

## ROBERT WILMOT & THE COURT OF CHIVALRY

As the feudal system decayed from the Tudor period onwards there was a concomitant growth in a new group of people – the middle class. For men like these, who were not of the nobility, yet rich, powerful and socially mobile as a result of their business acumen, the acquisition of their own coat of arms represented a highly desirable status symbol. In response to this new demand, the College of Arms acting on behalf of the Crown began to grant new arms to suitable eminent individuals who were perceived to be 'gentlemen' willing to pay for the privilege, and thus the possession of a coat of arms became to be seen as the very mark of gentility. This photograph shows the Wilmot coat of arms on a stained glass panel dating from 1863 in one of the windows of Chaddesden Church.

By the early seventeenth century the Wilmot family had supplanted the Newtons as squires of Chaddesden by acquiring most of their land-holdings in the village. As head of a family whose status in society was increasing year by year, Robert Wilmot probably thought he was fully justified in describing himself, both in writing and verbally, as a gentleman. Unfortunately for Wilmot, calling himself a gentleman was something that would eventually cost him dear, both in monetary terms and public embarrassment.

It seems that problems first began with an heraldic visitation in the early 1600s. Such visitations took place from time to time and were designed to check on the people who claimed to be armigerous, that is to say either using or entitled to use a coat of arms, and, if so, by what authority, e.g. an ancient pedigree, a document granting the right to arms, etc. The only members of local society who might be so entitled were knights, esquires and gentlemen. In those class-conscious times, others such as yeomen and husbandmen were not permitted coats of arms, but this did not apparently deter Robert Wilmot from attempting to claim the status of a gentleman with the right to bear a coat of arms. However, at the Visitation of Derbyshire in 1611 Sir Richard St George, Norroy King of Arms,<sup>1</sup> declined to approve his claim in the following manner:

*Robert Willimot of Chadesden, yeoman, being found to have taken upon him the name and title of a gentleman, contrary to the lawes of armes in this kingdome, was therefore by vertue of a commission under the great seal of England disclaymed ... and admonished not to use the title or addition of a gentleman any more.<sup>2</sup>*

Thus not only was Chaddesden's wealthiest resident officially declared to be merely a yeoman and not a gentleman, but he was also obliged to sign a written disclaimer to that effect as well. Wilmot would also have been cautioned that if he continued to call himself a gentleman he would be ordered to appear at the Court of Chivalry before the Earl Marshal of England. There the matter should have ended but for Wilmot's inability to accept this judgement. He could, of course, have applied to the College of Arms for a formal grant of arms but this was a protracted and costly process and it was far easier to ignore the King of Arms' decision, and so for more than twenty years after 1611 this is exactly what he did. By the 1630s Wilmot had continued to prosper, and having demonstrated a commitment to public service by establishing six almshouses at Chaddesden and ten in Derby he must have felt vindicated in using the 'gentleman' description, but yet again he was wrong and in 1634 he came to the attention of the Officers of Arms for a second time. They noted:



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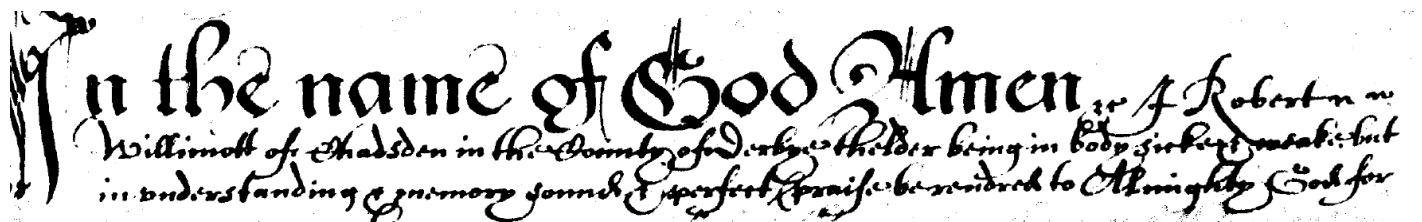
*Robert Willymott and his family had since time immemorial been plebeian and non gentle and at the visitation of Derbyshire in 1611 before Sir Richard St George, Norroy, he was publicly declared and proscribed to be plebeian and non gentle. But since then in the parish of Chaddesden and other parishes nearby he had claimed the addition of gentleman, verbally and in writing.<sup>3</sup>*

