ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

CAP. I.

An Act to provide for the Care of His Majesty's Royal Person during the Continuance of His Majesty's Illness. [12th *February* 1819.]

WHEREAS an Act passed in the Fifty-first Year of the Reign of His present Majesty, intituled *An Act to provide for the Administration of the Royal Authority, and for the Care of His Majesty's Royal Person, during the Continuance of His Majesty's Illness; and for the Resumption of the Exercise of the Royal Authority by His Majesty:* And whereas another Act passed in the Fifty-second Year of the Reign of His present Majesty, intituled *An Act for the Regulation of His Majesty's Household, and enabling Her Majesty the Queen to meet the increased Expence to which Her Majesty may be exposed during His Majesty's Indisposition, and for the Care of His Majesty's Real and Personal Property; and to amend an Act of the last Session of Parliament, to provide for the Administration of the Royal Authority during His Majesty's Illness:* And whereas another Act passed in the last Session of Parliament, intituled *An Act to alter and amend certain of the Provisions of an Act passed in the Fifty-first Year of His Majesty's Reign, intituled 'An Act to provide for 'the Administration of the Royal Authority, and for the Care of His 'Majesty's Royal Person, during the Continuance of His Majesty's 'Illness; and for the Resumption of the Exercise of the Royal Autho-'rity by His Majesty:'* And whereas it is expedient, in consequence of the Demise of Her late most Excellent Majesty, that the Care of His Majesty's Royal Person, and of such Portion of His Majesty's Household as shall be deemed requisite and suitable to the due Attendance upon His Majesty's Sacred Person, and the Maintenance of His Royal Dignity, should be committed to His Royal Highness *Frederick* Duke of *York* and *Albany*, during the Continuance of His Majesty's Indisposition: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament

51 G. 3. c. 1.

52 G. 3. c. 8. and

58 G. 3. c. 90. recited.

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Care of His Majesty's Person and Household, &c. vested in the Duke of York.

ment assembled, and by the Authority of the same, That the Care of His Majesty's Royal Person, and the disposing, ordering, and managing of all Matters and Things relating thereto, shall be and the same are hereby vested in His Royal Highness the Duke of *York* and *Albany*, during the Continuance of His Majesty's Indisposition; and that the sole Direction of such Part of His Majesty's Household as shall be deemed requisite and suitable to the due Attendance upon His Majesty's Sacred Person, and the Maintenance of His Royal Dignity, shall be and is hereby vested in His said Royal Highness; and all such Officers of the Household, and such Number of Attendants and Servants as may be requisite and suitable for the due Attendance on His Majesty's Sacred Person, shall be under the sole Direction and Controul of His said Royal Highness, for the Care and Attendance upon His Majesty's Sacred Person, and the regulating, ordering, and managing all Things relating thereto; and His said Royal Highness shall have the full and sole Power and Authority to order and direct all Matters and Things relating to the Management of such Part of His Majesty's Household as shall be in Attendance upon His Majesty's Person, and the respective Duties and Attendances of all such Officers of the Household and Attendants and Servants aforesaid; and shall also have full Power and Authority, by any Instrument or Instruments in Writing signed and sealed by His said Royal Highness, to remove, nominate, and appoint, in the Name and on the Behalf of His Majesty, all the Persons who shall be in Attendance upon His Majesty's Person, and in like manner to supply all Vacancies arising by Removal, Resignation, or Death of any such Officers of the Household or Attendants, and Servants or Persons aforesaid; except such as heretofore have been usually nominated and appointed by the Lord Chamberlain, or Lord Steward of His Majesty's Household, or the Master of His Majesty's Robes, respectively; and the First Gentleman of His Majesty's Bedchamber, commonly called The Groom of the Stole, appointed to attend upon His Majesty's Person, shall nominate and appoint to all such Vacancies as shall arise by Removal, Resignation, or Death of any such Officers, Attendants, or Servants aforesaid as have heretofore been nominated or appointed by the Lord Chamberlain or Lord Steward respectively of His Majesty's Household, or by The Master of the Horse to His Majesty; and such Groom of the Stole shall have all such Jurisdiction, Power, and Authority over such Officers, Attendants, and Servants, as have heretofore been and are now usually exercised by the Lord Chamberlain and Lord Steward of His Majesty's Household respectively, and by The Master of the Horse to His Majesty.

