

# Snippets from Tillicoultry Kirk Session Records<sup>1</sup>

By Jane Petrie

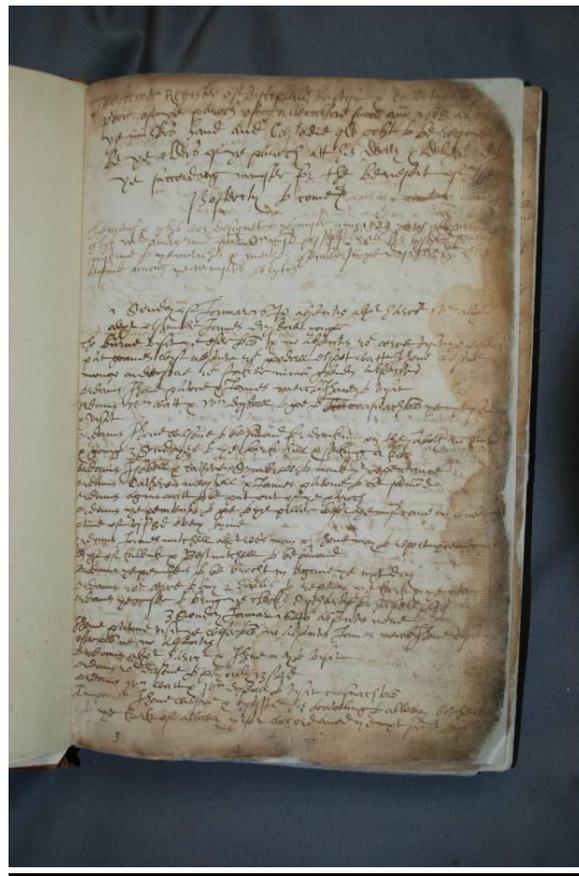


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<sup>1</sup> Stirling Council Archives, CH2/726/1-2. These records are officially held by the National Records of Scotland and are held by Stirling Council Archives under Charge and Superintendence.

## **What survives for Tillicoultry Parish?**

The overall surviving records span overall the years 1640-1996, made up variously of volumes containing kirk session minutes, scroll (or draft) minutes, accounts, baptisms, proclamations, communion rolls, poor's fund accounts, banns, women's guild material, mortality (burial) and lair registers.

The overall collection of Tillicoultry kirk session material is remarkably complete, with the earliest baptism records dating from 1623 and the earliest minutes from 1640 – the first entry dated '1<sup>st</sup> Sunday 1640'. In the first volume of minutes reference is made to an earlier volume, sadly no longer extant – had it survived, it would likely have provided insight into the late 1500s and early 1600s. The main series of minute covers the years 1640–1903.

Kirk Session minutes provide a window into the life and times of each parish, albeit that they only record the activities and interests of the kirk session, which had a very specific purpose; that is, providing spiritual and social guidance and upholding the morals of the flock, by punishment (fines and public repentance, even ex-communication) if necessary and running the church. Names, places and events that would otherwise never be recorded appear in the minutes, giving us a glimpse into the lives of ordinary people, whether they were called to answer for their 'sins' or simply appear for some other reason.

The kirk session is made up of the elders and minister of the kirk and, until the 1960s, all were male. The session is the lowest court in the presbyterian kirk and dealt with parochial matters. If a case or problem arose which couldn't be dealt with by the local session it was elevated up the kirk hierarchy to the next level – the presbytery where more serious matters such as witchcraft were generally heard. Above the presbytery was the synod (abolished in the 1990s), then above that the General Assembly, which is still held annually to discuss the great matters affecting the Church of Scotland.

## **The kirk session minutes**

Each kirk session entry follows a general format – the date, or '1<sup>st</sup> Sunday in November', a list of those present at the meeting (the 'sederunt' – literally 'they sat') sometimes with their titles, followed by the topics or cases discussed at the meeting which are sometimes helpfully noted at the side in the margins (for example 'Jones & Brown' or 'kirk dyke repair') which makes for speedier searching in absence of any index. Each volume can vary enormously in the level of detail recorded, the physical condition of the volume's pages and quality of ink and, not least, the handwriting of the clerk. Earlier entries tend to be sparser and lack great detail, often appearing simply as brief notes. Later, on (by the 1690s) the entries become a good deal fuller.

