

The Bridge at Berwick-upon-Tweed: Thomas Sutton's legacy?

by

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The Jacobean bridge at Berwick-upon-Tweed was financed by the crown, and the accounts for its construction have been analysed. But the context of its financing was more complex than has been recognised. Much of the funding came from a donation of £10,000 from the estate of Thomas Sutton, founder of the almshouse and school at the London Charterhouse. While Charterhouse historians have been aware of this, those studying the erection of the bridge have not, and the Charterhouse writers have been embarrassed in case the donation was effectively an inducement paid to the crown to settle the legal challenge that threatened to thwart the foundation of the charity. This study shows that the different approaches and the use of separate sources can explain the divergence between the two groups of historians, and concludes that the bridge should be seen as part of Sutton's notable legacy.

Thomas Sutton was reputedly the wealthiest commoner in England when he died on 12 December 1611 (Fig. 1). He had made arrangements for the bulk of his fortune to be allocated to his charity at the Charterhouse in Clerkenwell, which was legally established in June of that year. This was to consist of an almshouse for eighty elderly men and a school for forty scholars. Sutton had obtained an Act of Parliament and Letters Patent and had honoured the king by designating his charity, 'The Hospital of King James, founded in Charterhouse within the County of Middlesex'. The Archbishop of Canterbury was chairman of the sixteen governors nominated by Sutton who also included the Lord Chancellor, the Lord Privy Seal, the Lord Chief Justice of the Common Pleas, the Attorney General, the bishops of London and Ely, and the deans of Westminster and St Paul's. He anticipated that these powerful men would ensure that his intentions were carried out, should he die before the almshouse and school were established in the mansion that he had recently bought from the Earl of Suffolk. However, he made many other bequests – to members of his family, friends and servants, to Magdalene and Jesus colleges in Cambridge, to the poor of villages where he owned land, and to those in other places where he had made connections during his lifetime.¹

Those bequests were not the full amount of the money paid after his death, for a further sum was allocated towards the cost of a new bridge across the River Tweed at Berwick. The bridge, which connects Berwick with Tweedmouth, was begun in 1611 and was ready for traffic by 1624. It is 1,164 feet long and 17 feet wide, and has fifteen arches (Fig. 2). The second arch from Berwick is the highest, designed to allow small sailing

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Fig. 1

Charterhouse, London: Thomas Sutton's effigy (1614) by Nicholas Stone in the chapel of Sutton's Hospital, detail.

