

## I.

EXTRACTS FROM THE SESSION RECORDS OF MUIRKIRK, AYRSHIRE,  
(1659-1792). By ALFRED CHARLES JONAS, F.S.A. Scor.

If Camden's map of Scotland (1695) is looked at, no Muirkirk will be found. The map in Balfour's *History of Scotland* (1770) does not show Muirkirk, neither does the map in Heron's *Scotland Described* (1790). Paterson asserts that Muirkirk may be said to have no history previous to its disjunction, in 1631, from Mauchline parish.

The *Statistical Account*, written in 1837, informs readers that until about 1626 Muirkirk constituted a part of the parish of Mauchline, and that the earliest entry in the parochial register of the latter is the 17th January 1670, and, further, that the first entry in Muirkirk register is dated in the year 1739.

Keith's *Catalogue of the Bishops within the Kingdom of Scotland* (1755) states that the charter founding Mauchline was by the Stuarts, and they bestowed it upon Melrose. The same authority has "Machline in Kyle: Machlen or Muirkirk of Kyle." It may be fairly concluded from this, that Keith was not able to discover any separate church or religious building at Muirkirk. Machline and Muirkirk are therefore somewhat closely associated; thus it is necessary in these notes to refer in a limited manner to Mauchline.

The Kirk of Muir, or Muirkirk, is stated by Paterson and the *Statistical Account* to have been built in 1631; the former adds that when it was built, "there does not seem to have been a single house in the vicinity" (hardly a sufficient reason for building a church there). This may very well have been the case, when from Mauchline, at least, to the borders of Lanarkshire, was covered by a partially dense forest. Confirmation of this is found in the Charter of Alexander II., when he granted to the Church of Melrose "the lands of Mauchline and pasture *in the forest*: the land of Douglas, and the fishing of the river." There

is every likelihood that the forest covered what was called by Keith "Machlen or Muirkirk"; nay, further, in the Charter of David I. granted to Melrose, he speaks of "timber in the forest of Selkirk and Traquair, and between the Gala and Leader water."

This Melrose which David I. founded was not the old "Mailross" of Aidan's time, and of which Bede wrote: "The first Abbot was Eata, about the seventh century." Melrose was one of the twelve abbeys in Scotland, which were most beautiful from, at least, an architectural point of view.

In Macpherson's historic map of Scotland (1796), adapted to the year 1400, no such place as Muirkirk is marked; this, however, is somewhat discounted by Keith's Catalogue, where he uses the term "Machline or Muirkirk."

The session records from which my extracts are taken will, keeping in view the foregoing, be doubly interesting, if not instructive, so far as they go. When I went over these records, they were not consecutive; in fact, they appeared to be composed of what had been saved, or preserved from the original session books.

The first entry was dated 1659; thus, "Present with the Minister, Hew Campbell, James Campbell and Johne Blackwood, The quhilk day it was delaited to the Sessioun that Jonat Ritchart," etc. This is a similar one to the multitudinous entries which are so common in early minutes bearing on church discipline.

Now, in the proceedings of the Commission of General Assembly (1649) the following is found: "The Commission for planting of kirks the division of *Machlein* parish." How is this to read along with the previous quotation, where it is stated that the Kirk of Muir was built in 1631? But is it not also worth notice that in the Scottish History Society's publication of the General Assembly records, 1646-49, not a word, so far as I can trace, is mentioned of Muirkirk Church? From the same authority we learn that in 1650 Mr Thomas Wyllie was minister at Mauchline, and, being "called" to Edinburgh, the

Commission refused to allow his "transportation," and he was "appointed to remain at Mauchline."

