



OTTERBURN TOWER.

After re-construction in the Nineteenth Century.

From a photograph by J. Gibson, F.S.A.

IV.—OTTERBURN.

THE TOWER, HALL AND DENE

AND

THE LORDSHIP, OR MANOR, OF REDESDALE.

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In these democratic days people are not inclined to attend when Knightley 'to the listening Earth retells the story of his birth,' but they are perhaps readier than ever to hearken to the pedigree of an old castle, pele tower or manor house.

In this paper then, the writer proposes to set forth the pedigrees of the three separate residences—sometimes confused together—of Tower, Hall and Dene at Otterburn. We will begin with the oldest building, Otterburn Tower, or Castle as it was sometimes styled, which seems to have been in existence before the middle of the 13th century, for after the death of Gilbert de Umfreville ('the famous Baron' who married Maud, *suo jure*, Countess of Angus, and who in her right may have become earl of Angus) in 1245, the Escheat mentions the 'Manor of Otterburn' and 163 acres of demesne lands, which plainly imply a residence, in the case of Northumberland, we may safely suggest—a Pele Tower. Again, in 1308, on the death of Gilbert's son, Gilbert, Earl of Angus, a 'capital messuage' is mentioned, which doubtless was the Tower or Castle described by Froissart as 'tolerably strong' 80 years later, which withstood the attack of Earl Douglas and the Scots the night before the Battle of Otterburn in August, 1388. This Tower seems to have continued unchanged till mid-eighteenth

century when Reginald Hall (son of Gabriel Hall of Catcleugh who bought the Otterburn estate on Mr. 'Justice Hall's' forfeiture and death in 1716) added to the old Pele, a square building of the Scots farm-house style not unlike Troughend Hall, which was rebuilt about the same time. (See illustration, p. 131.)

Reginald Hall left his estate to Robert Ellison of Newcastle, whose son Henry sold it to Storey, a North Shields shipbuilder, and on Storey's death it was put up for sale again and split into two portions. The Tower with the land east of the Otterburn and quit-rents being bought by James Ellis, a Newcastle and Hexham attorney, and the land west of the burn by John Davidson, another attorney of Newcastle-upon-Tyne. James Ellis, as is known, corresponded with Walter Scott and had the honour of a visit from the author-to-be of 'Waverley,' in Sept. 1812.

On Ellis's death s.p. in 1830, the Tower estate was sold to Thomas James of Rutchester, who at once proceeded to pull down much of the old building, as was the fashion of those days, and rebuild it in the popular castellated style, the best instance of which is presumably Abbotsford. The accompanying plate shows what it was like after this alteration, the twentieth century additions have been chiefly at the back of the Tower and are not much seen from the front.

Such is the brief pedigree of the Tower of Otterburn.

In regard to the Hall, which has sometimes been confused with the Tower for the very sufficient reason that after Reginald Hall's additions to the ancient Pele, its name was temporarily changed from Tower to Hall and as such is shown in 18th century plans, but the name was restored when Mr. James castellated the old Tower.

The origin of the present Otterburn Hall has a distinct touch of romance, for the Misses Davidson¹ having no heirs, are definitely reported to have offered their estate west of the Otter-

¹ *Northumberland: its History, Features and People*, (Mawson, Swan), by Rev. J. Christie, son of the first Presbyterian Minister at Otterburn, pp. 197, 198.

burn to the then Duke of Northumberland, as chief of the Percy family and descendant of 'Hotspur'—the hero on the English side of the famous fight of Otterburn. The Duke, however, generously considering that he had enough land of his own, suggested that the late Lord James Murray should be the recipient, and the Misses Davidson, accepting the suggestion, left their estate to his Lordship, who in 1869 built the present Otterburn Hall of red brick from the clay beds in the wood at the back, an excavation which now forms the present pond.

The Misses Davidson had lived in 'Davidson's Hall'—now the Vicarage—which had been enlarged from the house originally built by Henry Ellison for the accommodation of his agent. When the late Sir Charles Morrison-Bell, Bart. bought the Hall property from the late Miss Murray he added considerably to it; on his death it was sold and is now the property of a Newcastle Syndicate.