Photograph, author

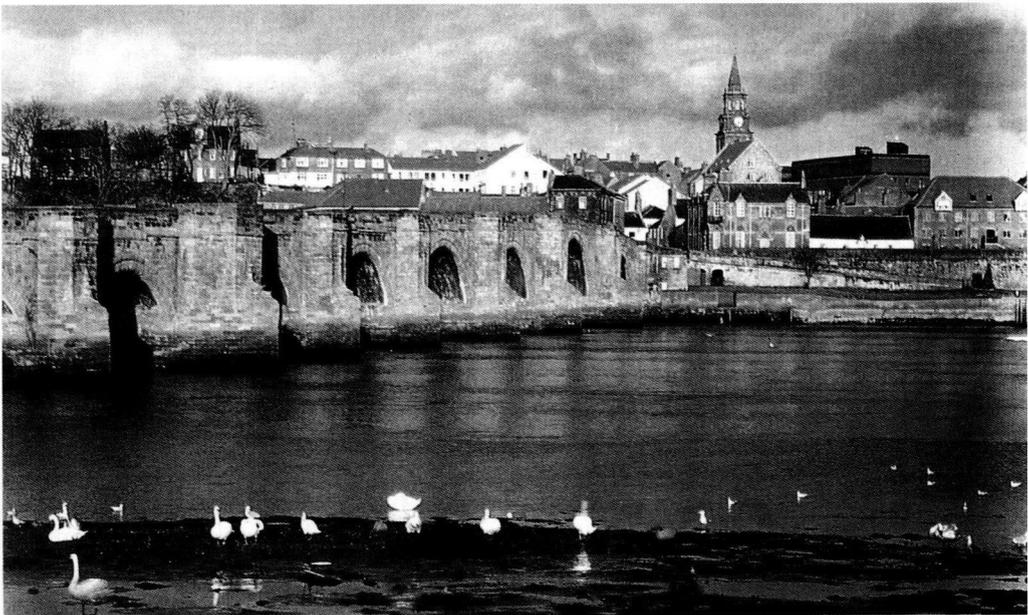


Fig. 2

Berwick-upon-Tweed, the bridge looking towards Berwick.

Photograph, © The Governors of Sutton's Hospital in Charterhouse

vessels to pass beneath it. And so the gradient from Berwick is relatively steep, with a gradual descent to Tweedmouth. The stone was quarried locally, close to Tweedmouth. For more than 300 years the bridge carried the Great North Road, until the opening of the Royal Tweed Bridge in 1928.

Sutton's association with Berwick-upon-Tweed had developed during his time in the north of England, when he held the post of Master of the Ordnance in the North Parts. His appointment to the post was dated 28 February 1570 and he stayed in the north of England, discharging his duties, until 1582. He was responsible for ordnance supplies in Newcastle-upon-Tyne, Tynemouth and Berwick, in Norham and Wark castles and on Holy Island, and he served in the campaign in Scotland in 1573, including the siege of Edinburgh. He relinquished the post in 1594.

Until the union of the crowns of England and Scotland in 1603, Berwick was strategically important because of its position where the main east coast road crossed the River Tweed. The town changed hands a number of times, despite its castle and, from the 1290s, town walls, until it was finally captured by the English in 1482. The defences were improved and modernised from time to time, and in 1558-69 they were replaced by new earthen walls and bastions. They remain among the finest and best-preserved bastioned urban fortifications in Europe.

When James VI of Scotland came to the English throne as James I, the town's strategic importance at once declined, and its defences became redundant. By contrast, the wooden bridge over the Tweed, which could have been quickly destroyed when a hostile army approached, now increased in significance, as it carried the road which connected James's capitals of London and Edinburgh. When he passed over the bridge in 1603 on his way to claim the throne of England, he commented on its poor condition. Its replacement by a finer and more durable structure was therefore a project in which he had a personal interest. The work could not be long delayed, for a part of the bridge was broken down in February 1608 by ice floes, and early in 1611 another section collapsed. Repairs could patch, but not improve, the increasingly dilapidated bridge.²

The undertaking had been urged on by George Home, Earl of Dunbar, chancellor of James's Exchequer. In 1608 he secured a grant of £10,000 in the form of unpaid rents and outstanding debts, for the hundred years down to 1585. How much would be collected and how long that would take could not be anticipated. By 1611 some £3,347 had been raised and £894 spent on repairs to the bridge, yet an estimated further £8,462 was required. Dunbar died on 20 January that year. Fortunately, Robert Cecil, Earl of Salisbury and Secretary of State, now took an active interest in the project. Appointed Lord Treasurer in 1608, he had attempted to overhaul the crown's finances, a very necessary task, according to Sir Walter Cope, who wrote that, 'His Lordship found the Exchequer a chaos or confusion.' Although Salisbury cut expenditure wherever possible, to reduce the crown's indebtedness, he was able to invest in the Berwick Bridge project, cancelling the existing financial grant and replacing it with an allocation of £8,000. This was payable by instalments to the mayor and burgesses of the town. The initial payment of £2,000 was made in the summer of 1611, work began on 19 June, and by September 169 men were at work preparing for the erection of a new stone bridge. By the end of 1612, £2,500 had been paid from the sum allocated by Salisbury.³

