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EDITOR'S PREFACE – PRÉFACE DE L'ÉDITEUR

The third independent issue of *Alta Studia Heraldica*, like its immediate predecessor, has taken much longer to complete than anticipated, but I believe that once again it has maintained the high standards of scholarship and writing established in its two predecessors, and will make a comparable contribution to the field of advanced heraldic studies. Of the seven articles included in it, five continue the legal themes of the first two issues; six (including four of the first set) deal with questions related to the different form of armorial achievements that have been used, both appropriately and inappropriately, to represent the identity and authority of the Canadian monarch on the regnal or provincial level, and thus continue the theme of two or my own earlier articles; and one is a sequel to my article in the last issue on the history of the taxonomic terminology of the heraldic and heraldistic didactic tradition.

In the last of these articles (which is for chronological reasons the first in the issue) I had intended to deal directly with the history of terminology in the Third Period of its history — c. 1335 – c. 1560 — defined primarily on the basis of the nature and value of the sources available for its reconstruction, but became increasingly convinced that I had first to set out enough of the background for the emergence and evolution of the terms in question to make sense of my strictly lexical discussion. This is in part because the nature, variety, and quality of the sources for the latter discussion became immensely richer than it had been in the first two Periods, in part because the number of emblematic species and families that had to be designated expanded exponentially in this Period, and in part because the contexts in which all of these species — from the original arms to the latest types of para-armorial and para-heraldic device — were employed, not only overlapped but changed steadily, as later species drove out earlier ones, and earlier ones were transferred to newer contexts. Most of the emblematic forms and usages that could be described as 'heraldic' that still exist today either *appeared* or *crystallized* in this Period of two-and-a-half centuries, and not only the forms of *document* in which their appearance and evolution are recorded, and the *terms* used in those documents to designate and explain them, but the forms of the French and English *languages* in which they were expressed, changed in much the same rhythm.

I therefore set out to describe the cultural developments of this whole period that affected the forms and uses of the emblems themselves, the situations and contexts in which they were displayed, the types of written source in which they were recorded, and the language of those sources, so that the development

of the words used to designate heraldic phenomena could be understood as a part of the more general cultural developments just listed. As it turned out, it was impossible to produce an adequate survey of all of these phenomena that was also brief, so I found myself obliged to divide what I had meant to be a single long article into three long articles — the first of which is included in this issue and the remaining two of which are largely complete. The long delay in completing this issue arose largely from what proved to be the gargantuan task of collecting and analysing the materials involved, writing my findings in a readable form, and then sorting what I had written into segments of a length and content appropriate to publication in this journal, and having the draft read by another scholar. In the end, I decided to restrict the first segment to my discussion of the literary and didactic works of the period, to deal with the other cultural developments, including the legal documents, in the second segment, and to set out the analysis of the linguistic evidence derived from the various written works in the third. But it may well be that the average reader will find my cultural surveys more interesting than their lexical successor, and I believe that I have composed the first history of heraldic emblems in their most important formative period that sets them against the background of most of the related literary, didactic, linguistic, and other cultural developments.

The second article, by Dr. Keith James (a physician rather than an historian), began its existence as a thesis for the Licentiate of the Society under my direction, which was written in rebuttal of criticisms expressed about the nature and functions of the Canadian Heraldic Authority in the pages of our sister journal *Heraldry in Canada* by a citizen of the United States resident in Canada. In support of his arguments that the sole function of the CHA should be to register arms freely assumed by anyone who felt a desire for them, the critic in question cited the opinions of an Italian professor of law expressed in the first treatise on armory written from a legal perspective, (the *De insigniis et armis* of 1355) as if they represented principles and practices that were not only *universal* at the time, but *immutable* thereafter. Dr. James set out to demolish this naïve and ill-informed idea, and did so very effectively and at great length. His thesis has been thoroughly revised for its new rôle as a learned article, and certain of its arguments replaced by others that were more easily maintained. In its present form I believe that it provides a very useful history of the evolution not only of the more important elements of the ‘Laws of Arms’ as they have pertained to armorial emblems, but of the institutions through which those laws were created and enforced in England, from the time of their first appearance to the present. It thus supplements the articles by Christopher Mackie that appeared in the last two issues of this journal, both by tracing the history of the relevant English laws before they were received in Canada, and by indicating what sorts of things those laws actually entailed. It concludes by showing how the granting of arms and other armories fits into the Canadian Honours System, and indicating some of the ways in which recent changes in Canadian law have affected and will affect the Canadian version of the English Laws of Arms.

