

ANNO QUINQUAGESIMO OCTAVO

GEORGII III. REGIS.

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CAP. LXXIII.

An Act for regulating the Payment of Regimental Debts, and the Diſtribution of the Effects of Officers and Soldiers dying in Service, and the Receipt of Sums due to Soldiers. [5th *June* 1818.]

WHEREAS it is expedient that better Proviſion ſhould be made for the Payment of Regimental Debts and the Diſtribution of the Effects of deceaſed Officers and Soldiers; 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 all Sums of Money due in reſpect of any Military Clothing, Appointments, and Equipments, or in reſpect of any Quarters, or of any Meſs or Regimental Accounts, and all Sums of Money due to any Agent or Paymaſter or Quartermaſter, or any other Officer upon any ſuch Account, or on account of any Advances made for any ſuch Purpoſe, ſhall be deemed and taken to be Regimental Debts, and ſhall be paid out of any Arrears of Pay, or out of the Effects or the Proceeds of the Effects, or out of any Prize or Bounty Money of any Officer or Soldier dying while in the Service, in ſuch Proportion or Priority as ſhall be ordered by the Secretary at War for the Time being in that Behalf, and in preference to any other Debts, Claims, or Demands whatſoever upon the Eſtate and Effects of ſuch Officer or Soldier; and if any Doubt ſhall ariſe as to whether any Claim or Demand made in relation to any Officer or Soldier is a Regimental Debt or not, ſuch Queſtion ſhall be decided by the Order or Certificate of the Secretary at War for the Time being made in that Behalf; and all ſuch Payments ſhall be good and valid in Law; and every Perſon who ſhall make any ſuch Payment out of any ſuch Arrears of Pay, Effects, or Proceeds as aforeſaid, under the Proviſions of this Act, or in purſuance

Sums due for Military Clothing, &c. to be deemed Regimental Debts, and payable out of any Arrears of Pay.

of any ſuch Order or Certificate of the Secretary at War, or into whoſe Hands any ſuch Money ſhall come, ſhall be and are hereby indemnified for and in reſpect of ſuch Payments, and all other Acts, Matters, and Things done in purſuance of the Proviſions of this Act, or of the Order or Certificate of the Secretary at War, in relation to the Diſtribution of ſuch Arrears, Effects, or Proceeds, in relation to the ſatisfying any ſuch Regimental Debts as aforeſaid; any Thing in any Act or Acts of Parliament or Law or Laws to the contrary notwithſtanding.

Surplus payable to Perſon entitled thereto.

II. And be it further enacted, That it ſhall be lawful for the Secretary at War for the Time being to cauſe all Surplus which may remain after ſatisfying ſuch Regimental Debts as aforeſaid, to be paid to the Perſon or Perſons entitled thereto.

Regimental Debts to be paid without Probate of Will, &c. being obtained.

III. And be it further enacted, That all ſuch Regimental Debts ſhall and may be paid without any Probate of any Will being obtained, or any Letters of Adminiſtration, or any Confirmation of Teſtament, or Letters Teſtamentary or Dative, being taken out by any Perſon; and the Surplus only of ſuch Arrears of Pay, and Proceeds of any ſuch Effects, ſhall be deemed the Perſonal Eſtate of the Deceaſed for the Payment of any Duty in reſpect of any Probate, or of any Letters of Adminiſtration, or Confirmation of Teſtament, or Letters Teſtamentary or Dative, or for the Purpoſe of Diſtribution as Perſonal Eſtate; and it ſhall be lawful for the Secretary at War for the Time being to order and direct the Payment or Diſtribution of any ſuch Surplus in any Caſe in which the ſame ſhall not exceed Twenty Pounds, without any Probate or Letters of Adminiſtration, or Confirmation of Teſtament, or Letters Teſtamentary or Dative, or Payment of any Duty of Stamps, or upon Legacies or otherwiſe; and it ſhall alſo be lawful for the Paymaſter General of His Majeſty's Land Forces for the Time being to iſſue any Sum not exceeding Twenty Pounds which may be due to any Officer deceaſed, or to the Widow or Relative of any Officer deceaſed, or to the Repreſentative or Repreſentatives of any ſuch Officer, Widow, or Relative, in like Manner without any Probate or Letters of Adminiſtration, or Confirmation of Teſtament, or Letters Teſtamentary or Dative, or Payment of any Duty of Stamps, or upon Legacies or otherwiſe; the ſame to be paid to the Perſon who ſhall be notified by the Secretary at War to the Paymaſter General as being entitled thereto; and all ſuch Payments reſpectively ſhall be as valid and effectual to all Intents and Purpoſes as if the ſame had been made by or to any Executor or Adminiſtrator, or under the Authority of any Probate or Letters of Adminiſtration, or Confirmation of Teſtament, or Letters Teſtamentary or Dative; any Thing in any Act or Acts of Parliament or Law or Laws to the contrary notwithſtanding.

Agents for Regiments only to be allowed to receive Pay for Non-commiſſioned Officers and Soldiers.