This was one of the best-known projects with a royal connection when the case of Sutton's legacy came to court in the summer of 1613. As he had feared, there was a delay in establishing his charity and paying his bequests, because his nephew and heir, Simon Baxter, had contested his will. Baxter had been left £300, but petitioned the king that, as heir-at-law, he should inherit the whole estate, and he mounted a well-supported challenge. He sued Sutton's executors for trespass; the porter at the Charterhouse having resisted, on their behalf, his agents' attempt to occupy the property. But he lost the case: the court's decision was recorded on 8 July. As well as appointing the governors of his charity and two executors of his will, Sutton had also designated two of the governors as overseers of his estate, George Abbot, Archbishop of Canterbury, and Lancelot Andrews, Bishop of Ely. On 26 June 1613 they authorised the payment of £10,000 to the crown towards the cost of the new bridge. The king's acknowledgment of the gift was dated 8 July and the sum was received by the exchequer two days later.⁴

The payment came from a fund of £20,000 which Sutton had allocated to be laid out 'in good works or charitable uses for his intended Hospital, and poor people, or otherwise, as you in your discretion should think fit'. He had made bequests for the repair of specified roads and bridges in Essex and Middlesex, and Abbot and Andrews justified their decision to draw on that fund, 'having advisedly considered that there is not any charitable work (in our understandings) better for the common wealth, than the upholding, maintaining, and repairing of bridges'. Their letter to the king described the bridge at Berwick as 'very much ruined, or rather utterly decayed, and will cost a very great sum of money'.⁵

This seemed to be a major contribution from Sutton's fortune directed to the public good and in line with his intentions as expressed in the bequests in his will. Indeed, the £10,000 was a quarter of the total amount laid out by the executors and overseers. In 1737 Philip Bearcroft, the Preacher of the Charterhouse, wrote in his history of the charity that England and Scotland were 'now joined together by a Bridge at Berwick over the Tweed, at the Expence of ten thousand Pounds out of Mr. Sutton's Estate'.⁶ However, the charity's later historians became uneasy. In 1808 Robert Smythe described 'this remarkable transaction' as 'a sacrifice to the higher powers', and drew attention to the close conjunction of the dates of the donation and the ruling of the court a few days later.⁷ The headmaster of Charterhouse school, William Haig Brown was less circumspect in 1879. Aware of Smythe's comments, he noted that 'the true character of this transaction is made clear by a consideration of the dates connected with its progress', and so concluded that the payment 'is, in plain language, neither more nor less than the tender of a bribe to the king'.⁸

The issue also attracted the attention of those beyond the Carthusian network. In 1837 the antiquarian Thomas Moule was aware that the £10,000 was 'paid to the Crown for the confirmation of the will of Thomas Sutton'.⁹ In his history and description of London, published in 1878, Walter Thornbury stated that although Sir Francis Bacon, in a paper submitted in respect of the legal challenge, had advised James not to establish Sutton's charity but to use the money for other worthy purposes, the king 'hardly dared to go as far as such a confiscation as Bacon had proposed; but he dropped a polite hint to the governors that he would accept £10,000, to repair the bridge of Berwick-

upon-Tweed, and this they reluctantly gave'.¹⁰ In this, Thornbury was alluding to the king's notorious extravagance and consequent chronic shortage of funds, and so shifted responsibility from Sutton's overseers to James. The assumption was that the king could and would influence the judges' decision in the case. The standards of probity in public life in the late 19th century were far different from those of the early 17th, which the Victorians regarded with something approaching distaste, but there was no evidence to support Thornbury's contention that the donation had followed a hint from the king. As the charity bore the king's name, no such hint was needed, for he surely would not have agreed to give his name to the hospital if he did not approve of it and would not support it. The judges would have been aware of his view of the case without any prompting.

