telling stories about his experiences there, but although he was offered a permanent commission, he completed his apprenticeship and qualified as a solicitor. He served with the Territorial Army for many years, latterly as a Lieutenant-Colonel, and was a Deputy Lieutenant of the City of Edinburgh for many years. At his funeral in 2001, his commanding officer from the Burma Campaign gave a moving address about 'Ting's' service days there.

Bill Brydon, a Royal High School boy, started his apprenticeship with the firm in August 1951 while doing the last three years of the M.A., LL.B. course. Monty died suddenly while Bill was still an apprentice, and he was kept on as an Assistant after qualifying, becoming a partner in 1961.

Charles Nightingale died in 1963, and Tom and Bill carried on the firm until Malcolm Wylie and Monty's son Andrew M Bell (later Advocate and then Sheriff) were assumed as partners followed by Spencer Kennedy and others (Colin Mackay, Colin Miller and Alan Ramage and Jill Scott, all of whom left the firm over time, and Ken McGowan).

The firm was based at 8 North Saint David Street when Bill started in 1951 and he believes it had been there for many years, In 1964 they were approached by Scottish Life and along with the Scottish Stock Exchange, the Ben Line and A C Bennett & son they sold the offices to them. As part of the deal they found and sold to

Nightingale & Bell the office it occupied at 5 Alva Street until 1990. They had bought it in preference to the offer of a lease or purchase in the new office block that Scottish Life were building in North Saint David Street, and the wisdom of this choice was evident when, only a few weeks away from its grand opening, Scottish Life's new office failed the City Engineer's inspection. It had to be demolished and entirely rebuilt on the site.

Tom Bell retired in 1987 and when Colin Mackay went to Menzies & White, Alan Ramage to Australia and Mrs Jill Scott to Canada, the four remaining partners negotiated the merger with Balfour & Manson. Bill Brydon retired as agreed in 1992, Malcolm Wylie followed in 1994 and then Spencer Kennedy in 2011, Ken McGowan having gone previously to Dundas & Wilson in 1998.

2000 - Cuthbertson, Riddle & Graham

Cuthbertson, Riddle & Graham, WS, had carried on business at 21 Melville Street Lane, Edinburgh, since the late 1980s, but that was not the beginning of their history. Its partners were the successors of a long-established Edinburgh firm, McKenzie, Innes & Logan. The Scottish Law List, which goes back only to 1848, lists the three in partnership at 23 Queen Street, Edinburgh, but a search for their name on the Internet brings up a letter of appreciation in 1844 from a former Church of Scotland minister, who had left in the Disruption of 1843 and had taken his congregation into the Free Church. That letter records that 'Messrs Mackenzie, Innes & Logan [on behalf of a client, to whom the letter was written] had paid the salary of the two teachers at Uig up to November 1843. It was truly kind of you and providential for them, indeed they could not remain in their situation or support their families without this part of their salary.'

In 1955, when the partners were Ronald Cuthbertson, Andrew Riddle and Douglas Graham, WS, and they were at 25 Melville Street, they renamed the partnership Cuthbertson Riddle & Graham, WS. In 1973, they merged with Russell & Aitken, where in due course Eric Cuthbertson became the senior partner. In 1986, Eric decided to leave Russell & Aitken and to become a sole practitioner, reviving the name of Cuthbertson Riddle & Graham. In 1990, he suffered a stroke and invited Marjory MacGregor, who had a young family and who was doing some work for the firm from home, to become a partner. She had previously been a partner in Pairman, Miller & Murray but resigned when she had four young children to look after.

As Eric approached sixty-five, they looked for a practice with whom they could happily merge. Finding they had much in common with the ethos of Balfour & Manson, they moved to Frederick Street in July 2000. Marjory MacGregor, WS became a partner in the Private Client Department and Eric Cuthbertson, WS, who was in poor health, became a consultant for two years. They brought all their clients except one with them. They had provided investment advice to elderly wealthy clients to an extent that Balfour & Manson had not traditionally done, and Marjory continued to do this until stringent new Government regulations made it impractical to continue; it was the cost of complying with same legislation that forced the firm to make Jim Rodger, who had been the insurance specialist, redundant.

When she reached the age of sixty in October 2011, Marjory chose to become a consultant and plans to continue in this role until the autumn of 2013.

2004 - G.W. Tait & Sons

George Williamson Tait was born in Leith in 1866 and was educated at Moray House School. In 1882 he was apprenticed to Messrs. Tawse and Bonar W.S in Edinburgh and after qualifying as a Law Agent he worked as assistant to David Turnbull W.S and Henry Smith W.S who were solicitors to the Board of Trade. On 6th June 1903 he set up in business on his own account at 20 Leith Walk. In 1909 he became a member of the SSC. Society and sat on their Council for some years. He also served as Vice Chairman of the Edinburgh Education Authority.

His son John Adam Tait was to join the firm and was apprenticed to Messrs. Inglis, Orr I Bruce W.S but he fell at the Somme in 1916. Two sons, George James Tait and James Sutherland Tait joined the firm in the early 1920's. George Williamson Tait died on 17th June 1953, having completed fifty years as Principal/Senior Partner and his two sons also died in harness in 1967 (G.I. Tait) and 1968 (J.S. Tait).

George William Tait, who later led the merger with Balfour & Manson in 2004, joined the firm in 1953. He became well-known for his experience in the residential property market in Edinburgh, the Lothians and Fife, and was passionate about giving bespoke advice to each client. The original chambers at 20 Leith Walk were extended and a new entrance taken from Number 34. In 1977 the firm moved to 161 Constitution Street.

There was a lot of partnership activity in between 1960 and 1980, not described here, but it included J. Haldane Tait, who resigned on being appointed Auditor of the Court of Session, and the incorporation of the Leith firm of R.H. & D. Miller, SSC, at one time at 90 Constitution Street, Leith, in 1974.

The firm celebrated its centenary in June 2003, by which time George William Tait was the only grandson of the founder. The other partners then were Allen Kerr (1971), Eileen Campbell Brownlie (1977) and Peter Urquhart Wilson (1991).

On 1 November 2004 the firm of G W Tait & Sons amalgamated with Balfour & Manson, a firm with the type of practice that suited a family firm of three partners, George W. Tait, Allen Kerr and Peter Wilson. The former two joined as partners, Peter Wilson as an associate, along with two more associates, Madelaine Murray and Claire Comerton. and the majority of the firm's staff, giving Balfour & Manson a total of 20 partners. Allen Kerr retired on 31 October 2011 and George Tait retired on the same day in 2012.

Appendix Two – The present building

58 Frederick Street - 1931

The first owner in 1790

Until the middle of the eighteenth century, Edinburgh was confined for security reasons within city walls on either side of the Royal Mile. After the collapse of the Jacobite Rebellion of 1745–6, new building became possible and the New Town (the area now known as Georgian Edinburgh) developed rapidly. By 1786, plots of land were available in Frederick Street, and in May 1790 a widow, Dame Catherine Campbell, contracted with two local masons to build her a house on three levels – a ‘parlour flat’ at street level (entrance hall, dining room and principal bedroom), a ‘drawing room flat’ above it (drawing room and two more bedrooms) and a ‘basement flat’ for the ‘housekeeper and servants’. To the front, there were three cellars under the pavement of Frederick Street; to the rear, a paved area led to a ‘washing house’ at one end and two ‘office houses’ (? toilets) at the other end. Water was piped to a cistern beside the washing house and an underground drain took waste under the house to Frederick Street. From the paved area, a gate opened onto a meuse lane to the west.³ For all this, Dame Catherine Campbell paid £850.

First use by lawyers in 1870

When the partners of Balfour & Manson (William Balfour, Peter Manson and Francis Balfour) bought 58 Frederick Street in March 1931, the Disposition described it as ‘formerly a dwellinghouse but now used as office or business premises’.⁴ It had been a legal office continuously for sixty years, since John Turnbull (below) put up his plate there in 1870.

The background is that George Turnbull, WS, became a Law Agent in 1816 and by 1848 he was practicing at 16 Thistle Street in partnership with John Turnbull, WS (admitted in 1841) under the firm name of G. & J. Turnbull; both men lived at 49 George Square, so their business was not (as in some New Town houses at the time) carried on in the dining room with the family upstairs and the clerks and domestics in the basement. When George died in 1857, John assumed the recently qualified James Turnbull as a partner and changed the firm name to J. & J. Turnbull, still at 16 Thistle Street. By 1870, John Turnbull was on his own, but kept the firm name.

John Turnbull inherited 58 Frederick Street on the death of a relative in 1870. He moved his business from Thistle Street and practiced at No. 58 for the next twenty years. Since there is no mention of 58 Frederick Street in the Scottish Law List before 1870, it is safe to assume that John Turnbull was the first to use it as a lawyer’s office.

