

V.

NOTES ON A PORTRAIT AT ABBOTSFORD. BY WALTER
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Among the many objects of antiquarian and artistic interest in Sir Walter Scott's collection at Abbotsford is a sixteenth-century portrait of a gentleman, Sir Thomas Hervey, which is hung in the drawing-room.

I paid a visit to Abbotsford in September 1924, and was conducted round the apartments shown to the public, with a small party in the ordinary way. The library and other rooms contain several interesting relics of Mary Queen of Scots—such as her seal, her crucifix, a picture of her head after decapitation—which had been pointed out by our guide, and when we came to the portrait which is the subject of these notes, it was described as that of "Sir Thomas Hervey, Knight Marshal to Queen Mary." We were not actually told so, but the inference—and I am sure the impression given—was that Sir Thomas Hervey also had been associated with Mary Stuart.

It occurred to me that there must be some mistake about this. I did not recollect any Sir Thomas Hervey in connection with Mary Queen of Scots; further, Knight Marshal was not familiar as the title of an official of the Scottish Court; and Hervey is not a Scots name. I therefore asked our guide if he could give me any particulars about this picture, but found that the curators believed that Sir Thomas Hervey had to do with the Scottish Queen Mary, and that no one had ever questioned it. The official catalogue which was shown me gave no assistance; the entry therein is simply "Sir Thomas Hervey, Knight Marshal to Queen Mary. Artist unknown."

I could get no further at the time, but the subject seemed to deserve some investigation.

The portrait is hung high up on the wall—rather "skyed," and the day of my visit was dull, so that it was not possible to make out many details; but the assistant curator, Mr James Flynn, at my request very kindly undertook to examine it carefully when it was taken down for its annual winter cleaning, and to send me full particulars. Mr Flynn, at, I fear, considerable inconvenience, has taken a great amount of trouble in the matter, and my very grateful thanks are due to him for his most willing assistance, and also to his friend Mr A. Mathews, who executed a coloured sketch of the portrait and another of the armorial bearings depicted in its upper part.

On my return home I instituted some inquiries, and a little research



Fig. 1. Portrait of Sir Thomas Hervey at Abbotsford.

soon made it certain that this Sir Thomas Hervey was one of the Herveys of Ickworth, Co. Suffolk, and was Knight Marshal to Queen Mary I. of England, Mary Tudor. He had no connection at all with our Queen Mary Stuart.

The picture (fig. 1) is a portrait in oils of a handsome, grave-looking man of middle age, with a short full beard of a brown colour. He is dressed in a close-fitting brownish doublet, braided with red and piped with white. Over this he wears an outer coat or gown of dark material, lined with brown, and thrown back so as to display the inner doublet. On his head is a small black velvet cap encircled by a gold band or chain. He has a rather large ruff and a narrow sword-belt, with the hilt of a rapier appearing over the left hip. Above, and to the left, is a small armorial shield, and to the right an inscription—"Sir Tho^s Hervey Knight Mar^l to Q. Mary."

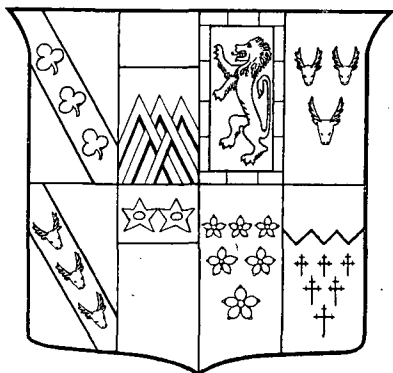


Fig. 2. Coat of Arms on Portrait at Abbotsford.

The armorial bearings consist of a shield only, no "exterior ornaments"—crest, motto, torse, helm, or mantling—being shown (fig. 2). The colours are considerably changed and faded through age, so that I am in some degree of doubt as to the proper heraldic tinctures of one or two of the quarterings. Red, blue, and white have lasted better than other colours;

black has become brownish; gold and (?) silver have faded into a nondescript brownish tint.

After collating these arms with those of the family of Hervey of Ickworth, as given in the *Visitation of Suffolke* by William Harvey, Clarenceux, in 1561, and other authorities,¹ I am able to offer the following blazon with some confidence that it is correct:—

Quarterly of eight.

