deemed to have committed an Act of Bankruptcy from the Time of the Service hereof.

Witness at Westminster the Day of

N.B.—This Writ is to be served within Four Calendar Months from the Date thereof, including the Day of such Date, and not afterwards.

Direction.—*This Summons is to be indorsed with the Name of the Plaintiff or his Attorney in like Manner as the Writ of Capias.*

CAP. XL.

An Act to amend the Laws relating to the Business of the Civil Departments of the Navy, and to make other Regulations for more effectually carrying on the Duties of the said Departments.

[1st *June* 1832.]

'WHEREAS His Majesty, by His Royal Letters Patent under the Great Seal, bearing Date the Second Day of *November* One thousand eight hundred and thirty-one, was pleased to constitute and appoint certain Persons therein named to be principal Officers and Commissioners of His Majesty's Navy, and by other Letters Patent under the Great Seal, bearing Date the Twenty-fifth Day of *February* One thousand eight hundred and thirty-one, was pleased to constitute and appoint certain other Persons therein named Commissioners for victualling His Majesty's Navy, and for the Care of sick and wounded Seamen: And whereas it has been deemed expedient that the Number of Offices in the Civil Departments of the Navy should be reduced, and to that End that the Offices or Departments of the principal Officers and Commissioners of His Majesty's Navy, and of the Commissioners for victualling His Majesty's Navy, and for the Care of sick and wounded Seamen, should be abolished: And whereas various Duties of the said Commissioners being established and regulated by divers Acts of Parliament, it is requisite that such Acts should in some Cases be altered, and new Provisions made for the due Execution of the said Duties:' 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 in case His Majesty shall be pleased to cancel and revoke the said Letters Patent by which the said several Persons were respectively constituted and appointed principal Officers and Commissioners of the Navy, and Commissioners for victualling His Majesty's Navy, and for the Care of sick and wounded Seamen, as aforesaid, all the Interests, Titles, Authorities, Powers, and Duties vested in the said respective Commissioners by any Act or Acts of Parliament, and every Matter relating to them and their respective Offices, shall from and after such Revocation be and the same are hereby declared to be transferred to the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* for the Time being, and shall be vested in and exercised by them in as full and ample a Manner,

In case His Majesty shall revoke the Appointments of the Commissioners of the Navy and for Victualling, the Powers and Authorities vested in them by any Statutes shall be transferred to the Admiralty.

a Manner, to all Intents and Purposes, as if they had been named in the said Acts instead of the Commissioners of His Majesty's Navy, and the Commissioners for victualling His Majesty's Navy, and for the Care of sick and wounded Seamen respectively, subject however to the Provisions herein-after established: Provided always, that such Transfer shall not be deemed to confer on the said Commissioners for executing the Office of Lord High Admiral aforesaid any new Office within the Meaning of an Act passed in the Sixth Year of the Reign of Her Majesty Queen *Anne*, intituled *An Act for the Security of Her Majesty's Person and Government, and of the Succession to the Crown of* Great Britain *in the Protestant Line;* nor shall any such Commissioner last mentioned, by taking upon himself, under any new Letters Patent which His Majesty may think fit to cause to be issued, the Duties of the Offices so abolished, be disqualified from sitting and voting in Parliament, or thereby vacate the Seat in Parliament which any such Commissioner may then hold; any thing contained in the said Act of Queen *Anne*, or in any other Act, or any Usage of Parliament, to the contrary notwithstanding; but it is nevertheless hereby declared, that from and after the passing of this Act no greater Number than Five Commissioners of the Admiralty shall be competent at any One Time to sit and vote in the Commons House of Parliament.

Commissioners of the Admiralty not thereby disqualified from sitting in Parliament.

II. And be it further enacted, That from and after the Revocation of the said said Letters Patent, all Manors, Messuages, Lands, Tenements, Hereditaments, Erections, Buildings, and Property whatever, heretofore purchased, taken, held, or in any Manner occupied by or in the Name of His Majesty or His Royal Progenitors, for the Use of the Naval or Victualling Departments, or which by an Act of the First and Second Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for vesting all Estates and Property occupied by or for the Naval Service of this Kingdom in the principal Officers and Commissioners of His Majesty's Navy, and for granting certain Powers to the said principal Officers and Commissioners;* or by an Act passed in the same Session of Parliament, for vesting certain Lands and Hereditaments at *Gillingham* in the County of *Kent* in Trustees, to be appropriated to the Public Service in the Department of the Navy; or by an Act passed in the Fifth Year of the Reign of His said Majesty, for enabling the Commissioners for victualling His Majesty's Navy to purchase certain Premises for completing a Victualling Establishment at *Cremill Point* near *Plymouth* in the County of *Devon*, and for supplying the said Establishment with Water; or by an Act passed in the Sixth Year of the same Reign, for enabling the Corporation of *Pembroke* to convey to the Commissioners of the Navy the Right of letting the Stalls, Sittings, and other Conveniences in the Market established in the Town of *Pembroke Doch*, and the Right to the Rents, Tolls, and Fees thereof; or by an Act passed in the same Year, for enabling the Commissioners of the Navy to acquire certain Portions of the Docks and Shore Ground at *Leith* for a Naval Yard; or which by any other Act of Parliament, or by any Deed or Deeds, have been conveyed to or vested in the principal Officers and Commissioners of the Navy, or the Commissioners for

Lands, &c. vested in Navy and Victualling Commissioners transferred to the Admiralty.

1 & 2 G. 4. c. 93.

1 & 2 G. 4. c. 107.

5 G. 4. c. 49.

6 G. 4. c. 36.

6 G. 4. c. 103.

for victualling His Majesty's Navy, according to their respective Estates and Interests therein and Titles thereto, with their Appurtenances, and all Rights, Capacities, Powers, Authorities, and Duties vested in the said Commissioners of the Navy and Victualling respectively by any of the said Acts, shall be and the same are hereby declared to be transferred to and vested in the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, to be held, enjoyed, and executed by them and their Successors in Office, in Trust for His Majesty, His Heirs and Successors, for the Public Service; and every Clause, Covenant, Matter, and Thing contained in the said Acts of Parliament and Deeds respectively shall extend and be applied to the said last-mentioned Commissioners, in as full and ample a Manner, to all Intents and Purposes, as if they had been named therein instead of the Commissioners of the Navy and Victualling respectively.

