

THE KIRK SESSION RECORDS OF ROTHESAY, 1658-1750.

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The Kirk Session records of Rothesay extend from 1658 till the present day with but two gaps, from 1661 till 1685, and from 7th February, 1688, till 6th July, 1691. There is a reference in a minute of 13th January, 1659, to older records which were then in existence but which have since disappeared. The old system of writing and the frailty of the material have made these old records difficult of access, but through the generosity of the Marquis of Bute, a transcription has been made and privately circulated, so that their contribution to the changing story of this community may be more adequately appreciated. They contain a wealth of material for research into the habits and manners of the time, and it is almost impossible to do more than indicate the line which subsequent study may follow. An examination of the names in the sederunts, e.g., reveals a surprising change in the families who lived in Bute in the seventeenth century and who live here to-day. On 13th January, 1659, "the names of the heritouris that were present who were not elders:—Ninian Spence of Wester Kames, Edmond Stewart of Meeknoch, Donald Campbell of Kilmichell as having commission from Archibald Campbell of Knockmelie, Robert Campbell of Achinwillaig, Hew Boyd of Kneslaglone, Barones of Eskechragan, Glaknabe, Ardscaipsie, Mr Robert Stewart of Skarvell, Barron of Lenchulln, Ferquhar M'Neill of Lenchail." "

The extent of the Parish shows oversight at Kames, Attrick, and Kilmichael, in the ordinary activities of the Kirk Session, and in 1692 reference is made to the fact that the "island of Inchmarnock doth not properly belong to the Paroch of Kingarth nor Rothesay but to the Paroch of

Saddell," but owing to the distance involved the Kirk Session undertook the supervision required. The Provost and Bailies of the town played a prominent part in the affairs of the Kirk and it suggests that much that is best in our civic heritage may be due to the fact that the pioneers of our story were men of Christian faith and service.

There were few activities of the people in which the Kirk Session was not interested. The elders were by no means so engrossed in cases of discipline as popular opinion has supposed, nor do they appear to have had that inquisitive curiosity which on the testimony of Robert Burns many have accepted. Sometimes offenders were remitted to the civil magistrates for punishment for a crime, while the Session retained the right of imposing penance for the sin. That distinction between the affront to the law and the disobedience of the Divine Sanction is none too clear to-day.

7th February, 1661, "Quhilk day Jonet M'Neill gave in a clame against Agnes M'Gilchrist anent some linnen that was stolen from her. The Session considering that ther are some presumptiones in the matter not belonging to them to tak tryell of did reffer the same to judge competent, and if after his tryell the matter be fund a scandall to returne bak againe to the session."

Sabbath Breaking, Drunkenness, Scolding, Slandering, Charming, and wife-beating have a prominent place among cases of discipline.

Some of the most interesting discoveries are made in what appears very barren material. In some matter of fact concern an old custom will be disclosed—women watching the linens in the moonlight by the burn side, horses grazing in the fields, the times of milking, the prevalent diseases, the observance of St. Bruix's and St. Columb's Day. There are glimpses into the relationship of master and servant, of rival lairds and adjoining farmers, with the same petty jealousies and unexpected kindnesses which make life what it is in all the generations.

The relief of distress formed a large part of Session business in an age when the State had not yet accepted responsibility, and many pages are concerned with the distribution of the poor's alms. The money was obtained from gifts and legacies, from interest on bonds held by the Kirk Session, from church-door and special collections, and from the hire of the mortcloth and the "common chist" for funerals. There is no direct reference to the rebellions of 1715 and 1745, but it is suggestive perhaps that in the later part of the period under review the treasurer has many complaints to make of "bad copper" in the collection.

Although the Kirk Session was thus largely concerned in the life of the community, it would be a mistake to suppose that this was its chief labour. The affairs of the Parish Kirk moved then and for long afterwards with an accepted regularity which required no reference to Session meetings. We have therefore little insight into the ordinary Sunday services, e.g., and only in the case of Rev. Dugald Stewart (grandfather of the famous philosopher) are we allowed to see something of a people's affection for their minister. Communion was celebrated at irregular and infrequent intervals, and the preparation for it was most thorough. We learn something of the provision of the elements, their cost and carriage from Greenock, the fitness of the parishioners, the giving out of tokens, the making of tables and table linen, the duties of the elders. The upkeep of the Kirk, the oversight of the Kirkyard, Manse and Glebe fell jointly on the Heritors and the Session, but the elders undertook the ploughing of the Glebe and the cartage of the minister's peats, and also certain minor repairs in the church as required—a "sneck for the door," glazing for windows "broken by a dog which the beddal had inadvertently shut in the building," provision of a half-hour sandglass, and of a reader's "dask."