People who are alleged to have transgressed are generally called to 'compear' before the session; that is, appear before them and answer questions about their behaviour. Sometimes this can happen over several entries, taking weeks or months before the session complete their interviews with all concerned and their deliberations. After the resolution of each case, the outcome is recorded: if found guilty, the people were usually fined or ordered to make public before the congregation for a number of weeks, before being 'absolved from the scandal'. Some churches had special stools and sackcloth 'gowns of repentance' which penitents had to use to make their public repentance – though this sort of behaviour tends to die out by the early 1800s.<sup>2</sup>

The kirk session minutes tend overwhelmingly to focus on cases of discipline – usually fornication, drunkenness, Sabbath breaking, fighting, slander - but there are instances of allegations as severe as witchcraft or as slight as sleeping in church or sloppy housekeeping, as well as church maintenance, poor relief, provision of mortcoths and so on. It is noticeable that the sessions are generally only concerned with their own strict affairs which means that sometimes major local or national events such as say, the Jacobite uprisings or the building of new church do not appear in the records or are only mentioned in passing, whereas seemingly trivial issues such as the borrowing of a lawnmower or the maintenance of the kirk dyke are recorded in surprising detail. One must remember that the purpose for which the records were created by the session is often not the same purpose for which we use them today. Despite this, the records of the kirk session present remarkable evidence about the activities of the church, its place of fundamental importance in society, and the activities of the parishioners.

### **Some examples of topics recorded in the session minutes:**<sup>3</sup>

CH2/726/1, p64: The 4 Lords day of may i650 [i.e 4<sup>th</sup> Sunday in May, 1650]

John Dickie            Compeired Jon Dickie in Colistown [and] declaired yt [that] Rot [Robert] Millar in Sauchie [and] his man brought down sheip on ye lords day from ye hills through our bank and the whyt hauch.

Ninian Davidson      Compeired Ninian Davidson ane young collier boy [and] being gravelie admonished of his fault [and] being instructed of the great guiltiness of yt sin promised to mend the same

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<sup>2</sup> To view examples of these gowns and stools, see the SCRAN website

<sup>3</sup> Original spelling and punctuation are preserved for authenticity. Author's comments appear in square brackets.

School & For the stent to big [build] the school [and] Schoolhouse schoolhouse the session nominated fiftie merkis that to be laid on proportionallie conforme to the rent of the parish.

Jonet Donaldson Ordaine Jonat donaldson to be sum[m]ond for charming six bairne [and] putting it about ane oaken post [con]speirit [and] confessed her fault [and] admitted to maik hir repentance

P65. 1st Lords day of july 1650

The q[ui]lk day Sir James Rollock being accus[e]d of ryding [and] travailing on [th]e sab[ba]th day [and] con[m]ing home about 9 or 10 hours at preaching tyme ansred [answered] he was w[ith] [th]e armie till after eleven hours at night [and] was ryding all night to kept the preaching as also affirmed that give [given?] he had being lodged in any partse wold have tarried ther[e] and spent the sabbath. Who being gravelie admonished of the natur of that sin promised faithfullie to abstain therfra [thereafter].

P121 Januar 1672

This day David Mitchell pitblado was publickly rebuked by the Minister before the Congregation for this excessive drinking upon the Lords day and his unseemly carriage wt [with] Mart Caldwell [Martin or Margaret Caldwell?]

21 Januar i672

This day David pitblado was publickly rebuked by the Minister before the congregation ffor his excessive drinking upon the Sabbath day and for his unseemly carriage wt mart Caldwell and upon his humble confession of his falt (fault) [and] profession of his repentance that the same was absolved from the s[ai]d scandal.

P138 Examine the accounts and work of the treasurer

After prayer ye Minister [and] whole Elders present. The session called for John Burn Theasurer his Charge and Discharge, Having read over and considered the samen doe approve the samen as also his diligence and finds the charge amounts to 114 lbs 15 s & 4d. The Discharge 55lbs 15 s & 4d and in the Box 59 lbs scots money. The Session considering if they should choose a new Theasurer, they unanimously condescended and agreed to continue the s[ai]d John Burn, and appointed him to charge himself in the next years accompts w[ith] [th]e s[ai]d 59 lbs scots. The session having appointed yr next meeting march 24, for privie censors, all being exhorted to be present, closed wt prayer.