IV. And whereas Frauds are frequently practiſed upon Non-commiſſioned Officers and Soldiers, or their Repreſentatives, by Perſons of bad Character who offer to act as Agents, and are authorized by ſuch Non-commiſſioned Officers and Soldiers, or their Repreſentatives, to receive any Pay or Arrears of Pay, or Proceeds of any Effects of deceaſed Non-commiſſioned Officers and Soldiers to which they may be entitled; be it therefore enacted, That no Perſon, not being an Agent of ſome Regiment, Battalion, or Corps of His Majeſty's Army, or of the Militia, ſhall receive for any Non-commiſſioned Officer or Soldier, or for any Repreſentative or Repreſentatives of

any Non-commiſſioned Officer or Soldier, any Pay or Arrears of Pay, or any Effects, or Proceeds of any Effects, of any deceaſed Non-commiſſioned Officer or Soldier dying while in His Majeſty's Service, unleſs ſuch Perſon ſhall be entitled to receive ſuch Pay or Effects or Proceeds, or any Part thereof, as a Deviſee or next of Kin, or Executor or Adminiſtrator of ſuch Non-commiſſioned Officer or Soldier.

Shares of Non-commiſſioned Officers, &c. to be paid only to themſelves, or their Executors, or to the Agent of any Regiment, &c.

V. And be it further enacted, That from and after the Twenty-fourth Day of *July* One thouſand eight hundred and eighteen, it ſhall not be lawful for any Agent or Agents appointed for the Diſtribution of Army Prize or Bounty Money, Grant, or other Allowances of Money in the Nature thereof, or for the Treaſurers of *Chelſea* Hoſpital, to pay the Share of any Non-commiſſioned Officer or Soldier to any Perſon or Perſons whatſoever other than the Non-commiſſioned Officer or Soldier entitled to the ſame, or to the next of Kin or Executor or Adminiſtrator of ſuch Non-commiſſioned Officer or Soldier, or to the Agent of any Regiment, Battalion, or Corps of His Majeſty's Army or Militia, duly authorized by the Party entitled thereto to receive the ſame.

Perſons falſely perſonating others, or acting as Agents, not being authorized, ſhall be guilty of a Miſdemeanor.

VI. And be it further enacted, That every Perſon who ſhall falſely repreſent himſelf or herſelf to be, or who ſhall perſonate, a Parent, Child, Brother, Siſter, or other Relative of any Non-commiſſioned Officer or Soldier, for the Purpoſe of obtaining or receiving, or endeavouring to obtain or receive, any Pay or Arrears of Pay, or any Effects or Proceeds of any Effects, or any Prize or Bounty Money, Grant, or other Allowance of Money of any deceaſed Non-commiſſioned Officer or Soldier; and every Perſon, not being an Agent authorized to receive any ſuch Money, or licenſed as aforeſaid, who ſhall for Gain, Hire, Pay, Commiſſion, or Reward, act as an Agent for any Non-commiſſioned Officer or Soldier, or for any Repreſentative or Repreſentatives of any Non-commiſſioned Officer or Soldier, relative to the applying for or receiving any ſuch Pay or Arrears of Pay, Effects or Proceeds of Effects, Prize or Bounty Money, or other Grant or Allowance, or who ſhall directly or indirectly, by himſelf or herſelf, or any other Perſon for his or her Uſe, take, accept, or receive any Gain, Hire, Pay, Commiſſion, or Reward, for any Matter or Thing done in relation to applying for or receiving any ſuch Money or Effects for or for the Uſe of any ſuch Non-commiſſioned Officer or Soldier, or for any Repreſentative or Repreſentatives of any Non-commiſſioned Officer or Soldier, ſhall be deemed guilty of a Miſdemeanor, and be liable to be puniſhed accordingly.

Creditor taking out Adminiſtration, entitled only to the Payment of the Sum due to him.

VII. And be it further enacted, That it ſhall not be lawful for the Agent appointed for the Diſtribution of Army Prize or Bounty Money, Grants, or other Allowances of Money in the Nature thereof, or for the Treaſurer of *Chelſea* Hoſpital, to pay to any Creditor taking out Letters of Adminiſtration to a deceaſed Non-commiſſioned Officer or Soldier, out of the Share of ſuch deceaſed Non-commiſſioned Officer or Soldier, any further or greater Sum than ſhall appear, by Affidavit to be made by the Perſon taking out Letters of Adminiſtration, to be due to him at the Time of taking out ſuch Letters of Adminiſtration.

Lord Lieutenant may cauſe all Acts

VIII. And be it further enacted, That it ſhall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time

neceſſary for executing this Act to be done in Ireland.

Time being, by any Order or Orders under his or their Hand or Hands, or under the Hand of his or their Chief Secretary, or of the Under Secretary for the Military Department in the Chief Secretary's Office in *Dublin*, to do and perform all and any and every Acts, Matters, and Things whatſoever, requiſite for the carrying this Act into Execution in *Ireland*; and all Acts ſo done in *Ireland* ſhall be good, valid, and effectual to all Intents and Purpoſes whatſoever.

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