From the earliest minutes there is reference to a school in the Parish. The schoolmaster was often a graduate of the University proceeding to the ministry. The emoluments were small and uncertain, and were paid in part from fines and

dues received by the Session Clerk. In 1658 it is noted that the sum of £46 7s was due to James Stewart, the late schoolmaster. By 1721 there was a Grammar School distinct from the Parish School, and this was closed owing to "lack of accommodation and salary."

It is clear that a rich seam of information has been laid bare by the transcription of these old records, and as a first excursion the short first volume may be examined in detail. This extends from 5th August, 1658, till 28th November, 1661. A transcription was made in 1772 in fine handwriting, and is now bound up with the original. It begins as follows:—

"Session holden at Rothesay the 5 day of August, 1658. Sederunt—Mr Johne Stewrt, minister; Sir James Stewart, Shreffe Bute; Hector Bannatyne of Kames; James Stewart of Kilchunlick; Neill M'Neill of Kilmorie; Robert Jamesone, crowner; Donald Campbell of Kilmichell; Archibald M'Cartur; Johne M'Gilchrist, provest; John Glas, bayly; Ninian Kerr, Baylie; Neill M'Neill; John Kelburne; Patrick M'Neill; John Rankin; John M'Kirdie; Mr Robert Stewart, stewart clerk to the Session."

(Note.—Robert Jamesone was the last of his family in the office of Crowner. Ninian Kerr's tombstone is among the oldest decipherable in Rothesay Churchyard.)

In this first volume the familiar formula of constituting the Session is absent. In the second volume each minute runs:—"Sederunt Prayers said The Session ended with prayer." In the incumbency of the Rev. John Munro it becomes "After Prayer," and so continues from 1691. This first minute then continues. "Quhilk day upon the petition of Mathew Bannatyne, a poore leper man the Session appoints to be given to him out of the kirk box twelve merks." Almost a year later Archibald Stewart in Drumchly petitioned the Session regarding this same Mathew Bannatyne. "The said poore man was lyke to dy unknowne to anybody," and on 11th August, 1659, "Quhilk day the Session taking to consideratione Mathew Bannatyne the lepers conditioune did appoint the tenants of Kueslagvorertie,

Kueslagmore, Kameslands, Drumhly, Starrell, Kildavanan shall build him ane little house at Atrick and are to get timber from the Laird of Kames, and that Archibald M'Kartur and Donald Hyndman build the said house and shall gett payment from the Session for their paines."

Many were the reasons for succour.

1th August, 1659. "The Session appoints 24s to be given to Robert Sincler, a poore distressed man. Apointis 4s to be given to a poore man who suffered distresse in Yrland be the Spanzard haveing his wife and children with him."

7th February, 1661. "Walter Allane ane poore man. . . . The Session considering that the petitioner and his wife are old and failed, vnable to keep house, being of honest repute before, did ordaine him to get the last quarter's collection."

20th December, 1661. "Thomas Alexander a poore man that hade his house brunt at Mordingtowne . . ."

The oversight of the KIRK AND MANSE occupies a good part of this first volume.

3rd March, 1659. "The Session appointis John Ker, elder, Ninian Ker, Bayly, and Archibald M'Cartur and Coline Forgie to sight the house quhilk is bought for the minister and to give in their report against the next Session quhat the repaireing thereof will cost."

7th July, 1659. "Quhilk day the collectouris of the manse money gave in ther accompt quhilk was approven."

"Qujilk day the Session and heritouris considering that the house at the towne heid quhilk they have bought to be the ministers manse requires to have the chamber theref enlarged at the south end thereof . . ."

4th July, 1661. "Quhilk day Donald M'Gilchrist, towne clerk, produced the infements and securities of the ministers manse and desyred payment for his paines. The Session appointis them to be given to the deacon to be kept in the

Kirk box and to be registrate in the towne books and apointis the deacons to give to the said Donald 5 li and to John M'Gilchrist for drawing up the dispositione 2 merks."

THE KIRK.

23rd December, 1658. "William Hunter compleaning that he gott not payment of the twelve pundis Scotis quhilk they were to endew to him for dressing and repaireing in sclate the landward part of the Kirk, the Session apointis the samen to be payd to him out of the reddyest of the penalties."

