

C A P. VIII.

§ I. **C**ONCERNING the Officers appointed for the service of the Order, to give it a greater degree and augmentation of Honour, the Founder constituted a *Prelate*, *Register* and *Usher*, assigning them several Duties. Some of his Successors added the *Chancellor* and *Garter*, and all of them Sworn to be of the Council of the Order; among these the *Prelate* and *Chancellor* are usually nominated the Principal, the other three the inferior Officers of the Order.

IN this Chapter we shall give some account of their Institution, Oath, Habit, Ensigns, Privileges and Penalties; for as to the nature of their Offices and their Duties, they are for the general, Recorded in the Black Book, under the Title *Constitutiones ad Officiales Ordinis [Garterij] peculiariter attinentes, &c.* Upon the Establishment, *Anno 13. Hen. VIII. 1521.* and annex'd to his Statutes, and more particularly their Duties, will occur in several places of the ensuing Discourse, where they properly fall in to be Treated of, as follows;

THE *Prelate* is the first and premier Officer, and in the Founders Statutes, call'd *Prelatus Ordinis*; and that the then Bishop of *Winchester*, *William de Edyngton* was the first *Prelate* is very obvious from thence; he is an Officer of Honour only, and hath neither Pension nor Fees allowed him by the said Constitutions; this Office is vested in the Bishop of *Winchester*, for the time being; and from the Annals of the Order it's manifest his Successors have continued Prelates to this Day, except the interruption only of a few Months, *Anno 7. Ed. 6.* immediately after the Publishing this King's Statutes; wherein the other Four Officers were constituted anew, to attend the Order, but the *Prelate* wholly laid by.

WHAT high reputation this See hath been favour'd with, may be collected from an Act of Parliament, 31. *Hen. VIII.* concerning the Placing of the Lords in Parliament Chamber, and other Assemblies and Conferences of Council, whereby this Bishop had Place assigned
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him next to the Bishop of *Durham*, who hath place by that Act, next the Archbishop of *York*; tho' before in respect of the prehemence of this noble Order, he had precedence and Place granted above all Bishops, and next unto the Arch-Bishops. At that Officers admittance he is oblig'd to take an Oath in the presence of the Sovereign or his Lieutenant, which consists of these particulars.

1. To be present in all Chapters, whereunto he is Summoned.
2. To report all things truly without Favour or Fear.
3. To take the Scrutiny faithfully, and present it to the Sovereign.
4. To keep secret, and not disclose the Councils of the Order.
5. To promote and maintain the Honour of it.
6. To withstand and reveal what is designed to the contrary.

THIS Oath is read in Chapter, by the Register of the Order, the Gentleman-Usher of the Black-Rod, holding the Book, whilst the Prelate Kneels between the Sovereign's Knees.

Of the R O B E.

As the Knights-Companions had their Surcoats bestowed on them, at the Sovereigns charge, and therefore called the Kings Livery, so had the Officers of the Order their Liveries or Robes out of the Sovereign's Wardrobe, and in particular the Prelate of the Order: For in the Rolls of the great Wardrobe, we find that *William de Edyngton* had allow'd him for his Robe of the Sovereign's Livery, against the Feast of *St. George*, Anno 37. *Ed. III.* one Cloth of Sanguine grain, and a large quantity of Furs for trimming it up: And we find this Robe so assigned the Prelate to be of the fute or colour of the Knights-Companions Surcoats the same Year, viz. Sanguine in grain, and that he had a great allowance of Furr; for his being a Mantle was larger than any of the Knights Surcoats, tho' they are both call'd by the same name *Roba* in the Rolls of the Wardrobe. Anno 7. *Rich. II.* *William de Wyckham* then

then Prelate had the same allowance, one Cloth of Violet in grain and other Materials. But the Discrimination was in the Bellies of Minevers, whose Number was now much encreased, and that the same allowance was bestowed on him in the 11th and 19th Years of the said King. But in these three Instances the Colour of the Cloth was different, and suitable to the Knights-Companions Surcoats, those very Years, viz. Violet in grain, White and Blue, and *Anno 12. Hen. VI.* the Robe of *Henry Beaufort*, Cardinal and Prelate was White, as then were the Surcoats of the Knights-Companions, whence it is evident the Livery formerly allowed the Prelate annually varied in Colour, as did the Knights-Companions Surcoats.

In that ancient Precedent of the Liveries of the Garter, remaining in the great Wardrobe, wherein the Surcoats of the Knights-Companions are reduced to a Stated proportion in the measure of the Cloth, number of Furs and Garters, modeled out according to their state degrees, there the Prelate hath the following allowance for his Livery,

24	Yards of Woollen Cloth.	
18	Timber pur	} Minever.
18	Timber gros.	
3	Timber de Bifs.	

By all which it is manifest what Materials and colour the Prelate's Robe was of at the institution of the Order, and for a long time after, nor do we find any variation until the Reign of King *Hen. VIII.* and then this Habit was ordained to be Crimson Velvet, lin'd with white Taffaty, faced with blue, and thereon down the opening before upon the bordures, sundry Royal cognizances on the right side, the Rose of *England* Crowned, on the left side opposite one of King *Edw. IV's* Badges, viz. a Rose within the Sun Beams Crowned; and then the aforesaid Badges again *vice versa*, with more Damaskings; on the right side the Flower de luce of *France* Crowned, and on the left side King *Edw. III's* peculiar Badge, viz. The Sun Beams issuing out of a Cloud, and those Badges repeated in alternate situations; every Badge inter-

polated with an Area of Embroidered Damasking; Forty of these Clouds wrought of Gold, Silver and Silk, having in the middle the *Saxon* Letter *E* of Gold, were provided to him several Garments made for that King 21 *Edw.* III. and Embellished with Stars. As the left Shoulder of a Knight Companions Mantle, so the right Shoulder of the Prelates Robe is enjoined to be Embroidred with a Scutcheon of *St. George's* Arms, encompassed with a Garter, and adorned with Cordons of blue Silk mingled with Gold. After a while the colour of this Robe became changed to Murray. The allowance of Velvet 16 Yards, of white Sarcenet for Lining 12 Yards, and a Garter for the Shoulder, Embroidred with Purls of Damask Gold. But 23 *Eliz.* for the Livery of Bishop *Watson* then newly admitted, the quantity of Velvet was encreased to 18 Yards; but the Lining and Garter remained as it was, so also the Cordon, having Buttons and Tassels of blue Silk, and *Venice* Gold; the like Robe in all particulars were made for Bishop *Cooper*, and Bishop *Bilfon*, his Successors, *Temp. Eliz.*

ABOUT 12 *Car.* I. the Prelate and Chancellor Petition'd the Sovereign to restore them their ancient Rights and Privileges of Honour, in relation to their Ensigns and Robes upon their outward Garments, whereupon 13 *Car.* I. it was Ordered in Chapter, that the Knights-Commissioners (newly Established by that Chapter) should take into their consideration the Robes the Prelate and Chancellor were to be invested with, and certify the Sovereign the ancient Colour and Fashion; but nothing was effected untill after the Restoration, and then by Warrant under the Signet of the Order, Dated *February* 19. 13. *Car.* II. the Prelate had assigned him for his Livery of the Order, one Robe of Purple Velvet, containing 18 Yards, and 10 Yards of white Taffaty for Lining, as also the Arms of *St. George* within a Garter, wrought with Letters, and Purls of Damask, Gold and Pearls, having Laces, Buttons and Tassels of purple Silk, and *Venice* Gold; but what inducements the Sovereign had for so changing the Murray Colour for Purple, has not reached our Intelligence. The time he is obliged to Wear this Robe, is in express text
of

of the Constitutions, to be Yearly on the Vigil and Day of *St. George*, wherefoever he is at liberty, whether it be in Parliament, or any other solemn Occasion, or Festival whatsoever.

