Probus Talk 12 March 2026

Strange Cases in Law

Scott Adair

This fascinating and entertaining presentation helped us understand some famous historical court cases, together with more recent cases from Scott's own experience in his Dumbarton Law Practice.

Back in the Middle Ages there was a dispute about the ownership of an ox. Justice was determined not by a judge, but by who could fight better in a fight to the death - we are a bit more civilised now! We then learned about the 1705 London case of habitual housebreaker, John Smith, who was hanged at Tyburn. At the last minute a reprieve (it was Christmas Eve) was granted, but by the time the message was sent from the courts to the gallows at Tyburn, Smith had been hanging for over fifteen minutes. He was quickly cut down and much to everyone's surprise was found to be still alive. He recovered and gained the nickname "Half-hanged Smith"! He did not learn his lesson though, and continued stealing for the rest of his days until he was finally transported to the then colonies.

The landmark outcome of the 1932 case of Donoghue vs Stevenson or the "Case of the Paisley Snail" is one which affects us all today. Stevenson was the manufacturer of soft drinks, and supplied the local cafes and shops. Ms Donoghue and a friend went to a cafe in Paisley and the friend bought a bottle of ginger beer for Ms Donoghue to drink. The ginger beer was in a bottle that was made of dark glass and only when she had finished did Ms Donoghue discover the remains of a dead snail in the bottle. She claimed that this had made her ill and planned to seek compensation from Stevenson. However, Stevenson denied responsibility in that there was no contract between themselves and Ms Donoghue. Ms Donoghue was persistent and the case went back and forth till ultimately reaching the Law Lords in London. It took five years but the Law Lords eventually found in favour of Ms Donoghue. Manufacturers have a responsibility to the users of their products - a landmark judgement.

Joseph Beltrami was a well-known Glasgow criminal lawyer who was famous for "getting people off". By sheer hard work and persistence, he was able to spot technical flaws in prosecution cases leading to charges being dropped or verdicts of Not Guilty. We were treated to the details of some of Beltrami's most famous cases - highly entertaining!

We moved on to amusing examples of judges making mistakes - even judges are human. One of the best was where the judge stopped a trial to break for lunch. Against the advice of the prosecution and the police he spoke to the accused to remind him to return in the afternoon. The accused did not return and we had a very red -aced judge - a proper Charlie!!

Another judge kept a plaque in front of himself on the bench - only to be seen by himself - saying "Shut Up". It was a reminder that talking too much by counsel or judge could distort a trial outcome as well as taking too much time. A lesson for us all!

In yet another example a judge delayed an important trial in order to allow himself to go to Wimbledon – game, set and match!

After his presentation Scott handled a question-and-answer session that further enhanced our understanding go how the law works. All in all, an informative and entertaining presentation with Scott receiving an enthusiastic and well-deserved round of applause!

Mike Sandys