nure by knight-ſervice. See *Feodal System, Knight Ser­vice,* and Tenure.

Upon the death of a tenant, if the heir was under the age of 21, being a male, or 14, being a female, the lord was intitled to the wardſhip of the heir, and was called the *guardian in chivalry.* This wardſhip consisted in having the custody of the body and lands of such heir, without any ac­count of the profits, till the age of 21 in males, and 16 in females. For the law ſupposed the heir-male unable to per­form knight-ſervice till 21 ; but as for the female, ſhe was ſupposed capable at 14 to marry, and then her huſband might perform the ſervice. The lord therefore had no wardſhip, if at the death of the ancestor the heir-male was of the full are of 21, or the heir-female of 14 : yet if ſhe was then under 14, and the lord once had her in ward, he might keep her ſo till 16, by virtue of the ſtatute of West- minſter, 1. 3 Edw. I. c. 22. the two additional years be­ing given by the legiſlature for no other reason but merely to benefit the lord.

This wardſhip, ſo far as it related to land, though it was not nor could be part of the law of feuds, ſo long as they were arbitrary, temporary, or for life only ; yet when they became hereditary, and did consequently often descend upon infants, who by reaſon of their age could neither perform nor stipulate for the ſervices of the feud, does not seem up­on feodal principles to have been unreaſonable. For the wardſhip of the land, or cuſtody of the feud, was retained by the lord, that he might out of the profits thereof provide a fit person to ſupply the infant’s ſervices till he ſhould be of age to perform them himſelf. And if we consider a feud in its original import, as a stipend, see, or reward for actual ſervice, it could not be thought hard that the lord ſhould withhold the stipend ſo long as the ſervice was ſuſpended. Though undoubtedly to our Engliſh ancestors, where such stipendary donation was a mere ſupposition or figment, it carried abundance of hardſhip ; and accordingly it was re­lieved by the charter of Henry I. which took this cuſtody from the lord, and ordained that the cuſtody, both of the land and the children, ſhould belong to the widow or next of kin. But this nobe immunity did not continue many years.

The wardſhip of the body was a consequence of the ward­ſhip of the land ; for he who enjoyed the infant’s estate was the properest person to educate and maintain him in his in­fancy : and alſo in a political view, the lord was most con­cerned to give his tenant a ſuitable education, in order to qualify him the better to perform thoſe ſervices which in his maturity he was bound to render.

When the male heir arrived to the age of 21, *or* the heir- female to that of 16, they might ſue out their livery or oust*erlemain ;* that is, the delivery of their lands out of their guardian’s hands. For this they were obliged to pay a fine, namely, half-a-year’s profits of the land ; though this ſeems expreſsly contrary to *magna charta.* However, in consideration of their lands having been ſo long in ward, they were excuſed all reliefs, and the king’s tenants alſo all primer ſeisins. In order to aſcertain the profits that aroſe to the crown by theſe fruits of tenure, and to grant the heir his li­very, the itinerant justices, or justices in eyre, had it former­ly in charge to make inquisition concerning them by a jury of the county, commonly called an *inquisitio post mortem ;* which was instituted to inquire (at the death of any man of fortune) the value of his estate, the tenure by which it was holden, and who, and of what age, his heir was ; thereby to aſcertain the relief and value of the primer ſeisin, or the ward­ſhip and livery accruing to the king thereupon. A manner of proceeding that came in proceſs of time to be greatly abuſed, and at length an intolerable grievance ; it being one of the principal accusations against Empſon and Dudley, the wick­ed engines of Henry VII. that by colour of falſe inquisitions they compelled many persons to sue out livery from the crown, who by no means were tenants thereunto. And afterwards a court of wards and liveries was erected, for con­ducting the same inquiries in a more ſolemn and legal man­ner.

When the heir thus came of full age, provided he held a knight’s fee, he was to receive the order of knighthood, and was compellable to take it upon him, or else pay a fine to the king. For in thoſe heroical times no perſon was qualified for deeds of arms and chivalry who had not re­ceived this order, which was conferred with much prepara­tion and ſolemnity. We may plainly diſcover the footsteps of a similar custom in what Tacitus relates of the Germans, who, in order to qualify their young men to bear arms, preſented them in a full aſſembly with a ſhield and lance ; which ceremony is ſupposed to have been the original of the feodal knighthood. This prerogative, of compel­ling the vassals to be knighted, or to pay a fine, was expressly recogniſed in parliament by the statute *de militibus, 1* Edw. II. ; was exerted as an expedient for raising money by many of our best princes, particularly by Edw. VI. and Q. Elizabeth ; but this was the occaſion of heavy murmurs when exerted by Charles I. : among whoſe many misfortunes it was, that neither himſelf nor his people ſeemed able to di­stinguiſh between the arbitrary stretch and the legal exer­tion of prerogative. However, among the other concessions made by that unhappy prince before the fatal recourſe to arms, he agreed to divest himſelf of this undoubted flower of the crown; and it was accordingly aboliſhed by statute 16 Car. I. c. 20.

WARE, a town of Hertfordſhire, with a market on Tueſdays, and a fair on the last Tueſday in April, and Tues­day before St Matthew’s day (Sep. 21.) for horſes and other cattle. It is a large, well frequented, and well inha­bited thoroughfare town, ſeated on the river Lea, 21 miles north of London. It carries on a great trade in malt and corn, which they are continually sending in large quantities to London. E. Long 0. 3. N. Lat. 51. 50.

WARN, in law, is to ſummon a perſon to appear in a court of justice.

WARNING *of Tenants,* in Scots law. See Law, N⁰ clxvii. 16.

WARP, in the manufactures, a name for the threads, whether of ſilk, wool, linen, hemp, &c. that are extended lengthwiſe on the weaver’s loom ; and acroſs which the work­man, by means of his ſhuttle, paſſes the threads of the woof, to form a cloth, ribband, fustian, or the like.

Warp, a ſmall rope employed occasionally to remove a ſhip from one place to another, in a port, road, or river. And hence,

*To Warp,* is to change the situation of a ſhip, by pul­ling her from one part of a harbour, &c. to ſome other, by means of warps, which are attached to buoys ; to anchors sunk in the bottom ; or to certain stations upon the ſhore, as posts, rings, trees, &c. The ſhip is accordingly drawn forwards to thoſe stations, either by pulling on the warps by hand, or by the application of ſome purchaſe, as a tackle, windlaſs, or capstern, upon her deck.

When this operation is performed by the ship’s lesser an­chors, theſe machines, together with their warps, are car­ried out in the boats alternately towards the place where the ſhip is endeavouring to arrive : ſo that when ſhe is drawn up cloſe to one anchor, the other is carried out to a com­petent distance before her, and being sunk, ſerves to fix the other warp, by which ſhe is farther advanced.

Warping is generally uſed when the sails are unbent, or