



THE TUTBURY HORN.
Now in Possession of W.H.G. Raeburn Esq. of Ford Hall, Clonsilla, Co. Wick.

EMPHRE & SON, LONDON & PARIS.

On the Tutbury Horn.

BY REV. J. CHARLES COX, LL.D.

DR. WEBB'S interesting paper on the Wirksworth Ram's Horns naturally led him to make mention of the celebrated "Tutbury Horn."* As it is by far the most interesting relic of its kind in England, and unique in the power it confers upon its holder, it was felt that it would be highly desirable for our own county society to possess a full account of this remarkable horn. Its present owner, Mr. W. H. G. Bagshawe, of Ford Hall, Chapel-en-le-Frith, most kindly permitted the horn to remain with Messrs. Bemrose & Sons for a short time to enable Mr. Bailey to fully illustrate it, and he has also been good enough to supply all information in his power.

The first mention in print of this horn occurs in Blount's *Ancient Tenures*, published in 1679. Under the heading of Tutbury is the following:—

"Walter Achard or Agard, claimed to hold by inheritance the Office of Escheator and Coroner through the whole Honour of Tutbury in Com. Staff., and the Bailiwick of Leyke. Pro quo Officio nullas Evidentias, Carta, vel alia scripta proferre possit, nisi tantum Cornu venatorium album argento inaurato in medio et utroque fine decoratum; Cui etiam affigitur Cingulum byssi nigri fibulis quibusdam argenteis ornatum, in medio quorum posita sunt insignia Edmundi secundi filii Regis Henrici tertii. A white Hunter's horn, garnished with silver, inlaid with gold, in the middle and at both ends. To which is fixed a girdle of black silk, adorned with certain buckles of silver."

* I am indebted to Dr. Webb for several facts in this paper, ascertained through his research.

The marginal reference for the authority of this tenure is to a manuscript of St. Loe Kniveton, that now forms part of the Ashmolean MSS. of the Bodleian, and which contains many notes of value to the Derbyshire antiquary.

In 1772 that voluminous and accurate Derbyshire writer, Rev. S. Pegge, read a paper upon this horn, and upon horn-tenure in general, to the Society of Antiquaries. * He pointed out that among the various modes of transferring inheritances in use with our ancestors was that of conveying them by a horn. In the Chronicle attributed to Ingulf, Abbot of Croyland, occurs the following passage relative to changes introduced into England at the time of the Conquest :—" Many estates were conferred by bare words, without any writing or deed, but only with the presentation of the lord's sword, or helmet, or *horn*, or cup ; and very many tenements with that of a spur, or piece of gold, or a bow ; while some were conferred by the presentation of an arrow."

Instances can be given of horn-tenure of various kinds in Frank-almoigne, in Fee, and in Serjeantry. There is a well-known example of the first of these in the Horn of Ulphus, a Danish noble of the time of Canute, by which he conferred large estates on the Church of St. Peter, at York ; this horn is still preserved, after many strange vicissitudes, in the sacristry of York Minster. Of estates in Fee, a remarkable instance is that of the Pusey family holding the village of Pusey, in Berkshire, by a horn, said to have been first given to their ancestor by King Canute ; the inscription† on the horn, is however, of later date, but may have been renewed. As to Serjeantry, or holding in service of the King, Edward the Confessor granted the rangership of Bernwood Forest, in Buckinghamshire, to one Nigel and his heirs to be held by a horn.

Of a similar character to this last instance is the Tutbury horn, for by it, without any deed or writing, certain privileges are conferred. The posts or offices held and conveyed by this horn

* *Archæologia*, vol. iii., p. 1 seq.

† Lyson's *Berkshire*, p. 326. There are small engravings of both the Pusey and Ulphus horns, on p. 72 of Knight's *Old England*, vol. i.

were those of Feodary or Bailiff-in-Fee, of Escheator, of Coroner, and of Clerk of the Market, throughout the Honour of Tutbury. The offices of Feodary and of Escheator were in connection with the Court of Wards, and had to take note of escheats due to the King, and certify them to the Exchequer. Both these offices have practically been in abeyance since 12 Charles II. cap. 24. The chief duties of the Clerk of the Market was to keep royal standards of weight and measure, and to see that such only were used; certain fees pertained to this as well as to the last-mentioned offices; this office, too, has practically fallen into abeyance through modern statutes. But by far the most important office in dignity, gravity, and emoluments, still remains, namely that of Coroner. Of course, the holder of the horn could not amalgamate these various offices (especially as they must have duplicated and multiplied in different parts of the Honour), in his own person, and therefore the possession of the horn implied the patronage of these various offices, as it still does of the Coronership of one part of the Honour. Mr. Bagshawe, the present holder, writing to us recently, said:—"In right of the old horn, I appointed the present Coroner of the High Peak, as my predecessors have nominated previous ones. I believe that I have a right to appoint also all the Coroners who exercise jurisdiction within the Honour of Tutbury, which comprises parts of several counties." In this opinion we entirely coincide, though whether long neglect of a claim of this character forfeits the right, is a point upon which no one unskilled in legal subtleties would dare to speak with boldness.