Contracts transferred to Admiralty.

III. And be it further enacted, That from and after the Revocation of the said Letters Patent, all Contracts, Covenants, and Agreements made between the said Commissioners of the Navy and Victualling respectively, or any Person on their Behalf, and any other Person or Persons whomsoever, for the Supply of any Stores, Goods, or other Things for His Majesty's Service, or for the Performance of any Work, or on any other Account in anywise relating to the Naval and Victualling Departments respectively, or in which the said Commissioners are in any Manner interested or concerned, shall in like Manner be transferred to and vested in the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, and shall be executed and enforced by them in the same Manner as if they had been named therein.

Duties of the Treasurer of the Navy transferred, except Receipts and Payments of Money, and the Management of Greenwich Out-Pensions.

IV. 'And whereas by an Act passed in the Eleventh Year of the 'Reign of His late Majesty King *George* the Fourth, for amending 'and consolidating the Laws relating to the Pay of the Royal Navy, 'divers Provisions and Regulations are established in relation to 'various Duties of the Treasurer of the Navy and his Officers; and 'it is deemed expedient that such Duties should be transferred from 'the said Treasurer, and that other Provisions and Regulations 'should be established in lieu thereof;' be it therefore enacted, That from and after the Commencement of this Act, as herein-after mentioned, all Authorities, Powers, Duties, Matters, and Things which by the said recited Act or by any other Act or Acts of Parliament are conferred upon or vested in the said Treasurer, save and except as to the Receipt and Payment of Money, and also except as to the Management of *Greenwich* Out-Pensions, shall be exercised and performed by or under the immediate Directions of the Commissioners for executing the Office of Lord High Admiral, in as full and ample a Manner as the said Treasurer is by any of the said Acts empowered to exercise and perform the same; and that all Wills, Powers of Attorney, Vouchers, and other Documents, and all Accounts, Prize and other Lists, Returns, Notifications, Reports, Petitions, Certificates, Documents, and Papers, which by the said last-recited Act or by any other Act of Parliament are required to be addressed, transmitted, or made to the said Treasurer, except as aforesaid, shall be addressed, transmitted, and made to the Secretary of the Admiralty, in order that the Commissioners

Commissioners for executing the Office of Lord High Admiral aforesaid may cause the necessary Steps to be taken thereon, in conformity with the Intentions of the said several Acts, or otherwise, as by this Act is provided.

Authority to Commissioners of the Admiralty to administer Oaths and execute the Duties of Justices.

V. And be it further enacted, That from and after the passing of this Act it shall be lawful for the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, or any One or more of them, and they and each of them are and is hereby empowered, to administer an Oath or Oaths in any Cases touching or concerning His Majesty's Naval Monies, Stores, Victuals, or Provisions, or the Accounts thereof, or in any other Matter relating to His Majesty's Naval Service, and also from Time to Time, in all Places whatever, to execute the Office and Authority of a Justice of the Peace, in as full and ample a Manner as any Commissioners of the Navy or Victualling are by any Act of Parliament now in force, or any Justice under any Commission is authorized to execute the same; and all Keepers of Gaols, and all Constables and other Peace Officers, are hereby respectively required from Time to Time diligently to execute and obey all such Warrants as shall be lawfully made, directed, or given to them or any of them by any One or more of the said Commissioners for executing the Office of Lord High Admiral aforesaid; and all the Laws made or to be made for the Ease, Safety, and Protection of Justices of the Peace in the Execution of their Office shall extend to the said last-mentioned Commissioners, and to all Constables and other Peace Officers and Persons acting under the Warrant or Authority of any such Commissioners, as fully and effectually to all Intents and Purposes as if they were herein enacted.

Two Commissioners of the Admiralty authorized to execute all Powers.

VI. 'And whereas an Act was passed in the Third Year of the 'Reign of His late Majesty King *George* the Fourth, for enabling 'Two or more Commissioners for executing the Office of Lord 'High Admiral, when the Number of such Commissioners is less 'than Six, to do certain Acts theretofore done by Three or more 'of the same Commissioners: And whereas, considering the addi-'tional Duty to be performed by the said Commissioners, in con-'sequence of the Abolition of the said Offices as aforesaid, it is ex-'pedient to authorize the Execution of any of their Duties by Two 'Commissioners only, even when such Commissioners shall be Six 'or more in Number;' be it further enacted, That from and after the passing of this Act the said last-recited Act shall be and the same is hereby repealed, and that from thenceforth it shall be lawful for any Two or more Commissioners for executing the Office of Lord High Admiral aforesaid, and they are hereby empowered, to exercise and execute all Powers, Authorities, and Duties, and to perform and do all Acts, Matters, and Things appertaining to their Office, which by any Act or Acts of Parliament are authorized or required to be executed or done by Three or more of them, or by the Commissioners of the Navy and Victualling respectively; and all such Authorities, Duties, Matters, and Things executed and performed by Two or more of the said Commissioners of the Admiralty shall be valid and effectual to all Intents and Purposes.

Their Style and Title.

VII. And be it further enacted, That in all Deeds, Conveyances, Leases, Contracts, and other Instruments touching any Estate, Property, Matter, or Thing relating to the Naval Service,

or

or to any Department under the Controul of the Commissioners for executing the Office of Lord High Admiral aforesaid, or whereto they or any of them shall be Parties, it shall be sufficient to describe them generally by the Style and Title of "The Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*," without expressing their Names; and that all such Deeds, Conveyances, Leases, Contracts, and other Instruments wherein the said Commissioners shall be so described, and the Execution thereof by any Two of them, shall be as valid and effectual to all Intents and Purposes as if they or any of them had been expressly named therein.

As to the drawing and Acceptance of Bills for Naval Payments.

