



# Chelsea and Kilmainham Hospitals Act 1826

## 1826 CHAPTER 16

An Act to consolidate and amend several Acts relating to the Royal Hospitals for Soldiers at *Chelsea* and *Kilmainham*. [11th April 1826]

WHEREAS it is expedient to consolidate the Provisions of several Acts relating to the Royal Hospital for Soldiers at *Chelsea* in the County of *Middlesex*;

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,

### **The following Acts and Parts of Acts ; repealed, viz.**

That an Act passed in the Forty-sixth Year of the Reign of His late Majesty, intituled *An Act for making better Provision for Soldiers*; and also an Act passed in the Forty-seventh Year of the Reign of His said late Majesty, intituled *An Act for empowering the Commissioners of Kilmainham Hospital to make Rules and Regulations for the Payment of Pensions to Soldiers on the Establishment of that Hospital*; and also an Act passed in the Fifty-second Year of the Reign of His said late Majesty, intituled *An Act to empower the Commissioners of Chelsea Hospital to commute Pensions for a Sum of Money in certain Cases* ; and also an Act passed in the Fifty-eighth Year of the Reign of His said late Majesty, intituled *An Act for the further Regulation of Payments of Pensions to Soldiers upon the Establishments of Chelsea and Kilmainham*; and also an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act for transferring such of the Duties of the Commissioners or Governors of Kilmainham Hospital, as relate to the Management and Payment of out-pensions, to the Commissioners of Chelsea Hospital* and also an Act passed in the Twenty-eighth Year of the Reign of His Majesty King George the Second, intituled *An Act for the Relief of the Out-pensioners of the Royal Hospital at Chelsea*, except so much thereof as enacts, that the Treasurer of *Chelsea Hospital* shall and may withhold and deduct One Shilling in the Pound from and out of all Monies which shall, from and after the Twenty-fifth Day of *December One*

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*Status: This is the original version (as it was originally enacted).*

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thousand seven hundred and fifty-five, be applicable to the Payment of Out-pensions, as well as from and out of all Monies which shall be directed to be issued in advance to the Out-pensioners of *Chelsea* Hospital, from and after the said Twenty-fifth Day of *December* One thousand seven hundred and fifty-four, which Monies so deducted shall be applied in the Manner which His Majesty, His Heirs and Successors, shall, by Warrant under His Royal Sign Manual, direct; and also an Act passed in the Fifty-fifth Year of the Reign of His said late Majesty, intituled *An Act to grant further Powers to the Commissioners of Chelsea and Greenwich Hospitals, with respect to Pensions on those Establishments*, except so much thereof as enacts, that it shall and may be lawful for the Commissioners and Governors of the Royal Hospital for Seamen at Greenwich, upon all Applications to be hereafter made to them by any Person or Persons claiming Pensions on account of their Services in His Majesty's Navy, to apportion the Pensions which shall be granted 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 the Navy or Marines, either as a Non-commissioned Officer or Private Marine, or as a Non-commissioned Officer or Private Soldier in any of His Majesty's Land Forces ; and also so much of another Act, passed in the Fifty-seventh Year of the Reign of His said late Majesty, intituled *An Act for extending the Provisions of an Act of the Fifty-fourth Year of His present Majesty, for regulating the Payment of Army Prize Money, and for authorizing the Commissioners of Chelsea Hospital to suspend the Pensions of such Persons as shall be guilty of Frauds in respect of Prize Money or Pensions*, as enacts, that it shall and may be lawful for the Commissioners of the said Royal Hospital at *Chelsea*, upon Complaint and Proof being made to them of any Fraud, either with respect to the Receipt of Prize Money or Pension, or any other Money in the Nature of Allowance or Bounty Money, or of other gross Misconduct attempted or practised by any Person being a Pensioner of the said Royal Hospital, to suspend or entirely to take away the Pension of the Person so offending, and "to" issue to the Paymaster of Out-pensions of the said Royal Hospital a Certificate under the Hands of the said Commissioners, or any Three or more of them, of any Pension being so suspended or taken away; and upon the said Certificate being issued to the said Paymaster of Pensions, that he shall suspend the Payment of the Pension therein mentioned, according to the Tenor of the said Certificate ; any thing in any other Act contained to the contrary thereof in anywise notwithstanding; and also so much of an Act passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to prevent the illegal pawning of Clothes and Stores belonging to Chelsea Hospital; to give further Powers to the Treasurer and Deputy Treasurer of Chelsea and Greenwich Hospitals to punish Persons fraudulently receiving Prize Money or Pensions; and to enable the Commissioners of Chelsea Hospital to hold Land purchased under the Will of Colonel Drouly*, as enacts, that the Commissioners of the said Royal Hospital, and their Successors, shall and may cause the Clothes, Linen, Stores, and other Articles belonging to the said Hospital, capable of being marked, to be from Time to Time marked, stamped, or branded with the Words "*Chelsea* " Hospital ;" and that if any Pensioner, or other Person or Persons, shall pawn, sell, or illegally dispose of, or that if any Pawnbroker or other Person or Persons shall take in pawn, buy, exchange, or receive any Clothes, Linen, or other Goods, marked, stamped, or branded as aforesaid, upon any Account or Pretence whatever, such Mark, Stamp, or Brand thereon to be considered and taken as sufficient, without further Proof, that the Articles so marked, stamped, or branded are the Property of the said Commissioners ; or that if any Pensioner, or other Person or Persons, shall cause such Mark or Stamp, Marks or Stamps, to be taken out, obliterated, or defaced, from any of the Articles belonging to the said Royal Hospital, the Person or Persons so offending shall forfeit for every such Offence the Sum of Ten Pounds, upon Conviction thereof by the Oath of One or more credible Witness or Witnesses, before any One or more of His Majesty's Justices of the Peace of the County wherein

