

*Absque Labore Nihil*

COCHRANE & BLAIR PATERSON  
S.S.C.

A SCOTTISH FAMILY FIRM

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*The pen and ink sketch of the entrance to Kinross House is taken from a photograph by Ian C. Davidson.*

## The Cochrane connection

William Ewart Gladstone had served only four years as Prime Minister of Great Britain when on 7th November 1872 the sixteen-year-old Thomas James Cochrane, founder of the firm of Cochrane & Blair Paterson, entered into apprenticeship to learn the practical aspects of his chosen profession of the law. He was by all accounts a studious youth, a great grandson of Cochrane of Warriston, a farmer of the Peebles-shire uplands. Like his own father he had been born near and educated in the village of Eddleston. Thomas C. P. Cochrane, his father, was born at Marcus Home Farm, Portmore on 18th June 1823 (the eighth anniversary of the battle of Waterloo). After a start in commerce, following the Disruption in 1843, he became minister of the Pleasance Free Church, Edinburgh. This had been in Scotland a time of considerable poverty and social squalor. Not until 1865, following Dr. Harvey Littlejohn's efforts in the field of public health, did every street in Edinburgh have its own sewer<sup>1</sup>. From 1860 Thomas C. P. Cochrane conducted a vigorous and business-like ministry of evangelism and social work amongst the poor of that deprived district of Edinburgh. "My carefully kept diaries of all my ministerial years" wrote Thomas Cochrane, "specify not only each day's work, but its omissions — a practice to be recommended". Some idea of the zealous attack with which he approached his ministry is revealed by another aside: "I have married over 3,424 couples, but never more than 21 in an evening"<sup>2</sup>. In these days, although baptisms were always carried out in church, marriages were often celebrated in the home of the bride's parents. Funerals on the other hand were solemn affairs at which the custom of drinking the "draidgie" was observed; clocks were stopped and mirrors covered with a white cloth until the burial was achieved<sup>3</sup>.

Such a background of his father's altruistic activity at home cannot but have influenced the young Thomas James Cochrane ("T.J.C." as he was known). Yet it may have been his father's predilection for the Word and the Law which most impressed the young T.J.C. in his choice of a career. Amongst his writings

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Thomas C. P. Cochrane had edited the third and fourth editions of Forbes' Digest of Rules and Procedures, as well as a Handbook and Index to the principal Acts of Assembly. He tells an interesting tale of an expedition of lawyers and divines to visit Cowie's Linn in Earlyvale on Lord Elibank's Estate. Along the way, the illustrious Dr. Thomas Chalmers of the Disruption slipped on the stepping stones and fell headlong into the burn. Having no change of clothes he had to don a lady's skirt at the farmhouse until his breeks could be dried out<sup>2</sup>.

So the young T. J. C. decided to attend classes in Arts and Law at Edinburgh University and was eventually admitted a solicitor on 18th January 1883, an exceptionally youthful member of the Society of Solicitors in the Supreme Courts of Scotland. That Society had only recently surrendered its monopoly of presenting to the Court young solicitor entrants who wished to practise in Court work. Thus began T.J.C.'s career in law.

## Edinburgh in the 1880s

Edinburgh in these days, must have become, in contrast to earlier years, a douce and stable city. A contemporary diary<sup>4</sup> gives some idea of how it must have felt to work in a law office in James Craig's spacious New Town with its hansom cabs and horse drawn buses, where Walter Scott could, within living memory, have been encountered strolling in Castle Street, and Robert Louis Stevenson — a young man not much more than thirty — had just left Edinburgh on his first continental exploration. The last sedan chair was to be seen on the streets of Edinburgh as late as 1850<sup>5</sup> and the last public execution was carried out in the Lawnmarket in 1864<sup>6</sup>. The year 1881 saw the introduction of cable cars to ease the long ascent from Goldenacre to Hanover Street<sup>7</sup>. Since 1861 the firing of the one o'clock gun from the ancient Half-moon battery of Edinburgh Castle in association with the drop of the time-ball on the Nelson monument has provided that accurate time check, both for strollers in Princes Street, and mariners