³ The Building Contract, dated 8 May 1790, is with the title deeds to the property. The New Town was developed from east to west – in 1788, Princes Street extended only five houses west of Castle Street, and Castle Street was not begun until 1792.

⁴ Ownership passed four times by succession within the Turnbull family, so there are no recorded deeds, and so no extant description of the property, between 1870 and 1931.

Turnbull had an assistant, John Ewart, WS, who had qualified as a Law Agent in 1884. On Turnbull's death in 1892, Ewart took over the business, assumed another George Turnbull (who had just qualified in the previous year) as a junior partner, and kept the firm name of J. & J. Turnbull. By 1902, Turnbull had gone, and Ewart assumed Thomas Sime, WS as a partner. In January 1931, the business was about to be taken over by Shepherd & Wedderburn, 16 Charlotte Square, so the owner of 58 Frederick Street put the building 'occupied by the firm of Messrs J. & J. Turnbull' on the market for sale.⁵ It still consisted of two rooms at street level, three on the first floor and the caretakers had exclusive use of the basement flat.

58 Frederick Street in 1931

When the three partners bought 58 Frederick Street in March 1931, a survey instructed by the sellers described the building as being 'in fair repair', and mentioned that there were Adam fireplaces ('chimney pieces') in all five of the rooms used as offices. On the first floor there were (1) a large room to the front with its bow window and hand-painted figures in the corner and centre panels on the ceiling (still there), (2) a small front room and (3) a large back room, with a small room off (the door between these rooms was closed in the 1960s, and the small room now opens onto the landing) On the ground floor, there was (4) a large front room with a bay window and (5) a back room with threelight window and with a small room off (also, like the one above it, changed in the 1960s, to be entered only from the lobby, now the disabled toilet). The cupboard under the stair was the strongroom, and continued to serve this purpose until the much larger strongroom in No. 62 became available in 1955, as described below. As mentioned in Section Four, the two small wallpresses in the front room may have been adequate when it was a diningroom, but from 1931 the typists and the receptionist struggled to keep all their stationery stock and other supplies on the narrow shelves.

The corridor on the ground floor terminated on the west with two steps down to a lavatory with washhand basin and modern WC – the survey noted the 'porcelain enclosed low down cistern', as many in those days were high up on the wall, with a long pull-chain, to give better gravity-feed. This was the only toilet for the ground and first floors; it is now a kitchenette. The extension on which it is built must have been added between 1790 and 1931, as there is no reference to it in the Building Contract. Until the 1960s, its basin had only cold water, on the basis that 'it's always been that way and we can't change it.' The extension was rebuilt in 1977, removing the need for steps and improving the toilet facilities.

A solid wall on the north of the staircase to the first floor divided No. 58 from the mirror-image building at No. 62. All archived papers from the first floor were stored in two massive wooden cupboards on the north of the landing at the top of the stair. The transformation, when they were removed and the dividing wall was taken down in 1973, creating the present open space, was astonishing.

⁵ On John Turnbull's death in 1892, 58 Frederick Street passed twice more by Will, first to a nephew, who lived in Abbey St Bathans in Berwickshire and then to a cousin of the latter, Colonel Andrew Gillon, so from 1892, J & J Turnbull were tenants and not owners.

Stone steps (just after the inner front door, now covered over at street level but still there, used for storage, at basement level) led to the caretaker's premises in the basement – a large front room with bow window, a bed recess with borrowed light from the large kitchen to the back, which had an old-fashioned range, old cast-iron sink, and a small back room with a small window. There were generous cupboards, which now give excellent storage for files.

The paved back area had an old-fashioned WC, enclosed with timber, and a toolshed. The front door opened onto a paved area, with three coalcellars under the pavement of Frederick Street. There was cold water (only) throughout, and electric lighting. The sellers' 1931 survey valued the building at £2,000, but Balfour & Manson were able to get it for £1,700. When William Balfour died in 1939, it was valued at £1,900.

'The most luxurious toilet in the New Town'

In June 1977, one partner volunteered to upgrade the toilet on the ground floor of No. 58. The opportunity went to his head, and the other partners described the result as 'the most luxurious toilet in the New Town'. It included heightening the tower at the back of the building, to give access to the toilet without steps down, and the lock on the door illuminated a specially-created sign 'Occupied' in the corridor outside. He justified this by saying that it was the only toilet for the ground and first floors, and people should not try the door when he was inside. The room is now a kitchenette, and a disabled toilet has been created out of what was the ground-floor interview room.

62 Frederick Street - 1955

Description in 1790

When No. 62 was built, also in 1790, it was the mirror image of No. 58 – its three floors were described as 'sunk flat, parlour flat and drawing room flat' – and both had separate flats above them, entering from the common stair at No. 60.

Like No. 58, the area to the front had three cellars under the pavement, but the area to the back of No. 62 had not only 'two office houses' at the north and a 'washing house' at the south, but a 'larder or laundry' at the south as well – presumably because No. 58 had a gate to the west while No. 62's area was bounded by a continuous stone and lime wall. Nothing now remains of the outhouses at No. 58 and No. 62 – and a new building in Hill Street Lane replaces whatever may have originally been to the west of their boundary walls.

First use by lawyers, 1865

No. 62 was a house until 1865,⁶ when it was initially tenanted (1865-70) and then purchased (1870) by two solicitors, John Brown Douglas, WS and James Duncan Smith, SSC, practising in partnership with the firm name of J.B. Douglas & Smith,

⁶ The owner from 1862 to 1870 was the Accountant to the Court of Session, so although he might have entertained lawyers socially, he had no occasion to carry on business there.

Law Agents; after that it was described in the title deeds as a 'dwellinghouse and office'.

In 1892, the drawing room floor had four rooms, two to the front and two to the back, and a closet with a wash-hand basin at the top of the stair. The street floor now had one large front office, two offices to the back (one large, the other smaller), and a cloakroom off the lobby with a wash-hand basin. The caretaker in the basement now had only the kitchen with a press (cupboard) and a bedroom, both to the rear – the large front room was now for office clerks, with a large walk-in fireproof strong-room – the Wills Safe during the writer's early years in the office. The small room to the front of No. 62 now had a 'completely fitted' WC and a wash-hand basin – cold water only; it is still there, but now with hot water as well. There was another WC in the back area. The 1892 survey found the building 'in excellent order – recently papered and painted and excellently adapted from its situation (a house) for the purposes of professional chambers'.⁷ By 1904, it was described as 'offices only', although the caretaker still had the kitchen and bedroom.

From then until 1955 it was owned by various members of the MacLaren family. Evelyn MacLaren, to whom it was conveyed in 1936, tried to sell it in 1938, but it was in a poor state of repair and the only interested party would not meet her price of £1,800. She kept the building and obtained an estimate to install hot water throughout; when the figure was too high, she put hot water into the basement only. She also considered replacing four old grates by modern ones, and replacing one of them with a gas fire, but it is not known if she accepted the estimate for that work.

First link to No. 58 Frederick Street

As mentioned in Section Three and in Appendix Three, Evelyn MacLaren owned the building and managed the business of Duncan Smith & MacLaren after the death of her father in 1924, but when the last qualified solicitor in the firm died in January 1940, she became dependent on her neighbours in No. 58 to sign documents which required a solicitor's signature. She appreciated this help so much that in 1943 she made a Will which gave Francis Balfour the option of purchasing the building at mutual valuation after her death. Anticipating this, she allowed Balfour & Manson to use the first floor of her building from 1945.

Initially this meant leaving by the front door of No. 58, walking down Frederick Street and re-entering by the main door of No. 62 (the present Reception), but in March 1949, with Eveline MacLaren's consent, a tunnel (still there) was slapped through between the foot of the main staircases in the two adjoining buildings. Although the ground slopes toward the north, No. 62 is on the same level as No. 58, so no steps were required when the buildings were linked.

When Eveline McLaren died in September 1955, Francis Balfour purchased No. 62 at the District Valuer's figure of £3,000 and Balfour & Manson took over the whole

⁷ In February 1892, two separate valuations were obtained. Both describe the property in similar wording, but one valued it at £2,500 while the other put it at £3,050 – presumably because the surveyors were instructed by parties with different interests.

building. The two buildings were still divided by solid walls at basement and first-floor levels.

Second link to No. 58 Frederick St - 1960

When it was proposed, in 1960, to floor over the stair from the lobby to the basement of No. 58, in order to create a waiting room for clients in the lobby, a passageway had to be created between the two basements, as the caretakers in No. 58 still serviced the office above them. Access to the basement of both No. 58 and No. 62 was now only by the stair (still there) in No. 62.

