

ALTA STUDIA HERALDICA

The Scholarly Journal of the
Royal Heraldry Society of Canada

La revue savante de la
Société royale héraldique du Canada

HONORARY EDITOR - *ÉDITEUR D'HONNEUR*

Sir Conrad Marshall John Fisher Swan

KCVO, KGCN, BA (Windsor), MA (W. Ont.), PhD (Cantab.), LLD, FRHSC, FSA, Garter Principal King of Arms Quondam

EDITOR - *ÉDITEUR*

D'Arcy Jonathan Dacre Boulton

UE, MStJ, BA Hons (Tor.) MA, PhD (Penn.), DPhil (Oxon.), FRHSC, FSA, AIH, Professor of Medieval Studies and Concurrent Professor of History, University of Notre Dame

ASSOCIATE EDITOR - *ÉDITEUR ADJOINT*

Patrick T. Crocco

BA (Brock), LLB (Ottawa), MSc (LSE), LLM (Lond.), Barrister and Solicitor, Member of the Law Societies of Upper Canada and of England & Wales, Counsel to the Federal Department of Justice, Reserve Legal Officer (Major) with the Office of the Judge Advocate General for the Canadian Forces

EDITORIAL BOARD - *COMITÉ DE RÉDACTION*

Adrian Ailes

BA (Read.), MA (Lond.), DPhil (Oxon.), FHS, FRHistS, FSA, AIH, Principal Record Specialist, Early Modern Records, The National Archives, England, General Editor, The Harleian Society

Richard John William d'Apice

KGHSep, AM, LLB (Sydney), FSAG, AAIH, Solicitor of the Supreme Courts of New South Wales and the Australian Capital Territory, President of The Australian Heraldry Society

Brigitte Miriam Bedos-Rezak

L-ès-L (Paris IV: Sorbonne), Archiv-Pal (Éc. Chartes), FSA, Professor of History, New York University

Gerard J. Brault

Off. O. Palmes académiques, Off. O. Nat. du Mérite, M.O. Francophones d'Amérique, BA (Assum.), MA (Laval), PhD (Penn.), LittD (Assum.), FHS, FSA, FMAA, (ex-AIH), Edwin Erle Sparks Professor Emeritus of French, Pennsylvania State University

James Frederick Ransom Day

BA (Stetson), MA (Fla.), MA (Oxon.), PhD (Duke), AAIH, Prof. of English, Troy State Univ., Alabama

John Joseph Fitzpatrick Kennedy

K(MagG&Ob)SMOM, BA Hons (St Thom. U.N.B), MA, PhD (Tor.), FRSAI, FRHSC, AIH, Emeritus Professor of Philosophy and the History of Science, Centennial College, Toronto

Vicken Koundakjian

SBSStJ, MSM (Sultan of Qua'iti), Cand. Truaduct. (ISTI, Bruxelles), CAAP (ICA, Toronto), BA Hons (Carlton), Counsellor (Diplomatic), Government of Canada

Duane L. C. M. Galles

KC(Star)OHSep, KMSCOSStG, KMGSovMOM, OSStJ, BA (G.Wash.), MA (Minn.), JD (Wm. Mitch.), JCL, JCD (St Paul), PhD (Ottawa), AAIH, FSA Scot, Attorney-at-Law, Minnesota

Jonathan David Arthur Good

BA (Dart.), MA (Tor.), PhD (Minn.), FRHSC, Assoc. Professor of History, Reinhardt Univ., Georgia

Peter Kurrild-Klitgaard

KStJ (Brand.), BA, MSc (Cop.), MA (Colum.), PhD (Cop.), FSA Scot, AAIH, AAIG, Professor, Univ. of Copenhagen, Vice-President, Scandinavian Heraldic Society

Christopher P. M. McCreery

MVO, OSStJ, BA (W. Ont.), MA, PhD (Queens), FRCGS, FCNRS, Private Secretary to the Lieutenant Governor of Nova Scotia and Comptroller of Government House, Halifax

