ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

CAP. XLV.

An Act for more conveniently paying of Allowances on the Compaſſionate Liſt of the Navy, and of Half Pay to Officers of the Royal Marines.

[12th *May* 1809.]

WHEREAS it would greatly tend to the Comfort and Accommodation of Perſons receiving any Sums of Money or Allowances in conſequence of their Names being inſerted in the Compaſſionate Liſt of the Navy, eſtabliſhed under and authorized by virtue of His Majeſty's Order in Council of the Fifteenth Day of *February* One thouſand eight hundred and nine; and alſo of the Officers of the Royal Marines entitled to Half Pay, if ſuch Allowances and Half Pay were paid to the Perſons reſpectively entitled thereto, at or near to the Places of their reſpective Reſidences: May it therefore pleaſe Your Majeſty that it may be enacted; and be it 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 aſſembled, and by the Authority of the ſame, That, from and after the Twenty-ninth Day of *September* One thouſand eight hundred and nine, it ſhall be lawful for the Lord High Admiral of *Great Britain*, or the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain*, for the Time being, or any Three or more of them, to order and direct that all ſuch Allowances and Half Pay

From Sept. 29, 1809, the Admiralty may direct Allowances from the Compaſſionate Liſt of the Navy, and the Half Pay to Marine Officers, to

be paid at the Residence of the Persons entitled thereto.

Pay shall be paid to the Persons respectively entitled thereto at or near to the Parishes or Places of their Residence, in any Part of His Majesty's Dominions, or in Foreign Parts, by any Persons appointed to pay the same.

Admiralty may make such Regulations as they think requisite for the Payment of such Allowances and Half Pay.

II. And be it further enacted, That it shall be lawful for the said Lord High Admiral, or Commissioners of the Admiralty, or any Three or more of them, for the Time being, to make such Orders, Rules, and Regulations, and from Time to Time to alter the same in relation to the Payment of any such Allowances and Half-pay to any such Persons so entitled thereto as aforesaid; and also as to any Certificates, Vouchers, Receipts, or Orders for the better regulating, managing, and making such Payments; and to require such Proofs and Affidavits relating thereto as may be requisite for the ordering and securing the Payment of such Allowances and Half Pay: Provided always, that every such Order or Regulation may from Time to Time be revoked or altered by any Warrant, Order, or Instruction under His Majesty's Royal Sign Manual.

Persons entitled to such Allowances and Half Pay may, on Application for that Purpose, receive Payments from the Receiver General of the Land Tax, or Collector of the Customs and Excise, &c.

III. And be it further enacted, That from and after the Twenty-ninth Day of *September* One thousand eight hundred and nine, if any Person who shall be entitled to receive any such Allowance (the Names of such Persons, and the Sums they are respectively entitled to, being previously and from Time to Time transmitted to the Commissioners of the Navy); or if any Officer of the Royal Marines on Half Pay, shall be respectively desirous to receive such Allowance or Half Pay from any Receiver General of the Land Tax in *Great Britain*, Collector of the Customs at any Port in *Great Britain* or *Ireland*, Collector of the Excise for any Collection in *Great Britain* or *Ireland*, or Clerk of the Checque at any Dock Yard in *Great Britain*, near to the Place of his Residence, it shall be in the Power of such Person so entitled to any Allowance, to apply at the Time of issuing such Allowances by Letter to the Commissioners of the Navy, at their Office in *Somerset Place*; and for any Officer of the Royal Marines on Half Pay, at the Time of issuing such Half Pay to apply to the Paymaster of Marines at his Office in *London*, to have such Allowance or such Half Pay paid by the said Receiver General of the Land Tax, Collector of the Customs, Collector of the Excise, or Clerk of the Checque, and shall at the same Time transmit such Vouchers and Documents as shall be required by the said Lord High Admiral or Commissioners of the Admiralty, for the Time being, or any Three of them.

Commissioners of the Navy, &c. to direct Two Duplicate Remittance Bills to be made out, payable to such Persons by the Receiver General, &c.