In November 1960, the front door of No. 62 was closed to the public, although retained as an emergency exit, and a new room was formed out of the vestibule, accessed from the rear – directly from the foot of the stairs up and down in No. 62, and through the tunnel from No. 58. This was the writer's room until he moved into the large front room when, in the later 1960s, Francis Balfour preferred working from home because of his ill-health.

The title to Nos. 58 and 62 Frederick Street

This is not the place to go into any detail about how the properties are owned, but mention should be made of 'Balfour & Manson Limited'. In 1964, Peter Manson and Francis Balfour discussed what is now called Inheritance Tax Planning - then known then as Estate Duty or Death Duty. They conveyed No. 58, and Francis Balfour conveyed No. 62, to a company formed to be a vehicle for the benefit of the firm. At that time, legal firms were not permitted to incorporate, so the company was called Balfoured (Holdings) Limited. As soon as it became permissible, in 1987, for legal practices to incorporate, the name was changed to Balfour & Manson Limited - not least to secure the exclusive right to that corporate name. It is now Balfour & Manson (Properties) Limited.

Third link to No. 58 Frederick St - 1973

Until 1973, the north wall of the first-floor landing at No. 58, which was also the south wall of the corresponding landing of No. 62, divided the two buildings, leaving each with a small area at the top of its staircase. Demolition of the wall in 1973 created the large open area in use today; the writer remembers the astonishment of those present when the builders took down the dividing wall and it was possible to walk between the buildings at first floor level. At basement and ground floor, there is (still) only a tunnel, but at first floor there is an impressive and spacious open area.

56 Frederick Street – 1971

First use by lawyers in 1867

When James Roberston, SSC, bought 56 Frederick Street in 1867, it had been described in previous Dispositions as a dwellinghouse on 3 floors, with a 'ground or sunk flat', a 'parlour flat' and a 'drawingroom flat' – what we would now call basement, ground and first floors. He used it, or at least part of it, as a lawyer's office, and on his death a year later, the trustees under his Will sold it in 1868 to the legal firm of Stuart & Cheyne, WS, who had been practising at 11 Young Street. When

Henry Cheyne, who had just qualified before entering into the partnership, left to go to another firm in 1881, the remaining two partners, both Stuarts, renamed the firm Stuart & Stuart, WS; there was a formal conveyance of the property to new trustees in 1886. Stuart & Stuart practiced there (except for a spell at 20 York Place from 1925 to 1931) until they sold in it 1971 to their neighbours Balfour & Manson for £19,000.

Links to No. 58 Fredrick Street

Corridors were carved out of the exiting rooms of No. 58 at all three levels, and links were slapped through the mutual walls to No. 56. Balfour & Manson borrowed £25,000, to cover the purchase price and alterations and decorations; to put that into context, in 1975 the Senior Equity Partner earned £8,500 and the Junior Equity Partner £6,500.

The writer's diary refers regularly in the Spring of 1972 to the lime, dust, dirt, noise and inconvenience of this work. Unlike the links between 58 and 62, where the floors were at the same levels, it was necessary to incorporate seven steps in the passageways from No.58 up to No. 56.

When the dust had settled on that work, it was decided 'for easy circulation' to connect Nos. 58 and 62 at first floor level – the existing links were at ground level and basement. When the wall between Nos. 58 and 62 at the top of their respective stairs was taken down – called 'the interconnection of the lobbies' in the Building Warrant – the result was breath taking. The Warrant expressly stated that the existing staircase of No. 58 was 'to be preserved in total as an original feature of the building' – which now had Grade B Listing. The staircase that linked the lobby of No. 62 to its first floor was not so highly regarded by the Planners, and eight years later it was covered over at first floor level, to create the present large landing, as described below.

60 Frederick Street – 1971

As set out in Section Six, and so not repeated here, in 1971 William Balfour personally purchased two separate flats, both accessed by the common stair No. 60 Frederick Street, one (on two floors) over No. 56 and the other (also on two floors) over No. 62. There were eighteen rooms in all and over the next decade they were gradually assimilated into the firm, as described in Section Seven.

What is not described in Section Six is the layout in 1971. At the top of the common stair, when William Balfour bought the flats, there were two doors; the one on the right led into a treble flat where the Property Department now occupies the second floor above street-level, the Commercial Department the third floor above street-level and the small top flat is a staff room and storage rooms. The other door in 1971, which faced the top of the stair, led into the double flat where, at entrance level, the Library and Personnel (to the front) and the kitchen and the Munro room (to the back) are now located. The floor above that is now the hub of the Commercial Department. The stairs that presently link the two floors of the double flats were already there, so only two comparatively minor alterations were required to bring the whole area into the firm's use. The entrance doors to the flats were removed, and a narrow corridor was created between what are now the two parts of the Commercial Department, partly for convenience and partly as an additional fire escape.

Cellarage under No. 56 – 1977

June 1977 brought a minor expansion of No. 56. Hogarth Shipping Estates Ltd., the owners of a three-storied building at 2 Hill Street Lane North (now demolished), had no further use for the storerooms and vaulted cellarage under their building. As these adjoined Balfour & Manson's basement at the back of No. 56, they offered to sell it to the firm for £1,500.⁸ It was comparatively simple (total cost £400) to block off the existing door and to make a new door, creating a stationery stock room, now a storage space for title deeds. This Disposition was separate from the later acquisition, by lease, of the huge area which now adjoins that new door and which extends the full way under the car park in Hill Street Lane – described below.

Fresh air - 1978

There was something infectious about improving the building, even in only minor ways. The Staff Room in the basement of No. 62, now the Post Room, could accommodate twenty-seven people, and the partners decided that staff should have better access to fresh air, including a door to the area at the back of the building. Accordingly, the existing (traditional) window was replaced, in July 1978, by a French Window that could be used either for more air inside or for a stroll in the paved area at the back of the building.

Improved access to the flats at No. 60 – 1980

How the firm improved the access from the first-floor landing of Nos. 58/62 Frederick Street to the eighteen rooms formerly entering from the common stair, No. 60, was described in Section Seven and is not repeated here, save to say that from June 1980 it was no longer a 'common stair', simply a fire escape, as the firm now had exclusive use of the flats.

Cash room extension – 1982

In 1981, Hogarth Shipping, the owners of the remainder of 2 Hill Street Lane North, decided to demolish it and to create carparking spaces, to be let out commercially – car parking space was now at a premium in central Edinburgh. As described in Section Seven, this opened the way for the firm's biggest-ever new-build, as opposed to taking over existing buildings; Balfour & Manson bought part of the ground at the rear of 56 Frederick Street, 'formerly a building, now a car park'; the small existing extension to the rear of No. 56 was replaced and extended by the creation of the present cash room. Frederick Street buildings were now Grade B Listed and included in the New Town Conservation Area, but the Planning Application in October 1981 was supported by the Scottish Georgian Society and 'welcomed' by the Cockburn Association, who said it 'would replace an inferior structure revealed by the

⁸ It was in four parts, which Balfour & Manson joined up – (1) an cellar on their basement floor, 37 square feet (2) another cellar, 110 square feet, (3) a store cupboard formerly used as a toilet and raised above the car park on the ground floor of the building, 27 square feet, and (4) part of the car park on the ground floor of the building, 16 square feet. This was nothing to do with the extension of the cash room in 1981, for which other ground was purchased from Hogarth Shipping.

demolition of the adjoining property with a finish in stone'. The work was completed in August 1982, ready for the arrival of the first office computer in December of that year, as described in Section Eight.

Garage in Thistle Street Lane North – 1982

In 1982, a joiner doing work in the office mentioned to the writer that he no longer needed a treble garage at the west end of Thistle Street Lane North. The writer jumped at the chance to rent it, especially as the rent was modest, and for the rest of his time with the firm the writer, along with two others, used it daily. It was more convenient than the two spaces that the firm had rented for some years before this, from a Building Society in George Street who had concreted over their garden and let out the spaces, accessed from Rose Street Lane North. Thistle Street Lane was nearer to the office, and cars did not park unlawfully in front of the garage with its 'up-and-over' door; despite bollards and chains and warning notices, the spaces off Rose Street Lane regularly had 'chancers' leaving their cars while they went shopping.

Underground storage – 1983

Hogarth Shipping Ltd had, on completion of the car park mentioned above, leased the spaces to solicitors, Allan McDougall, whose office was then in Queen Street. (This is the firm that took over 24 Castle Street when Balfour & Manson moved out in 1931.) In August 1983, Allan McDougall offered to sublet the 'basement area at Hill Street Lane North', that is the huge space under the whole of the car park. They were willing to sell their rights, permanently, but, as mentioned in Section Seven, the writer was concerned that ownership would carry the liability of supporting the car park above; accordingly, Balfour & Manson took a twenty year sub-lease from 1983, and a suitable disclaimer about responsibility for the roof was incorporated into the lease. Access to what became the firm's main storage area for files was easily arranged by slapping through the rear basement wall of No. 56, beside the recently-created door into the vaulted cellar described above.