THE Honours conferred on this Officer, are, that his Post in all Proceedings and Ceremonies of the Order, is on the right Hand of the Chancellor; that he hath the Privilege of Marshalling his Arms within the ennobled Garter, and accordingly hath it been customary to surround them, impaling his See. He hath allotted him convenient Appartments within the Castle of *Windfor*, in a Tower Situated on the North-side, called *Winchester* Tower; and as often as he shall Arrive thither, or to any other Place at the Sovereign's Command, upon the Affairs of the Order, he ought to have allowed him of the Court Livery for Himself and Retinue, according to the Stipends, that Earls resident in Court do possess. 2 *Car. I.* This Officer (so well as the Chancellor) had the Honour allowed him, to Wear upon the left Part of his Cloak, Coat, and riding Cassock, at all seasons, when he should not be Invested with his Robe, and in all Places, and Assemblies, a Scutcheon of the Arms of *St. George*, but not enriched with Pearls and Stones. But not long after there was some restraint upon this Act, tho' I do not find it repealed.

§ 2. THE institution of the Chancellors Office, his Oath, Robe, Badge, and Pension next follows to be handled. At the Erecting this Noble Order, the common Seal was ordained to remain in the custody of whomsoever the Sovereign should please to lodge it, but expressly to be one of the Knights-Companions; among whom in after-times, Sir *John Robert Jack* is Stiled *Custos Sigilli Ordinis*, having the custody of it by Decree, 1. *Hen. VI.* by a Prolepsis of Speech, Styled Chancellor in the Black Book. But King *Edw. IV.* finding it requisite to fix the Office of Chancellor of the Garter, in a Person distinct from the Knights-Companions, and subservient to them, Decreed in a Chapter at *Westminster*, 16 *Regni sui*, That the Seal of the Order should be resigned to *Richard Beauchamp*, then Bishop of *Salisbury* to keep during

during pleasure, and he to be called Chancellor of this most noble Order; not long after by Letters Patent, under the Great Seal of *England*, Dated the 10th of *Oct.* 15. *Edw.* IV. this King declared, that tho' this Office was not expressed by the Founder's Statutes, yet was it nevertheless very useful, and therefore for the Advancement, and good of the Order, he constituted an Officer named Chancellor: And forasmuch as this Office was of great Import and Concern, and required an expert and able Person, it was His further Pleasure, that none but a Bishop should Execute it; moreover considering the Chapel of *St. George* at *Windsor*, was Founded within the Diocess of *Salisbury*, and having regard to the prudence and diligence of the said *Beauchamp*, who out of meer love to the Order, attended daily the progress of the Work, wherewith the King was then in hand for enlarging the Chapel at *Windsor*; he did therefore Ordain the said Bishop for the Term of his Life, Chancellor of the Order, and after his decease, his Successors, Bishops of *Salisbury*, should always have and hold the said Chancellor-ship; Nevertheless, provided that the King's Concession should be put in execution, by the Advice of the Knights-Companions, and without prejudice to the Bishop of *Winchester*, in those things which ought by the Statutes of Institution to belong unto him.

THIS Office thus conferred upon *Beauchamp* personally for Life, and perpetually to his Successors, Bishops of *Salisbury*, by vertue of this Grant continued Chancellors, nor doth it appear that any other Person had been invested therein, until *Ann.* 7. *E.* VI. that Sir *William Cecil*, then principal Secretary of State, was made Chancellor.

FOR upon Reformation of the Order by that King, his Statutes wholly excluded the Ecclesiasticks, and appointed that the Chancellors-Office should be executed by a Knight qualified, with Honour and Reputation to manage a Post of that Care and Fidelity; he thereupon appointed Sir *William Cecil*, Chancellor; And here first entred a secular Person, notwithstanding which in a Charter to the Bishop of *Salisbury*, 4 *Eliz.* (containing the Charters of *Queen Mary*, *H.* VIII. and

H, VII. and in another 4. *Car. I.* the forementioned Letters Patents, made to *Beanchamp*, by King *Edw. IV.* are therein recited *totidem verbis*, and confirmed as a Tacit Reservation of the Right and Title of those Bishops, whensoever the Sovereign should have a benign and propitious Aspect towards that See. The first of these Bishops who concerned himself for recovering this high Station to that See, was Bishop *Cotton*, who upon the Death of Sir *Edward Dyer*, sometime Chancellor, Petitioned the Sovereign, 6. *Jac. I.* and prayed Restitution thereof to the Church of *Salisbury*; but before any determination, the two chief Justices, and chief Baron was advised withal, who were of Opinion, that this Office was not compleatly or sufficiently annexed to the Bishoprick of *Salisbury* by King *Edw. IV.* But *Cook* in his Institutes, reports the point Void, upon the uncertainty of the Grant, for that a new Office was Erected, and not defined what Jurisdiction or Authority the Officer should Exercise; and there's assigned a third Reason, That the Grant was in the Sovereign's disposal, because the Patent was obtained without Fee; with one or more of these Opinions, the Sovereign's judgment being swayed, He forthwith nominated Sir *John Herbert*, one of His privy Council to the Chancellorship, and so this affair remained Silent, until *Anno 12. Car. I.* when *John Davenant*, Bishop of *Salisbury*, upon Sir *Francis Cranes* decease, remonstrated to the Sovereign his Claim to this Office, whereupon at a Chapter held at *Windfor*, 5th of *Dec.* that Year, the Sovereign propos'd to the Knights-Companions present, that tho' he had made Election of Sir *Thomas Rowe* for his Chancellor that time, yet understanding a Claim made by the Bishop of *Salisbury*, that the Place was annexed to that See, he commanded the Lords-Companions to take the pretence of right into their considerations; to which proposition of the King's, they answered that they thought it not their duty to search for the Title of any Person, but that if the Bishop did produce his Evidence and Proofs, he might present it in Chapter to be considered.

UPON this Encouragement, the Bishop presented a Petition, which was read in the Chapter at *Windfor*,

the 18th of *April* ensuing, to this effect, That King *Edw.* IV, by Letters Patent, had Erected this Office of Chancellor, and did then grant the same to *Richard Beauchamp*, Bishop of *Salisbury*, and his Successors for ever, in consideration that the Chapel of *St. George* was within their Diocess; that those Bishops had enjoyed the same, according to the Charter, which Charter had been confirmed under the Great Seal of *England*, by some other Kings and Queens, and lastly by the King himself. But that the use and exercise of that Office had for many Years been discontinued from them, praying therefore an Hearing, and Examination, that the right of the said Church might be preserved and restored. To the substance of which it was objected.

First, THAT the Great Seals of *England* did not work within, or upon the Statutes and Rules of the Order of the Garter.

Second, THAT no Grant could prescribe the present Sovereign, it being a Law Fundamental within the Order, *Suprema Lex was Suprema Voluntas*.

Third, THAT it did not appear by the Records of the Order, that the Office of the Chancellor was any otherwise conferred upon *Richard Beauchamp*, Bishop of *Salisbury*, than *quam diu Regiæ celsitudini complaceret*.

To the *First*, It was answered by way of Exception, as to the Grant of Offices, so far as the Great Seal of *England* was took into, and became legal within the Order in like cases; and not any Patent for an Office, had past under the Seal of the Order, but under the Great Seal of *England*, and in particular the Office of the Chancellor-ship, which had not been transacted, if any legal defect had been therein.

To the *Second*, granting it was so as was Objected, it appeared that the Sovereign was as much at liberty to restore this Office to the See of *Salisbury*, as continue it to secular Dignities.

To the *Third*, what was alledged out of the Records of the Order, related only to the time of delivering the Seals to Bishop *Beauchamp*: But afterwards when the Office was Erected by Letters Patent, it was then granted to him during Life. Something was replied from the Judges Opinions, even in this case, *Ann. Jac.*

R. VI. But the Sovereign thought it was not then well canvass'd and weigh'd, to permit the Chapter Acts of this Order, wholly independant from other Laws, to receive construction and determination from the common Law, and therefore declared that the Bishop ought to be heard; and to that purpose, gave him Orders to prepare the Vouchers and Proofs of his pretensions in vindication of his Petition, and to send them to be delivered to the Knights-Commissioners, elected for the affairs of the Order, for their consideration at the next Chapter, which was accordingly put in execution, and then referred to them again to be considered, prepar'd and abbreviated, to be perus'd by the Sovereign, for his final determination. But the *Scotch* War shortly after breaking forth, and troubles running high at Home, the further Prosecution was laid aside, and not revived until the 19th of Nov. Anno 21. Car. II. When *Seib Ward*, Bishop of *Salisbury*, took encouragement upon the former grounds, and the Sovereign's favour, to set on foot this Claim, by a Petition presented to the Chapter then held at *Whitehall*, where, after a full debate and mature deliberation had of its equity and just Foundation, he obtained a Decree for Re-establishment of this Office on the Bishops of that Sec, upon the first vacancy, Dated the 19th of Nov. 1669. and present his Majesty the Sovereign, the Dukes of *York*, and *Ormond*, Earls of *Oxford* and *Manchester*, Prince *Rupert*, Earls of *Bristol* and *Sandwich*, and the Duke of *Monmouth*.

