Dear Admiral

Not having seen the case stated to your Counsel, nor having the act, I don't so well understand the opinion, as to the reason for demanding the Books, we mention, that the act makes them necessary to the Office; or as to the doubt about the vouchers. I don't remember, that the act requires any Imprest, to the Officer, of the Prince's money, so as to make him an accountant; or know, that in Practise such Imprest was made. The view of the act was, I conceive, to make the Officer record the transaction of his Expenditure for the Inspection of the Treasury; for which purpose it must always be in the Hands of the Officer for the Time being. In all other Respects, they seem to be Books kept, and vouchers received, for the use of the Prince, by his Servant, at his expense,

and for his use: and, in this view, it should seem, that a Bankers Clerk might as properly take away his Master's Books, and vouchers.

If the Counsel still retains his opinion, perhaps that Part, which relates to the Books may induce L. C. to give them up, though the rest incourages him to withhold the Vouchers, which seem equally necessary to deal with the Tradesmen.

If this will not do, perhaps a Requisition from the Treasury may get them.

If not, a Bill must be filed. But it will be worth considering, whether the Bill should proceed on the narrower ground suggested by the opinion, or the broader one hinted before.

Yours &c

J

Upon reviewing the opinion, the doubt seems to extend to the Books, as well as to the Vouchers, tho' in a less degree.

Undated

?1795

F. Thurlow

It appears to me that the books & papers above mentioned ought to be delivered up by the late Chamberlain of the prince, as being necessary for the Guidance of the person who acts as his Successor in receiving the Revenue and discharging the Debts or expences of the prince. The only difficulty in the Case arises from a defect in the above stated Act of Parliament which has not provided any Method, by which the Treasurer or other Officer of the prince when removed from his Office may have his accounts passed and himself secured against any future demand, and the Chamberlain may think that he ought at least to retain Receipts & Vouchers for payments until his accounts are pass'd & himself compleatly discharged. If he should insist on this as a Reason for retaining the books & papers a Court of Equity might possibly order his accounts to be taken before it would decree that he should deliver them up, or at least before his Vouchers for payments should be delivered up; but this does not seem to be a Reason for his retaining the books. –

J. Mansfield

Temple May 8th 1800

8 May 1800

Piccadilly
June 4th 1800

Sir.

I have the Honor to address your Royal Highness in Consequence of a Letter I have received from Mr Bicknell, written by your Command, & enclosing two Opinions of Mr Mansfield. —

It evidently appears, that the Person who drew the Case to be laid before him, had never been made acquainted with the Manner in which your Royal Highness' Affairs were conducted by me, conformable to the Act of Parliament, passed in the Month of

July 1795.—

Your Royal Highness I am persuaded must recollect, that my Quarterly accounts were regularly brought in, passed, and approved off by your Royal Highness, and that I constantly had the Honor of putting into your Hands, an exact account of every Claim delivered into my Office the preceding Quarter.

When your Royal Highness sent Col McMahon in the early Part of March last, with a Message, that I would deliver up my account Books. I requested him in the most respectful Manner to convey to your Royal Highness

my Personal Responsibility under the act
of Parliament; That having passed all
my accounts with your Royal Highness upon
leaving your Service, I had only a Book
for the Inspection of those Persons who are
by that act empowered to demand it;
and that your Royal Highness' Warrants
and the Receipts annexed to each Warrant
were my only Vouchers Not having heard
any more upon the Subject since March
I flattered myself that upon Reflexion
your Royal Highness was satisfied with
these Reasons, If I had conceived it
to have been otherwise, I long since should
have directed Fresh Copies to have been
made out, and have saved your Royal

Royal Highness the Trouble of having Recourse to a Gentleman of the Law, and the Menace of a Prosecution from your Solicitor.

I have the Honor to be
Sir
with great Respect
Your Royal Highness'
Obedient Humble Servant
Thos Mundeley

32171

My Lord

I am Commanded by The P. of W. to request that your Lordship will have the goodness to enclose me the Deeds & papers belonging to the Premises in Pall Mall now occupied by Admt. Payne.