Dr. Pegge gives a long description of the horn itself, and the description is accompanied by a plate. The description is not very accurate, and the drawing poor and full of errors. The shape and size of the ornament upon which are the arms, and also the buckle, are completely misleading.

The remarkable arrangements of the belt, and its conjunction by means of ornamental clips with the central boss or broach, upon which the arms are engraved, can be easily understood by referring to a very careful and accurate drawing on Plate IV.

The horn itself is $14\frac{3}{4}$ inches in length, 7 inches round the mouth, and $2\frac{1}{4}$ inches at the narrow end. It might fairly be described as white in colour, though it has now deepened to a yellowish tint; the narrow end has a natural dark brown stain, as shown in the drawing. The bands round the horn, the buckle, shield-plate, and all the ornaments are of silver, which has been originally gilded, though in most places the gilding is now worn off. The *argento inaurato* of Kniveton's manuscript should be rendered "silver-gilt," and not "silver inlaid with gold," as Blount has translated it. The belt or girdle of black silk is folded double, its extended width being $2\frac{1}{2}$ inches. Since Dr. Pegge's drawing was made in 1772, the silk has given way in two places, as shown on our plate. There are four small perforated plates sewed into the silk belt at due distances, for the tongue of the buckle to pass through, so that it might be adjusted according to the size of the wearer. The belt is designed for wearing across the shoulder, and not round the waist. The total weight of the horn and its accoutrements is 15 oz. 8 drs. 20 grs.

It has been supposed by some, from the good workmanship and condition of the shield and other ornaments, that the metal work had been renewed at some comparatively late date, but a careful examination convinces us that this is an error, and we believe that competent authorities, who paid no attention to the armorial bearings, would pronounce the metal work to be of the end of the fourteenth or the beginning of the fifteenth century.



Of the arms, we here give a cut of the exact size of the original. The arms have already been given in the *Archæologia*, and subsequently in the *Archæological Journal*; (*) the former is altogether, and the latter partially incorrect.

Kniveton, as quoted by Blount, calls these the arms of Edmund Crouchback, second son of Henry III. In this he is certainly in

* *Archæological Journal*, vol. xiii., where there is a learned article on these arms.

error, so too apparently in stating that this horn was produced by Walter Agard. The family of Agard held lands at Scropton, Derbyshire, and at Foston in that parish, at a very early date, first of the Ferrers and subsequently of the Duchy of Lancaster. Walter Agard was living 1275-1294.* It of course possible, and we think even probable, that this Walter Agard did produce this horn as sole evidence of his claim, nay, that it may date to times closely following on the Conquest, when the Agards first came to Foston, for the pedigrees give five generations before Walter, beginning with Richard Agard de Foston. But if this is the case, the horn must have been re-set. The reason of St. Loe Kniveton's mistake, who was usually a careful observer and shrewd annotator, seems to have been that finding some account of Walter Agard's claim, and knowing the time that one well-known Walter Agard flourished, he hastily assumed that the horn in its present setting (which he had evidently personally examined) was the one of that date—end of thirteenth century—which was the time when Edmund Crouchback was Duke of Lancaster, and therefore that the arms must be his.

The arms are quarterly France (modern) and England, with a label of 3 points ermine, impaling vair or vary, for the tinctures are not given. The label in a coat of this size is necessarily on a very small scale, and Dr. Pegge read the charges on the label as being fleur-de-lis. Having examined it most carefully with a powerful magnifying glass, we have no hesitation in agreeing with the *Archæological Journal* in describing the marks on the label as intended for ermine spots, though there are three spots on each joint, and not two as shown in the *Journal*. With regard to this ermine label as differencing the royal arms, we find it on that monument in Lincoln Minster which is of altogether exceptional heraldic interest—the tomb of Bishop Burghersh—where a shield bearing an ermine label, is attributed to John (of Gaunt) Earl of Richmond, in his infancy.† True, this is only a label of 3

* *Churches of Derbyshire*, vol. iii., p. 263. Egerton MSS. 996, p. 57; Harl. MSS. 1,093, p. 57.

† See "Marks of Cadency of the Plantagenet Family," *Archæological Journal*, No. 26.

points instead of 5, but the number of points in a label are well-known to vary somewhat capriciously, and in accordance with the space at the emblazoner's or engraver's hands.

The three fleur-de-lis for the arms of France, in place of the older *semèe*, were not used in England till Henry IV., or closely approximating to that time. But Henry IV., son of John of Gaunt, bore in his father's lifetime the difference of a label of five points, whereby two were ermine and three charged with fleur-de-lis. The same coat was borne by Henry IV.'s son, John, Duke of Bedford.