Of the O A T H.

THE Oath the *Chancellor* takes at his Admission which we find to be the same with the Prelates, and in the like humble Posture upon the Knee, and usually Administred by the Register of the Order. As to his Robe, it was at first the same with the Prelates, both for Cloth and Colour, but his proportion of Cloth far less, having allowed him but 5 Yards, when the Prelate had 24, nor but 3 Timber of Minever grofs, where the Prelate had 19, beside a large quantity of other Furs; nor was the Colour confined to one kind, until the constitutions of this Office appointed it to be
Crimson

Crimson, as was the Prelates, for no doubt it was before annually changed, as his was to the Colour of the Knights-Companions Surcoats; however by the Picture of the ancient Habits of the Officers, it is conspicuous, it was debared the Royal Badges, wherewith the Prelates Rose was Embroidred; when the Colour of the Prelates Robe was changed to Murray, the Chancellors had the same Alteration and was Trim'd alike in all other particulars. The proportion allowed to Sir *Thomas Smith* for his Livery, *Anno 14. Eliz.* was 18 Yards of Murray Velvet, 12 Yards of Sarcenet for the Lining, one Garter wrought with Pearls of Damask Gold for the Shoulder, one Lace (or Cordon) with Buttons, and Taffels of blue Silk and *Venice Gold*, and the same Materials and Quantities were afterwards distributed out of the Sovereigns great Wardrobe, to the succeeding Chancellors.

BUT *Anno 13. Car. I.* The Prelate and Chancellor endeavouring a Reformation in this Habit, the Dye both of the Prelates and this Officers Robe was changed into Purple.

BESIDES this Robe, the Chancellor of the Order hath an honourable Badge of Distinction assigned him to wear, first granted to Sir *William Peters* and his Successors, the 9th of *October*, 1 and 2 *Ph.* and *Mar.* viz. a golden Rose enclosed within a Garter, which he and his Successors, Chancellors of the Order, have ever since worn daily about their Necks; at first it was Pendant in a Gold-Chain, but since in a Purple Ribband. It seems something of this Design had been in Agitation a little before, so soon as the Chancellorship became vested in a Layman; for King *Edward VI's* Statutes did Ordain, That the Chancellor should wear about his Neck a Cross of the Order, with a red Rose, in a white, of Gold, all compassed within a Garland of red and white Roses.

AND because it was suggested to King *Charles I.* That there were different Accounts and Uncertainties contained in some Books concerning the Wearing of this Badge, He, by Warrant dated at *Oxford* the 16th of *December* in the 21st Year of his Reign, 1645. ordained Sir *James Palmer* Kt. and Bart. Chancellor of the said Order, (and his Successors) should wear about his Neck at all

all times in Honour of his said Place, (that thereby he may be known to be of that Office and Dignity, as hath been accustomed) a Medal or Jewel of Gold enamelled with a red Rose, (within a Garter of Blue enamel, with this Sentence inscribed, *Hony soit qui mal y pense*) or such an one as we or the rest of the Knights-Companions of the said Most Noble Order of the Garter do or shall from time to time hereafter wear in our Collars of the said Order in particular Reference to us or them. And in the Reverse thereof, he shall bear the Escutcheon of Sr. George enamelled within a Garter also in reference to the Order it self, which he only shall wear hanging by a light purple Ribband, or in a gold Chain, as hath been accustomed.

AMONG the Officers of the Order, the Chancellor is seated next beneath the Prelate, and in all Proceedings and Sessions, goeth, and sitteth, on his left Hand: And as it was ordered by the Constitutions of the Officers, That if the Chancellor hapned to be a Layman, he should be also a Knight, and have other personal Endowments. So did King Charles I. conceive it requisite to confer some further Mark of Distinction upon this Officer, in relation to Place and Precedence without the Order; to which effect, there passed a Decree in a Chapter assembled by the Sovereign at Whitehall, the 23d of April, 1623. present, the Earls of Mulgrave, Montgomery, Rutland, Carlisle, Holland, Suffolk, Pembroke, Arundel and Surrey, Salisbury, Dorset, Bark-shire and Northampton, That Sir Francis Crane, the present Chancellor, and all others that should succeed him in that Place hereafter, shall, in right of that Place, in all Assemblies, and upon all Occasions, be ranked and placed immediately after Knights-Privy-Councillors, and before the Chancellor of the Exchequer, the Persons holding both Places, being in *Pari gradu*, and consequently before all others, whom the said Chancellor is to precede, &c.

AND to the intent the Chancellor of the Exchequer's Place may be certainly known, May the 20th, 21 Jac. I. it was thus established, That the Knights of the Most Noble Order of the Garter, the Privy-Councillors, the Master of the Courts of Wards and Liveries, the Chancellor and Under Treasurer of the Exchequer, Chancellor of the Dutchy, the Chief Justice of the Court of King's Bench, the Master of the Rolls, the Chief Justice of the Court of Common-Pleas, the Chief Baron of the Exchequer, and all other Judges and Ba-

rons of the Degree of the Coif, should have Place and Precedency in all Places, and upon all Occasions before the younger Sons of Viscounts and Barons, and before all Baronets, &c.

THE aforesaid Constitutions provide the Chancellor of the Order an Habitation within the Castle of *Windfor*, as well as the Prelate, which is the South-West Tower in the lower Ward of the Castle, call'd the *Chancellor's Tower*. The Possession thereof had been for some time in the Power of others; and therefore by a Chapter convened at *White-hall*, Nov. 5th, 5 Car. I. it was restored unto Sir *Francis Crane*, then Chancellor of the Order, and after his Decease, to descend to his Successors. These Constitutions also ordained him the like Liveries at the Table and Court of the Sovereign, as were allowed to the Prelate.

AT the first Erection of this Office, the Chancellor had no Pension awarded him, until the Constitutions in reference to the Officers were Established. At that time there was conferr'd on him a Pension of 100*l. per Annum*, in consideration of his Employment, or else an allowance proportionate in Fees, Offices or other Promotions, over and above his Lodgings in the Castle, and Liveries at Court. But as to Fees and Perquisites, there are none to be Claimed by this Officer; and for that Reason, he not only possesses the said Pension, but all his disbursements allowed him, even to Paper, Wax, and Wafers; and indeed those who enjoyed the Office esteem'd it as a degradation of their Post, to receive either fee, or gratuity for any affair Transacted within the Order; and Sir *Thomas Rowe*, sometime Chancellor, affirmed *That his Office was an Office of Honour, and not of Fees, and that he had always excepted against Fees, for the disbursement of the Sovereign's Money: Tho' he acknowledged some had bestowed on his Clerk a small gratuity, for the bare Ingrossing of an Alms Knights Patent, but nothing farther.*

AND because the Custody of the Seals of the Order, appertains to this Officer; it will be here the fittest Place to mention something of them. By the Statutes of *Edw. III.* they were to have a Common Seal. This is confirmed by the Statutes of King *Hen. V.* and since named the Great Seal of the Order. The use of this is not

not only to Seal the Original Statutes, appointed to remain perpetually within the Treasury of *Windſor* College, as alſo thoſe Copies of which each Knight-Companion is obliged to conſerve one, but likewise all Letters of Licence to any of the Knights-Companions deſirous of winning Honour abroad, and all Mandates and Certificates, relating to the Order.