VIII. And be it further enacted, That all Bills for Payment of Money, all Allotment Bills, and all Remittance Bills heretofore made out or signed by the Commissioners of the Navy or Victualling, or any of them, or by the Treasurer of the Navy, except Bills for *Greenwich* Out-Pensions, or by the Paymaster of Marines, or any of their Clerks respectively, shall, from and after the Commencement of this Act, as herein-after mentioned, be made out and signed by an Officer to be called the Accountant General of the Navy, or by an Officer to be for that Purpose appointed by the Commissioners for executing the Office of Lord High Admiral aforesaid, and shall be in such Form, and countersigned and approved in such Manner, as the said last-mentioned Commissioners shall from Time to Time order or establish; and that all Bills to be drawn by Officers of the Navy or by any other Persons under the Authority of an Act made in the Eleventh Year of the Reign of His late Majesty King *George* the Fourth, for consolidating the Laws relating to the Pay of the Navy, which Bills shall in future be made payable at Three Days instead of (as provided by the said Act) at Ten Days Sight, and all other Bills which have heretofore been usually drawn upon the Commissioners of the Navy and Victualling respectively, shall be drawn upon the said Accountant General, and shall be accepted by him or by such other Officer as aforesaid, and such Acceptance shall be countersigned and approved in manner aforesaid; and all the several Bills, so countersigned and approved as aforesaid, shall, when paid by the Treasurer of the Navy, be deemed good and sufficient Vouchers for such Payment on the passing of his Accounts.

Notices and Communications to be made to the Admiralty.

IX. And be it further enacted, That from and after the Revocation of the said Letters Patent all Applications, Communications, and Notices, and all Prize and other Lists and Accounts, and all Bills, Tickets, Books, Documents, and Papers, which by any Act of Parliament are required to be made, given, or transmitted to the Commissioners of the Navy or Victualling, shall be made, given, and transmitted to the Secretary of the Admiralty, in order that the Commissioners for executing the Office of Lord High Admiral aforesaid may thereupon cause the necessary Measures to be taken for carrying into effect the Intentions of the said Acts; and that all Certificates, Tickets, Vouchers, and other Documents heretofore by any Act or Acts authorized to be given or made out by the Commissioners of the Navy or Victualling shall be made and given by the Secretary of the Admiralty, or by such other Person as shall for that Purpose be directed by the said Commissioners for executing the Office of Lord High Admiral aforesaid.

Certificates.

X. And

X. 'And whereas it is deemed expedient that the Duties 'hitherto performed by Commissioners at the several Dock Yards 'and other Naval and Victualling Establishments at Home and 'Abroad shall in future be executed by Officers to be called 'Superintendents;' be it therefore further enacted, That from and after the Revocation of the said Letters Patent such Superintendents from Time to Time to be appointed shall have full Power and Authority to do, execute, and perform all and every the Duties, Matters, and Things which by any Act or Acts of Parliament now in force any Commissioner of the Navy or Victualling resident at any Naval or Victualling Yard or Establishment, or at any Naval Hospital, at Home or Abroad, is authorized or required to do: Provided always, that in the Absence of such Superintendent his Duty as to the signing of Bills, Certificates, and Vouchers, and in other respects in which the Acts of a Commissioner have been required, may be executed by the Officer next in Seniority to him, such Officer noticing, after his Signature, the Fact of the Superintendent's Absence.

Superintendents to do the Duties hitherto executed by Commissioners at the Yards.

XI. And be it further enacted, That the Superintendents so to be appointed shall have and they are hereby invested with full Power and Authority to administer Oaths, and to exercise the Duties, Powers, and Authorities of Justices of the Peace in all Places whatever, and in all Matters relating to His Majesty's Naval Service, and to the Stores, Provisions, Ammunition, and the Accounts thereof, and in all other Cases whatever in which any Commissioner of the Navy or Victualling is empowered to act as a Justice by any Act or Acts now in force, in as full a Manner to all Intents and Purposes as if such Superintendents had been named in any such Act or Acts, or in any Commission of the Peace for any such Places; and that all the Laws made and to be made for the Ease, Safety, and Protection of Justices of the Peace in the Execution of their Office shall extend to such Superintendents, and to all Constables and other Peace Officers and Persons acting under the Warrant or Authority of any such Superintendent, as fully and effectually as any such Laws can be deemed to extend to any Justice or Justices of the Peace, and to the Persons acting under them.

Superintendents empowered to administer Oaths and act as Justices.

XII. 'And whereas by the said Act of the Eleventh Year of 'King *George* the Fourth, for consolidating the Laws relating to 'the Pay of the Navy, Provision is made for the Payment, without 'Probate or Administration, in Cases of Sums not exceeding 'Thirty-two Pounds payable on account of Pay, Half Pay, or 'Pension of deceased Officers of the Navy and Marines, and of 'Pensions of deceased Widows of Officers, and on account of 'Allowances from the Compassionate Fund: And whereas by 'reason of the Abolition of the Office of Paymaster of Marines, 'and of the Transfer of Part of the Duties of the Treasurer of the 'Navy, it is become necessary to make further Provision in such 'Cases, and also in the Cases of Sums not exceeding Twenty 'Pounds due to any deceased Persons on account of any Prize 'Money, and for the Services of deceased Non-commissioned 'Officers and Marines;' be it therefore further enacted, That from and after the passing of this Act the Investigation of all Claims to the Effects of any such deceased Persons shall be made by the Inspector

Inspectors Duty with regard to Claims under certain Sums.

spector of Seamen's Wills in the Manner required by the said recited Act in Cases of similar Claims to Pay for Services in the Royal Navy; and the said Inspector, after duly investigating the Claim, and the Amount of the Deceased's Assets, is hereby authorized in any such Cases to issue a Check or Certificate as is required by the said Act with respect to Naval Pay; and that all Payments not exceeding in the whole Thirty-two Pounds of Pay, Half Pay, Pension, or Allowances of deceased Officers of the Navy and Marines, and of Widows Pensions, and of Allowances from the Compassionate Fund, and all Payments not exceeding in the whole Twenty Pounds of Monies due to any deceased Persons on account of Prize Money, and for the Services of deceased Non-commissioned Officers, Drummers, and Privates of Marines, to be made under any such Certificate, shall be as effectual and legal as if the same had been made under any Probate of a Will or Letters of Administration: Provided always, that in order to allow Time for the Production of any Will which may have been made by any such deceased Person, and to guard against Fraud, no Check or Certificate whatever shall be granted in lieu of Letters of Administration, under this or the said recited Act, until Three Calendar Months shall have elapsed from the Time of Notice being given to the Inspector of the Death of the Person whose Effects are claimed.