Connected with my first note, Paterson states the Campbells were the principal families in the parish; these were "Campbells of Auldhouseburn, Wellwood, Eshawburn, Over Wellwood, Middle Wellwood, the Browns of Waterhead, Tardors, Riccart (Richards) of Burnfoot, and land called Netherwood." John and William Campbell of Over Wellwood suffered very much in the troublesome times of 1684. These two were scarcely men when both were seized by Lord Ross's troop, at Wellwood Hill, and taken to their home, where their father was searched for and the house pillaged, the only charge against these young fellows being that they had two Bibles in their possession. They were carried prisoners, and ultimately lodged in "the Dean" at Kilmarnock, then the property of the Earl of that ilk.<sup>1</sup>

In the first year from which my previous extract is made, on 8th June: "Present with the Minister, Hew Campbell, Terdoes, John Blackwood, and the rest of the Elders: the case of Jonat Ritchart was continued." The arbitrary manner in which sessions used their power is illustrated by a decision on 6th July 1659: "The qlk day it was appoynted by the Sessioun that non of ye parishouneris should receive in famillis Jonat Ritchart, in respect of her disobediencies in not bringing her testimoneal from the last place of abode."

On the 6th July 1659, "Present with the Minister all the Elders, The qlk day the parishchouneres of Straven presented a supplicatioune subscrib'd by those heritors and Sessioune in referance to ane contribution from us for repaireing certain Bredges, qlk was condendit unto and tenn poundes Scotcs given to them." At the meeting "27 february 1661, Present with the Minister all ye Elders. The Mr hew Campbell became cationne for John Mitchell Turnourhill," etc. This Campbell figures often, being for many years an elder and an active worker in the session.

In the last-mentioned year we find the name "lerpryke." Whether

<sup>1</sup> See Wodrow's *History* (1722), vol. ii. p. 361.

this is the original form of the name is a question; certainly it is variously spelt in other minutes. There is, however, little doubt but that from this family sprang John Lapraik, the erstwhile farmer and poet friend of Burns. From the work of Mr Hugh Paton of Edinburgh (1840), Lapraik was born in 1727, at the farm of Laigh Dalquhram (Dalfram). Dalquhram is mentioned by Wodrow in his list of fugitives, against whom Charles's proclamation of 5th May 1684 was issued.

The minute of "II Juñ 1661" contains the following: "The said day Johne lerkpnyke presentit a bill of complint againest William browñ his wyfe and her daughter for the slandering him," etc. The session, which met on the 29th of the next month, agreed that the "bill" was proved. Here the name was spelt "Lepriaik."

It was common to most, if not all, kirk-sessions to fix an hour at which ale-houses were to cease the supply of drink, and also the price to be charged. It was in many instances settled by sessions that a certain number only should be invited to a marriage. Those about to be married had to deposit a named sum of money with the session.

With respect to the latter, we find that, on the 17th July, the session ordained "yt there sould be no uplifting of the consignmēs for mariages for the space of three quarterres of a zeir after the mariage neither of these yt are lyeing presentlie nor of these yt are to come."

The practice, so observable to-day, of persons gathering at church doors after service (not invariably discussing the merits of the sermon), is not what may be called seemly: that such a practice existed centuries ago, and was condemned, is to be learned from the following: "The quhilk day it was appoyntit by the Sessioune and ordained to be entimate the nixt lords day, that non after sermon endit sall be founden standing in the Church yeard or upon the grein, bot sall presentlie betake them to there homes, as also yt non sall goe away from the Church beteixt ye Sermone," etc.

In the year 1666 we are told of payments made for "glaiissen" and "wyreing" the church windows; for buying iron "for repaireing the Bell." There are numerous entries of a similar kind, such as for mend-

ing the "Kirk yaird dyke : mending the Kirk style lock : the sclatter for mending the Kirk 2 lb. 18 s.s." "To ane poor man had his hous burnte 12 s.s."

The servant question has, in some way or other, forced itself upon most of us : would matters be improved if we reverted, somewhat, to the *régime* of the period, when an act of session was passed "ÿt non sall receive any servents from other congregatiounes w̃t out testimoniels"?