IV. And be it further enacted, That the said Commissioners of the Navy, or the said Paymaster of Marines, on being satisfied of the Justice of the said Claim, shall respectively order and direct Two Remittance Bills to be made out for the Allowance or Half Pay due to such Person or Officer; which said Bills shall be Duplicates of each other, and shall be joined together by oblique Lines, Flourishes, or Devices, and shall be made payable to such Person, or to such Officer, by the Receiver General of the Land Tax, Collector of the Customs, Collector of the Excise, or Clerk of the Checque to whom the said Remittance Bills shall be addressed; and such Remittance Bills, being numbered and dated, shall be signed by a Commissioner of the Navy or the said Paymaster of Marines, and shall be attested by a Person to be respectively appointed by the Treasurer of the Navy or Paymaster to collect and manage the aforesaid Documents and Vouchers,

Vouchers, to prepare such Remittance Bills and keep Accounts thereof; and such Remittance Bills, being written or printed, shall be according to the Tenor and Form following, or to the like Effect:

Form of Bills.

'N° I. Day of

'Sir,

'PAY to *A. B.* of on his producing and delivering 'the Duplicate hereof, the Sum of being for 'the { Allowance / Half Pay } payable to the said *A. B.* as a '[*or*, Half Pay Officer of Marines, *as the Case may be*], on the 'Day of last, if the same be demanded within Six 'Calendar Months from the Date hereof, otherwise you are to return this 'Bill to the Treasurer of the Navy [*or*, Paymaster of Marines], at his 'Office in *London*.

'*C. D.* { Commissioner of the Navy. / Paymaster.

'Attested by *E. F.* [*Description*].

'To the Receiver General of the Land Tax for the County of

'The Collector of the Customs at the Port of

'The Collector of the Excise at

'The Clerk of the Checque at

'By virtue of the Act 49 *George* the Third.

'N. B. The forging of this Remittance Bill, or procuring any 'other Person to forge the same, in order to receive 'any Part of the Monies hereby payable, is made Felony 'by the Act Forty-ninth *George* the Third."

And so soon as the said Bills are made out and signed, the respective Persons to be appointed by the said Treasurer or Paymaster shall cut or cause them to be cut asunder, through the oblique Lines, Flourishes, or Devices; and shall cause one Duplicate to be transmitted to the Person or Officer named therein, to whom the Money shall be made payable, and the other Duplicate to be transmitted to the Receiver General of the Land Tax, Collector of the Customs, Collector of the Excise, or Clerk of the Checque, to whom the same shall be addressed; and if the Duplicate of such Bill shall be produced by the Person or Officer to whom the same shall be made payable, to such Receiver General of the Land Tax, Collector of the Customs, Collector of the Excise, or Clerk of the Checque, to whom the same shall be addressed, within Six Calendar Months from the Date thereof, he shall carefully examine the same with the Duplicate transmitted to him as aforesaid; and being satisfied of the Authenticity thereof, and of the Identity of the Person or Officer producing the same to him, he shall immediately pay the Sum mentioned therein to such Person or Officer, without Fee or Reward, or Deduction, on any Pretence whatever, taking a Receipt for such Payment on the Back of the Bill; which Bill, and the Duplicate thereof, being transmitted by the Person who shall pay the same to the Treasurer of the Navy, shall be immediately repaid by the said Treasurer to such Receiver General, Collector

One Duplicate shall be sent to the Person named therein, and the other to the Receiver General, &c. who shall pay the Sum contained therein, &c.

lector of the Cuſtoms, Collector of the Exciſe, or Clerk of the Cheque, or his Order; and the Payments thus made by the ſaid Treaſurer of the Navy, on account of Marine Officers Half Pay, ſhall be re-allowed him out of the Monies iſſued to the ſaid Paymaſter; but in caſe the Duplicate of any ſuch Bill ſhall not be ſo produced, and Payment thereof demanded within Six Calendar Months from the Date thereof, then the ſaid Receiver General of the Land Tax, Collector of the Cuſtoms, Collector of the Exciſe, or Clerk of the Cheque, ſhall return the Duplicate thereof in his Hands to the ſaid Treaſurer or Paymaſter at their reſpective Offices in *London*, who ſhall cauſe the ſame to be cancelled; and thereupon the Sum contained in ſuch Bill ſhall become payable to the Perſon or Officer in whoſe Favour it was drawn, or to the reſpective lawful Repreſentatives in caſe of the Death of ſuch Perſon or Officer, in the ſame Manner as if ſuch Bill had never been iſſued.

