

**Nativi de Stipite.** In the survey of the *dutchey* of Cornwall, there is mention of *nazive de stipite*, and *nativi conventionarii*; the first were villeins or bondmen, by birth or stock; the other by contract or agreement. *LL. Hen. 1. cap. 76.* And in Cornwall it was a custom, that a freeman marrying *nativam*, if he had two daughters one of them was free, and the other villein. *Braet. lib. 4. c. 21, 22.*

**Nativity, (nativitas)** Birth, or the being born in a place. *The casting the nativity*, or by calculation seeking to know how long the *Queen* should live, &c. was made felony, by *23 Eliz. cap. 2.* *Nativitas* was anciently taken for servitude, *bondage*, or *villeinage*. *Leg. Wil. 1.*

**Nativo habendo,** A writ that lay to the sheriff for a lord who claimed inheritance in any *villein*, when his villein was run away, for the apprehending and restoring him to the lord: and the sheriff might seize the villein, and deliver him unto his lord, if he confessed his villeinage; but if he alledged that he was a *freeman*, then the sheriff ought not to seize him, but the lord was to see forth a *pone* to remove the plea before the justices of *C. B.* &c. And if the villein purchased a writ *de libertate probanda* before the lord had taken out the *pone*, it was a *superfedas* to the lord, that he proceeded not on the writ of *nativo habendo*. *Reg. Orig. 7, 8. F. N. B. 77. New Nat. Brev. 171, 172.*

This writ *nativo habendo* was in nature of a writ of right, to recover the inheritance in the villein; upon which the lord was to pursue his plaint, and declare thereupon, and the villein to make his defence so as the freedom was to be tried. *New Nat. Br. 171, 173.*

**Nativus.** He who is born a servant, and so differs from him who suffers himself to be sold, of which servants there were three sorts, *bondmen*, *natives*, and *villains*; *bondmen* were those who bound themselves by covenants to serve, and took their name from the word *bond*; *natives* we spoke of just before; and *villains* were such who belonged to the land, tilled the lord's demesnes, nor might depart thence without the lord's licence. *Spelman's Gloss. See Chart. R. 2. Qua omnes manumittit a bondagio in con. Hertf. Walsingham, pag. 254. Cowell. See Servi Nativa, and Nief.* But now there are not in England any such persons, as the two last. And with respect to bondmen, though many are now bound by contract for a certain term, yet they are *free*, subject only to the performance of their contract, and those, *reasonable*, according to law.

**Natural Affection, (naturalis affectio)** Is a good consideration in a deed; and if one, without expressing any consideration, covenant to stand seized to the use of his wife, child, or brother, &c. Here the naming them to be of kin, implies the consideration of *natural affection*, whereupon such use will arise. *Cart. 138. See Consideration.*

**Naturalization, (Naturalizatio)** Is where a person who is an *alien*, is made the King's *natural* subject by act of parliament; whereby one is a subject to all intents and purposes, as if he were born so: for, by *naturalization*, a person's issue, before the *naturalization*, shall inherit. *1 Inst. 8, 129.* A stranger *naturalized* by act of parliament, may have lands by descent, as heir at law, as well as have them by purchase: But until *naturalized* or made denizen, a stranger is not generally under the King's protection, to have the benefit of the law; also no person is to be *naturalized*, until he has received the sacrament, and taken the oaths of allegiance and supremacy, &c. And strangers, when *naturalized*, are disabled to be of the Privy Council, to hold offices, &c. *7 Jac. 1. cap. 2. 12 W. 3. cap. 2. but see 1 G. 1. cap. 4.*

By the *stat. 7 Ann. cap. 5.* it was declared, that all persons born out of the King's allegiance, taking the oaths, &c. should be deemed *natural* born; though this was repealed, but not to prejudice persons *naturalized*, or children of *natural*-born subjects, born out of allegiance, by *10 Ann. c. 5.* And all children born out of the ligeance of the crown, whose fathers were, or shall be *natural* subjects of *Great Britain*, at the time of their birth, are adjudged to be *natural-born* subjects of this king-

dom, except children of parents attainted of treason, or in the actual service of foreign princes in enmity with England, &c. by the *4 Geo. 2. c. 21.*

