

Robert Burns and Jean Armour before Mauchline kirk session, 1786

The Mauchline kirk session case featuring Robert Burns and Jean Armour is fairly typical of such cases in the late-eighteenth century. Each parish in Scotland had a kirk session, composed of the minister and elders (chosen mainly from landowners and leading tenants in the parish). The kirk session was the lowest church court and dealt with public order and moral issues, such as swearing and profanity, sabbath-breaking, drunkenness, irregular marriages and domestic abuse. Kirk sessions were also responsible for collecting money for poor relief and, since illegitimate children were a drain on the parish poor fund, they had a special regard for sex outwith marriage ('ante-nuptial fornication'). Often the first indication of ante-nuptial fornication was an obvious pregnancy in an unmarried woman. In Jean Armour's case, her pregnancy was brought to the session's attention in June 1786 and the case is recorded in one of the minute book of the session (NRS reference CH2/896/12).

On 11 June 1786 (page 162) The minutes record:

The session being informed that Jean Armour is with child order their officer to summons her to attend upon sabbath first.

On 18 June 1786 (pages 162-3) Jean Armour did not compear (appear in person in court) but sent a letter:

Jean Armour called compeared not but sent a letter directed to the min[iste]r the Tenor wherof follows

Rev[eren]d sir

I am heartily sorry that I have given and must give your session trouble on my account. I acknowledge that I am with child and Robert Burns in Mossgiel is the father.

I am with great respect

Your most hu[mbe]ll serv[ant]

Signed Jean Armour

Machline 13 June 1786

The officer is ordered to summons Robert Burns to attend this day Eight days.

('This day Eight days' means eight days hence, including the day in question).

An image of the extract above appears on the next page.

162
 10
 The Superior being informed that
 Jean Armour is with child order
 their officer to summon her to
 attend upon Sabbath first
 Sep^r Con: Jean Armour called from
 appeared not but sent a letter
 directed!

1786
 162
 Directed to the Min^r: the Parish where
 of follows
 " No^d Sir
 " I am heartily sorry that I have
 " given and must give your Justice
 " trouble on my Account I acknow-
 " ledge that I am with child and
 " Robert Burns in prospect is the
 " Father I am with great respect
 " Your most hu^l Serv^t
 " Jean Armour
 " 13 June 1786
 " The officer is ordered to summon
 " Robert Burns to attend this day
 " eight days
 " Done 18th Sep^r Con: James Jobell Hamilton

(Mauchline kirk session minutes, 11-18 June 1786, CH2/896/12 pages 162-3)

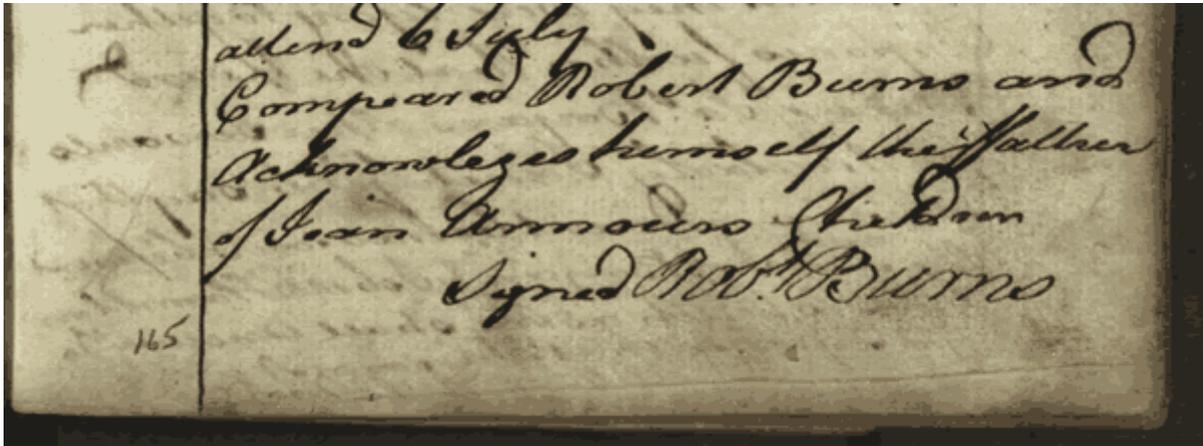
A transcript of this image appears on the previous page.

National Records of Scotland

Robert Burns and Jean Armour before Mauchline kirk session, 1786, continued

On 25 June 1786 (page 165) Burns appeared before the session and signed the minutes:

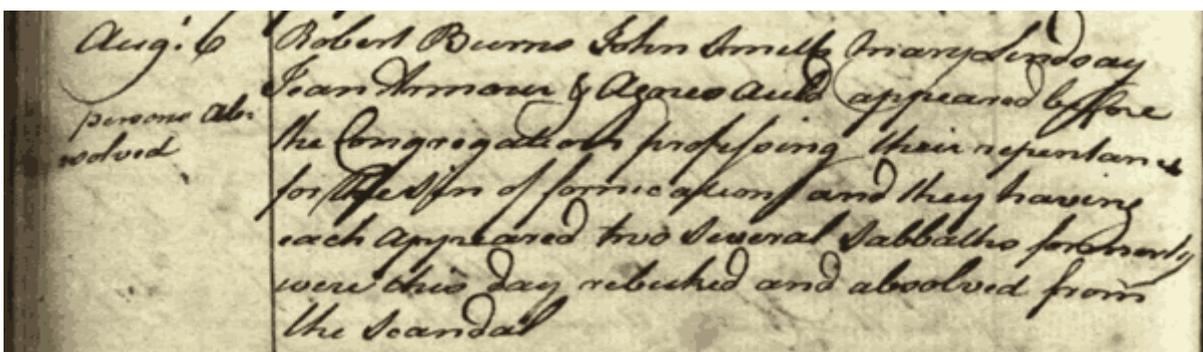
Compeared Robert Burns and Acknowledges himself the father of Jean Armour's Children
Signed Rob[er]t Burns



(Mauchline kirk session minutes, 25 June 1786, CH2/896/12 page 165)

On 6 August 1786 (page 173) the minutes record that Robert Burns and Jean Armour, along with several other parishioners convicted of ante-nuptial fornication, had been absolved after appearing in the place of public repentance during services in Mauchline kirk on two Sundays:

Robert Burns John Smith Mary Lindsay Jean Armour & Agnes Auld appeared before the Congregation professing their repentance for the sin of fornication and they having each appeared two several sabbaths formerly were this day rebuked and absolved from the scandal



(Mauchline kirk session minutes, 6 August 1786, CH2/896/12 page 173)