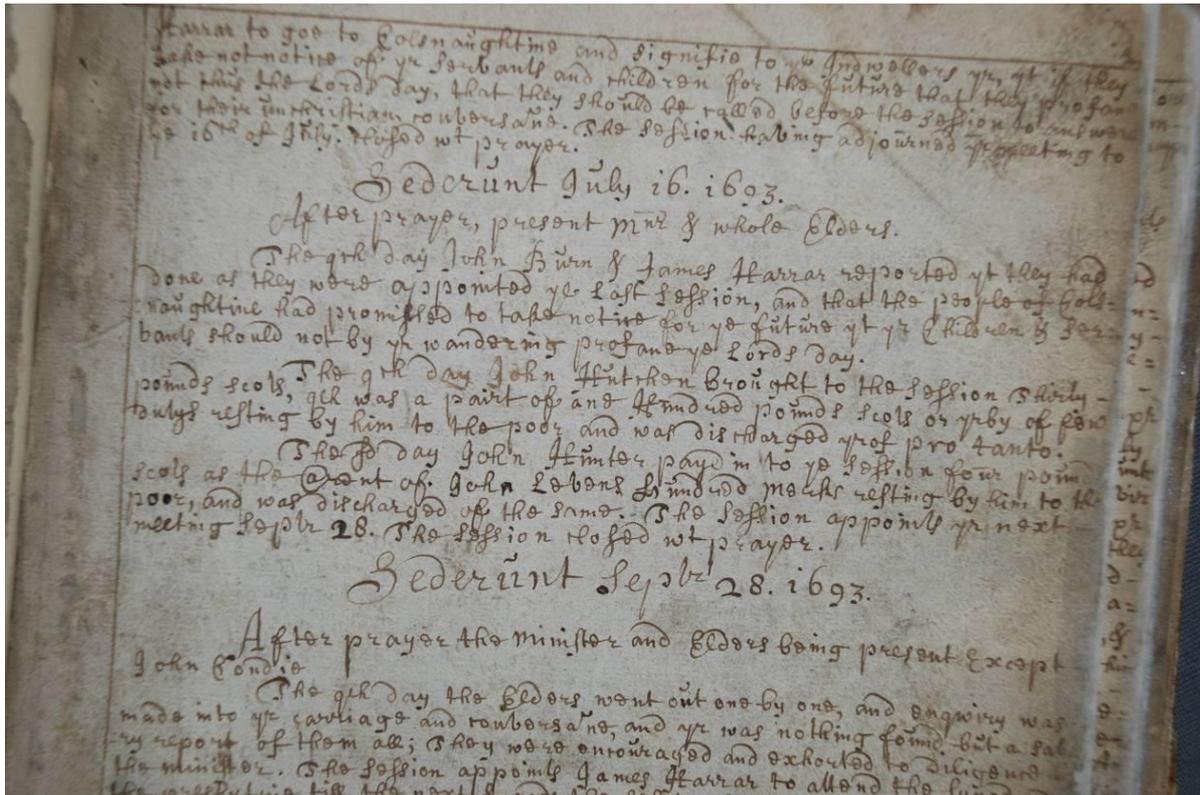


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### P138 Sederunt July 6 1694

The qlk [quhilk] (the which day) Alexr Reid Eld[e]r gave in a complaint against one Bessie Alex[ande]r his sons servitrix, whom, as he asserted before the Session, he saw yesterday morning ariseing out of his sons bed at his entring his sons house, as also he affirmed yt James Ure had seen the like carriage of the said Bessie like as yt Jonet Binny anoyr [another] Servitix of his s[ai]d son saw one night the like carriage qu [quhen – when] she was in bed qo [who] missing ye s[ai]d Bessie called her, and immediately she leapt out from her master lying yn [then?] into his bed. The Session taking the s[ai]d complaint to considera[tion]e doe forthw[i]t[h] appoynty yr [their] officer to goe and charge ye [the] said Bessy to remove from the s[ai]d James Reids family presently, and to appear before the session the i2th of his instant, likeas to summond Alex[ande]r Rid and his said son James Reid, James Ure [and] Janet Benny to the s[ai]d session The session closed wt prayer.

