

	<i>Brought forward</i>	\$305.00
Henry A. Clark		10.00
J. O. Austin		1.00
J. B. White		10.00
		<hr/> \$326.00
		<hr/> \$476.85
PAYMENTS:		
Miss French, 12 mos. at \$25.00		\$300.00
		<hr/>
Balance, 31 December 1914		\$176.85

The Report of the COMMITTEE ON HERALDRY, by Robert Dickson Weston, A.B., Chairman:

The Committee on Heraldry begs leave to report that during the winter and spring of the year 1914 it held a great many meetings, which were attended with fidelity and enthusiasm by all its members, for the purpose of considering, or rather reconsidering, the attitude of the Society towards the use of armorial bearings. After much discussion your Committee reached certain conclusions. They were embodied in a unanimous report which was submitted to the Council of the Society and was accepted 6 May 1914. After being printed and distributed among members of the Council and others interested, it was presented to a meeting of the Society held on 4 November 1914, when it was duly accepted and its recommendations were adopted. A copy of the report itself is hereto attached and is made a part of this report.

For the rest, the individual members of the Committee have held themselves ready to answer, so far as possible, all questions relating to heraldry which have been addressed to them either by members of the Society or by people generally who have applied to the Society for information on the subject; and they have endeavored in every instance to give a sound answer or sane advice according to the requirements of the case.

SPECIAL REPORT OF THE COMMITTEE ON HERALDRY

SUBMITTED TO THE COUNCIL 6 MAY 1914

[At a meeting of the Council of the New England Historic Genealogical Society on 6 May 1914 it was

Voted, That the report of the Committee on Heraldry be accepted, and that it be printed and distributed to the members of the Council and others interested, pending action in the autumn.

At a stated meeting of the New England Historic Genealogical Society on 4 November 1914 this report of the Committee on Heraldry was accepted and the recommendations contained therein were adopted.]

TO THE COUNCIL OF THE

NEW ENGLAND HISTORIC GENEALOGICAL SOCIETY:

The views of the present Committee on Heraldry differ widely in some respects from those which were expressed in a report made by their predecessors in 1898 and adopted by the Society in 1899.

Our predecessors thought that the armiger was a sort of lesser noble and that a man who used a coat of arms pretended to a kind of rank created and bestowed on his ancestor by royal authority. Consequently they were horrified by unscrupulous assumptions, and were fearful of claims to arms which might look plausible but which might by any chance prove to be false. Rather than incur the risk that some men might impose on their fellow creatures by false pretensions of this sort, they were in favor of discouraging the display of arms in any form.

In accordance with the same general views in respect to the nature of arms they laid down the propositions that no arms could have been borne rightfully by subjects of the King in the American Colonies unless the arms had either been granted or confirmed by the Heralds; and that arms cannot properly be borne to-day by anybody who has not an authenticated pedigree direct from a man to whom arms had been so granted or from some member of a family whose arms had been so confirmed.

We neither entertain such views nor assent to such propositions.

The use here and now of a coat of arms which was borne by a family in the old country implies, of course, to all who know anything about heraldry, that the person who uses it claims a direct descent in the male line from the original users. If such a claim be substantiated by reasonable evidence, we see no impropriety in the use of the arms. In just what way they shall be used or displayed is a matter of personal taste with which this Society has no possible concern.

As to the good taste of making any use of arms in this republic, we may remark that from our point of view there is nothing any more aristocratical or undemocratic in cherishing a family coat of arms, and in continuing to use it here in unpretentious ways as a mark or symbol of one's family stock, than in cherishing a family name which is associated with historical events or with respectable social position.

What we as a Society are concerned with are the historical and genealogical aspects of the subject.

Historically, heraldry carries men of English descent back to the times of the Tudors, the Spanish Armada, the Wars of the Roses, to Agincourt, Poitiers, Crécy, and even to the Crusades. It makes a strong appeal to whatever of the poetic, the romantic, and the sentimental there may be in our natures. It furnishes personal and picturesque symbols of facts which are often hard to realize, namely, that the Merry England of which we speak was in very truth the native land of our forefathers; that her history down to the times of the Charleses is our history; and that not only our language, our laws, and our institutions may be traced to her, but also our names, our blood, and our families. To men descended out of countries other than England it tells a different story, but in a language once common to all Christendom and in the same picturesque style. Heraldry, therefore, makes history really live in our imaginations and helps to bring home its true significance.