The P. of W. wishes that your Lordship will be so obliging as to order Copies of the Books & vouchers to be forthwith made out. Upon those Copies being duly compared with the Originals, & examined & attested by your Lordship, H. R. Hs proposes that the Original books & vouchers shall be lodged in the Office for managing H. R. Hs Affairs, & the attested Copies to remain in your Lordship's possession. As the Prince conceives that such Copies so examined & substantiated must fulfill all the purposes which your Lordship may imagine requisite for your Security as an Accountant.

Your

Lordship's Signature in attestation of the Originals & H. R. H's in authentication of the Copies, will render each class of Documents sufficiently valid to answer any possible question which may hereafter arise.

I have the honor to be

My Lord &c

C. M.

June 12th 1800 –

12 June 1800
Col. McMahon

Piccadilly
June 14 - 1800

Sir.

The Title Deeds of the House in Pall Mall adjoining to Carlton House shall be sent to you immediately - I beg you will have the Goodness to make known to the Prince of Wales that they were not in my Possession when I left His Service or they would have been sent to the Duchy Office at the same Time with other Papers belonging to His Royal Highness. -

a Copy of the Expenditure of His Royal Highness under my Direction is making out with all Possible Dispatch But it must depend on the opinion of my Law Council to what extent I may with Safety comply with the Wishes of His Royal Highness expressed in the latter Part of your Letter.

I have directed my Solicitor to see Mr Bickwell upon the Subject.

I am Sir
with great Truth
your most Obedient
Humble Servant
Melbourne

14 June 1802

32173

undated.

Princes

The Treasurer Genl. Hulse paid the Princes Money when he received it at the Exchequer into the hands of Messrs. Drummond - with whom ~~in the hands~~ was previously deposited a List of the Creditors, who were to be paid under the Privy Seal of the Prince. -

Ld. Chelmondely gave the Creditors when they applied at his Office, Receipts for them to sign for them, Bills which, having signed, they took to Messrs. Drummond, where they were paid, - so that Ld. C. had no Money imprest into his hands, so as to make him an Account. -

Some of the Vouchers are still in the Bankers hands, some have been returned to Ld. Chelmondely

Undated

32174

Mr. Mansfield will please to peruse the underwritten — Observations, & review his Opinion —

The Prince's Treasurer, General Hulse, paid the Prince's Money, when he received it, at the Exchequer, into the Hands of Messrs. Drummond; with whom was previously deposited a List of the Creditors, who were to be paid, under the Privy Seal of the Prince.

Lord Cholmondeley gave the Creditors, when they applied at his Office, Receipts for them to sign for their Bills, which, having signed, they took to Messrs. Drummond, where they were paid: — so that Lord Cholmondeley had no Money imprest into his Hands, so as to make him an Accountant —

Some of the Vouchers are still in the Banker's hands, and some have been returned to Lord Cholmondeley —

Case

By an Act of Parliament of the 35th Geo. 3rd Cap. 129 - Intitled - "An Act "for enabling his Majesty to settle an Annuity on His Royal Highness the "Prince of Wales, during the joint Lives of His Majesty and of his said "Royal Highness; for making Provision out of his Revenues for the "Payment of any Debts that may be due from His Royal Highness; for "preventing the Accumulation of Debts in future; and for regulating the "Mode of Expenditure of the said Revenues". — No Suit lies against His Royal Highness The Prince of Wales upon any Debt incurred since the 5th of July 1795; but the Suit is allowed against his Treasurer, or other principal Officer of His Royal Highness, for the time being, and may become a Charge upon his Revenue, if a Docquet of the Judgment be entered in the Prince's Office within ten Days from the signing it; Upon these Terms also such Debt shall have a Priority before Current Demands -

Judgements agt. the Revenue.

Plan & estimate

The Current Demands are thus provided for - A Plan of the Prince's Establishment, in distinct Departments, and Classes, and in a certain Order, specifying the Salaries and Payments of each Class and Officer, and also an Estimate of the Annual Expence of each Department, are to be prepared by the Treasurer or other principal Officer; One Counterpart of which shall be deposited in the Prince's Office; And Disbursements shall be made in the Order therein set down, and no other.

