ANNO QUINQUAGESIMO SEPTIMO

GEORGII III. REGIS.

****

C A P. XX.

An Act for making further Regulations in respect to the Pay of the Officers of the Royal Navy, in certain Cases therein mentioned.

[31st *March* 1817.]

WHEREAS it is expedient to amend and extend the Provisions of an Act passed in the Thirty-fifth Year of the Reign of His present Majesty, intituled *An Act to enable Petty Officers in the Navy, and Seamen, Non-commissioned Officers of Marines and Marines serving in His Majesty's Navy, to allot Part of their Pay for the Maintenance of their Wives and Families*; (35 G. 3. c. 28.) and of another Act passed in the same Year, 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*; (35 G. 3. c. 94.) 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 from and after the passing of this Act, it shall and may be lawful to and for every Captain, Commander, Lieutenant commanding the Vessel in which he shall serve, Surgeon and Assistant Surgeon (in Ships and Vessels in which there shall be no Surgeons) in the Naval Service of His Majesty, being entitled to Full Pay, at the End and Expiration of every Three Months, Six Months, Nine Months, or Twelve Months (as such Officer may think proper), but not for a less Period than Three Months, (except as herein-after mentioned), to draw a Bill or Bills upon the Commissioners of His Majesty's Navy for the net Amount of Three Fourths only of the Pay (subject to such Deductions as herein-after mentioned) of such Captain, Commander, Lieutenant

Captains, &c. entitled to Full Pay may draw at the Expiration of every Three Months, &c. for Three Fourths of their Pay.

commanding,

commanding, or Surgeon reſpectively, as eſtabliſhed by an Order of His Royal Highneſs the Prince Regent in Council, bearing Date the Twenty-fifth Day of *November* One thouſand eight hundred and ſixteen, or as ſhall hereafter be eſtabliſhed by any Order in Council of His Majeſty, His Heirs or Succeſſors; and that it ſhall alſo be lawful for any Flag Officer, Lieutenant not commanding the Ship or Veſſel in which he ſhall be ſerving, Phyſician of the Fleet, Maſter, Second Maſter, Chaplain, Admiral's Secretary, and Aſſiſtant Surgeon, entitled to Full Pay, and having no Accounts to paſs, in like Manner at the End of every Three Months, or ſuch longer Period as above mentioned, but not for a leſs Period than Three Months (except as herein-after mentioned), to draw upon the ſaid Commiſſioners of His Majeſty's Navy for the whole net Amount (ſubject as aforeſaid) of his Pay as ſo eſtabliſhed or to be eſtabliſhed as aforeſaid; and alſo for every paſſed Mate, paſſed Midſhipman, Secretary's Clerk, Captain's Clerk, and Schoolmaſter entitled to Full Pay, in like Manner to draw upon the ſaid Commiſſioners at the End of every Six Lunar Months or Twelve Months for the whole net Amount (ſubject as aforeſaid) of his Pay as ſo eſtabliſhed or to be eſtabliſhed as aforeſaid; the firſt Payment of the ſaid Pay ſo to be drawn for by the ſaid ſeveral Officers to be computed from the Firſt Day of *January* One thouſand eight hundred and ſeventeen: Provided always, that not any of the ſaid Officers whoſe Duty it ſhall be to tranſmit Logs, Journals, Returns, or other Documents, either to the Commiſſioners for executing the Office of Lord High Admiral, or to the Secretary of the Admiralty, or to the Commiſſioners of His Majeſty's Navy, ſhall be entitled to receive any Half Pay which may be in courſe of Payment, until he ſhall have duly tranſmitted ſuch Logs, Journals, Returns, or other Documents, unleſs he ſhall have obtained or ſhall obtain from the Commiſſioners for executing the Office of Lord High Admiral an Order diſpenſing with the Production thereof.

Flag Officers, &c. may draw in like Manner every Three Months for the whole Amount of Pay.

Mates, &c. may draw for their Whole Pay every Six Lunar or 12 Months.

Officers to tranſmit Logs, &c. before they recive their Half Pay, &c.

Bills drawn by Lieutenants, &c. to be certified by the Purſer, and approved by the Captain, &c.