From the beginning, the storage area was damp and dehumidifiers had to run continuously, but it was fully utilized when the writer retired in 1997. Over subsequent years, increasing water ingress made the area less and less for long-term storage and the lease was not renewed at its twenty-year break. At the time of writing, the cellaring is tolerably dry, and as it cannot be accessed by its owners except through the basement of No. 56, it will presumably just 'sit there' indefinitely. Files, which have to be kept for a number of years under Law Society of Scotland Rules, are now farmed out to repositories.

66 Frederick Street – 1985

Balfour & Manson had merged in November 1975 with the firm of Hutton Jack & Crawford (sole proprietor, Robert W. Borland), which occupied the adjoining building down the hill, No. 66. Mr Borland was the tenant of an architect, Hamish Haswell-Smith, and the office consisted of the ground floor and basement. Unlike Nos. 56, 58 and 62, where the original houses had been on three floors, No. 66 had never had a 'drawingroom flat' and the first floor above street level had nothing to do with Hutton Jack & Crawford and was entered separately from the common stair No. 64.

For ten years, access was by leaving No. 58 and walking downhill to the door of No. 66, because although the firms had nominally merged, Mr Borland continued to run his domain with his staff as before. It was not until his death in 1985 that the two adjoining buildings were connected by driving a passageway through the mutual walls at ground and basement levels. As with the earlier links to No. 56, where corridors were created by eating into the front rooms of No. 58, the link from No. 62 to No. 66 was achieved by taking space from the rooms to the rear of No. 62, and making four steps down (because of the drop in levels); from then on, the main door of No. 66 was used only as a fire exit.

The Court Department moved into No. 66; five years later, the first floor also became available – next paragraph but one – so the secretaries and some assistants moved upstairs as three Nightingale & Bell partners joined the Court Department. The small cubicle almost facing the top of the entrance stair, which had housed Mr Borland's receptionist/telephonist/typist, was demolished and the Court photocopier was sited there. Balfour & Manson entered into a new lease with Mr Haswell-Smith, to run to 2021.

Disabled access – 1985

Shortly after the firm linked the main building with No. 66 at two levels in 1985, one of the two shops at the corner of Frederick Street and Queen Street came on the market. The firm looked seriously at it for two reasons. One was that 'Property Shops', where solicitors advertised the houses they had to sell, were all the rage at the time, and the other was that wheelchair access could have been 'slapped through' from the back of the shop into the basement of No. 66. The latter was not pursued, as it would have been a very long corridor too long, and the former as it was hoped to get a property outlet nearer to George Street. Disabled access was later provided at the door of No. 58, as described in the last section of this Appendix.

64 Frederick Street – 1990

Some of the flats above Hutton Jack & Crawford's office (which was ground floor and basement only), flats which entered by the common stair No. 64, had been offices until the Town Council encouraged people to live, not just work, in the New Town. In May 1972, the second floor office premises went back to residential use. Fortunately for Balfour & Manson, the whole of the first floor was still being used as an office when its owners, the National Dock Labour Board, decided in January 1990 to move elsewhere – there is no way that the firm would have been allowed to buy it and use it as an office if that had not been its existing designation.

Balfour & Manson purchased the first floor for £300,00, and built a staircase from the ground floor of No. 66 to the south end of the new flat – a continuation of the existing stair from the basement to the first floor of No. 66. The door into the common stair was closed except as a fire escape. The renovations and decoration cost another £30,000. That took the firm to Queen Street at three levels, looking over the Gardens at two of them, although the entrances were all off Frederick Street.

54 Frederick Street– 1994 to 1996

It may be helpful to give some detail about this building, to explain why the third floor of the present office is such a patchwork of rooms and corridors.

The 'third flat from street level or the fourth flat from ground level, with two attic flats, above 56 Frederick Street and entering from the common stair No. 54' (as the original Disposition described it) comprised, in 1970, (1) an architects' office on the main floor and (2) one double-top flat over it, because the two attics had been converted into one residential unit. In October 1971, the owners, Blairavon Investments Limited, subdivided the double-top flat into two separate flats, each with a new and separate entry.

Blairavon used them as offices, but in June 1973 sold one of them to Alastair Dorward, then William Balfour's qualified assistant. He converted it back into residential accommodation'. He built an internal stair between the third flat and the attic, divided the attic into three rooms and removed the skylights, replacing them with velux roof lights. In June 1977, the other attic was upgraded by forming one large dormer window to the rear.

In July 1978 the Samaritans, a charity, bought the whole building and made the layout even more complex by constructing internal partitions in some of the rooms. In April 1993, the Samaritans sold the property to Balfour & Manson for £115,000, with a lease-back for twelve months certain and then until either party gave three months notice. This gave the firm the option of further expansion in the future, and income from the tenants in the meantime. When the Samaritans gave up the tenancy, efforts were made to find other tenants; when this proved difficult, it was decided in February 1996 to take the plunge and (to quote the Planning Application) 'to incorporate all three floors of No. 54 into the adjoining No. 56, for office use'.

The rear mutual walls were slapped through at second and third levels. Again, this meant eating into existing offices to create corridors, and forming stairs to connect the half-landings. Some of the larger rooms were partitioned and a new WC installed in what had been a storage room on the third floor. This now houses the commercial department and the fourth floor, with the velux window, is a computer training room. The stair to the street and the front door No. 64 are closed except as fire escapes.

A new front door – 1996

From 1931 to 1996, public and staff access was through the front door of No. 58, with a receptionist in the large front room until 1970 and then in the lobby. In early 1996, the telephone exchange was moved to what had been an Interview Room, looking onto the main door of No. 62, with one-way glass to keep an eye on comings and goings. The beautiful circular desk, that had been the base for two receptionists/telephonists since 1985, was moved into the front room of No. 62, for one receptionist, and the public pressed a buzzer inside the front door to gain access. No. 58 became the staff entrance, unmanned but with a coded keypad. The 'in/out' lights on the circular desk were moved back to the wall of No. 58, where people operated them as they went by; this was not an improvement in one sense, because over the years partners and staff had told the receptionists where they were going and when they would be back; a repeater of the in/out lights at the telephone switchboard told the operators whether people were 'in' or 'out', but neither the operators nor the receptionist knew where or for how long.

52A Frederick Street – 1998

‘The self-contained first floor flat, together with staircase and entrance hallway and external staircase leading to the street and forming 52A Frederick Street’ (to quote the Disposition) was until 1998 used by Sime-Malloch, the owners of the shop at the corner of Frederick Street and Hill Street, as their print rooms. As it was surplus to their needs, they offered to sell it to Balfour & Manson for £98,000. The first step was to get Planning Permission to change its use from ‘retail’ to ‘office’ and the next step was to give Sime-Malloch servitude right of access into the stair, because that was their fire-escape.

The Building Warrant of 10 December 1998 permitted ‘incorporation of the vacant print shop into the existing offices by removing the common wall’. That must be the most understated permission in the history of the firm, because the stone stair down to the street door No. 52 was in the way of any corridor through. The solution was to build a three-step up and down bridge over the stair, and retain it as a fire escape. One could now look out to Hill Street to the south and then walk (dropping down a floor at some point) to look out to Queen Street on the north. The firm still owns only the first floor at 52A – the only part of the complex where the firm does not occupy the basement and ground floors as well as the first.

Disabled access – 2005

The final building work up to the date of writing was to create a lift for a wheelchair from the pavement to the front door of No. 58. The original idea, in 2003, was not only to provide wheelchair access from the street but also to install a lift serving all three floors of the main building, basement, ground and first floor. As well as disabled people and their carers, this would have taken stationery and other heavy items, stored in the basement, to the other floors. Another idea was to install a stair lift, up the main staircase, so that elderly and infirm could attend seminars and social events in the boardroom.

After discussions with the City Planners and the architects, the scheme was scaled back to providing a lift for a person in a wheelchair and one carer from street level to the main door of No. 58, and to make the small interview room facing the entrance into a disabled toilet

Permission was given in the Spring of 2005, but the first part of the work was not carried out, and the second part was delayed, while the partners debated whether to move to a modern purpose-built office; their decision to stay is described in Section Nine.

Other buildings

Aberdeen: the premises at 23 Rubislaw Den North, (2004-09) and 38 Albyn Place (2009-now) were both leased.

Strathaven: from 2004 to 2007 the firm carried on business at 27 Hills Road, Strathaven, which was (and still is) the residence of Elizabeth Craigmyle.