As to Otterburn Dene, formerly called Davy Shiel, Hodgson says the little valley or dene was known in the 13th century as Davy Sheles, later it was known as Dene Head. There was a comfortable farm-house there when Sir Thomas Burdon bought it for grouse shooting, apparently—I believe from Lord Decies. This was Thomas Burdon of Shield Field, Newcastle, an owner of collieries, and of an estate in Brunton, who was knighted for his services in connection with the South Tyne Yeomanry, raised at the time of the threatened Napoleonic invasion—and of which he was colonel. He died in 1826; his wife was Jane Scott,² sister of Lords Eldon and Stowell, and it is interesting to note that her great grandson—the present Lord Haldane—also became Lord Chancellor. Lord Haldane's mother is now in her 99th year; her father Richard Burdon had married the only daughter and heiress of Sir James Sanderson (a former

² Mrs. Haldane says her grandmother Jane Scott, took her brother Jack Scott's note informing the parents of his elopement with Bessie Surtees, to his father. 'Jack has taken his own way and now must keep to it,' was all the old man said who never forgave his son. The elder brother, William, later Lord Stowell, was the 'good angel' of the family and assisted the runaway lovers.

Lord Mayor of London) and had taken the additional name of Sanderson. Mrs. Haldane's memory is wonderful; she remembers—aged three—being upset out of a coup cart which went up by the old track passing Girsonsfield farm and across the small burn on the way to Davy Shiel. This spill she much enjoyed as also riding to church at Elsdon on a pillion and seeing the ne'er-do-weels in the stocks by the churchyard wall. Also she remembers an inn or ale-house on the wild moor above the Dene where the drovers drove the cattle from Scotland into Elsdon as of old when there was a fair or market held regularly in Elsdon.

The name of the house was changed from Davy Shiel to Dene Head, as mentioned above, and finally to Otterburn Dene when Mrs. Haldane's father planted it about with trees. Quite recently the estate was sold by the Burdon-Sandersons to Major Hudson, M.V.O. a Yorkshireman, late of the 11th Hussars, who now lives there and is farming on a large scale.

Such, in brief, is the pedigree of the Tower, Hall and Dene of Otterburn.

THE LORDSHIP OR MANOR OF REDESDALE.

Let us now turn to the ancient Lordship or regality of Redesdale which still exists in shrunken state as the Manor of Ridsdale or Redesdale with its Court Leet and Baron, and Lord's Fair. Hodgson, in his account of the Umfreville Lordship writes, relying upon Dugdale, that even before the Conqueror in 1076 granted his kinsman—the Umfreville—'Robertus cum Barba' ('Robert with the Beard') the Lordship of Riddesdale, it had, under Mildred, son of Akman, the late Saxon Lord, enjoyed 'Royal franchises.' It has been pointed out, however, by Dr. Round that the charter quoted by Dodsworth originally, and accepted by Dugdale in his Baronage, is a forgery, and consequently the quaint service of defending Redesdale against 'wolves and enemies' and the story of the sword falls to the ground. At the same time it is

to be remembered that the *Testa de Nevill*, in Henry III's reign and the *Liber Rubens* both testify that the Umfrevilles held Redesdale by guarding it 'from robbers'—*a latronibus*. Now the last wolf killed in England is said to have been slain in Redesdale—possibly 'Wolf's Crag' one mile south of the Ottercaps commemorates this event and wolves with swords in their paws are to be seen as supporters of the Umfreville arms on Elsdon Tower—probably built, as Mr. Cadwallader Bates wrote, by Sir Robert Umfreville, K.G. ('Robin Mend-Market') about 1400.

Supporters on occasion have reference to achievements, and if the destruction of wolves was not a 'service' it may well have been an 'achievement' of 'Robin Mend-Market' or an ancestor. As for the sword, it may have been given to 'Robert-with-the-Beard' by his kinsman, William the Conqueror, though not at the time or for the purpose stated. The Reverend T. Stephens in his notes on Elsdon (see Proceedings, 3rd Series, vol. v, p. 91) has poured scorn upon the tradition, for the 'story is so manifestly founded on pure and simple assumption,' he writes, 'and is withal so improbable on the face of it, the wonder is that anyone should be found to give credence to it for a moment.'