14th June, 1660. "Ane accompt of quhat was wared upon the dressing of the pulpit and making a dore and glasseing the kirk came to 32 lib."

21st July, 1660. ". . . to agree with Coline Fergy, meason, for building ane tofall to the kirk wall quhilk is lyk to fall."

15th May, 1659. "The Session appoints that the pulpit be drest and ane readers seat sett up."

23rd August, 1660. "Quilk day the Session agreed with Robert Millein for sclateing and dressing the landward part of the kirk at 10 lib. and themselves to furneish all materiallis such as sclate, dales lyme and fog."

THE GLEBE.

19th Aprile, 1660. "Quhilk day it is appointed that the parish shall plew the ministers gleib yierely, viz., foure dayes work yierely and that the towne shall plew it every fourth yeire and begin this yiere and the landward the next three yeires and so per vices a yiere the towne and three yieres the landward beginning at Meikle Barone and the next townes as the kirk officer shall advertise them."

7th February, 1661. "The foure plewghes of Meikle Baronie, the litle townes and Barmoire are appointed this yeire to plew the ministers gleib."

20th June, 1661. "Quhilk day it is apointed that the south halfe of the parish lead the ministers peitts and elding this yeire and the north halfe the next yeire."

THE TEINDS.

12th May, 1659. "Quhilk day the elders and heritours present considering that the small vicarage teinds of the parish has beene confusedly vplifted some yeires at one rate and some yeires at ane other apoints . . . that ilk tydie kow shall pay of teind 6s, ilk foll alsmeikle, ilk boat at the herring fishing ane merk, and the rest to be taken up in kind according to vse and wont."

Seats in the Kirk were provided by the worshippers themselves, the place in which they were set being established by use and wont. But even in that older day it gave rise to difficulty.

9th October, 1658. "Quhilk day ther was ane clame given in be John Bannatyne of Glaknabee and some others of the name of Bannatyne shewing that the rowme in the kirk quher Scoulogs dask is did belong to them and that ther predicessouris hade a furme ther quhervpon they satt and that the said dask was not sett ther be any order and that therfor they alwayes satt therin and vpon a stoole before the same without interruption vntil the last Sabaoth that James Cuninghame desyred them to ryse for making rowme to some of the tenents of Scoulogs and came vpon Mononday last and brok the stoole from the dask and removed it out of the place. Wherfor the saids clamers desyred the Session that the said dask might be removed and they restored to ther owne interest that they might build a dask for themselves ther. The Session finding the clame verified and that the said John Banatyne and the rest vsed to sitt in that rowme apointis ane letter to be wryten to Penymoine who pretendis interest to the said dask and show some reasone why the samen should not be removed and delays any further answer to the petitioners till they heire from him."

30th December, 1658. " . . . The Sessions finding that the rowme where the dask was did belong to the Banatyne of Glaknabee since memory of man . . . appoints the said dask to be removed to ane other place in the church."

But already, so to speak, the fat was in the fire. For at the same meeting

"Donald Campbell of Kilmichell gave in ane clame desyreing that he might have some place designed to him in the Church quher he might build a seatt for himselfe and famelie; as also produced a letter from the Laird of Knockmeele desyring the lyk."

13th January, 1659. "Quhilk day being appointed for regulateing of the seatis in the kirk the Session thought fitt to see if ther were any actis in the old Session Books relating therto but after search found none but severall motiones therof but nothing done or acted."

Finally a Committee was appointed, consisting of "James Stewart, sheriffe Bute, Hectour Bannatyne of Kames, Robert Jamesone, Crouner of Bute, John Glas, proveist of Rothesay, to report unto the Session a list of the order of the saidis seattis that a wright may be sent for to build them with this proviso lykas it is heirby provided that quehnsoever the workman is come and buildis the first seat that the next in order shall without delay employ him to sett vp his also which if he does not (being advertised 24 houris beforehand) it shall be lissum to the next in order to employ the workman and to sett vp his seatt in the others rowme." It was also decided "that there be ane commone loft builded and that these who have ther rowmes designed laigh beare burthen with the rest in building the loft."

The elders accompanied the minister in his round of the parish, and were enjoined to have the members in their districts schooled in Scripture and in Catechism.

23rd November, 1658. "Quhilk day the landward part of the parish in order to examinatioune was divyded in 4 quarters,

1 from Meiklebarone by Scalpsie to Quogach to meitt at Kilchunlick; 2 betuixt Quogach and the Mylne of Grinan to meitt at Dunalunt; 3 betuixt the Mylne of Atrick and Kilmichell to meit at Drumchly; 4 betuixt Atrick and Ballnakeillie to meit at Ardmoleis. It is appointed that the elders in the several quarters be diligent in exorting the severall falilies to familie exercise and getting of the questions and to tak notice of such as use not diligence."