Receiver General, &c. to indorſe on the Duplicate the Date of its being tendered, in caſe he had not Publick Monies in his Hands to pay the Bill, &c. and appoint a Day of Payment within a Month.

V. Provided always, and be it further enacted, That if any Receiver General of the Land Tax, Collector of the Cuſtoms, Collector of the Exciſe, or Clerk of the Checque, to whom the Duplicate of any ſuch Bill ſhall be tendered for Payment, ſhall not have in his Hands Publick Monies ſufficient to anſwer the ſame, and ſhall for that Reaſon refuſe or delay the immediate Payment thereof, ſuch Receiver General of the Land Tax, Collector of the Cuſtoms, Collector of the Exciſe, or Clerk of the Cheque, ſhall immediately indorſe on the ſaid Duplicate the Day of its being ſo tendered to him, and the Cauſe of his Refuſal to pay the ſame, and ſhall appoint thereon for the Payment of the ſame a future Day, within the Space of One Month at the fartheſt from its being ſo firſt tendered to him as aforeſaid; and ſuch Duplicate, with the Indorſement thereon, ſhall be immediately delivered back to the Perſon or Officer preſenting the ſame; and if upon Complaint made to the reſpective Commiſſioners appointed or to be appointed to manage the ſaid ſeveral Duties of Land Tax, Cuſtoms, or Exciſe, or to the Commiſſioners of the Navy, if the Perſon complained of be a Clerk of the Checque, it ſhall appear that ſuch Receiver General of the Land Tax, Collector of the Cuſtoms, Collector of the Exciſe, or Clerk of the Checque, hath unneceſſarily or wilfully refuſed or delayed the Payment of ſuch Bill, or directly or indirectly, by himſelf or any Perſon under him, received or taken any Fee, Reward, Gratuity, Diſcount, or Deduction whatſoever, on account of the Payment of the ſame, it ſhall and may be lawful to and for any Three or more of the ſaid Commiſſioners to convict and fine the Perſon under their Direction ſo offending, in any Sum not exceeding Fifty Pounds, according to the Nature and Degree of the Offence; and ſuch Fine ſhall be levied and recovered in ſuch and the ſame Manner, to all Intents and Purpoſes, as any Penalty or Fine may be levied and recovered for any Offence againſt the Laws of Cuſtoms or Exciſe; and the ſaid Fine, when recovered, ſhall be paid to the Informer or Informers.

Penalty on Perſons delaying Payment unneceſſarily, &c.

On Certificate of Infirmity being produced, the Receiver General, &c. authorized to pay the Contents of the

VI. And be it further enacted, That if ſuch Perſon or Officer to whom the Remittance Bill ſhall be made payable, ſhall be reſpectively prevented and diſabled by bodily Infirmity from appearing in Perſon before the ſaid Receiver General of the Land Tax, Collector of the Cuſtoms, Collector of the Exciſe, or Clerk of the Checque; and ſuch bodily Infirmity being properly and ſatisfactorily certified by the Miniſter and a Churchwarden or Elder of the Pariſh where ſuch Perſon or Officer ſhall reſide, or by the Phyſician,

Phyſician, Surgeon, or Apothecary attending him, then and in ſuch Caſe, the Sum contained in ſuch Bill ſhall be paid to the Order in Writing of ſuch Perſon or Officer, upon producing and giving up to ſuch Receiver General of the Land Tax, Collector of the Cuſtoms, Collector of the Exciſe, or Clerk of the Cheque, ſuch Certificate of bodily Infirmity as aforeſaid, together with a Duplicate of the ſaid Bill, and a proper Receipt on the Back of the ſame, ſigned by the Perſon or Officer in whoſe Favour the Bill ſhall have been drawn, and witneſſed by the Perſon who ſhall receive the Money.

Bill to the Order of the Perſon entitled.

VII. And be it further enacted, That all Aſſignments, Bargains, Sales, Orders, Contracts, Agreements, or Securities whatſoever, which ſhall be given or made by any Perſon entitled to any ſuch Allowance, or by any Half Pay Officer of Royal Marines, relating to ſuch Allowances, or to their Half Pay, ſhall be abſolutely null and void, to all Intents and Purpoſes.