1. Gules on a bend argent three trefoils slipped vert. *Hervey*. Henry FitzHervey (1 King John) is said to have borne argent a trefoil vert, and William Hervey of Boxted (44 Henry III.) argent three trefoils vert. To John Hervey, Esquire, in 8th or 9th Henry IV. is ascribed the present coat—gules on a bend argent three trefoils vert.
2. Azure a chief and in base three chevronels interlaced or. *Fitzhugh*. (Came in about middle of thirteenth century.)

¹ Especially a paper by the Rev. Lord Arthur Hervey, *Proceedings of the Suffolk Institute of Archaeology*, vol. ii., 1869.

3. Sable a lion rampant argent within a bordure compony of the first and second. *Niernuyt*. (Came in before 1458.)
4. (?) Argent three bucks' heads cabossed gules. This quarter is puzzling. It appears in some but not in all the Hervey arms in the sixteenth and seventeenth centuries. The field in the portrait is now of a yellowish-brown tint, and may originally have been gold or silver, or indeed almost any colour.

In the *Visitation of Essex*, 1612, in the arms of Hervey impaling Neville, it is the third quarter, and is tricked or with bucks' heads gules. An illustration of the arms of the Rt. Hon. John Lord Hervey, created Baron Hervey of Ickworth in Co. Suffolk, 1702, shows this coat as the fourth quarter, but with the field sable.

Mr Archibald G. B. Russell, Lancaster Herald, informs me that this quartering is recorded in the College of Arms as one of the Hervey quarterings in the funeral certificate of Francis Hervey, Gentleman Pensioner to Queen Elizabeth, under date 11th March 1601. The coat is there tricked "argent three bucks' heads caboshed gules." As this is a contemporary document, it must be assumed that the tinctures are correctly given. Papworth assigns this coat to Gernon, but it is doubtful if it was ever borne by this family, and Mr Russell is of opinion that it represents Collenwood, as given in Glover's and Vincent's ordinary. Lancaster further tells me that as a result of an extensive search he is unable to trace any coat more exactly corresponding with that tricked in the above funeral certificate.

It therefore appears that this quartering was borne by several members of the Hervey family, but I regret that I have been unable to find any name in the Hervey pedigrees which would show whence they derived it.

5. Argent on a bend gules three bucks' heads cabossed or. *Brach*.
6. Argent on a chief vert two mullets or pierced gules. *Drury*. (Came in about middle of the fifteenth century.) This family frequently bore a Tau between the mullets. *E.g.*, in a list of the knights of Suffolk who accompanied Henry III. to foreign wars, it is stated that "Robert Drury, chevalier, port d'argent à une chef de vert chargé d'une Tau entre 2 estoilles."¹
7. Sable six cinquefoils argent, three, two, and one. *Freysell*.
8. Argent a chief indented azure and six cross crosslets fitchées gules, three, two, and one. *Saxham*.

The Hervey crest is "an ounce passant sable besanté, ducally collared and chain reflexed over the back or, holding in the dexter paw

¹ Quoted in *A Breviary of Suffolk*, by Robert Royce, 1618, ed. by Lord Francis Hervey, 1902.

a trefoil slipped vert." Motto "Je n'oubliera jamais." As already stated, these are not shown in the portrait.

The Herveys of Ickworth are an old Suffolk family, now represented in the Peerage by the Marquis of Bristol, through John Hervey, M.P. for Bury St Edmunds 1694-1703, who was created Earl of Bristol in 1714, and died 1751.

They trace their descent from Herveus Bituricensis (Hervey of Berri and Lord of St Aignan in Berri), *temp.* William the Conqueror, who held lands in Norfolk and Suffolk, and who died about 1120. His grandson, Fils Hervey, *floruit* during the reign of Richard I., and was Sheriff of Norfolk and Suffolk. Early in the reign of Edward I. the family were styled Hervey of Thurleigh, Co. Bedford, but a Thomas Hervey, who died about 1467, obtained the lands of Ickworth by his marriage with Jane, daughter and heiress of Henry Drury of Ickworth, after which they became known as Hervey of Ickworth, Co. Suffolk.

Though a family of standing in East Anglia, and intermarrying with such families as Fitzhugh, de Gray, Foliott, Argentine, Paston, Talbot, Parlys, Niernuyt, Fienes, etc., they do not appear to have been wealthy before the time of Sir George Hervey (1474-1522); but he left all his extensive properties away from the next male heir, and reduced the fortunes of the elder branch of the family, who remained comparatively poor until they were resuscitated by Sir William Hervey, who died in 1660.