Robert Pichette

ONB, BA, D ès L, (ex-FRHSC), AIH, Dauphin Herald of Arms Extraordinary, CHA



EDITOR'S PREFACE – PRÉFACE DE L'ÉDITEUR

The publication of the fifth numbered (and fourth independent) issue of *Alta Studia Heraldica*, in principle representing the years 2012-13, has been delayed by a number of factors, too tedious to recount, but is here finally published in its electronic version. Readers may note a change of font in the articles proper, from Palatino to Palatino Linotype (which has a wider spacing between the lines), necessitated by the inability of the editor's new operating system to represent footnote numbers in Palatino in a legible size.

As in its predecessors, the five articles in this issue, arranged in chronological order by subject, cover a wide range of topics over a very long period of time. In the first, Scott Hanwell examines the history of the use of different forms of naval crown, first in Roman Antiquity, and then since their revival by the Dutch in 1653, in the Netherlands, Denmark, the British Empire and Commonwealth, and finally Canada. He demonstrates that before its assignment as a charge in an English grant of arms of 1658, it represented victory at sea, but that since then in British and Commonwealth contexts it has represented any sort of association with the navy, especially in the badges of ships and naval formations and institutions, and in the arms of naval bases and institutions. The article concludes with the recent use of the naval crown as a motif in the personal armories of Canadian naval officers, including several closely associated with the R.H.S.C.

In the second article, on the development of the practice of displaying the 'grand cross' of the knightly Order of St. John behind the shield of those knights entitled to it, John Kennedy starts out in the late *fifteenth* century, when the Order was still based in Rhodes, and concludes in the middle of the *eighteenth* century, not long before its loss of Malta to the French revolutionaries in 1798. It begins with an examination of the development of the practice of wearing a large version of the Order's cruciform badge by the most important officers of the Order, and the parallel development of the classic rosary and its association with the knights of the Order. It then proceeds to trace, primarily on the basis of funerary monuments, the history of the display of both cross and rosary by the

Knights Grand Cross of the Order.

The third article, by Richard d'Apice, is set mainly in the *nineteenth* century, and discusses the arms and armiger practices of the British governor of the Australian colony of New South Wales from 1810 to 1821, Lieutenant-Colonel Lachlan Macquarie, and their complex relationship both to the traditions of his clan in Scotland, and to the amazingly varied arms later attributed to him *and* his clan both in Australia and in Scotland. The misunderstandings underlying these variations — arising to a great extent from the failure of armigers in remote regions to conform to the norms established by national heraldic authorities, and from the failure of the latter to take note of the actual practices of such armigers — have many parallels in Canada in the same period. A good example involves the arms *assumed* by the first Anglican Bishop of Toronto, Dr. John Strachan, on the basis of that of the chief of *his* clan, and later used by his second academic foundation there, the University of Trinity College, impaled with the *granted* arms of his diocese.

The fourth article, by the Editor of this journal, is the long version of a lecture presented at the XXXIInd Congress of Genealogical and Heraldic Sciences held in Oslo, Norway, in August 2014. It first presents a schematic account of the creation of the armorial achievement of the United States by four successive committees of the Continental Congress between 1776 and 1782, and then a more detailed account of the many ways in which its three principal elements — arms, supporter, and crest — were misrepresented over the next century and a half, especially by agencies of the federal government itself, as a result of the general ignorance of all matters heraldic that came to prevail in the Republic in the decades after Independence.

The fifth and final article, by Patrick Crocco, deals with events in England in the middle years of the twentieth century, when in 1954 in the Corporation of the City of Manchester effectively revived the moribund (and misleadingly-named) High Court of Chivalry to deal with the misappropriation of its achievement by a commercial establishment, and in the following decade the Association of Municipal Corporations approached the College of Arms to help its members achieve a more reliable form of legal protection for their armiger rights. The article recounts the (ultimately unsuccessful) discussions between the current Garter Principal King of Arms, Sir Anthony Wagner, and the Permanent Undersecretary of the Home Office, Charles Cunningham, in the years 1964-67, on the ways in which the old court could be modified to deal with the misuse of armories in the modern world.

