

freely and quietly have, hold, and enjoy their several dignities, places, precedency, and privileges, and shall in all matters be ordered and adjudged concerning them as the other degrees of hereditary dignity are ordered and adjudged. Further, in the Royal Patents of King Charles the First, to the Baronets of Scotland and Nova Scotia, it is covenanted and declared, that when the Eldest Son of a Baronet, being of age, shall make application for Knighthood, he "shall receive that dignity *whenever* he shall require it, free from any fees, or expenses whatsoever." By a series of irregular official references, and a course of unprecedented obstructions on the part of the late Secretary of State for the Home Department, I have now, for some years, been vexatiously prevented from enjoying a honour which is my birth-right—whilst, during that time I have been put to great personal trouble, inconveniences, and expense. With the view, therefore, of relieving all future applicants from the like usage, I call upon you, as the Law Officers of the Crown, to report, not only your opinion upon this claim, pursuant to the prayer of my Memorial, but at the same time, in addition, to advise the Secretary of State for the Home Department that it is the personal prerogative of the Sovereign to confer Knighthood on Baronets and their Eldest Sons irrespective of the interference or controul of the Government—and also that it is the official duty of the Lord Chamberlain on his receiving applications from Baronets, or their Eldest Sons, being of age, not to transmit them to the Secretary of State, or any other officer of the Crown, but to give immediate knowledge of the same to the Sovereign, and afterwards to present the applicants for the reception of that honour. The course taken by Lord John Russell in this matter, has, in my view of the case, been alike disrespectful to the Queen, to the Lord Chamberlain, and to the body to which I belong. If he has denied me, as a Baronet's Eldest Son, my nuptial rights, he has also laid a veto on the exercise by Her Majesty of one of her royal prerogatives, and in one department of his official duties has superseded the functions of the Lord Chamberlain. But it is not because Lord John Russell's proceedings in this matter have been uncourteous, only that I complain—but because they have also been unconstitutional. I appear here not merely to maintain my family rights, and the privileges of the reigning Sovereign, and her Chamberlain, but to resist a violation of that which is above the Court, above the Government, and above the Crown, namely, the LAW OF THE REALM. Lord John Russell, in this case, has exercised an arbitrary power, and in the face of charters, acts, prescription, precedent, and usage, has attempted to annihilate rights which are a part and parcel of the constitutional properties and immunities of the subject. I deny, however, that the rights and privileges of the Baronets, and their Eldest Sons, are attachable at the pleasure of the Secretary of State for the time being. I deny that Lord John Russell, or any other Minister of the Crown, can in this, or in any other respect, make null and void the engagement of the Royal Founder of the Baronetage for himself, his Heirs, and his Successors. I recognize no right in the Government to do so.—I recognize none in either House of Parliament.—I do not recognize it even in the Crown itself. This engagement is THE LAW, which is paramount to them all. But there are higher influences bearing upon this question than any which arise out of considerations merely legal and constitutional, all powerful as these are. In the ancient Kingdom, and amongst the high minded people to which I belong, the laws of honour have ever been paramount to the laws of the Realm. And no reigning Sovereign of this Kingdom can break the royal word of a PRINCE, which King Charles the First pledged to the Baronets for himself, and for all who should inherit his throne and sceptre, without doing that which in the subject would be regarded as a profligate and unprincipled departure from whatever is honourable, upright, and dignified in conduct. In asking you therefore, Mr. Attorney and Mr. Solicitor-General, to report on my claim in the terms submitted by me, I ask you to do so on grounds not merely personal to myself, or personal to the numerous and important section of the ancient nobility of Scotland whose interests I represent, but also on grounds *personal to the Sovereign*, and personal to all degrees and classes of the subject.