Inspector may administer Oaths.

XIII. And for the better Investigation of Claims to the Effects of deceased Persons under this or the said recited Act, be it further enacted, That from and after the passing of this Act the said Inspector shall have full Power and Authority to administer an Oath or Affirmation to any Claimants touching their Claims, either as the Representatives or the Creditors of the Deceased, and to the Witnesses to be adduced in support of any such Claims; and that the Certificate of the Allowance of the Claim shall be in such Form as the Commissioners for executing the Office of Lord High Admiral shall authorize.

Fees on Probates, &c. contained in the Schedule to this Act to be taken in lieu of those specified in 11 G. 4. c. 20.

XIV. 'And whereas by the said Act of the Eleventh Year of 'King *George* the Fourth Provision is made for limiting the 'Expence of obtaining Probates of Wills and Letters of Administration to the Effects of deceased Officers, Seamen, and Marines, 'and it is expedient that the Schedule of Fees to be allowed in 'such Cases should, on account of Inaccuracies therein, be 'altered;' be it therefore further enacted, That from and after the passing of this Act the several Sums set forth in the Table of Fees contained in the Schedule annexed to this Act, and which shall be deemed as Part hereof, shall be allowed and taken, in the Cases respectively therein mentioned, in lieu of those specified in the Schedule of the said recited Act; and if any Registrar, Proctor, or other Person shall demand or receive more than the several Sums respectively allowed by the Schedule annexed to this Act, every Person so offending shall forfeit the Sum of Fifty Pounds, which shall be recoverable, with Costs of Suit, and applicable in the same Manner as is provided by the said recited Act with respect to pecuniary Penalties exceeding Twenty Pounds: Provided nevertheless, that if any Increase or Diminution shall take place in the Stamp Duties payable in respect of any such Probates or Letters of Administration, or of any Instrument con-

 nected

nected therewith, the Sums to be allowed shall be increased or diminished to the Extent of the Alteration in such Stamp Duties; and provided also, that in Cases of extraordinary Trouble or Expence such additional Allowance shall be made as shall appear reasonable to the Commissioners for executing the Office of Lord High Admiral aforesaid.

Proctors and others indemnified for receiving greater Fees than allowed by Act 11 G. 4. c. 20.

XV. 'And inasmuch as a strict Adherence to the Letter of 'such inaccurate Schedule would have produced a Burden upon 'the Relations of deceased Seamen not intended by the said recited 'Act,' be it further enacted, That all Registrars, Proctors, and others who may, under the Authority of the Treasurer of the Navy or his Officers, have been allowed or have received more or other than the Sums set forth in the said inaccurate Schedule, shall be and are hereby indemnified and released from all Penalties and Forfeitures which under the said recited Act they may have incurred on any such Account.

Mode of Payment of Half Pay, &c. provided by 11 G. 4. c. 20. extended to Marine Half Pay and Pensions, and to Officers Widows, being insane.

XVI. 'And whereas by the said recited Act of the Eleventh 'Year of His late Majesty Provision is made for the Payment of 'Naval Half Pay and Pensions by a Mode called an Extract, upon 'Notice to be given to the Clerk of the Treasurer of the Navy by 'the Person desiring to be so paid, and Provision is also made for 'the Payment of the Pensions of Officers and others becoming 'insane to the Persons having the Care and Maintenance of them, 'and it is expedient to extend the said Provisions;' be it therefore further enacted, That from and after the passing of this Act such Mode of Payment by Extract shall, if required by the Parties, be adopted with respect to Marine Half Pay and Pensions, and that the Notice shall be given to the Superintendent of the Dock Yard at which the Party shall be desirous to be so paid; and that in all Cases of Widows of Naval and Marine Officers entitled to any Pension becoming or being insane, or otherwise from their State of Mind incompetent to the Management of their Affairs, it shall be lawful for the Treasurer of the Navy, under the Authority of the Commissioners for executing the Office of Lord High Admiral, to pay over to the Relative or other Person having the Care and Maintenance of any such Widow such Pension, or such Portion thereof as the said Commissioners shall think fit, to be applied to the Maintenance and Support of such insane or incompetent Person; and every such Payment shall be deemed valid, and an effectual Discharge to the said Treasurer for so much as shall be so paid.

Agents Commission.

XVII. 'And whereas by the said recited Act Agents employed 'in the Receipt of Wages in respect of Services in the Royal Navy 'are prohibited from taking more than Sixpence in the Pound 'for receiving and paying over the same, and for all their Trouble 'in relation thereto: And whereas certain Officers are permitted 'to receive Part and others the Whole of their Pay by drawing 'Bills for the same, although it is required of them to pass Documents and Accounts annually or on quitting their Ships, so that 'no Pay may be received by the Agent, out of which he can deduct 'the Allowance of Sixpence in the Pound, or be in any Manner 'compensated for his Trouble in transacting the Business of the 'Officer in his Absence, or for passing his Accounts, and it is

'therefore necessary to explain and amend the said Act in this 'respect;' be it therefore further enacted and declared, That such Prohibition shall not be deemed to extend to prevent any Agent from charging or receiving from any Commission or Warrant Officer (save and except in the Cases of passing Accounts, for which especial Provision is made in the said Act,) such reasonable Compensation as such Agent may be fairly entitled to charge, or as may be agreed upon between them, for any Trouble or Pains of such Agent in transacting for any such Commission or Warrant Officer any Business or Affairs not relating to the Receipt of Pay, Prize Money, or other Allowances.

Monthly Payments in Ships not having Pursers to be made by the Clerk instead of the Commanding Officer.

