

III.

THE PRE-REFORMATION ENDOWMENTS OF THE MAGDALEN CHAPEL, COWGATE, EDINBURGH. By JOHN SMITH, F.S.A.Scot.

This venerable and still useful chapel, the sole remaining part of a charitable institution, was founded in 1541 by two well-known citizens, Michael Makquhen and Janet Rynd his wife. It is the only place in Edinburgh, as far as can be gleaned, that was fortunate enough to retain

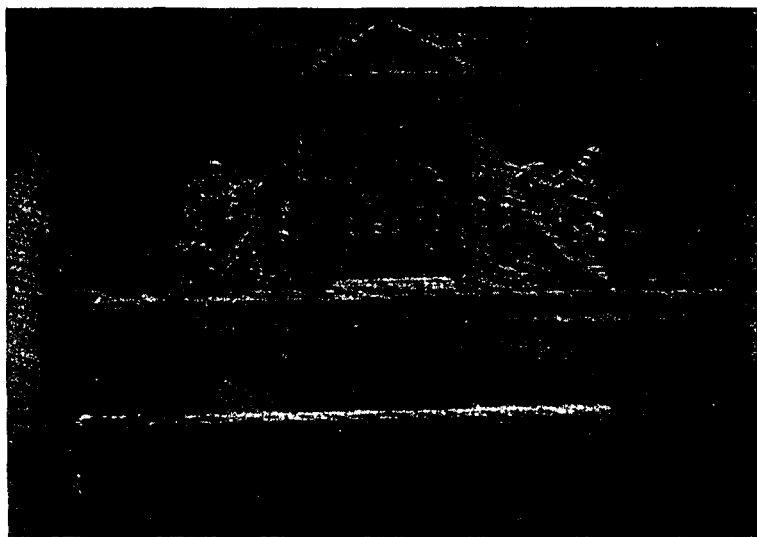


Fig. 1. Carving over North Door of the Magdalen Chapel.

all its pre-Reformation endowments when the change came in 1560 and enjoy them for centuries after.

By a provision in the original Charter of Foundation and Mortification the Incorporation of the Hammermen of Edinburgh were appointed patrons. To their care and foresight the acquisition and preservation

of the original endowments are due, when they took possession of the chapel at the Reformation as their meeting-place.

It is clear that the pious founders of the Magdalen Chapel (fig. 1) and Hospital made adequate provision necessary for the upkeep of the Foundation. The task they set themselves, after erecting the requisite buildings, was to maintain a chaplain and seven bedemen in all time coming. To accomplish this laudable object the founders and their advisors purchased a number of "ground annuals." These were secured over five different tenements of land, four of them being situated within the city of Edinburgh, and one a bond over a part of the barony of Carnwath in Lanarkshire. Of the city ones, two were secured over houses situated between Borthwick's Close and Mary's Close on the north side of the Cowgate; another was on the north side of the High Street over lands lately occupied by Francis Touris; whilst the fourth was in Peebles Wynd. These four were bought in the lifetime of the founders, and were acquired between the years 1536 and 1541; they collectively drew in a yearly income of £32 Scots or £2, 13s. 4d. sterling. As two of the deeds are in the names of Michael Makquhen and his wife Janet Rynd, with remainder to the longest liver, and are dated 1536, it affords authentic evidence as to when the former was alive, which effectually disposes of the statement made on the tablet in the side-room of the chapel that he died in 1503.

Two of these annuals were collected for very long periods, as long as their situations could be located, which, as is well known, is now a matter of great difficulty owing to the changes made by improvements, and were simply allowed to lapse. It is interesting to note that the two on the north side of the Cowgate, purchased by Michael Makquhen himself and eventually secured by the Hammermen as patrons, still continue to be paid.

We now go on to the remaining one, namely, the "bond" over a part of the barony of Carnwath in Lanarkshire, which brought in interest £60 Scots or £5 sterling per annum. By whose influence this investment was made so far away from Edinburgh is unknown, but when purchased it would undoubtedly be thought by its ample security to remain in all time coming as the mainstay of the Foundation. Therefore its purchase in 1541 by Janet Rynd and William Stewart, Bishop of Aberdeen, as executors of Michael Makquhen's will, makes it the most important financial transaction in the history of the chapel and hospital. Through the deeds necessary for its purchase and ratification we are enabled to see the real author of the scheme of Foundation, the year when the chapel was built, and the location pitched upon for its erection.

