

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XLII.

An Act to consolidate and amend the several Acts relating to the Office of Treasurer of His Majesty's Navy. [16th *July* 1830.]

WHEREAS it is become expedient to revise, amend, and reduce into One Act the Laws relating to the Office of Treasurer of His Majesty's Navy; 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 Thirty-first Day of *December* One thousand eight hundred and thirty, an Act passed in the Twenty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for better regulating the Office of the Treasurer of His Majesty's Navy;* and also an Act passed in the Forty-seventh Year of His said late Majesty, intituled *An Act for the further regulating the Office of Treasurer of His Majesty's Navy;* and also an Act passed in the Forty-eighth Year of His said late Majesty, intituled *An Act to amend an Act of the Twenty-fifth Year of His present Majesty, for better regulating the Office of the Treasurer of His Majesty's Navy;* and also an Act passed in the Fifty-seventh Year of the Reign of His said late Majesty, intituled *An Act to amend an Act of the Twenty-fifth Year of the Reign of His present Majesty, for better regulating the Office of Treasurer of His Majesty's Navy, as far as respects the Mode of Applications for certain Services in the Victualling Department;* and also an Act of the First and Second Years of the Reign of

Repeal of the following Acts; viz.

25 G. 3. c. 31.

47 G. 3. c. 56.

48 G. 3. c. 8.

57 G. 3. c. 112.

1 & 2 G. 4. c. 74.

of His late Majesty King *George* the Fourth, intituled *An Act to repeal an Act passed in the Fifty-seventh Year of His late Majesty King* George *the Third, for regulating Payments to the Treasurer of the Navy, under the Heads of Old Stores and Imprests, and to make other Provisions in lieu thereof;* shall be, and the same are hereby repealed: Provided always nevertheless, that all Acts, Matters, and Things done previously to the Commencement of this Act, in pursuance of any of the said Acts hereby repealed, shall be good, valid, and effectual; and all Offences committed before the passing of this Act, against the Provisions of the said Acts so repealed, shall be cognizable and punishable under the same, as if they had not been repealed; and provided also, that the Repeal of the said Acts shall not extend to revive the Provisions of any Acts which were altered or repealed by any of the said Acts so hereby repealed.

Manner of proceeding when the Treasurer of the Navy requires Money for the Services of the Navy and Victualling Departments.

II. And be it further enacted, That from and after the said Thirty-first Day of *December*, the Treasurer of His Majesty's Navy for the Time being, in all Memorials to be by him presented to the Treasury for Money for the Services of the Navy and Victualling Departments, which Money is to be solicited by the Navy Board, shall pray that the requisite Amount may be issued to the Governor and Company of the Bank of *England* on his Account, and shall transmit with each Memorial a Copy of the Letter or Letters of the Commissioners of the Navy requiring him to apply for the same; and in such Letters the said Commissioners shall and they are hereby required to specify the Amount of the Balances then remaining in the Hands of the said Treasurer on account of the respective Services; and the Commissioners of His Majesty's Treasury for the Time being, by their Letter from Time to Time, shall direct the Auditor of the Exchequer to issue to the Governor and Company of the Bank of *England*, on account of the Treasurer of His Majesty's Navy, naming such Treasurer for the Time being, the Sum for which such Letter shall be drawn upon the unsatisfied Order at the Exchequer in favour of the said Treasurer, for which the Receipt of the Cashier or Cashiers of the said Governor and Company shall be a sufficient Discharge; and all Sums for which Letters of the Commissioners of the Treasury shall be drawn shall be issued to the said Governor and Company in like Manner as heretofore, and shall be placed on Accounts to be raised in the Books of the said Governor and Company, which shall be entitled respectively "The Account "of the Treasurer of His Majesty's Navy," (specifying the Name of such Treasurer for the Time being,) for Navy Services and for Victualling Services; and on the Receipt of all such Monies from the Exchequer, the Treasurer of the Navy shall immediately certify to the Commissioners of the Navy, for the Information of the respective Departments, an Account of the particular Sums received on account of and applicable to each respective Service; and no Monies shall be issued from the Exchequer to the Treasurer of the Navy in any other Manner than through the said Governor and Company as herein provided.

III. And

Treasurer of the Navy to draw on the Bank, and specify the Service for which the same is drawn.

III. And be it further enacted, That the Treasurer of the Navy for the Time being, by himself or the Person or Persons duly authorized by him, shall draw upon the Governor and Company of the Bank of *England* for all Navy and Victualling Services whatever, and shall specify or distinguish in each Draft on account of which Service the same is drawn; and no Draft of the said Treasurer, or of any Person authorized by him, shall be deemed a sufficient Voucher to the said Governor and Company unless the same shall so distinguish the Service on account of which it is so drawn, and shall have been actually paid by the said Governor and Company; nor shall any Monies standing in the Name of the Treasurer of the Navy in the Bank of *England* be paid out of the same, except upon or in pursuance of Drafts on account of Navy or Victualling Services, to be drawn in manner aforesaid.