XVIII. 'And whereas by the said recited Act it is enacted, in 'Cases of monthly Payments of Pay to the Seamen of the Navy, in 'the Absence of the Purser, or in Ships not having a Purser, the 'Commanding Officer shall act and be deemed to be the Purser 'for all the Purposes of such Payments: And whereas it is found 'expedient that in certain Ships not having Pursers the Duty of 'Purser shall be performed by the Clerk of the Ship instead of the 'Commanding Officer;' be it therefore enacted, That from and after the passing of this Act, in all such Cases as aforesaid, the Payment shall and may be made by the Clerk so appointed to do the Duty of Purser, in the Presence of the Commanding Officer and of another Commissioned Officer, if there be One belonging to the Ship, and if not, then in the Presence of the Commanding Officer and the Person acting as Master or One of the Mates of the Ship, entitled to draw Bills, which Officers shall attest the Lists as required by the said Act.

Licensing of Navy Agents.

XIX. 'And whereas by Three several Acts of Parliament relating 'to the Receipt of Naval Prize Money, passed in the Fifty-seventh 'and Fifty-ninth Years of His late Majesty King *George* the Third, 'and in the First Year of His late Majesty King *George* the 'Fourth, certain Provisions are established with regard to the 'licensing, by the Treasurer of the Navy, of Agents to receive the 'Pay and Prize Money of Petty Officers, Seamen, and Marines;' be it further enacted, That all such Licences to Agents, and to the Representatives of deceased Agents, as by the said several Acts or by any other Act are authorized to be granted by the Treasurer of the Navy, shall, from and after the Commencement of this Act, as herein-after mentioned, be granted by an Officer to be for that Purpose appointed by the Commissioners for executing the Office of Lord High Admiral, which Commissioners shall have full Power and Authority, from Time to Time as they shall see requisite, to revoke such Licences, in case of Neglect in any such licensed Agent duly to account for and pay over all Monies received by him, or of any deceitful, fraudulent, or dishonest Conduct practised by any such Agent towards any Person or Persons on whose Behalf he shall have been employed, or towards any Person claiming through or under them; and that all such licensed Agents shall from Time to Time give such Notice in Writing to the Secretary of the Admiralty, of their Change of Abode, as by the said Act of the Fifty-ninth Year of King *George* the Third is required to be given to the Treasurer of the Navy: Provided always, that every such Agent so to be licensed shall enter into Bond with Sureties to His Majesty, as

as required by the said Act of the First Year of His Majesty King *George* the Fourth, in such Form as to the said Commissioners shall appear requisite.

Duties in Matters of Prize transferred to Admiralty, except as to Payments and Receipts.

XX. 'And whereas an Act was passed in the Tenth Year of the 'Reign of His late Majesty King *George* the Fourth, for trans- 'ferring the Management of *Greenwich* Out-Pensions, and certain 'Duties in Matters of Prize, to the Treasurer of the Navy; and 'it is expedient that such Management and Duties, so far as 'regards Matters of Prize only, should be placed under the Care 'of the Commissioners for executing the Office of Lord High 'Admiral aforesaid;' be it therefore further enacted, That from and after the Commencement of this Act, as herein-after mentioned, the several Duties in Matters of Prize, and all the Powers and Authorities relating thereto respectively, which by the said last-recited Act were vested in the Treasurer of the Navy, shall be and the same are hereby transferred to and vested in the Commissioners for executing the Office of Lord High Admiral aforesaid; reserving always to the said Treasurer the Duty of making all Payments and receiving all Monies as by the same Act is directed and provided in that Behalf.

Remittance Bills.

XXI. And be it further enacted, That so much of the said last-mentioned Act as relates to the Form of Remittance Bills shall be and the same is hereby repealed; and that from henceforth Remittance Bills for *Greenwich* Out-Pensions, and the Certificate and Receipt to be required on Payment thereof, shall be in such Form as the Treasurer of the Navy for the Time being shall from Time to Time authorize and direct; and that Remittance Bills for Prize Money, of which the Management is by this Act intended to be transferred to the said Commissioners for executing the Office of Lord High Admiral, shall, from and after such Transfer, be made in the same Manner and subject to the same Regulations in all respects as are provided with regard to Payments relating to Naval and Marine Pay and Pensions, or in such other Manner and Form as the said Commissioners shall from Time to Time authorize and direct; and in case of such Payments being made upon Remittance Bills by any Officer of the Revenue, Repayment thereof shall be made to the respective Departments of the Revenue in the Manner provided by the said recited Act of the Eleventh Year of King *George* the Fourth with respect to other Remittance Bills, an Account of which Bills shall be forwarded, if for Out-Pensions, to the Treasurer of the Navy, and if for Prize, to the Admiralty Office, in order that such Account may be examined by the proper Officer of the respective Departments, and, if found correct, that Measures may be taken for causing Repayment to be made by the said Treasurer to the respective Departments of the Revenue accordingly; and in all Cases of Remittance Bills for Prizes made out and not paid, owing to the Death of the Party, or other Cause, such Bills shall be returned to the Admiralty Office to be cancelled.

Outstanding Prize Money deemed Public Money.

XXII. And be it further enacted and declared, That all Monies which previously to the Transfer of the Management of Out-Pensions and Duties in Matters of Prize to the Treasurer of the Navy, by the said recited Act of the Tenth Year of King *George* the Fourth, were, under any other Act or Acts of Parliament made payable to the Treasurer of *Greenwich* Hospital, or

for the Benefit of that Establishment, on account of undistributed Prize or Bounty Money, or of unclaimed or forfeited Shares of such Monies, or on any other Account, which are now outstanding in the Hands of any Agent or Agents, or which have not been paid over by such Agent or Agents, or which may hereafter arise or be payable, shall be deemed to be Public Monies owing to His Majesty, and shall and may be sued for and recovered in the same Manner as any other Debts due to His Majesty may by Law be recovered.

Recited Act of 10 G. 4. c. 26. as to Naval Sixpences explained.

