

REMARKS ON HERALDRY.—III.

As the adoption of defensive armor effected important developments of heraldic forms, so when the use of firearms rendered defensive armor valueless, further developments arose, and these not at all of a desirable sort. When forms comparatively simple and readily distinguishable became unnecessary, more complex forms naturally came into use, until many absurdities have been introduced, especially during the Georgian era, such as pictures ("representations" as they are apologetically termed) of places of historical occurrences, of imaginary landscapes, of trophies of arms or flags, and the like, all utterly inconsistent with true heraldic spirit, which admits only of symbols or insignia of simple form, so describable in words that they may be constructed or portrayed by anyone. How can any heraldic artist who has never seen the "Fortress of Dustypoor"—probably razed to the ground long before now—or the "Capture of the Crapaud by H. M. Taurus," which even an eye-witness could hardly draw correctly, make a drawing of the arms of one whose ancestor gained a victory so important as to have been recorded by being charged (?) upon a shield, as if the pages of history were unequal to the task. Numerous instances quite as ridiculous as these may be quoted. American heraldry displays many monstrosities of this description in the "arms" (so called) of the various States and cities, and we are not quite free from such debased forms in Canada. For example, the Diocese of Niagara uses, *Per fess az, and vert, on a fess arg. between a representation of the Falls of Niagara ppr. in chief and a sprig of three maple leaves or, in base, a cross gu.** appropriate enough and *ben trovato*, but bad heraldry. The same may be said of the seal of the Municipality of Sunnidale, viz.: *az, in chief the sun in splendour or, and in base the representation of a valley ppr.*

While there has thus been a development into absurdities, there has been concurrently a lapse into archaic forms in the selection of symbols, and yet these are often arranged in compositions of, on the whole, bewildering complexity.

This kind of thing, which it is perhaps needless to say is the work of unskilful designers, who would have done better if they had known how, appears in the seals of city and county corporations and the like in this country; such as the adoption, for example, of a plough, an axe, a saw, and a bale of merchandise, and dropping them anyhow upon a field; or perhaps carefully arranging four such objects in as many quarters; a composition very likely to be entrusted to the care of Britannia and an Indian, or a Bushwhacker, as supporters, with "Industry, Intelligence and Prosperity," or something as ungrammatical and meaningless, for a motto, topped off with a beaver for crest.

The seal of the City of Toronto is designed after this manner, but shows an effort to reach something better in the adoption in the first quarter of the three lions of England, which, however, is really a piece of impertinence, "more creditable to the loyalty" of the designer than to his heraldic skill. These three lions, accompanied in the remaining three quarters by a steamboat, a garb (wheat-sheaf) and the inevitable

* Woodward's Ecclesiastical Heraldry gives a different blazon for these arms, but the writer submits that the above is more accurately in accordance with the arms of the province of Ontario, from which these are derived.

ble beaver, with supporters, motto, etc., as might be expected, make a composition sufficiently incongruous to scare a King-of-Arms of the ordinary kind into a condition of hopeless lunacy.

It is such heraldry as this that brought the whole science into disrepute, from which it has however emerged, so that the heraldic forms of the Victorian era show the highest development reached in any age.

Although it has been the custom from time immemorial for municipal corporations to use arms, it is the writer's opinion that such use by any aggregate corporation is of doubtful propriety. It would be better for all municipal and commercial corporations to charge their insignia directly upon the seal which indicates their corporate existence and corporate acts, instead of placing a shield upon the seal, except in cases where the shield itself constitutes a specific charge. And as a crest is a bearing of a military character (and consequently not borne by clergymen, who are not liable to military service, or by women), it is improper for any corporation to use one, except in the case of corporations especially invested with military power, or liable to render military service, either actually, as some great British trading companies, or theoretically, as the county corporations of Canada.