But there are plenty of most 'improbable' tenures to be discovered which are quite authentic, and Sir Robert Umfreville's supporters may surely refer to some definite achievement on his part or one of his ancestors. Again, on the occasion of a previous visit to Elsdon in 1897, Mr. Cecil Hedley rejected the tradition of Courts being held on the Mote Hills,³ but a tradition is not lightly to be dismissed, and it is well known

³It is questionable whether 'Mote Hills' should not be spelt *Moat Hills*, for the adjoining farms are called High and Low Moat, or as *Moot Hills* (cf. Moot Law) where the Elders met in council. 'In the centre—rose the sacred tree or mound where the village Elders met in the tun-moot which gave order to their social and industrial life.' (Making of England, Green, ed. 1881, p. 181.) The present writer remembers in this connection Professor Lascelles Abercrombie, once pointing out an aged tree in Gloucestershire, which he said the villagers still called the 'Witan' tree.'

that the Norman Lords Marcher of the Welsh Borders held special Welsh Courts for their Welsh tenantry—'Walcheria'—in which the old Welsh customs and laws decided the issues, so that one may well believe that our Anglo-Saxon ancestors distributed justice according to their customs on the Elsdon Mote Hills even under Norman sovereignty.

To return to the question of the forged Charter. In the case of a forgery the question at once arises—what was the motive? What was the forger or the forger aiming at? In the case of the Umfrevilles the ordinary motives do not apply. There was no lack of birth, achievement or property in their case; evidently the fear that the *Quo Warranto* inquisition might invalidate their claim to hold courts of Justice of their own was the motive here. If the Umfreville could produce a charter which went back to the Conquerer himself, he could flourish it in the face of the Inquisition far more effectively than the theatrical Earl Warrene his 'rusty sword.' 'Ecce Warrentum meum!' he might cry, and so triumphantly assert his prerogative right. Finally, we may compare though on a smaller scale the Umfreville's position on the Northern Border with that of Hugh 'Lupus'—Earl Palatine of Chester (a nephew of the Conquerer), who in his Chancellery definitely rested Document and writ *upon his sword*—'Gladium Cestrie⁴—*Jus gladii-Placita ad gladium meum pertinentia.*' As Camden wrote, the Conquerer gave Hugh his Palatinate 'ita libere ad gladium sicut ipse rex tenebat Angliam ad Coronam.' Here then surely we can accept the sword of the Umfrevilles without further demur even if we do not believe that it was given to 'Robert with the Beard' by the Conquerer.

The *caput* of their Redesdale fief was Harbottle castle, and there they held Justice Courts, there they had their gaol, their *Fossa et Furca*—pit and gallows—and held their Fair and kept their market. At Elsdon also, which was, as it were, the capital of Redesdale in those days, situated on the drove roads

⁴ This sword—the *gladium* of *Hugo Comes Cestriæ* is in the British Museum.

that led from Scotland to Newcastle, they had Fair and Market and also a Gallow-Law.

When the Barony of Prudhoe was acquired by the Umfreville in Henry the First's reign, Harbottle would lose some of its importance, and owing to the Scottish attacks liberty to imprison captives and felons in Prudhoe rather than Harbottle was granted by King Edward the third to Gilbert de Umfreville, 3rd Earl of Angus. What really led to the decay of these great Franchises was the growth of the Royal power. What had been given was whittled down, what had been usurped was taken back.

The *Quo Warranto* of Edward the First was a deadly blow to independent privilege, however fiercely contested by great nobles like the Earl of Warenne—already quoted—who, Hemingburgh⁵ tells us, drew his rusty sword from the scabbard boasting that as his ancestors had won their estates by the sword so would he keep his. He also gives us the song of the sons of the magnates—

‘ *Le Roy curayte nos deneres*
E la Reyne nos beau maneres
E le Quo Warranto
Sale mak wus al to do.’

Now when the powerful and capable line of Umfreville died out with the chivalrous Sir Robert Umfreville⁶—‘ Robin Mendmarket ’—in 1436, their estates were split up, and in Henry VIII's reign the Crown acquired Redesdale by exchange with Wimbush⁷ of Manors in Worcestershire for the ancient Lordship.