Aſſignments of Allowances and Half Pay void.

VIII. And be it further enacted, That all Letters and Packets ſent by the Direction of the Treaſurer of the Navy in carrying this Act into Execution, ſhall be free from the Duty of Poſtage, and ſhall be tranſmitted under Covers, with the Words "Purſuant to Act of Parliament Forty-"ninth of *George* the Third," printed upon the ſame; and ſhall be tranſmitted by the Perſon appointed to ſend Letters and Packets under the Authority of an Act, paſſed in the Thirty-fifth Year of the Reign of His preſent Majeſty, intituled, *An Act for eſtabliſhing a more eaſy and expeditious Method for the punctual and frequent Payment of the Wages and Pay of certain Officers belonging to His Majeſty's Navy*, under and ſubject to the ſame Rules, Regulations, and Penalties, as are preſcribed by the ſaid Act, with reſpect to the Letters and Packets thereby authorized to be ſent free of the Duty of Poſtage.

Letters and Packets to be free of Poſtage.

IX. And be it further enacted, That all and every ſuch Remittance Bill and Remittance Bills herein-before directed to be made out, and which ſhall be paid by the Treaſurer of the Navy or Paymaſter of Marines in Manner as aforeſaid, ſhall be deemed and taken as good and ſufficient Vouchers to the Treaſurer of the Navy and Paymaſter of Marines, for ſo much Money as ſhall have been ſo directed to be paid on ſuch Bill or Bills reſpectively, and as ſhall have been ſo paid by either of them thereon, and ſhall be allowed as ſuch in paſſing their reſpective Accounts.

Bills paid by the Treaſurer, &c. to be ſufficient Vouchers.

X. And be it further enacted, That, from and after the paſſing of this Act, if any Perſon ſhall wilfully and knowingly perſonate, or falſely aſſume the Name or Character of, or procure any other Perſon to perſonate or falſely to aſſume the Name or Character of any Perſon entitled, or ſuppoſed to be entitled, to any ſuch Allowance aforeſaid, or of any Officer of the Royal Marines on Half Pay as aforeſaid, in order to receive ſuch Allowance or Half Pay, or any Part thereof, every ſuch Perſon ſo offending, and being lawfully convicted thereof, ſhall be deemed guilty of Felony, and may be tranſported for ſuch Period, not exceeding Fourteen Years, as the Court ſhall adjudge.

Penalty on Perſons perſonating others.

XI. And be it further enacted, That if any Perſon ſhall knowingly and wilfully forge or counterfeit, or cauſe or procure to be forged or counterfeited,

Penalty on Perſons forging Bills or Certificates, &c.

ſeited, or knowingly and wilfully act or aſſiſt in forging and counterfeiting, the Name or Hand-writing of any Perſon or Officer entitled to any ſuch Allowance, or to ſuch Half Pay, or of any Perſon or Perſons required by any Rules or Regulations made under and by virtue of this Act, to ſign any Remittance Bill, Certificate, Voucher, or Receipt in relation to the Payment of any ſuch Allowance or Half Pay, for and in order to the receiving or obtaining any Money on any ſuch Allowance or Half Pay; or ſhall utter as true any falſe, forged, or counterfeited Remittance Bill, Certificate, Voucher, or Receipt, knowing the ſame to be forged or counterfeited, with an Intention to defraud any Perſon whatſoever, every ſuch Perſon ſo offending, being thereof lawfully convicted, ſhall be and he is hereby declared and adjudged to be guilty of Felony; and may be tranſported for ſuch Period, not exceeding Fourteen Years, as the ſaid Court ſhall adjudge.

Bills and Certificates, &c. exempted from Stamp Duties.

XII. And be it further enacted, That all Orders, Certificates, Vouchers, Remittance Bills, and Receipts, for or relating to any ſuch Allowance or Half Pay as aforeſaid, ſhall be free from all Duties of Stamps, and be good, valid, and effectual, although the ſame ſhall not have been ſtamped; any Thing in any Act contained to the contrary notwithſtanding.

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