XXIII. 'And whereas by the said Act of the Tenth Year of 'His late Majesty King *George* the Fourth it is enacted, that the 'Allowance of Sixpence *per* Month, commonly called Naval Six-'pences, payable out of the Wages of all Seamen and others 'who shall serve or be employed in any of His Majesty's Ships 'or Vessels, shall cease to be payable to *Greenwich* Hospital: And 'whereas the said Enactment was intended to extend and take 'effect with respect to the Wages of the Crews of His Majesty's 'Ships and Vessels of War in Commission only, and it is expedient 'that the Crews of His Majesty's Ships and Vessels employed in 'the various other Departments of the Public Service should 'contribute towards the Support of the said Hospital as they had 'done before the passing of the said Act;' be it therefore enacted and declared, That from and after the passing of this Act the said Allowance of Sixpence *per* Month shall be abated out of the Wages thenceforth to grow due to every Person serving in or belonging to any Ship or Vessel not being in Commission and in the Pay of the Royal Navy, which shall belong to or be employed in the Service of His Majesty in the several Departments of the Public Service, in like Manner as the same Abatement was made before the passing of the said Act, and shall be deducted and collected by the Heads or Principal Officers of the several Departments, and shall be paid over to the Commissioners of the said Hospital, for the better Support thereof, under such Regulations as by the Commissioners for executing the Office of Lord High Admiral aforesaid shall from Time to Time be made for that Purpose.

Mode of soliciting Monies for Naval Services. 1 W. 4. c. 42.

XXIV. 'And whereas by an Act passed in the First Year of 'His present Majesty's Reign, intituled *An Act to consolidate and 'amend the several Acts relating to the Office of Treasurer of His 'Majesty's Navy*, various Regulations are established for the 'Government of the Commissioners of the Navy and Victualling 'respectively, and of the Treasurer of the Navy, in regard to 'the soliciting of Monies wanted for the Service of the Navy, 'and to the Accounts, Custody, and Disposal of such Monies; 'and it is necessary to alter the same Regulations, and to make 'further Provision in regard to the same;' be it further enacted, That from and after the Revocation of the said Letters Patent all Monies wanted for the Service of the Navy shall be solicited by the Commissioners for executing the Office of Lord High Admiral aforesaid, and shall be for Naval Services generally, and that in the Letter soliciting the same the said Commissioners shall specify the general Balance of Public Monies remaining in the Treasurer's Hands; and that One Account only of the Monies issued from the Exchequer to the Governor and Company of the Bank of *England*

One general Account to be raised at the Bank.

England shall be raised in the Books of the said Governor and Company, and shall be entitled generally for Naval Services, a corresponding Account with which shall be kept by the said Treasurer; and upon Receipt of all such Monies from the Exchequer the said Treasurer shall certify the Amount to the said Commissioners: Provided always, that no Monies paid into the Bank of *England* on account of the Treasurer of the Navy, or for Naval Services, shall be paid thereout, except upon Drafts for Naval Services, to be drawn by the Treasurer or One of his Cashiers, upon several Accounts to be raised in the Bank Books by the Treasurer, or the Person duly authorized by him, in the joint Names of the said Treasurer and of his respective Cashiers; and provided also, that nothing in the said recited Act or in this Act contained shall be deemed to extend to prohibit the said Treasurer (by himself or by the Person authorized by him) from raising Sub-Accounts, in the Names of the Treasurer and any of his Cashiers, in the Books of the said Governor and Company, as has for the Safety and Convenience of the Public Service been heretofore the Practice, so that no Monies are paid out of the Bank except upon Drafts as herein is directed.

Sub-Accounts may be raised at the Bank.

XXV. And be it further enacted, That from and after the passing of this Act the Annual Accounts required by the said last-recited Act to be made up by the Treasurer of the Navy shall be an Account of Naval Services generally, and shall commence on the First Day of *April* and end on the Thirty-first Day of *March* in every Year; and after the same shall have been duly examined in the Office of and certified and approved by Two of the Commissioners for executing the Office of Lord High Admiral shall be transmitted by the said Commissioners to the Commissioners for auditing the Public Accounts, as is provided by the said recited Act.

Making up and certifying of Annual Accounts of Naval Services.

XXVI. And be it further enacted, That the Treasurer's Accounts for the first Three Months of the present Year shall be made up to the Thirty-first Day of *March*, and shall be examined and passed in the Manner directed by the said recited Act of the First Year of His present Majesty.

Accounts for the first Three Months of the present Year.

XXVII. And be it further enacted, That the monthly Accounts required by the said Act to be made up at the Dock Yards shall, from and after the Revocation of the said Letters Patent, be signed by the Pay Clerk, and shall be certified by the Superintendent of the Yard, or in his Absence by the Officer next in Seniority to him, and shall then be transmitted in Duplicate to the said Treasurer and to the Secretary of the Admiralty respectively.

Monthly Accounts from Yards.

XXVIII. And be it further enacted, That the annual Inspection of Public Monies required by the same Act to be made shall in future be made on the First Day of *April* in each Year, or that Day being *Sunday*, on the following Day, in the Manner thereby directed, by the Superintendent at the Dock Yard, and by One of the Commissioners of the Admiralty at the Navy Pay Office; and the Amounts thereof respectively shall be certified to the Commissioners for executing the said Office of Lord High Admiral, who shall within Three Months next after the First Day of *April* in each Year cause to be made out, and transmit to the Commissioners for auditing the Public Accounts, Certificates of the

Annual Inspection of Monies.

Amounts of the Balances thereupon found; and upon the Death, Resignation, or Removal of any Treasurer of the Navy, a similar Inspection of the Public Monies remaining in Charge of his several Cashiers and Clerks shall be made so soon after as conveniently may be, and at farthest within Seven Days afterwards; and the Amounts of the respective Balances found shall be in like Manner thereupon certified to the said Commissioners for executing the Office of Lord High Admiral, and Certificates thereof shall be by them, within the like Period of Seven Days, transmitted to the Commissioners for auditing the Public Accounts, for the Purpose mentioned in the said recited Act.

Bills, &c. exempt from Stamp Duty.

