

The following authorities seem to indicate that the Title of Earl of Ross was attached to the person of the second son of the King of Scotland

Act. 1<sup>st</sup> of the 9<sup>th</sup> Parl<sup>t</sup> of James III  
4 July 1476

" The Annexation of the Earldom of Ross

" Item our Sovereign Lord with consent of his  
" three Estates of his Realm annexes to his Crown  
" the Earldom of Ross with the pertinents to remain  
" thereat for ever; so that it shall not be lawful  
" to his highness or his heirs nor his successors  
" to make alienation of the said Earldom or any  
" part thereof from his Crown in any wise; Savene  
" that it shall be lawful to him and them to  
" give the said Earldom at their pleasure to  
" one of his or their second sons lawfully  
" to be begotten betwixt him and the Queen"

Act 30<sup>th</sup> of the 11<sup>th</sup> Parl<sup>t</sup> of James VI  
29 July 1587

" Dissolution of annexed Lands for setting of the  
" same in feu-ferme"

This Act authorises the King to make grants of the annexed property of the Crown to hold under the Crown in feu but it contains this exception  
" Providing always; that altho' the lands of the  
" Earldom of Ross and Lordship of Ardmannoch  
" which are appointed to remain with our said  
" Sovereign

" sovereign Lords second son be set in feu ferme  
" by virtue of this dissolution: the same shall no ways  
" be annulled disposed not put away from our  
" said sovereign Lords second son. But the same  
" Lands and profits thereof altho they be hereafter  
" set in feu ferme shall remain in propriety with  
" him after the form of the Act made by King  
" James the third our Sovereign Lords most  
" noble predecessors

Sir George McKenzie who was Lord Advocate  
to Char: II & James VII & one of the greatest  
Lawyers of his time, in his Essay upon  
Precedency says -

Wh. 8. p. 534 " The first place next to the king is due to  
" the Prince of Scotland amongst us who is  
" likewise Duke of Rothsay as the second son is  
" Earl of Ross that being an appanage inseparable  
" from him by Act of Parliament - But at  
" present his Royal Highness is with us Duke of  
" Albany as he is Duke of York in England "

It therefore well merits consideration whether his  
Majesty's second son is not a Peer of Scotland  
by the title of Earl of Ross, and whether  
an application ought to be made to the  
House of Lords for adding this title to the  
Roll called over at the Elections of Peers  
commonly known by the name of the  
Union Roll