

They are also called in our law *milites*, because they formed a part, or indeed the whole, of the royal army, in virtue of their feudal tenures; one condition of which was, that every one who held a knight's fee (which in Henry the second's time^a amounted to 20*l. per annum*) was obliged to be knighted, and attend the king in his wars, or fine for his non-compliance. The exertion of this prerogative, as an expedient to raise money in the reign of Charles the first, gave great offence; though warranted by law, and the recent example of queen Elizabeth: but it was, at the restoration, together with all other military branches of the feudal law, abolished; and this kind of knighthood has, since that time, fallen into great disrepute.

THESE, sir Edward Coke says^r, are all the names of *dignity* in this kingdom, esquires and gentlemen being only names of *worship*. But before these last the heralds rank all colonels, sergeants at law, and doctors in the three learned professions.

ESQUIRES and gentlemen are confounded together by sir Edward Coke, who observes^s, that every esquire is a gentleman, and a gentleman is defined to be one *qui arma gerit*, who bears coat armour, the grant of which adds gentility to a man's family: in like manner as civil nobility, among the Romans, was founded in the *jus imaginum*, or having the image of one ancestor at least, who had borne some curule office. It is indeed a matter somewhat unsettled, what constitutes the distinction, or who is a real *esquire*: for it is not an estate, however large, that confers this rank upon it's owner. Camden, who was himself a herald, distinguishes them the most accurately; and he reckons up four sorts of them^t: 1. The eldest sons of knights, and their eldest sons, in perpetual succession^u. 2. The younger sons of peers, and their eldest sons, in like perpetual succession: both which species of esquires sir Henry Spelman entitles *armigeri natalitii*^w. 3. Esquires

^a Glanvil. l. 9. c. 4.

^r 2 Inst. 667.

^s 2 Inst. 668.

^t *Ibid.*

^u 2 Inst. 667.

^w Gloss. 43.