

THE COURT OF THE LORD LYON

Charles J. Burnett, Dingwall Pursuivant of Arms.

During the twelfth century the introduction of personal marks as a means of identification both on the battlefield and in the lay world where illiteracy was almost universal led to a situation where certain individuals specialised in recording the marks used so that they became familiar with them and their owners. It so happened these individuals already had an occupation which enabled them to become familiar with this new system of identification.

They were the heralds, messengers who moved between opposing armies and nations conveying diplomatic or political information. This function had arisen from their duties during the 12th century which were to supervise tournaments. They had to declare champions and recognise individual combatants by their marks. Because of their involvement with this new science it became identified with them and eventually named heraldry after them. The herald's knowledge of the science made him the obvious person to consult if new arms were required and gradually his role developed as a court official who in the Sovereign's name, issued new arms and pronounced judgement on who was entitled to specific coats of arms.

During the early mediaeval period in Scotland, the Celtic Royal Court continued the old practice of having spoken rather than written records. An important court official was the High Sennachie who carried all the genealogical information of the Royal House in his head. At each coronation he would recite the family history of the new sovereign. Once the practice of inheritance was established with individual marks, they then automatically became of interest to all involved with genealogy. It was therefore a logical extension of the High Sennachie's duty to interest himself in the new method of identification.

Thus, in Scotland, the man who came to hold the King's heraldic authority was one whose office was of ancient standing. This explains why we have today an autocratic system of heraldic management. As this official acted on behalf of the Sovereign in matters heraldic, he became known as the King of Arms and the old title, High Sennachie, was no longer used. He was created King of Arms at a State Coronation, the climax of which was his crowning with the Sovereign's own crown. He was named Lyon after the red lion rampant on the King's shield, and this title first occurs in existing records dated 1377. **The present Lord Lyon, Malcolm Innes of Edingight, is at least the thirty-second person to hold the office.**

Unlike England, the Scottish King of Arms holds his office directly of the Crown and is the Sovereign's 'Supreme Officer of Honour'. Apart from granting new Arms, he is also responsible for the preparation of State, Royal and Public ceremonial, jurisdiction in question of name and change of name, in disputes over chieftainship of any Scottish noble and armigerous families and chieftainship of Name and Arms. **He is official Adviser to the Secretary of State for Scotland in matters relating to Scottish Honours and Ceremonial. The Lord Lyon is also Controller of Her Majesty's Messengers-at-Arms and is therefore Head of the Executive Department of the Law of Scotland. The Court and Office of the Lord Lyon is situated in New Register House, Edinburgh.**

The Lord Lyon's full title is: **The Right Honourable the Lord Lyon King of Arms. The Right Honourable prefix has been borne since 1554. Before and after that date until the Act of Union the Lord Lyon was automatically a member of the Privy Council. He is also King of Arms of the Most Ancient and Most Noble Order of the Thistle and Secretary of the Order of the Thistle. He is a Judge of the Realm and this is the reason why reference is made to the Court of the Lord Lyon. Scotland and Spain are the only countries where a court of heraldry and genealogy still exists**

in daily operation. The Court has its own public prosecutor, the Procurator Fiscal, who raises proceedings when necessary against those who improperly usurp armorial bearings. Lyon Court has the Statutory Power of fine and imprisonment, can grant warrants for seizing movable goods upon which Arms are illegally represented, and if necessary, can smash any stained glass windows bearing unauthorised Arms.

These powers were granted to Lyon Court by the Scottish Parliament in the 16th and 17th centuries to ensure the legal protection of any coat of arms granted by the Lord Lyon. Unlike the situation in England, the armigerous Scot can seek redress in Court against any person depicting his Arms against his wishes or to his prejudice.

To ensure the authenticity of a coat of arms, records must be kept of all Arms granted. This is done by entering information in the Public Register of All Arms and Bearings in Scotland or, if it is genealogical information, then in the Public Register of All Genealogies and Birth briefs in Scotland. These are very much public registers and can be consulted by anyone calling at Lyon Office. The Register of All Arms and Bearings now consists of 64 volumes, each of approximately 120 folios.

These records, begun in 1672, along with other manuscripts and books in the Lyon Office Library are the responsibility of the Lyon Clerk, who is also styled Keeper of the Records. Lyon Clerk is also responsible for the day to day administration of the Lyon Office and its staff. Like that of the Lord Lyon, the appointment is made by the Sovereign and the present holder, Mrs. Elizabeth Roads, is the 26th Lyon Clerk since 1554, and is the first woman to have been appointed.