Appendix Three – Fee-earners, 1877 to now

Partners, Associates, Qualified Assistants, Consultants, Apprentices, Trainees and Executives

Notes:

- (1) This lists all Partners from 1877 to the present, and everyone else mentioned in the heading after 1973. As qualified assistants did not require to hold a Practising Certificate until the 1960s, they are not named in the annual Scots Law List, so some names have been missed. There was no way (other than memory) of listing Apprentices and Executives until 1974, after which a full record is available.
- (2) It is invidious not to mention secretaries and Cashroom staff and receptionists and others in key roles, but a complete list would have been inordinately long and has not been attempted.
- (3) If ladies married while with the firm, they are listed under their married names, with a cross-reference, where possible, to their maiden names as 'nee'. Other marriages are not recorded unless two members of staff married.
- (4) Year of death is not recorded. Where people came from, and where they went on leaving, is briefly noted if known.

ABBREVIATIONS

App	Apprentice ¹	Com	Commercial Department
Assoc	Associate	Lit	Litigation Department
Consult	Consultant	Pte	Private Client Department
Exec	Executive ²		
Part	Partner		
QA	Qualified Assistant		
Train	Trainee		

Role of Executives within the Private Client Department

CS	Social Work, then Welfare Services, now Community Services
PP	Property Purchases
PS	Property Sales
RL	Furnished Letting, then Residential Leasing

¹ Until 1961, apprenticeship was for three years (combined with a University degree) or five years (without a degree). When the University degree-course became full-time in 1961, apprenticeship was reduced to two full-time years. Traineeship, which replaced apprenticeship from 1980, was always two years. If an apprentice or a trainee stayed on with the firm, the post-qualifying Department is given; otherwise it is given as 'App' or 'Train'.

² People who are now called 'para-legals' were described in the office diaries as 'Managers' until 1994, and then as 'Executives'. Only the latter word has been used in the list.

	Dept	Position and Dates	Where went, if known
Adam, Michelle	Lit	QA 2001-03	Assoc 2003-08 to Thorntons
Adams, Jacqueline	Train	1998-2000	
Adams, Jennifer	App	1975-77	to Miller Hendry, Dundee
Adams, Rhona	Lit	QA 1992-93	
Adams, Stephen	Train	1985-87	
Aitken, Leanne	Lit	Exec 2009-12	
Akotia, Olga		see Paspornnikov	
Alexander, Angela		see Wipat	
Allan, Anthea	RL	Exec 1989-99	
Allison, Barrie	PS	QA 1990-2008	seconded to Scottish Office, 1996-99
Amos, Dorothy	Train	1990-92	to McVies, Haddington
Anderson, Laura	Train	1999-2001	
Anderson, Peter	App	1973-75	to Simpson & Marwick
Ashraf, Sadif	Train	2001-03	
Asplin, Flora	Train	2006-08	to Fyfe Ireland
Atkin, Susannah	Pte	QA 1995-97	
Balfour, Francis	-	QA 1919-22	Part 1922-72
Balfour, Ian	Lit	App 1952-55	QA 1957-59 Part 1959-97 Consult 1997-now
Balfour, Jeremy	Train	1987-91	QA 1994-96
Balfour, William	-	1887-1904	Part 1904-39
Balfour, William,	App	1952-58	QA 1962-63 Part 1963-97 Consult 1998
Ballantyne, Linda	Lit	Exec 1978-79	

Bannerman, Arlene	Train	1989-91		to Thos Purdom & Sons, Hawick
Barbenel, Rachel	Lit	Train 1989-91	QA 1991-95	to London
Barbour, Andrea	Lit	Exec 2004-10		nee Hawker
Barker, Sheila	Train	1992-94		to Bonar Mackenzie, then Loudons
Barnes, Jillian	Pte	Train 2002-04	QA 2004-08	Assoc 2008-now
Beattie, Carolyn	Lit	Assoc 1998-2000	Part 2000-01	
Bell, Maureen	Lit	Exec 1999-2008		criminal appeals
Bewick, James	Train	1985-87		
Black, Colin	App	1951-54		married Christine Brown to Mathie-Morton, Ayr
Blacklock, Telfer	Lit	Train 1982-84	QA 1984-87	Part 1987-92 to Blacklock Thorley
Blake, Bianca	Lit	Exec 2009-11		
Blundell, John	Train	1985-87		
Boni, Mark	Train	2012-14		
Borland, Robert	Pte	Part 1975-85		from merger with HJC
Boyd, Dorothy	Pte	QA 1980-83		to Shepherd & Wedderburn
Boyd, James				
Brash, Peter	Train	1990-92		to Grigor & Young, Elgin
Brodie, Philip	App	1973-75		to Bar, Lord Brodie
Brown, Alastair	App	1977-79	QA 1979-80	to Procurator Fiscal
Brown, Miss D	?	QA 1979-80		
Brown, Ellenore	Pte	QA 1979-81		married Lindsay Foulis
Brown, Laura	Train	2007-09		
Brown, Leigh-Anne	Train	2000-02		
Brown, Shona	Pte	Assoc 2011-now		from Bonar Mackenzie
Bruce-Lockhart, Karen	App	1970-72 (then to Courtney)		to Brodies, to Bar
Bryden, William (Bill)	Lit	Part 1991-92	Consult 1992-4	from N&B

Bryson, Lynn	Pte	Assoc 2007			
Buchan, Gwen	Train	1986-88			to Linklaters, London
Buchanan, Iain	Train	2004-06			
Budge, Evan	Pte	QA 1977-79			to Donald & Budge, Aberdeen
Bulman, Alastair	Lit/PS	Exec, Lit 1972-74, PS 1974-76			
Burden, Colette	Pte	QA 2008-10			
Burleigh, Alastair	Lit	App 1979-81	QA 1981-83		
Burns, David	Pte	QA for two periods in 1960s-70s			
Burns, Murray	Pte	Part 1993-2008	Consult 2009-10		from Bell & Scott
Callery, Craig	Train	2011-13	QA 2013-		
Campbell, David	Pte	Part 2010-now			from Lindsays
Cameron, Rhona	Train	1989-91			to Morton Fraser
Cargill, Ross	Pte	QA 2005			
Carlisle, Dorothy	Train	1983-85			
Cassels, Alan	Train	1998-2000			
Cathcart, Moira	Train	1993-95			to Brodies
Cathcart, Sam	Lit	App 1972-74	QA 1974-5	from HJC	Sheriff
Chalmers, Donald	PS	Exec. 1988-99			
Chapman, Jan(is)		see Mackay			
Charteris, Pamela	Lit	Exec 1975-78	undefended divorces		nee Mason
Chilton, Sarah	Lit	QA 2008-09			
Christie, Aileen					
Clark, James	Pte	QA 1956-64	Part 1964-75		
Clarke, Leigh					
Clark-Spence, Julie	Lit	QA 2007-11	Assoc 2011-now		Aberdeen office

Clure, Ann	App	1971-74	
Cochran, Sascha	Lit	QA 2002-04	nee O'Hagen
Cochran, Stuart	Lit	QA 2002-03	Assoc 2005-05
Cochrane, Lindsey	Pte	QA 2004-06	
Cockburn, Hannah	Com	QA 2011-12	to London
Cole, Jeanne	Pte	Exec 2008-09	
Comerton, Claire		see O'Neill	
Connell, Jeremy	Lit	QA 1979-81	
Connon, Sarah	Pte	QA 1982-84, 1989-95	to Skene Edwards
Convy, Doreen	PP	Exec 1980-2008	
Cooke, Amanda	Pte	Train 1995-97	to Dundas & Wilson
Coombs, Maria Francesca	Pte	QA 1999-2003	Assoc 2003-06
Coutts, Gordon	App	1956-58	QC and Temporary Judge
Craig, Darren	Train	1999-2001	to Dundas & Wilson
Craig, James, Senior	Consult	1982-84	from Addison Smith
Craig, James, Junior	Pte	Part 1982-2004	from Addison Smith
Craigie, Pamela	Prop	QA 1987-2001	
Craigmyle, Elizabeth	Pte	Part 2004-8	based in Strathaven
Cram, Alistair	App	1932-35	see Chapter Two
Crilly, Stephen	Train	2000-02	
Crossan, Sarah	Pte	QA 1992-95	to USA then back to UK nee Evans
Crowe, Jonathan	Train	1997-99	
Cullen, Douglas	App	1958-59	to Bar, Baron Cullen of Whitekirk
Cuthbertson, Eric	Consult	2000-02	from Cuthbertson, Riddle etc
Davidson, Graeme	Lit	QA 1985-87	

