

O F

## K N I G H T H O O D.

**T**HE English title Knight is derived from the Saxon *Cniht*, or *Knecht* Teutonick, a servant; and in all probability proceeded from their serving the King in his wars. *Verstegan* says, this title was given by our ancestors to such as were admitted for their merits to be Knights to the King, being his own servants, officers, or retainers, to ride with him; it seems that some, if not all, were anciently called Knights-riders.

The most ancient manner of conferring Knighthood was by putting the military belt loose over the shoulder, or girding it close about the waist. The first Christian Kings, at giving their belt, kissed the new Knight on the left cheek, saying, *In honour of the Father, and the Son, and the Holy Ghost, I make you a Knight* \*.

The first account (according to Sir William Segar) that we have of Ceremonies in making a Knight in England, was in the year 506, in the following manner; viz. A stage was erected in some cathedral, or spacious place near it, to which the gentleman was conducted to receive the honour of Knighthood. Being seated on a chair decorated with green silk, it was de-

\* Ashmole's Order of the Garter.

manded of him if he were of a good constitution, and able to undergo the fatigue required in a soldier; also whether he were a man of good morals, and what credible witnesses he could produce to affirm the same.

Then the Bishop, or chief Prelate of the Church, administered the following oath: *Sir, you that desire to receive the order of Knighthood, swear before God, and this holy book, that you will not fight against his Majesty, that now bestoweth the order of Knighthood upon you. You shall also swear, to maintain and defend all Ladies, Gentlewomen, Widows, and Orphans; and you shall shun no adventure of your person in any war wherein you shall happen to be.*

The oath being taken, two Lords led him to the King, who drew his sword, and laid it upon his head, saying, *God and St. George* (or what other Saint the King pleased to name) *make thee a good Knight*; after which, seven Ladies dressed in white came and girt a sword to his side, and four Knights put on his spurs.

These ceremonies being over, the Queen took him by the right hand, and a Dutches by the left, and led him to a rich seat, placed on an ascent, where they seated him, the King sitting on his right-hand, and the Queen on his left.

Then the Lords and Ladies also sat down upon other seats, three descents under the King; and being all thus seated, they were entertained with a delicate collation; and so the ceremony ended.

If any Knight absented himself dishonourably from his King's service, leaving his colours, going over to the enemy, betraying of castles, forts, &c. for such crimes he was apprehended, and caused to be armed  
cap-a-pee,

cap-a-pee, and then seated on a scaffold erected in the church, where, after the priest having sung some funeral Psalms, as though he had been dead; they first took off his helmet, to shew his face, then his military girdle, broke his sword, cut off his spurs from his heels with a hatchet, pulled off his gauntlets, and after his whole armour, and then reversed his coat of arms; after which the Heralds crying out, “ This is “ a disloyal miscreant,” with many other ignoble ceremonies, he was thrown down the stage with a rope\*; but now the martial law is usually put in execution, by dispatching such traitorous persons by a file of musqueteers.

In the time of the Saxons here in England, Knights received their institutions at the hands of great prelates, with many religious ceremonies; but after the Conquest this custom was restrained by a synod at Westminster, A. D. 1102. 3 Henry I. †

Knighthood anciently depended upon tenure; so that he who held a knight's-fee might be compelled to take the same, or undergo a fine, which quite debased the title. *Camden* says, Knights were made upon account of their estates; for they who had a great Knight's-fee (that is, if we may credit old records, 680 acres of land) claimed the honour of Knighthood, as thereby entitled to it.

In Henry the Third's reign whoever had the yearly revenue of fifteen pounds in land, was compelled to receive this dignity: so that the title was become rather a burthen than an honour. In the year 1256 *the King*

\* Mills, fol. 84.

† Ashmole.

*issued a proclamation, whereby it was ordered and declared throughout the realm, that whoever had fifteen librats of land or above, should be knighted, for increase of the military strength of England, as it was in Italy; and that they who would not, or could not, support the honour of Knighthood, should compound for a dispensation.*

And in those days, when the King made a Knight, he sat in state upon his throne, in robes of gold, with a small gold crown upon his head; and to every Knight he allowed one hundred shillings for equipage.

And not only the King, but the Earls also, conferred Knighthood, in that age. The Earl of Gloucester having proclaimed a tournament, knighted his brother William; and Simon de Montefort, Earl of Leicester, conferred the same honour upon Gilbert de Clare\*.