II. And be it further enacted, That every ſuch Bill drawn by any Lieutenant not commanding the Ship or Veſſel in which he may be ſerving, Maſter, Chaplain, Surgeon, Aſſiſtant Surgeon, Second Maſter, Mate, Midſhipman, Clerk, or Schoolmaſter, under the Authority of this Act, ſhall be certified by the Purſer, and approved by the Captain of the Ship to which he ſhall belong; and ſuch Purſer ſhall by ſo certifying be held reſponſible that ſuch Bill is not for a greater Sum than the Officer drawing it had a Right to draw for, after any Debt for Slops, Dead Men's Clothes, or other Charges ſtanding in the Ship's Books, hath been abated from the Amount of his Pay for the Period for which the Bill is drawn; and the Captain of ſuch Ship ſhall by ſo approving be held reſponſible that the Officer drawing has been borne for Pay during the ſaid Period, and is entitled by this Act to draw, and that the Purſer hath previouſly certified his Right to draw for the Sum in the Bill mentioned; and ſuch Bill, Certificate, and Approval, and alſo the Aſſignment thereof for Payment by the Treaſurer of the Navy, ſhall be in the Form ſet forth in the Schedule to this Act marked (A.), or to the like Effect.

Bills drawn by the Phyſician to be approved by the Commander in Chief, and

III. And be it further enacted, That every ſuch Bill drawn by any Phyſician as aforeſaid under the Authority of this Act ſhall be approved by the Commander in Chief for the Time being of the Fleet or Squadron of which the Perſon ſo drawing ſhall be Phyſician; and that every ſuch Bill drawn by any ſuch Secretary ſhall be approved by the Flag Officer to

whom he shall be acting as Secretary; and that every such Bill drawn by any Secretary's Clerk shall be approved by such Secretary; and the said Commander in Chief, Flag Officer and Secretary respectively, shall by so approving be held responsible that the Physician, Secretary, or Secretary's Clerk respectively so drawing hath been borne for Pay during the Period for which the Bill is drawn, and is entitled by this Act to draw for his Pay.

Bills drawn by the Secretary to be approved by the Flag Officer, &c.

IV. And be it further enacted, That no such Mate or Midshipman shall be entitled to draw for his Pay until he shall have passed the prescribed Examinations touching his Qualifications to serve as Lieutenant at the Royal Naval College, and before Three Captains, or such other Examinations as shall be from Time to Time duly prescribed and required in that Behalf, and shall have produced to the Captain of the Ship to which such Mate or Midshipman belongs Certificates of his having passed both such Examinations, for which Purpose Duplicates of such Certificates shall be given him at the Time of passing: Provided always, that it shall and may be lawful for every such Mate or Midshipman so to draw, and for such Captain to approve the Bill drawn by such Mate or Midshipman, although he shall not have passed at the said Royal Naval College, or produced a Certificate of his having passed the same, if his Certificate of his having passed his Examination before Three Captains, to be dated prior to the First Day of *March* One thousand eight hundred and sixteen, or to the Day on which the said Order of the Commissioners of the Admiralty establishing the said Regulations was received on any Foreign Station where such Mate or Midshipman was then serving.

Mates and Midshipmen not entitled to draw till Certificates produced of having passed Examination, &c.

V. And be it further enacted, That so much of the said recited Act, 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*, as authorizes any Captain, Commander, Lieutenant, Master, or Surgeon who shall be sent to Sick Quarters, and remain there for a longer Time than Six Weeks, to draw or cause to be drawn at the End of such Six Weeks a Bill or Set of Bills upon the Commissioners of His Majesty's Navy, for the net personal Wages or Pay due to him to the Day of the Expiration of Six Weeks from and after his having been so sent to Sick Quarters, shall from and after the passing of this Act be and the same is hereby repealed: Provided always, that it shall and may be lawful to and for every such Captain, Commander, Lieutenant, Master, and Surgeon who shall be so sent to Sick Quarters, to draw a Bill upon the said Commissioners of the Navy, for the Pay or Proportion of Pay (as by this Act allowed) that may be due to him on the Day of his being discharged to Sick Quarters; such Bill, (as to a Lieutenant, Master, or Surgeon), being certified and approved in like Manner as is herein-before directed with respect to other Bills drawn under the Authority of this Act, and being indorsed upon or accompanied with a Certificate, under the Hand of the Physician or Surgeon having Superintendence of the Hospital or Sick Quarters to which such Officer shall have been so discharged, of the Day on which he shall have been received into such Hospital or Sick Quarters.

So much of 35 G. 3. c. 94. as authorizes certain Officers sent to Sick Quarters to draw at the End of Six Weeks, repealed; and such Officers may draw for the Pay due on the Day of Discharge to Sick Quarters.

