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A Reference to some Instances of the Degradation of Knights of the Garter and of other Orders.

Upon an examination of the Records, and other Documents, belonging to the Office of Garter King of Arms, for any instance in which a Knight of the most noble Order of the Garter hath been deprived in Chapter of that high Honour, in consequence of his having afforded Proofs of Attachment to the Enemy of the Sovereign; it is gratifying to observe, that Examples of such a Violation of the Statutes, and Dereliction of the Interests, of the Order, either by a Knight Stranger or Subject, are so rarely to be found among its Annals.

The only instance, indeed, which bears strongly upon the point in question, is that of Jean de Foix, Captal de Buch, Earl of Kendal in England, and Knight of the Order; who having, soon after the accession of Edward the 4th, embraced the cause of France, his Achievements were removed from the Choir at Windsor in the 3rd year of that King.^(a)

Some doubt is entertained respecting the case of Gaillard de Durefort, Seigneur de Duras, & Knight of the Order. The Black Book states, that, upon his submitting to France 2^o 16 Edward the 4th, he was degraded of the Order "for having deserted the King, and, like a Bat that flies abroad in the dark, fled into France; submitted to that King, and taken the Oath of Fidelity to him". But, according to other Authorities, it should seem that this Knight was permitted by Edward the 4th to resign the Garter, in order to preserve his possessions under the French Monarch. Sir Thomas Montgomery was elected in his room 22 April 1476.

It may not be necessary to enumerate the instances of the Degradation of Knights Subjects attainted in different Reigns for High Treason. Several were reinstated

(a) The Conduct of Gaston de Foix, Father of this Jean, & also a Knight of the Order, had been very opposite. Having fallen into the power of the Enemies of Henry the 6th, he refused to render homage to them, on account of his reverence for the Oath which he had taken to observe the Statutes of the Garter. He chose rather to lose his Lands in France, suffer a long imprisonment, & at length to fly into Arragon, & die in exile, than to swerve from his oath, & the dictates of his conscience. His Achievements were offered at Windsor 37 Henry 6th. Vide Chartier Hist. de Charles VII. 2^o 1451 p. 242 & Olhagary Hist. de Foix p. 326

reinstated in their Stalls upon the reversal of their Attainders. The last Instance of the Degradation of a Knight is that of James Butler Duke of Ormond, who was degraded of the Order 12 July 1716, by the Sovereign's Warrant directed to Garter King of Arms.

There are three Examples of Resignations by Foreign Knights, when their continuance in the Order was, under particular circumstances, rendered incompatible with their natural Allegiance; viz,

1. Ingelram de Loucy, Son in Law to the Founder, signified his resignation of the Order, after the Death of Edward the 3^d, in a Letter addressed to Richard the 2nd (Rymers Fadera Vol. 7. 172) in which he expresses his regret that his Duty to the King of France, his natural & Sovereign Lord, then at War with England, made this measure necessary.
2. Jean de Montfort Duke of Bretagne, also Son in Law to the Founder, espoused the part of the King of France about 1380, & surrendered the Order. He returned afterwards to the Interests of England in the 21st of Richard the 2nd, and was reinstated in his Stall. (Rym: Fed: Vol: 8. 38 &c.)
3. Sir Francois Surienne (called, from his Country, "Aragonese") resigned, or was degraded of the Order upon his Surrender of the Castle of Fougieres in Normandy in 1449, and embracing the Interests of the King of France.

Philip the 2nd, King of Spain, resigned the Insigns of the Garter to the Ambassador of England upon the accession of Queen Elizabeth; which, Camden observes, was considered to be an absolute renunciation of amity.

It may not be irrelevant to adduce here a few instances of the Degradation of Knights of other Orders; whose establishment being many years posterior to that of the Garter, it is more than probable that their Systems were modelled upon the Statutes & Regulations
of

of the latter, which was justly held in such high veneration by the Christian World.

1. Jean de Neufchastel, Seigneur de Montagu, was elected a Knight of the Golden Fleece in 1451. Upon his retiring into France, and taking part against the Sovereign of the Order, he was, in 1481, adjudged to be excluded from the Order, and declared incapable of bearing the Collar, or any other Insign thereof.
2. Antoine de Bourgogne, natural Son of The Founder of the Golden Fleece, was summoned to appear in the Chapter held in 1481, for having entered into the Service of King Louis XI, and accepted the Order of St Michael.
3. Philippe Pot, Seigneur de la Roche Moulay, who had been elected a Knight of the Golden Fleece in 1461, was, at the same Chapter, deprived for having submitted to the King of France, and accepted the Order of St Michael.
4. Jacques de Luxembourg, Seigneur de Richebourg, Knight of the Golden Fleece, was the next upon whom the Sentence of Deposition was given in the same Chapter, for that swerving from his Duty, and contrary to the Oath taken in the Order as a Knight, Brother, and Companion, he not only swore allegiance to the King of France, and omitted to wear the Collar of the Golden Fleece, but without surrendering the same, had publickly borne the Order of St. Michael.
5. Philip de Crevecaur, Seigneur d'Esquerdes, Knight of the Golden Fleece, having, in violation of his Oath, delivered up several Towns to the King of France, and omitted to wear the Collar of the Order, and borne that of the King of France, and continued in Arms against the Duke of Burgundy, Sovereign of the Order, and the Companions thereof, he was, in the above Chapter, adjudged to be degraded from the same, and declared incapable and unworthy of it; and it was ordered that the Plate of his Arms should be removed out of the Church, and affixed to the Door, reversed.
6. The Duke of Elbeuf, and the Marquis de Nieuville, Knights of the Holy Ghost, were, in a Chapter held at Fontainebleau 15 May 1633, degraded for having borne Arms against the King.

In 1470, when Charles Duke of Burgundy appeared at

at Ghent with the Infirns of the Garter, his Lands were
confiscated by order of the King of France.

By the 27th of the Statutes of the Most Noble Order
of the Garter explained and declared by Henry the 8th,
every Knight is bound to keep, defend, and maintain
the Honour, Quarrels, Rights, and Lordships of the
Sovereign.

A Knight Stranger, being a Member of the
German Empire, upon his reception of the Order, sub-
scribes a solemn declaration, that he will observe
the Laws and Statutes of the same, as far as they
are consistent with the Religion which he professes,
and the Rights and Privileges of the Holy Roman Empire,
and not repugnant to the Statutes of any other Order
which may previously have been conferred upon him.

From the foregoing historical Notes, and the 27th
Statute of the Order, it is presumed, some conclusion
upon the expediency of submitting a recent Event,
in which the Dignity of the Order appears to be
interested, to the consideration of a Chapter may be
formed.

College of Arms
3 June 1805.

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