AFTER what Model the firſt Seal was compos'd, we have no exact Relation. *Polydore Virgil* tells us, That when the Founder of the Order had fixed Choice of *St. George* for its Patron, he represented him Armed, and Mounted on an Horſe, bearing a Silver Shield, and thereon a Red Croſs, but whether *St. George* thus deſigned, was on the firſt Seal, or only a Scutcheon of his Arms, as in latter times, is uncertain. But his Author obſerves that the Founder Habited his Soldiers in white Jackets or Coats, and on their Breasts and Backs ſowed Red Croſſes, parallel to the Arms aſſigned to *St. George*, as well as to the Kingdom of *England*, put under his Patronage, which Arms the Sovereigns of the Order, have ever ſince exhibited in their Standards. But beſides this Common Seal King *Hen. V.* in the 9th Year of his Reign, Inſtituted a privy Signet, in caſe the Sovereign ſhould be called out of this Kingdom upon weighty Affairs. The intent thereof was to affix it to all Acts paſſed by the Sovereign beyond Sea, to diſtinguiſh them from thoſe of his Deputies in *England*. King *Hen. VIII's* Statutes, Ordain the making both of a Common Seal and Signet, and direct that the Arms of the Order ſhould be Engraven upon each of them. The Common Seal uſed in his Reign was a Garter, within it a Shield having the Croſs of *St. George*, impaling the National Arms, the ſaid Shield encompassed with two Branches hanging from the Regal Crown, which debruſes part of the Garter; the Signet being deſigned after the ſame manner, but leſs: *Temp. Jac. I.* it ſuffered no other alteration, but only in the National Arms, by admitting the Quarterings of *Scotland* and *Ireland*, and new-faſhioning the Crown, omitting the ſuſpenſion of the Shield.

THERE was a Seal made at the beginning of the Reign of King *Cha. I.* which being eſteemed too little for the Grandure and Honour of the Sovereigns Com-
miſſions,

missions, it was afterwards Decreed in Chapter, held 18th of April. 13. Car. I. That a new one should be made of a larger Size, with the accustomed Arms and Motto, and the care thereof committed to Sir Thomas Rowe, Chancellor; which Command he Executed with all due care and regard, as is manifestly evident by the nobleness of the design: One Representation being St. George, in Armour, adorned with a waving Mantle, his Bever open, his Helmet plumed, holding a Shield of his Arms in his left Hand, and striking with a Sword in his right, his Body mounted on a bold Horse, Trampling over a Dragon, which Assails the Champion, the whole Figure is well contracted, and the Sun, a Rock, the Bones of devoured Men, and a Mountain in Loimton, in it is Circumscribed, *Magnum sigillum Nobilis Ordinis Garterij*; having the enrichments of festons between every Word placed pentagonally: The other Representation, is the Royal Garter imperially Crowned, enclosing a Shield of the Arms of St. George, impaling the Sovereign's Arms, the same Bordered with Fret-work, and other Ornaments in Cartouche. In the same decree, direction was given also for a new Signet, the former being thought too big for Letters, and this was an Oval shaped so from its Impression, which was the Garter Crowned, wherein was St. George, and the Sovereigns Arms impaled.

It was at the same Chapter further decreed; " That
 " all Legations to deliver this Order to Foreign
 " Princes, all other Acts, bearing the Stile of Com-
 " missions, all Patents of Offices and Fees, all Grants
 " or Licences sent out of the Kingdom, should be Sealed
 " with this Seal, which should be henceforward called
 " the Great Seal of the Order; so also the Book of
 " Statutes, sent to Elect Knights or Foreign Princes,
 " being fixed to a Label of Blue Silk, and held ac-
 " cording to antient Custom; and that all Letters con-
 " cerning the Order, whether of signification of Electi-
 " on, or Lieutenancy, or Summons upon prorogation,
 " or other Directions from the Sovereign, should only
 " be Sealed with the Signet: Moreover, these Seals
 " were appointed to be thenceforth Born before the
 " Sovereign in all Publick Assemblies, during the
 " Celebration

“ Celebration of *St. George's* Feast, or in other its Solemnities by the Chancellor of the Order, in a Purse of blue Velvet,” and Command given to *Sir Thomas Rowe*, to provide one accordingly; on the fore-side of which Purse was richly Embroidred (by a Gold-Smith) with *Venice* Gold and Silver, Gold and Silver Purls and Plates, and variety of *Naples* Silks, the Arms of *St. George* impaling the Sovereign, surrounded with a Garter Crowned, having a very fair Running Work, or Compartment round about it, the charge of which amounted to 13 l. 16 s. 10 d.

By the Statutes of Institution, it was ordained, That in case the Knights-Companions, to whose care the Sovereign did commit the Seal of the Order, should upon lawful Occasions, be absent from Court, it behoves him to leave it behind him, with some other Knight-Companion to present, to the Sovereign, to the intent it might be always in readiness; but if the Sovereign be out of His Kingdom, then the disposal of it, was committed to the Deputies, and the Signet of the Order should have a Warrant for all such Acts and Decrees as should be confirmed there.

THE distance from Court was by the Constitutions, restricted to 10 Miles, and by the Statutes of King *Hen. VIII.* to 20. upon consideration whereof we find *Sir Thomas Rowe* Chancellor, having some occasions, *Anno* 13 *Car. I.* to be absent above 20 Miles, tendred the Seals to the Sovereign, who was pleased to dispence with the Statutes, and permitted him to keep them nevertheless.

§ 3. THE Registers Oath, Mantle, Badge, Privileges and Pension, fall next under our consideration; he was one of the three, Constituted at the Institution of the Order, under the Title of *Registrar* and *Registrarius*, and so is called in the Statutes of King *Hen. V.* elsewhere in the Books of the Order, *Scriba* and *Aquarius*. What were the first Registers, names we cannot discover, till the Reign of King *Hen. V.* But it may be presumed, they were Canons of *Windsor*; because this Office was at first assigned to one of that College; besides the Registers from the Reign of King *Henry V.* to the beginning of King *Henry VIII.*th Reign, were also Canons of this College, among whom

whom was *John Coningham*, (and the first found called so) as the Fragments of a Glass Inscription in *Clare Church* near *Windsor*, where he was Rector, attests. The first Dean of *Windsor*, Constituted Register of the Order was *John Vesey*, Anno 8. *Hen. VIII.* many of whose Successors in this Deanry, have since been admitted; nevertheless, as they were Canons not Deans of *Windsor*, and tis not improbable the Deans were Elected to this Office, as being enabled to support the Reputation of the Registership, with the Revenue of his Deanry, better than any of the Canons, with the addition of the Pension. But at a Chapter held at *Whitehall*, the 22d of *April*, 11 *Car. I.* The Sovereign thought it convenient that the Office of Dean and Register should concenter in one and the same Person, as formerly, and therefore commanded this his Pleasuer to be Enrolled among the Annals of the Order, that so it might pass in the future Times, from Example into Rule.

By the Constitutions of the Office, a secular Person is made capable of it, no less than an Ecclesiastick, how be it, *He is to be a Man of singular integrity*, eminent quality, a Knight, and signalized for Experience and Learning; but if an Ecclesiastick, then must he be a Person of consummate Erudition, a professor of Divinity or Law, either Canon, or Civil, and a Dignitarian in some Cathedral Church, or else a Canon at *Windsor*.

THE substance of his Oath in the Statute of the Institutions was, *That he should enter upon the Registry, with all Fidelity, the Scrutinies, Elections, Penalties, Reconciliations, and all other Acts relating to the Order, to which was added, that he shall faithfully Discharge his Duty in all things.* But in King *Hen. VIIIth* Days, the Oath enjoyned him, differs nothing from that of the Prelates and Chancellors.