The grandson of Thomas Hervey of Ickworth (above) was Sir Nicholas Hervey, a man of considerable note in his day. He was Gentleman of the Privy Chamber to Henry VIII., and Ambassador to the Emperor Charles V. at Ghent in 1532, in connection with the divorce of Katherine of Aragon. He died 28th August 1532. By his first wife, Eliza, daughter of Sir Thomas Fitzwilliam, Knight, of Aldwarke, and widow of Sir Thomas Maleverer, Knight, he had an only son Thomas Hervey, the original of the portrait at Abbotsford.

Sir Nicholas married as his second wife Bridget, daughter and heiress of Sir John Wiltshire, Knight, of Stone Castle, Kent, and left issue. William Hervey, his grandson, was created a baronet in 1619, Lord Hervey of Rosse in Ireland in 1620, and Lord Hervey of Kidbrook, Co. Kent, in 1628. He died in 1642, when his titles became extinct.

Very little is recorded in either MS. or printed sources about Sir Thomas Hervey, the Knight Marshal to Queen Mary, and diligent search in the State Papers of the period has not disclosed much information concerning his life. Apart from his appointment as Knight Marshal, he does not appear to have been in any way distinguished, and it is curious that in the Acts of the Privy Council he is styled Thomas Hervey, Esquire, and not Sir Thomas Hervey, Knight.

His patent of office has not been found,¹ but he seems to have received the appointment towards the close of Mary's reign. In *Cal. State Papers, Domestic, Mary*, under date 30th March 1557, mention is made of instructions to Thomas Hervey, Knight Marshal, for taking musters of the forces at Portsmouth and in the Isle of Wight, and on the following day Sir Thomas Tresham and Lord C. Paulet, Captain of Portsmouth, are directed to assist him.

On 19th December 1558 Thomas Hervey, Esquire, is reimbursed by "the Thresourer of the Chamber the somme of xii li. xii s. x d. due vnto him for the diettes and lodging of Capt. Mallysorte, a Frenchman, for xij wekes and od dayes." Two days later, on 21st December 1558, Hervey is informed that the Queen (Elizabeth) has appointed Sir Raff Hopton, Knight, to be Knight Marshal, and he (Hervey) is required to deliver to him "all the prisoners and all other things remayninge in his custody belonging to the office of Knight Marshall."²

Sir Thomas Hervey married a Dutch woman (or, according to some pedigrees, a lady named Holland), and left two daughters co-heiresses, the elder of whom, Eleanor Hervey, married William Worsley of the Isle of Wight, Constable of Carisbrook Castle. I have not been able to ascertain the date of Sir Thomas Hervey's death.

From the records it appears that during the Tudor period different members of the Hervey family were in favour at Court and held posts of some importance.

Sir George Hervey, and Nicholas his cousin, attended Henry VIII. to the Field of the Cloth of Gold in 1520. Sir Nicholas, as already mentioned, became Gentleman of the Privy Chamber; his sister, Elizabeth Hervey, was one of Katherine of Aragon's Maids of Honour; and his second wife, Bridget Wiltshire, was for a time Lady of the Bedchamber to Anne Boleyn. It is probable that our Sir Thomas Hervey was educated at the expense of Henry VIII. and Katherine. Sir Nicholas' second son, Sir George Hervey, was Lieutenant of the Tower of London at the time of his death in 1605. Francis Hervey, nephew of Sir Nicholas, whose armorial bearings I have already referred to, was Gentleman Pensioner to Queen Elizabeth, and Margaret, daughter of Anthony Hervey, his niece, married Sir Amyas Paulet, who had the custody of Mary Queen of Scots at Fotheringhay.

The Knight Marshal was an officer of the English Royal Household with the functions of a domestic magistrate—a sort of Chief of Police. It is probable that the origin of the office—the "Marshalship of the King's Household"—was due to a delegation of a part of his authority by the

¹ The Patent Rolls of Philip and Mary have not been calendared.

² *Acts of the Privy Council*, 1558-70.