Genealogically, heraldry is also important. Properly understood, it stimulates many people to take up the scientific investigation of

their pedigrees. Even those who regard a man's desire to trace his family back to an armigerous stock as a species of vanity must needs deal with human nature as they find it and admit that there are few cultivated people who would not take considerable satisfaction in being able to prove their descent from a family which enjoyed sufficient social importance in England or elsewhere in Europe to have had its coat of arms. The subject possesses for multitudes of perfectly sane and normal people a curiously strong degree of sentimental interest. Our Society should not ignore or try to suppress this propensity of mankind, but should turn it to good account. And if a man wishes to establish his hereditary right to arms by means of scientific research, he should not be discouraged by an announcement on our part that even if he is successful we shall frown upon any display of the armorial bearings which belonged to his ancestors. Such a position seems to us inexpedient to the point of folly as well as utterly futile in practice. Let us by all means discourage assumptions which are genealogically false, but if there be reasonable evidence of a man's right to arms, let us recognize it and leave the owner to make such uses of them as his taste or fancy may dictate without impertinent criticism from us.

Your Committee go further. It seems to us not only proper but desirable that arms should be displayed in a variety of ways. When, for example, a man gives a building to a college, there is no more appropriate or picturesque way of associating his name and family with the gift than to embellish it with his coat of arms cut in stone or wood or blazoned in stained-glass windows. An initial letter or a name has no decorative possibilities. It lacks all warmth and poetry. And what is true of a building is true of all other things which a man may wish to associate with his name or mark as his own in a decorative way — his seal, his china, his silver, or his bookplate.

It is a significant circumstance that coats of arms may be used to-day in substantially all the ways in which they were used in Elizabethan times, and that in a highly organized, permanent civilization like ours there is about the same need for them. Their origin was, of course, military or martial. But as soon as they became hereditary, the uses to which they were put were in a large measure peaceful, domestic, social, artistic, and decorative. The feudal lord not only bore his shield of arms in battle but used it on his seal, decorated with it the windows of his hall and of his parish church, had it carved on the tombs and engraved on the brasses of his ancestors. Just so soon, in short, as arms became hereditary and were recognized as a kind of private property, it was discovered that they answered a great variety of purposes besides that of distinguishing the owner in battle or tourney. In the England from which our fathers came arms had lost their military character altogether. Only the military name and form had survived. It was as natural for a bishop or a mayor to use a coat of arms as for a commander in the field. For generations arms had been used by all people who, because of the estates which they had inherited or acquired or because of the positions, social and civil as well as military, which they occupied in the community, regarded themselves as gentlemen and were so regarded

by others. The coat of arms had become a mere sign or symbol of the family. For many purposes the family surname was sufficient, but a distinctive and hereditary family mark was needed for other purposes. This need had asserted itself and had found expression in the fashion of using arms.

And as we have said, much the same need exists here to-day. It is not a practical or commercial need. It is a sentimental and artistic need. It may not be quite so obvious here as in a country where they have primogeniture and a landed gentry. Among us families as such do not usually flourish for so many generations as they do in England. Yet we have many families which have kept their heads above water for one hundred, two hundred, or nearly three hundred years, which are distinguished as families and have produced eminent or at least useful and highly respectable men in almost every generation. They often have pedigrees longer and more illustrious than most of the pedigrees proved at the Heralds' Visitations. The members of such families need not only their family names but decorative devices to use for many purposes in lieu of their names. Arms supply this need, and can be used to-day in much the same ways and with much the same significance as in the sixteenth century.

Having this situation in mind, your Committee would rather find some way in which the use of arms could be made more general — some way in which they could be assumed and borne without any false claim to strictly armigerous descent — than endeavor to suppress the display of arms by those who can produce reasonable evidence in support of their hereditary right.

Having now expressed ourselves as to the use of arms to which our people may be entitled, it remains for us to consider what may reasonably be regarded as an hereditary right to arms and what may reasonably be regarded as sufficient proof of such a right. For until our Society takes a position which accords with reason and the facts of history, there will be no cheerful acquiescence in its official utterances with respect to these matters either on the part of members of the Society or on the part of others who may look to the Society for instruction and guidance.

Let us consider for a moment the nature of the right to coat armor as understood by the people of England and recognized by the Heralds themselves in, we will say, the year 1600. There can be no doubt that arms, with few exceptions, were nothing but a kind of private property, acquired by use or prescription in much the same way that a manufacturer acquires a common-law right to a trademark. The period of use or prescription required to give title was about three generations. And if the coat so used did not infringe the right of others to the same coat acquired at an earlier date or involve any false claim of descent, it was confirmed by the Heralds as a matter of course. Its original assumption and use were not regulated by the Crown or by the Heralds but only by social custom. It seldom signified rank created or conferred by the King as the "Fountain of Honour." In a vast majority of cases it signified nothing but social position, achieved by the man himself or by his ancestors and recognized by his neighbors. And the use of coat

armor was by no means confined to the nobility and the landed gentry. The practice of using arms had developed naturally like the practice of using surnames. It extended down into much lower strata of English middle-class society than is commonly supposed. It hardly requires more than a careful study of the Visitations of London to make all that we have just said perfectly clear. At their Visitations the Heralds were occupied, for the most part, in confirming, which means recognizing and recording, titles to arms which had never been granted and which had been acquired in the way we have described. The English have always treated heraldry in an easy-going and light-hearted fashion. We should not take it too seriously or deal with it too strictly. Much fierce republican prejudice against it would disappear if the facts were understood.