the said Offence or Offences shall be committed; and that such Penalty shall be levied by Warrant under the Hand and Seal or Hands and Seals of the said Justice or Justices of the Peace, by Distress and Sale of the Goods and Chattels of the said Offender or Offenders; and that One Moiety of the said Penalty or Penalties shall be paid to the Informer or Informers, and the other Moiety shall go and be paid to the Use of the said Hospital; and that in case any Offender, who shall be convicted of having pawned, sold, or illegally disposed of, or bought, exchanged, received, or taken in pawn, any such Clothes, Linen, or other Goods as aforesaid, or of having caused such Mark or Stamp, Marks or Stamps as aforesaid, to be taken out or defaced, shall not have (or shall at the Time of Conviction declare that he or she has not) sufficient Goods and Chattels whereon Distress may be made to the Value of the said Penalty or Penalties recovered against him or her for such Offence or Offences, or that in case it shall be considered by the Justice or Justices before whom such Offender shall be convicted, that the Offender so convicted is likely to abscond before the said Penalty or Penalties can be levied by Distress, that then and in every such Case such Justice or Justices of the Peace shall and may, by Warrant under his or their Hand and Seal or Hands and Seals, commit the Offender to the Common Gaol of the County where such Offence or Offences shall be committed, there to remain without Bail or Mainprize for the Space of Three Calendar Months, or until the said Penalty or Penalties shall be paid; and that all Actions or Suits to be brought or commenced by or on behalf of the Commissioners of the said Royal Hospital for Soldiers at *Chelsea*, shall be brought, commenced, and prosecuted in the Name of the Treasurer or Deputy Treasurer of the said Royal Hospital for the Time being; and that upon the Trial or Hearing of any such Action or Suit, it shall not be necessary to produce the Commission appointing the Commissioners of the said Royal Hospital, nor the Warrant or Authority appointing the said Treasurer or Deputy Treasurer to their respective Offices, but that the general acting of the said Treasurer or Deputy Treasurer in their said respective Offices of Treasurer or Deputy Treasurer shall be deemed sufficient Proof of the due Appointment of them respectively to their said respective Offices; and that in all Indictments, Informations, and other Proceedings against any Person or Persons, for feloniously stealing or taking away, or pawning or unlawfully disposing of, or buying, exchanging, receiving, or taking in pawn, any Goods or Property belonging to the said Royal Hospital, or the Commissioners of the same, it shall be sufficient to charge the same as being the Property of the Commissioners of the Royal Hospital for Soldiers at *Chelsea*; shall be and the same is and are hereby declared to be repealed:

