ANNO QUINQUAGESIMO PRIMO

GEORGII III. REGIS.

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C A P. CIV.

An Act for extending and amending the Regulations now in force, relative to the Payment to the Royal Hospital at *Chelsea* of the forfeited and unclaimed Shares of Army Prize Money.

[26th *June* 1811.]

49 G. 3. c. 123.

WHEREAS an Act was passed in the Forty-ninth Year of His present Majesty, intituled, *An Act to explain and amend an Act made in the Forty-fifth Year of His present Majesty, for the Encouragement of Seamen, and for the better and more effectually Manning His Majesty's Navy during the present War, and for the further Encouragement of Seamen; and for the better and more effectually providing for the Interest of the Royal Hospital for Seamen at* Greenwich, *and the Royal Hospital for Soldiers at* Chelsea; *and to extend the Provisions of the said Act to Cases arising in consequence of Hostilities commenced since the passing of the said Act:* And whereas it is necessary that the said recited Act should be altered and amended; 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 assembled, and by the Authority of the same, That so much of the said recited Act as directs the Payment to the Treasurer or Deputy Treasurer of *Chelsea Hospital* of all unclaimed and unpaid Shares of Prize or Balances remaining unpaid to Officers and Soldiers, and Troops in the Pay of His Majesty, in Cases of conjunct Expeditions with His Majesty's Naval Forces, shall be extended to all Cases of Prize and Capture, or any Grant upon Capture or Balances arising therefrom, not claimed by Officers, Soldiers, and Troops in the Pay of His Majesty, or acting in any Service or Expedition under the Orders of His Majesty; and all the Provisions of the said recited Act in relation to the Payment of unclaimed Shares of Prize Money, shall extend to authorize and require the Payment in like Manner and under the like Restrictions and Regulations of all such unclaimed and unpaid Shares of Prize and Balances remaining unpaid to any Officers or Soldiers, or Troops in the Pay of His Majesty, employed in Military Operations, and not conjointly with the Navy, as fully and effectually as if all the Provisions, Regulations, Authorities, Powers, Penalties, Forfeitures, Matters, and Things relating thereto, were severally repeated and re-enacted in the Body of and made Part of this Act.

So much of recited Act as directs the Payment to the Treasurer of Chelsea Hospital of unclaimed Shares of Prizes or Balances due to Officers and Soldiers in Cases of conjunct Expeditions with the Navy shall be extended to all Cases of Prize and Capture, &c.

So much of recited Act as requires the Treaſurer of Chelſea Hoſpital to retain unclaimed Prize Money for Six Years repealed.

II. And whereas the ſaid recited Act gives all Shares or Balances of unclaimed Prize Money which ſhould have been paid into *Chelſea Hoſpital*, as aforeſaid, and not legally demanded within Six Years from the Time of its being ſo paid in, to the Uſe of the ſaid Royal Hoſpital at *Chelſea*, but gives no Directions with reſpect to the Appropriation of the Monies during the ſaid Six Years, except ſo far as reſpects the re-funding to Claimants legally entitled to Shares thereof, and except alſo the Remuneration of Perſons employed in carrying the ſaid recited Act into Execution, and other Expences attending the ſame: And whereas it may be expedient, under the Directions of Parliament, to apply from Time to Time Monies ariſing from ſuch unclaimed Shares of Prize Money to the Uſe of *Chelſea Hoſpital* before the Expiration of the ſaid Six Years; be it enacted, That ſo much of the ſaid recited Act as requires or may be conſtrued to require the ſaid Treaſurer or Deputy Treaſurer of *Chelſea Hoſpital* to retain in his Hands all unclaimed Prize Money for the Period of Six Years from the Time the ſame ſhall have been paid into his Hands, ſhall be and the ſame is hereby repealed; the ſaid Commiſſioners retaining always in their Hands ſuch a Sum of Money as in their Judgement will be ſufficient to anſwer any Claims which may be made by the ſeveral Perſons entitled to ſuch Shares of Prize Money, or their legal Repreſentatives.

Forfeited Shares or Balances of Prize Money to be veſted in the Funds, in the Name of the Governor, &c.

III. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, or any Three or more of them, from Time to Time to cauſe any Sum or Sums of Money of the unclaimed or forfeited Shares or Balances of Prize Money ſo paid in as aforeſaid, to be inveſted in the Publick Funds or other Government Securities, in the Name of the Governor, Lieutenant Governor, and Deputy Treaſurer, for the Time being of the ſaid Royal Hoſpital, and to direct the Dividends and Intereſt ariſing therefrom from Time to Time to be applied to the general current Services of the Hoſpital.

Securities in the Name of the Deputy Treaſurer to be transferred to the Governor, &c.

IV. Provided always, and it is hereby enacted and declared, That all Inveſtments which have been heretofore made of the unclaimed Prize Money, or Shares, or Balances, ſo paid in as aforeſaid in the Publick Funds, or other Government Securities, in the Name of the Deputy Treaſurer, ſhall be as legal, valid, and effectual, as if the ſame had been made under the Authority of this Act; and the ſame Securities ſhall, after the paſſing of this Act, be transferred into the Names of the ſaid Governor, Lieutenant Governor, and Deputy Treaſurer, and ſhall veſt in them for the Purpoſes of the ſaid Royal Hoſpital, as if ſuch Inveſtments had been originally made under the Authority of this Act.

Shares of Prize Money may be paid to the next of Kin without Adminiſtration, &c. if not exceeding 20l.

V. And be it further enacted, That it ſhall be lawful for the Commiſſioners of the ſaid Royal Hoſpital at *Chelſea* to authorize their Deputy Treaſurer to pay to any Perſon or Perſons who ſhall prove him, her, or themſelves to the Satisfaction of ſuch Commiſſioners, or of the ſaid Treaſurer or Deputy Treaſurer, to be the next of Kin, or legal Repreſentative, or otherwiſe legally entitled to any Share of Prize Money belonging to any deceaſed Soldier, any ſuch Share, not exceeding Twenty Pounds, although ſuch Perſon ſhall not have regularly taken out Letters of Adminiſtration, or have procured the Probate of any Will of ſuch deceaſed Soldier, Seaman, or Marine.

Prize Money due to the next of Kin of Foreigners to be paid

VI. And be it further enacted, That in all Caſes of Claims for Prize Money to be made upon the ſaid Royal Hoſpital at *Chelſea*, by the next of Kin of Foreign Non-commiſſioned Officers or Soldiers who ſhall have been in the Pay of His Majeſty, and who ſhall have died inteſtate, and

which next of Kin ſhall reſide out of His Majeſty's Dominions, it ſhall be lawful for the Treaſurer or Deputy Treaſurer of the ſaid Royal Hoſpital for the Time being, to pay and diſcharge ſuch Claims to ſuch next of Kin, or any Perſon or Perſons duly authoriſed by ſuch next of Kin, to receive the ſame, without requiring the Production of Letters of Adminiſtration, to the Perſon appearing upon the Prize Liſt to be entitled to the Share or Shares which ſhall be ſo claimed; and in all Caſes where ſuch Foreign Non-commiſſioned Officers or Soldiers ſhall have made Wills, it ſhall be lawful for the ſaid Treaſurer or Deputy Treaſurer, in like Manner to pay and ſatisfy ſuch Claims to the Perſon or Perſons who by Inſpection of the original Will, or an authenticated Copy thereof, ſhall appear to be entitled thereto, or to ſuch Perſon or Perſons as he, ſhe, or they ſhall duly authorize to receive the ſame, without requiring the Production of Probates of ſuch Wills.

Without Letters of Adminiſtration, &c.