XXIX. And be it further enacted, That from and after the passing of this Act all Allotment and Remittance Bills, and all other Bills for Payment of Money mentioned in or authorized by this Act or the said recited Act of the Eleventh Year of King *George* the Fourth, to be made out or drawn, and all Discharges for the same, and all Receipts or Discharges to be given to the Treasurer of the Navy, or any of his Officers, in respect of any Naval or Marine Pay, Pension or Prize Money, or in respect of Payments under Ten Pounds on account of any Civil Pension or Allowance charged on the ordinary Estimate of the Navy, or of any Monies heretofore paid by the Paymaster of Royal Marines, and which are now payable by the said Treasurer, shall be wholly freed and exempt from Stamp Duties.

Admiralty to make up an annual Account of Expenditure, under the Heads of Service specified in the Appropriation Acts;

XXX. And be it further enacted, That the Commissioners for executing the Office of Lord High Admiral shall, after the Expiration of the present Year, cause to be made up, on or before the Thirtieth Day of *November* in each succeeding Year, an Account, to be signed and attested by the Accountant General of the Navy, of the Naval Receipt and Expenditure of the Year ending on the Thirty-first Day of *March* preceding, distinguishing the Expenditure under the several Heads of Naval Service, as expressed in the Appropriation Act or Acts for that Year; and the Account, when so made up and attested, shall be compared with the Vouchers by the Commissioners for auditing the Public Accounts, who are hereby required, on or before the Thirty-first Day of *January* following, if Parliament be then sitting, and if not, then within One Week after Parliament shall be assembled, to lay before the House of Commons a Copy of the said Account, certifying thereon as to the Correctness of the said Account as compared with the Vouchers, and noting under each Head whether the Expenditure has exceeded or fallen short of the Sums voted by Parliament for the Naval Service of that Year for which the Account is so made up: Provided always, that in case any Objections shall have arisen in the Audit Office to such yearly Account, and the same remain unanswered or not satisfactorily answered, the said Account, made up in as perfect a Manner as may be, shall nevertheless be laid before the House of Commons as before directed, and shall be accompanied by a Statement of the said Objections; and that the Account of the following Year shall also be accompanied by a Statement referring to such Objections, and showing whether they still remain, or have been, and how, explained or removed: Provided also, that nothing herein contained shall be construed to vest in the Board of Audit any Discretion

Commissioners of Audit to examine the same, and a Copy thereof to be by them laid before Parliament.

Proviso for Objections.

Discretion as to the Allowance or Disallowance of any Item of Expenditure in support of which the usual and regular Vouchers shall have been produced to and allowed by the Commissioners for executing the Office of Lord High Admiral.

Certificates heretofore received as Vouchers to be so received at the Audit Office.

XXXI. 'And whereas by the uniform Practice of the Navy 'the several Payments herein-after specified have been vouched 'by the Attestation of Witnesses to such Payments only, without 'requiring from the Party receiving the same any Acquittance for 'the Amount so paid, and Certificates of the Amounts of such 'Payments so attested have been received as Vouchers in Proof 'thereof;' be it therefore enacted, That Certificates founded upon the Books of His Majesty's Ships, and Extracts therefrom, and of the Ordinary at each Port, the Books of each Dock and Victualling Yard, the Half Pay Lists, the Lists of Savings of Provisions, the List of *Greenwich* Out-Pensions, the Pay Lists of Naval Hospitals, and the Account containing the Payments of Chaplains Bounty, shall, when duly attested by the several Officers or other Persons whose Duty it shall be to attend and attest such Payments, be received by the said Commissioners of Audit as sufficient Vouchers in Proof of the several Payments in such Certificates respectively charged, conformably with the Practice which has hitherto prevailed.

Punishment for forging Certificates, and for false Oaths.

XXXII. And be it further enacted, That if any Person shall forge or falsely make any Certificate to be given under the Authority of this Act by the Commissioners for executing the Office of Lord High Admiral, or any of them, or by any Superintendent, of the Purchase or Sale of any Naval or Victualling Stores, or shall utter or publish any false or altered Certificate of any such Purchase or Sale, knowing the same to be false; or if any Person shall take a false Oath, or make a false Affirmation, or give false Evidence before any Commissioner or Commissioners for executing the Office of Lord High Admiral aforesaid, or before any Superintendent or Inspector of Seamen's Wills, touching any Matter which the said Commissioners or any of them, or any Superintendent or Inspector, are or is authorized to inquire into; every such Person, being duly convicted of any such Offence or Offences, shall be liable to suffer such Punishment, Pains, and Penalties as Persons guilty of wilful and corrupt Perjury are by Law subject to.

Punishment for sending false Petitions to obtain the Inspector's Certificate.

XXXIII. And be it further enacted, That the Petition for Probate of Will or Letters of Administration of the Effects of any deceased Petty Officer or Seaman, or Non-commissioned Officer of Marines or Marine, or for obtaining a Check or Certificate in lieu of Probate or Letters of Administration in Cases of Claims where the Deceased's Assets shall not exceed Thirty-two Pounds and Twenty Pounds respectively, shall be addressed to the Inspector of Seamen's Wills, and shall be forwarded to the Secretary of the Admiralty; and if any Person shall subscribe, transmit, utter, or publish any false Petition or Application to the said Inspector, knowing the same to be false, in order to obtain or to enable any other Person to obtain any Check or Certificate in lieu of Probate or Letters of Administration as aforesaid, every Person so offending shall be deemed guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the

the Seas for any Term not exceeding Fourteen Years nor less than Seven Years, or to be imprisoned for any Term not exceeding Three Years nor less than One Year.

Rewards payable on the Discovery of Offences relating to Naval Stores reduced.