Up to the year 1867 the Lord Lyon and Lyon Clerk each had a Depute. By the eighteenth century the posts of Lord Lyon and Lyon Clerk had become sinecures, sold to the person who could afford them, they in turn recouping their outlay by retaining the fees charged for heraldic business. The

Deputes actually performed the business of Lyon Court.

At the same time there were 6 Heralds and 6 Pursuivants who aided the Lord Lyon on Public Occasions. The term 'pursuivant' literally translates as 'follower' and means, in a heraldic context, assistant or learner. The Heralds and Pursuivants, like the King of Arms, were given official titles as follows:

ROTHESAY HERALD

First mentioned in 1402, this title is taken from the Royal Castle on the Isle of Bute.

MARCHMONT HERALD

First mentioned in 1436, is derived from the ancient name of the Royal Castle of Roxburgh.

SNOWDOWN HERALD

Another title taken from a Royal Castle, this time the former name of Stirling Castle and first mentioned in 1448.

ALBANY HERALD

First recorded in 1451, is named after the Royal Dukedom which was given to the son of a Scottish Sovereign.

ROSS HERALD

Taken from the Royal Earldom of the same name, appears in documents dated 1474.

ISLAY HERALD

Named after the West Coast island which was the capital of the area controlled by the Lord of the Isles. The title first appears in 1493, the year before the surrender of the last Lord to the power of the Crown.

CARRICK PURSUIVANT

Named after the Earldom and the earliest title of all the officers-of-arms, first mentioned in 1365.

UNICORN PURSUIVANT

This title, derived from the mythical beast, first appears in 1426, some

years before extant visual evidence exists of its adoption as supporter to the Royal Arms of Scotland.

DINGWALL PURSUIVANT

Recorded in 1479, and named after the capital of the Earldom of Ross.

BUTE PURSUIVANT

The title appears in 1488 and, like Rothesay Herald, is derived from a place with strong Stewart connections.

ORMOND PURSUIVANT

Also first mentioned in 1488, this is another title taken from a castle, in this case one captured from the Douglasses in the middle of the fifteenth century. King James III created his second son Marquess of Ormonde.

KINTYRE PURSUIVANT

This title is first mentioned in the Treasurer's Accounts in 1494 and again comes from part of the territories wrested by the Crown from the Lord of the Isles.

In the year 1867 the Lyon Court Act was passed, which tightened up the administration of the Office and reduced the number of officials. The posts of Deputes were abolished and the numbers of Heralds and Pursuivants in ordinary reduced to three of each. The titles in current use are Marchmont, Albany and Rothesay Heralds, and Dingwall, Kintyre and Unicorn Pursuivants. If necessary, the Lord Lyon may appoint Extraordinary Officers of Arms to assist him in special circumstances and in the past the titles of Falkland and Linlithgow Pursuivants Extraordinary have been used.

Apart from Heralds, Pursuivants and Procurator Fiscal, the Lord Lyon also appoints the Herald Painter who writes and illuminates the Letters Patent granting a new coat of arms, a Macer to the Court of the Lord Lyon and six State trumpeters who sound fanfares before and after any Proclamation made by the Lord Lyon.

The Lord Lyon, Heralds and Pursuivants all wear distinctive uniforms

when on Public duty. Each has a tabard bearing the Royal Arms of the United Kingdom, Scottish version, and the material used for the tabards depends on rank. That of Lord Lyon is Velvet, a Herald has a satin tabard and the Pursuivants, silk. All are now embroidered; in the past, Pursuivants had silk damask tabards with painted Arms. Beneath the tabard is worn the red uniform jacket and dark blue overalls of a member of the Royal Household. All officers of arms wear a black velvet cap of Tudor style embroidered with the Royal Plant Badge of Scotland, a crowned thistle.

Each officer of arms carries a baton of office. Lyon has two, one of possible 17th century date powdered with thistles, roses, fleurs-de-lis and Irish harps and another of 19th century manufacture of gold and blue enamel decorated with the same symbols. Heralds and Pursuivants carry black ebony batons, gold tipped at each end, with an embossed crown on one end and a thistle, similarly embossed, on the other.

The Lord Lyon wears round his neck a triple gold chain bearing his badge as the Sovereign's King of Arms in Scotland and King of Arms of the Order of the Thistle. The Heralds and Pursuivants both wear an oval neck badge bearing St. Andrew on the obverse and the Hanoverian Royal Arms of 1816-1837 on the reverse. This is suspended from a blue ribbon with a narrow edge of white and is thought to be a relic of the time before Queen Anne, who changed the ribbon of the Order of the Thistle from blue to green.

That we have in Scotland such an establishment as the Court of the Lord Lyon, with traditions based on mediaeval practice, shows the efficacy and practical use of heraldry even now at the approach of the twenty-first century.