6th November, 1660. "Robert M'Kamie summoned for slichting the Catechisme, compeired not . . . Compeired Elspeth Galie and being exorted to diligence in getting the catechising was enjoyned against the next dyet of examinatione to have 30 of the questiones."

That there were SOCIAL PROBLEMS at that time seems perfectly plain, and the Kirk Session sought to legislate accordingly.

16th December, 1658. "Quhilk day for the better regulateing of the disorders that fallis out at pennybrydellis it is appointed that ther be no moe that eight mense at most, that ther be no pypeing nor promiscuous danceing . . . Item that ther be no sitting up to drink after ten a clock at night under the paine of 40s to be payed be the master of the famelie quher the brydell holdis."

Sabbath observance and Church attendance was no less a problem than it is now. The minutes have frequent prohibition of idle persons and vagrants walking about the towne and shore with worldly speeches; drinking, rumrunning and fighting were considered more grievous on the Sabbath, and the habit of striking a bargain after the service seems to have been a common fault.

16th December, 1658. " . . . whosoever of the townespeople bees found sitting at drink les or more in ther neighbouris house upon the Sabaoth day shall pay a merk for the first falt, 20s for the next, and 40s for the third . . . that they be not vaging throw the streitis nor standing nor sitting in flocks together speiking vaine and idle discourses

under the lyk paine . . . that all landward people that shalbe fund drinking after the toll of the Tolbuth bell which be hereby apointed to be rung halfe ane houre after the mernone afternoone skales pay the lyk penaltie, and thir penalties are by and attour ther publick satisfaction. Moreover for the better observance of this act two of the townes elders quhom the minister shall pitch upon shall goe through the towne after the bell ringing and observe the contraveeners."

14th June, 1660. "The Session finding that the townespeople comes not so frequently as they ought to the weekly mermones does appoint that ther come at least two persones out of every considerable family."

"It is appointed that those who collectis the almes search the towne and tak care that those who understandis not the language be made go in the Kirk or remove out of the Kirkyard."

25th October, 1661. "Compeired Jonet M'Kinley and being convict of Sabaoth breaking in flyting with her sister upon the Sabaoth day . . ."

17th September, 1661. "The elders being enquired anent Janet Bannatyne in Kilmachalmag who was delated for not keeping the kirk answered that she was trubled with ane infirmity that she could neither ryde nor gang with."

Drunkenness appears to have been prevalent so that by 1717 the session appointed two elders to go through the Burgh of Rothesay "and advert that none be allowed to drink beyond what may be thought a necessary refreshment."

23rd May, 1661. "Compeired Issobell M'Nicol spouse to Thomas M'Kirdie who was delated for being severall times drunk, and seeing the Session could not mak out any particular drukenes against her she was only admonished to sobriety with this certificatioun that if heirafter she shall be found to be drunk she shall be put in the joggs and her dittay wrytten on her face."

Slander, scolding and quarrelling were common.

25th October, 1661. " . . . and because Elspeth Spence is said to be ane ordinary scold the Session apointis that quhensoever she shall be found to flyt or scauld againe that she shall be led by the towne officer throw the towne and a paper be sett vpon her head containeing her falts and thereafter to be banished the towne."

18th July, 1661. "Delated Robert Beg sclatter for striking his wife."

Donald M'Ninch of Edinbeg who was caught in "a great shoure of raine" out on the moore, was, on 10th October, 1659, "delated for speaking blasphemouse words, viz., Let God ether mend the weather or else destroy it and all that is thereupon."

There was indeed need for caution with the tongue.

7th March, 1661. "Quhilk day John Moore gave in a clame against Katerine Wood complaineing that the said Katerine did call his mother a witch."

Yet all Katerine had said was "Goe hang your selfe and ryd to France with your goddame." She was discerned "a sclanderer and to pay 40s." But she added professed contempt in saying in face of Session "The devill a bitt she would stand and the devill never let her stand more." "The Session apointis her to be put in the joggs at the Kirk door upon Sunday next betuixt the 2nd and third bell."

22nd August, 1661. "The officer being inquired the reasone why Katerine Wood was not put in the joggs answered that he could not gett her and that her father was lyeing extremely sick."

17th September, 1661. "Recommends to the magistrates of the Burgh to cause put in execution the order anent Katerine Wood."