Note. A Knight's service was a tenure, by which several lands in this nation were held of the King. But it is abolished by statute of 12 Car. II. chap. 24. The qualifications for Knighthood are Merit, Birth, and Estate; they are to be Gentlemen of three paternal descents, bearing coat armour †.

The different Orders of Knighthood are divided into two classes; the first consists of the Religious, which not only includes the defence of the Princes, the State, and of Christianity, but also by particular vows, and other Rules, renders them entirely under subjection to their chief. The second class comprehends the military, which Sovereigns have established to encourage the nobility, and keep emulation among their subjects in the wars, and the management of state affairs.

\* Camden's Brit. p. cexlvi.

† Ashmole.

A REPORTE of a familiar Conference betwene a Knightes eldest sonne and a Student in the Lawes of the realme concerning the preheminency of the ordre of Knight-hode before the degre of a Sergeant at Lawe \*.

THE eldest sonne of a Knight, a youth of good mettall, hauing heard it bruted, that of late the Sergeantes at Lawe stroue to take place of Knightes, was desirous to informe himself therein, thereupon he got the booke intituled, "Honor military and Ciuill," and that w'ch is called, "the Glory of Generositie," wherein many worthy thinges he found written of the honor of Knighthod; but finding very litle of the degre of the Sergeant at Lawe: but not being satisfied therewith, he bethought him of an acquaintaynce, a good student in the lawes of the realme, and cast about howe he might get from him how the Lawes of the realme did account of Knighthod,

After som frendly discourses betwene them, the fell to talke of the multitude of Knightes lately made †: "I dought not," quoth the young gentleman, "it will brede a disgrace to the whole degre." "It may be soe," quoth his frende, "but seing it hath pleased the King's Ma'tie to be bountefull therein, at his first comning, why shold the degre take any hurte thereby; for I can tell you, in our realme, they haue bene of greate esteme." "Why!" saith the young gentleman, "what hath y'r lawes to doe w'th them?"

\* From an original MS. of Sir Rich. St. George, Knt. Norroy King of Arms.

† The MS. was written a<sup>o</sup> 1604, being the second year of King James the First, who, at his accession to the crown, made upwards of 300 Knights.

" Yes," faith he, " I remember well that this worde  
 " miles, in our lawe, hath bene alwayes taken to be  
 " nomen dignitatis; so that a Knight might not sue  
 " nor be sued, but by the name of Knight; though it  
 " weare not so necessary for Lordes, and other great  
 " officers, to haue there title of there dignities added  
 " to there names in such like cases." " What shold  
 " be the reason of that," quoth the youth? " I am  
 " not ready," faith the Lawyer, " to yealde you a  
 " good reason of a soddayne; for I haue applied my  
 " studies to a more profitable ende, and have thought  
 " of these things but obiter; yet in a short tyme I  
 " thinke I sholde be able to say somewhat to the  
 " matre, for our lawe is grounded upon exquisite  
 " reason; but for the present I suppose veryly that it  
 " tendeth to proue that the name of Knight was then  
 " in much reputation." " I pray you," quoth the  
 " youth, " bestowe an houre or two for my sake, to loke  
 " into y'r Abbridgments, and gather me out of your  
 " cases concerning Knights; and when I com to my  
 " landes I will giue you a double fee." " Giue me  
 " tyme till to-morrowe," faith his acquaintance, " and  
 " for y'r sake I will see what I can doe." So for that  
 tyme they parted.

The next morning the young Esquire came agayne,  
 and asked what he had done? " What!" quoth the  
 student, " you are very hasty; it requireth longer tyme;  
 " yet take here what I have found in so shorte a space:"

" It is somewhat touched," quoth he, " in the  
 " booke cases of a<sup>o</sup> 40 E. III. c. 36. and a<sup>o</sup> 7 H. IV.  
 " fol. 7. but more plainly a<sup>o</sup> 11 H. IV. fol. 40. wheare  
 " Thorning, Chiefe Justice of the Common Place  
 " faith exprefsly, that if an action be brought against  
 " a Knight,