From first to last in the history of this investment twenty-two separate Charters of Confirmation, Precepts, and Instruments of Sasine

were necessary ; some explanation is due to account for this large number of deeds. The investment was made in two portions, the first in 1540 for £40, the second on 10th January 1541 for £20, making £60 Scots per annum. Nearly all the original documents have now disappeared, but the principal one having been preserved in vol. ii. of the *Registrum Magni Sigilli Regum Scotorum*, No. 2262, and of the date 30th January 1541, a translation of it follows:—

At Falkland. The King confirmed the Charter of Hugh Lord Somerville (by which for the sum of money paid to him by William Bishop of Aberdeen one of the executors of the deceased Michael Makquhen, Burgess of Edinburgh, and by Janet Rynd one of his executors he sold to the said William in name of the Church and of the Master and of the Chaplain or Chaplains and of the poor Brothers or Hospitallers of the Hospital of Saint Mary Magdalene within the Burgh of Edinburgh near to the place of the Lesser Friars from Observanti, and their successors newly built or to be built at the expense of the said Michael instituted according to the form of the foundation made by the said William or his executors, an annual rent of £40 out of the lands and barony of Carnwath with mills @ Lanark.

Witnesses Gavin, Archbishop of Glasgow.
 Alex^r. Abbot of Cambuskennet.
 Robt^t. Abbot of Kinloss.
 Magt^r. James Foulis of Colinton.
 Colin Knight of Argyle.
 Gilbert Knight of Cassillis.
 Will of the order of St John.
 Robert Gilbraith Rector of Spot.
 William Gibson Deacon of Restilrig.
 H^r. Lauder K Counsel.
 John Gibson, N.P., given at the town of Edinburgh
 27th January 1540, and confirmed 4th December
 1541.

The witnesses' names give an idea of the importance of the transaction, and something could be said about a number of them, but two may be specially mentioned here, owing to their early association with a district that is believed the founder, if not born in, was closely connected with, namely, Whithorn. Those two are Gavin Douglas, Archbishop of Glasgow, who was formerly Prior of Whithorn in 1524, and William Stewart, Bishop of Aberdeen, the master mind of the Foundation, who was formerly parson of Lochmaben in 1526.

Nowhere does the sum of money advanced to Lord Somerville transpire, but, as we will note later on, it amounted to £1200 Scots for the two bonds, the annual rent of which was £60 Scots per annum. The reference in the deed to the chapel being newly built, or about to be built, authenticates the period of its erection, whilst its location as being near to the place of the Lesser or Minor Friars from Observanti, enables us at a glance to see that it is the Monastery of the Greyfriars that is meant.

Situated as the monastery was, within a stone throw of the Magdalen Chapel, and believed to have been a building of great magnificence, the significance of its name occurring here enables us to form an idea of its importance before the Reformation, when it is noted as a landmark and considered so imperishable that boundaries were located by its building. Yet, in spite of all its grandeur, it was utterly destroyed in 1560, while Janet Rynd's modest votive chapel has remained practically unscathed to the present day.

From 1547 to 1560 these investments were collected by the chaplain as administrator and treasurer of the endowments, but in 1561 a difficulty arose owing to this official declining to change his faith. This would have been got over if the mainstay of the Foundation had been paid to the Hammermen as patrons, but Lord Somerville and his tenants at Carnwath took advantage of the then unsettled state of affairs and declined to pay to them. The bedemen by this evasion were practically unprovided for, and they induced the patrons to advance funds to try and enforce their claims. They raised a process of poinding against James, the sixth Lord Somerville, and then sent their own treasurer with two bedemen to interview him at Carnwath. This was a fruitless journey, as he was not at home, but learning that Lord Somerville had gone to St Johnstoun (Perth), they dispatched a special messenger to threaten him by putting the poinding into execution. Apparently this had no terrors for him or his tenants, and not until 1565 was the annual paid with arrears, a receipt being given in the bedemen's name for the sum received. This James, the sixth Lord Somerville, died in 1569, and was succeeded by Hugh as the seventh holder of the title. The Carnwath annual after this date appears to have been paid in a manner so unsatisfactory that it called from the Hammermen a protest which in its language is exceedingly quaint and personal.

On the 22nd September 1585 is noted in their records an entry which is as follows:—

“The samyn day Archibald Small obtenit umq^l. Alex^r. Kennedies room and bedemanship conditionallie that my Lord Somerville his maist^r. sall pay weill in tyme cumin otherwise to be expellit and put out agane.”