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in the firth of Forth, which all Edinburgh residents still recognise<sup>8</sup>. By 1879 Alexander Graham Bell's invention, the telephone, reached Edinburgh<sup>9</sup>. Hitherto most solicitors had practised law from their own houses, consulting in the dining-room, while their clerks laboured in the basement<sup>3</sup>. One legal writer remembers working by the light of candles in the chambers of J. & F. Anderson in 1848<sup>3</sup>. With the introduction of a regular service of the Penny Post to the city from 1840<sup>9</sup> written communications between town and country were revolutionised and conditions favourable to the expansion of general business were now in place.

Yet office hours were long and unrelenting. An inter-office memorandum of 1880 from a Leith legal firm narrates that week-day hours were from 9.30 to 5.30 and 9.30 to 2.00 p.m. on Saturday but "an absence of about 10 minutes during the day must suffice for luncheon", and evening work was by no means unknown<sup>9</sup>.

### Some Edinburgh law firms

Of the long established law firms Dundas & Wilson, Davidson & Syme and Tods Murray & Jamieson are mentioned by the diarist John Inglis<sup>4</sup> as household names, then as now, but the Orcadian William Balfour had not yet commenced practice to found the firm of Balfour & Manson (which has recently merged with Nightingale & Bell). To name one or two others, Alex. Morison was admitted S.S.C. in 1853 and was to set up the practice still known as Alex. Morison & Co. John Prosser was admitted S.S.C. in 1884 and proceeded to found the firm Morton Smart Macdonald & Prosser (now Morton Fraser)<sup>10</sup>. It was an era of building and expansion. And construction of the Forth Bridge had not yet even begun.

"T.J.C.", however, had no ambitions to found an empire. His preference was for a quiet unostentatious approach to his work, a characteristic which might be thought still to affect the firm he founded, which has never aspired

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to expand, as so many have done, but has deliberately chosen to remain of manageable size.

### Early days of practice

On 29th March 1884 it is recorded that T.J.C. was present, along with 150 fellow members, at the Centenary Dinner of the S.S.C. Society held in the Masonic Hall where 7 toasts were drunk and 7 replies proposed<sup>11</sup>. A menu with T.J.C.'s annotations still survives. He had by now joined in partnership with J. M. McGregor, Accountant and Writer, but their association lasted only about nine years in offices at 4 North St. Andrew Street, Edinburgh. In 1892 the S.S.C. Society completed the splendid new Solicitors' Buildings rising from the Cowgate in Edinburgh, connected by bridge to Parliament House, and containing their brand new Library and Hall<sup>11</sup>. In 1894 T.J.C. was to be found practising, again on his own account, at 5 York Place, Edinburgh. On 18th May 1898, the year in which General Lord Kitchener of Omdurmann was to receive the freedom of the City of Edinburgh<sup>8</sup>, T.J.C. purchased from a colleague, Thomas Jackson Wilson, the first floor premises at 2 Abercromby Place, Edinburgh, which were to house his firm for most of the next century.

### Kinross House

One of T.J.C.'s relaxations was said to be visiting churches and cathedrals in the Borders and the North of England and it seems he had some knowledge of art and architecture. It may be no more than coincidence but the property he bought formed the upper part of a one-time Georgian dwelling-house built around 1810 in the maindoor and basement of which lived and worked John Kinross, later to become the renowned Scottish Architect, the designer of Manderston, Berwickshire, and scrupulous restorer of Falkland Palace, Pluscarden Abbey and many other Scottish buildings of note<sup>12</sup>. The property at Abercromby

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*Swagged oval relief from Kinross House of Diana the Huntress by Noel Paton.  
Pen and ink sketch by Ian C. Davidson.*

Place retains the marble inlaid floor, decorative plasterwork and balustraded staircase which he installed<sup>13</sup>.