“ a Knight, not naming him Knight, the suite cold  
 “ not go forward, because, said he, the worde Knight  
 “ is a name of dignitie; and most fully, a<sup>o</sup> 7 H. VI.  
 “ fol. 15. wheare Richard Hankford hauing begon a  
 “ suite against an other, abought the presentation to a  
 “ benifice, was during the suite, made a Knighte; in  
 “ that case judgment was giuen, that his suite shold  
 “ goe to the grounde; and in the handling thereof,  
 “ Paston, a gentlemanlike Sergeaunt, said, that it was  
 “ honorable to the realme to make Knights. And  
 “ Babington, Chiefe Justice, said, that if any mete  
 “ man being sent for, did refuse to take upon him  
 “ that ordre and honor (for so the wordes be) he was  
 “ to be fined. And in a case a<sup>o</sup> 32 H. VI. fol. 29. it is  
 “ affirmed by Présot, a greate learned Judge, that if  
 “ an Esquire be made a Knight, the name of Esquire  
 “ was gone; but if a Knight weare made an Earle or  
 “ Duke, the name of Knight remained. And a<sup>o</sup> 8 E.  
 “ IV. fol. 23. at too several times diuers of the Judges  
 “ weare of this opinion, that this worde Knight was  
 “ not only, nomen dignitatis, but parcell of his name  
 “ also. Take this,” quoth he, “ for the present; and  
 “ at more leysure I shall finde more.” “ Well,” saith  
 the other, “ I thanke you for this; but tell me, I  
 “ pray you, is the lawe so still?” “ Yea, surely,” an-  
 swered the Student, “ for any thinge I knowe; save that  
 “ I remember there was a statute made, a<sup>o</sup> 1 Edw. the  
 “ VIth, to remedy the overthrowinge of the suite, if  
 “ the plaintife, during the continuance thereof, weare  
 “ made a Knight.” “ That hath good reason,” re-  
 plied the youth, “ in my litle skill, it is harde that a  
 “ suite well begonne shold be dashed by an addition of

“honor.” And so bidding him farewell, saith the Student unto him, “You are at good leysure, take, “ here, I will lend you the statute bookes in Englishe; “ turne them over; perhaps you may finde there of “ Knights for your purpose; for I remember som- “ what; but it is not now readie with me.”

The young Esquire toke the bookes home w'th him, and being sett on edge, began w'th the greate Charter of Restitution and Confirmation of the auntient Cuf- tomes and Liberties of England, graunted by King Henry the Third, in the ixth yeare of his raighe, in the xiith chapter, he founde it ordayned, that affises of Novell-diffeison, and of mortdaunceflor, shold not be taken any other wheare but w'thin the counties where they happened; and that the King him- self, or his Chiefe Justice (if he were out of the realme) shold send his Justices thorough every countie once a yeare, who, w'th the Knightes of the same countie, shold there take the affizes. It incoraged him well to have so good luck at the first; and going on, he founde like credit given unto Knightes in the Sta- tutes of Westminster, the first in the third yeare of Edward the First, the chapter 30, and in the statute of anno 27 of Ed. the First, capit 3 & 4, whereby they weare appointed to be associated to the Justice of nisi prius; also he found besides amongst the statutes of Westminster, the first capit 35, especiall pvision made, that euery tenaunt shold pay to his Landlord, towards thè making of his caldest sonne of his said Landlorde Knight. That pleased him also; and began to imagine, it might be his owne turne to haue som' benifite by that statute hereafter, but be observed

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more.



moreover out of it, that about that time it seemed to be a chargeable thing to be made a Knight; and going on amongst those statutes, and out of the 42th chapter of Westminster, the second a<sup>o</sup> 13 E. I. he gathered much plausible matter; for there he founde that Earles and Barones, longe before that tyme, had used to take the ordre of Knighthod vpon them as an addition of honor; for there it was p<sup>r</sup>ouided, because the Marshalls began to exacte ouer greate fees, that if he had taken a palfrey at the doinge of there homage, he should not take an other palfrey, when the King made them Knightes; but should content himself w<sup>th</sup> on palfrey for both, or w<sup>th</sup> the ancient prise thereof, and this was long before there was any speciall ordre of Knighthod invented in England after the Conquest. Yet he turned further, and light upon the statute of Carlile, made a<sup>o</sup> 15 E. II. by w<sup>ch</sup> it was enacted about acknowledgement of fines to be levied of landes betwene p<sup>r</sup>tie and p<sup>r</sup>tie (a matter of greate importance) if any of the p<sup>r</sup>ties could not appeare in courte, that then one at the leaste of the Judges of the same courte, w<sup>th</sup> an Abbot, Prior, or Knight, should goe to the p<sup>r</sup>tie, and take his acknowledgement, and certifie the same. And turning to and fro he found another olde ordinance concerning matter of torneaments, in w<sup>ch</sup> noble exercise Knights weare associate to Earles and Barones, and one lawe for them all. So thinking he had enoughe he gaue ouer for the time; after a daye or too he went w<sup>th</sup> his collections to vizite his lawyer upon the metinge; "What!" saith the Lawyer, "haue you founde any thing for your purpose?" "Yea, that I haue," answered the youth, "I hope I  
" shall

