

ALL degrees of nobility and honour are derived from the king as their fountain<sup>a</sup>: and he may institute what new titles he pleases. Hence it is that all degrees of honour are not of equal antiquity. Those now in use are dukes, marquesses, earls, viscounts, and barons<sup>b</sup>.

1. A *duke*, though it be with us, as a mere title of nobility, inferior in point of antiquity to many others, yet it is superior to all of them in rank; being the first title of dignity after the royal family<sup>c</sup>. Among the Saxons the Latin name of dukes, *duces*, is very frequent, and signified, as among the Romans, the commanders or leaders of their armies, whom in their own language they called *þepetoga*<sup>d</sup>; and in the laws of Henry I (as translated by Lambard) we find them called *heretochii*. But after the Norman conquest, which changed the military polity of the nation, the kings themselves continuing for many generations *dukes* of Normandy, they would not honour any subjects with that title, till the time of Edward III; who, claiming to be king of France, and thereby losing the ducal in the royal dignity, in the eleventh year of his reign created his son, Edward the black prince, duke of Cornwall: and many, of the royal family especially, were afterwards raised to the same honour. However, in the reign of queen Elizabeth, *A. D.* 1572<sup>e</sup>, the whole order became utterly extinct: but it was revived about fifty years afterwards by her successor, who was remarkably prodigal of honours, in the person of George Villiers duke of Buckingham.

2. A *marquess*, *marchio*, is the next degree of nobility. His office formerly was (for dignity and duty were never separated by our ancestors) to guard the frontiers and limits of the kingdom;

<sup>a</sup> 4 Inst. 363.

<sup>b</sup> For the original of these titles on the continent of Europe, and their subsequent introduction into this island, see Mr. Selden's *titles of honour*.

<sup>c</sup> Camden. *Britan. tit. ordines*.

<sup>d</sup> This is apparently derived from the same root as the German *hertzogen*, the antient appellation of dukes in that country. Seld. *tit. hon.* 2. 1. 12.

<sup>e</sup> Camden. *Britan. tit. ordines*. Spelman. *Gloss.* 191.

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