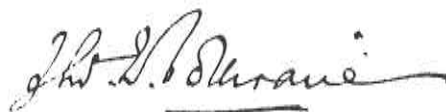
In these more settled days T.J.C. was busily involved in Sheriff Court and Court of Session litigation, in general chambers practice, in the sale of heritable property and small businesses by public roup and private bargain, and in such semi-public offices as Clerk and Treasurer of the School Board of the Parish of Liberton. He was also a Reporter on claims for admission to the benefit of the Poor's Roll, and later became a member of Council of the S.S.C. Society. On the outbreak of war in 1914 T.J.C., at 58, would be too old for active service and so with a group of senior colleagues he shared in sustaining the burden of practice at home, while younger men left Scotland to serve their King and Country. After the war, as private practice was slowly picking up following the depression, T.J.C., in 1924, assumed as a partner William Blair Paterson, an Edinburgh practitioner who had been admitted a Solicitor in 1898 and joined the S.S.C. Society on 5th February 1925, no doubt at the instigation of T.J.C. The business then assumed the name of Cochrane & Blair Paterson by which name it is still

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known today. It is thus one of the few firms to have retained its unchanged designation for over sixty-five years. Small wonder that the firm's brass plate on Kinross House has lost its early sharpness and the firm name has been largely smoothed away by much cleaning.

### T.J.C. as benefactor

The memories of T.J.C. passed on by William Blair Paterson are of a tall austere bearded man who would not permit the introduction of such new-fangled devices as the telephone in his office nor sanction the employment of any member of the female sex<sup>11</sup>. After his death, however, on 4th February 1928, and burial in Newington Cemetery, Edinburgh, T.J.C.'s obituary in the Scots Law Times (written by a former employee, W. J. Lewis, the author of standard text books on the Law

A handwritten signature in cursive script, reading 'Thos. J. Cochrane', with a horizontal line underneath the name.

*The signature of Thomas James Cochrane is reproduced from the signature on his Will.*

of Evidence and on Sheriff Court Practice) described him as "the most retiring and unobtrusive of men". "He was a model of concentration, regularity and order to which commonplace values he added rapidity and decisiveness in work"<sup>14</sup>. By his Will T.J.C. bequeathed funds for the erection of an additional stained glass window by James Ballantine, F.S.A. in the approach corridor to the S.S.C. library depicting Lords Kinnear and Kingsburgh, two of the eminent judges of his day. He also left the income from the residue of his estate to be employed as an annual fund for the improvement and upkeep of the S.S.C. library, a bequest which continues to this day. It would have pleased T.J.C. to know that sixty-three years after his death the S.S.C. Society is about to embark on a further



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modernisation of the library which was the object of his bounty. He was a thoughtful and generous benefactor.

### T.J.C.'s successors — between the wars

William Blair Paterson was a man in a similar mould. His neat methodical notes still survive with several of his diaries recording such mundane domestic activities as "paid for sticks for fire — 1d" and the small financial transactions he engaged in with his own funds, such as "sum advanced on Bond over heritable property — £100 at 2% per annum".

Mr. Blair Paterson (registered William Paterson on his birth certificate — it is not known when or for what purpose he acquired the middle name) was a quiet, much respected man, born and brought up in the Bruntsfield district of Edinburgh. An elder of North Morningside Church from 1913, he edited the Church Year Book and took a particular interest in foreign missions. As a young man he cycled especially in the Border Country, but later drove a sedate Rover motor car which, in the fashion of the day, he laid up during the winter months. His diaries record these expeditions into the Scottish countryside in meticulous detail, always with times and mileage covered, and often with details of the cost of petrol consumed. His excellent collection of Ordnance Survey maps is still in regular use. Yet by comparison with his predecessor he must be accounted an innovator. He employed his sister-in-law as shorthand typist, and bought several early models of the new typewriters then coming into vogue. A "Yost" machine was still on view in the office in the 1940s, though no longer in daily use; and the letter presses and account books which he used were only laid aside in favour of individual client's files in the early 1950s. Offices in these days must have become more comfortable places in which to work. Cheerful coal fires were commonplace<sup>15</sup>.