It is, then, we think established with tolerable certainty that these are the arms of John of Gaunt, as borne by him shortly before his death, which occurred in 1399, and perhaps the only instance extant of his bearing in the French quarters only three fleur-de-lis.

The impalement of *vair* or *vairy*, almost certainly that of Ferrers, offers some little difficulty. None of the three marriages of John of Gaunt offer the least solution of the difficulty, nor indeed does any other matrimonial alliance of any kind of the house of Plantagenet. The Manor of Tutbury came to the Duchy of Lancaster through the forfeiture of Robert Ferrers, Earl of Derby, in the reign of Henry III. That monarch gave the Ferrers estates to his second son Edmund; Blanche, co-heir of a grandson of this Edmund, married John of Gaunt, and thus brought the Honour of Tutbury to him, and subsequently to his son Henry. Henry becoming afterwards king (Henry IV.), the earldom of Derby, as well as the Duchy of Lancaster, were from that time absorbed in the crown.

There is not the least necessity, on account of this impalement of the Ferrers arms, to fall in with the surmise of Dr. Pegge, that the offices attached to this horn were held by the Ferrers of Tamworth, before Agard; and that it was the marriage of Nicholas Agard of Tutbury, in the 16th century, to Elizabeth, daughter and co-heir of Robert Ferrers, a son of Sir Thomas Ferrers of Tamworth, that accomplished this transference. Such a surmise is directly contrary to the best evidence.

The reasons why this impalement cannot have any reference to

the conjecturally reversed arms of a daughter of John of Gaunt, who married Robert, Lord Ferrers of Tamworth, have been fully established in the *Archæological Journal*.

The truest conjecture, nay, it seems to us almost a certainty, is undoubtedly this, that the sinister coat of the escutcheon is that of the house of Ferrers, Earl of Derby, and is used here not to betoken any matrimonial alliance, but as a perpetual reminder of the origin of these privileges attached to the Honour of Tutbury, and annexed since 1266 to the Duchy of Lancaster. Viewed in this light, the escutcheon becomes more of the nature of a badge, or arms of the Honour of Tutbury, rather than of any specific individual. This particular ornament being engraved, as we take it, towards the end of the lifetime of John of Gaunt, naturally bore on the dexter side the arms of the then Duke of Lancaster. It betokens, in this Honour of Tutbury, the union of the Duchy of Lancaster with the Earldom of Derby. The referring of arms to dignities or property, and especially their impalement, is rare in English heraldry though not unknown, but it was at one time comparatively common in Scotland, Italy, Spain, and, we believe, in France.

In connection with this identification of the Tutbury horn in its present setting and condition with John of Gaunt, it is interesting to note that the right of fishery at Hungerford, in Berkshire, was granted by the giving of a bugle horn by John of Gaunt. Lysons mentions that a second horn of more modern date (1634), but of the same size and shape, having an inscription recording John of Gaunt's gift to the town and its extent, is blown every year to call the tenants of the manor together.* Probably the Tutbury horn had more the character of a horn of summons than a mere hunting horn, and may have been sounded at the summoning of Courts of Ward and Coroner's Courts, or at the opening of markets throughout the Honour. Dr. Pegge relates that, in his time, a horn was still used at Canterbury for assembling the Burghmote Court.

* Lysons' *Berkshire*, p. 296.

With regard to the subsequent descent of the Tutbury horn, it may be briefly stated that on the marriage of an heiress of Agard in the 17th century, with a Stanhope of Elvaston, it was conveyed to the latter family. A subsequent Stanhope sold it, with the offices pertaining, in 1753, to Samuel Foxlowe of Staveley Hall, whose son, Rev. F. Foxlowe, willed it to his widow. From Mrs. Foxlowe it passed to her husband's nephew by marriage, Henry Marwood Greaves, of Hesley Hall, Notts., and, in right of his wife (sole heiress of Bagshawe), of Banner Cross and Ford Hall. Mr. Greaves, by right of this horn, appointed the late Coroner of the High Peak, Mr. Francis Grey Bennett. On Mr. Greaves's death, in 1859, his eldest son, William Henry Greaves (who assumed the name of Bagshawe in 1853), succeeded to the horn, and appointed the present Coroner, Dr. Robert Bennett.

It is not a little remarkable, considering the manner of the descent of this horn, that the crest of Bagshawe, of Ford Hall, is an arm grasping a bugle-horn, and that the arms are a bugle-horn between three roses. Equally remarkable, also, in this connection, are the incidents of the Bagshawe pedigree. Mr. W. H. G. Bagshawe can claim descent from each of the three great families before-mentioned, which successively held the manor of Tutbury, viz.: (1) from the Earls of Derby of the Ferrers line, through the marriage of Samuel Bagshawe, of Ford Hall, who died 1712; and (2) from the Plantagenets, Earls of Lancaster, and (3) from John of Gaunt, through the marriage of Colonel Samuel Bagshawe, who died 1762.