

## Case.

It being the Earnest Wish of His Royal Highness The Prince of Wales, in the present alarming Situation of The Country, threaten'd to be Invaded by a Powerful Enemy, to be Honour'd by His Majesty with such a Rank in His Army, as would afford His Royal Highness an Opportunity, in case of an Actual Invasion, of Acting, in the most conspicuous manner in Repelling the Foes of the King, and the Constitution;

His Royal Highness from Sentiments of the purest Duty, and Respect to His Sovereign and Father is, ~~desirous~~, desirous of having the Opinion of His Law Officers, And of Mess<sup>rs</sup> Mansfield, Erskine, and Adam, —

" Whether by the Laws and Constitution of this Country, His Royal Highness (On whom His Majesty has been graciously Pleas'd to confer the Command of the Tenth Regiment of Light Dragoons, & A King's Commission of Colonel, bearing, date the Nineteenth day of November 1782) is competent to hold the Rank of A General

on

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on the Staff, should it be His Majesty's Royal Will and Pleasure to bestow it, and in consequence, of taking an Active Command, especially at a Period like the present, in whatever District in His Majesty might think proper? - And, Whether His Royal Highness in possessing that Rank in the Army, is precluded, because of His Dignity as Prince of Wales, from receiving a Military Order, in the course of Active Service, from any Officer, bearing from His Majesty, a Superior Commission to that of His Royal Highness?"

We are of opinion that the Laws and Constitution of the Country furnish no objection to His Royal Highness' accepting any military office or command which His Majesty shall think fit to confer upon him, and that His Royal Highness accepting any such office or command will be bound in the same manner as every other  
Military

military officers to obey the com:  
:mands of his superior officers -

If the Law was otherwise it would  
be impossible for His Royal High:  
:ness to hold the commission which  
His Majesty has already been pleased  
to confer upon him.

J. Mansfield

F. B. Esq.

Robt Graham

V. Gibbs

William Adam

Temple 17<sup>th</sup> May  
1798.

On the subordinate  
military commands  
held by the Prince of  
Wales.

Case

In the Opinion of  
Mr Maxwell  
Mr Ingham  
Mr Graham  
Mr Pitts &  
Mr Adam

Bicknell  
New York Street

Case 39511

For the Opinion of  
 W<sup>m</sup> Mansfield  
 W<sup>m</sup> Erskine  
 W<sup>m</sup> Graham  
 W<sup>m</sup> Gibbs  
 W<sup>m</sup> Adam.

the Earnest Wish of His Royal Highness the  
 Wales, in the present alarming Situation of  
 threaten'd to be invaded by a powerful Enemy  
 id of His Majesty with such a Rank in His Army  
 afford His Royal Highness an Opportunity, in case  
 of an Invasion of acting in the most conspicuous  
 manner in repelling the Foes of the King & Constitution.

His Royal Highness from Sentiments of the purest  
 Duty & respect to His Sovereign and Father is desirous  
 of having the Opinion of His Law Officers, and of consulting  
 Mansfield, Erskine, & Adam.

" Whether by the Laws and Constitution of this Country,  
 His Royal Highness (on whom His Majesty has been graciously  
 pleas'd to confer the Command of the 10<sup>th</sup> L<sup>th</sup> Dragoons, and  
 a Kings Commission of Colonel bearing Date the 9<sup>th</sup> of  
 November 1782) is Competent to hold the Rank of a  
 General Officer on the Staff, should it be His Majesty's  
 Royal Will & Pleasure to bestow it, and in consequence  
 of taking an active Command, especially at a Period  
 like the present, in whatever District His Majesty might  
 think proper: And whether His Royal Highness, in  
 possessing that Rank in the Army, is precluded, because  
 of His Birth & Dignity as Prince of Wales from receiving  
 a military order in the course of active Service, from  
 any Officer, bearing from His Majesty, a Superior  
 Commission to that of His Royal Highness."

It being the Earnest Wish of His Royal Highness the Prince of Wales, in the present alarming Situation of the Country, threaten'd to be invaded by a powerful Enemy, to be Honour'd by His Majesty with such a Rank in His Army, as would afford His Royal Highness an Opportunity, in case of an actual Invasion of acting in the most conspicuous manner in repelling the Foes of the King & Constitution.

His Royal Highness from Sentiments of the purest Duty & respect to His Sovereign and Father is desirous of having the Opinion of His Law Officers, and of being advis'd by Mansfield, Erskine, & Adam.

" Whether by the Laws and Constitution of this Country, His Royal Highness (on whom His Majesty has been graciously pleas'd to confer the Command of the 10<sup>th</sup> L<sup>th</sup> Dragoons, and a Kings Commission of Colonel bearing Date the 9<sup>th</sup> of November 1782) is Competent to hold the Rank of a General Officer on the Staff, should it be His Majesty's Royal Will & Pleasure to bestow it, and in consequence of taking an active Command, especially at a Period like the present, in whatever District His Majesty might think proper: And whether His Royal Highness in possessing that Rank in the Army, is precluded because of His Birth & Dignity as Prince of Wales from receiving a Military order in the course of active Service, from any Officer, bearing from His Majesty a Superior Commission to that of His Royal Highness."

"  
We are of Opinion that the Laws and Constitution  
of the Country furnish no Objection whatever to  
His Royal Highness accepting any Military Office  
or Command, which His Majesty shall think fit to  
Confer upon him; And that His Royal Highness  
accepting any such Office, or Command, will be  
bound in the same manner as every other Military  
Officer to obey the Commands of His Superior  
Officer.

If the Law was otherwise, it would be  
impossible for His Royal Highness to hold the  
Commission which His Majesty has already  
been pleased to Confer upon Him."

(Signed)

J. Mansfield

J. Erskine

Robt. Graham

H. Gibbs

W. Adam

(A true Copy)

J. C. Maitland

Richmond

Wolfe Street

(A Copy)

Temple, 17<sup>th</sup> May 1798