VI. And be it further enacted, That Second Masters, passed Mates, and passed Midshipmen, Clerks, and Schoolmasters, permitted by this Act to draw

Second Masters, Mates,

&c. reſtricted from allotting any Portion of their Pay as heretofore, &c.

draw for the Whole or any Part of their Pay, ſhall be and they are reſtricted and prohibited from allotting any Portion of their Pay as heretofore; and that all the Enactments, Proviſions, and Regulations, with reſpect to the drawing of Bills or Allotment of Pay, contained in either of the ſaid recited Acts reſpectively, or in any other Act or Acts, ſhall from and after the paſſing of this Act be deemed and taken to be applicable to the Bills to be drawn and Allotments allowed by or under this Act, in the ſame Manner to all Intents and Purpoſes as if the ſame were fully and particularly repeated and re-enacted herein, except ſo far as the ſame are herein-before repealed or altered; any Thing herein-before contained to the contrary thereof in anywiſe notwithſtanding.

35 G. 3. c. 94.

VII. And whereas by the ſaid Act paſſed in the Thirty-fifth Year of His Majeſty's Reign, 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*, it is provided, that every Commiſſioned Officer, Maſter, and Surgeon of His Majeſty's Navy on Half Pay, when appointed to a Ship, may, if no Impreſt ſtands againſt him, receive the Arrears of Half Pay due to him by an Order on the Treaſurer of the Navy: And whereas it would tend much to the Convenience of ſuch Officers, Maſters, and Surgeons if they were enabled to draw and negociate a Bill or Bills for ſuch Arrears of their Half Pay as herein-after mentioned; be it therefore enacted, That from and after the paſſing of this Act it ſhall and may be lawful for every Commiſſioned Officer, Maſter, and Surgeon in the Naval Service of His Majeſty, to whom any Arrears of Half Pay may be due, and who ſhall be appointed to command or ſerve on board any Ship or Veſſel of His Majeſty, which may be fitting at any Port of *Great Britain*, after receiving his Commiſſion or Warrant of Appointment, if he ſhall be deſirous of drawing a Bill or Bills for his Arrears of Half Pay, to apply for that Purpoſe by Letter directed to the Commiſſioners of His Majeſty's Navy, tranſmitting the uſual Affidavit and Certificate of the Day when he commenced Full Pay, and that thereupon the ſaid Commiſſioners or any Three of them, having aſcertained that no Impreſt is ſtanding againſt him, or that the Impreſt againſt him (if any) is cleared, ſhall cauſe the Amount of Half Pay due to ſuch Officer, Maſter, or Surgeon to be aſcertained and duly atteſted, and tranſmit to ſuch Officer, Maſter, or Surgeon a Certificate or Statement thereof, together with the Form of a Bill as in the Schedule to this Act marked (B.), or to the like Effect, to be drawn by ſuch Officer, Maſter, or Surgeon; who, upon Receipt thereof, may and is hereby authorized to draw and negociate ſuch Bill for the Amount ſo certified to be due, and which ſaid Bill ſhall be aſſigned for Payment on, and paid by the Treaſurer of the Navy, and be a ſufficient Voucher and Diſcharge to him for ſuch Payment in his Annual Account.

Commiſſioned Officer, &c. on Half Pay may draw a Bill for his Arrears on being appointed to a Ship.

On Appointment to Ships, certain Officers may draw for Three Months Pay in Advance.

VIII. And whereas by the ſaid laſt recited Act it is provided, that Commiſſioned Officers in the Navy appointed to Ships from Half Pay, having no Impreſt ſtanding againſt them, may obtain Three Months Pay in Advance, by an Order upon the Treaſurer of the Navy: And whereas it would be a Convenience to ſuch Officers, as well as to Chaplains, Maſters, Surgeons, and Aſſiſtant Surgeons who may be appointed in like Manner, if they were enabled to obtain ſuch Advance by Means of a Bill to be drawn and negociated and paid as is herein-before

provided for the Payment of Arrears of Half Pay; be it therefore enacted, That from and after the paſſing of this Act, every Commiſſioned Officer, Chaplain, Maſter, Surgeon and Aſſiſtant Surgeon in the Naval Service of His Majeſty, who ſhall be appointed as aforeſaid, and ſhall have been previouſly Three Calendar Months on Half Pay, and ſhall not have any Impreſt ſtanding againſt him uncleared, may apply for ſuch Three Months Pay in Advance by Letter directed to the Commiſſioners of His Majeſty's Navy, tranſmitting a Certificate of the Day when he commenced Full Pay; whereupon the ſaid Commiſſioners or any Three of them, having aſcertained that ſuch Officer hath been previouſly Three Months on Half Pay, and that no Impreſt is ſtanding againſt him, or that the Impreſt (if any) againſt him is cleared, ſhall tranſmit to ſuch Officer a Certificate, and the Form of a Bill as in the Schedule to this Act marked (C.) or to the like Effect, to be drawn by him, and ſuch Officer upon the Receipt thereof is hereby authorized to draw and negociate ſuch Bill accordingly; and which ſaid Bill ſhall be aſſigned for Payment on and paid by the Treaſurer of the Navy, and be a ſufficient Voucher or Diſcharge to him for ſuch Payment in his annual Account.