All foreigners who shall live *seven years*, or more, in any of our *American* plantations, and not be absent therefrom above two months at one time, shall, on taking the oaths be deemed *natural* subjects, as if they had been born here; but not be capable of enjoying any place of trust, &c. *13 Geo. 2. c. 7.*

This, by the *stat. 20 Geo. 2. c. 44.* is extended to protestants who scruple the taking an oath, upon their making and subscribing the declaration of fidelity, and taking and affirming the effect of the abjuration oath, and making and subscribing the profession of their Christian Belief, appointed by the *stat. 1 Geo. 1. c. 4, &c.*

Great numbers of foreigners are every year *naturalized* by private acts of parliament. And *vide 25 Ed. 3. st. 2. 9 & 10 W. 3. c. 20. 11 & 12 W. 3. c. 6. 13 Geo. 2. c. 3. 22 Geo. 2. c. 45. and 25 Geo. 2. c. 39. See Alien.*

**Naturæ Pudenda, Privities.**—*Pensandum autem est per visum accusantibus visum concubitus propensius advertendum, ut scilicet ipsas coeuntium naturas viderint commiseri.* *Leg. Hen. 1. c. 83.*

**Navagium,** A duty incumbent on tenants, to carry their lord's goods in a ship: *Liberi sint ab omni curiagio, navagio, &c. Mon. Angl. tom. 1. pag. 922.*

**Naval,** Signifies any thing belonging to the sea, or maritime affairs. *Merch. Dict.*

**Naval Stores.** Persons stealing or imbezilling any of the King's *naval stores*, to the value of twenty shillings, are guilty of felony, *without benefit of clergy.* *22 Car. 2. cap. 5.* And the treasurer and commissioners of the navy are empowered to inquire of *naval stores* imbezilled, and appoint persons to search for them, &c. who may go on board ships, and seize such stores; and the commissioners, &c. may imprison the offenders, and fine them double value, the stores being under the value of twenty shillings. *1 Geo. 1. cap. 25.*

None but the contractors with the commissioners of the navy, shall make any stores of war, *naval stores*, &c. *with the marks* commonly used to his majesty's stores, upon pain of forfeiting two hundred pounds. And persons in whose custody *such stores* shall be found concealed, are liable to the same penalty. *9 & 10 W. 3. c. 41.*

The *Stat. 3 Ann. c. 10.* was made for the encouragement of the importation of *naval stores*, from the plantations in *America*, and for preservation thereof in those countries; inflicting penalties for cutting down pine, or pitch trees, under such and such sizes, &c. To the like purpose, and for the making the same more effectual, is the *Stat. 8 Geo. 1. cap. 12.*

Also *naval stores* are imported here from *Scotland*, under an encouragement by statute; and a *premium* is given for the importing of *naval stores* from *America* and *North Britain*, of one pound *per ton*, for masts and pitch, &c. *2 Geo. 2. cap. 35. See Ships, Stores.*

**Navfrage,** A sea term for shipwreck. *Merch. Dict.*

**Navigation,** Is the art of sailing at sea, also the manner of trading: And a *navigator* is one who understands *navigation*, or imports goods in foreign bottoms. *Ibid. See Black. Com. 1 V. 417. 4 V. 432.*

**Navigable Rivers,** Divers statutes relating to them. *See Rivers.*

**Navis Ecclesiæ,** The nave or body of the church, as distinguished from the choir, and wings, or isle: It is that part of the church where the common people sit. *Du Dange.*

**Navis, Navicula,** A small dish to hold frankincense before put into the *thuribulum*, censer or smoking pot; and seems to have its name from the shape, resembling a boat or little ship: we have several of these boat-cups in silver, &c. for various uses. *Paroch. Antiq. 598.*

**Navithalamus,** A ship or barge that noblemen use for pleasure, with fine chambers and other stately ornaments. *Law Lat. Dict.*

**Navy,** Signifies the fleet or shipping of a prince or state; or an armament at sea. *The navy of England*, it has