Appointments in the Lord Chamberlain, &c. reserved.

Power of Officers of the Household limited.

II. Provided always, and be it further enacted, That it shall not be lawful for any Officer in His Majesty's Household, who is by this Act put under the Direction of His said Royal Highness, to make any Appointment to any Office, to which such Officer may have the Power of Appointment, for any longer Period than during His Majesty's Pleasure.

Council to assist the Duke of York.

III. And whereas the Execution of the weighty and arduous Trusts by this Act committed to His Royal Highness, may require the Assistance of a Council, with whom His Royal Highness may consult and advise; be it therefore enacted, That in order to assist and advise His said Royal Highness in the several Matters aforesaid, there shall be, during the Continuance of His Majesty's Illness, a Council consisting

of all the Persons who were Members of the Council to Her late most Excellent Majesty, under the said recited Acts, who may be living at the Time of passing this Act, and also *John Jeffreys* Marquess *Camden*, in the Room and Place of *Edward* Lord *Ellenborough* deceased; which Council shall from Time to Time meet as His Royal Highness shall be pleased to direct, and shall also have Power to meet in Manner by this Act directed; and if it should happen that any of the Members of such Council should depart this Life, or by Instrument in Writing communicated to His said Royal Highness, signify their Intention to decline to act, then and in such case it shall be lawful for His Royal Highness the Duke of *York* and *Albany*, from Time to Time, by an Instrument in Writing, signed and sealed by His said Royal Highness, revocable at His Will and Pleasure, to nominate and appoint some One Person, being or having been a Member of His Majesty's most Honourable Privy Council, to be a Member of the said Council to His said Royal Highness, to advise and assist His said Royal Highness as aforesaid, in the Room and Place of each and every of the said Councillors so departing this Life, or declining to act as aforesaid; which Nomination and Appointment shall be forthwith certified, by an Instrument in Writing signed and sealed by His said Royal Highness, to the Lords of His Majesty's most Honourable Privy Council, and shall be entered in the Books of the said Privy Council.

Members of the Duke of York's Council to take the following Oath.

IV. And be it further enacted, That each and every Member of His said Royal Highness's Council shall, within the Space of Ten Days after his Appointment by virtue of this Act, or by virtue of His Royal Highness's Nomination and Appointment in manner aforesaid, take an Oath before the Lord High Chancellor or Keeper of the Great Seal, or Commissioners for keeping the Great Seal of *Great Britain*, or the Lord President of His Majesty's Privy Council, or the Chief Justice of the Court of King's Bench for the Time being, respectively, or either of them, who are hereby severally and respectively required and empowered to administer the same, when required so to do by any Person so appointed a Member of His said Royal Highness's Council as aforesaid; and the Person administering such Oath shall give to the Member of His Royal Highness's Council taking the same, a Certificate of the same having been so taken, signed with his Hand, which Certificate shall be forthwith transmitted to His Majesty's Privy Council; and such Oath shall be in the Form following; (that is to say),

Oath.

'I *A. B.* do solemnly promise and swear, That I will truly and faithfully counsel and advise His Royal Highness the Duke of *York* and *Albany*, according to the best of my Judgment, in all Matters and Things relating to the Trusts committed to His Royal Highness, touching the Care of His Majesty's Royal Person, and the Resumption of the personal Exercise of the Royal Authority by His Majesty.'

Council may examine the Physicians and others upon Oath.

V. And be it further enacted, That His said Royal Highness's Council, or any Three or more of them, shall have Power and Authority, at all Times, when they shall judge it necessary, to meet and call before them, and to examine upon Oath, the Physicians, and all other Persons attendant on His Majesty during the Continuance of His Majesty's Illness, touching the State of His Majesty's Health, and all Matters relating thereto, (which Oath any Member of the said Council is hereby authorized and empowered to administer), and

to ascertain the State of His Majesty's Health, by all such other Ways and Means as shall appear to them to be necessary for that Purpose.

Council to meet, and to declare the State of His Majesty's Health; and transmit a Copy of such Declaration to the President of the Privy Council, &c.