Davidson, Shirley	Pte	QA 1983-86		to Morton Fraser
Davies, Paul	Train	1992-94		
Davitt, Wendy	Lit	Exec 2009-11		
Deane, Gordon	Lit	Part 2010-now		
Demick, Peter	Train	1999-2001		
Denholm, Harold	Pte	Part 1979-94		from Simpson & Marwick
Dewar, Brenda		see Rennie		
Dewar, Carolyn	Com	QA 2012-now		
Dick, John	App	1946-48		to Bar, Sheriff Principal, see Chapter Ten
Dickson, Christine	App	1978-80		to Buchanan Dickson Frame, Paisley
D'Inverno, Joseph	Train	1981-83		to Ketchen & Stevens
Dobie, Robert	App	1977-79		to Tods Murray
Dodds, Roanne	Lit	QA 1996-		
Doherty, Una	Lit	QA 1991-93	Part 1993-98	to Bar
Donnelly, John	Lit	QA 1981-83		
Dorward, Alastair	Pte	1972-74		to Miller Henry
Dowey, Valerie	Train	1998-2000		
Douglas, Morven		see Dyker		
Douglas, Kinloch	Lit	QA 1984-85		to Bar
Downie, Jo	CS	Exec 2004-now		
Drummond, Alan	App	1977-79		to United Nations, New York
Duff, Valerie	Pte	Exec 1993-5		
Duffy, Louise	Lit	Train 2004-06	QA 2006-09	Assoc 2009-now
Duncan, Claire	Pte	QA 1976		
Duncan, Fiona	Train	1993-95		
Duncan, Sarah	Train	1992-94		

Dundas, Nikki	Pte	Part 2011-now	from Bonar Mackenzie
Dunlop, Laura	Train	1984-86	to Bar, QC 2002, Scottish Law Comm., 2009
Dyker, Morven	Lit	2004-06	Assoc 2007-now nee Douglas
Eastlands, Carol	RL	Exec 1994-96	
Edmunds, Laura	Lit	QA 2012-now	Aberdeen office
Ellis, Nick	Lit	QA 1981-84	
Ellis, Pauline	App	1980-82	
Elmslie, Bill	App	1964-66	to J&RA Robertson, Keir Moodie
Evans, Sarah		see Crossan	
Falconer, Suzanne	Train	2004-06	
Ferguson, Lorna	App	1971-73	now Advocates' Clerk (Lorna Arnot)
Fife, Robert	PS	QA 2000-01	
Fisher, Karen	Train	1998-2000	
Flanagan, Sean	Train	2009-11	
Fleming, Louna	Train	1997-99	to Digby Brown, Glasgow
Fleming, Hazel	Train	1988-90	
Flett, John	App	1953-55	to TP & JL Low, Kirkwall
Flett, Roy	Train	1987-89	to TP & JL Low, Kirkwall
Flinn, Roderick	App	1979-81	to Brazenall & Orr, Dumfries
Flint, David	Lit	Part 2007-now	
Forbes, Colin	Train	1986-88	to Esslemont & Cameron, Aberdeen
Forbes, Miss D	Lit	Exec 1976-7	
Forbes, Ken	App	(? dates) QA to AFM	? Sheriff at Inverness
Forbes, Stewart	Train	1981-83	
Forsyth, Pat	PS	Exec 1996-2001	
Foubister, Stuart	Lit	QA 1982-85	now at Scottish Executive

Foulis, Ellenore		see Brown	
Foulis, Jamie	Train	2011-13	QA 2013-
Foulis, Lindsay	App	1978-80 QA 80-81	to Blackadder, etc, Dundee, now Sheriff
Fowler, Sally	Lit	Exec 1976-79	undefended divorces
Fowlie, Judy	Pte	QA 2008	to Simpson & Marwick
Fox, Col. Michael	PS	Exec 1970-80	
Fox, Stephen	CS	Exec 1987-2004	to work for Alzheimer's Scotland
Franceschi, Marika	Lit	Train 2003-05	QA 2005
Frew, Richard	Lit	QA 1984	to Biggart Baillie
Fulton, Paddy	Train	2012-14	
Galbraith, Sam	?	QA 1975-?	came with H.J. & C. to Inverness, ?Sheriff
Garcia-Alis, Catriona	Lit	Train 1999-2001	QA 2001-05 Assoc 2005-now nee Sheriffs
Gibb, Andrew	Lit	App 1969-71	QA 1973-75 Part 1975-2012 Consult 2012-now
Gibb, Lorna	Lit	Assoc 2010-11	
Gibbons, Karen	Lit	QA 2007-09	Assoc 2009-now
Gibson, Jim	App	1963-65	to Waddell & Mackintosh, Troon
Gilchrist, Aileen	PS	Exec 1992-96	
Gilchrist, Nicola	Train	2005-07	
Gilruth, Kate			
Girdwood, Lisa	Train	1988-90	to Bonar Mackenzie
Gourlay, David	Train	1993-95	to Dundas & Wilson
Graham, Paul	Pte	QA 2002-08	
Gray, Corra	Train	1997-99	to McLeod & McCallum nee Irwin
Gregory, Lisa	Lit	Assoc 2004-5	Part 2005-now Aberdeen office

Hamilton, Colin	Train	2006-08		to Gillespie McAndrew
Harris, David	QA	1988-92		to Allan McDougall
Harrison, Mark	Lit	QA 1992-2001		
Hartmann, Murdoch	PS	Exec 1983		
Hawker, Andrea		see Barbour		
Henderson, Bill	App	early 1960s		to Bar Sheriff at Stirling
Henderson, Carol	App	1975-77		worked from home, 1980-87
Henry, Eileen	Pte	Assoc 2007-11		
Hill, Robin	Pte	Part 2003-now		from J & W Buchan, Peebles
Hodge, John	Com	QA 1975-77	Part 1977-now	
Holland, Robert	Lit	Assoc 2008	Part 2009-now	
Hopkin, Susan	Lit	Assoc 2004-08		to Central Legal Office
Horsman, Joyce				
Houston, Ethel	Pte	QA 1947-49	Part 1949-1994	
Howatson, Karen				
Howie, Jane	Lit	Train 1997-99	QA 2000	
Howlin, Michael	Pte	QA 1984-85		to Bar
Hunter, Ann	PS	Exec 1984-1998		to Morton Fraser
Hunter, Sue	Train	1997-99		to McRoberts
Hymers-Mackintosh, Flora				to Young Robertson, Thurso
Imrie, Audrey	Lit	Exec 1989-now		
Innes, Craig	Pte	QA 1983-85		to Warners
Innes, Gary	Pte	Exec 1987-95	executries	
Innes, Ramsay	App	?1974-76 or earlier		
Irwin, Corra		see Gray		
Jackson, Lisa	Lit	QA 2011-12		to Morton Fraser, Glasgow

Jalicy, Sara	Pte	QA 2011-now		
Jamieson, Lorna		see Ferguson		
Johnston, Robert	Pte	QA 1951-55		to Austins, Dalbeattie
Jones, Nicholas	Train	1982-84		to Burness
Joughin, Gail	Train	1983-85		to Bar
Kane, Dianne	Lit	Train 1995-97	QA 1997-9	to Scottish Health Service
Keatinge, Alastair	Com	QA 1987-8	Part 1988-2003	to Lindsays
Keen, Richard	Lit	App 1976-78	QA 1978-79	now Dean of Faculty
Kelly, Iona				to Lindsays
Kelly, Jane				
Kemp, Sarra	Lit	QA 2005-088	Assoc 2008-09	
Kennedy, A.J. Spencer	Lit	Part 1991-2009	Consult 2009	from N&B
Kerr, Allen	Com	Part 2004-09	Consult 2010-11	from G W Tait
Kerr, Bruce	App	1970-72	To Bar, Sheriff Principal of North Strathclyde	
Kerr, Stephen	App	1976-78		to Fyfe Ireland
King, Alex	Pte	Exec 1989-93	Income tax	
Kinloch, Douglas	App	1978-80		? Sheriff
Kirk, Sheila	App	1979-81		to Morton Fraser
Knight, Grant	Lit	QA 1987-89		to Wilson Terris & Co
Kissock, Sarah-Jane	Train	2008-10		
Kreitman, Susan	App	1972-77		
Laing, John	Pte	QA 1973-74		to Abbey National
Latimer, Dorothy	Com	QA 1987-88		to Tods Murray
Lauder, Susannah	Pte	QA 1998-2002		
Law, Kathleen	Pte	QA 1972-77	Part 1977-1991	