Quarterly Account

In fourteen Days after each Quarter, the Treasurer or other principal Officer, shall make out an Account of the Expences thereof, specifying the Sums paid, and Demands outstanding; which the Treasurer or such principal Officer shall audit, sign and approve, so far as he does approve; provided the Amount does not exceed the foregoing Plan and Estimate. After which Payments shall be made in the order settled by the foregoing Plan and Estimate.

Demands by Creditors

But no Demand shall be inserted in such Quarterly Account, unless the Creditor shall in ten Days after the Quarter wherein it shall have incurred, deliver to the Prince's Treasurer in Writing signed by such Creditor his Demand, specifying the Nature and Amount thereof; without which the Treasurer or other principal Officer of his Royal Highness, shall not allow the Demand, or pay it on any Pretence whatever.

Arrears

Any Arrear of Debt in the Account of any one Quarter shall stand first in the next Quarterly Account, and have Priority in the order of Payment.

Surplus

Any Surplus shall go to the Prince's Privy Purse.

General Books

The Treasurer, or principal Officer for the Time being, shall keep Books wherein all Payments for any of the aforesaid Purposes shall be entered in the Course and Order of Payment with the Day Month and Year of such Payment - The King's Treasury may demand Inspection of these Books, or Copies thereof, or of any part; and the Prince's Treasurer for the time being is required to pay obedience to such Orders.

Vide the Act - particularly the 25th & the following Sections -

The

The present Treasurer of the Prince being a General Officer, on the Staff, and absent on Service, has only acted under the above Act in receiving the Prince's Money, as it became due at the Exchequer, and paying it into his Royal Highness's Bankers. – The Chamberlain of His Royal Highness, who had an Office at Carlton House, a Secretary and Clerks, transacted all the Business under the Act.

The Office of Chamberlain has lately been abolished, and the Prince has appointed a Vice Treasurer and Assistant, for carrying into Execution the Purposes of the Act.

The Chamberlain on going out of Office took with him all the Books of Account, Bills, Vouchers and Papers respecting the Prince's Affairs, and detains them, on the pretence of their being necessary for his Justification if ever he should be called upon by Parliament or otherwise, to give an Account of his Administration during the Time he was in Office, and acted in the Management of the Prince's Revenues, – or, for an inspection of the Prince's Accounts, during that period.

By the 27th Sec. of the Act it appears, that the Accounts directed to be kept by the Treasurer, or principal Officer of his Royal Highness, are current Accounts, and checks upon each other, and necessary Guides to such Officer in the performance of his Duty – And it seems impossible that he should know how to obey the Act, without having them before him; and equally impossible to carry on a Current Account, without referring to the preceding part thereof.

The Act enjoins the Treasurer, or Principal Officer of his Royal Highness, to prepare and leave in the Prince's Office the Plan and Estimate of Expenditure. It also requires the Treasurer, or such Principal Officer, for the time being to shew the general Book to the Kings Treasury – which proves that these two Articles cannot rightfully be carried away.

The Demands in Writing by Creditors, and the Dockets of Judgments both entered in due time, with the Treasurer, or other principal Officer of His Royal Highness are necessary Vouchers for future, as well as past Payments.

The Receipts of the Creditors for Sums paid them are no less necessary Vouchers.

But if the above Reasons were less cogent, can it be seriously thought that Books, Accounts and Papers, containing the Statements and Vouchers of the Prince's pecuniary Affairs, kept on his Behalf, by his own Servants and at his own Expence, can possibly belong to any Person but His Royal Highness: –

Your Opinion is, therefore, desired whether the said late Chamberlain of His Royal Highness can be justified, by any Clause in the above mentioned Act, or otherwise, for taking with him from Carlton House, the Books of Account, Bills, Vouchers and other Papers

belonging

belonging or relating to his Royal Highness's Concerns? — And ought not the same to have been left by him in the Office for the Use of his Royal Highness and the Persons appointed by him to manage his Affairs under the said Act. — And if the late Chamberlain should continue to refuse to return them, Your Opinion is desired, what legal Steps his Royal Highness ought to pursue to obtain Possession of them? . —