At his Admission, he takes this Oath Kneeling, while the Prelate used to pronounce the Words as Anno 1 *Mar. 5.* and 6. *Ph. and Mar.* but in his absence, as Anno 3 *Eliz.* the Chancellor administred it. Anno 4. *Car. I.* the Prelate, Chancellor, and Register, took their Oaths at one time, and then it was thus Ordered; first the Register took it Kneeling between the Sovereign's Knees, the Black Rod holding the Evangelists, and the Garter read

read the Words out of the black Book; this done, the Register read the Words of the Prelates Oath, when he was Sworn; and in the last place, did the like to the Chancellor; after this manner did Garter read the Words to the Registers, admitted 11 *Car. I.* and 12 *Car. II.* We cannot trace the Habit this Officer had assigned him at the Erection of the Order; but it afterwards appears, that his Allowance was the same with the Chancellors, consisting of 5 Yards of Woollen Cloth, and 3 Timber of Minever gros, equalent to what those Knights-Companions had allotted, who were under the degree of an Earl: The Habit he is pourtrayed in, at a proceeding of King *Hen. VIIIth* Reign, shews it to be Ecclesiastical, a black Gown, a Surplice over that, reaching to his Ancles, and thereon a Mantle of Furs; but the Constitutions of his Office restricted him to none, wherein there seems a defect, since they have assignd Habits to the Garter, and black Rod. Notwithstanding by a Draught of the Officers in their ancient Dress, it is plainly demonstrable to be a Mantle, somewhat of a Russel colour, Faced with a Pane of blue, whereon is Embroidred a Flower-de-luce Crowned Gold, then another Pane red, thereon a Lyon Passant gardant Crowned Gold, and so they are alternately placed to the bottom; to this Mantle belong Cordons of Silk, blue and yellow.

SINCE that time, not only the Registers, but also Garters and Black Rods, Robes, underwent some Alterations; for by a Decree in Chapter, called at *St. James*, Jun. 1. 4 and 5. *Ph.* and *Mar.* these Officers were assigned Mantles of crimson Satin, Lined with Taffaty, and a Scutcheon of *St. George's* Arms, Embroidred on the left Shoulder, but not encircled with a Garter, having the same Buttons and Tassels as were appointed to the Prelate and Chancellor; the proportion of Satin assigned to each Mantle, was 14 Yards, and as many Yards of white Taffaty.

AND tho' the Registers Mantle was *Ann. 27 Eliz.* composed of the preceding Materials, and had like Trimming, yet they agree not in their Proportions, here being allowed 18 Yards of crimson Satin, and but 12 of Taffaty; from hence these Mantles continued immuta-

ble until the 20th of *Feb. 13 Car. II.* when there Issued a Warrant to the Master of the great Wardrobe, to prepare for this Officer, as also for Garter, and the Black Rod, for their Liveries Mantles of scarlet Satin, each containing 18, and 10 Yards of white Taffaty for Lining, but consonant in all other Punctilio's with the former; yet why the colour was altered, is not expressed.

THE Register seems to have been represented with a Scrowle in his Hand, for his Badge, and by the proceedings in Queen *Elizabeth's* Reign, Pictured with a Book, both proper Symbols of his Office. In Dr. *Christopher Wren's* Registership, the Sovereign Commanded him to cover the red Book of the Order with crimson Velvet, and assigned for the Garter, two Pens in Saltire, interlacing the Garter above with these two Letters C R Crowned, all being richly Embroidred, (as also the Border) with *Venice* Gold and Silver, and various colours of *Naples* Silk, by *Harrison* the Sovereign's Embroiderer, with a Clasp, in Imitation of the Garter, surrounding the Representation of *St. George*, which cost 12 l. 17 s. 6 d. This Book he was Ordered to bear before his Breast, on all Solemn Occasions when he wore his Mantle, and for his better Convenience, he made a Belt and an Ouch to hang it by.

So high a Regard had the Sovereigns of this Order, not only to this Officer, but likewise to Garter and Black Rod, that they took them into a particular Protection, and by the Constitutions of their Offices granted them, " That they, their Goods and Servants
 " should severally remain under the Safe-guard of the
 " Sovereign; and if any Injury or Violence should
 " chance to be offered them either by Subjects or For-
 " reigners, whensoever they should exhibit their Com-
 " plaint to the Sovereign, either himself or the
 " Knights-Companions should afford them Justice; but
 " if the adverse Party should refuse to submit his Cause
 " to the Sovereign, then the Sovereign and Knights-
 " Companions should shew themselves so far inclinable
 " towards these Officers, as to be ready to allow them
 " all favour, countenance, &c." consistent with Justice and Equity.

UPON the strength and Security of this ancient Privilege, to avoid the prolongation of a Law-Suit, Dr. *Christopher Wren* Register, Petitioned the Sovereign in Chapter, held at *Whitehall*, the 19th of *April*, 13 *Car. I.* against one *Thornhill*, who under Pretence of Digging for Salt-Peter, had so Undermined his Pigeon-house, Built on the Rectory of *Knoil Magna* in *Wiltsh.* that it fell down; and upon reading of the Petition, it was resolved by the Sovereign, and Knights-Companions, "That they would consider the Grant in the Constitutions, and, until it was farther declared, the Chancellor of the Order should have Power upon Information of any rigour upon Controverse begun in any other Court, to write Letters under the Signet of the Order, that all vexation against them should be superseded until Information of the cause were given to and determination in the Cause resumed by the Sovereign, or leave of him obtained to Proceed." After this it is set down, that *Thornhill* was Summoned before the Lords Commissioners of the Navy, and his negative Answer given in, and represented to the Sovereign in another Chapter, conven'd the 4th of *October* ensuing; whereupon it was ordered, "That the Chancellor should write to the same Lords Commissioners, and another to the Earls of *Pembroke*, *Arundel* and *Dorset*, three of the Knights-Companions, to Empower them, that they or any three of them, should cause the said *Thornhill* to be brought before them, and likewise write to any of the Inhabitants of *Knoil*, to view and testifie the Truth, to hear any further proof on the behalf of either Party, and to give Sentence according to Justice, that so a tedious Suit of Law might be prevented, and the Dignity of this most noble Order protected." These Commands of the Chancellor being Executed, and Certificates returned from the Country, the Knights Companions, in a Chapter held the 23th of *May*, 14 *Car. I.* were moved to peruse them; but before they could meet, *Thornhill* fled, and the Prosecution of this business ceased. Upon the same footing was it, that the said Dr. *Wren* obtained from King *Cha. I.* His Gracious Protection for himself, Servants, and Estate, literally expressed in the late War, as the

Violaters of that Order would answer this our contrary at their Peril, Dated at Oxford, under the Signet of this our Order the 12th Day of Dec. in the 19th Year of our Reign.

THIS Officer by the Constitutions hath a Pension of 50 l. *per Annum*, or proportionable in Fees, Offices, or other Emoluments; and *Ann. 1. and 2 Ph. and Mar.* the same numerical Pension was conferred on *Owen Oglethorp*, Dean of *Windsor*, out of the Exchequer, until some Ecclesiastical Preferment of like value should devolve on him. The same was confirmed to *Dr. Maxey*, by Decree in Chapter, 16 *Jac. I.* and afterwards to *Dr. Beaumont*, by Letters Patent, under the Great Seal of *England*, 29 *Jac. I.* but there needed no Allotment of Lodgings at *Windsor* to this Officer, as there was to the rest, since both the Canons and Dean were provided of Houses belonging to their Ecclesiastical Dignities within the College, at the Erection of the Order.

§ 4. THE fourth Officer of the Order is Garter. He was ordained by King *Henry V.* with the advice and consent of all the Knights-Companions, who for the Honour of the Order, was pleased he should be the principal Officer within the College of Arms, and chief of the Heralds. The Services enjoyed him, relating to the Order, were in preceding Times, performed by the *Windsor* Herald of Arms, an Officer created with that Title by *K. Edward III.* much about the time of his Erecting this Order, and an Annual Pension of 20 Marks, payable out of the Exchequer, by Letters Patent for Life, which was confirmed by King *R. II.*

SIR *William Brugges* was the Person first created Garter, and called in the Institution of his Office, *Jartier Roy d'armys des Anglois*, but elsewhere stiled *Willielmus Brugges, alias Distus, Gartier Rex Armorum*. This Sir *William* became a great Benefactor to *St. George's Church* at *Stamford*, and in the Windows of the Chancel caused to be Represented King *Edward III.* with his twenty five Knights-Companions kneeling, Habited in their Mantles and Surcoats of Arms, but now much shattered and defaced; *John Smert* his Successor had this Office conferred on him by Letters Patents, under this Title *Rex Armorum de Garteria*, and *John Wrythe* was stiled

Principalis

Principalis Heraldus, & Officiarius inclyti Ordinis Garterij, Armorumq; Rex Anglicorum, but Sir Gilbert Dethick leaving out *Heraldus* joyned *Principalis Rex*, which still continues.

