

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XLI.

An Act to make further Regulations with respect to Army Pensions. [16th *July* 1830.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to consolidate and amend several Acts relating to the Royal Hospitals for Soldiers at* Chelsea *and* Kilmainham: And whereas another Act was passed in the said Seventh Year of the Reign of His said late Majesty, intituled *An Act to amend an Act passed in the Fifty-second Year of the Reign of His late Majesty King* George *the Third, so far as the same relates to the Retired Allowances of Quartermasters of Cavalry and Infantry:* And whereas another Act was passed in the Tenth Year of the Reign of His said late Majesty, intituled *An Act for transferring the Management of* Greenwich *Out-Pensions, and certain Duties in Matters of Prize, to the Treasurer of the Navy:* And whereas it is expedient to make further Regulations with respect to Pensions; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Act, intituled *An Act to consolidate and amend several Acts relating to the Royal Hospitals for Soldiers at* Chelsea *and* Kilmainham, as enacts that it shall be lawful for the said Commissioners of the said Hospital at *Chelsea* to give to any Soldier, not being a Native

7 G. 4. c. 16.

7 G. 4. c. 31.

10 G. 4. c. 26.

Certain Parts of the Act of 7 G. 4. c. 16. repealed.

a Native of the United Kingdom, who may have been or may be discharged, and may be entitled to any Out-Pension or Allowance from the said Hospital at *Chelsea*, by reason of Service or having become invalid or disabled, and shall be desirous of living out of *England*, and who may be recommended for that Purpose by any Order of His Majesty, to be signified to the said Commissioners by His Majesty's Secretary at War, such Sum of Money in gross, in lieu of such annual Pension or Allowance, as may be directed by the Secretary at War, with the Approbation of the Commissioners of His Majesty's Treasury, in that Behalf, any thing contained in this or any other Act or Acts to the contrary notwithstanding; and also so much of the said Act as enacts that it shall and may be lawful for the said Commissioners of the said Hospital at *Chelsea*, upon all Applications to be hereafter made to them by any Person or Persons claiming on account of their Services in His Majesty's Army, to give Pensions to such Person or Persons, in their Discretion, according to their Length of Service, allowing in the Apportionment of such Pensions all such Time as the said Person or Persons shall have served (previously to his entering into His Majesty's Army) either as a Petty Officer, Seaman, or Landman in His Majesty's Fleet, or as a Non-commissioned Officer or Private Marine; and also so much of the said Act as enacts that it shall be lawful for the said Commissioners of the said Hospital at *Chelsea* to authorize the Agent for Pensions, or other proper Officer, to pay to any Person or Persons who shall prove him, her, or themselves, to the Satisfaction of such Commissioners or of the said proper Officer, to be the next of Kin or legal Representative or otherwise legally entitled to any Pension Money due to any deceased Pensioner, not exceeding Twenty Pounds, although such Person shall not have taken out Letters of Administration or have procured Probate of any Will of such deceased Pensioner or Officer; and also so much of the said Act, intituled *An Act for transferring the Management of* Greenwich *Out-Pensions, and certain Duties in Matters of Prize, to the Treasurer of the Navy*, as declares that it shall be lawful for the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, for the Time being, in his and their Discretion, upon Applications to be hereafter made to him or them by any Person or Persons claiming Pensions on account of the Services of such Person or Persons in His Majesty's Navy, to allow in the Apportionment of such Pension so much of the Time as the said Person or Persons shall have served (previously to his or their entering into His Majesty's Navy) either as a Non-commissioned Officer or Private in His Majesty's Army; and also the whole of the said Act, intituled *An Act to amend an Act passed in the Fifty-second Year of the Reign of His late Majesty King* George *the Third, so far as the same relates to the Retired Allowances of Quartermasters of Cavalry and Infantry*, shall be and the same are hereby repealed.

10 G. 4. c. 26.

7 G. 4. c. 31.

Power to commute the annual Pension of Persons desirous of living out of Great Britain and Ireland.