Certain Officers having paſſed their Accounts, and received General Certificates ſpecifying the Amount of Pay due, may make ſuch Certificates negotiable by Indorſement.

IX. And whereas by the ſaid laſt-recited Act it is provided, that if Commiſſioned Officers, Maſters, Surgeons in the Navy, and every other Deſcription of Officers by this Act authorized to draw for Pay, have paſſed their Accounts for every Ship in which they may have ſerved, Three Commiſſioners of the Navy ſhall make out Certificates, diſtinguiſhed by the Name of General Certificates, ſpecifying the net Amount of the Pay which ſhall appear to be due to ſuch Officers, and ſhall direct the Amount to be carried to the Credit of ſuch Officers Account Current; but no Mode being provided therein for the Payment of the Balance of ſuch Pay due and not drawn for; be it therefore enacted, That every ſuch Commiſſioned Officer, Maſter, Surgeon, or other Officer who ſhall have paſſed his Accounts and obtained ſuch General Certificate as in the ſaid recited Act is mentioned, the Amount of which the ſaid Commiſſioners ſhall have directed to be carried to the Credit of ſuch Officer's Account under the ſaid recited Act, the ſaid Officer is hereby authorized (upon the Back of ſuch General Certificate as ſhall be delivered or tranſmitted to him, or to his Agent in purſuance of the Direction contained in the ſaid recited Act) to make the ſaid General Certificate negociable in the Nature of a Bill of Exchange by an Indorſement thereon, making the Contents thereof payable to his Order; which Indorſement, and any ſubſequent one that may be made upon the ſaid Certificate, ſhall be ſufficient Authority to the Treaſurer of the Navy to pay the Amount of the ſaid General Certificate to the Officer therein named, or to the Indorſee thereof, as the Caſe may require; and ſhall be a ſufficient Voucher and Diſcharge to the ſaid Treaſurer for ſuch Payment in his annual Account.

Puniſhment of Perſons forging Certificates, Bills, &c.

X. And be it further enacted, That if any Perſon or Perſons ſhall falſely make, forge, or counterfeit, or cauſe or procure to be falſely made, forged, or counterfeited, or ſhall willingly act or aſſiſt in the falſe making, forging, or counterfeiting of any ſuch Authority, Certificate, Bill, Approval, or Aſſignment as is herein-before mentioned, or ſhall utter or publiſh as true any ſuch falſe, forged, or counterfeited Authority, Certificate, Bill, Approval, or Aſſignment, knowing the ſame to be falſe, forged, or counterfeited,

terfeited, with Intent to defraud any Perſon or Perſons, Body or Bodies Politic or Corporate; every ſuch Perſon ſo offending ſhall be deemed guilty of Felony, and being thereof lawfully convicted, ſhall ſuffer Death as a Felon without Benefit of Clergy.

Bills not liable to Stamp Duty.

XI. And be it further enacted, That no Bill which ſhall be drawn under or by virtue of this Act ſhall be ſubject or liable to or be charged or chargeable with any Stamp Duty whatever.