On the 11th May 1670 we glean information as to the name of a Baillie in Kilmarnock, and the name of a "Nottar" (elsewhere written "writter") at Muirkirk, nearly two and a half centuries ago, thus : "The qlk day William Aird, of Corsflat, and Andro huteheoun, Nottar at Muirkirk, being appoynted to revise the com̃t of collectiounes gathered by the Minister and some of the Gentillemen of the parishe, to give with the discharge of Adam Mures, Bailzie of Kilmarnock quharin he grantes him to have received fiftie markes Scottis qlk is of the dait at Kilmarnock the 9 of Juñ 1669," etc.

The Bailie here named will not, I think, be found in a local history of Kilmarnock : in fact this makes the third Bailie, named by myself, from similar "records" who did not find a place in the local history referred to.

Superstition is an inheritance which, more or less, we all possess. Education has, fortunately, done much to lessen the hold it has upon human beings. The following extract of "Julli 1670" draws aside a corner of the veil which hides the so-called ignorant past, and reveals an aspect of the subject which, so far as I am at present aware, has seldom been presented from similar records : "The said day it was delated to the Sessioun that James Hutchesoune, in netherwood had used ane grosse charme in cutteing of the heid of ane quick calfe wt ane ax and burreing the samen here betwixt two Lordis landis for to prevente the Sturdye from the rest of his beastiall : was appoynted to be sitit against ye nixt day."

Among the many ills flesh is heir to, the following is possibly new. It, however, probably referred to ague : "2 May 1671. The said day their was given to Jonat Bege poore quho was lyeing of the trimbling

five, two merks and ane halfe." On the 9th of August the "charme" worker agrees to "give ane public confessioun."

The custom of placing a sum of money with the session, previously referred to, gave them a spiritual and monetary power probably not originally intended. Of this is an example in 1672, "Mr Hew Campbell was desyred to speak to the Baillie of Gilmilscroft for ane precept to arreist in the hands of Robert Blackwood, quhat money he was indow to Robert Weir, because he had forefault the Band given to the Session": the Bailie mentioned was a Farquhar.

In 1691 the sum of £5 was fixed by the session as the amount to be placed with them *before* proclamation.

From another minute we learn the name of the minister at "Symonttoun" in 1671: "The said day George Jonstoun in the parishoun of Symonttoun produced ane testamonyell subscribed Mr John Gemmill of his sadde loss by fyre, upon the quhich the Sessioun appoynted ane collectioun for him and severall of our awin poore." I was unable to trace how much was realised for Johnstoun.

On the 12th of February 1673 the following is interesting, but wants amplifying, with respect to the "Merble chamber." At the revising of accounts paid, among those specified is, "and to the sclatter for naills and for repaireing of the Merble chamber at the Kirk to extend to threttie four pound ten shillinge four pennyes." The minute of 24th July is most interesting: "The qlk day Mr Hew Campbell presented to the Sessioun that as ane heritour he wanted ane seat, and that there was ane seat bouldit by the herotoure of Wester Netherwood together with some others within the parish, and now seeing there is no heretoure that can pretend any right to that seat, therefore the Elders all unanimuslie together with Lishaw yonger, Shaw, Criennock Maines yonger, Crosflat, John Ritchart of Burnefoote, consented that Mr Hew should remove the fabricke of the old seate and builde ane new for himself upon the conditione that quhensoever the Kirk shall be devidit, he shall take qt place the divider shall appoynte him."

Laconic is the following, 17th March 1676: "We had no Sessioun

becows it was stormy." In the days of such strict veneration for the seventh, one is a little surprised at such a plea being offered as was on "Julie 1679." James Smith was before the session, for "he did thresh corne upon the the lords day in the morning." On the 29 of October Smith was "callit" and "confessit he did it bot out of ignorance, not knowing it was the lords day." By what process of reasoning the session came to the conclusion that "his confessiounne seemed to be reall" is hard to understand, yet they "did appoint him to make confessn̄."

The year 1692 was the year of Glencoe—a tragedy which sullied the character of King William, and doubtless had its outcome in the rebellions of 1715 and 1745, yet it seemed to have little influence on the everyday life in such places as Muirkirk: the Session did not make any reference thereto, so far as the records are handed down.