[In the above example it is noticeable that although Alexander Reid is complaining about the female servant, Bessie, we do not hear any complaint either about or from James Reid, her bed mate! The wording of the record indicates that Bessie is the person at fault, before the case has even been heard which makes one wonder just how objective the session was, and poses questions about the preconceptions held about women in lower stations of life and types of employment. However, Bessie and James Reid don't appear to have given up without a fight in this case, as the following entries show:]

P138 12 July 1694

Bessie claims that Alexander Reid has a 'hatred against her' but the session finds 'It was replied yt what he did was both becoming a fayr [father] and Elder [and] yt the session would never just yt a fault'.

P140 It is noted that the case of Reid & Binnie were raised at Stirling and 'Dumblain' [Dunblane] presbyteries which indicates that this was considered a serious enough case to warrant elevation to the next level up of the church hierarchy.

Sep i9th 1694

After prayer ye minister and whole Elders present. The mnr [Minister] told the Session yt [that] James Reid had appeared before the presbytrie, but was most obstinate, judging yt no Church judicatorie had power to remove his servants and yt the presbytrie had appointed Mr George Turnbull to be at pains wt him to induce him to obedience both to presbytrie and Sessione [and] so yt the Session behoved to meddle no more at the samen until ye prebytry have given yr advice yranent [thereanent].

There are no further entries relating to Bessie and James in the Tillicoultry minutes, but the Stirling Presbystery records (CH2/722/8), 26<sup>th</sup> September 1694, that the case was to be referred to civil magistrates. Reid was to appear before the Presbytery to answer for disobeying the Kirk Session of Tillicoultry and appealing to the General Assembly. After this entry, the case disappears from the minutes.

### **Lending from the Poor's Box:**

Money collected for the poor was stored in 'the Poor's Box'. However, as well as being distributed to those in need, it could also be lent out in some circumstances.

Jany 3d 1695

The qch day compeared John salton indweller in Muckhard [and] Jo:[John] Paterson indweller in Alloa desireing each of them fifty merks of the poors money out of the Box. The session considering yr desire [and] yr pnt straits [present straits, i.e. current situation] and hearing a savoury report of ye s[ai]d men in ye place they live in, appoints ye Theasurer to lend each of ym [them] fifty merks for a year and to take yr obligatioune [an agreement where they are obliged to pay the money back with certain conditions over a set term].

P41. Feby i4, 1695

After prayer Minister and whole Elders present John Level – wright in Linlithgow gave in same day ane Hundred merks qch [which] he had borrowed from ye poors Box upon a piece of land belonging to him in the parioch [and] gave to the Session John Hunter his Tennent for payment of ane years @rent [annual rent – i.e. interest on the sum borrowed] qch [which] was resting, the qch [which] session did accept of [and] recommended to the Theasurer to call for the samen.

In this example, security for the loan was the piece of land Hunter owned within Tillicoultry parish. Hunter repaid the principal sum borrowed (100 merks, a merk being 13 s 4d) and also the interest.

P141. 14 Feb 1695

The qch day James Jarrar portioner in Cairntown pd [paid] in to ye session i6 pounds scots qch [which] he undertook to pay for Mr Keith to ye Poor Box at his depairture out of our parioch, ye qch sum he had borrowed sometime before out of ye Box. The session closed wt prayer.

[The record specifies that the money was ‘scots’ to avoid any confusion with English currency.]

### **Keeping Order in the Parish**

P141, 2 Apr 1695

The qlke [quhilk] day Christian Mitchell in Westertown of Tillucly gave in a complaint against Janet Crawford yr [there] for abuseing her wt [with] her tongue and calling her Bitch [and] jad<sup>4</sup> [and] yt she should cause the Deavil to her. The Session considering the samen appoints Alex[ande]r Carswall officer to summond the s[ai]d Janet Crawford to appear before ye [the] session and answe to the lybell the 3-day of this instant.