**The Repeal of Act 46 G. 3. c. 69. not to affect Claims to Pension existing at the Time of passing this Act.**

Provided always, that the Repeal of the said first-recited Act of Parliament of the Forty-sixth Year of His late Majesty, intituled *An Act for making better Provision for Soldiers*, shall not take away or affect any Right, Claim, or Title to the Grant of any Pension existing at the Time of passing this Act, or any Order or Regulation respecting the same, except so far as is especially provided for by this Act, but the same shall remain in full Force and Effect.

## **II Repeal of present Acts not to revive Acts by them repealed.**

And be it further enacted, That nothing in this Act contained shall extend or be construed to extend so as to revive or give any Force or Effect to any Act or Acts repealed by the said recited Acts, or any of them; but such Acts shall be and continue repealed in such and the like Manner as if this Act had not been made.

**III All Pensions for disabled Soldiers to be under the Management of the Commissioners of Chelsea Hospital ;**

And be it further enacted, That from and after the passing of this Act, the Payment of all Pensions, Allowances, and Relief, granted or to be granted to disabled, invalid, and discharged Soldiers, whether payable at *Chelsea* or elsewhere, shall be under the Management, Controul, Authority, and Direction of the Lords and others, Commissioners of the Royal Hospital for Soldiers at *Chelsea* in the County of *Middlesex*.

**IV as also the Out-pensions of Kilmainham Hospital.**

And be it further enacted, That all Out-pensions granted or to be granted to disabled, invalid, or discharged Soldiers, or other Persons, which were formerly made by the Commissioners or Governors of *Kilmainham* Hospital, and which were under the Power, Management, Controul, or Direction of the said Commissioners or Governors, shall be made by and under the Power, Management, Controul, and Direction of the said Lords and others, Commissioners of the said Royal Hospital at *Chelsea*.

**V Commissioners of Chelsea Hospital to make Regulations as to the Payment of Pensions ; which may be altered by His Majesty.**

And be it further enacted, That it shall be lawful for the Commissioners of the said Hospital at *Chelsea*, to make such Orders, Rules, and Regulations, and from Time to Time to alter the same, in relation to the Payment of any such Pensions, Allowances, or Relief to any Soldier entitled thereto, and also as to any Certificates, Vouchers, Receipts, or Orders, or other Documents for the better regulating, managing, and making such Payments, and to require such Proofs and Affidavits relating thereto as may be requisite for the ordering, continuing, or securing the due Payment of such Pensions, Allowances, and Relief, either at *Chelsea* or in any other Place where the same shall be payable to the Persons entitled thereto, as the Case may be: Provided always, that every such Order, Rule, or Regulation, may from Time to Time be revoked or altered by any Warrant, Order, or Instruction under His Majesty's Royal Sign Manual.

**VI Commissioners of *Kilmainham* Hospital to meet at least Once a Month to examine Claims for Pensions ; and transmit Particulars to the Commissioners of Chelsea Hospital ; who shall determine to what Rate of Pension the Persons whose Claims are transmitted to them are entitled.**

And. be it further enacted, That the Commissioners or Governors of *Kilmainham* Hospital, or any Three or more of them, shall, once at the least in every Month, upon some Day to be publicly notified, meet at the said Hospital for the Purpose of examining the Claims of Persons who may suppose themselves entitled to Out-pensions, on account of Service in any Branch of His Majesty's Army, or on account of any Disability acquired in such Service, and shall take down the Name and Description, Place of Abode, Length and Particulars of Service, and Cause of Discharge, and Nature of Hurt and Disability, if any, of every Person So applying ; and shall, as Soon as possible after such Examination, transmit a Certificate of the Particulars so taken, and of the Rate of Pension which the said Commissioners or Governors may think proper to recommend for each Pensioner, to the said Commissioners of the said Hospital at *Chelsea*, which said Certificate shall be in such Form as the said Commissioners for the said Hospital at *Chelsea* shall from Time