VI. And be it further enacted, That Three or more of the Members of the Council appointed to assist His said Royal Highness in the Execution of the Trusts committed to His said Royal Highness by this Act, shall, in case such Trusts shall then be in force, meet on some Day in the First Week of *April* next, and the same Day in the First Week of every Third Month thereafter; and shall, whilst the said Trusts shall continue in force, at every such Meeting declare the State of His Majesty's Health at the Time of each of such Meetings respectively; and shall forthwith transmit a Copy of such Declaration to the President of His Majesty's most Honourable Privy Council, or in his Absence to one of His Majesty's Principal Secretaries of State, who shall thereupon cause the same to be inserted in the Books of the Privy Council.

When it shall appear that His Majesty's Health is restored, the same shall be notified to the Privy Council, and entered in their Books.

VII. And whereas it is necessary that effectual Provision should be made that His Majesty may resume the personal Exercise of His Royal Authority as soon as His Majesty is restored to such a State of Health as to be capable of resuming the same; be it therefore enacted, That when it shall appear to His Royal Highness the Duke of *York* and *Albany*, and to any Four or more of the Council appointed by this Act to assist His said Royal Highness in the Execution of the Trust committed to His said Royal Highness by this Act, assembled at any Meeting held in pursuance of His said Royal Highness's Will and Pleasure signified for that Purpose, or assembled under the Direction of this Act, or in pursuance of His Majesty's Royal Will and Pleasure signified to His said Royal Highness and his Council for that Purpose, which Council of His said Royal Highness is hereby required to assemble in the Presence of His said Royal Highness, upon His Majesty's Royal Will and Pleasure being signified for that Purpose, that His Majesty is restored to such a State of Health as to be capable of resuming the personal Exercise of the Royal Authority, it shall and may be lawful for His said Royal Highness, by the Advice of any Four or more of His said Council, to notify the same by an Instrument under His Royal Highness's Hand, and signed also by the said Four or more of His said Royal Highness's Council, and addressed by the Lord President of His Majesty's most Honourable Privy Council for the Time being, or in his Absence to One of His Majesty's Principal Secretaries of State; and the said Lord President or Secretary of State shall and is hereby required, on the Receipt thereof, to communicate the same to His Royal Highness The Prince Regent, and to summon forthwith a Privy Council; and the Members of His Majesty's Most Honourable Privy Council are hereby required to assemble in consequence of such Summons; and the said Lord President, or in his Absence the said Secretary of State, is required, in the Presence of any Four or more Privy Councillors so assembled, to cause the said Instrument to be entered on the Books of the said Privy Council.

After such Entry, His Majesty may, by Sign Manual, require the Privy Council to assemble.

VIII. And be it further enacted, That if at any Time after the said Instrument under the Hand of His said Royal Highness, and of Four or more of His said Council, shall have been received and entered as aforesaid, His Majesty shall think proper, by an Instrument under His Sign Manual, to require the Lord President of His Majesty's most Honourable Privy Council for the Time being, or in his

his Absence One of His Majesty's Principal Secretaries of State, to summon a Council in His Majesty's Presence, consisting of any Number of Persons not less than Nine whom His Majesty shall name, and who shall be, or who shall have been Members of His Majesty's most Honourable Privy Council, not being Members of His said Royal Highness's Council, the said Lord President or Secretary of State shall and he is hereby required to summon such Persons accordingly; and as well the said Lord President or Secretary of State, as the other Persons so summoned, shall and they are hereby required to attend at the Time and Place appointed by His Majesty; and such Persons so assembled shall be and be deemed to be a Privy Council for the Purpose herein-after mentioned.

Powers of this Act to cease on His Majesty declaring, by Proclamation, his Resumption of the Royal Authority.

IX. And be it further enacted, That if His Majesty, by the Advice of Six or more of such Privy Council so assembled, shall signify His Royal Pleasure to resume the personal Exercise of His Royal Authority, and to issue a Proclamation declaring the same, such Proclamation shall be issued accordingly, countersigned by the said Six or more of the said Privy Council; and all the Powers and Authorities given by this Act shall from thenceforth cease and determine; and the personal Exercise of the Royal Authority by His Majesty shall, notwithstanding any Thing in this Act, or in the said recited Acts, or any of them, contained or provided, be and be deemed to be resumed by His Majesty, and shall be exercised by His Majesty to all Intents and Purposes, as if this Act had never been made.

In case of the Death of the Duke of York, the Care of His Majesty's Person shall be vested in the Duke's Council, until Provision made by Parliament.

