

His Late Majesty is supposed to have left behind Him, besides Jewels which came to Him from any of His Lineal or Collateral Ancestors, and besides Jewels belonging to the Crown of Great Britain, Jewels bought by Him when He was Prince of Wales, & Jewels bought since His Accession to the Crown.

Question

What Jewels belong to His Majesty, & what to His Royal Highness The Duke of Cumberland, according to Your Report made to His Majesty Janry 13th 1761.

It having been observed by us, in our Report humbly laid before his Majesty bearing date Jan: 13th 1761, that his late Majesty by his German Will dated April 3rd 1751, had Devised all his Jewels, which came to him from his Ancestors, or which he had bought with his own Money, to go, as Heirs-looms, in Succession with the

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Electorate; and that within eight days after making
the said Will, he had devised by his English Will or
^{Codicil} dated April. 11. 1751., all his Jewels to His Royal
Highness the Duke of Cumberland (except those
disposed of by his former Will &c), the following
inference is drawn from that Observation; viz, that
Unless the German Will be explained by the preamble
to relate only to German effects, the exceptions in
the English Will would not leave one Jewel to
pass by the Devise to His Royal Highness.
And therefore to effectuate both Wills and to make
them consistent with one another, We were &
still are of Opinion, that the Generality of the
Devise in the German Will must be restrained
to German effects, and that the English Will must
be construed to operate upon English Effects. The
Consequence of this is, that Jewels purchased,
when his late Majesty was Prince of Wales,
or after his Accession to the Crown, out of his
Privy Purse, or Civil List Revenues in
England, belong to His Royal Highness the

Duke

Duke of Cumberland, (unless they can be brought
by special Circumstances within any of the
Exceptions.)

Feb. 12. 1761.

W. Hay
W. Pitt
C. Yorke.

Opinion transmitted to
the Earl of Holderness
on the Question proposed
by H. R. H. the Duke
of Cumberland.

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(Not to be typed, but included
among other typed copies)

Feb. 12 1761

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What Jewels belong to His Majesty, & what to His Royal Highness The Duke of Cumberland, according to Your Report made to His Majesty Janry 13th 1761.?

It having been observed by Us, in our Report humbly laid before His Majesty, bearing Date Janry 13th 1761, that His Late Majesty by His German Will dated April 3th 1751, had devised all His Jewels, which came to Him from His Ancestors, or which He had bought with His own Money, to go, as Heir-Looms, in Succession with the Electorate; and that within Eight Days after making the said Will, He had devised by His English Will or Codicil dated April 11. 1751, all His Jewels to His Royal Highness The Duke of Cumberland

Cumberland (except those disposed of by His former Will &c.^a), the following Inference is drawn from that Observation; viz.^t, that Unless the German Will be explained by the Preamble to relate only to German Effects, the Exceptions in the English Will would not leave one Jewel to pass by the Devise to His Royal Highness. And therefore to effectuate both Wills, and to make them consistent with one another, We were & still are of Opinion, that the Generality of the Devise in the German Will, must be restrained to German Effects, & that the English Will must be construed to operate upon English Effects. The Consequence of this is, that Jewels purchased, when His late Majesty was Prince of Wales, or after His Accession to the Crown, out of His Privy Purse, or Civil List Revenues in England, belong to His Royal Highness The Duke of Cumberland, (unless they can be brought by Special Circumstances within any of the Exceptions.)

Febry 12. 1761.

G. Hay.

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Opinion transmitted to
The Lord of Stodolmeke
on the Question proposed
by St. A. A. The Duke
of Cumberland.

(Copy)

12 Feb. 1761