XII. And whereas Sick Tickets, Unſerviceable Tickets, Foreign Remove Tickets, and Diſcharge Tickets, made out to Inferior and Petty Officers, Seamen, Non-commiſſioned Officers of Marines and Marines, in purſuance of the ſeveral Acts of Parliament paſſed in the Thirty-firſt Year of the Reign of His late Majeſty King *George* the Second, intituled *An Act for the Encouragement of Seamen employed in the Royal Navy, and for eſtabliſhing a regular Method for the punctual, frequent, and certain Payment of their Wages; and for enabling them more eaſily and readily to remit the ſame for the Support of their Wives and Families; and for preventing Frauds and Abuſes attending ſuch Payments*; and of another Act paſſed in the Thirty-ſecond Year of His preſent Majeſty's Reign, intituled *An Act for explaining and amending an Act paſſed in the Thirty-firſt Year of the Reign of His late Majeſty King* George *the Second, intituled 'An Act for the Encouragement of Seamen employed in the Royal Navy, and for eſtabliſhing a regular Method for the punctual, frequent, and certain Payment of their Wages; and for enabling them more eaſily and readily to remit the ſame for the Support of their Wives and Families; and for preventing Frauds and Abuſes attending ſuch Payments;' and for further extending the Benefits thereof to Petty Officers and Seamen, Non-commiſſioned Officers of Marines and Marines, ſerving or who may have ſerved on board any of His Majeſty's Ships*; are not ſaleable or transferrable, but are payable only to the Perſons therein named: And whereas it is expedient that ſimilar Tickets made out to the Commiſſion and Warrant Officers of the Royal Navy ſhould be ſubject to the like Regulations; be it therefore enacted, That from and after the paſſing of this Act no Sick Ticket, Unſerviceable Ticket, Foreign Remove Ticket, or Diſcharge Ticket, to be made out to any Commiſſion or Warrant Officer in the Royal Navy, ſhall be ſaleable or transferrable; but every ſuch Ticket ſhall be paid only to the Party in whoſe Favour the ſame ſhall be made out; and that all Sales, Aſſignments, or Transfers of any ſuch Ticket ſhall be abſolutely null and void, to all Intents and Purpoſes; any Law or Uſage to the contrary in anywiſe notwithſtanding.

31 G. 2. c. 10.

32 G. 3. c. 33.

Sick Tickets, &c. not tranſferrable.

SCHEDULES

SCHEDULES to which this Act refers.

SCHEDULE (A.)

First Rate (Britannia), Lieutenant Thomas Bowling, entered 1st January 1817.

	£	s.	d.
Full Pay from 1st January to 25th March 1817 - - -			
Amount of Deduction for Slops, &c. - -			
Ditto - - - for Dead Men's Clothes			
Nett Pay £			

Certified by
A. B. Purser.

Gentlemen,

TEN Days after Sight (my Second and Third Bill of this Tenor and Date not being paid) please to pay to John Bull, or Order, the Sum of being the nett Pay due to me as First Lieutenant of His Majesty's Ship (Britannia), between 1st January and 25th March 1817, for Value received.

Thomas Bowling.

Approved by
C. D. Captain of His Majesty's Ship (Britannia).

To the Commissioners of His Majesty's Navy, London.

ASSIGNMENT.

No. I. Navy Office, 3d April 1817.

To be paid by the Treasurer of His Majesty's Navy out of Monies received under the Head of Wages to Pay Officers.

E. F.
G. H.
I. K. } Commissioners of the Navy.

N. B. The forging of this Bill, or the Purser's Certificate, Captain's Approval, or the Assignment thereof for Payment, or procuring any other Person to forge or utter the same with an Intention to defraud any Person or Body Politic or Corporate, is made Felony without Benefit of Clergy by the Act of 57 Geo. 3. Cap. .

SCHEDULE (B.)

Navy Office.—Order for Arrears of Half Pay.

Officer's Name.	Quality.	From what Ship.	Half Pay.		To what Ship appointed.	Impreſt.	Front Charge.	N° of Days.	Per Diem.	3d. per £.	Full.	Nett.
			Commencing	Ending								

P. E. O.

G. D.

Gentlemen,

AT Three Days Sight pay to or Order, the Sum of

due to me for Arrears of Half Pay as above ſtated. Thomas Bowling.

To theCommiſſioners of His Majeſty's Navy, London.

THE Sum of to be paid by the Treaſurer of His Majeſty's Navy, out of Money received under the Head of Half Pay.

E. F.
G. H. } Commiſſioners of the Navy.
I. K.

To the Treaſurer of His Majeſty's Navy, London.

SCHEDULE (C.)

Rate.	Ship's Name.	Officer's Name.	Quality.	When entitled to Full Pay.

Theſe are to certify there is no Impreſt againſt
Dated the Day of 18

G. B.

Pay for Three Months Advance £

P. E. O.

At the Day of 18 .

Gentlemen,

AT Three Days Sight, pleaſe to pay to or Order, the Sum of being for Three Months Advance of Pay to me, between the Day of and the Day of

To the Commiſſioners of His Majeſty's Navy, London.

Navy Office, the Day of 18 .

No.

The Sum of to be paid by the Treaſurer of His Majeſty's Navy, out of Monies received under the Head of Wages to pay Officers, being for Three Months nett Pay in Advance, to the Day of 18 .

E. F.
G. H.
I. K. } Commiſſioners of the Navy.

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