

Third Series Vol. II part 2.

No. 212

Autumn 2006

ISSN 0010-003X

Price £12.00

THE COAT OF ARMS

an heraldic journal published twice yearly by The Heraldry Society



THE COAT OF ARMS

The journal of the Heraldry Society



Third series

Volume II

2006

Part 2

Number 212 in the original series started in 1952

The Coat of Arms is published twice a year by The Heraldry Society, whose registered office is 53 High Street, Burnham, Slough SL1 7JX. The Society was registered in England in 1956 as registered charity no. 241456.

Founding Editor

†John Brooke-Little, C.V.O., M.A., F.H.S.

Honorary Editors

C. E. A. Cheesman, M.A., PH.D., Rouge Dragon Pursuivant

M. P. D. O'Donoghue, M.A., Bluemantle Pursuivant

Editorial Committee

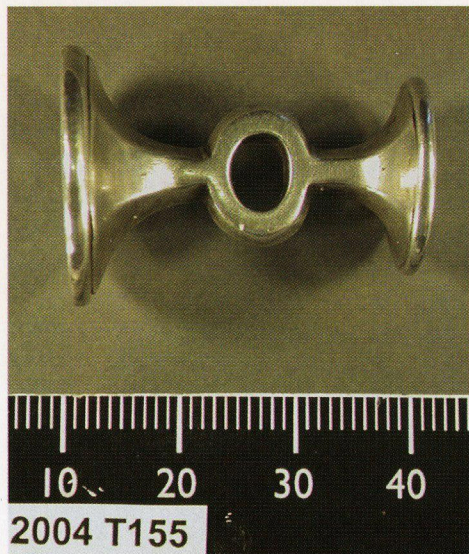
Adrian Ailes, B.A., F.S.A., F.H.S.

Jackson W. Armstrong, B.A.

Andrew Hanham, B.A., PH.D.

Advertising Manager

John Tunesi of Liongam



a.



b.



c.

Side (a) and end (b & c) views of silver double-faced seal die showing arms, quarterings and crest of Warburton, found near Newark in Nottinghamshire in March 2004 and subsequently declared treasure under the Treasure Act 1996.

See page 127.

A silver armorial seal die found near Newark. Clive Cheesman writes: On 18 March 2004 Mr Norman Daynes, while using a metal detector in a field near the village of Shelton outside Newark in Nottinghamshire, discovered and unearthed a very interesting double-faced silver seal die (**Plate 5**). Mr Daynes duly declared the object under the Treasure Act (reference 2004 T155), and it was later declared treasure by a coroner at inquest. After valuation by the Treasure Valuation Committee, despite the interest of the piece, Newark Museum was unable to purchase it and it was returned to the finder.

The die can be dated on stylistic grounds to the late 16th or early 17th century. Its two faces, joined by short faceted stems connected to an oval loop, are not of equal size; the larger face is engraved with a shield of twelve quarterings, while the smaller shows a crest consisting of a man's head surmounted by three feathers and surrounded by the motto *IE VOILE DROIT AVOIR*. The principal arms, together with many of the quarterings and the crest, are on official record at the College of Arms for the Warburtons of Arley in Cheshire, while the motto *Je voil droit avoyre* is given for the same family in Burke, *GA*.

The precise scheme of quarterings seen on the seal is more complex than any on official record. It can be provisionally blazoned as follows:

- | | |
|--|--|
| 1. <i>Qlty in the second and third fret (with a crescent over all for difference).</i> | 6. <i>A chevron between three birds.</i> |
| 2. <i>A lion rampant.</i> | 7. <i>Lozengy.</i> |
| 3. <i>Four horizontal lenticular shaped objects in pale.</i> | 8. <i>Two chevrons on a canton a mullet.</i> |
| 4. <i>A chief.</i> | 9. <i>An orle within eight martlets in orle.</i> |
| 5. <i>Qlty a bend over all a label of 5 points.</i> | 10. <i>A garb.</i> |
| | 11. <i>A cross flory.</i> |
| | 12. <i>A fess between three escallops.</i> |