Aprile 30. 1695

The Session called in the fors[ai]d Christina Mitchell [and] the s[ai]d Janet Crawford. The minister enquired ye s[ai]d Janet Crawford how she could treat her neighbour Christian Mitchell wt such abominab[le] and unchristian expressions. Answered, she was in wrath [and] s[ai]d that she would never treat any woman so hereafter, for she acknowledged yt her words were bitch jade [and] deavill. The minister having seriously spoken to her, holding forth ye danger of such a carriage, removed her that he might know the Sessiones mind yranent [thereanent].

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<sup>4</sup> Jad’ or ‘Jade’ appears in the Dictionary of the Scots language as both an abusive term for a woman or a term for a weary and worn out old horse or nag.

The Session appoint Janet Crawford to stand before the congregation the next Lord's day and be publicly rebuked for by the minister for her carriage (behaviour) that she be 'deterred for the future from any such carriage toward her neighbours'. 15<sup>th</sup> May 1695 (p142) it is recorded 'Janet Crawford stood before the Congrega[tio]ne and was rebuked'.

### Poor Relief and the Poor's Box

Poor relief was distributed by each kirk session for the poor and needy within its own parish, and also for needful people passing through the parish. Where people applied for relief their circumstances were considered by the kirk session to ensure that they were the 'deserving poor'. Money for the poor's fund came from the kirk plate at services, gifts and bequests, fines and sometimes for wider emergencies, general appeals. People sometimes received cash aid, other times practical aid in the form of coal, oatmeal or clothing. Poor relief of this sort continued to be administered by the parish until 1845 when the Poor Law (Scotland) Act set up parochial boards in each ecclesiastical parish in Scotland with a Board of Supervision established in Edinburgh to oversee the administration or relief for the poor; a system which remained in place essentially until the establishment of the welfare state. As well as kirk session minutes, details of expenditure on poor relief can also be found in the kirk accounts and used together, both these sources give a reliable overview of the church's activities in this area.