In the Constitutions of his Office he is called *Garterus, Rex Armorum Angliae*, whom the Sovereign and Knights-Companions have decreed to be a Gentleman of Blood and Arms, of unspotted Reputation, and Born within the Kingdom of *England*; besides as King *Hen. V.* did before, so doth King *Hen. VIII.* declare that he shall be chief of all the Officers of Arms, dependant upon the Crown of *England*.

The substance of his Oath administred by the Register at his admission, whilst he humbly kneeleth at the Sovereign's Feet, in the Chapter House; is,

1. To yield Obedience to the Sovereign, and Knights-Companions.
2. To keep Silence, and not disclose the Secrets of the Order.
3. To make signification of the Death of each Knight-Companion.
4. To execute all things faithfully committed to his Care.
5. To enquire diligently after all the noble Aets of the Knights-Companions, and certifie them to the Register.
6. To be faithful in the exercise of his Office.

AND such an Oath Sir Christopher Barker took at a Chapter held at *Greenwich* 28 *Hen. VIII.* when he was made *Garter*.

As for a particular Habit, we do not find any inserted in the Great Wardrobe, whence it is presumed, he was at first distinguished from the rest of the Officers of the Order, by his Coat Embroidred with the Sovereign's Arms, like as the Provincial King's then wore. But after the Constitutions of the Officers were Established, there was assigned him a Habit or Mantle in all respects, resembling the Register, (saying that the Ground whereon the Lyons and flower-de-luces were Embroidred, was entirely Red) and this to be wore only at the publick Solemnities of the Order. Queen *Mary* Commanded it to be made of crimson Satin, and so it remained till the Restoration, when the Colour was altered to scarlet.

THIS Officer is appointed to bear a white Rod or Scepter at every Feast of *St. George*, the Sovereign being present, gilded at both ends, and at the top the Arms of the Order impaling the Sovereign's Arms pourtray'd on an oblong Cube Crowned, but no directions are given in the Constitutions for this Crown, nor for that Ducal one on his Head wherewith his Effigies has been represented, and yet at all great Solemnities is never used that we can discover. There was assigned him by *Queen Eliz.* a Badge of Gold to be worn daily by him and his Successors, before the Breast, in a gold Chain or Ribband, and thereon Ennamelled the Sovereign's Arms, Crowned with an Imperial Crown, and both surrounded with the Garter: But *Sir Edward Walker* when made Garter, obtained the Sovereign's leave to Impale therein *St. Georges's* Arms, with those of the Sovereign's, which Badge is alike on both sides.

THERE is an House appointed for his Habitation within *Windsor* Castle, called *Garters Tower*. It was by Chapter annexed for ever to the Office of Garter, and restored to *Sir William Segar's* Possession, 2d of *May*, 1630. By the Constitution of his Office, he is to be allowed Barons Service in the Sovereign's Court, and his Table Served next after the Dean of the Chapel, with such Liveries as of old were accustomed.

It appears that *King Hen. V.* after his erecting this Office, died before he had settled a Pension upon *Sir William Brugges*, for supportation of his little Estate, which the Knights-Companions taking into consideration, and that he might more honourably comport himself to the Service of the Order, till the young King should come to Age, they being assembled in a Chapter, with the consent of the Prelate, decreed the said *Sir William* to receive of each of them at every Feast of *St. George*, as is set down, viz.

}	Of the Bishop of <i>Winchester</i>	Prelate	5	}	Marks.
}	Dukes	—	5		
}	Of every	Earl	—	}	Nobles.
}	Baron or Baronet	—	6		
}	Knight Batchelor	—	2		

THE first payment was agreed to be pay'd down, and so to remain in force annually with request to the absent Knights, that for the Honour of the Order, and causes in the Instrument express'd, they would approve of their Ordinance which pass'd under the Seal of the Order, Dated at *Windsor*, 1422. Afterwards King *Hen. VI.* in consideration of his Services to his Father and himself, with consent of his Council, granted to the said *Brugges*, by Letters Patent, a Pension of 20 l. per Annum, out of the Fee Farm of the City of *Winchester* during his pleasure, which Pension upon the surrender of his Patent he granted anew to him and *Agnes* his Wife, for their Lives and the longer liver of them; and when this Office upon *Sir William Brugges* death, was devolved on *John Smert*, *Guyenne* herald (3 April 28 *Hen. VI.*) he had the yearly Sum of 20 l. granted him therewith for Life out of the Exchequer: But his Successor *John Wrythe*, *Norroy*, obtained an increase of Pension to 40 l. per Annum, made payable out of the small Customs of the City of *London*; this annual Sum was afterwards confirmed to Garter by the Constitution of his Office, and an Augmentation from the then Knights-Companions additional to the Pensions granted by their Predecessors, upon the Death of King *Hen. V.*

Of	{	A Duke — — 4 Pounds.	}	Marks.
		A Marquess — — 5		
		An Earl — — 4		
		A Baron — — 6		
		A Knight Batchelor 4		
				} Nobles.

IN succeeding times the Sovereign thought fit to augment this Pension to 50 l. per Annum, (now payable out of the Revenue settled upon the Order,) and the Knights-Companions yet to enlarge their Sallery, which they did, (the Sovereign assenting) by the decree made in a Chapter held at *Windsor* 13, 14, and 15. *Sept. An. 1617.* wherein it was ordained, That their Officer *Sir William Segar* Garter Knight, King of Arms of that Order should then, and from thenceforth have renew'd and paid unto him certain annual Fees and Pensions, anciently enjoyed by his Predecessors, with a surplus of 10 l. per Annum, which his Majesty's Act of Royal Bounty, hath given to his

his said Servant for his better support and maintenance, as also of Prince Charles, Prince of Wales, the Sum of 8 l. and of every Duke of the Blood 6 l. all other Estates, viz. a Duke not of the Blood 4 l. a Marquess 5 Marks, an Earl 4 Marks, a Viscount 7 Nobles, a Baron 40 s. and a Knight Bachelor that shall be of the Order, 26 s. 8 d. all which said Sums of Money, according to the several degrees of their Estates, are to be paid, (continues the Decree) unto the said Garter or his assigns yearly at St. Georges's Feast, or immediately after, as well by the Knights then present, as by those that shall be absent, or hereafter are to succeed in the said Order; and after the decease of the said Garter, to his Successors for ever.

At St. Georges's Feast, Celebrated at Windsor, 22, 23, and 24 of April, Anno 15 Car. II. Sir Edward Walker then Garter, representing by Petition, that the annual Pension of the installed Knights then in Arrear for one Year, amounted to 94 l. 13 s. 4 d. according to their proper proportion, the Sovereigns Share, (he being to pay for all stranger Knights) amounted at that time, to 32 l. 13 s. 4 d. and humbly praying that his Majesty would grant to him and his Successors an 100 l. per Annum, out of the Revenue settled to the use of the Order, in lieu not only of those said Pensions, payable from the Sovereign and Knights-Companions, both Strangers and Subjects; but for resigning his Claim to his annual Pension of 50 l. in consideration for preparing Scutcheons and removal of Achievements. This Petition the Sovereign was pleased to refer to a Committee of the Knights-Companions, who, namely the Duke of Albemarle, the Earls of Lindsey, Manchester, Sandwich, and Stafford, who being attended by Garter, and weighing the event of the Petition, offered their opinions to the Sovereign, to grant him the said 100 l. per Annum in lieu of what he offered to quit, whereby the interest of this Office might be preserved in a more compendious Method than it was, his Majesty exempted from those small payments for Strangers, and the Knights-Subjects themselves were discharged from their annual Pension, and his Majesty ratifying the same shortly after, Sir Henry de Vic, the Chancellor, was ordered to pay unto Garter, and his Successors the said annual Pension of 100 l. which was accordingly

accordingly put in Execution, as an Equivalent for all Fees and Salaries relating to the Order of the Garter.

THE Duty of this Officer in general is, to perform, or cause to be effected all Transactions whatsoever, the Sovereign, or Prelate, or Chancellor shall enjoyn him, in relation to this Most Noble Order.