Of these, nos 1, 6, 8, 9, 10 and 11 are readily identified from the entry for the Warburtons of Arley in Glover's notes for the 1580 Visitation of Cheshire (CA record Ms MjD14 / 83-5), where a coat of arms is tricked and labelled as follows: *Quarterly of six, 1 (Dutton) Quarterly argent & gules the latter fretty or with a crescent sable in the first quater, 2 (Warburton) Argent a chevron between three cormorants sable, 3 (Warburton) Argent two chevrons and a canton gules on the latter a mullet or, 4 (Wynnington) Argent an orle within eight martlets in orle sable, 5 (Pulford) Sable a cross flory argent, 6 (Grosvenour) Azure a garb between two roundels in fess or.* The crest, on a wreath argent and sable, is *A man's head 'swart' crined and bearded sable wreathed about the temples with a wreath argent and gules issuant therefrom three ostrich feathers or.* The head, with its dark complexion, clearly represents a Saracen or other levantine personage, and a pair of smaller sketches to the right indicates that it was sometimes found without the panache and even beardless. As the accompanying pedigree indicates, the Warburtons claimed male-line descent from Adam of Dutton, who had half the manor of Warburton in frankmarriage with Agnes daughter of Roger son of Alured, the other half being granted to him by the Prior of St John of Jerusalem in 1189; see also G. Ormerod, *History of the County Palatine and City of Chester* (3 vols., London 1819), vol. 1, pp. 430-1. The family therefore frequent-

ly displayed the arms of Dutton in first place, sometimes adding a crescent to indicate that Adam was a second son; furthermore the arms of Warburton were held to have changed from the version with the chevrons and canton to the one with the cormorants at some stage (the 1580 pedigree suggests it was in the reign of Henry VIII) and both versions were often shown. Quarterings for Winnington, Grosvenor and Pulford came in with the marriage of Peter Warburton (grandfather of the Peter who heads the family in 1580) to Elizabeth, daughter and coheir of Richard Winnington of Winnington by his wife Catherine, daughter and coheir of Robert Grosvenor of Hulme and Rudheath; this Robert's paternal grandmother was Jane, daughter and heiress of Robert Pulford. It is odd that the 1580 scheme shows the quartering for Pulford before that for Grosvenor, but it may simply be an error. It is also interesting that the bezants accompanying the garb in the 1580 pedigree have been quietly dopped on the seal die.

The 1580 scheme of six quarterings was recorded again in the 1613 Visitation (CA record Ms C6 / 48v) and in 1626 when the head of the family, Peter Warburton of Arley, died and had a heraldic funeral: CA record Ms I.23 / 15; BL Ms Harl 2180 fo 40, whence J. P. Rylands (ed.), *Cheshire and Lancashire Funeral Certificates* (Lancashire and Cheshire Record Series vol. 8, 1882), pp. 181-3. He is shown as head of the family forty-six years earlier in 1580 and since this period coincides with the period in which the seal die was probably made it is not unlikely that it was made for him or for a close relation of his.

The other quarterings on the seal die can be more or less tentatively identified by recourse to the traditional Warburton/Dutton genealogy. Duttons, Warburtons and other Cheshire families such as the Hattons were held to be ultimately descended in the male line from a Norman by the name of Ivo or Yvon. He was held to have had six sons who all went into Cheshire, the eldest being Nigel, to whom the barony of Halton was granted, and the third Odard or Hudard, ancestor of the Duttons and Warburtons. This account was questioned in the 17th century by Leycester (Ormerod, op. cit. p. 476, particularly doubting whether Nigel was brother of the other five) but around 1600 it still held sway: thus for instance the pedigree at CA Ms Vincent 120 ('Vincent's Cheshire') p. 168. This pedigree ascribes to Yvon arms that can only be blazoned *Gules four lenticular objects in pale or*, clearly a version of the arms *Gules five (horizontally disposed) lozenges conjoined in pale throughout or* that are sometimes seen ascribed to Nigel (**Figure 1**); it is also clearly the coat in the third quartering on the seal die.