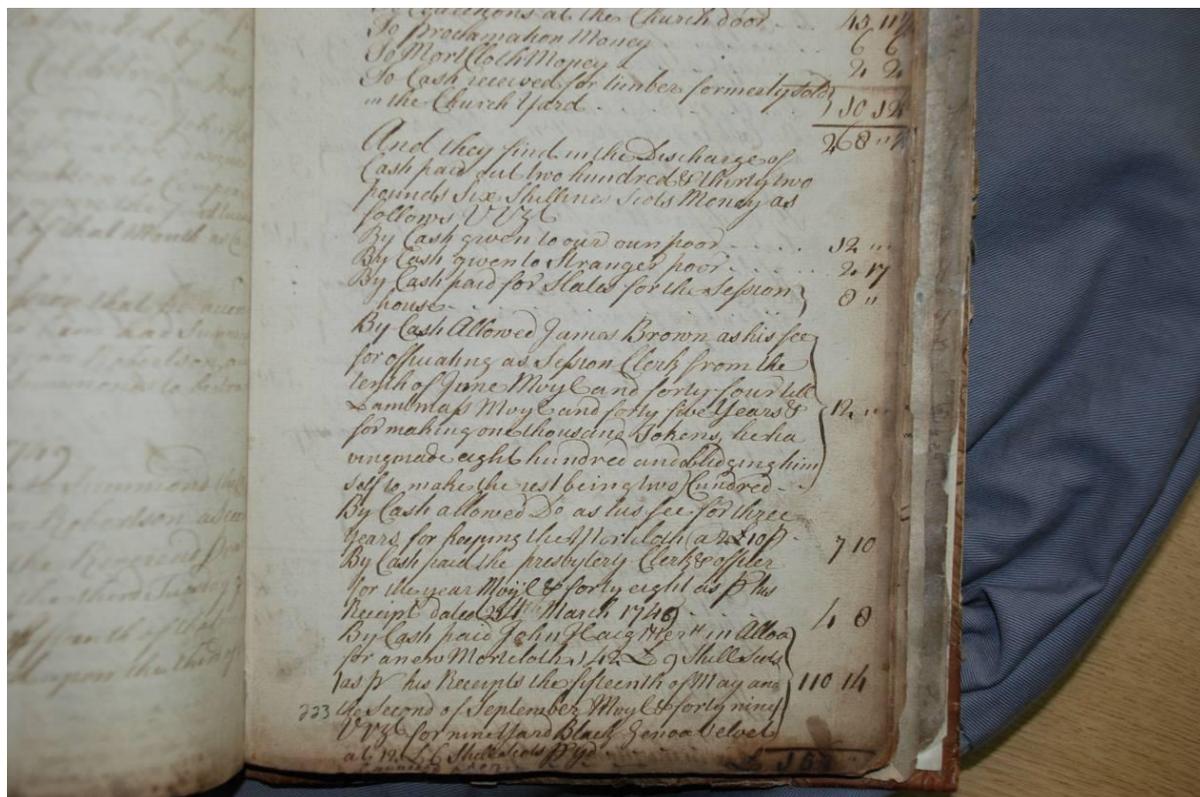


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P138 Sederunt Jany (January) i4 1694

After prayer present Minister and \*whole Elders [\*ie. *All* of the elders, not just some of them].

The quhilk day Janet Ricky a poor indigent woman made applica[tion]e to the Session for supply to help her to buy a pair of shoes. The Session considering her indigent case appoints the Theasurer (Treasurer) to give her one pound four shill[ings] scots. The Session appoint yt [their] next meeting [th]e 5<sup>th</sup> of Febry for receiving in the Theasueres accompts (accounts) and closed wt prayer.

P142, 15 May 1695

The qlk day Issobell Broun ane aged widow in the Eastertoun desired the session to take her indigent case to considerat[ioun]e and to supply her wants out of the Box from time to time. The session considering her case recommends her to the Theasurer to help her for the future and at present to pay her house meal qlk is 3lbs scots, and in [th]e future to supply her each forth night not exceeding ten shill: Scots.

The qch day James Drysdale widow[er] in the westertoun ane aged man gave in a peri[tio]ne desireing yt the Theasurer might be appointed to help him from time to time as hes need craved. The Session taking his condi[tio]ne to considera[tio]ne recommends him to the theasu[re]r for help each fortnight not exceeding ten shill Scots.

P145. May 28 i696

The qch day James Harrowar Elder & yor [younger] desired the Session to loan each of them 50 merks out of the poors money and they would give Bond yrfore [therefore]. The session taking yr desire to considera[tion]e did appoint yr Theasurer to give ym [them] the s[ai]d summes, and to take yr [their] Bond payable at Whitsunday i697. The session closed wt [with] prayer.

P145 June i6 i696

After prayer, ministers & the whole Elders pnt [present] The session received the peti[tio]nes of the severall persons after named and splyed them accordingly, viz, To William Drysdale 3lb Scots, To Issobell Bround 2lb, To Marg[are]t Carswall 2lb To Patrick Drysdales wife 2lb, To James Drysdale Taylour 2lb i0s To Janet Richie 2lb To Elspeth Fforester 1lb 10s To Mary Sctoland 2lb To John Ure 4lib To John Brown 2 lib. To John Level 2 lib. To James Marshall 14 s So yt [that] in all it comes to 26 libs 14 scots. The Session appoints the Theasurer carefully to supply the poor wt qt meal or money he thinks fit wt advice of the min[iste]r. The session closed with prayer.

### **Requesting a Testificate (a certificate of good character)**

P142, July 19 1695

The qlke day George Coustine souldier in the Castle of Stirling appeared before the session enquiring a Testificate. The session removed him until they considered the same. The Session finding yt in regaird he had fled out of the Congrega[tiou]ne two Sabbaths before he was to have been absolved for ye sin of adultery, concluded yt until he gave satisfaction to ye Congrea[tio]ne for ye s[ai]d sin he could not have a Testificate, and further they appoint him to be cited *apud acta* to appear before the united presbyteries of Stirling [and] dumblain, yt yr appointment may be known yr [there] anent.

[This entry gives us information which would be very hard to piece together from sources elsewhere – we have the name of the soldier, George Coustine and are told he is stationed at Stirling Castle. George is seeking a ‘Testificate’ or certificate of good character. The Session have their doubts, and until he repents for his sin of adultery, his request is refused. George was presumably about to move elsewhere and required the Testificate of good character to present to another parish, employer, or prospective spouse.]