§. 5. THE fifth and last Officer is the *Black-Rod*. This Officer was instituted by the Founder, King *Ed. III.* but whether at the first Erection of the Order doth not appear. Howbeit, within a few Years after, 35 *E. III.* the King conferr'd to *William Whitehorse*, Esq; for Life, *Officium Hostiarii Capellæ Regis infra Castrum de Windesore*, with a Fee of 12 *d.* a Day out of his Exchequer.

Anno 3 Hen. IV. this Office is called *Officium Virgarij comitivæ de la Garter infra Castrum Regis de Windesore*; and under that Denomination was confirmed to *Thomas Sye*, with the Fees and Emoluments thereunto expressed. In the Patent to his Successor, *John Athilbrigg*, *Ann. 1 H. 5.* it is stiled, *Officium Virgarij sive Ostiarij*, &c. Afterwards it hath the Title, *Officium Virgæ-bajuli coram Rege ad festum Sancti Georgii infra Castrum Regis de Windesore*. And ever since it runs in the Patents by the Appellation of *Virgæ-Bajulus*, *Virgarius*, or *Nigri-vergifer*. But in the Constitutions of his Office, he hath the Title of *Hostiarius*; and under the restriction of these Qualifications, that he be a Gentleman of Blood and Arms, born within the Sovereigns Dominions; and if he be not a Knight at his admission into the Office, he ought then to be Knighted. As *Garter* was Entituled the Principal Officer of Arms, so was the *Black-Rod*, for the Honour of the Order, appointed the Chief Usher in the Kingdom. And as he is so, and frequently called Gentleman-Usher of the *Black-Rod*, so we shall wave, as we did in *Garter*, all things appertaining to his Employments, otherwise than what directly is included in this Most Noble Order.

IN a Chapter held at *Whitehall*, the 13th of February, 6 *Car. I.* It was decreed, That the Office of the *Black-Rod* should from thenceforth successively, as soon as the same should become void (*James Maxwell*, Esq; then enjoying it) be annexed to some one of the *Gentlemen-Ushers*, *Daily-waiters*, whom the Sovereign should appoint.

THIS

THIS was carried upon the Petition of the Gentlemen-Ushers, Daily-waiters, seconded by the Lord Chamberlain, the Earl-Marshal, and others, Knights-Companions ; as is evident from another Petition of theirs to the Sovereign in Chapter, assembled at *Oxford*, the 17th of *January*, 20 *Car. I.* But some Years after this, 1642. the Lord *Lanrick*, Secretary for *Scotland*, had on Mr. *Maxwell's* behalf, obtained the Sovereign's Warrant for Letters-Patent under the Great-Seal, for two Lives, *Maxwell's* and Mr. *Alexander Thayn*, the longest Liver of them ; whereby the said Decree was frustrate to the Gentlemen-Ushers ; of which making Complaint in the last mentioned Chapter, the Sovereign and Knights-Companions (in regard this latter Grant was not only repugnant to the preceding Decree, and the Great-Seal surreptitiously gained, but ought likewise to have passed the Seals of the Order) order'd *Peter Newton*, Esq; to be presently sworn into this Office. Nevertheless, after the Restoration, *A. D.* 1660. *Newton* being then dead, the Gentlemen-Ushers, Daily-waiters, Petition'd again, and *Thayne* was demanded to put in his Answer ; and the result of the whole was, after mature Deliberation in a Chapter held at *Whitehall*, the 20th of *February*, 13 *Car. II.* the Decree which fix'd this Office to one of the Gentlemen-Ushers Daily-waiters, was confirmed, and *John Ayton*, one of the Petitioners, was sworn Gentleman-Usher of the Black-Rod, which was performed by the Register in the Presence of the Sovereign, the Chapter sitting.

THE Form of the Oath given to this Officer, *temp. Hen. VIII.* was, *Truly and Faithfully to observe and keep all the Points of the Statutes of the Order as to him belonged and appertained.*

HE hath the like Habit with the Register and Garter before described, but his Ensign and Badge is somewhat different from Garter's ; for first, it was ordained, *That he or his Deputy should carry a Black-Rod* (whence he hath his Title) *before the Sovereign, or his Deputy, at the Feast of St. George, within the Castle of Windfor, and at other Solemnities and Chapters of the Order.* On the Top of which there ought to be set a *Lyon of England.* This Rod serves instead of a Mace, and has the same Authority to

apprehend Delinquents, and such have offended against the Statutes of this Most Noble Order. And where he apprehends any one of the Order, as Guilty of some Crime for which he is to be expell'd the Order, the manner of it is by touching them with this Black-Rod, and his Fee for it, is 5 *l.*

HE has assigned him a Golden Badge to be openly worn in a Gold Chain, or Ribband, before his Breast, composed of one of the Knots in the Collar of the Order which tye the Roses together, and encompassed with a Garter, being alike on both sides; which was conferred on him and his Successors, by Decree in Chapter, held the 24th of *April*, 8 *Eliz.*

'Tis as ancient as *Hen. Vth's* Reign, for there's a House in *Windsor* Castle granted to this Officer by Letters-Patent, during Life. And the same Provision is made for him by the Constitutions of his Office. It is situate on the South-side of the Castle in the middle Ward. The said Constitutions give him Baron-Service at Court, and Livery thereto appertaining; and besides these, the keeping of the said Castle, and the two Parks adjacent.

KING *Charles I.* having taken into his Hands the little Park of *Windsor*, and bestow'd it upon *James Maxwell*, then Usher of the Black-Rod, He, at a Chapter held at *Whitehall*, the 5th of *November*, 1629. decreed, That as the Custody of the said Park was conferr'd on *Maxwell* in right of his Office; so the same should for ever after be annex'd thereto, and not to be disposed of but under the Great Seal of the Order, and that only to the Usher of the Order for the time being.

LASTLY, this Officer had anciently a Fee of 12 *d. per diem*, which we find continu'd down in the Letters-Patents, whereby this Office was granted. Besides which, the Constitutions of his Office allow him an annual Pension of 30 *l.* heretofore paid him out of the Exchequer, but by King *Charles I.* assigned him out of 1200 *l. per Ann.* settled upon the Order; touching which, and the Payment of the Officers Pensions upon the new Establishment, is the next Section.

6. 6. KING James I. taking into his Royal Breast, the Constitution of this Most Noble Order, that it was in the Nature of a Distinct Sovereignty, govern'd by Laws and Conventions proper to the Body, and himself as Sovereign in Matters immediately relating thereunto, had the sole and uncontrollable Authority of revising, adding, or explaining; and finding that the Pensions paid to the Officers of the Order (as those to the Alms-Knights) and some other Expences, had been anciently made payable out of his Exchequer by vertue of the Great Seals of *England*, or otherwise by Privy-Seals; and conceiving it incongruous, that the Officers should claim their Pensions by vertue of any other Seal than that of the Order, for it is in some kind derogatory to the Honour of the Order, to permit other Seals to be used within the same: He thereupon with twelve Knights-Companions in a Chapter held at *Whitehall*, the 22d of *May*, 20 *Jac. I.* passed a Decree, *That all things concerning the Order should hereafter be ratify'd under the Seal of the Order only, and in particular, that the Grants of poor Knights Places, after their being Signed by the Sovereign, should be passed under the Seal of the Order only, and none other.* And the Year following, the Chancellor was ordered, *That he should take Advice of the Sovereign's Attorney-General how by Vertue of the Seal of the Order, the Pensions, (given to the Poor Knights) might be paid and receiv'd, His Majesty's further Pleasure being, That all Grants and Payments concerning the Order, should afterwards be confirmed under the Seal of the Order only, and by Vertue thereof.*

As to the Alms-Knights Patents, this Decree was of Force and Validity, but in the other Generals, how far it was pursu'd we know not; for in some of them it grew obsolete and useles. But in a Chapter called at *Windsor*, the 22d of *April*, 10 *Car. I.* a Debate arose about setting a Part of the Annual Summ of 1000 *l.* out of the Receipts of his Majesty's Exchequer, to be employ'd particularly in discharge of Expences towards the Feasts of the Order, Legations to Foreign Princes, Payment of the Officers Pensions, &c. disbursed for the Necessity and Reputation of this Noble Order. Afterwards at a Chap-