to Time direct; and the said Commissioners of the said Hospital at *Chelsea* shall, upon Receipt of such Certificate,; or as soon after as conveniently may be," determine what Amount of Pension each Person named therein is entitled to by virtue; of his Services in any Branch of His Majesty's Army, or in respect of any Disability, and in conformity with any existing Order in Council, or Rules or Regulations made by His Majesty for fixing the Pensions and Allowances to which Non-commissioned Officers and Soldiers are to become entitled on their Discharge, by reason of the Expiration of certain Periods of Service, or as invalid, disabled, or wounded; and the said Commissioners of the said Hospital at *Chelsea* shall direct the Agent for the Out-pension of the said Hospital to pay the said Pensions accordingly; which said Pensions are to be paid and remitted to the Persons entitled thereto, in like Manner as the *Chelsea* Hospital Out-pensioners of the said Hospital at *Chelsea* are now paid.

**VII Commissioners of Kilmainham Hospital may receive Out-pensioners into that Hospital.**

And be it further enacted, That from and after the passing of this Act, the Commissioners or Governors of *Kilmainham* Hospital shall have Power to receive as In-pensioners of the said Hospital all Out-pensioners of the said Hospital all Out-pensioners of *Kilmainham* hospital residing in *Ireland*; and that all the Pensioners received into *Kilmainham* Hospital shall be subject to the like Cesser of Pension, and Claim to Pension, upon their Admission into the said; Hospital and to the like Removal and Expulsion therefrom in case Of Misconducts as the Pensioners of the said Hospital at *Chelsea* by this Act made subject and liable to.

**VIII Notice to be given to Chelsea Hospital, that such In-pensioners may be struck off the Out-pension List.**

And be it further enacted, That when and as any , That when and as often as any Out-pensioner shall be admitted as an In-pensioner of the said Hospital at *Kilmainham*, Notice thereof, with all the Particulars relating to the; same, shall, within Fourteen Days of such Admission, be transmitted by the said Commissioners or Governors of *Kilmainham* Hospital to the said Commissioners of the said Hospital at *Chelsea*, in order that the Pensioner or Pensioners so admitted may be struck off the Out-pension List of the said Hospital at *Chelsea*.

**IX Commissioners of Chelsea Hospital may call for Books, Papers, &c. from the Commissioners of Kilmainham Hospital.**

And be it further enacted, That it shall and may be lawful for the said Commissioners of the said Hospital at *Chelsea* to call for, and the Commissioners of *Kilmainham* Hospital are hereby directed, within Ten Days after Notice to that Effect shall be to them given, to furnish and transmit or deliver to the said Commissioners of the said Hospital at *Chelsea*, or to such Person or Persons as they shall authorize to receive the same, all such Books, Papers, Lists, Documents, or other Writing, in the Possession or under the Controul of the said Commissioners or Governors of *Kilmainham* Hospital, as shall relate to any Persons at any Time heretofore admitted or appointed Out-pensioners of the said Hospital at *Kilmainham*, together with the Registry of Service of the said Pensioners, and the Discharges of all such Soldiers as have been admitted Pensioners of the said Hospital at *Kilmainham*, and all Papers whatsoever relating to Persons who shall have been registered, with a View to Pensions being granted to them prospectively, and all such other Papers relating to Out-pensions in the Custody of the

said Commissioners or Governors of *Kilmainham* Hospital, as to the Commissioners of the said Hospital at *Chelsea* shall from Time to Time seem necessary.

**X Soldiers entitled to Pension to have the Benefit of the Regulations and Orders in force at the Time of their Enlistment, except in certain Cases.**

And be it further enacted, That every Soldier who shall from and after the passing of this Act become entitled to his Discharge by reason of the Expiration of any Period of Service fixed in any Orders and Regulations made by His Majesty in that Behalf, or shall have been discharged by reason of being an Invalid, or disabled, or having been wounded, shall thereupon be entitled (except in the Cases hereinafter mentioned of Admission into either of the said Hospitals at *Chelsea* or *Kilmainham*, or Expulsion therefrom) to receive such Pension, Allowance, or Relief, as shall have been fixed in any Orders or Regulations made by His Majesty, in relation to such Cases respectively, and in force at the Time of his Enlistment, and for the Payment whereof Money shall have been voted by Parliament; and every such Soldier shall receive the same under the Provisions of this Act, or any Rules or Regulations made in pursuance thereof, by the said Commissioners of the said Hospital at *Chelsea*, as aforesaid.