In England itself some rather weak and desultory efforts were being made to regulate the use of arms at the time when this country was settled. These took the form of Visitations, some of which were made before our forefathers emigrated and some afterwards; and in England to-day it may perhaps be true that no one has a right to bear a coat of arms unless he has received a grant or can trace his descent in the male line from an ancestor to whom arms were granted or confirmed by the Heralds. But nothing was ever done by the Crown or by Parliament to regulate the use of arms in the Colonies. No Visitation was ever made by the Heralds here. In America the use of arms has never been regulated by authority and must needs be regulated by reason. The reasonable test for us to apply would seem to be this: If the Heralds had made a Visitation here, would the emigrant ancestor, through whom a right to arms is now claimed, have been able to prove his right and get his arms confirmed as his fellow subjects were doing in England, and as he himself might have done had he remained at home? In applying this test absolute certainty, though of course desirable, should not be required, but only a fair and reasonable amount of evidence in view of all the circumstances of each particular case.

Even in Ireland, heraldically under the jurisdiction of Ulster King-of-Arms, coats of arms were constantly and are to-day confirmed on proof of actual use for three generations. In the light that this analogy affords, it would seem to us extravagant and whimsical to say that a man who brought a coat of arms with him when he settled in this country did not *prima facie* have a right to it, and that if he and his family used it his descendants were guilty of any impropriety in continuing to use it. The fact that there is not and has never been any person or institution in the United States having authority either to confirm arms or to regulate their use does not require us to abandon arms to which our ancestors had at some time good titles. It simply puts the whole business on a basis of reason and common sense.

In any view, a man's right to a coat of arms by inheritance depends on there being some proof of two propositions: —

First. That the family whose arms he claims had a right to bear them.

Second. That he is directly descended in the male line from that family.

As to the first proposition, we are of the opinion that for an American the fact that a coat of arms was actually used in England by his ancestors prior to an emigration in the seventeenth century affords *prima facie* evidence of their right to the coat, even though it was not granted by the Heralds and never happened to get confirmed.

As to the second proposition, we are of the opinion that while an authenticated pedigree showing descent from an armigerous family may be the only absolute proof of such descent, the general fact may often be proved sufficiently without a pedigree. If, for example, the first settler in this country brought with him a seal, piece of silver, or painting displaying arms rightfully borne by a family of the same name in England, we should hold that such evidence taken by itself was amply sufficient to make a good *prima facie* case of descent from some unidentified member of that family.

Your Committee would have no quarrel whatever with a man who claims and uses arms in New England to-day, resting his claim thereto on evidence which makes a reasonably good *prima facie* case both in respect to the fact that the arms were used by a family in England prior to, say 1650, and also in respect to the fact that his emigrant ancestor belonged to that family, even though his pedigree cannot be proved.

Coats of arms being, as we have pointed out, a kind of private property, we should accept the sort of evidence and the same amount of proof which in courts of law determine a man's title to other kinds of property, that is, evidence and proof which would satisfy the mind of an ordinary, intelligent person. We should not insist on proof which is conclusive beyond any reasonable doubt, such as is required to convict a man of murder.

In respect to arms claimed by Americans descended out of countries other than England the Society should take an equally reasonable position.

In order, therefore, to stimulate an interest in heraldry for its historical, its genealogical, its artistic, and its sentimental value; in order to make it live and perform for us the functions which in Tudor and early Stuart times it performed for our ancestors; in order to teach its real significance and to cultivate discrimination in its use; and in order to aid the Society in accomplishing some of its more serious but at the same time more prosaic objects, we now make the following recommendations:—

We recommend that every person interested, by reason of descent or otherwise, in making it a matter of record that any original settler in this country inherited a coat of arms or that any inhabitant of this country received a grant of arms be invited to offer the arms for record with this Society, together with the evidence relied on to prove such inheritance or grant, and that all coats proved to the satisfaction of a competent committee, either by proof which is absolutely conclusive or by proof which when weighed and tested in the spirit we have indicated affords good *prima facie* evidence, be accepted by the Society for record.

