

other hand, that the vafal fhould be faithful to the lord and defend him againft all his enemies. This obligation on the part of the vafal was called his *fidelitas* or fealty; and an oath of fealty was required, by the feodal law, to be taken by all tenants to their landlord, which is couched in almoft the fame terms as our antient oath of allegiance^a: except that in the ufual oath of fealty there was frequently a faving or exception of the faith due to a fuperior lord by name, under whom the landlord himfelf was perhaps only a tenant or vafal. But when the acknowledgement was made to the abfolute fuperior himfelf, who was vafal to no man, it was no longer called the oath of fealty, but the oath of allegiance; and therein the tenant fwore to bear faith to his fovereign lord, in oppofition to all men, without any faving or exception: “*contra omnes homines fidelitatem fecit*”^b. Land held by this exalted fpecies of fealty was called *feudum ligium*, a liege fee; the vafals *homines ligii*, or liege men; and the fovereign their *dominus ligius*, or liege lord. And when fovereign princes did homage to each other, for lands held under their refpective fovereignties, a diftinction was always made between *simple* homage, which was only an acknowledgement of tenure^c; and *liege* homage, which included the fealty before-mentioned, and the fervices confequent upon it. Thus when our Edward III, in 1329, did homage to Philip VI of France, for his ducal dominions on that continent, it was warmly difputed of what fpecies the homage was to be, whether *liege* or *simple* homage^d. But with us in England, it becoming a fettled principle of tenure, that *all* lands in the kingdom are holden of the king as their fovereign and lord paramount, no oath but that of fealty could ever be taken to inferior lords, and the oath of allegiance was neceffarily confined to the perfon of the king alone. By an eafy analogy the term of allegiance was foon brought to fignify all other engagements, which are due from fubjects to their prince, as well as thofe duties which were fimply and merely territorial. And the oath of allegiance, as ad-

^a 2 Feud. 5, 6, 7.

^b 2 Feud. 99.

^c 7 Rep. Calvin’s cafe. 7.

^d 2 Carte. 401. Mod. Un. Hift. xxiii. 420.

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