**XI Regulations to be annually laid before Parliament.**

Provided always, and be it further enacted, That all Orders and Regulations from Time to Time made by His Majesty, in relation to the Discharge of Soldiers after the Expiration of any Periods of Service, and also in relation to any Pension, Allowance, or Reliefs to any discharged or invalid, disabled, or wounded Soldiers, shall annually be laid before Parliament; and that Estimates of the Amount of all such Pensions, Allowances, and Relief, and of all contingent Expences and Charges relating to the Payment, Controul, and Management thereof, shall also be annually laid before Parliament.

**XII The Alteration of Regulations not to affect Claims previously existing.**

Provided always, and be it further enacted, That every Soldier enlisted under any Orders or Regulations in force at the passing of this Act, shall henceforth remain entitled to all the Benefit of all the Provisions contained in all such Orders and Regulations made by His Majesty, as shall have been or were in force at the Time of his so enlisting, notwithstanding such Orders or Regulations may be hereafter altered, varied, or annulled, and new Orders or Regulations made in lieu thereof, and notwithstanding this Act or any thing herein contained to the contrary thereof.

**XIII Commissioners of Chelsea Hospital empowered, in case of Frauds or Misconduct, to take away or refuse Pensions.**

And be it further enacted, That it shall and may be lawful for the said Commissioners of the said Hospital at *Chelsea*, and they are hereby authorized and empowered, upon Complaint and Proof to their Satisfaction being made to them of any Fraud, with respect to the claiming, obtaining, or receiving of any Pension or other Money from the said Hospital at *Chelsea*, or through the Commissioners or Governors of *Kilmainham* Hospital, or of other gross Misconduct attempted or practised by any Person being a Pensioner, entitled or claiming to be a Pensioner of the said Royal Hospital, to suspend or take away the Pension, or altogether reject, object to, or refuse the Title or Claim to Pension of the Person so offending, and to issue to the Paymaster of Out-pensions of

the said Hospital at *Chelsea* a Notice in Writing, under the Hand of the Secretary, of any Pension being so suspended or taken away, and upon the said Notice being issued to the said Paymaster of Pensions, he shall suspend the Payment of the Pension therein mentioned, according to the Tenor of the said Notice; any thing in any other Act or herein contained to the contrary thereof in anywise notwithstanding.

**XIV Commissioners empowered to expel In-pensioners guilty of Offences, or misconducting themselves.**

And be it further enacted, That it shall be lawful for the said Commissioners of the said Hospital at *Chelsea*, and they are hereby authorized and empowered, as often as Occasion shall arise, to remove and expel from the said Hospital at *Chelsea* any In-pensioner of the said Hospital convicted of any Felony or Misdemeanor, or who shall in any way misconduct himself, so as to render him undeserving, in the Judgment of the said Commissioners, to be continued any longer a Pensioner of the said Hospital at *Chelsea*.

**XV Lords of the Treasury may direct Pensions to be paid by certain public Officers.**

And be it further enacted, That it shall be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* to order and direct that any Pensions, Allowances, and Relief payable to Soldiers or Persons as aforesaid, for the Payment whereof Money shall have been voted or shall hereafter be voted by Parliament, shall be paid or continued to be paid by any Receiver General of the Land Tax, or Collector of the Cess in *Scotland*, or any Collector of Duties of Customs or Excise, or any Collector of the Duties under the Management of the Commissioners for the Affairs of Taxes, or any other public Officers, out of any public Money in their Hands respectively ; and that the Vouchers and Receipts for the Payment of such Money shall be taken as Cash in the Accounts, and in part of the Duties collected by such Receivers General or Collectors, or other public Officer respectively; and all such Sums of Money so advanced under any such Rule or Regulation for any such Payment, shall be by the Agent for the Out-pensions for the Time being repaid to the Account of the Duties out of which the same shall have been paid, or in such other Manner as the said Commissioners of His Majesty's Treasury shall direct.