This moral oversight extended not merely to speech.

16th May, 1661. "Delated Elspecth M'Laine for singing usually a badie song."

6th June, 1661. "Compeired Elspeth M'Laine and acknowledged that she sang severall tymes the challenged bady song and promised heirafter never to mention the samen."

A more unusual complaint appears on 8th March, 1660. "The Session finding that there is a report throw the contrie that Jeane Campbell wife of Robert M'Conochie gangs with the faryes appointis the elders to take tryell thereof."

And on 2nd May, 1661. "Delated Janet Morisone suspect of charmeing."

16th May, 1661. "Compeired Jonet Morisowne and being challegenged for certain speeches quhilk she spok to Elspeth Spence anent her daughter that was lyeing sick, viz., that she would not be whole till they wold tak her out and lay her at the end of three highways."

There are many references to the ARRANGEMENTS FOR FUNERALS—the provision of a common chist, the buying, repairing and hiring of mortcloths, the renewal of spades, but in the first volume there are but two worthy of notice.

19th May, 1659. "The Session considering the unseemly custome of leaveing above the ground the bones quhilk they dig up when they hock the grave appoints that it be taken notice of quhen any grave is hocked that the old bones be covered and appoints intimatioune to be made heiroy out of the pulpit."

17th May, 1660. "The session considering the unseemly custome of bringing the corpse to the churchyard before the grave be digged and the lying thereof in the kirkyard while the grave is a digging ordaines that in tyme comeing the grave be hocked before the corpse come to the kirkyard under the paine of 40s to be paid by him whose dutie the Session shall find it is to look to the deadis buriallis."

Many cases of discipline were concerned with sexual irregularities. Sometimes they were straightforward. "Compeired A— B— and C— D— and confessed fornication. The Session appoints to satisfy according to order." Oftentimes there were difficulties, occasioned as much by popular gossip as by the parties concerned, and evidence was led at considerable length and in most intimate detail before a decision was arrived at. The wagging tongue was no more sparing then than now, and worldly station was no barrier to the Session's discipline. "Compeired X— Y—, fiar of Z—, anent the scandall of his childs being borne before the lawful time. . . . The Session finding that the bairne was borne before dew time were satisfied therewith for the removell of the scandall."

In this first volume the most famous case is that of N— T—. The process lasted for over a year, largely because A— B— who wished to marry her agreed to accept the paternity of the child. But "constant surmise and suspition in the parish was that this was only for the sake of marrying her," and at last the schoolmaster and session clerk confessed himself guilty. "Being demanded how he could cause ane other to take with his cheild answered that the divill who had enduced him to sinn had enduced him to that also." So a familiar name disappears from the records of the Kirk Session.

There are records of appointment of Kirk Treasurer and Clerk.

14th June, 1660. "Quhilk day Walter Stewart was chosen treasurer and apointis him to cause mak a box to keep the collectione money."

The school was under the joint supervision of the Kirk Session and the heritors.

9th June, 1659. "The session recommends to the minister and any one or two of the elders he pleases to call to visit the schole once in the quarter."

Although the minutes end in this volume in 1661, there is included the following agreement of later date.

18th December, 1680. "The quhilk day the heritouis and Sessione of Rothesay having mett anent the presenting of Mr Duncan Martine to be schooll master at Rothesay, the scholl being vacant . . . they did nominate and present the said Mr Duncan to the scooll and to the sallerie possest be Patrick Stewart or other scooll-masters his predicessouris and for his encouragement does augment the baptisme and marriage dewes, viz., 2s Scots mor for everie baptisme mor nor quhat was formerlie payd, inde 8s Scots, and 4s Scots mor for the mariage, inde 16s . . . and for the scolles quarter hyreing they agrie everie burges bairne within the toune shall pay quarterlie ten shillings Scots every one that learnis Scots, everie Latiner and G(*recian*?) and everie Landwart barne of the paroch quarterlie wether Scots or Latine and everie stranger therein ane xijd mo ilk ane. And upon such termes the said Mr Duncan accepted the said presentation and did promitt constantle to attend the scool . . . (Signed) M. Jo. Stewart; Arch. Sodoren; Char. Stewart; J. Steuart; Robert Stewert; Ja. Stewart, ballie; Ro. Euine, bellie; M. D. Mairtine accepts.

An interesting collection of signatures surely, from the Bishop of Sodor, down through the three spellings of Stewart and the two bailies, to the schoolmaster whose name also fails to conform with the minute appointing him.