James VI of Scotland and I of England, granted Redesdale to

⁵ Vol. II, p. 6. English Historical Society.

⁶ Hardyng the Chronicler (his ‘ squire ’) cannot praise him enough.

‘ He hath no make: I dare right wele avowe:
 Now he is gone: I may not glose him nowe.’

⁷ *Wimbush*.—Thomas Wimbush or Wymbish had married Elizabeth Taylbois (sister and heiress of Robert lord Taylbois), who descended from Aleanora (daughter of Elizabeth Umfreville, the sister of the 3rd earl of Angus), who had married Sir H. Taylbois.

his favourite George Home, earl of Dunbar, from whom it passed to the Howards, the offspring of Dunbar's daughter, Elizabeth with Theophilus Howard, earl of Suffolk and lord Howard de Walden. Finally in 1750 the last of the Howards of Overacres—William—sold the manor of Redesdale—how sadly fallen from its ancient estate! to the Duke of Northumberland with what was left of its seigneurial rights, the advowson of Elsdon, and the one farm of Overacres—the whole said to be worth *only* £350 a year.

As the Redesdale manor records in the Duke's possession only go back to 1618, we may perhaps conjecture that this date marks the end of the ancient franchise of the Umfrevilles. Sir Thomas Walker kindly sends the following information:—
 'Minutes of Court and Presentments for the Manor of Ridsdale go back to 1618. Calls of Court to 1622. Suit Roll to 1770. His Grace at the present time collects 17 Fee farm Rents in Redesdale Manor varying in amount from £1 12s. od. to 7½d. as against 138 in 1826. Redemptions and Mergers would appear to account for the reduced figures which now obtain. No Quit Rents, so called, are collected by the Duke in Redesdale Manor, and the reference you make in your letter as to having redeemed a Quit Rent is recorded in our books as Fee Farm Rents amounting to £4 8s. 6d., sold to yourself at Michaelmas, 1903.'

In conclusion, we may ask, what are the 'seigneurial rights' mentioned above.

First, the right to hold Court Leet and Baron, Fairs and Markets. T. C. Fenwicke-Clennell, squire of Harbottle, informs me that when the Clennells bought lands there from the Duke of Northumberland, the Duke reserved the Fair right.

Secondly, certain rights or royalties on mines and minerals.

Thirdly, certain Fee Farm Rents as set out above. Otterburn Tower paid the Duke £4 8s. 6d. annually as a Rent for some tenure or tenancy in the past, yet the Tower possesses 37 Quit

rents⁸ of its own from various lands up and down Redesdale in Rochester, Elsdon and Woodburn, since Otterburn is a sub-Manor. These quit rents vary from £1 to 1s. 3d. As Hodgson points out in his History, vol. II, part I, p. 107, it is impossible to separate items in the various escheats dealing with the manors of Harbottle and Otterburn which make up the ancient lordship or manor of Redesdale. In 1614 when James I granted to lord Howard de Walden and his wife the manors of Redesdale and Coquetdale they had to pay for Redesdale manor £72 12s. 4d. and four pounds of pepper and one of cumin, but only £25 4s. 5d. for Coquetdale (quoted from the Pat. Rolls). Again, Dugdale says that 'the 10 Towns of Coquetdale owed suit of Court to Umfreville, but yielded nothing else.' Redesdale manor was considerably larger than the manor of Coquetdale, and Coquetdale as a manor or even sub-manor no longer exists unless certain small rents will constitute it one. Mr. T. C. Fenwicke-Clennell says he receives 25-30 small rents—varying from 6d. to 31s.—but calls them tithe rents.

The Border Survey of 1604 deals with the whole manor of Harbottle, viz., the ancient lordship of Redesdale with acreage of 87,864 acres, 3 roods, but leaves out Corsenside parish. In short, there is inextricable confusion. Everything must have rested upon custom; indeed, as Maitland wrote, 'Custom is the very life of the Manor.' Since sub-infeudation of manors was forbidden by the statutes of *Quia Emptores* of Edward I, whereby the mesne lords were restrained, as again the lords *in capite* were restrained by further statute of Edward III, the quit rents of Otterburn sub-manor must date back before the time of Edward the First or Third, but for what services they were quittances no man knows.