Chapter held the 18th of *April*, 13 *Car. I.* that Sovereign ratify'd his Royal Assignation, and increased his Bounty to 1200 *l. per Ann.* settling it for those designs in a Perpetuity for ever, and making it payable out of the Customs in the Port of *London*, but to be received by the Chancellor of the Order for the time being, as Treasurer of this Money, of which he was to give up an Account to the Sovereign and Knights-Companions yearly at *St. George's Feast*. And in pursuance of this Ratification, the Attorney-General had Instructions to draw up a Book for his Royal Signature to Warrant its passing under the Great Seal of *England*, which was dispatch'd, the Letters-Patent bearing *teste* at *Westminster*, the 23d of *January*, 13 *Car. I.* Immediately after, *Sir Thomas Rowe*, the Chancellor of the Order, presented a List of the ordinary Fees and Charges of the Order, upon which it was agreed to, That there should issue out a standing Commission to the Chancellor under the Great Seal of the Order to warrant the Yearly Payments, and he to be discharged according as the said Patent had provided. This Commission passing the Great Seal the 3d of *May*, 14 *Car. I.* the Sovereign thereby empower'd the Chancellor to make payable out of the yearly Revenue of 1200 *l.* all and every the yearly Fees, Pensions, Salaries, and other Payments due and payable to the Officers of the Order, Alms-Knights, or others, appertaining to the Order, either by Charter, Grant, or Assignation under the Seal and Signet of the Order, or by any other Lawful way whatsoever, and in particular,

		<i>l.</i>	<i>s.</i>		
To	Himself as Chancellor	100	0	}	<i>per Ann.</i>
	Register of the Order	50	0		
	Garter Principal King of Arms	50	0		
	Usher of the Black-Rod	30	0		
	Thirteen Alms-Knights	237	5		
Total		467	5		

AND *Sir Thomas Rowe*, and in his Absence beyond Sea, *Sir James Palmer*, Deputy-Chancellor receiv'd out of the Sovereigns Receipts of Subsidies, Customs and Imposts, the

the 1200 *l.* per *Ann.* out of which they paid the Annual Pensions above-named, under the Title of *certain and ordinary Charges*, as also such as come within the Denomination of *Accidental and Extraordinary Expences*; of which kind in their time, were,

Mantles, when the Sovereigns pleas'd to bestow them on the Knights-Companions.

Plate for the Altar in St. George's Chappel at Windsor.

Embroidery of the Purse for holding the Seals.

Removal of Achievements and Plates against Installations.

Escutcheons set up at St. George's Feast.

*Privy Seals and Fees disburs't for receiving the 1200 *l.* per Annum.*

Fees for Installation of Foreign Princes and Stranger-Knights.

Parchment used in Dispensations and Prorogations.

Blue Wax for the Seals of the Order.

By which we are easily inform'd, what ought to be accounted extraordinary Expences, towards the Discharge whereof this Sum was to be employ'd as far as it would reach, to mitigate the Cost the great Wardrobe formerly stood taxed with, Provisions of the Order, both for foreign Embassies and Expences at Home.

THE Manner of the Chancellor's passing his Account, as directed by the said Commission, was thus done by Sir *James Palmer*, He humbly moved the Sovereign in Chapter held the 10th of *October*, 15 *Car. I.* That it would please him to view the Disbursements made for the Expences of the Order, which thereupon being Examined by the Knights in the Sovereign's Presence, the same were found agreeable to the Directions of the Commission, and the Payments justify'd by the Acquittance of every Officer to whom any Fee was due, no Payment having been made without the Sovereign's Hand first to Authorize it: Allwhich being seen and allow'd, the Account (wherein his Disbursements exceeded his Receipts 37 *l.* 13 *s.* 10 *s.*) was esteemed Equitable and Just, and passed by the Subscription of *Charles* then Prince of *Wales*, the Earls of *Pembroke* and *Montgomery*, *Salisbury*, *Holland* *Berk-shire*, *Duke Hamilton*, and the Earl of *Northumberland*.

§. 7. THE Executions of these Offices is the last thing here to be described: For tho' all the Officers are strictly obliged to give personal Attendance to their Offices; yet, in case of Sicknefs, Absence out of the Kingdom, or other emergent Reasons, the Sovereign is pleas'd to dispence with them, and constitute others to Officiate in their stead, who on such Occasions wear the Robe of that Officer whom they represent, so in case of Vacancy, the Absence of the Prelate at the Grand Feast celebrated at *Windsor*, 31 *Hen. VI.* is noted in the *Black Book* to have been upon just Cause, and the Bishop of *Bangor* officiated Divine Service, and next Morning celebrated the Mass *pro defunctis*. The following Year, his Place in these religious Duties was supply'd by the Bishop of *Salisbury*, as *Ann.* 36 and 37 *Hen. VI.* and at all times of the Prelates absence, the Sovereign hath made known his Will what Bishop should supply for him. The Office of Chancellor hath been executed by Proxies, and to this may first be referred a Passage in the *Black Book*, where Dr. *Taylor* hath the Title of *Vice-Chancellor*. Of later times, when Sir *Thomas Rowe* was employ'd in an Embassy into *Germany*, Sir *James Palmer*, Kt. (one of the Gentlemen-Ushers of the Privy-Chamber) was deputed by the Sovereign to the Chancellor-ship during his Absence, having the Purse with the Seals deliver'd to him the 4th of *May*, 14 *Car. I.* being sworn by the Register of the Order *durante deputatione & beneplacito Regis*, which Clause was likewise annex'd in the Deputy Chancellor's Oath, 12 *Car. II.* Upon Sir *Thomas Rowe's* return, and indisposition, 16 *Car. I.* Sir *James* was again deputed Chancellor, and a third time, 18 *Car. I.* continu'd Deputy Chancellor unto the Death of Sir *Thomas Rowe*, of which the Sovereign being inform'd at *Oxford*, 1644. refer'd the disposal of this Office 'till Sir *James's* return to Court, and then commanded him to wear the Badge and Ribband about his Neck, 'till a Chapter of the Order compleated his admittance.

In the Vacancy of the Register-ship, *Ann.* 2 *H. VIII.* *Thomas Ruthall* Bishop of *Durham*, supply'd it: And *Ann.* 18 and 19 *Elix.* Dr. *Day*, Dean of *Windsor*, executed the Office, and attended at the Feasts of *St. George*,

as Deputy-Register ; Dr. *George Canew* then Register, having Licence by his Patent to execute it by himself or Deputy, being dispens'd with by the Queen in case of Sickness, or other Impediment. After his Decease, *Dean Day* was commanded to execute the Office during its Vacancy (being 14 Years) which he effected 'till he was advanced to the Bishoprick of *Winchester*, An. 38 *Eliz.* upon which, Dr. *Robert Bennet* (who succeeded him in his Deanry) was the same Year admitted Register. Afterwards, Dr. *Beaumont*, being much broken with Age, and other Diseases, Dr. *John King*, the junior Canon, supplied his Place.

THE Office of Garter hath been supplied by Deputation : For in those Embassies with the Ensigns of the Order to Foreign Princes, where special Occasions detain Garter at home, some of the Kings or Heralds of Arms, have been order'd upon those Employments, upon the Recommendation of Garter to the Sovereign; whereof there are several Instances; the last of *Gregory King*, Esq. *Lancaster-Herald*, who lately carried over the Habit to the Elector of *Hanover*. So also in case of Vacancy ; for we find that *Clarencieux*, King of Arms, executed this Office after Sir *Gilbert Dethick's* Death, in *January*, 27 *Eliz.* being then sent with the Earl of *Darby* to the *French King Henry III.* As also in Reference to the Preparations the 15th of *April* following, and Service performed thereat, and at the Feast of *St. George* ensuing.

THE Constitution of the Office of Black-Rod admit of a Deputy to bear the Rod before the Sovereign, where a lawful Occasion impedes his personal Service. And Sir *Peter Young*, (Chief Gentleman-Usher,) performed this Office at the Feast of *St. George* held at *Windsor*, An. 6 *Car. I.* *James Maxwell*, Esq. Black-Rod, was in *France* upon the Sovereign's Service ; and, after, being Mission'd by the King into *Scotland*, *Peter Newton*, Esq; supplied his Place at the Feast at *Windsor*, 8th, 9th, and 10th of *October*, Anno 15 *Car. I.*