Crests, as the name implies, were originally carried on the top of the helmet. For use in this way they were necessarily simple in form, but since helmets have ceased to be used, the crest has become practically little more than a badge, and has consequently taken many complex forms. It is still in theory borne upon the helmet, and as the helm is the necessary part of a complete achievement it so appears in such a composition; consequently it is improper for crests to be such as could not be worn upon a helmet to advantage; that is, they should not be loaded with minute parts and charges which could not be readily visible if so worn, and much more should they not be such as to appear incongruous or ridiculous. One may well smile at the idea of a knight armed cap-a-pie and carrying on his head, for example, a full-rigged three-masted ship of the seventeenth century (Rankin of Perth, 1672); and this is moderate in the extreme as compared with many monstrosities which exist. It would almost seem as if heralds permitted to be adopted for crests the absurdities which persons ignorant of heraldry are always prone to introduce into armorial bearings. Other crests, though not so outre in appearance, are quite as absurd in other respects. For instance, the sun emerging from waves of the sea (Webster); one may wonder how the waves of the sea are to be placed in position and how retained when there.

When the debased period of heraldry began, the decadence of the science appeared first in the adoption of many vanities, such as requiring arms of kings and nobles to be blazoned with appellations for the tinctures and metals, taken from the sun, moon and stars, and from precious stones, and assigning to every metal, tincture and charge some meaning, for the most part arbitrary and fanciful, and founded upon no intelligible reason; all of which modern heralds very properly reject.

The methods by which a right to bear arms is acquired are but little explained in works on heraldry. Originally anyone assumed such as he thought proper, but when great importance became attached to armorial bearings as a feature of the feudal sys-

tem, laws were made to control and regulate their acquisition and use. It is generally assumed that such laws are still in force, a view which Heralds' Colleges naturally encourage. In the opinion of the writer there is now no such law, for when such enactments were passed they were in the nature of sumptuary laws, which always fail to secure respect, and sooner or later became effete; and were at all events made for the times and circumstances then prevailing, and as the times changed the reason of the laws ceased to exist and the laws lost their force. When heralds had power and authority to enforce such laws they were effectual, but as soon as such power and authority were withdrawn the laws became ineffectual. Therefore (in the opinion of the writer, at least) the original law revived, leaving it now open for a person to assume armorial bearings at his pleasure, provided he does so in good faith, and not for the purpose of giving color to claims to property, or to relationship, and not being those already borne by some other person, and also being devised in accordance with the duly recognized canons of heraldry. To show that this opinion is not a merely gratuitous one on the part of the writer, it may be pointed out that armorial bearings have now for many years been the subjects of taxation in England, with the effect that the statute law practically recognizes and allows the use of armorial bearings so long as the person using them submits to taxation. The law makes no enquiry as to the right or title, but only as to the actual fact of user. It will be said, however, that as the Queen is the fountain of honor, arms should therefore only be acquired by grant from her, or from persons acting by her authority; but that arms are "honors" is one of the erroneous and fanciful notions which have been imposed upon heraldry. No person will venture to assert that a figure which anyone may put on his seal is in any sense an "honor;" why therefore should such an assertion be made with regard to placing the same figure upon a shield? There is absolutely no difference whatever when heraldry is regarded in its true sense, for one is as heraldic as the other. The assertion that arms are to be regarded as honors is much the same thing as the dictum similarly laid down that no person can assume or change a surname without royal permission; a dictum which the courts in England have definitely pronounced to be unfounded and contrary to law. The right to use arms and the right to a surname are closely analogous; they are both evidences of descent and relationship, and marks to distinguish persons and families from other persons and families. They are both inherited at the moment of birth and neither can be taken away from anyone, nor is his title extinguishable by any means other than non-use for such a length of time that the arms or surname pass out of memory. A man born with the name of Smith may cease to call himself Smith, but he is nevertheless a Smith—that is, one of the family so named—and cannot by any possible process known to human nature make himself not so. Similarly he cannot by any process divest himself of the armorial rights to which he was born. The utmost he can do is to abandon their use, but doing so does not extinguish the title. The foregoing remarks, however, do not apply to all armorial bearings, for certain things are especially devised and used as honors, such as supporters, which one can no more assume at