On 15th May 1938 Mr. Blair Paterson assumed as partner and successor another son of the manse, James Rutherford Brownlie, born at Portpatrick on

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2nd February 1889, who had practised on his own account in the difficult days following his return from war service in France and in Salonika in the first World War. With the introduction of his connection the pace of business quickened but following the onset of the Second World War in 1939 Messrs. Paterson and Brownlie were again left, as their predecessor had been, to labour with a reduced professional work force while their younger colleagues were called to service with the Armed Forces. It is recorded that even in these days Mr. Paterson served, after office hours, on firewatch duties and Mr. Brownlie, as adjutant of a Battalion of the Home Guard at Fairmilehead. The latter was admitted S.S.C. in 1947.

### Expansion of work following the Second World War

On 26th December 1947, Mr Blair Paterson died leaving Mr. Brownlie as sole partner. Following the war years his son Alistair Rutherford Brownlie qualified as a solicitor in 1950, and on 3rd September 1951 was assumed a partner in the firm. This post-war period coincided with the introduction of legal aid in 1949, and in common with other businesses, there was an expansion of legal work as wealth spread more evenly among the population and as public funds became available to enable ordinary citizens to make good through the courts those rights which the law conferred upon them. In 1959 Alistair Rutherford Brownlie joined the S.S.C. Society and in 1970 was elected to the office of Secretary, thus confirming the strong links between the firm and that Society.

During these years the business was well served by a series of unqualified assistants (one, Frank Budge became a depute clerk of session and latterly Lord Mackintosh's clerk). Another, Alexander Watson Loudon had joined the firm straight from George Heriot's School as an office boy. He became so knowledgeable about the affairs of the firm and its clients that he was appointed law cashier and, although without formal legal training, gave long and invaluable service in all aspects of the business, broken only by a spell in captivity as a

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prisoner of war following his capture in 1940 with most of the 51st Highland Division at St. Valery-en-Caux. On the day of his return to Edinburgh following liberation as a prisoner of war, he called at the office and was reinstated at once in the firm where he remained until his death in 1982. His daughter Pamela Harriet Loudon, one of the earliest lady members of the S.S.C. Society, served her traineeship with the firm and is now in practice in one of Edinburgh's oldest legal firms.

The post-war changes can be more briefly recorded. For fifteen years the father and son partnership continued until James Rutherford Brownlie died on 20th August 1966. Several changes then followed. John Anthony Malone was assumed a partner joining the S.S.C. Society in 1970. He resigned in 1974 to set up his own business and was replaced by Edward Roger Macleod Askham who also became an S.S.C. in 1980 until he resigned in 1984 to take up a career at the Bar. Sadly he died at the early age of 43 having barely commenced his promising new career as an Advocate. A valued assistant, Peter Chiene, W.S., who succeeded him, was tragically killed while hill-walking by a fall from the slopes of Ben Lawers in April 1988 and is now commemorated by an annual memorial seminar on legal history held at Edinburgh University. An assistant Norman John Williamson, S.S.C., who had joined the firm with Peter Chiene was assumed as a partner on 1st May 1988. To make up the present complement, John Alexander Gunn Chalmers, a native of Elgin, joined the firm as assistant in 1986 and was admitted S.S.C. in 1987. Alfred Edward Turner who succeeded after a spell to Mr. Loudon's duties as law accountant, joined the firm in 1982. The young lawyers who were apprenticed to the firm in the post-Second World War years included Alastair B. Russell (now a solicitor in Elgin), Michael G. Robson, S.S.C., (now a partner in a large city firm), Michael O'Grady, S.S.C. (now an Advocate), and Pamela Loudon, S.S.C., mentioned previously.