Lawrence, Ian	App	1975-77	from Collies, Aberdeen to firm in Borders
Lawson, Gordon	Pte	QA 1968-71	to Miller Group
Lawson, Mark	Lit	QA 1979-82	to Masters International (Sports Law)
Lawson, Pamela	Train	2010-12	
Lawson-Stott, Patricia	Pte	Exec 1972-89, Receptionist, then Manager, then PS 1985-89	
Leach, Ian	Lit	QA 1989-92	Part 1992-2001 from N&B to HBM Sayers
Leitch, Elaine	Lit	QA 2012	
Leitch, Ian	Lit	QA 1977-78 1990-92, Part 1992-2001	to T C Young
Lenan, Olga	Lit	QA 1985-86	
Lewis, Sian	RL	Exec 1980-88	
Leyden, John	Pte	Assoc 2003-05	Part 2005-09
Lindsay, Eileen	Lit	Exec 2003-10	
Lindsay, Joyce	Train	2001-03	
Logan, Ann	Lit	Train 1987-89 QA 1989 +1994-96 Assoc. 1996 - now (gap 05-07)	
Logue, Catriona	Lit	QA 2003-04	Assoc 2005-07
Loudon, Pamela	Lit	Part 1999 - now	from MacBeth Currie
Lowden, Aileen	Train	1987-89	
Lowe, Robyn	RL	Exec 1996-98	
Luke, Evelyn	Pte	QA 1971-75	to Thorntons
McCafferty, Barry	Train	1994-96	to Office of the Lord Advocate
McConnell-Trevillion, Louyse	Train	1997-99	seconded to Scottish Office, 1997-98
McCormack, Joanna	Lit	QA 2003-04	Assoc 2004-now
McCracken, Angela	Train	2012-14	
McCracken, Morag	Lit	Train 2009-11	QA 2011-now
McCrea, Cal	Lit	Exec 2005-08	
McDevitt, Lynsey			to Semple Fraser

MacDiarmid, Elspeth	App	1968-70		
McDonald, Alistair	Pte	QA 1983-84		
McDonald, John	Train	1981-83		
MacDonald, Ian	App	1950-51 to Bar, 1952, QC 1964, Lord Mayfield – Chapter Four		
McDonald, Patricia	Lit	Exec 1973-75		
McDougall, Alastair		Fee-earner for Harry Denholm		
McElroy, Kathryn	Train	2008-10		to Central Legal Office
McEwan, Dorothy		QA 1977-78		
MacFadden, John	Lit	QA 1962-65	Part 1965-68 to Dumfries	Chapter 5
McFarlan, Tonia	PS	QA 1999-2003	Assoc 2003-12	
McFarlane, Anne	Lit	Train 1995-97	QA 1998-2000	
McGaw, Alison	Lit	QA 2000		
McGhie, James	App	1966-68		to Bar, Lord McGhie
McGowan, Kenneth	Lit	Part 1991-98		see Chapter Eight
McGuinness, Anne	RL	Exec 1988-98		
Macgregor, Marjory	Lit	Part 1999-2011	Consult 2012	see Appendix One
McIntosh, David	Lit	Part 1999-now		from Macbeth Currie
MacIntosh, Flora	Com	QA 2000-04		
Maciver, Miss S	App	1976-78		
Mackay, Jan(is)	Pte	QA 1985-87	Part 1987-8	nee Chapman
Mackay, Malcolm	Lit	QA 2005-06	Assoc 2006-08	Part 2008-11 Aberdeen office
McKee, David	Lit	QA 2010-12		to Gildeas
McKenzie, Diana	Lit	Exec 2010-12		Aberdeen office
McKenzie, Shelagh	Lit	Assoc 2007		
McKichan, Sue	PP	Exec 1985-87		
McKnight, Lesley	Pte	QA 2011-now		Aberdeen office

McLean, David	Lit	QA 2002-03	
McLean, James (Jim)	Com	Consult 2011-now	from Burness
MacLennan, A. Fraser	QA	1940, return 1945, QA 1 year	Part 1946-84 Consult 1984-86
MacLennan, David	Lit	QA 1973- 74	Part 1975-2007
MacLennan, Jane	Lit	QA 2001-03	Assoc 2003-04 left to have family
McLeod, Donald	App	1962+	
Macleod, Susan	Lit	Assoc 1999-2005	to Anderson Strathern
McMahon, Jim	Tax	Exec 2000-now	
McMurray, Gordon	PS	Exec 1980-99	
McNeil, Deirdrie	QA	1980-81 Income Tax	
McNeish, Gillian	Pte	Exec 2000-03, back 2010-12	
McPhail, John	App	1972-75	to a London firm
Macpherson, Sylvia	App	1952-54	married John Ure
Macrae, Sandra	Pte	Exec 1989-97	nee Tainsh
MacRitchie, Karen	Train	1988-90	
McTaggart, Neil	Com	QA 1964-68	Part 1968-99 Consult 1999-2001
Main, Angie	Lit	QA 2001	
Malcolm, Colin	PS	Exec 2000-2010	set up practice on his own
Malcolm, Joanne	Pte	QA 1981-86	to Murray Beith & Murray
Manson, Peter	App	1895-1900	Part 1904-65
Marshall, Lisa	Train	2010-12	
Martin, Graham	App	1976-78	
Marwick, Jamie	Pte	QA 2010 now	
Mason, Pamela		see Charteris	
Mathieson, Alison			
Matthew, Sylvia	PP	Exec 1974-82	

Meffan-Main, Angie

Meldrum, Andrew Pte QA 1981-84

Meldrum, Lora Train to Bar

Millar, Alan Lit Train 1982-84 QA 1984-85 to Childrens' Reporter

Millar, Johanna Lit Train 2007-09 QA 2007-12 Assoc 2012-now

Miller, Ian App 1970s to Burnet Miller, Aberdeen, now Sheriff Glasgow

Miller, Louise PS QA 1998-99 to Office of the Lord Advocate

Milligan, Elizabeth Lit Assoc 2007

Milne, Alastair Lit Assoc 2009-12 Part 2012- now, from Erskine MacAskill

Milne, Hugh App 1974-77 to Inland Revenue

Milne, Odell Pte QA 1986-89 to Brodies

Milne, Veronica Pte Exec 1978-88 QA 1988-90

Mitchell, Andrew Pte QA 1987-91

Mitchell, Anne see Nelson

Mitchell, Henry App 1974-77

Mitchell ? with David MacLennan, 1980-82

Moffatt, Gillian Train 2008-10

Morgan, Norma Lit Exec 1979-2004

Moore, Jacqueline

Morrison, Peter Lit QA 1951-59 to Fiscal, later Sheriff at Haddington

Motion, Elaine Lit QA 1993-1995 Assoc 1995-1997 Part 1997-now

Moynihan, Anne Lit QA 1989-91

Muir, Alan QA 1989

Muir, Christopher

Muir, Hannah Train 2012-14

Muir, Stephen Lit QA 1997-8

Muir, Vivienne

Muir, Vivienne					
Muir, Fiona	Lit	Train 1997-99	QA 1999-2004	Assoc 2004-05	Part 2005-now
Mullally, Dorothy		Train 1983-85,	QA 1985-86 to Bank of Scotland,	then Carlisle & Co	
Mules, Sindi	Lit	QA 2005-09	Assoc 2009 – now		
Mulholland, Eric	Pte	App 1974-76	QA 1976-77	to United Wire, then Menzies	
Murray, Anthony	Train	1991-93			
Murray, Madelaine	Pte	Assoc 2004-08	from G W Tait		
Murray, Robin	Pte	QA 1986-89			
Nairn, Wendy	Lit	Train 1982-84	QA 1984, 1987-99		
Nash, Derek	Train	1987-89	to Skene Edwards		
Naveed, Afshan	Train	2008-10			
Neilson, Margaret	Lit	Train 1983-84	QA 1984-87	Part 1987-2006	Sheriff
Nelson, Anne	Pte	App 1974-77	QA 1985-92 work from home nee Mitchell		
Nelson, Gillian	Train	1999-2001			
Nelson, Graham	Train	2005-07			
Nelson, William (Bill)	Lit	App 1980-82	QA 1982-85 to McKay Norwell		
Nicholson, Peter	App	1979-81	Editor JLSS – see Chapter Twelve		
Nicholson, Yvonne	Pte	Exec 2010-12			
Norrie, John	Lit	Train 2004-06	Assoc 2006-07 to Gillespie McAndrew		
O'Hagen, Sascha		see Cochran			
O'Neill, Claire	Pte	Assoc 2006-08	Part 2008-10 from G W Tait, nee Comerton		
Orr, Nigel	App	1980-82	to Crown Office		
Pacey, Anne	Pte	QA 1988-91	Part 1991-2005 to Archibald Campbell		
Pasportnikov, Olga	Train	1989-91	to Law Society of Scotland nee Akotia		
Paterson, Alan	App	1973-76	Head of Law School, Strathclyde University		
Pearce, Alison		see Smith			