It appears to me, that the Books & Papers above mentioned ought to be delivered up by the late Chamberlain of the Prince, as being necessary for the guidance of the Person who acts as his Successor in receiving the revenue & discharging the debts or expences of the Prince, & the proper remedy to compel him to do so seems to me to be a Bill in Equity against him by the Prince. The only difficulty in the Case arises from a defect in the above stated Act of Parliament, which has not provided any method, by which the Treasurer or other Officer of the Prince, when removed from his office may have his accounts passed & himself secured against any future demand, & the Chamberlain may think, that he ought at least to retain receipts & vouchers for payments until his accounts are passed & himself compleatly discharged. If he should insist on this as a reason for retaining the Books & Papers, a Court of Equity might possibly order the his Accounts to be taken before it would decree, that he should deliver them up, or at least before his Vouchers for payments should be delivered up, but this does not seem to be a reason for his retaining the Books —

J. Mansfield

Temple May 8 1800

Since I wrote the above Opinion, I have been informed, that Lord Cholmondeley paid no money himself, nor had any placed in his hands, but that the Same was lodged at Drummonds by the Treasurer & paid to the Creditors upon receipts produced by them at Drummonds authenticated by Lord Cholmondeley. Upon this representation of the

Case it does not appear to me, that his Lordship can be exposed to any danger or inconvenience by parting with the Books or Papers, which he retains; & though the act is, I think, defective in not having provided some method by which his Lordships accounts might be formally settled & himself discharged. I think this defect not a sufficient reason for his retaining these Books & Papers, & if he shall refuse to deliver them up, a Bill must, I think, be filed against him.

J Mansfield

Temple May 26 1800

1800

Case

For the Opinion of

Mr Mansfield 3 Gs

To Mr Mansfield's further Opinion

2 Gs

Bicknell

Norfolk Street

Rear adm.l Payne

32179

Somerset Place 24. July 1800

Dear Sir

Stables

The obstacles to a reduction of Expenditure in His Royal Highness's Stables, will not, I know, deter you from using every exertion towards a point so essential. The present arrear in that Department exceeds £ 20,000. It's rate of annual Expenditure is full £ 20,000, being an Excess of £ 9000 p.r ann. on Lord Jersey's Estimate of £ 11,000, which must shortly create a vast accumulation of arrears; but as His Royal Highness is now to receive an allowance with regard to the Princess Charlotte, whose Carriage, Horses &c. are estimated at £ 1248. 17. 1. p.r annum, an addition must be made to the Sum heretofore set apart for the Whole of the Stables; and I beg leave to propose it at £ 2000, which will increase the annual allowance to £ 13,000.

It will be found, upon an investigation of the Stable Accounts, that this Sum would be ample, provided His Royal Highness would be graciously pleased to consider the vast Expence attending the alteration of Carriages &c. I understand that the Coachmakers Bills alone, for the last three Months, chiefly on account of alterations, amount to more than £ 2000, a sum nearly sufficient to pay all the Livery Servants, & to feed the Horses for a like Period.

If His Royal Highness, when the Coachmakers & other Tradesmen receive orders for new work or alterations, would be pleased to direct that an Estimate of the Expence thereof should be delivered to you, previous to their executing the work, for the purpose of having your Name subscribed as the authority for Payment, it would give you an opportunity of apprizing His Royal Highness of the amount, when it exceeds the means of the quarterly supply; and without some such course, it is wholly impossible for His Royal Highness to be aware of the extent of the orders given to these Tradesmen

I take the liberty of suggesting this Plan, as being likely to insure the same regularity in the Stables, as has been produced in the Household by a similar arrangement; and it would be greatly aided by having a list drawn out of the Number and description of all the Carriages & Horses, which Mr. Gashein has not yet returned, but which would best enable His Royal Highness to determine upon what further reduction Can be Made in the Establishment. I am Dr. Sir

R. G.

24th July 1000.

To Admiral Sayre –

A. Stable Accounts.

Dear Sir

I enclose you the order from the Prince to me, which if you think necessary, you will add the seal to it, & conform to the Princes intention thereby. You will see he has struck out the name of Mrs Robinson, as he conceives the subsequent passage applies constructively to that object, which you can direct accordingly - Pray preserve this paper among those that individually

relate to me, & keep them separate.
I am going out of town & say adieu
till we meet again

Ever yr. sincerely

J. Wagner

Carlton House
Aug. 2d. 1800

2d. August 1800

Adm.l Payne

With Warr.t for Discipline

Purse &c.