The secretarial and documentary work of the firm is now in the hands of Mrs. Sheila Summers, Mrs. Martha Brownlie, Mrs. Marlyn Noble and Ian C. Davidson.



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## The legal work of today

The work of the firm, which includes all aspects of the law, in both court and chamber practice, civil and criminal, proceeds into its second century. The partners cannot help observing the appropriateness of the motto inscribed above the stairway in Kinross House, possibly by John Kinross himself. It reads "Absque labore nihil",<sup>16</sup> "Nothing can be achieved without hard work".

The firm of Cochrane & Blair Paterson has resisted all pressures to expand and continues its tradition of endeavouring to cover all aspects of family legal business:-

Buying and selling property;  
Wills and estates; Trusts  
Small businesses and companies;  
Civil Court work in all courts;  
Criminal Court work in all courts;  
Matrimonial work; Tribunals.  
Legal Aid.  
General advice and guidance.

The present principals are

**ALISTAIR R. BROWNLIE**, O.B.E., M.A., LL.B., S.S.C., N.P.

**NORMAN J. WILLIAMSON**, LL.B., S.S.C., N.P.

with **JOHN A. G. CHALMERS**, LL.B., S.S.C., N.P., Assistant.

Solicitors Supreme Courts and Notaries.

Kinross House,  
2 Abercromby Place,  
EDINBURGH EH3 6JZ.

A.R.B.  
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2. "Reminiscences of Life and Work 1823-1900" by Rev. Thomas Cochrane (2nd Ed.) Allan Smyth, Peebles, 1900.
3. "Random Recollections and Impressions" — J.B.S. (James Bland Sutherland) published privately, Edinburgh, 1903.
4. "A Victorian Edinburgh Diary" — John Inglis. (Ed. E. Vaughan.) The Ramsay Head Press, Edinburgh, 1984.
5. "The Perambulator in Edinburgh" — James Bone, Jonathan Cape Ltd., London, 1926.
6. "The City of Edinburgh" (Third Statistical Account of Scotland), D. Keir, Collins Sons & Co. Ltd., Glasgow, 1966.
7. "Edinburgh" — David Daiches, Hamish Hamilton, London, 1978.
8. "Edinburgh in the Nineteenth Century" — W. M. Gilbert, J. & R. Allan Ltd., Edinburgh, 1901.
9. Beveridge Sutherland & Smith, S.S.C., "Memorandum regarding working conditions in a Leith legal firm — 10th June 1880". The Edinburgh Room: Edinburgh Public Library Ref. 78 37783 01. James Bland Sutherland the author was President of the S.S.C. Society in 1884 at the Society's centenary. See also his "Random Recollections" n.3.
10. Of these firms the oldest, Davidson & Syme, traces its origin to 1778 — "Davidson & Syme, W.S.: Two Centuries of Law" by Alastair Blair, privately published Edinburgh, 1980. The firm is now merged with Dundas & Wilson. The firm of Tods Murray & Jamieson has recently contracted its name to Tods Murray.
11. "The S.S.C. Story 1784-1984" — Dr. J. B. Barclay. The Edina Press, Edinburgh, 1984.
12. "Fifty years in the City: financing small businesses" — John Kinross. John Murray, London, 1982.
13. Thanks are due to Dr. Deborah Mays, Inspector of Historic Buildings, for unpublished information about the late John Kinross, R.S.A., 1855-1931.
14. "New Window in the S.S.C. Library" 1929 S.L.T. (News) 166.
15. "Retrospect & Prospect" — John G. Gray, S.S.C. The Edina Press, Edinburgh, 1987.
16. The phrase is not from classical Latin but in different versions became a common adage around the 17th century. See "Latinum Chaos . . . seu Compendiolum pro usu quotidiano" — Andreas Sutor, Augspurg, 1716.