### **Squabbles within the church – about pews!**

P143, Nov 28 1695

Complaint given in the session be John paton against Hendry moriesone in Alloway [Alloa] who having bought from him a pairt of his land and had erected a seat in the Church in his room with two pews qlk exhausted his whole share and his own too, and that he would not give him any pairt yrof tho he was content to pay him qt [what] his proportion of the expenses would amount to in building the s[ai]d seat. The session take the same complaint into yr [their] consider[ation]e appoints the precentor to write to the s[ai]d Henry morieson living in Alloa to give ane answer to John patons complain the next session qch [which] is appointed to meet Dec[embe]r i8. The session closed with prayer.

### **Sabbath Breaking**

P146, Dec 8 1696

The officer was enquired if he had summoned Janet Scotland who answered affirmative, and yt she was pnt [presently] waiting the sessions call. The s[ai]d Janet was called in, qo [who] compearing was interogate if she used to cut her kaill and bring in her water upon ye Lords day? She answered that she never brought in her kaill on the Lords day except it had been a drinke of fresh water [and] yt very seldom.

The session removing her till they had considered the s[ai]d complaint, concluded she should have a sessionall rebuke for the preterite<sup>5</sup> and be advised for future not to give ane evill example to [th]e congrega[tion]e oyr [other] wise yt she should be brought before the congrega[tio]ne; the qch [which] was done accordingly.

[This is pretty strong language for the 'crime' of bringing in fresh water and cutting kail. This Sabbath breaking constituted, according to the session 'ane evill example'!]

### **Loaning out the Minister**

P146 Feb 25 i697

Minister 'ordained by the Assembly to supply for three months space, Ross, Sutherland [and] Caithness and was oblided to take his journey ye first of march upon qch [which] account ye Min[iste]r did seriously exhort the Elders to double yr diligence in his absence, and carefully to send one of yr number to each presbytrie during his absence in order to yr getting ye church suppld by them as the Assembly hes ordained, as also to be carefull to notice ye indigent case of the poor of the parioch, as also to have a speciall inspection over the carriage of the congrega[tion]e.

The next entry is dated 7 July i697 (p147) indicating there has been so meeting between February and July when the minister was absent in the north.

### **Feu Duty**

P147, Nov 22 i697

Janet Harrower relict [widow] of the deceast James Harrower portioner of Harvestone gave in to the session 27 lib Scots of her mortified feu duty and yet rests 10 libs preceeding Martimess last.

### **Housebreaking & Entering 'under cloud of night'**

P147, Nov 22 i697

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<sup>5</sup> Definition from the Dictionary of the Scots Language: preterite - things which had happened, past tense.

Andrew Sharp gave in a complaint of Alex[and]r Drysdale in Balharty qo [who] had scandalized him in calling him a thief in breaking of his house under cloud of night and stealing victual from him.

### **Elders showing their extensive knowledge of local affairs**

P153, Aprile 19 i699

Elders advise Margaret Gray not to let house to 'a man of evill fame' – indicates not only that the elders know who she was letting her house, to whom and all about him!

### **Provision of Education**

CH2/726/1, p64: The 4 Lords day of may i650 [i.e 4<sup>th</sup> Sunday in May, 1650]

School & For the stent to big [build] the school [and] Schoolhouse schoolhouse the session nomionated fiftie merkis that to be laid on proportionallie conforme to the rent of the parish.

P207, 16 Aug 1745

Meeting of Heretors [and] Fewars having been intimated from the Pulpit Sabbath last they are accordingly met in order to the Election of a Schoolmaster for this Parish.

...there was produced a writing signed by Sir Robert Stewart Superior signifying his consent to have George Burn presently schoolmaster in the Parish of Luss...votes of all present both Fewars and heads of families, [th]ey all unanimously agreed that the said George Burn should be Schoolmaster in this Parish.

### **Irregular Marriage**

P215, 8 Feb 1747

Compeared William McLean and Marion Watt, the Minister asked them if they adhered to the former judicial confession that the[y] were married person to each other? They Ansrd [answered] Affirmatively, where upon the Minister declared them to be Married and laid the Sin of their Irregular way of Marring [marrying] before them and rebuked them for the same.

