

7.

His late Majesty George II. having disannulled & burnt His first German Will & Testament bearing date, Herrenhausen August y^e 25th 1732., and His first German Codicil, bearing date Hannover October y^e 11th 1740.; Those Dispositions only can come under Consideration, which have been made by Him afterwards; and those are:

1. The three Donations or Cessions, which at three different times,

viz: a) June y^e 10th 1743. at Hannover.

b) April y^e ^{28. March}/_{8. April} 1745. at St. James.

c) August y^e 12th 1746. at Kensington.

have been made by His late Majesty in favour of His Royal Highness the Duke of Cumberland, and have been accepted by His Royal Highness's reciprocal Bonds, called Reversales, bearing the same dates.

2. The Will which His late Majesty has made the 3rd day of April 1751. at St. James.

3. The Royal Codicil, bearing date Kensington October y^e 6th 1757.

4) The Royal Codicil, bearing date Kensington
September ² 15th 1759.

2.

By the Act of Cession of the 10th of June 1743.
His Majesty George II. has confirmed the Sum
of Money of 1108091. Rixdollars 31 gros. 1. Stuver,
bequeathed to His Royal Highness by His Majesty's
Codicil of the 11th day of October 1740.
and as 456666. Rixdollars 24. gros out of this
Sum had been placed at Interest with different
Debitors, His Majesty has ceded, transferred, & rendered
to His Royal Highness their Bonds, to that Effect
and Purpose, that in case it should please allmighty
God, to call His Majesty out of this World, they
should become the Property of the Duke; but that
during His Majesty's Life the Interest and other Revenues
should remain at His Majesty's free Disposal, and
should hereafter, so as before, be accounted for to

his

His Majesty: His Majesty reserving at the same time, as the Law permits, to Himself, till His Death, full Liberty, to change His act of Cession, and to disanull it.

His Royal Highness the Duke of Cumberland has bound himself by His act of acceptation, bearing the same date, viz June 4th 1743. to submit to whatever His Majesty had already disposed and ordained, concerning the said Fund, or might for the future ordain, and that he resigned himself entirely to the gracious Will and Pleasure of His Majesty

3.

The Act of Donation or Cession of the ^{28 march}/_{8 april} 1745. mentions other 1100000. Rixdollars, which His Majesty intended to add to the Appanagium of the Duke of Cumberland; and contains His Royal Highness's Act of acceptation of the same date, likewise his Reversales of the same tenor with those of the year 1743., which have been mentioned in the foregoing Paragraph.

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The Reversales relating to the Act of Donation of the $\frac{1}{12}^{\text{th}}$ of August 1746. are just of the same tenor, and bear the same date with this Act.

This act of Donation not only speaks of other 1,100,000 Rix-dollars in Cash; but also 2) of all the late Duke's of York and Albany, and Bishop's of Osnabruck, allodial Manors, situated in the Bishoprick and City of Osnabruck, inherited by His late Majesty, and specified in a Designation signed with His own hand.

The Palace at Osnabruck is only excepted, but the Salt-works at Rothenfelde, with their appurtenances, are expressly included.

3) The Silver Plate, sent by His late Majesty George I. anno 1720. and 1723. from England to Hannover.

4) The gold and silver Effects, sent thither by His late Majesty in the Year 1738.

5) likewise the Silver Plate, inherited by His Majesty George

11. of the Duke of York and Albany, and transported to Hannover
in the year 1728. as specified sub Lit: B. C. D.

5.

The Sums of Money consigned to the Duke of Cumberland by
the above mentioned three acts of Donation, at three different
times, and under three different dates, and which make a
Sum of three Millions, three hundred & eight thousand, ninety
one Rixdollars, 32. gros current money, have by His late
Majesty in His Will of the $\frac{3}{4}$ th of April 1751. a) been
joined into one Sum total, b) have been appointed as
an Appanagium and Competency for the Duke, and
c) have been confirmed and corroborated thus far, that
is, so far, as the settling & determining of the Competency
and Appanagium concerns the money, mentioned by the
foregoing Donation and Cessions, but no further.

It is the third Grnd of the already mention'd
Royal Testament of the $\frac{3}{4}$ April 1751. which verifies
and proves these three assertions; and no Doubt can

remain, if the 15th Art^{le} of the said Testament is added, which is as follows:

"We conclude in this manner, in the name of allmighty
 " God, Our Testament and last Will, and whatever
 " may in any manner be contrary to or derogatory to
 " it, or be deemed as such, and whatever, besides this Our
 " last Will, may be found of Testamentary Dispositions,
 " under what name and Denomination whatever, is
 " hereby deliberately & maturely by us annulled
 " and stands void.

C.