Moreover, the executors had strong support on the bench, without any intervention by the king, for two of the eleven judges who heard the case, Sir Edward Coke and Sir James Altham, were governors of the charity. Coke was one of the most successful and highly regarded lawyers of his generation, who later described the charity as 'the bravest Foundation, that ever was in the Christian World'.¹¹ Altham was the son of a City merchant and he maintained close links with London's merchant community, even though he had chosen to become a lawyer. He was appointed a Baron of the Exchequer in 1607. Sir Henry Hobart, then the Attorney-General, was one of three counsel acting for the defendants and he, too, was a governor. The eleven judges were described as 'all the Judges of England, and Barons of the Exchequer', except for the Chief Justice of the King's Bench, who was ill. Whether the king could readily influence so many senior judges in such a major and high-profile case, which was seen to have an important bearing on the creation of charities, may be doubted. Nor was the outcome so closely in the balance that it was susceptible to pressure, for nine of the eleven judges found against Baxter, and the other two 'assented also to the judgment'.¹²

When Gerald Davies published his history of Charterhouse in 1921, he had probed deeper and discovered that the judgement had been given on 2 June, and it was the Chancellor's decree that had been issued on 8 July. And so the donation (authorised 26 June) was made after the decision, not before it. This, he felt, exonerated the judges from 'something like a bribe, held out by the Governors of Charterhouse'.¹³ Davies did not mention the possibility that the payment fulfilled an unrecorded promise made before the case was heard. In making the payment for the bridge so promptly after Baxter's claim was dismissed, the overseers could have been fulfilling an undertaking given earlier. Both the payment and the wording of their letter were more appropriate to the summer of 1611, when the future of the project was uncertain, than that of 1613, when the funds were being paid regularly and the work on the new bridge was progressing. Yet it is unlikely that Abbot and Andrews were acting on an instruction from Sutton. Had he wished to make such a contribution, he would surely have done so through a bequest in his will, and that was made in November 1611, after the finance for the new bridge had been arranged. Without a direction from Sutton, why make a donation to a project already funded and under way, rather than one which needed support, unless there was some other motive?

The timing of the payment was not the result of an understandable prudence by the executors and overseers, fearful that if the court found in Baxter's favour, they would be

liable for the sums which they had paid. That possibility had not deterred them: they began to pay legacies on 21 January 1612 and, when the £10,000 for the bridge was paid, they had already distributed £6,246 among 95 legatees.¹⁴ Nor was it a response to Salisbury's death, which had occurred more than a year earlier, on 24 May 1612. They could have been concerned that the project might lose support and its funding be reduced, or even withdrawn, by Salisbury's successors, but that had not happened and the payments continued to be made after his death.

Probing further than Davies produces the complicating fact that in the accounts of Sir Richard Sutton, Thomas's executor, the figure of £10,000 is crossed through, although not the entry itself. Alongside it is a note in Latin, in a different hand, explaining that this was later cancelled. It was not included when the figures in the account were totalled, but it is listed in a separate document that summarises Sutton's bequests.¹⁵ The explanation may be that the £10,000 should not have been part of Sir Richard's accounts, as it came from the separate discretionary fund. There is nothing to suggest that the sum was repaid to Sir Richard or the charity, which soon began to find itself short of funds.

The bridge was virtually completed by 1622, at a cost of £12,522, and was in use by 1624; additional costs incurred by 1634 raised the total to £14,396 13s 6d. The approval of a further £4,000 in July 1618 and £3,000 in June 1622, in addition to the initial £8,000, brought the sum allocated to £15,000.¹⁶ The contribution from Sutton's overseers was not mentioned, but was equivalent to 80 per cent of the cost of the bridge and 70 per cent of the overall total. It seems that it had not been treated as a special item within the Exchequer, separately accounted for. But such separate accounting was not required for it to have contributed to the cost of the bridge, and in their letter to the king the trustees had not specified that Sutton's name should be associated with the work. Indeed, given James's own interest in it, that may have been seen as encroaching on his own role in the project.