Sommaire en français:

Ce cinquième numéro de « Alta Studia Heraldica » comprend cinq articles, disposés dans un ordre chronologique.

Le premier, par Scott Hanwell, traite de l'histoire de la couronne navale comme signe symbolique et insignial, inventé par les Romains avant le commencement de notre ère, restaurée par les Hollandais en 1653, et empruntée plus tard par les Britanniques et les Canadiens pour représenter n'importe quelle association avec l'armée marine, surtout dans les badges et les armoiries.

Dans le deuxième article, John Kennedy examine l'histoire de la pratique adoptée par les grands officiers et baillis d'honneur de l'Ordre de Saint Jean de Rhodes de mettre la 'grande' version de la croix blanche de leur Ordre derrière l'écu de leurs armes personnelles — qu'elle soit seule, ou accompagnée d'un chaplet du rosaire.

Le troisième article, par Richard d'Apice, examine les armoiries (les armes et le cimier) et les pratiques armigéaux du cinquième et dernier gouverneur autocratique de la colonie britannique de New South Wales (et 'Père d'Australie'), le lieutenant-colonel

Lachlan Macquarie, et les rapports entre les deux et les traditions de son clan en Écosse et les armes et cimiers incroyablement diverses attribuées plus tard à lui et à son clan en Australie et en Écosse.

Dans le quatrième article D'Arcy Boulton présente une étude sur l'origine du cumul armorial (ou des armoiries) des États-Unis comme république fédérale, et des diverses manières de la méprise et de la déformation des emblèmes dont il est composé (les armes, le support, le cimier), dans des contextes officiels et non-officiels, entre son adoption en 1782 et 1920.

Enfin, dans le cinquième article, Patrick Crocco présente un examen attentif des documents archivistiques publics qui éclairent les efforts sérieux, mais vains, du Garter King of Arms Sir Anthony Wagner et des plusieurs sous-ministres et fonctionnaires subalternes du Home Office, suite à la restauration du High Court of Chivalry en 1954, pour élaborer une politique qui aurait appuyée l'introduction d'un projet de loi pour mettre ce tribunal ranimé sur une base législative.



**The Design for the Heraldic Badge and Coronet of
H. R. H. Prince Charles as Crown Prince of Canada,
proposed by the Editor of this Journal in a lecture
presented at the Annual General Meeting of the
Royal Heraldry Society of Canada
in Nanaimo, B. C., in 2012**

*Le dessin du badge et de la couronne mineure héraldique de
S. A. R. le prince Charles, comme Prince héritier du Canada,
proposé par l'Éditeur dans une communication présentée
à l'Assemblée annuelle générale de la
Société Royale Héraldique du Canada
à Nanaimo, Colombie britannique, en 2012*

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

D’Arcy Jonathan Dacre Boulton. Editor of *Alta Studia Heraldica*. See the biography in *ASH 2*, pp. v-vi, and his entry in the list on p. i of this issue.

Patrick T. Crocco, a barrister and solicitor practicing in Ottawa, Ontario, has been a member of the Law Society of Upper Canada since 1996 and of the Law Society of England and Wales since 1998. He is currently counsel to the federal Department of Justice and serves in the Primary Reserves of Her Majesty’s Canadian Armed Forces as Deputy Judge Advocate (Central Region) with the Office of the Judge Advocate General.

A graduate of l’École secondaire Confédération (Welland, Ontario), Major Crocco received a B.A. in History and Political Science from Brock University (St. Catharines, Ontario) in 1991, an LL.B. from the University of Ottawa in 1994, an M.Sc. in International Relations from the London School of Economics and Political Science in 1997, and an LL.M. with a focus in public law from King’s College London, University of London (England), in 2000.

