

(1)

(Copy)
(CRIMINAL LIBEL)

THE PROCURATOR FISCAL

VERSUS

Alexander McLean and

Archibald Colquhoun

1868

Crime Breach of Peace

For

Archibald Colquhoun

(2)

*Unto the Honourable the SHERIFF of the COUNTY OF ARGYLL
or his SUBSTITUTE,*

The

Complaint of WILLIAM SPROAT, Writer in Tobermory,

Procurator Fiscal of Court for the Public Interest,

HUMBLY SHEWETH,

THAT Alexander MacLean son of and residing with Mary Graham or MacLean, a widow and residing at Scarinish in the Island of Tyree and Shire of Argyll ; and Archibald Colquhoun son of and residing with Duncan Colquhoun Shipmaster and residing at Scarinish aforesaid, have both and each or one or other of them been guilty of the crime of Breach of the Public Peace actors or actor or art and part : In so far as upon the twenty ninth day of February Eighteen hundred and sixty eight years or about that time, on board the Steamer "Argyll" of Glasgow whereof Duncan Morrison was their Master and while the said Steamer was lying alongside the Pier in the Harbour of Scarinish aforesaid, the said Alexander McLean and Archibald Colquhoun did both and each or one or other of them, wickedly and feloniously quarrel and fight, did strike each other, did struggle the one with the other, did make use of oaths and violent language, and did conduct themselves in an outrageous manner, to the annoyance of the Lieges and in breach of the Public Peace which was thereby broken and disturbed

(3)

May it therefore please your Lordships to grant Warrant to Officers of Court to cite

the said Alexander MacLean and Archibald Colquhoun to appear

before you, at such time and place as you may fix, to answer to this libel, and thereafter to fine and

amerciate them or either of them in any sum not exceeding Ten Pounds sterling,

together with expenses, or to sentence them or either of them

to be imprisoned in the Prison of Tobermory, or any other legal Prison, for any period not exceeding Sixty Days, or to do farther and otherwise in the premises as to your Lordships shall seem meet, and

According to Justice &c

Tobermory, 28 March 1868 (Signed) Will: Sproat P.F.

(4)

AT TOBERMORY, THE day of March 1868, The Sheriff-substitute having considered the libel grants Warrant to Officers of court to cite Alexander MacLean and Archibald Colquhoun to appear to answer to the same within the Court House of Tobermory upon the day of May eighteen Hundred and Sixty- eight years at Eleven o'clock Forenoon. Grants Warrant also to cite Witnesses for both parties.

(Signed) Hugh Ross

Archibald Colquhoun -

TAKE NOTICE, that you will have to compear before the Sheriff Court of Argyllshire, with the Court House of Tobermory, to answer to the criminal case against you, to which this Notice is attached, on the day of May Eighteen Hundred and Sixty eight years at Eleven o'clock Forenoon. This Notice served on the day of May Eighteen Hundred and Sixty- eight Years, by me,

SHERIFF OFFICER

WITNESS

(5)

Police Report

Vs.

Alexr McLean &

Arch Colquhoun

Tyree

1868

This case is a trifling one &
no farther proceedings

(6)

Tyree 6th March 1868

Police Report

Alexander MacLean son of and residing with Mary Graham or McLean Crofter Scarnish Island of Tyree, Parish of Tyree and County of Argyll and Archibald Colquhoun son of and residing with Duncan

Colquhoun Farmer Scarnish are charged with the crime of Assaulting each other and Breach of the Peace in so far as on Saturday the 29 day of February 1868 years the said Alexander MacLean and Archibald Colquhoun did assault each other in the Cabin or passage of the S.S. Argyll Duncan Morrison Master then lying alongside the Pier at Scarnish Island of Tyree and County of Argyll to the effusion of blood.

John Lamont Crofter Ruaig says On the 29 day of February 1868 years Archibald Colquhoun and myself went on board the S.S. Argyll then lying in the harbour of Scarnish. I opened the door of the Gentlemen's Cabin. Alexander McLean Scarnish Dr. Alexander Buchannan and Duncan Morrison the Master of the Argyll were there. Dr. Buchannan said to me that the place was engaged I returned back but Alexander McLean Scarnish aforesaid called back Archibald Colquhoun who was along with me

(5.cont)

Along with me, back and immediately took him by the throat they commenced to fight at once the candle went out and I could not see what they were doing

Duncan Morrison the Captain of the vessel and Dr. Buchannan declines to give any evidence neither do the criminals complain of one another

Duncan Cameron Constable

(7)

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THE PROCURATOR FISCAL

VERSUS

Alexander McLean and

Archibald Colquhoun

1868

Crime Breach of Peace

For

Alexander MacLean

Scarnish

(8)

*Unto the Honourable the SHERIFF of the COUNTY OF ARGYLL
or his SUBSTITUTE,*

The

Complaint of WILLIAM SPROAT, Writer in Tobermory,

Procurator Fiscal of Court for the Public Interest,

HUMBLY SHEWETH,

THAT Alexander MacLean son of and residing with Mary Graham or McLean, a Widow and residing at Scarinish in the Island of Tyree and Shire of Argyll, and Archibald Colquhoun son of and residing with Duncan Colquhoun shipmaster and residing at Scarinish aforesaid have both and each or one of other of them been guilty of the crime of Breach of the Public peace actors or actor or art and part. In so far as upon the Twenty ninth day of February Eighteen hundred and sixty Eight years or about that time, on Board the Steamer Argyll of Glasgow whereof Duncan Morrison was then master, and while the said steamer was lying alongside the Pier in the Harbour of Scarinish aforesaid the said Alexander MacLean & Archibald Colquhoun did both and each or one or other of them wickedly and feloniously quarrel and fight, did strike each other, did struggle one with the other did make use of oaths and violent language and did conduct themselves in an outrageous manner to the annoyance of the lieges and in breach of the public peace which was thereby broken and disturbed ---

(9)

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According to Justice &c
Tobermory, 28 March 1868 (Signed) Will: Sproat P.F.

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(Signed) Hugh Ross

(15)

Alexander MacLean -
TAKE NOTICE, that you will have to compear before the Sheriff Court of Argyllshire, with the Court House of Tobermory, to answer to the criminal case against you, to which this Notice is attached, on the day of May Eighteen Hundred and Sixty eight years

*at Eleven o'clock Forenoon. This Notice served on the
and Sixty- eight Years, by me,*

day of May Eighteen Hundred

SHERIFF OFFICER

WITNESS