This cause was opened in October 1634 by Henry Chitting, Chester Herald,<sup>4</sup> and Thomas Thompson, Rouge Dragon Pursuivant,<sup>5</sup> who accused Wilmot of continuing to style himself gentleman despite having been made to disclaim at the visitation of Derbyshire in 1611. Summoned to the Court Military<sup>6</sup> before the right honourable Thomas Earl of Arundel and Surrey, Earl Marshall of England, Robert Wilmot submitted a signed statement to the court stating that he wished his son, also named Robert Wilmot, to act on his behalf. The heralds subsequently won the case and on 30 May 1635 Robert junr made the following admission:

*I, Robert Willmott the younger, for and in the name and person of my father Robert Willmott of Chadesden, in the county of Derby, yeoman, doe humbly acknowledge and confesse that ... my father, hath offended and done contrary to the lawe and customes of armes, and of this court and kingdom, in using and assuminge the name and title of a gentleman, being soe disclaymed, proclaymed and prohibited, and doe in my father's name promise never to offend in the like kind hereafter; and doe humbly desire this honourable court to forgive the offence and accept of this my submission and acknowledgement, for and in the name and person of my father'.<sup>7</sup>*

The Heralds then added up the costs of the case which Wilmot would have to pay. Their calculations came to £21 4s 2d, but the bill was 'taxed' (independently assessed) and reduced to £10. Even so, in 1635 this was a substantial sum and equivalent to something like £2,000 today.

Robert Wilmot senr died in 1638 just a few years after the court case and it is noticeable that, as can be seen below, he omitted any description of social status when he drew up his will in July of that year.



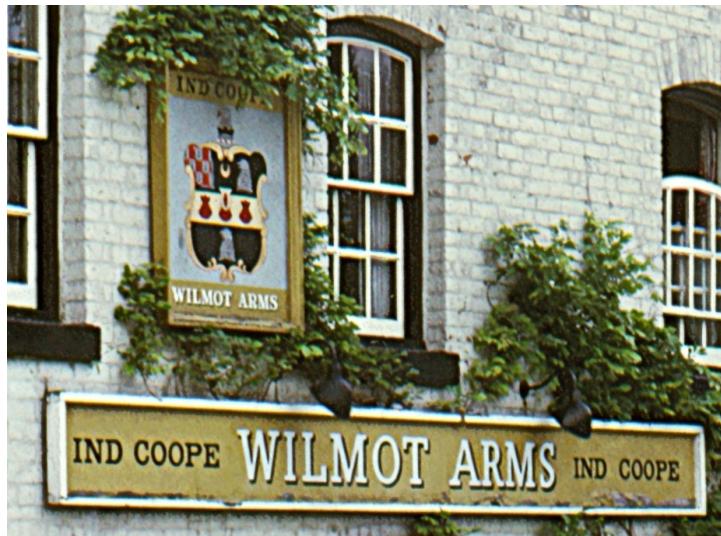
By simply referring to himself as '*Robert Willmott of Chadsden in the County of Derby the elder*' he carefully avoided any controversy and made certain that no further criticism regarding his rank in society might be directed against his family by the College of Arms. This, however, was by no means the end of the story, for the following generation would ultimately be successful in the quest to acquire a grant of arms.

Despite Robert Wilmot senr's embarrassment when he was brought before the Court of Chivalry in the 1630s, the 1662 heraldic visitation of Derbyshire shows a completely different state of affairs for now the Wilmot family had their own proper entry.