Treasurer not to draw for more than is immediately wanted; nor to deposit any Money in the Hands of any other than the usual Person.

IV. Provided always, and be it enacted and declared, That neither the Treasurer of the Navy, nor any Person authorized by him as aforesaid, shall draw upon the said Governor and Company for any Monies, unless the same shall be intended for immediate Application to Navy or Victualling Services; and if any Monies so drawn for shall not be immediately so applied, it shall not be lawful for the Treasurer of the Navy, or any Person acting under his Authority, to place or deposit the same or any Part thereof in the Hands of any other whomsoever except the Person or Persons who shall be usually and according to the Course of the Navy Pay Office actually employed in the Payment of such Money to the Persons legally entitled to demand and receive the same; and any Treasurer of the Navy or other Person or Persons offending against this Enactment shall, on being thereof convicted in due Course of Law, be rendered incapable of thereafter holding any Civil Office or Employment under His Majesty, His Heirs or Successors.

On the Death or Removal of Treasurer, the Balance to vest in his Successor.

V. And be it further enacted, That upon the Death, Resignation, or Removal of any Treasurer of His Majesty's Navy, the Balance of Cash for which such Treasurer shall then have Credit on his Accounts with the Governor and Company of the Bank of *England* shall, as soon as conveniently may be, and at furthest within Thirty Days after the Appointment of his Successor, actually vest in such Successor, in Trust for the Service of the Navy and Victualling Departments respectively, and be forthwith transferred and placed to the Accounts of such Successor, Treasurer of His Majesty's Navy, to be applied to such Services, in pursuance of the like Drafts as aforesaid; and on every such Occasion the Accounts of the several Pay Clerks at the Out-ports shall at the same Time be made up, and the Balances in Cash in their Hands shall be carried to the Account of such Successor, and an Account thereof shall be forthwith transmitted to the Commissioners of the Navy and Victualling so far as respects each Service; and the Treasurer of the Navy for the Time being shall and he is hereby required to form his Memorials and Requisitions to the Treasury, and to issue his Drafts as aforesaid for all Charges and Demands on account of the Navy and Victualling Services which shall remain unsatisfied, although the same may have accrued in the Time of any former Treasurer.

VI. And

Treasurer to make up annual Accounts of Navy and Victualling Services.

VI. And be it further enacted, That the Treasurer of the Navy shall make up or cause to be made up an annual Account of the Navy and Victualling Services, entitled "The Account of the Treasurer of His Majesty's Navy," to be signed and attested by every Treasurer who shall have paid or discharged any Part of the said Account, every such Account to begin on the First Day of *January* and to end on the Thirty-first Day of *December* in each Year; and after such Account shall have been examined in the Offices of the Commissioners of the Navy and Victualling, and signed by such Commissioners so far as shall relate to each Service, the same shall be transmitted by the Commissioners of the Navy to the Commissioners for auditing the Public Accounts, who are hereby required, within Three Months after the Receipt thereof, to cause the same to be examined, and, if found satisfactory, to cause the same to be presented to the proper Officer or Officers for Declaration; and when the same shall be declared, a Discharge or Acquittance in the usual Form shall be made to the said Treasurer or Treasurers, and to their respective Heirs, Executors, and Administrators.

All Payments made in the Course of the Year to be inserted in the annual Accounts.

VII. And be it further enacted, That in each such annual Account shall be inserted all Payments which shall have been made by any such Treasurer in the Course of that Year; and that all Bills, Warrants, and Orders, which shall have been drawn or made by the said Commissioners for Navy or Victualling Services, shall be sufficient Vouchers to discharge the said Treasurer of any Sums paid by him upon any such Instruments; and that when Credit shall be taken by the said Treasurer in any such annual Account for any Payments made in pursuance of Imprest Bills, or on Account, no further Bills shall in any subsequent Period be drawn upon the Treasurer of the Navy for the Time being for the Purpose of clearing the said Imprests, but the Persons to whom the Payments shall have been so made shall be made accountable for the same, and the Treasurer of the Navy shall be no longer chargeable or accountable in respect thereof.

Treasurer to keep an Account with the Bank.

VIII. And be it further enacted, That the Treasurer of His Majesty's Navy for the Time being shall keep an Account with the Bank of all Monies issued to or directed to be paid to him for Navy and Victualling Services; and the said Treasurer, observing the Rules and Regulations hereby prescribed, shall not be answerable for any Money which he shall not actually receive; and the Governor and Company of the Bank of *England* shall be answerable for all the Monies which shall be actually received by them for Navy and Victualling Services.