II. And be it enacted, That the Lords and others, Commissioners of the Royal Hospital for Soldiers at *Chelsea* in the County of *Middlesex*, may and shall give to any Non-commissioned Officer or Soldier entitled to Out-Pension from the said Royal Hospital, who shall be desirous of living out of *Great Britain* and *Ireland*, and who shall be recommended for that Purpose by any Order of His Majesty, signified

to the said Commissioners by the Secretary at War, a Sum of Money not exceeding in Amount Four Years Pension, as a Commutation or Equivalent in gross for all annual Pension to which such Non-commissioned Officer or Soldier might otherwise be entitled; and the Money so to be paid as an Equivalent or Commutation for Pension shall be paid out of any Money voted for or applicable to the Payment of Pensions under the Management of the said Commissioners of *Chelsea* Hospital; and the Receipt of the Person receiving such Commutation or Equivalent, or other Proof of his having accepted an Equivalent or Commutation in gross in lieu of such annual Pension, shall be a full Discharge for the Sum so paid, and shall be a Release and Abandonment of all Claims to any future or other Payment of Pension whatsoever.

How Commutation Money to be paid.

All Claim for annual Pension to cease after Commutation.

III. And be it enacted, That from and after the passing of this Act it shall be lawful for the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, for the Time being, in his or their Discretion, with respect to the granting of Naval Pensions, to allow to any Non-commissioned Officer or Soldier who shall have entered into the Royal Marines his previous Service as a Non-commissioned Officer or Soldier in His Majesty's Army, in reckoning his Claim for Naval Pension, and also to allow to any Non-commissioned Officer, Petty Officer, or Seaman of His Majesty's Navy his previous Service as a Marine, in reckoning his Claim for Pension; and it shall be lawful for the said Commissioners of *Chelsea* Hospital, in their Discretion, with respect to the granting of Army Pensions, to allow to any Non-commissioned Officer or Soldier of His Majesty's Army his previous Service as a Marine, in reckoning his Claim for Pension; provided that such previous Service, and the Cause of Discharge from such Service, shall be declared and verified and recorded at the Time the said Persons shall respectively enter into His Majesty's Army or Navy or Marines.

In granting Pensions to Seamen or Soldiers, Service as a Marine may in certain Cases be allowed to reckon.

IV. And be it enacted, That it shall be lawful for the said Commissioners of *Chelsea* Hospital, with the Consent of the Secretary at War, in all Cases in which it may be deemed expedient, to restore any Non-commissioned Officer or Soldier who shall have been convicted of Felony, and thereby forfeited his Pension, either to his original Pension or to any less Rate of Pension.

Persons convicted of Felony may be restored to Pension.

V. And be it further enacted, That it shall be lawful for the said Commissioners of the said Hospital at *Chelsea*, with respect to Pension or Prize Money, and for the Secretary at War of his own proper Authority, with respect to Pay, to authorize the Agent for Pensions, or other proper Officer charged with the Payment thereof, to pay to any Person or Persons who shall prove him, her, or themselves, to the Satisfaction of such Commissioners, with respect to Pension and Prize Money, or of the Secretary at War, with respect to Pay, to be the next of Kin or legal Representative or otherwise legally entitled to any Pension or Prize Money or Pay due to any deceased Officer, Non-commissioned Officer, Soldier, or Pensioner, such Pension, Prize Money, or Pay, provided the same does not exceed Fifty Pounds, although the Person so entitled shall not

Sums not exceeding 50*l.* may be paid without Letters of Administration.

not have taken out Letters of Administration, or have procured Probate of any Will, of such deceased Officer, Non-commissioned Officer, Soldier, or Pensioner.

Repeal of the 7 G. 4. c. 31. not to revive any other Act.

VI. And be it enacted, That nothing in this Act contained shall revive or give Force or Effect to any Act or Parts of any Act which was or were repealed by the said herein-before last-recited and hereby repealed Act of the Seventh Year of His late Majesty.

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