Pearson, Nadia	Lit	Exec 2012			
Peebles, Iain	Lit	QA 1977-79			to Bar, now Lord Bannatyne
Petrie, Jaclyn	Lit	QA 2009			
Plumtree, Alexandra	Lit	QA 1992-93			to British Agencies for Adoption
Pollock, Christine		see Wilson			
Porteous, Laura	Lit	QA 1988-92			
Prime, Jonathan	Lit	Train 1984-86	QA 1986-88	Part 1988-1993	to Church
Primrose, Graham	Train	1990-92			
Pritchard, Gretta	Pte	QA 1977-90	Assoc 1990-95		
Pugh, Richard	Train	2001-03			
Purves, Cathie	Pte	Exec 2010-12			
Quigley, Ian	QA	1972-73			to McLay Murray & Spens
Rae, Rita	Lit	QA 1974			to Bar, Sheriff Court of Session Bench 2014
Rae, Susan	Lit	Exec 2012- now			
Ramsay, Frank	App	1935-38			after WW2, J.D. Mackie & Dewar, Aberdeen
Ramsay, Scott	Train	2009-11			
Rankine, Leonora	Train	1990-92			
Rattray, Jane	Lit	Train 1990-92	QA 1992-93		to Blacklock Thorley
Rayner, Grace	Lit	QA 2006-08			
Reddy, Susan	Train	2010-12			
Reid, David		1995 - need information			
Reid, Diana	Pte	QA 1974-85			to Anderson Strathern nee Young
Reid, Martin	Train	1991-93			
Reilly, Peter	Pte	QA 1973-79			
Rennie, Brenda	Pte	App 1969-71	QA 1971-76	Part 1976-2011	nee Dewar

Rice, Helen	Train	2000-02	
Richards, Simon	Train	2007-09	
Richardson, Jane	Train	1991-93	
Ritchie, Kerry	Lit	QA 2003-05	to Central Legal Office
Robertson, Dawn	Lit	Assoc 2005-06	Part 2006-10 from Ledingham Chalmers Abd
Robertson, Gerrard	App	1977-80	
Robertson, Kenneth	Pte	QA 1986-87	Part 1987-now
Rodger, Jim	Pte	Exec 1985-2007	Insurance and Pensions
Rodger, John	Lit	QA 1971-72	to William F. Wisely
Ross, Ken	Com	Part 2010-now	from Burness
Ross, Margaret	Pte	QA 2012-now	
Ross, Vivienne	Train	1997-99	
Salvesen, Gill	Lit	Train 1989-91	QA 1989-2001 to Bonar Mackenzie
Sandison, Shona	Pte	Exec 2010-12	
Saunders, David	Pte	QA 1986-94	
Scott, Aisling	Train	2010-12	QA 2013-
Scott, Anna	Train	2003-05	
Scott, Elizabeth	Pte	QA 1985-86	
Scott, John	App	1972-73	to Bar
Scrimgeour, Michael	Train	1990-92	
Shand, Fiona	Pte	Exec 2011-now	
Shanks, Dorothy	Pte	QA 1983-95	Assoc 1995-97
Shaw, Kathleen		see Wilson	
Sheehan, Wendy	Lit	QA 1997-99	Assoc 1999-2000
Shepherd, Colin	Pte	Exec 1990-2000	became Income Tax manager
Shiels, George	Pte	Exec 10/8/67- now	Ex/Trusts/Financial Services

Shiels, Sarah	Lit	QA 2012-now		from Thomsons
Shirreffs, Catriona			see Garcia-Alis	
Short, David	Lit	Part 2012-now		from Lawford Kidd
Simmons, Gordon	Train	1983-85		
Simpson, Ross	Pte	Train 2003-05	QA 2007-08	to Murray Beith & Murray
Sinclair, Anne	Pte	QA 2001-04	Assoc 2008-08	
Sinclair, Euan	Lit	QA 2011		
Sinclair, Euan	Com	QA 1997-98	seconded to Scottish Office	to Moray Council
Singer, Derek	App	1958-61		
Sloan, Graeme	Train	1985-87		to Murray Beith & Murray
Smith, Alison	Lit	QA 2008-12	Assoc 2012-now	nee Pearce
Smith, Dorothy	Train	1984-86		QA for a few months, then to G.W. Tait, Leith
Smith, Euan				
Smith, Jackie	Lit	Exec 1975-76		P.H. clerkess from Addly Son & Co (Chap. Six)
Smith, Jacqueline	RL	Exec 1995		
Smith, Lorraine	Lit	Exec 1997-2008		Debt Recovery
Smith, Mairi	Pte	QA 2009-10		to maternity leave
Smith, Shona	Lit	QA 1997-99	Assoc 1999-2002	Part 2002-now
Sneddon, Linda	Train	1991-93		to Bird Semple
Socha, Marjorie	Train	1984-86	QA 1986-87	to Martin Johnston & Socha
Steele, Allan	Train	1997-99		to Boyds, Glasgow
Stevenson, Alison				
Stewart, Kathleen	Com	QA 1983-85	Part 1985-87	to Semple Fraser
Stott, Patricia			see Lawson-Stott	
Struckmeier, Anne	Lit	Train 1994-95	QA 1997-2000	
Stuart, Alan	Pte	QA 1989-94		to Morison Bishop, Edinburgh

Stuart, Christine	Com	QA 1990-96	Assoc 1996-2000	Part 2000-06	to T C Young
Stuart-Monteth, Penelope	PropExec	1977-81			
Sturrock, John	Train	1981-83			
Sturrock, Michael	Pte	Assoc 1997-2002	from Hasties		
Sutherland, David	Lit	App 1974-75	QA 1975-76	from H.J.&C. to Sutherland, Inverness	
Sutherland, Gillian	Lit	QA 1991-97	Assoc 1996-97		
Swan, Neil	Pte	QA 1979-83	from S&M with HJJD		
Sword, Debra	PS	Exec 1985-87			
Tainsh, Sandra		see Macrae			
Tait, George	Pte	Part 2004-06	Consult 2007-12		
Tait, Ian	Pte	QA 1979-83	to McCash & Hunter, Perth		
Taylor, Katherine	Lit	QA 1995-97	Assoc 1997-2000	Part 2000-02	
Tennyson, Brenda	PP	Exec 1987-91, 2002-12			
Thomson, Iain	Train	2011-13			
Thorley, Mark	Lit	Train 1986-87	QA 1988-92	to Thorley Stevenson	
Till, Tessa	Pte	QA 2003-04			
Trewern, Kerry	Lit	QA 2006-08			
Tucker, Diane	Lit	App 1969-71	QA 1972		
Turnbull, Tracey	Train	1995-97	to Scottish Health Service		
Turnbull, Tristan	Train	1994-95	to Clydesdale Bank		
Turner, Gillian					
Turner, Karen	Prop	Exec 2012-now			
Turner, Irene	Pte	Train 2004-06	QA 2007-now		
Tursi, Iolanda	Com	QA 1994-96			
Tyler, Alfred	Lit	App 1973-75	QA 1975-78	Part 1979-now	
Ul-Hassan, Samerah	Train	2007-09			

Ure, John	Lit	QA 1953-54		to Robb & Crosbie, Glasgow
Urquhart, Lindsay	Train	2002-04		
Veitch, Thomas	App	1957-60		to family firm in Linlithgow
Veitch, Stuart	Lit	Train 1988-90	QA 1990-91	to family firm in Linlithgow
Walker, David	Lit	1975-77		to Cupar, then to Brodies
Walker, David	Lit	QA 2005-07	Assoc 2007-10	
Wallace, Ian	App	1938-41		to WW2 army, Captain
Ward, Angela	Lit	QA 2005		
Ward, Caroline	Train	1992-94		
Watson, Mary	Train	2006-08		
Watt, Craig	Lit	QA 2003-07	Assoc 2007	
Wells, Ian	Lit	QA 2010		
Whiteford, Nicola	Train	2009-11		
Williams, Carol	Pte	Exec 1995		
Williams, Claire	Lit	QA 1996		
Williamson, Maggie	PS	Exec 2005-08		
Wilson, Christine	? App	? QA early 1970s	nee Pollock	
Wilson, Kathleen	App	1980-82	QA 1983-84	nee Shaw
Wilson, Peter	Com	Assoc 2004-08	Part 2008-12	from G W Tait
Winchester, Heather	Pte	Exec 1982-88	Tax	
Wipat, Angela (Alexander)	Lit	Train 1994-96	QA 1996-2002	Assoc 2002-05 Part 06-08 to Thorntons Law, Perth
Wyles, Shirley	Lit	Train 1993-95	QA 1995-2000	Assoc 2000-01
Wylie, Malcolm	Pte	Part 1991-1994		from N&B
Wyllie, Alex. (Sandy)	App	1974-76	QA 1976-77	to Bar, now Lord Kinclaven
Young, Diana		see Reid		