Not to prevent the Treasurer from issuing Money to Pay Clerks at the Out-ports.

IX. Provided always, and be it enacted, That this Act shall not extend to prevent the Treasurer of the Navy from issuing, at any Time after the passing of this Act, to the Pay Clerks of the said Treasurer at the several Out-ports, such Sums as may be considered necessary by the Navy Board for making Payment of Wages, and of the Establishments of the Dock Yards, and for other Naval Services; and the Pay Clerk at each Port is hereby required to make up, at the End of every Month, an Account of all his Receipts and

Pay Clerks Accounts.

Payments during that Month at least, which Account shall from henceforth be signed by such Pay Clerk, and by One or more, as shall be deemed requisite, of the Clerks of the Commissioners of the Navy at each Port; and the same, together with the Balance of Public Monies remaining in such Pay Clerk's Hands, shall also be certified by the resident Commissioner of the Navy, and then shall be transmitted by such Pay Clerk, within Seven Days after the Expiration of each Month, to the Treasurer of the Navy, and a Duplicate thereof to the Commissioners of the Navy; and the resident Commissioner at each Out-port shall also transmit to the Navy Board, at the End of every Week, an Account of the Payments made at such Port by the Treasurer's Clerk during that Week.

Treasurer, &c. authorized to receive all Monies tendered on account of Navy and Victualling Services; and to pay the same into the Bank.

X. Provided always, and be it further enacted, That it shall be lawful for the Treasurer of the Navy for the Time being, and his Cashiers or other Persons authorized or deputed by him, to receive all Sums of Money that shall or may be tendered to them on account of Navy and Victualling Services, save and except such Sums as shall be issued from the Exchequer as aforesaid, or be paid by other Public Departments, not being Naval Departments; and all such Monies so to be received shall be and the same are hereby required to be paid into the Bank of *England*, on Two or more Days in each Week to be appointed for that Purpose, and the same when so paid in shall be placed by the Cashiers of the Bank to the Account of the Treasurer of His Majesty's Navy for Navy Services or for Victualling Services, as the Case may be, and shall be subject to the like Regulations and Restrictions as Monies issued from the Exchequer are hereby subject.

Navy and Victualling Commissioners may empower Clerks at the Yards to receive Monies for old Stores.

XI. And whereas it may frequently happen in Cases of the Sales of old Stores, that the Monies arising therefrom may be wanted at the Navy and Victualling Yards, or Places where such Sales are made, towards carrying on the Services of the respective Departments there; be it therefore enacted, That from and after the passing of this Act, it shall be lawful for the Commissioners of Navy and Victualling respectively to cause any Sums of Money arising from the Proceeds of Sales of old Stores, or from any other Public Source or Service, either to be paid over to the Treasurer of the Navy on account of the respective Departments, or to the Clerk of the said Treasurer resident at the Yard or Place where the Sale shall be made, or, if there shall be no such Clerk, to such Officer or Person as the said Treasurer shall authorize to receive the same, to be by such Clerk, Officer, or Person accounted for and applied for the Public Service in such Manner and under and subject to such Regulations and Directions as shall be from Time to Time notified to him by the said Treasurer for that Purpose.

Commissioners of Navy resident at Dock Yards to take Account annually of Monies in

XII. And be it further enacted, That on the First Day of *January* (or, that Day being *Sunday*, on the following Day) in every Year, the Commissioner of His Majesty's Navy resident at each of the Dock Yards or Out-ports at which there is a Clerk to the Treasurer of the Navy, shall and he is hereby required to inspect and take an Account of the Public Monies which shall remain in the Hands or

the Hands of Treasurer's Clerk, and certify the same to the Board in London.

Charge of such Clerk at the Close of the preceding Year, and shall certify the Amount thereof to the Commissioners of the Navy in *London*; and One of the Commissioners of the Navy and One of the Commissioners of the Victualling in *London* shall also and is hereby required, at the like Period, to inspect and take an Account of the Public Monies which have been issued to and shall actually remain chargeable to the several Cashiers in the Navy Pay Office for Navy and Victualling Services respectively, and shall certify the Amount thereof to the Commissioners of Navy and Victualling as far as respects each Service, in order to ascertain the Correctness of the said Balances, by comparing them with the Certificates or monthly Accounts for the current Month of *January* made up at the Navy Pay Office and transmitted to the Navy and Victualling Departments for Examination; and the said Commissioners of Navy and Victualling shall, within Three Months from the Commencement of each Year, make out and transmit Certificates of the Amount of the said Balances to the Auditors of Public Accounts, that it may be seen whether the same, together with the Balance in the Account of the Treasurer of the Navy at the Bank, shall correspond with the whole Balance charged to the said Treasurer at the Close of the Account of the preceding Year.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.