We further recommend that the Society provide and keep books or other suitable means for recording the arms so accepted; that

every coat accepted by the Society be accurately painted, tricked, or described; that when the arms are hereditary the pedigree of the settler, so far as it is well authenticated, be recorded with the arms, or that in lieu of such pedigree references be given to printed books or other accessible records in which an authentic pedigree may be found; and that an abstract of the evidence showing an hereditary right, with references to records, documents, monuments, etc., be made a part of the record.

We further recommend that a card index to the arms so recorded be kept, so that each coat and the character of the evidence on which it was accepted may easily be found; that fees barely sufficient to cover the cost of making and keeping the records and the index be charged; and that those who wish to furnish for the records suitable paintings, engravings, drawings, or photographs of arms which have been accepted be permitted to do so at their own expense.

When a coat of arms is accepted for record, we recommend that the name and address of the person or the names and addresses of the persons who offer it be noted in the record, but that all pedigrees showing descent from original settlers or grantees be excluded. It is not intended that any committee in charge of these records should be burdened with the duty of passing on the authenticity of the pedigrees of persons claiming such descent.

Any coat accepted by the Society on the evidence obtainable at the time it was offered might on the discovery of further evidence be rejected and stricken from the record without returning the fee which the person or persons who offered it had paid for having it recorded. And a coat of arms rejected on the evidence obtainable to-day might hereafter on the production of further evidence be accepted.

It will be observed that we would at present reject not only coats of arms which involve a claim to descent either patently false or unsupported by good evidence, but also coats which were first assumed and borne in this country although their assumption did not infringe the rights of others or involve any false claims of descent from older armigerous families. While it is inconceivable to us that the Society would ever sanction in any way the use of arms which were stolen or which were assumed here for no better reason than that they were once borne by a family of the same name, we are aware that strong arguments can be advanced in favor of recognizing and recording new coats which were heretofore or may hereafter be assumed in this country, and the use of which tells no genealogical lie. The frank and fearless assumption of arms has much to commend it. A new coat assumed in this country no more tells a genealogical lie than did the coat of arms assumed in the early days by Harvard College. The use of such a coat, as matters stand to-day, involves a false pretense only in this one respect, that it now seems to say that the arms originated in England or some other European country, and that he who uses them claims that his family was armigerous before the emigration. But the use of such arms would be purged of all falsehood if the practice of using them were recognized and if the facts were made a matter of quasi-public record in the archives of a Society like this. In such a practice many advantages will be

perceived by those who feel as the members of your Committee feel, that, while an old coat possesses dignity and sentimental value merely by reason of its age, any coat, whether new or old, may acquire a truer dignity and a more substantial value by reason of the character and qualities of those who have borne it in more recent times or by reason of the character and qualities of one who bears it in our own day and generation.

We feel that the adoption by the Society of our report and the recommendations we now make may very likely pave the way for the adoption of a still more liberal policy, and that a plan may be devised for giving Heraldry as the handmaid of Genealogy a new lease of life and a prolonged term of honorable, or at least honest, service in the household of her mistress.

Respectfully submitted,

R. D. WESTON, *Chairman*

BOYLSTON A. BEAL

WM. SUMNER APPLETON

CHARLES K. BOLTON

WM. STREETER RICHARDSON

5 May 1914.

The Report of the COMMITTEE ON THE LIBRARY, by Mrs. Mary Stickney Randall, Secretary:

For several years the Committee on the Library, in response to a general demand, has been strengthening the Library in the local history of the territory west of New England and especially in the history of those regions to which migrations were made from this section. Considerable progress has been made in the Eastern States, and a beginning has been made in the Old Northwest Territory. This year the Committee has decided to limit the scope of the Library, as far as purchases of local histories are concerned, to the region east of the Alleghany Mountains. The reason for this change of policy is that Harvard College Library is about to enter the western field and proposes to cover the territory beyond the Alleghany Mountains, leaving the region east of that line to this Society; and the management of that library announces its willingness to allow all persons interested to consult the books gathered relating to the West. This coöperation will undoubtedly lessen duplication and substantially increase the number of volumes available in this community.

The Committee has given considerable attention to the administration of the Library, endeavoring, as far as possible, to protect the books against abuse and careless handling, and striving to maintain a degree of quietness which will make the Library an ideal working place for members seeking genealogical information.

The Report of the COMMITTEE ON COLLECTION OF RECORDS, by George Walter Chamberlain, M.S., Chairman:

During the year 1914 manuscript genealogies relating to the following families were obtained by the Society: Avery, Baker, Barrett,