“ shall turne Lawyer allso, I haue so good lucke,” and  
 shewed him his laboures. “ It is well done, in good  
 “ faith,” saith the Lawyer, “ for a young beginner.”  
 The young gentleman thereupon fell into this speache:  
 “ But what say you to y'r Sergeautes at Lawe, ought  
 “ they to take place aboue Knights? for soe I heare  
 “ say they begin to doe.” W'th this the Lawyer  
 smilingly loking on him, “ Why not,” quoth he, “ if  
 “ they can get it? The common law, I tell you, is an  
 “ honorable p'fession.” “ Nay, but good Sir,” quoth  
 the youthe, “ doe you thinke it well done in dede?  
 “ Haue you, amongst y'r owne booke cases asmuch  
 “ warrant for the reputation of a Sergeaunte as you  
 “ haue deliuered me for a Knight; I tell you true, I  
 “ finde nothing among the olde statutes for there cre-  
 “ dit.” “ Yes,” saith he, “ I can shew you an opi-  
 “ nion of a late learned man, that this worde Seriaunt  
 “ is a name of dignitie aswell as a Knight.” “ What!”  
 quoth the youth, “ and that a suite brought by a law-  
 “ yer, before he was sergeaunt, shold abate, he being  
 “ made sergeaunt?” “ I cannot shewe any president  
 “ thereof,” saith the other, “ nor remember any booke  
 “ case thereupon; but loke into the statutes I told you  
 “ on the last day concerning such mattres; and you  
 “ shall finde that it streached by exprefs name unto  
 “ Sergeaunts aswell as unto Knights.” “ I beseeche  
 “ you, let me se the statute,” saith the youth, “ for  
 “ now I thinke I taste a statute well.” The Lawyere  
 turned to the statute, and there they found it  
 so indede. “ You haue said fore to me,” saith  
 the youth; “ but yet I espye a difference; the  
 “ Knight is there placed before the Sergeaunt: an  
 “ other

“ other thing I note, that Barones be mentioned there  
 “ also; and yet ye tolde me the other day, that Baro  
 “ was not nomen dignitatis in your Lawe: why then  
 “ did they nedelesly put them in amongest the reste?”  
 “ I was not of councell w<sup>th</sup> the penning of the acte,”  
 quoth the Lawyer, “ I cannot tell you readilye.”  
 “ Will you heare the witt of a younge Lad,” quoth  
 the youth; “ they founde the Baron worthy of more  
 “ than that; and the Sergeautes themselves being  
 “ most likely the penners or surveiors of such a lawe-  
 “ acte, put themselves in for there credits: he is an ill  
 “ cooke, the say, that cannot licke his owne fingers.”  
 The Lawyer laughed hartely at his reason. There sate  
 by them at that time a Solicitor to a Nobleman: “ In  
 “ good fouth,” quoth he, “ by y<sup>r</sup> good favours, if  
 “ you will giue me leaue to speake, I haue much mar-  
 “ vailed at on thinge, in reading ouer my Lordes  
 “ auntient evidences I finde very many olde dedes, and  
 “ many Knightes witneses unto them, and most co-  
 “ monly in these words: Hiis Testib’ dominis M. C.  
 “ J. T. militib’, &c. and yet I knowe well these witt-  
 “ nesces weare never Lordes, and if he weare a Lorde  
 “ and Knight also, yet was it all one, and many  
 “ Knightes, in there owne dedes did also write them-  
 “ selves Sciant, q̄d. ego Dominus E. F. miles, &c.  
 “ and there wives be called Ladies as longe as they  
 “ liue.” “ You say somewhat for the estimation of  
 “ Knights,” sayth the youth; “ for since I was at  
 “ schole I have learned, that Dominus in Latyne is  
 “ Lorde in Englishe, and in French Sire; whereby  
 “ you cause me to observe, that unto this day Knightes  
 “ be called comonly Sr. J. E. or Sr. J. T.” There-

