

Note: Last page is gummed so that this document can be pasted in the back of Document No. 259 of February 1941.

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(Supplement to Doc. No. 259  
following page [2740])

NOTES ON THE SILVER OAR OF THE ADMIRALTY  
COURT SENT TO JUDGE WOOLSEY IN DECEMBER  
1941 BY LORD MERRIMAN, PRESIDENT OF THE PRO-  
BATE, DIVORCE AND ADMIRALTY DIVISION OF THE  
HIGH COURT OF JUSTICE, LONDON

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(With acknowledgments to an article by the late Sir  
Travers Twiss, Queen's Advocate General in the time of  
Queen Victoria, in Volume 46 of the Nautical Magazine  
[1877 page 572]).

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The Silver oar was acquired by the Probate, Divorce and Admiralty Division of the High Court of Justice in England from the High Court of Admiralty created by Act of Parliament in 1840, which in turn had acquired it from its predecessor, the Court of Admiralty sitting at Doctors Commons.

The opening section of the old Black Book of the Admiralty reads:

“When one is made admirall, hee must first ordaine and substitute for his lieutenant, deputies, and other officers under him, some of the most loyall, wise, and discrete persons in the maritime law and auncient customes of the seas which hee can any where find, to the end that by the helpe of God and their good and just government the office may be executed to the honour and good of the realme.”

Accordingly the Admiralty Judge was formerly known as the Lieutenant General of the Lord High Admiral and the oar was the emblem of his authority so to act. Though all Judges of the Probate, Divorce and Admiralty Division have jurisdiction in Admiralty it is the custom only to place the oar in Court when the President is sitting either in Admiralty or in Prize.

The oar is in shape a silver paddle with a blade about a foot long and a three ringed stock about 1 ft. 9 ins. in length, with a butt at the lower end. There appears to be no early written record of its history; but much of this can be deduced from what appears on the face of the oar itself. Reversing the probable historical order, the first item of interest is the ducal coronet, arms and garter of William IV, as Duke of Clarence, on the top of the lower half of the blade. William IV, before his succession, was the last individual holder of the office of Lord High Admiral. Since his

succession to the throne the office has always been in Commission, the Royal Navy being governed by the Lords Commissioners for executing the office of Lord High Admiral. Indeed, the office has only been held individually four times since the last of the Stuarts.

Secondly, on the upper section of the stock is an assay mark of the time of George III, the date of which is between 1784 and 1820. It is this section of the stock which would naturally rest on the shoulder of the Marshal when the oar is carried ceremonially. The inference is that in course of time the original silver in this section became worn out and was replaced.

Thirdly, in the butt of the stock is engraved "Jasper Swift Marshall of the Admiralte". There is no date, but it is known that in 1586 (28 Elizabeth) a precept was issued by Lord Effingham, the Lord High Admiral, to Jasper Swift as Marshal to arrest certain persons for piracies and felonies on the High Seas and in the Thames below bridge towards the sea. Jasper Swift's tenure of the office of Marshal overlapped the Lieutenant-Generalship of Dr. David Lewis, who died in 1584. Dr. Lewis's tenure of office is notable for the determined fight he waged against the incessant prohibitions of the Admiralty Court by the Court of Queen's Bench. Like other pluralists of those times he was also the first President of Jesus College, Oxford, but for our present purpose it is more important to record that he was the son of the Vicar of the Priory Church at Abergavenny. When he died he was buried in the chancel of that church, where he lies in effigy, in full Doctor's robes. On the face of the tomb are three panels, one displaying the "Foul Anchor", the Admiralty emblem; another three volumes (perhaps the Black Book aforesaid) surrounding the emblems of mortality; and the third the figure of Jasper Swift, carrying, slightly defaced but unmistakable, the oar.

Fourthly, at the top of the blade is embossed a crown. It would seem that this was originally arched but, if so, the frontal arch has been removed, or has worn away, and another crown has been engraved inside on the blade itself. On the tomb mentioned in the preceding paragraph the Crown is intact.

Fifthly, immediately below and incorporated with this embossed crown are quartered the Arms of England and France, supported by the greyhound and dragon, which were the armorial supporters of Henry VII. Henry, however, was never Lord High Admiral, but on his succession, after the defeat of Richard III at Bosworth, he appointed John de Vere, Earl of Oxford, as Lord High Admiral.

Oxford had been one of his principal adherents at Bosworth (see Shakespeare's Richard III), and his predecessor, Sir John Howard, had been killed with Richard III in that battle. Howard had succeeded Richard, Duke of Gloucester, brother of Edward IV, the last Royal Duke to hold the office before William IV. Though the arms and crown now appear as one unit, it may be doubted whether they are really contemporaneous, or whether either of them is contemporary with the oar itself. It is possible that de Vere removed an obnoxious Yorkist coat of arms and substituted those of Henry VII. This is pure speculation; but if Henry VII's arms are contemporary with the oar itself, there is nothing to account for the assay mark next to be noticed. It is at least certain that the arms of William IV mentioned above have been inserted at a later date between this coat of arms and the Admiralty anchor below it.

Sixthly, the ring next above the butt bears three assay marks. First, a leopard's head, the mark of the Goldsmiths Company; second, the lion passant, the King's mark and third, a letter, either a year mark or the mark of a particular maker. Apparently this particular combination is not traceable at Goldsmiths Hall, but it would satisfy the requirements of 37 Edward III (1363) when the King's mark was first mentioned. The Court of Admiralty was undoubtedly established in the reign of Edward III. It is possible, therefore, that the oar may have come into existence with the Court itself or, if the main body of the oar only dates from Henry VII, that some part of the stock of an earlier oar may have been incorporated in it.

Finally, at the lower end of the blade is the "Foul Anchor" which, it may be assumed, is contemporary with the blade itself, or at least with the arms of Henry VII, as the case may be.

In the article referred to at the head of these notes occurs a passage which may aptly be quoted at the present time.

"England has taken the lead in framing written rules of navigation, and in procuring their adoption on the part of other nations. Let her maintain her place in the van of the maritime states, and complete this good work in the cause of our common humanity by teaching them how the jurisdiction of the Silver Oar of the Admiralty—which was called into existence to meet the novel exigencies of maritime navigation consequent on its sudden and prodigious development during the Fourth Crusade—is capable of being expanded so as to give vitality to the new rules, and to secure their observance under difficulties not less formidable."