The next four articles all deal with the single theme of what *form* of the arms and achievement of our Queen should be displayed behind the bench on which the judges of the regnal-federal and provincial courts of Canada currently sit. All four articles have been published before in other journals, but it seemed useful to republish them as a set, in chronological order of their first appearance, in order to indicate the different levels of understanding of fundamental armorial matters that currently exist even among citizens with an expert knowledge of constitutional law. The first and third articles, by then District Registrar (now Mr. Justice) Murray Blok of the Supreme Court of British Columbia, argue that

the proper arms and achievement to display are what he and many other judges apparently regard as the Queen's *personal* arms: that is, the arms and achievement borne by British Monarchs between 1837 and 1910 throughout the British Empire, and still borne in England, Wales, and Northern Ireland. The achievement in question was of course set in a carved and painted form in almost every courtroom in Canada before 1921 (when George V legally assumed a new achievement in right of Canada), and as most of these carvings are still in place, the achievement they represent seems to those familiar with them to be the proper one. In the third and fourth articles of the set, first Mr. Justice Wright of the Ontario Superior Court, and then Christopher Mackie (a practising barrister in British Columbia and the author of the earlier articles alluded to), demolish this widely-held belief by demonstrating beyond a shadow of a doubt that since 1921 (and especially since 1931, when Canada became an independent kingdom in every respect equal to the mother country) the correct form of achievement for use in courts where the judge in question was appointed by the monarch in right of Canada has been that adopted by George V in the former year, and the correct form for use in courts where the judge was appointed by the monarch in right of a province has been the achievement representing his or her authority in that province.

It is significant that their arguments — written before the publication of my own article on the regal-regnal achievement divided between the second and third issues of this journal, and unknown to me when I wrote it — support unequivocally the position I took therein on the significance of the same set of achievements. They demonstrate from a legal perspective that *all* of the arms and achievements actually employed by our Queen, British no less than Canadian, are emblems of her regal *dignity* and *authority* within *particular sovereign jurisdictions*, rather than anything that could be described as 'personal' emblems. In fact, they are all entirely lacking in elements indicative exclusively of her ancestry (unless one counts the arms of France quartered with those of her current realms in the compound arms for Canada), and the only unequivocal sign that they represent a person at all is the presence of the insigne of the principal order of knighthood or merit surrounding the regal escutcheon in the achievements used in England, Scotland, and Canada as a whole.¹

The only real criticism that I would make of the articles by Wright and Mackie (which I have edited only to make them conform at least visually with the style of this journal, and by adding captions to some of the figures) is that they consistently refer to the complex armorial emblem that is properly called an 'achievement' by the terms that properly designate only the emblematic design on the escutcheon set at its centre: either 'arms' or 'coat of arms'. This is a distinction of fundamental importance for understanding the nature and treatment of armorial emblems, and should *always* be indicated by the use of the proper terms. It would also have been useful if they had called the form of the compound emblem actually displayed by its distinctive name of 'great' or 'greater achievement', as abridged 'middle' and 'lesser' versions created through

¹ It would of course be possible to establish a personal coat of arms for Her Majesty, composed of the arms of her own lineage, the House of Wettin, and of the earlier dynasties from which her great-grandfather Edward VII von Wettin inherited the thrones of England and Scotland, arranged in reverse order in quarterings. The resultant coat would be quarterly of six, Este-Welf, Stewart, Tudor, Plantagenet, Normandy, and Cerdinga of Wessex, with Wettin on an inescutcheon over all. Prince Charles, who through his father is an Oldenburg, could bear the arms of that lineage on the inescutcheon over a coat with Wettin in the first quarter. The whole could then be set over the arms of each kingdom or province as a form of personal arms for local use.

the omission of certain elements have long been used by agencies of the various Crowns of which our Queen is quite separately the embodiment. It might also have been useful to point out that the garter set around the escutcheon of what is properly called '*the Great Achievement of the Queen of the United Kingdom of Great Britain and Northern Ireland for use in England, Wales, and Northern Ireland*' is the insigne of the senior order of knighthood of England, and is not normally included even in the achievement displayed in Scotland, where the collar of the Order of the Thistle is substituted for it. It was only displayed in Canada because — partly as a matter of convenience, and partly as a sign of the dominance of England over the other parts of the United Kingdom — the *English* form of the royal (or regal) achievement for the United Kingdom was long used as an emblem of general purpose throughout the British Empire.

