

perjured in the Year 1661 for rising in Arms against the King
of Montrose the Kings Commission. Therefore it is
made High Treason for any Member of Subjects to attempt
upon any pretence, to rise or be in Arms, to March
into Forts, Towns or Garrison, to make peace or war, or to enter
into treaties or leagues without the Sovereigns, Kings, Princes
Art. 5. Art. 1. Stat. 1. Ch. 2. Whence Sir George Mackenzie (Crim.
part 1. pt. 6. 84) observes, that simply to Endeavour to Rise
in Arms, or the Raising of Troops in their own Defence, is
treason.

Of High Treason to lay violent hands on the Kings
person of what ever age d. Act 24. Stat. 6. Ch. 2. tho' not pro-
claimed or crowned. McLenois (Crim. 55. It being the King's
rights or Right of Blood only that constitutes a Sovereign,
and not the solemnities of Proclamations or Coronation qua-
runt tantum Declarationis. Nichil Novum in Titulo. And in
this case affectus hinc affectus est puniendus. John Maffes of
Forbes was executed as a traitor 14 July 1537 for Imagining
or Designing to Kill King James the fifth, and Janet Dou-
glas Lady Marmock was burnt 17 July 1537 for Imagining
or Continuing to poison that Prince. The John Edw. Plamond
his son was burnt as a traitor for conspiring to do it 10 July
1537.

Of High Treason to Defile the Kings Supper or Defend
Gratious Act. 97. Stat. 7. Ch. 5. d. Act 24. Stat. 6. Ch. 2. Act 144. Stat.
12. Ch. 6. Upon which the Doctors debate, if a wife supping
her husband or a father his son be guilty of treason, the
bit Rebellion against the State Loses a Rebel and Arg.
2. 19. 57. § 2. Cap. 12. 8. Stat. 1. Tho' all Rebellion by Blood
binds God to that betwixt King and Subject. Yet they
commonly distinguish betwixt supplying a Rebel with
Meat and Drink and what else is necessary to his sub-
sistence as a Man which they hold to be no Crime and the
assisting him with any thing that may promote or ad-
vance the treason which in their Estimation is Criminal,
Droop. Gramido Crim. Cap. Maydell. Lu. 113 n. 263. 280
to § 99. into Matth. de Crimis lib. 48. pt. 2. f. cap. 2. n. 20.
Because the Rebels forfeit the privileges of the Municipal
Law, they retain what is due by the Law of Nature and
Nation. Therefore they pay debts to the King's
and others who follow their Father's