Despite their diffidence in that respect, the motive for the donation may have been a realisation by the executors and overseers that no new structure was associated with Sutton's legacy. The Charterhouse was to be converted from the funds which Sutton had bequeathed, but would never be seen as his creation, unlike the charity which was to be housed there, and that carried the king's name. None of his other legacies were for a new building or other edifice. So the donation to Berwick Bridge perhaps was an attempt to associate Thomas Sutton's name with a contemporary prestigious structure which, like his charity, was significant both because of its size and its link with the king. It not only connected James's kingdoms, but also was strikingly long (Fig. 3). In 1849 Frederick Sheldon claimed it to be the longest bridge in the United Kingdom, with two exceptions, which he described, somewhat dismissively, as 'a wooden one erected over the loch below Belfast, and a similar one in Cornwall'.¹⁷

If that was their intention, it did not succeed. The bridge does not bear Sutton's name, nor is the connection recognised outside Carthusian circles. Those tracing Sutton's munificence through the legacies in his will could overlook the donation, which was not included in that document. Bearcroft recognised this distinction, and commented that the bridge was 'not, it is true, mentioned in Mr. Sutton's Will, but built by Virtue thereof'.¹⁸

A century after the new bridge was built it drew an admiring comment from Daniel

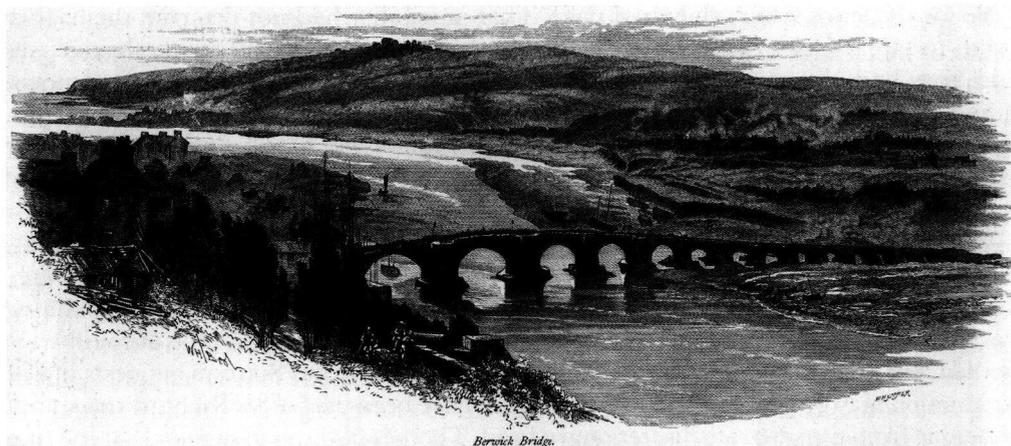


Fig. 3

Berwick-upon-Tweed, distant view of the bridge from the Berwick side.

Print, c.1880, from the author's collection

Defoe, who described it as 'a noble, stately work, consisting of seven arches, and joining, as may be said, the two kingdoms'.¹⁹ He did not refer to the financial contribution from Sutton's estate, nor did the later local historians of the town. The building of the bridge was given a considerable amount of space in John Fuller's *The History of Berwick upon Tweed*, published in 1799. Fuller wrote: 'After long research, we fortunately hit upon a bundle of parchments, and three large books; all of them are in manuscript, and contain every transaction respecting the building of this celebrated bridge.'²⁰ He drew upon that material for his account, but it relates mostly to the expenditure incurred and the administration of the funds, not their source. Fuller did not mention the donation from Thomas Sutton's estate, nor was it referred to by later historians, including Frederick Sheldon, Edward Herdman, whose study was specifically of Berwick's bridges (1887), or John Scott in his comprehensive history of the town that appeared in 1888. It seems that no local tradition was established which linked that donation with the bridge, and the fullest account of its construction, published in 1975, did not mention the connection.²¹