The old-fashioned precentor has practically died out, and it is not likely that such a one as Dean Ramsay tells of (the precentor in Fettercairn) will ever appear again. We, however, have evidence of how precentors were paid at Muirkirk in 1693: "The whilk day George Allane was chosen to be presenter and to have 20 shilling of each pair of folk yt is to be proclaimed."

On the "4 of December 1692. Archibald M'Nahre being called upon did compeir and confessed," etc., "Hē willingly offered 40 schilling of penaltie," which: "was instantlie apointed to be given to James Wilson for bigging the Kirk yeard yeats." This was a speedy, and perhaps convenient method of paying church accounts. The defaulter might well claim to have paid for the "Kirk yeard yeats."

The 19th of March 1693, a defaulter is punished in an unusual manner—"before the Sessione and presbeterie . . . having according to ther act of the generall asemblye shoven some signs for the sorrow of his sin befor the sessione was apointed the nixt lords day to the Kirk door in sack cloath and to stand there betwixt the second and third bell." A minute of the 24th of November 1694, which is made up of accounts paid and received, has at the end: "This Book visited and approved, 6th March 1695, S. Lockhart."

The extract which follows is one of local and general historic interest, and it is very doubtful if the information here given could be easily, if at all, found in any other single source. The session meeting from which the extract is made is dated the 25th day of June 1697. "In obedience to the sd summons compeired the whole Elders and Heritors, William Campbell of Mid wellwood, James Campbell of Grinnock Maines, Thomas Brown of Neither wellwood, George Campbell of Neither wood, Androw brown of terdoes, John Campbell of Orlhousburne, William Aird of Westlate, John Ritchart, of burnfoote, John Aird of Eshaburne, Thomas Bryce of Glenbuick, John blackwood of Airds green, heritors; and of tennents John blackwood in Hall, John Samsone in Middelfield, James Wilson in limburne, Alexander Wilson their, Thomas Wilson in Watterheid, James Weir in Blacksyde, Heugh Merrie in Muirmylne, John Allan . . . haw, with the Minister and Elders did all unanimously, non gainsaying, appoint the outter Chamber at the Kirk for ane school-house, and three pound upon each hundredth pound of valuatione which will extend to seventie pounds, our valuatione being 2000 and 300 and 20 pound."

It will possibly be a little interesting to refer to some of the persons above mentioned. William of Middle Wellwood in 1685 was taken prisoner for the reset of his brother John; both were taken to Edinburgh, thence to Dunottar, and afterward banished to New Jersey. Having gained freedom, the following year William was taken by Craigy's troops and put in prison, in Canongate tolbooth, but after a considerable time was let off by the payment of a fine.<sup>1</sup>

James Campbell of "Grinnock." The original of this place-name is a little difficult to fix. "Greenock," it has been said, is derived from Gaelic "Grianaig," sunny bay.

Greenock, or, as it was more anciently named, "Grenhok," had no existence as a separate parish before 1636, and as late as the beginning of the eighteenth century only consisted of a few thatch-covered houses; it had no harbour, and almost as little trade. In the "Grinnock"

<sup>1</sup> See Wodrow's *History* (1722), vol. ii. p. 572.



quoted we have the place-name existing in 1673. It was at Greenock Mains that Thomas Richard, a man of eighty, was trapped by a pretended friend, and executed by Colonel Douglas at Cumnock.

Thomas Brown of Nether Wellwood was an heritor at this date. Paterson only mentions him as having a sasine of land in Middle Third in 1705.

Andrew Brown of Tardoes was of the same stock as those of Waterhead. John Campbell of Auldhouse burn also possessed Crosflat, at least in 1646. John Richard of Burnfoot here mentioned is named by Paterson as of Burnfoot, only in 1714. Paterson admits, with regard to Eshawburn, that he has no notes respecting it. In my extract we have "John Aird, of Eshawburn, heritor in 1697," at least. "Glenbuick" (Glenbuck) is where Messrs Finlay & Co. of Glasgow formed lochs or reservoirs about the year 1802, for supplying their works at Catrine.

