France in 1714. The marſhal de Villars, who had been plenipotentiary at the treaty of Raſtat, was made preſident of the council of war in 1715, then counſellor of the regency, and miniſter of ſtate. In 1733, he was nominated to com­mand in Italy under the king of Sardinia, and the French king declared him marſhal-general of his camps and armies ; a title which had not been granted to any one ſince the marſhal Turenne, who appears to have been the firſt who was ever honoured with it. The marſhal de Villars made himſelf maſter of Piſighitona, Milan, Novara, and Tortona. But having opened the following campaign, he fell sick, and died at Turin, in 1734, aged 82. The Memoirs of M. de Villars have been publiſhed in Holland, the firſt volume of which was written by himſelf.

VILLENAGE, in law. The folk-land or eſtates held in villenage, was a ſpecies of tenure neither ſtrictly feodal, Norman, or Saxon ; but mixed and compounded of them all ; and which alſo, on account of the heriots that uſually attend it, may ſeem to have ſomewhat Daniſh in its compoſition. Under the Saxon Government there were, as Sir William Temple ſpeaks, a sort of people in a condition of downright ſervitude, uſed and employed in the moſt ſervile works, and belonging, both they, their children, and effects, to the lord of the soil, like the reſt of the cattle or ſtock upon it. Theſe ſeem to have been thoſe who held what was called the *folkland,* from which they were removeable at the lord’s pleaſure. On the arrival of the Normans here, it ſeems not improbable, that they, who were ſtrangers to any other than a feodal ſtate, might give ſome ſparks of enfranchisement to ſuch wretched perſons as fell to their ſhare, by admitting them, as well as others, to the oath of fealty ; which conferred a right of protection, and raiſed the tenant to a kind of eſtate ſuperior to downright ſlavery, but inferior to every other condition. This they called *v illenage,* and the tenants *villeins.*

Theſe villeins, belonging principally to lords of manors, were either villeins *regardant,* that is, annexed to the manor or land ; or elſe they were *in groſs,* or at large, that is, an­nexed to the perſon of the lord, and transferable by deed from one owner to another. They could not leave their lord without his permiſſion ; but, if they ran away, or were purloined from him, might be claimed and recovered by action, like beaſts or other chattels. They held indeed ſmall por­tions of land by way of ſuſtaining themſelves and families : but it was at the mere will of the lord, who might diſpoſſeſs them whenever he pleaſed ; and it was upon villein ſervices, that is, to carry out dung, to hedge and ditch the lord’s demeſnes, and any other the meaneſt offices: and their ſervices were not only baſe, but uncertain both as to their time and quantity.

A villein could acquire no property either in lands or goods: if he purchaſed either, the lord might ſeize them to his own uſe ; unleſs he contrived to diſpoſe of them again before the lord had ſeized them, ſor the lord had then loſt his opportunity.

In many places alſo a fine was payable to the lord, if the villein presumed to marry his daughter to any one without leave from the lord : and, by the common law, the lord might also bring an action againſt the huſband for damages in thus purloining his property. For the children of villeins were also in the ſame ſtate of bondage with their parents ; whence they were called in Latin *nativi,* which gave riſe to the female appellation of a villein, who was called a *neife.* In caſe of a marriage between a freeman and a neife, or a villein and a freewoman, the iſſue followed the condition of the father, being free if he was free, and villein if he was villein ; contrary to the maxim of the civil law, that *partus sequitur ventrem.* But no baſtard could be born a villein, becauſe by another maxim of our law he is *nullius filius;* and as he can *gain* nothing by inheritance, it were hard that he ſhould *loſe* his natural freedom by it. The law, however, protected the perſons of villeins againſt atrocious injuries of the lord : for he might not kill or maim his villein ; though he might beat him with impunity.

Villeins might be enfranchised by manumiſſion. In proceſs of time they gained conſiderable ground on their lords ; and in particular ſtrengthened the tenure of their eſtates to that degree, that they came to have in them an intereſt in many places full as good, in others better than their lords. For the good-nature and benevolence of many lords of ma­nors having, time out of mind, permitted their villeins and their children to enjoy their poſſeſſions without interrup­tion, in a regular courſe of deſcent, the common law, of which cuſtom is the life, now gave them title to preſcribe againſt their lords ; and, on performance of the same ſer­vices, to hold their lands, in ſpite of any determination of the lord’s will. For though in general they are ſtill laid to hold their eſtates at the will of the lord, yet it is ſuch a will as is agreeable to the cuſtom of the manor ; which cuſtoms are preſerved and evidenced by the rolls of the ſeveral courts-baron in which they are entered, or kept on foot by the conſtant immemorial uſage of the ſeveral ma­nors in which the lands lie. And as ſuch tenants had nothing to ſhow for their eſtates but theſe cuſtoms, and admiſſions in purſuance of them, entered on thoſe rolls, or the copies of ſuch entries witnessed by the ſteward, they now began to be called *tenants by copy of court-roll,* and their tenure itſelf a *copyhold.*

*Privileged* Villenage, a ſpecies of tenure otherwiſe cal­led *vellein-ſocage.* See Tenure.

Ancient demeſne conſiſts of thoſe lands or manors which, though now perhaps granted out to private ſubjects, were actually in the hands of the crown in the time of Edward the Confessor, or William the Conqueror; and ſo appear to have been, by the great ſurvey in the exchequer, called *doomſday-book.* The tenants of theſe lands, under the crown, were not all of the ſame order or degree. Some of them, as Britton teſtifies, continued for a long time pure and abſolute villeins, dependent on the will of the lord ; and com­mon copyholders in only a few points. Others were in a great meaſure enfranchiſed by the royal favour ; being only bound in reſpect of their lands to perform ſome of the bet­ter sort of villein-ſervices : but thoſe determinate and cer­tain ; as, to plough the king’s land for ſo many days, to ſupply his court with ſuch a quantity of proviſions, and the like ; all of which are now changed into pecuniary rents : and in conſideration hereof they had many immunities and privileges granted to them ; as, to try the right of their property in a peculiar court of their own, called a *court of ancient demeſne,* by a peculiar proceſs denominated a writ of right cloſe : not to pay toll or taxes ; not to contribute to the expences of knights of the ſhire ; not to be put on juries, and the like.

Theſe tenants therefore, though their tenure be abſolutely copyhold, yet have an intereſt equivalent to a free­hold : for though their ſervices were of a baſe and villenous original, yet the tenants were eſteemed in all other reſpects to be highly privileged villeins ; and eſpecially for that their ſervices were fixed and determinate, and that they could not be compelled (like pure villeins) to relinquiſh thoſe tenements at the lord’s will, or to hold them againſt theſe own : *et ideo* (ſays Bracton) *dicuntur liberi.*

Lands holding by this tenure are therefore a ſpecies of copyhold, and as ſuch preſerved and exempted from the ope­ration of the ſtatute of Charles II. Yet they differ from common copyholds, principally in the privileges before-men-