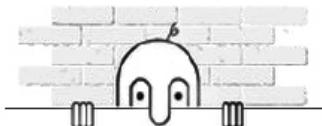
This visitation of the county was undertaken by William Dugdale (Norroy King of Arms between 1660–1677) and it appears that the heraldic arms were granted by Dugdale himself in that same year to Robert senr's fourth son,<sup>8</sup> Nicholas Wilmot of Osmaston (1611–1682) and to Nicholas' nephews, Robert and Edward of Chaddesden,<sup>9</sup> thereby entitling both branches of the Wilmot family to use them, despite Nicholas Wilmot's apparent inability to provide any definitive proof of entitlement.<sup>10</sup> The fact that Nicholas succeeded in acquiring the arms in 1662 whereas his own father had failed a generation previously in 1634 may well have been due his influential position as a senior barrister and serjeant-at-law and also to the fact that at the time of the 1662 visitation Osmaston Hall was a

large and imposing residence, possessing 20 hearths whereas at Chaddesden the family's original house was then significantly smaller with merely five hearths.

Nowadays modern editions of *Burke's Peerage & Baronetage* define the Wilmot coat of arms in formal heraldic terminology as follows: **Arms:** *Sable on a fess or between three eagles' heads couped argent as many escallops gules; a canton vaire ermine and of the fourth.* **Crest:** *An eagle's head couped argent, gorged with a mural coronet sable, in the beak an escallop gules.* This description closely matches the details visible in the stained glass panel on page 1 and also with the sign shown in this photograph I took of the Wilmot Arms in 1972. Of course, if the Wilmot family had never succeeded in obtaining a grant of arms, the village pub would no doubt still be known by its original name of the Wheel Inn.



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- 1 *Norroy King of Arms* ... The king of arms (or senior herald) north of the River Trent. Only he and two other kings of arms (Garter and Clarenceux) had the authority to grant armorial bearings.
- 2 Richard Cust & Andrew Hopper, eds., 'Officers Of Arms v Willymott' in *The Court of Chivalry 1634-1640*, British History Online (BHO). In connection with this case, another commentator has noted that 'if the taking of the name and title of a gentleman by Willymott was contrary to the laws of arms, the laws of arms must have provided who was entitled to that name and title' (G. D. Squibb, *The High Court of Chivalry – A Study in the Civil Law of England*, OUP, Oxford, 1959, pp.170–1).
- 3 Richard Cust & Andrew Hopper, eds, 'Officers Of Arms v Willymott' in *The Court of Chivalry 1634-1640*, BHO.
- 4 *Chester Herald* ... One of the officers of arms at the College of Arms in London.
- 5 *Rouge Dragon Pursuivant* ... A junior officer of arms at the College of Arms in London.
- 6 *Court Military* ... In this sense, military has its origins in 'miles', a knight, thus a Court of Knighthood, or, more loosely, a Court of Chivalry.
- 7 Richard Cust & Andrew Hopper, eds., 'Officers Of Arms v Willymott' in *The Court of Chivalry 1634-1640*, BHO. Also reported in G. D. Squibb ed., *Reports of Heraldic Cases in the Court of Chivalry, 1623–1732*, Harleian Soc. Vol. 107, London, 1956, p.20.
- 8 Robert senr's first three sons were: Robert (died 1657, unmarried); Edward (minister of All Saints' Church, Derby, died c.1651; and John (died before 1646, unmarried).
- 9 Robert (1638–1671, died unmarried) and Edward (1641–1702) were the sons of Edward (see above).
- 10 G. D. Squibb, ed., *The Visitation of Derbyshire, begun in 1662, and finished in 1664, made by William Dugdale*, Harleian Society, 1989, p.31. W. Berry, *Encyclopaedia Heraldica, Or Complete Dictionary of Heraldry*, Volume 2, London, 1828.