The final article, by Auguste Vachon, a retired herald and one of the most distinguished heraldists in Canada, explains for the first time how it was that the Province of Nova Scotia — the very first of the future provinces of Canada to be granted its own armorial achievement, in 1625 — came to be assigned a completely different one at the time it entered the Confederation of 1867 and became part of the new Dominion of Canada. Vachon examines the history of the significance and forms taken by every element of the 1625 achievement, especially the Indian/ wild man used as the dexter supporter, and demonstrates that the representatives of Nova Scotia who approved the new arms granted in 1868 must have been fully aware of the existence of the older arms and achievement, which had continued in use in many contexts. He explains their willingness to abandon what is now regarded as a much superior as well as an historic emblem on the basis of political squeamishness and deference to the surprisingly ill-informed opinions and aesthetic prejudices of the leading Canadian armorist of the day, Edward Marion Chadwick. In fact, Vachon's account of the rôle played by Chadwick in the affair redounds entirely to the discredit of the latter, and has certainly lowered my own opinion of him both as an armorist and as an armorial designer. Vachon concludes with an explanation of the revival of the 1625 achievement in 1929, and of the subtle changes introduced into it at that time, having elucidated to a remarkable extent what had been on of the most obscure and inexplicable series of developments in the history of Canadian jurisdictional armigery.

Sommaire français

Ce troisième numéro indépendant de « Alta Studia Heraldica » inclut sept articles, dont cinq qui continuent les thèmes largement juridiques de ses deux prédécesseurs, et autres cinq, dont quatre des cinq premiers, traitant des différentes formes d'armoiries d'usages courant et historique représentant l'autorité royale au Canada - poursuivant ainsi le thème d'articles de l'éditeur lui-même sur ces questions. Quatre d'entre eux soulèvent de telles questions par trois éminents juristes sur la question des armoiries royales et provinciales, un autre trace l'histoire étrange des armes royales utilisés dans la seule province de la Nouvelle-Écosse, et un autre trace l'histoire générale des lois et des institutions régissant les droits armigéraux en Angleterre et leur pertinence pour les lois similaires du Canada d'aujourd'hui. Le premier article, de l'éditeur lui-même, est une suite à la première de la série sur l'histoire de la taxonomie ou la terminologie générale en français et en anglais utilisé par des héralds dans les documents officiels et par les héraldistes en discutant des différents types d'emblèmes héraldiques. Il traite de l'évolution de la troisième période de cette histoire, entre 1330 et 1660. Plutôt que de traiter directement avec l'histoire des termes eux-mêmes, toutefois, cet article expose le contexte culturel de cette histoire, discute des nombreux changements profonds qui ont

eu lieu durant cette période dans le formes et des usages des emblèmes, ainsi que la croissance rapide des variétés des espèces et des familles, de plus en plus en concurrence entre eux, parle des situations sociales et des contextes physiques dans lesquelles ces emblèmes ont été utilisés; montre les types de source écrite dans lesquelles ils ont été nommées et décrites, en particulier des traités sur les armoiries et lettres conférant des emblèmes héraldiques, et des langues dans lesquelles ces travaux ont été en fait rédigés. L'article se divise en trois parties, dont seule la première, traitant les œuvres littéraires et didactiques de la Période, et surtout les traités de blason ou d'armorie, se trouve dans ce numéro.

**The Design of the Heraldic Banner of
H. R. H. Prince Charles as Crown Prince of Canada
recently approved by the Chief Herald of Canada**

*Le dessin de la Bannière héraldique de
Son Altesse royal le prince Charles comme Prince héritier du Canada
approuvé récemment par le Héraut en Chef du Canada*



NOTES ON THE CONTRIBUTORS **NOTES SUR LES COLLABORATEURS**

D’Arcy Jonathan Dacre Boulton. See the biography in *ASH 2*, pp. v-vi. Along with a number of other Fellows, Directors, and active members of the R.H.S.C., he was honoured in May 2012 with a Queen Elizabeth II Diamond Jubilee Medal for his services to the understanding and correct use of heraldic emblems in Canada.