This marks the beginning of the end, as Hugh, who died in 1597, by his extravagance was unable to pay his debts. The Hammermen at once commenced to try and protect the bedemen's claims on the estate. Perhaps the most effective of their efforts was a decret of poinding of the subjects against Gilbert, Lord Somerville, on the 22nd February 1604. Nothing is to be gleaned about this poinding until 22nd November 1605, when the box-master or treasurer of the Hammermen acknowledges receipt of 300 marks from the Earl of Mar, and on the last day of the same month a further sum of £39 Scots, as payment and arrears of this annual. These two sums are the last payments from the Somervilles' connection with the barony, who by 1618 were so impoverished that the title lay dormant for a space of one hundred and four years, there being absolutely no income all these years to support the "honours."

The introduction of the Earl of Mar's name into the transaction is a curious story, and is too long for insertion here; but it is certain that he advanced very large sums of money to Lord Gilbert to clear off his liabilities, and so acquired his estates about 1603. In that curious and scarce book entitled *The Memories of the Somervilles*, by James, eleventh Lord Somerville, the matter is fully gone into in an apologetic manner. Little did the noble author of that work dream that outside his family papers there were recorded, in sources unknown to him, events and incidents that bring home the hopeless insolvency of his noble ancestors. Although it was ruin and disaster to the Somervilles, yet the fact of the property coming into the possession of the Mar family was the means, not only of the patrons of the Magdalen Chapel preserving their rights intact, but doubtless a number of other creditors whose names have not been recorded.

The Earl of Mar sold the Carnwath barony to Robert, Lord Dalziel, afterwards Earl of Carnwath, in 1630, who in turn disposed of it to Sir George Lockhart about 1681-82. This Sir George, or President Lockhart as he was often termed, was assassinated in 1689, and his descendants till within recent years continued in possession of the estate. All these titled owners appear in turn to have taken over the bond with no inclination to redeem it, being content to pay the annual £5 sterling yearly as perhaps being a minor matter. However, in 1873, Sir Simon Lockhart, Bart., the then proprietor, through his agents forwarded the sum of £100 sterling to the treasurer of the Edinburgh Hammermen, as patrons of the Magdalen Chapel, in complete payment of the loan, thus ending a burden which had existed on a part of the Carnwath estate for three hundred and thirty-two years.

These five annuals, with a yearly donation of forty shillings from the patrons, collectively amounted to less than £100 Scots, and represent

the total provision by the founders for the yearly upkeep and maintenance of the place and bedemen. With a firm belief in the benefits and purposes of the Foundation, a clause in the charter expresses a hope that others may be found "who shall put a helping hand to the work, or who shall augment, help, or dedicate any benefice thereto." The foundress, Janet Rynd, had the pleasure of having a response to her pious appeal before she died in December 1553, as early that year a benefactor came forward and mortified a substantial income to the scheme. This was the only one the place received before the Reformation, and it, like the Carnwath one, turned out to be one of great concern to the patrons. The documents belonging to this mortification include some twenty-one contracts, sasines, decreets, etc., and one of them, dated 14th May 1553, sufficiently explains the transaction. "Contract betwixt Patrick, Lord Ruthven and Issobelle Mauchane relict of Gilbert Lawder, burgess of Edinburgh, whereby the said Lord Ruthven for the sum of £1000 Scots lent to him by the said Issobelle Mauchane obliged himself to infest her in the Barony of Cousland" (near Dalkeith). This is the tenour of the original contract, and it was predated by one day by a renunciation by Lady Ruthven of her conjunct fee and liferent of the lands of Cousland. These were followed by the usual charters and precepts of sasines, the whole being finally confirmed under the Great Seal on 23rd May 1553. On the 29th April 1554 was given a precept of sasine by the said Issobelle in favour of the bedemen, in which she mortified the sum of £50 Scots (£4, 3s. 4d. sterling) from the lands of Cousland, followed by a contract between the said Issobelle Mauchane and the Hammermen, dated 24th July 1555, for employing the said sum to the bedemen's use. This large augmentation to the income of the bedemen would be looked upon as the forerunner of such mortification, and would doubtless be welcomed by the patrons. To-day, the nearly illegible wooden tablet or "brod," fixed on the north wall of the interior of the chapel noting this benefaction, is the only tangible witness of the pious generosity of Issobelle Mauchane. The security of the lands of Cousland for this £1000 must have appeared ample, as the "annual" was spread over twelve tenants, thus making it a sure investment. But a factor was overlooked, namely, the turbulence of the owner of the barony. Our readers do not need to be told of the vicissitudes in the life of Patrick, Lord Ruthven, the third Baron. His name will always be held in remembrance by his dramatic appearance in armour at the murder of Rizzio, at Holyrood House, on 9th March 1566. He fled to England, where he died on the 13th June 1566, a little over three months after the cruel deed. His flight and death do not seem to have affected the payment of the annual over the lands of Cousland for many years

afterwards. In the year 1584 a serious situation arose, as the then holder of the Ruthven estates, better known as the Earl of Gowrie, was killed and his remains were mutilated for the part he took in that mysterious tragedy, the Gowrie conspiracy. That same year the Hammermen took steps to protect their interests, and deputed their own official clerk, Adam Gibson by name, to take the matter up. This individual interviewed the Earl of Arran and his lady and the Chamberlain of Cousland, together with "Maist' Johne Scharpe," and this committee inspected all the documents in connection with the loan.