Prior to joining the federal government in Ottawa, Major Crocco began his career in London, England, with the Department of Foreign Affairs at the Canadian High Commission in Mayfair. He subsequently practised international corporate, securities, and financial services law for four years with PricewaterhouseCoopers Legal LLP in the City.

Major Crocco has had a long-standing interest in the legal and historic aspects of heraldry, and examined the history and legal foundations of the High Court of Chivalry as part of his graduate studies. He took full advantage of the easy access to the British Library, Public Record Office and College of Arms (and to the patience of Lancaster Herald) during his sojourn in London, and met many fascinating experts in the heraldic and related fields. He does regret not having had the opportunity to meet the recognized expert on this subject, G.D. Squibb L.V.O., Q.C. (Norfolk Herald Extraordinary), who wrote the principal account of the history of the High Court of Chivalry in his *The High Court of Chivalry: A Study of the Civil Law in England* (Oxford, 1959), but who had sadly passed on several years prior to Major Crocco’s arrival in the ‘sceptr’d isle’.

While researching this paper, Major Crocco was delighted to find that one of the key players in this tale was available and willing to be interviewed. Sir James Swaffield, C.B.E., R.D., a veteran of the Second World War (Royal Navy) and fellow solicitor, was the catalyst for the machinations in the 1960s to place the High Court of Chivalry on a statutory foundation. Sir James and Lady Swaffield graciously hosted him at their lovely home in Beckenham, Kent, and over several cups of tea gave some very interesting background information, which was quite useful in understanding the context of the story.

Richard John William d’Apice. See the biography in *ASH 2*, p. viii. Since that was published, Mr. d’Apice was elected an Associate of the Académie Internationale d’Héraldique, and that honour is represented by the new postnominals after his name.

Scott Hanwell. Scott Hanwell works in product marketing in Canada's Hi-tech sector, and is a Licentiate of the Royal Heraldry Society of Canada (RHSC). He holds a B.A. in History (Calgary), an M.B.A. (Western Ontario), and a *Certificat français* (Quebec). Scott's interest in Heraldry was piqued during his service as a reserve officer in the Royal Canadian Navy. Enlisting in 1981, he progressed through MARS training, receiving his Reserve Upper Deck Watch keeper's certificate in 1983, and served both in several naval ships, and ashore at training establishments. Scott retired from the reserves as a Lieutenant Commander in 1990.

Scott served as a leader in Scouts Canada for seven years, and was active with Inn from the Cold, a shelter for Calgary homeless, for five years. He currently serves on the Board of the Naval Museum of Alberta Society and is a member the R.H.S.C., of the (English) Heraldry Society, the Harleian Society, the Naval Officers Association of Canada, the Royal Astronomical Society of Canada, and Mensa Canada.

John Joseph Fitzpatrick Kennedy. John Kennedy, who came to Canada from the United States after his military service there and completed a Ph.D. at the University of Toronto, recently retired from a long career teaching at Centennial College in Toronto. In recognition of his many contributions to its charitable activities, he was made a knight of the Roman Catholic branch of the Order of St. John (one of the two long been established in Canada), and in recognition of his contributions to heraldic erudition he was elected a Fellow of the R.H.S.C. and of the *Académie Internationale d'Héraldique*, and appointed a member of the Editorial Board of this journal.



- The Designs proposed in 2012 by the Editor for the Heraldic Coronets of
 (a) H. R. H. Prince William, as Hereditary Prince of Canada
 (Heir Apparent to the Heir Apparent to the Throne)
 (b) T. R. H. Princess Anne and the other Younger Children of a Monarch; and
 (c) T. R. H. the Children of all such Younger Children,
 as Princes and Princesses of Canada

- Les Dessesins proposés en 2012 par l'Éditeur pour les couronnes héraldiques de*
 (a) S. A. R. le prince Guillaume, comme prince héréditaire du Canada;
 (b) L. A. R. la princesse Anne et des autres enfants d'un monarque
 ou d'un prince héréditaire; et
 (c) L. A. R. les enfants de tous ces cadets ou cadettes,
 comme princes et princesses du Canada