

# Court Records

## Dundee City Archives - Research Guide 03

### Background

There have been many levels of courts in Scotland throughout the years. In Dundee the first court was the Burgh Court. Originally set up as a means of governance of the Burgh, the Court quickly took on a judicial role and the town council was created to cover the administrative side. The criminal jurisdiction of the Burgh Courts waned in the 18th century. By the 19th century the Burgh Court mainly dealt with issues relating to the trading within the burgh. In 1837 Dundee became a Police Burgh setting up a Police Court. This court largely dealt with minor misdemeanors, including drunkenness, minor assault and breach of the peace.

The next court up is the Sherriff Court which dealt with non-serious crimes such as major assault and robbery. The highest court in the country is the High Court of the Justiciary. This court deals with 'solemn' crimes such as murder, rape and treason. The High Court and Sherriff Courts sit in Edinburgh but tour around other cities in Scotland.

Some civil cases, such as small debts and licensing were heard by the Justice of the Peace courts. However many cases went to the Court of Session in Edinburgh. Divorce cases were also heard by this court between 1830 and 1984. Some of the powers of the Justice of the Peace Courts were transferred to other courts and county councils; they were eventually abolished in 1988.

In 1975 Police Courts were abolished and replaced with District Courts run by the local Council. In 2007 the District Courts were brought under the control of the Scottish Courts Service and renamed Justice of the Peace Courts.

### What Records are there?

#### Please Note

Some court records may be closed because they contain personal information. Please contact the archive that holds the records for further information

#### **Burgh Court (16th—19th centuries)**

The records of the Dundee Burgh and Head Court are held at **Dundee City Archives**. These include: Court Books, 1550-1898; Registers of Decrees, 1676-1883; Burgh Court Interlocutor Books, 1817-1822.

#### **Police Court (1837-1975)**

Dundee City Archives holds Police Court Books for the years 1927-1975, and Juvenile Court books for the years 1921-1971. We also hold Registers of Bonds of Caution 1899-1965. The number of cases brought before the court is recorded in the annual returns of crimes and offences, which we hold for the years 1876-1974, with gaps. Earlier reports, going back to 1854, are held at the Dundee Central Library. The reports do not refer to individual cases. Reports of hearings and convictions from the court can be found in local newspapers, see '**Other Records to Try**' on the next page..

## Sherriff Court

The records of the Sherriff Court are held at the **National Records of Scotland** in Edinburgh. The Records of Dundee Sherriff Court are held under the reference [SC45](#). Although please note that people from Dundee were sometimes tried at other Sherriff courts. You can find out more about the Sherriff Court records on the [National Records of Scotland's Research Guide](#). Dundee City Archives holds duplicate Sherriff Court plans relating to railways, harbours and tramways.

## High Court

Records of the High Court of the Justiciary are held at the **National Records of Scotland**. They are held under the reference of JC. For more information on these records, please see the [National Records of Scotland's Research Guide](#).

## Justice of the Peace Court (Pre 1974)

**Dundee City Archives** holds the records of the Dundee Justice of the Peace (Reference: JP23) and the Angus Justice of the Peace (JP24). These are held here on behalf of the National Records of Scotland. The records include: Commissions and oaths of allegiance; Minute Books, Game Dealer applications, Small Debt Court books, Liquor License application registers. For more information please see the National Records of Scotland's [Research Guide on Justice of the Peace records](#).

## District Court (1975-2004)

**Dundee City Archives** holds the records of the Dundee District Court. These include Court Books/ Sheets, 1975-2004; Notes of Evidence of Clerk of Court, 1975-1991.

## Justice of the Peace Court (Post 2004)

Records of this court are still held by the Scottish Court Service. Please contact them for further information on how access recent court records

## Court of Session

Records of the Court of Session are held at the **National Records of Scotland**. The records are held under the reference CS. This was a civil court that heard cases relating to [divorce](#), breach of contract, [bankruptcy](#) and much more. You can find out more in the [National Records of Scotland's Research Guide](#).

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## Other Records to Try...

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### Newspapers

Reports of Court Cases often appeared in the local press. The more serious or notorious the crime, the more information is likely to appear. Sometimes full transcripts of witness testimony and descriptions of crimes are often included. Although it is worth bearing in mind that newspapers often could exaggerate events or down-play them depending on their point of view. Some information may also be opinion rather than fact.

Local Dundee Newspapers can be accessed at the [Local Studies Centre](#) in the Dundee Central Library in the Wellgate centre. You can view [a list of newspapers that they hold on their website](#).

### Prison Records

See the **Prison Records Guide** for more information