A new phase was introduced into Muirkirk civil and religious life by the fact that on "28th Feby. 1700, The qlk day the shereffs comisione to Midwellwood and Terdoes to be Sess baillies according to the act of parliament not only for punishing Civilie scandalous persons, but also to put the act of parliament in executione for regulating the poor, was delivered to them and they excepted, and the Minister, with consent of the Sess and heritors, was given to Midwel wood to be keiped."

Another remarkable lapse of memory is reported on the 19th January 1701, when Thomas Kennedy was brought before the session for "that he was weiving upon the Lords day which he declared was not willfully done, but ane mystake," etc. Among those proposed for elders, on the 25th February 1704, was John Lickprivick of Dalquhran. The next month he was objected to, on the ground that he had taken the "Test." It was stated that, for this offence, "he had given satisfaction." The session, however, withdrew his name, "that they might not give offence to anie other." With respect to Lapraik (Burns's), shortly mentioned earlier in these notes, he succeeded his father in 1754, and died in 1807, aged eighty. The John Lickprivick of Dalquhran, in the above extract, was, in all probability, his grandfather.

Very particular were sessions over the keeping of the seventh day ; so in the records being dealt with, many were the "acts" passed concerning its observance. Yet it is most strange that, with respect to the keeping of public-houses, which was so jealously guarded by kirk-sessions, we find in W. Stephen's *History of the Scottish Church*,<sup>1</sup> quoting from the Assembly's records, that ministers sometimes "kept open taverns," and these reverend tavern-keepers were exhorted "to keep decorum." A servant named "Margret taillour" had brought herself within the grasp of the ever-watchful session, and on "18 Jarrie 1706, the Minister and all the Elders being present, after prayer, terdios told that he had holden ane Court and had appointed her upon ane Lords day to come to the most patent Kirk door and their to be put in the *Braidome* their to stand all the time betwixt the second and last bell ringing in the fornoon."

Perhaps the most startling and widespread disaster, financially speaking, which the county of Ayr experienced in the eighteenth century was the collapse of Messrs Douglas, Heron & Co.'s bank, when, after the debts due to the bank were taken into account, the loss by each shareholder was calculated to be £2600 per share. This bank was the cause of Lapraik's financial ruin, although he was not a shareholder. It was succeeded by Messrs Hunter & Co., and, in a minute in the session records, is "Lord Loudoun and Logans order to Mr Shepherd, authorising him to lend the £100 stg. in the Ayr Bank."

"We hereby authorise you to hand one hundred pounds sterling of money belonging to the poor of the parish of Muirkirk, at present payable by Messrs Hunters & Co., bankers, Ayr, to the Trustees upon the line of Road betwixt Sorn and Muirkirk, for the purpose of making and repairing the road in the above parish of Muirkirk."

"To the Revd. Mr Shepherd, Minister of Muirkirk.

"(Signed) LOUDOUN,

"HUGH LOGAN.

"The above is a true copy by Ben. Maull, Sess. Clk."

<sup>1</sup> See vol. i. p. 109 and context.

One more extract on banking: "April 22, 1792. Mr Shephard formerly mentioned to the Session that agreeable to their desire, he had lodged thirty-one pound stg. of the poors money in the Banking house of Mansfield Ramsay & Co., for which sum he produced their promissory note. The Session approve of the same and the above note is lodged in their Treasurers hands."

Concluding these notes from Muirkirk session records, I may be permitted to say that the only safe method of acquiring knowledge of the ancient history of any particular part of the country is to find whether there is any incontestable evidence obtainable from public records, or local documents or inscriptions. Certainly we possess such evidence wherever kirk-session records are found. Details of daily life as they existed in the several localities, at the same period, will, I venture to say, be found more exact, and, in certain particulars, absolutely true, in such records as we have been dealing with.