By the time that the trustees made the payment thirty years had elapsed since Sutton had left the north of England, entrusting his duties to a deputy, and so he could have become a remote figure. Nevertheless, he still had connections at Berwick, including one of his godchildren, Thomasine, daughter of Alderman Edward Merry, who received a legacy of £5, paid on 10 July 1612. Moreover, the community benefited from his legacy of 100 marks (£66 13s 4d) to the poor of the town, to be distributed 'by the discretion of the chief Governor and Preacher there', which was paid on 26 November 1612.²² At both the individual and civic level the citizens of Berwick had cause to remember Sutton as a benefactor to the town. They must also have been aware of the donation towards the cost of the bridge, and have been grateful for it, as it did secure funding for the project, whatever the stresses to which the Exchequer might be subjected. Those donations surely would have revived memories of his earlier association with the town among its senior figures, yet they were not maintained.

The evidence from the records of the distribution of Sutton's legacies on the one hand, and those for the funding of Berwick Bridge on the other, have not been connected and have been consulted for different purposes. Those investigating the building of the bridge did not encounter the evidence for Sutton's contribution. Yet historians of the Charterhouse were aware of the connection, and came to fear that the payment was an inducement cloaked in the form of financing a commendable project which would please the king. It is as likely that it was a contribution to the cost of a notable structure by which Sutton would be remembered. Whatever the motivation, the scale of that contribution was such that Berwick Bridge can justifiably be regarded as a part of Thomas Sutton's legacy.

NOTES

- 1 For a biography of Sutton, see H. Trevor-Roper, 'Thomas Sutton (1532-1611)', *Oxford Dictionary of National Biography* (Oxford, OUP, 2004). His legacies are itemised in London Metropolitan Archives (hereafter LMA), acc.1876/F9/1, legacies.
- 2 H. M. Colvin et al., *The History of the King's Works*, vol.IV: 1485-1660, pt 2 (London, HMSO, 1975), 769-70.
- 3 Ibid., 770-3.
- 4 The documents and dates were published by Philip Bearcroft: P. Bearcroft, *An Historical Account of Thomas Sutton Esq; And of His Foundation in Charterhouse* (London, 1737), 118-22.
- 5 Charterhouse Muniments, G/2/1, 347-8.
- 6 Bearcroft, *An Historical Account*, 110-11.
- 7 R. Smythe, *Historical Account of Charter-House* (London, 1808), 201-5.
- 8 W. Haig Brown, *Charterhouse Past and Present* (Godalming, Stedman, 1879), 90-3.
- 9 T. Moule, *The English Counties Delineated*, II (London, 1837), 387.
- 10 W. Thornbury, *Old and New London*, II (London, Cassell, 1878), 386.
- 11 *Journals of the House of Commons*, I, 1547-1629 (1802), 736.
- 12 *The Reports of Sir Edward Coke*, vol.V, ed. J. F. Fraser (London, Butterworth, 1826), 289,306,307.
- 13 G. S. Davies, *Charterhouse in London* (London, John Murray, 1921), 198.
- 14 LMA, acc.1876/F9/1, legacies.
- 15 LMA, acc.1876/F9/1, legacies; Bodleian Library, MS Tanner 161, f.48.
- 16 J. Fuller, *The history of Berwick upon Tweed: including a short account of the villages of Tweedmouth and Spittal* (Edinburgh, 1799), 197-8.
- 17 F. Sheldon, *History of Berwick-upon-Tweed, being a concise description of that ancient borough...* (Edinburgh & London, 1849), 191.
- 18 Bearcroft, *An Historical Account*, 117.
- 19 D. Defoe, *A Tour through the Whole Island of Great Britain*, ed. P. Rogers (Harmondsworth, Penguin, 1971), 538.
- 20 Fuller, *The history of Berwick upon Tweed*, 192; the material used by Fuller is in the Berwick-upon-Tweed corporation archives, Br A/1-4.
- 21 J. Summerson, 'Berwick-on-Tweed Bridge', in Colvin et al., *King's Works*, vol.IV, 769-78.
- 22 LMA, acc.1876/F9/1, legacies.