

a subject holding his land of the King, great the same respect to his Majesty as other subjects, and appears for his Vassals in Parliament Justice Civil and head courts, Act 16 Parl. 2 J. 4.

When there is a prince he has a Chamberlain who receives and accounts for the Receipts of the Principality. But if the Prince be Minor or Under Age, the King Acts in his Name as Administrator in law to him, and is Accountable to the Prince at his Majority 14 July 1626 Hamilton contra Vassals of Burgundy. When there is no prince existing, the Revenue of the Principality is Managed in Council with the King's Revenue: During which time the King Acts as Prince, words of the Principality by Granting Charters as Prince Not suppondo vicem episcopi as a subject, but Juris proprio Accountable, addomid inter eosdem 29 January 1680 per vest contract. Liff Stair Just. lib. 2 Epit. 4 551. Wherein is serv. on act 16 Parl. 2 J. 4 as a superior doth during the Ward of his Vassal. For the Erection of the Principality not being Extant, is Considered only as an Appanage given by a father to his Child, which Jure Naturae is only temporary while the Child is in being to whom it is provided, and implies a Reservation to the father during the Child's non Existence. Seeing terra que in appanagium dantur, parat Dominium seu Coronam semper Manent, solo infirmitate provisionaliter Concessio: Nam Alias Con tingent Regium Domaniam semper Diminui, Poroz. ad Cod. lib. 10 Epit. 1 n. 10. The King in such a case acts as King and as prince Eminentior, to keep the principality as a distinct fore, and to preserve the Memory of its lands from confusion with the Erection. In the Interval of Non Prince, the Vassals of the principality are reckoned as free holders, and the Kings Immediate Vassals, who are answerable to his head Courts Act 16 Parl. 2 J. 4. And have Voice in the Election of Commissioners to the Parliament Act 21 Parl. 3 Ph. 2. But it would seem, that when there is a prince, his Vassals should have no Vote in the Election which yet they do Assume.

Epit. 3.

Concerning the Kings Younger Children.

The second son of Scotland was called Duke of Albany, and sometimes Earl of March or Ross: for the Earldom of Ross and Lordship of Ardmannach were appointed in the Year 1587 to be the proper patrimony of the Kings second son Act 30 Parl. 11 J. 6. The other Younger sons of Scotland were not Earls or Dukes of any place till they were so created by the King; nor had they any settled Appanages or provision for their subsistence, but what his Majesty pleased out of his bounty to give them. And the Daughters of Scotland had dowries at his pleasure. All the Kings Children are honoured with the title of Royal highness. Subjects are Uncovered in their presence, and kneel in Adoration to them: and at table out of the Kings presence, they are forced on the knees. The Kings Children Grand children brothers Uncles and Nephews have, as Princes of the Blood, Precedence of all other subjects. By a Letter from King Charles the second to his privy Council of Scotland in November 1679, the Kings Lawfull sons and Brothers were declared to be obliged to take no oaths, because of their presumed Fidelity and for that Loyalty is both their Interest and Duty. Wherein is obs. on Act 5 sess. 2 Parl. 1 Ph. 2. For which Reason they were also Expressly Exempted from taking the Oath, Act 6 Parl. 3 Ph. 2.

Chap. 3

of the Parliament.

The Parliament is a solemn Conference of the Estates of the Kingdom summoned together by the Kings Authority to treat of and Regulate the weighty affairs of the Realm. Which Assembly of the Estates, Answered by the Estates in Germany & Poland, and Cortes in Spain, and is called in Scotland, Assembly, or Parliament, and is so called from Parliament to spread the mind freely by