King's Marshal (Marshal of England, or Earl Marshal) in the middle of the thirteenth century, when he appears to have appointed "a deputy or clerk to act for him in the Court holden before the King . . . called Marescallus Marescalcie Curiae Regis." This deputy sat with the Steward of the Household (who was similarly a deputy of the Steward of England) in a court which had jurisdiction over matters within the "Verge," *i.e.* within a radius of twelve miles from the King's palace, and which became the court of the Lord Steward. It was this deputy who eventually became known as the "Knight Marshal."¹

His State duties were settled *temp.* Henry III. on the occasion of Queen Eleanor's Coronation in 1236. They were (1) to suppress tumult in the King's "house"; (2) to act as quartermaster or billeting officer; (3) to keep the gates of the King's hall.²

Edward III. discharged the attendance of the Marshal of the King's household except on the five chief festivals of the year, "when with their long typped staffes they owe to help the porters to kepe the gate, and the ushers at the halle doors, and to precede the Kyng in prees of people whythyr somever the Kyng go in the dayes festyvalle."³ Henry VIII. commanded the daily attendance of the Knight Marshal and his officers and deputies, and directed that among other duties they shall "have speciall respect to the exclusion of boyes, and vile persons, and punishment of vagabonds and mighty beggars, not permitting any of them to remaine in, about, or neare vnto the Court; for little shall it prevale to purge the Court of vnable or vnmeete persons or servants, if vagabonds, and such others as shall be expelled and lack masters, may remaine in or about the same; and semblably he shall take good regard that all such unthrifty and common woomen as follow the Court may be likewise, from time to time, openly punished, banished, and excluded, and none of them to be suffered neare thereunto, seeing all the premises and other things concerning his office to be put in effectual execution, as he will answer unto the King's highnesse at his perill."⁴

Queen Elizabeth had four Marshals⁵ with a wage of 7½d. a day, whose duty it was to "marshal the hall" when Her Majesty or any Ambassador came thither, but these, apparently, were officials of inferior rank, as her Knight Marshal's fee was 100 marks.

In 1689 we find that the Knight Marshal, Sir Edward Villiers, had £26 a year, and five "Marshallsmen" £100 a year between them.

¹ *The King's Sergeants and Officers of State*, J. H. Round, 1911.

² *Ibid.*

³ *Collection of Ordinances and Regulations for the Government of the King's Household*, published by the Society of Antiquaries, 1790.

⁴ *Ibid.*

⁵ Queen Elizabeth's Household Ordinances (43 Eliz.).

Dr Round states that at the Coronation of James II. it was the Knight Marshal who proclaimed the Champion's challenge; at that of George III. he cleared the way for the Champion; and at the Coronation of Queen Victoria he rode at the head of the Marshalmen in the procession to the Abbey.

The office of Knight Marshal and his Court of Marshalsea (later the Palace Court) were abolished in 1849.

I have been able to glean only a few details of the holders of the post during Queen Mary's reign. Sir Ralph Hopton was appointed on 26th August, 34 Henry VIII.¹ In February 1555 he was summoned to Greenwich to show cause why he should not be removed from his office owing to his continual absence, and he had to surrender his Patent of Office on 11th May.²

By 4th June 1556 he had been replaced by Sir Thomas Holcroft. How long Holcroft was Knight Marshal cannot be ascertained, but Sir Thomas Hervey seems to have immediately succeeded him.

I greatly regret that I have been unable to ascertain the past history of the portrait, or how it came into Sir Walter Scott's possession. Numerous inquiries have been made in Melrose, Edinburgh, and all likely quarters, without result: no one is able to furnish the information required.

The Hon. Mary M. Maxwell Scott's volume, *The Personal Relics and Antiquarian Treasures of Sir Walter Scott*, 1893, does not deal with the pictures at Abbotsford, and in *Abbotsford*, by Smith and Crockett, 1905, the entry is the same as that in the official catalogue—simply "Sir Thomas Hervey, Knight Marshal to Queen Mary. Artist unknown." It seems improbable that this large and important picture was acquired by Sir Walter, or by the family after his death, without there being some memorandum of the circumstance, but, so far as I can discover, there is no record of it in Sir Walter's *Journals*, in Lockhart's *Life*, or in any papers belonging to the Scott family.

The picture is not one of those held in trust by the Dean and Council of the Faculty of Advocates. The Librarian has most kindly searched among their papers and can find nothing relating to it. If any such record existed it has disappeared—at least for the time being—but it is much to be hoped that it may be recovered at some future day.

My thanks for assistance in the preparation of this paper are due, above all, to Mr James Flynn, Galashiels; to Mr William Chree, K.C., who has obtained information from the Librarian of the Faculty of Advocates; and to Mr J. Donal Ward, M.A., London, who has searched the State Papers of the Tudor period.

¹ *Cal. L. and P. Henry VIII.*

² *Acts of the Privy Council, 1554-6.*