[In this case a couple have had an 'irregular marriage' – a marriage not carried out in a church by a minister. Irregular marriages could be carried out by a judge or sheriff, and were frowned upon especially as they were often undertaken by couples who eloped to get married. On their return home they would have been called before their local kirk session to make repentance.]

## **Fornication**

Feb 29, 1748

Case of Mary Kinross in Westerton... it being reported that she is with Child by fornication.

7 Mar 1748

Father of child – James Burn son to James burn in Bredlandfalds

Publicly rebuked for the above named sin; the said James in the forenoon, and the said Mary in the afternoon.

[Many discipline cases deal with fornication or ante nuptial fornication. Although the cases generally seek to punish the guilty parties many are also aimed at tracing absent fathers, ensuring that the mother receives some monetary aid in bringing up the child.]

14 Jan 1747

[The Charge and Discharge in the Accounts give an insight into where the church made its money and spent it money (and therefore also its activities and responsibilities). 'Charge' is money received (collections, gifts, loans, interest, fines, fees...), 'discharge' is money spent.]

P223. Accounts, Charge: collections, proclamation money, cash for timber sold by the church.

Discharge: poor – our own poor & to the Stranger poor, wages for clerk and beadle, for making communion tokens [1000!], James Brown for keeping the mortcloth, purchase of Black Genoa Velvet at 12 lb 6s scots per yard, for making and repairing of mortcloth church and churchyard repairs.

[A mortcloth was a cloth which could be hired from the church to cover the coffin en route to the grave. The quality of mortcloth hired can be an indicator of the hirer's wealth, or the deceased's wealth or social standing, as churches often had several different sizes or grades of mortcloth available.]

CH2/726/2 Session Book 1766 – 1807

Note that there are 230 families [2 Feb 1779] inhabitants of Tillicoultry Parish.

## Glossary of Terms:

Not an exhaustive list, but will give a few starting points –

- 'absolved of the scandal' – person absolved of guilt, usually after payment of a fine and or appearing in public place of repentance
- anent – about/concerning
- ante nuptial fornication – pre marital sex
- beadle – same as church officer or session officer, enforces the session's decisions, person who summons people to the kirk session, might also be the bell ringer
- banns – proclamation of upcoming marriage 'calling of banns', usually 'called' two or three times from the pulpit
- cited – called to appear before a court (remember, the kirk session was a 'court')
- compeared – appeared/called to appear – usually to answer questions before the session
- communion - the Lord's supper, 'the occasion', 'the elements'
- cutty stool – place for repentant person to sit (usually in front of the congregation)
- diet – a meeting or session of a court
- disruption – 1843 Great Disruption, led by Thomas Chalmers who walked out to form the Free Church
- elder/ruling elder - In the Presbyterian church, "one who is elected and ordained to the exercise of government in ecclesiastical courts, without having authority to teach, hence, for the sake of distinction, often called a *ruling elder*" (DSL)
- *eodem die* – 'on the same day' (latin)
- *fama clamosa* –'noisy rumour' – a prevalent report of scandalous or immoral conduct by a church member. Sometimes in the form *fama* only, without reference to the church

- induction – initiation of a new minister to a charge – formally inducted as minister
- irregular marriage – marriage performed by a sheriff or judge, not in a church by a minister
- moderator – Minister is the moderator of the kirk session, person who oversees and chairs the meetings. Each of the presbyterian courts has a moderator.
- ordination - Ecclesiastical ordination; formal admission to holy orders
- ordinances - A divinely instituted religious observance; a sacramental service; a prescribed form of religious observance or attendance at church
- place of repentance – appointed spot in a church for a person to appear in public repentance (sometimes wearing a sackcloth or ‘gown of repentance’)
- precentor – one who leads the singing or music
- relict – widow (in a testament *jus relictæ* – the widow’s part)
- sacraments – Holy Communion – i.e. bread and wine
- sackcloth/gown of repentance – rough garment worn by those in disgrace
- sederunt – ‘they sat’ – a list of those who attended the meeting (latin)
- sicklyke – such like ...often each paragraph starts ‘Sicklyke...’
- testificat - document attesting to a person’s character and morals – often produced by one parish when a person moving to another parish
- trial - Inquiry, investigation (into or of a person or thing) in order to establish the true facts.
- umquhile – the late/deceased