But what had been assigned in the aforesaid manner, by the former Donation & Cessions, in Money, Stocks and Bonds, as an apanagium and Competency for His Royal Highness the Duke of Cumberland, and had been confirmed & corroborated by the Will of 1751., has also been revoked, repealed & disannulled by the Codicil, which His Majesty George II. has made

at

at Kensington the 6th day of October 1757. For the
purpose concerning of the said Codicil is as followeth:

„Whereas it is notorious, that the Law permits, and We
 „having besides expressly reserved to us, to make what
 „alterations We pleased in our last Will, made in Our
 „Palace at St. James April y^e 3rd 1751., the 24th of
 „Our Reign; That We moved by very good reasons, have
 „resolved to make an alteration, with respect to that,
 „what We had disposed in the said Our last Will, and
 „namely in its 3rd 4th 5th 6th & 7th article, in favour
 „of Our Son William, Duke of Cumberland: And We
 „do hereby make an alteration, to that Effect and
 „purpose, that what we had in the said Will, & in its
 „said articles, settled on, and bequeathed to our said Son,
 „as an apanagium and a competency, We hereby do
 „repeal, make void and disannull; and that it is Our Will,
 „that neither the Capital therein specified, of three
 „millions, three hundred and eight Thousand, Ninety

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one Dollars, 32. gros, current money, nor the stipulated Interest
from the above main Stock at ninety nine Thousand, two
hundred forty two Dollars, 27. gros, current money, shall
go to our said Son, and be paid to him; but that our
Successor in the administration, shall employ every year
the last, viz: the annual Interest amounting to ninety nine
thousand, two hundred, forty two Dollars, 27. gros, current
money, towards the supporting of our military Establish-
ment in Germany, or according to Circumstances, to
other Purposes, tending to the good and Welfare
of our German Dominions and Subjects.

7.

This Repeal, Revocation and Disannullation made by
the Codicil of the 6th Oct: 1757, with respect to the
Fund of three millions, three hundred and eight, Thousand
ninety one Rixdollars, 32. gros, appointed for a Competency
and Appanagium, are confirmed in that, which His
late Majesty George II. has made the 15th Day of Sept: 1759.

at

at Kensington, and which contains partly the Reasons, which, notwithstanding all the paternal Love & affection for His Royal Highness the Duke of Cumberland, who allways behaved as a dear & dutifull Son to His Majesty; moved His said late Majesty, to make in the said Codicil of the 6th of Oct: 1757. the above mention'd Revocation, Repeal & Disanullation; and partly the Declaration, that as since the making of the Will of the 3rd April 1751. the Death of three of the Princesses had happened, the Sum of two hundred thousand Piddollars, bequested therein once for all to all the Princesses, should be divided in three equal Parts, between His Royal Highness the Duke of Cumberland, and the surviving two Daughters.

8.

By what has been said it appears: that tho' according to the 2^d. 3^d. & 4th. S. and the therein mention'd Documents, not only 3,30,000^l. Piddollars 32. gros in cash, & bonds; but also certain immoveables, together with some gold & silver Effects, and silver Plate therein specified, had been intended for His Royal Highness

the Duke of Cumberland, yet that His late Majesty had confirmed by His Will of the $\frac{3}{4}$ April 1751. and namely its 3rd Article *ſicundum* $\text{\$}^{\text{sum}}$ 6. *ſicundum* those Documents only so far, as the apanagium & Competency had been made to consist of 3,308,091. Rixdollars, 32. gros, in money; and that all the rest had been made void & disannulled by the 15th article of the Royal Will of the $\frac{3}{4}$ April 1751, and that further this Legacy of 3,308,091. Rixdollars, 32 gros *ſicundum* $\text{\$}^{\text{sum}}$ 6. et 7. *ſicundum* had been revoked, repealed, & disannulled too, by the Codicil of the 6. Oct: 1757., and that only the third part of $\frac{200}{m}$ Rixdollars had been left to His Royal Highness the Duke of Cumberland. And that moreover His late Majesty could do this lawfully because He had expressly reserved to himself in the Donation of the 10th of June 1743. full Liberty to change and disannull the said Donation & Cessions, which clause H. R. H. the Duke of Cumberland has agreed to in his acts of acceptance, & all his three Reversales, and has moreover engaged

& bound himself to submit to whatever His Majesty had already in one way or the other disposed, with respect to the Sums of Money, Immoveables, & mentioned in the Acts of Donation & Cession, or might for the future think fit to dispose, and to resign himself entirely in His Majesty's most gracious Will & Pleasure, And 2.) because, according to the known rule in Law: Pacta sunt Legem Contractui, all Donations, Cessions & all other Contracts & Transactions, admit of such conditions & restrictions, which are made mutuo consensu, tho' they do not properly belong to their nature.

Pro Memoria.

The Royal Codicil of the $\frac{3}{14}$ April 1751. has not been mention'd, because it does not concern H. R. H. the Duke of Cumberland.

General State
Dec^r 1760.