The barons of Halton also provide explanations for nos 4 and 5. According to the traditional account (e.g. Vincent's Cheshire pp. 62, 168) Nigel's granddaughter and ultimate heir Agnes was married to Eustace Fitz John, in her right constable of Chester and baron of Halton; he is ascribed the arms

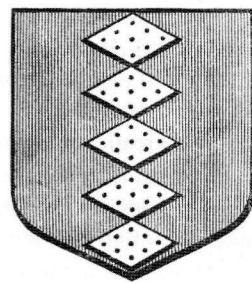


Figure 1: Arms attributed to Nigel, Baron of Halton in Cheshire. From *Memorials of the Duttons* (London and Chester 1901), p. 2.

Quarterly or and azure a bend sable over all a label of five points argent; his son Richard Fitz Eustace married Aubrey, daughter and heir of Eudo de Lisours, to whom were attributed the arms *Or a chief azure*. Furthermore, Aubrey was uterine sister of Robert de Lacy, and her descendants, Earls of Lincoln and constables of Chester, took the name of Lacy on inheriting his estates; they bore for arms *Or a lion rampant purpure*. The historical basis for these attributions is, of course, slender; see *Rolls of Arms Henry III* (Aspilogia 2, London 1967) p. 116 (= B9) for *Quarterly or and gules a bend sable over all a label argent* ascribed to a Lacy Earl of Lincoln, and p. 182 for *Azure a chief or* and *Or a chief azure* ascribed to the Lisours family (citing SD 18, TJ 815, E 135, PO 282); for the true genealogy see, e.g., W. Farrer (ed.), *Early Yorkshire Charters*, vol. 3 (Edinburgh 1916). What is important is that the attributions and the family relationships described above were, as shown by the pedigrees in Vincent's Cheshire, believed at the opening of the 17th century. The Warburton seal begins to take on the aspect of a somewhat chaotic attempt to display the arms of all the great families of medieval Cheshire to whom any relationship might be claimed.

That being the apparent case, another remaining quatering might be explained in similar terms. John de Lacy (d. 1240), 3rd Earl of Lincoln, married Margaret, daughter and heir of Robert de Quincy by Hawise, sister and coheir of Ranulph, Earl of Chester. It was an extremely significant match, and it is not impossible that the *lozengy* quatering (no 7) is a crude attempt to depict the seven conjoined mascles of the Quincy arms.

Finally, and less tendentiously, the traditional Dutton descent provides an identification for no 12: the wife of Hugo de Dutton, son of 'Hudardus', and mother by him of Adam, ancestor of the Warburtons, is identified in Vincent's Cheshire (p. 169) as *Alicia filia Nicholai Pichard* and ascribed the arms *Gules a fess or between three escallops argent*.

It remains to be asked why the seal die was found where it was. Small, highly portable objects like seal dies cannot be expected always to have significant find-spots. However it would be wrong to ignore a well known connection between one branch of the Warburton family and the Newark area: the distinguished 18th-century churchman and scholar William Warburton, Bishop of Gloucester (1698-1779), was born there, son of the town clerk and grandson of the coroner for Nottinghamshire. At the 1663 Visitation of Notts the family claimed to be descended from a younger brother of the father of Peter Warburton of Arley, and this was apparently accepted by the heralds: CA record Ms C34 / 54. The same claim was again made by the bishop himself in 1765 and again accepted: CA record Ms Howard/ 28-9. On both these occasions the arms that the Newark family was using were a revised and simplified version of the Arley ones, with the Warburton cormorant arms (altered by the addition of a canton) in first and fourth, and the Dutton fret arms in second and third. Although the heralds might have been overawed by the episcopal rank of William Warburton in 1765 and accepted his claims, they were less likely to have been deceived a century earlier when, in any case, the purported connection between the senior line at Arley and the junior one at Newark was much more

THE COAT OF ARMS

recent. It is just possible that the descent was genuine, and that the seal die was inherited from the bishop's Cheshire ancestors. If so, given its eccentric approach to the marshalling of arms, it is not surprising that it cut little ice with the heralds when it came to establishing the Newark family's rightful bearings.

I would like to thank for their help with this note Judy Rudoe of the British Museum, Anne Insker of the Brewhouse Yard Museum, Nottingham, and Norman Daynes.