XXXIV. 'And whereas by an Act of the Thirty-ninth and 'Fortieth Years of His late Majesty King *George* the Third, for 'the better preventing the Embezzlement of His Majesty's Naval, 'Ordnance, and Victualling Stores, certain Rewards of Twenty 'Pounds and Five Pounds are directed to be paid, in the respective 'Cases therein mentioned, for the Discovery of Offences relating 'to such Stores, and it is expedient that the Amount of the said 'Rewards should be reduced;' be it therefore further enacted, That upon Convictions of Persons for any Offence touching His Majesty's Naval, Ordnance, or Victualling Stores, to be discovered after the passing of this Act, the Payment of Rewards shall be in the Discretion of the Commissioners for executing the Office of Lord High Admiral aforesaid, or of the Master General and principal Officers of the Ordnance, as the Case may be; and that instead of the Rewards of Twenty Pounds and Five Pounds respectively payable under the said Act, the Rewards following shall be paid; (that is to say,) any Sum not exceeding Ten Pounds upon Convictions in Prosecutions by Indictment, and not exceeding Fifty Shillings upon summary Convictions in the respective Cases mentioned in the said Act; and that no Reward shall be payable in Cases where the Fine inflicted on the Offender shall amount to Twenty Pounds, unless such Fine shall fail to be paid as provided in the said Act; and that it shall be lawful to mitigate the pecuniary Penalty of Ten Pounds, in Cases of summary Convictions, to any Sum not less than Forty Shillings.

Repeal of Acts 1 G. 1. s. 2. c. 25. 1 G. 4. c. 91. 7 & 8 G. 4. c. 8. 10 G. 4. c. 15. and Part of 11 G. 4. c. 20.

XXXV. And be it further enacted, That from and after the Commencement of this Act, as herein-after mentioned, an Act made in the First Year of the Reign of His Majesty King *George* the First, to prevent Disturbances by Seamen and others, and to preserve the Stores belonging to His Majesty's Navy Royal, and for other Purposes therein mentioned (save and except so much thereof as continues Two several Acts made in the Eleventh Year of King *William* the Third and the Fifth Year of Queen *Anne*); and an Act made in the First Year of the Reign of His late Majesty King *George* the Fourth, to authorize the Paymasters of Royal Marines to issue Pay not exceeding a certain Sum to the Representatives of deceased Officers and Private Men, without Probate or Administration; and also an Act made in the Eighth Year of the Reign of His said late Majesty King *George* the Fourth, for more conveniently paying the Widows of Officers of the Royal Marines; and also an Act made in the Tenth Year of the Reign of His said Majesty, to facilitate the public Business in certain Cases in the Navy and Victualling Departments; and also so much of an Act made in the Eleventh Year of His said late Majesty, to amend and consolidate the Laws relating to the Pay of the Royal Navy, as relates to the Paymaster of Royal Marines; and so much of the same Act as empowers Petty Officers, Seamen, Non-commissioned Officers, and Marines to make Orders in Writing upon the Treasurer of the Navy for Payment of Wages not exceeding Ten Pounds, and as authorizes the Inspector of Seamen's Wills to send and receive Letters and Packets free from the

the Duty of Postage, shall be and the same are hereby repealed: Provided always, that nothing in this Act contained shall extend or be construed to deprive the Treasurer of the Navy of the Privilege of sending and receiving Letters and Packets free of the Duty of Postage. Proviso for Treasurer of the Navy.

XXXVI. And be it further enacted, That this Act shall, in the several Cases not hereby otherwise provided, commence and take effect on and from the Seventh Day after the passing of this Act; and that the same may be altered, varied, or amended by any other Act or Acts to be passed during this Session of Parliament. Commencement of Act. Act may be altered.

SCHEDULE to which this Act refers.

TABLE OF FEES to be taken for PROBATES of WILLS, LETTERS of ADMINISTRATION, and LETTERS of ADMINISTRATION with WILL ANNEXED, of Warrant and Petty Officers, and Non-commissioned Officers of Marines, and also of Common Seamen and Marines, in pursuance of this Act.

PROBATES.											
——	Under what Sum the Effects sworn.	Where the Deceased was a Warrant or Petty Officer in the Navy, or a Non-commissioned Officer of Marines.				Where the Deceased was a Common Seaman or Marine.					
		If the Executor be a Wife, Child, Parent, Brother, or Sister of the Deceased.			If the Executor be more remotely related, or a Stranger in Blood to him.			If the Executor be a Wife, Child, Parent, Brother, or Sister of the Deceased.			If the Executor be more remotely related, or a Stranger in Blood to him.		
	£	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
If the Executor sworn in London - -	20	0	7	0	0	16	6	0	7	0	0	16	6
	50	1	0	6	1	10	6	0	11	0	1	1	0
	100	1	8	6	1	15	6	0	19	0	1	6	0
If the Executor sworn in the Country by Commission -	20	0	19	0	1	12	0	0	19	0	1	12	0
	50	1	17	0	2	12	6	1	7	6	2	3	0
	100	2	8	0	2	17	6	1	18	6	2	8	0

TABLE OF FEES — *continued.*

ADMINISTRATIONS, and ADMINISTRATIONS with WILL ANNEXED.

—	Under what Sum the Effects sworn.	Where the Deceased was a Warrant or Petty Officer in the Navy, or a Non-commissioned Officer of Marines.				Where the Deceased was a Common Seaman or Marine.			
		If the Administrator be a Wife, Child, Parent, Brother, or Sister of the Deceased.		If the Administrator be more remotely related, or a Stranger in Blood to him.		If the Administrator be a Wife, Child, Parent, Brother, or Sister of the Deceased.		If the Administrator be more remotely related, or a Stranger in Blood to him.	
		Administrations intestate.	Administrations with Will annexed.	Administrations intestate.	Administrations with Will annexed.	Administrations intestate.	Administrations with Will annexed.	Administrations intestate.	Administrations with Will annexed.
	£	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
If the Administrator sworn in London -	20	0 12 6	0 15 0	1 3 0	1 8 0	0 12 6	0 15 0	1 3 0	1 8 0
	50	2 5 6	2 9 0	2 16 0	3 2 0	0 16 0	0 19 6	2 6 6	2 12 6
	100	3 3 6	2 18 6	3 19 0	3 16 6	1 4 0	1 9 0	2 19 6	3 7 0
If the Administrator sworn in the Country by Commission -	20	0 19 6	1 2 0	1 13 6	1 18 6	0 19 6	1 2 0	1 13 6	1 18 6
	50	2 17 0	3 0 6	3 13 0	3 19 0	1 7 6	1 11 0	3 3 6	3 9 6
	100	3 18 0	3 13 0	4 15 0	4 12 6	1 18 6	2 3 6	3 15 6	4 3 0