It seems possible, however, that as the Duke of Northumberland collects fee farm rents—not quit rents—in his manor of Redesdale, so the quit rents of Otterburn sub-manor may be

⁸ Thirty-eight originally, one having been redeemed.

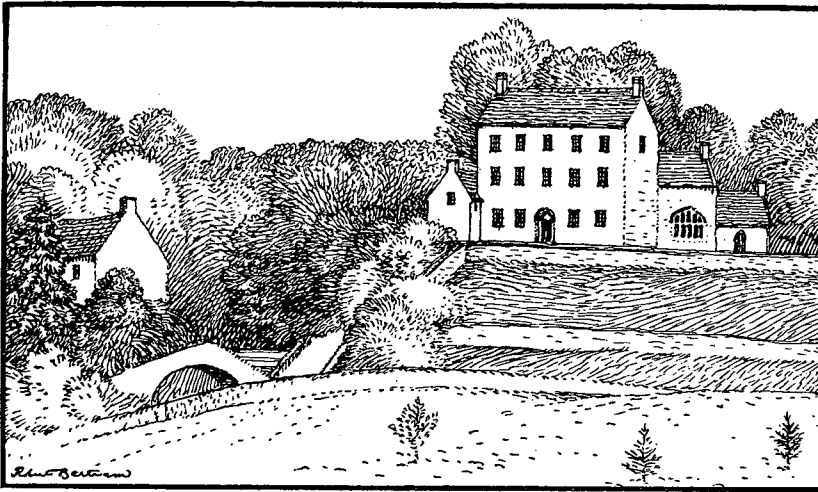
no more than fee farm rents, and again the tithe rents mentioned by Mr. T. C. Fenwicke-Clennell of Harbottle Castle may be fee farm rents also.

Incidentally, one may say how very English it all is; custom rules, for the English are an essentially law-abiding folk. Tithes, quit rents, fee-farms are still paid as they have been for centuries, but their origin is often lost in the mist of past years.

Finally, in regard to the great lordship of Redesdale of old—now the shrunken manor of Redesdale—as said above—there remain the Court Leet and Baron which the Duke of Northumberland holds each tenth year at Elsdon in the ' Bird in the Bush ' inn under the presidency of the Steward. The boundaries of the ancient fair are also ridden. The writer has attended the Court Leet and Baron as a juror twice—in 1910 and 1920, and extremely interesting he found all the proceedings. The jurors elect a foreman. They take the oath after their foreman as follows: ' To keep secret the King's Counsel, their own and their fellows: to present no person out of envy, hatred or malice, nor to spare any man, or conceal anything out of fear, favour or affection, or any hope of reward or gain, but to present the truth, the whole truth and nothing but the truth so help them God! ' The Steward then informs them of the duty and powers of the jurors of the Court Leet, and further of their duty as homagers of the Court Baron. Constables, finally, are elected for the various wards of the Lordship. And in right conclusion after the hearty old English fashion all the jurors are entertained to dinner by the Lord's bailiff while the duke's Piper plays them in to the tune of ' Chevy Chase.' Sitting there at dinner under the shadow of the Mote Hills⁹—moraines of primeval Glaciers, the geological survey says—and of the Pele tower, built in all probability by Sir Robert Umfreville (' Robin Mend-market ') the lord of

⁹ These Mote Hills appear to have been occupied by the British as well as the Romans. (In their present state they are a very fine example of an early Norman castle or motte, of the mound and bailey type, possibly built by the bearded Robert himself to keep his unruly subjects in order.—EDITOR.)

Redesdale—**R. D. D. Rede** (Robertus Dominus de Rede) one may reflect thankfully upon the undisturbed course of English history and the English love of the past, for here probably were descendants of former jurors who perhaps before the coming of the Umfreville—kinsman of the 'Terrible Duke'—exercised their rights and 'presented the truth' in Redesdale even in the days of Edward the Confessor.



OTTERBURN TOWER IN THE LATER EIGHTEENTH CENTURY.

(From a pencil sketch in an album belonging to the late Rev. C. W. James—
redrawn by Robert Bertram.)