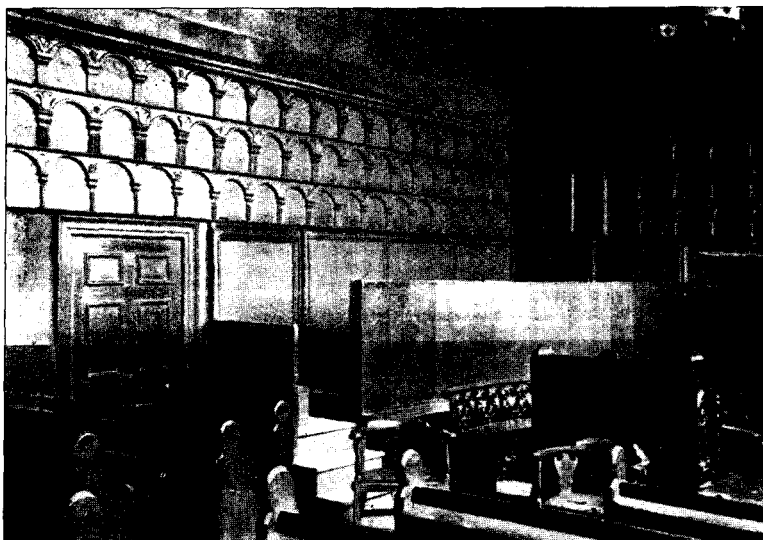


Fig. 2. Interior of Magdalen Chapel showing the "Brosds."

This Adam Gibson quaintly notes in the Hammermen's Records "yat he waitted upon them be the space of sex ouikis [weeks] or yairby or he culd gett all oor writtings an rythis linket an red." On the 14th February 1586 letters of Horning at the bedemen's instance were taken out against the Earl of Gowrie and his tenants at Cousland, and on the 14th April following, a precept by the Countess of Gowrie on her factors was granted to the bedemen of £25 Scots for the Martinmas term by past, and the like yearly and termly in all time coming. The result of this was an increase of pension to three bedemen; Adam Gibson received a money payment of £3 Scots, and in addition a bedemanship during all the days of his life, "and that for guid thankful dilligent service done by him heretofore and to be done hereafter." The patrons were greatly

benefited by the advice of Mr David Macgill as their law agent in the matter. His son, Sir James Macgill of Cranston-Riddell, appears to have been the next possessor of the barony of Cousland, as he had a charter granted of it on 12th February 1639. His descendant, known as Viscount Oxenfoord, either by sale or intermarriage, parted with it to Sir James Dalrymple, Bart., who is termed of Cousland in 1664. This Sir James was ancestor of the Earl of Stair, in whose possession it still remains. In 1872 the then noble owner, through his agents, paid the sum of £88, 6s. 8d. sterling in complete satisfaction of this loan, which had existed over the lands of Cousland from 1553 to 1872, a period of three hundred and nineteen years.

The donations and legacies left to the Magdalen Chapel after 1560 are ninety-one in number. These are spread over a period of upwards of two hundred years, and collectively they approximately amount to £700 sterling. They are, or were, noted separately on the little wooden "brods" which now form such a prominent feature on the north and east walls of the interior of the chapel (fig. 2), and remain to show what pious and charitable hearts left to support the poor and decayed members of the Hammermen craft.

These brief and necessarily condensed notes throw a sidelight on the fidelity and tenacity of the Hammermen as patrons of the Magdalen Chapel. The whole of the pre-Reformation endowments were more or less ear-marked for the benefit and support of the bedemen, a fact they never forgot. When they took over the "Trust" the pensioners were seven in number, but by the manner they protected and nursed the funds at their disposal they raised them to twelve. Whatever scheme or project was entered into by the craft as a body, for which extra funds were needed, a rider was often inserted in the minute dealing with the matter, that on no pretence whatever were the bedemen's funds to be involved. For centuries a power in the burgher life of Edinburgh, the Hammermen as a united body of craftsmen were not easily daunted, and, as can be seen above, neither rank nor influence were allowed to make free with what they considered their rights and possessions.