VII. And whereas it has been the Practice of Army Agents, Regimental Paymaſters, and others, to obtain Powers of Attorney from large Proportions of different Regiments, authorizing their Receipt of Prize Money from the Prize Agents and from *Chelſea Hoſpital*, and large Sums of Money have by virtue of ſuch Powers come into the Hands of ſuch Army Agents, Regimental Paymaſters, and others, for which they ought to account; be it therefore enacted, That it ſhall be lawful for the Commiſſioners of *Chelſea Hoſpital* from Time to Time to iſſue Precepts under their Hands, or the Hands of any Three or more of them directed to ſuch Perſons as they may have Reaſon to believe have received Money under ſuch Powers as aforeſaid, requiring them to make a Return upon Oath (which Oath any Juſtice of the Peace, or the Treaſurer, or Deputy Treaſurer of the ſaid Royal Hoſpital at *Chelſea*, for the Time being, is authorized to adminiſter) of all Monies which may have been received by ſuch Perſon, under any ſuch Powers as aforeſaid, and directing the Perſon or Perſons to whom ſuch Precepts ſhall be addreſſed to make Payment within Two Calendar Months after ſuch Precept ſhall have been ſerved, of all Monies which may remain in his or their Hands, not paid over to the Parties beneficially entitled to it, to the Treaſurer or Deputy Treaſurer of *Chelſea Hoſpital*; and ſuch Monies, in caſe the ſame ſhall not be paid over within the Time limited by this Act, ſhall be recoverable from the Perſon detaining the ſame by Action for Money had and received, or otherwiſe, in the Name of ſuch Treaſurer or Deputy Treaſurer of the ſaid Royal Hoſpital at *Chelſea*; and the ſame, when ſo paid in or recovered, ſhall be for the Uſe of the Parties beneficially entitled thereto; and in caſe no Claim ſhall be made thereto for the Space of Six Years from the Time of the ſame being paid into *Chelſea Hoſpital* as aforeſaid, the ſame ſhall be applied to the Uſe of the ſaid Hoſpital, and in the mean Time, and until the Expiration of ſuch Six Years, or till the ſame ſhall be claimed by the Perſon or Perſons legally entitled thereto, the ſame ſhall be inveſted and applied as Shares of unclaimed Prize Money, are hereby directed to be inveſted and applied.

Commiſſioners of Chelſea Hoſpital may require a Return from Perſons who have obtained Powers of Attorney to receive Prize Money, of the Money received by them, and require Payment in Two Months.

If Prize Money be not claimed in Six Years it ſhall be applied to the Uſe of Chelſea Hoſpital.

VIII. And be it further enacted, That it ſhall be lawful for the Deputy Treaſurer of the ſaid Royal Hoſpital at *Chelſea*, for the Time being, and he is hereby directed and required to lay annually before both Houſes of Parliament an Account in the Form ſet forth in the Schedule to this Act, or in ſome Form to the ſame Tenor and Effect; and that ſuch Accounts ſhall be made up to the Twenty-fourth Day of *December* in every Year, the Firſt of them to commence from the Twenty-fourth Day of *March* One thouſand eight hundred and eleven, up to which Period Accounts have already been laid before Parliament.

Accounts to be laid before Parliament.

SCHEDULE

SCHEDULE to which this Act refers.

The Account of the Deputy Treasurer of the Royal Hospital at Chelsea, directed to be annually laid before both Houses of Parliament, by an Act of the 51st Geo. 3.

Dr. Cr.

Date of Year.		£. s. d.	Date of Year.		£. s. d.
	To Cash arising from forfeited and unclaimed Shares of Prize Money, &c. received from Prize Agents, viz. [*Here set forth the Names of the several Persons from whom the Monies have been received, the several Sums received from each Person, and the several Captures, &c. to which each Sum relates.*]			By Cash refunded to Claimants -	
				By Do. paid in remunerating the Officers of the said Royal Hospital and other Persons, for their Pains and Trouble in carrying the Provisions of the Acts of the 45 Geo. 3. Cap. 72. 49 Geo. 3. Cap. 123. and 51 Geo. 3. Cap. into Execution, and in defraying all other contingent Expences attending the same - - -	
	To Do. arising from the Dividends or Interest of Monies invested in the Public Funds or other Government Securities - -			By Do. invested in the Public Funds or other Government Securities -	
		£		Balance in the Hands of the Treasurer	£
	N.B. There are now standing in the Names of the Governor, Lieutenant Governor, and Deputy Treasurer of the Hospital, and they are in the Possession of the several Sums of Stock and the other Government Securities undermentioned, videlicet. [*Here state the Particulars.*]				

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