X. And be it further enacted, That in case of the Death of His said Royal Highness the Duke of *York* and *Albany*, during the Time that the Care of His Majesty's Person shall be committed to His said Royal Highness, according to the Provisions of this Act, the Care of His Majesty's Royal Person, and all and every the Powers and Authorities in and by this Act vested in His said Royal Highness, touching the Care of His Majesty's Royal Person, and the disposing, ordering, and managing all Matters and Things relating thereto, shall become and continue vested in His said Royal Highness's Council until due Provision shall have been made in relation thereto by Parliament: Provided nevertheless, that in such Case nothing in this Act contained shall extend, or be construed to extend, to empower His Royal Highness The Prince Regent, or the said Council, to nominate, appoint, or remove any of the Officers or Persons of His Majesty's Household, by this Act made subject to the Nomination, Appointment, or Removal of His Royal Highness the Duke of *York* and *Albany*, until due Provision shall have been made by Parliament in that Behalf.

The Regent to issue a Proclamation for the Meeting of Parliament, in case the Parliament be not sitting.

XI. And be it further enacted, That if His Royal Highness the Duke of *York* and *Albany* should depart this Life during the Time that the Care of His Majesty's Person shall be committed to His said Royal Highness, according to the Provisions of this Act, and the Parliament in being at the Time shall then be separated, His Royal Highness The Prince Regent shall forthwith cause to be issued and published a Proclamation, under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, declaring that such Case hath happened, and requiring the said Parliament to meet and sit at *Westminster* at the Day to which such Parliament had been adjourned or prorogued, or upon some Day to be mentioned in such Proclamation, and being within Eighty Days, to be computed from the Date

Date of such Proclamation; and the Parliament shall thereby be deemed and taken to be duly prorogued to such Day so to be mentioned in such Proclamation.

Regulations for calling the Meeting of a new Parliament if the Event shall happen before the Day appointed by Writs of Summons;

XII. And be it further enacted, That if such Case as aforesaid shall happen, and there shall be no Parliament in being at the Time, and the same shall happen before the Day appointed by any Writs of Summons then issued for calling and assembling a new Parliament, then and in such Case His Royal Highness The Prince Regent shall forthwith cause to be issued and published a Proclamation, under the Great Seal aforesaid, declaring that such Case hath happened, and requiring such new Parliament to convene and sit at *Westminster*, either upon the Day appointed by such Writs of Summons for assembling the new Parliament, or upon some Day to be mentioned in such Proclamation, and being within Eighty Days, to be computed from the Date of such Proclamation; and in such latter Case, upon the Day appointed by the said Writs of Summons for assembling the new Parliament, the same shall in the due and accustomed Manner be prorogued to such Day so to be mentioned in such Proclamation.

or in Cases where it shall happen upon or after the Day appointed by Writ of Summons.

XIII. And be it enacted, That if such Case as aforesaid shall happen upon or after the Day appointed by any Writ of Summons then issued for calling and assembling a new Parliament, and before such new Parliament shall have met and sat as a Parliament, then and in such case His Royal Highness The Prince Regent shall forthwith cause such a Proclamation as aforesaid to be issued and published, declaring that such Case hath happened, and requiring the new Parliament either to convene and sit at *Westminster* immediately after such Proclamation shall have been published, or upon some Day to be mentioned in such Proclamation, and being within Eighty Days, to be computed from the Date of the said Proclamation; and in each case the Parliament so convening and sitting shall be and be deemed to be a Parliament to all Intents and Purposes, under the Provisions of this Act.

In what Cases this Act not to alter or affect former Acts.

XIV. Provided nevertheless, and be it enacted by the Authority aforesaid, That nothing herein contained, nor any Act which shall be done by virtue hereof, shall be deemed or taken to repeal, or in any Manner to alter or affect, otherwise than is herein expressly provided, the Provisions of any Act or Acts of Parliament heretofore passed and now in force, so far as the same regulate, require, or provide for the meeting, convening, and sitting of Parliament, in case of the Demise of His Majesty, or His Heir or Heirs, Successor or Successors, or in case the Regent shall depart this Life or cease to be Regent, or to repeal, alter, or affect the Provision heretofore made by any Act now in force, for shortening the Time which had before been required for giving Notice of the Royal Intention that the Parliament should meet and be holden for the Dispatch of Business.

Act may be altered this Session.

XV. And be it further enacted, That this Act may be altered, varied, or repealed by any Act or Acts to be passed in this Session of Parliament.

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