Keith James. Dr. James is a physician who practised for many years in Canada, but has recently returned to his homeland of Wales. He has long been interested in heraldic matters, and completed his qualifications for the Licentiate of the R.H.S.C. by submitting the thesis that formed the basis of the article published in this issue.

Murray B. Blok. Mr. Justice Blok was at the time he wrote the two articles republished in this issue a District Registrar of the Supreme Court of British Columbia, and has been since 2008 a full Justice of that court. He is not a heraldist, but nevertheless feels strongly about the importance of the correct royal emblems in courtrooms in his province and in Canada as a whole.

John deP. Wright. Mr. Justice Wright was at the time he wrote his article rebutting the opinions expressed by Mr. Blok, and remains today, a Justice of the Superior Court of Ontario. Although not a learned heraldist, he is much more conversant with the ‘Laws of Arms’ as they apply to the meaning and use of royal arms and achievements than Mr. Blok.

Christopher S. T. Mackie. See the biography in *ASH 2*, p. vii

Auguste Vachon. Long resident in Ottawa, Mr. Vachon was born in Sturgeon Falls, Ontario in 1941. He earned an Honours B.A. (1965) and M.A. (1973) in history from the University of Ottawa, and in 1977, participated in an international archival science training session at the Archives nationales de France. In the meantime he had joined the Heraldry Society of Canada in 1967, and become a curator in the Picture Division of the National Archives of Canada, with responsibility for the preservation of heraldic and sigillographic documents. In 1975, he was promoted Head of the Special Collections Section of the Archives, which conserved heraldic documents, medals, costume documentation, and posters. From 1970 to 1987, he served as Assistant Editor of the journal *Heraldry in Canada*, and in the latter year became its Editor. He served for several terms as a Director of the Heraldry Society of Canada, and was elected a Fellow of the Society in 1983. In 1988, his expertise was further recognized by his appointment as Saint-Lawrence/ Saint-Laurent Herald and Registrar of the newly-founded Canadian Heraldic Authority. He has since been elected an Associate Member of the Académie Internationale d’Héraldique, appointed an officer of the Most Venerable Order of St. John, and received the Queen Elizabeth II Golden Jubilee Medal for Canada. He has published extensively on heraldic subjects in various journals in Canada and abroad. His assistance is acknowledged by the authors of a number of heraldic works. In 1988, researched and prepared the manuscript for a publication entitled *The Great Seal of Canada*.

He was one of the consultants and author of *Encyclopedia Canadiana* (1985-1988) and has contributed to the *Dictionary of Canadian Biography* (1966-94). He adapted to French Kevin Greaves' *A Canadian Heraldic Primer* (2003), under the title *L'Abécédaire canadien de l'héraldique*. He was twice the Beley Lecturer at the Annual General Meeting of the Heraldry Society of Canada, delivering lectures titled '*Heraldic Treasures of the National Archives of Canada*' (1988), and '*Canadian Heraldic China*' (2001). He was one of the organizers and a lecturer at two international congresses held in Ottawa: the 9th International Congress of Vexillology (1983), and the 22nd International Congress of Genealogical and Heraldic Sciences (1996). He also co-edited the proceedings of the latter Congress, which included the catalogue of a display, *Lasting Symbols of a Nation*, which he had prepared for the occasion. He has researched and organized a number of major exhibitions with catalogues at the National Archives of Canada, including *Heraldic Art in Canada* (1969), *An Exhibition of Armorial Silver from 'The Henry Birks Collection' of Canadian Silver* (in collaboration with Robert Pichette, 1976). In 1988, he was a guest curator at the National Museum of Civilization to prepare an exhibition celebrating the 25th anniversary of Canada's flag. When he retired from the position of Saint-Laurent Herald at the Canadian Heraldic Authority in 2000, he was named Outaouais Herald Emeritus and was granted supporters as an augmentation to his arms by the Governor General of Canada. He and his wife Paula have assembled a collection of Canadian heraldic china numbering over 1100 pieces, examples of which are presented on their website devoted to this subject.



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H. R. H. Prince William of Wales as Hereditary Prince of Canada
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*Le dessin de la Bannière héraldique de
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