upon the speache betwene them brake up; for it seemed the other twoe had more mattre of earnest to confer upon; the youth bad them farwell, and tolde the Lawyer "he had forgate his bookes; but he wold bring them the next day w'th thanks." Having litle to doe, when he came home, he fell to turne over the booke of the statutes in the tyme of King H. VIII. and by mere chaunce light upon a statute concerning apparrell, in the first yeare of his raigne, capt. 14. and being desirous to knowe what apparrell he himself might weare, he founde there prohibited amongst other thinges, that no man, under the degre of a Knight, except Spirituall Men and Sergeaunts at the Lawe, &c, should vse any more cloathe in a longe gowne than foure broade yeardes. "Oh," saith he, "that I had the Lawyer heare; I wold put him downe, concerning his Sergeaunts; I understond Englishe aswell as the best of them." He turned further, and founde the like lawe, worde for worde, in effect, a<sup>o</sup> 7 H. VIII, ca. 7. "What," quoth he, "if the Sergeaunt had wrong in the first statute, to be put under the degre of a Knight, cold he not right himself in the next? I am verily pswaded there was no question in those dayes but that the degre of a Sergeaunte was under the degre of a Knight." So he lefte it till the next day, when he caried home the bookes.

"I thanke you for y'r bookes, Sir," quoth he, "in faith, I haue founde here mattre enough to pswade your Sergeants to content them w'th there due places; for I haue heard the most of them to be graue and modest men." "What is that," quoth the Lawyer? So he shewed him the twoe statutes.

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When he had read them he pawfed awhile; and then w'th good courage: "Tufhe, tufhe," quoth he, "you are neuer a whit the nearer; both thefe statutes be repealed." "Repealed!" quoth the youth; and, w'th a fecond breath, "What though," quoth he, "I am fure I may nevertheless truly collect out of them what the opinion of the whole plliament was then concerning the difference of there degrees." "Well, well," faith the Lawyer, "there is a late statute; we will fee how that statute runneth." So he turned to the statute of 24 H. VIII. cap. 15. and read it over. "Locye," faid the Studient, "here is no fuch mattre." "Marry, no mervaile," faith the other; "for that claufe of longe gownes, wherein this difference is fet out, is wholly left out; but is there any thing in this contrary to the former? I tell you truly, as little fkill as I haue, I note on thing in it more than I knewe before, concerning the folempne ftate of a Knight, it is here generally phibited, that no man, unles he be a Knight, fhall weare any coller of SS; indede I haue fene very fewe at this day, but the Judges that be Knightes, vfe them." "You are very earnest in y'r father's behalf," faith the Lawyer. "Nay, but for the truth," quoth the other; "But on thing more I wold fayne fee, and I haue done: You tolde me of an authoritie that this word Sergeant was nomen dignitatis. Let me fee the place, if you be a good fellowe." So he toke downe his Brooke's Abridgment, and fhewed him the place where Broke faith, "dicitur alibi, qd feruiens ad legem est nomen dignitatis." "Alibi," faith the young gentleman, "where is that alibi? haue you read  
" it

“ it in any other bookes of your Lawe ?” “ In dede,”  
 saith the other, “ I doe not remember it.” “ Well,”  
 quoth the youth, “ I dought y’r booke is misprinted,  
 “ for *alibi* it shold be *nullibi*,” “ You are very pleasant,”  
 quoth the Lawyer. “ Nay,” quoth he, “ I have done,  
 “ I loue Lawyers well, and hope to be a Sergeaunt my  
 “ selfe, if I cold once get thorough my Litleton; and I  
 “ tell you true in the bookes of herauldes that be pub-  
 “ lished, Sergeaunts be ranked but amongst Squires.”

“ Farewell now, my good Lawyer; and I may  
 “ chauce to have a turne or twoe abought w’th an  
 “ herald in this mattre, aswell as I haue had w’th you,  
 “ if I may light of a man of judgment and skill in  
 “ there p’fession, as I heare say som of them are at  
 “ this time; and I will take a time to loke ouer the  
 “ auntient Chronicles and Histories of our Nation,  
 “ what they reporte of Knighthod, for I hope to finde  
 “ there recorded, that Kinges haue honored there  
 “ ealdest sonnes, and y’r greatest men whom y’u call  
 “ p’ceres & magnates regni w’th the order of Knight-  
 “ hod, as a great grace unto them. Adieu.”