**XVI Justices of the Peace, and others, may inquire into the Truth of Claims, &c. upon Oath.**

And be it further enacted, That it shall be lawful for any Justice of the Peace or Magistrate, or any Receiver General of the Land Tax, Collector of the Cess in *Scotland*, Collector of the Customs, or Collector of the Excise, or any other public Officer, to inquire into the Truth of any Certificate, Voucher, or Document required by any Rules or Regulations, and produced to him by any Person claiming any Pension, Allowance, or Relief under any such Certificate or Voucher, by the Oath or Affirmation of the said Person, which Oath or Affirmation any such Justice of the Peace or Magistrate, or Receiver General, or Collector, or other public Officer as aforesaid, is-hereby authorized and required to administer, and upon being satisfied of the Truth of such Certificate or Voucher, to testify the same on the Back of such Certificate or Voucher ; and every Person who shall in any such Oath or Affirmation knowingly swear or affirm any Matter or Thing which shall be false or untrue, every such Person so offending, and being thereof lawfully convicted, shall and he is hereby declared to be subject and

liable to the like Pains and Penalties as any Person convicted of Perjury is by any Law now in force subject and liable to.

**XVII Soldiers, not Natives of Great Britain, in certain Cases may have their Out-pensions commuted for a Sum certain by Order of His Majesty.**

And be it further enacted, That it shall be lawful for the said Commissioners of the said Hospital at *Chelsea* to give to any Soldier not being 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 Lords Commissioners of His Majesty's Treasury in that Behalf; any thing contained in this or any other Act or Acts to the contrary notwithstanding.

**XVIII Commutation Money to be paid out of Money applicable to the Payment of Pensions.**

And be it further enacted, That the Money to be paid as aforesaid to any such Person, as an Equivalent for the Pension or Allowance to which he is entitled, shall be paid out of any Money voted for or applicable to the Payment of Pensions or Allowances to discharged Soldiers, under the Management of the said Commissioners of the said Hospital at *Chelsea*, and the Receipt of the Person receiving such Equivalent shall be a full Discharge to the said Commissioners for the said Sum or Sums of Money so paid by them as aforesaid, and shall also be a Discharge by the Person giving such Receipt of all Claims to any future Payment of the said Pension or Allowance.

**XIX In addition to the Commutation in lieu of Pensions, Expences of discharged Soldiers to be allowed.**

And be it further enacted, That it shall be lawful for the Agent for the Time being of the Out-pensioners of the said Hospital at *Chelsea*, and he is hereby empowered and required, to pay and discharge, by accepting and paying Bills of Exchange, or otherwise, as may be ordered and directed by the said Commissioners in that Behalf, out of the Funds provided by Parliament for the Use of the said Hospital at *Chelsea*, in addition to the Commutation in lieu of Pension allowed by the said Act, all such contingent Expences as have already been incurred or as may be hereafter incurred on account of such discharged Soldiers as have been or may be permitted to commute their Pensions as aforesaid, whether for Passage Money, Ships, Provisions, Subsistence while detained by competent Authority Abroad, Losses by Exchange upon Bills drawn on the said Agent for the commuted Pension, or on any other Account, provided such Expences shall have been only incurred by or under any Regulations or Orders, made and prescribed in that Behalf by His Majesty's Secretary at War; and the Payments so made by the said Agent, and vouched by Bills or Receipts for the same, shall be accordingly allowed and admitted in his Accounts by the Commissioners for auditing the Public Accounts.



**XX Commissioners of Chelsea Hospital to make Arrangements for paying Pensions abroad.**

And be it further enacted, That the said Commissioners of the said Hospital at *Chelsea* shall be and they are hereby empowered and required to make Arrangements for the Purpose of enabling Out-, pensioners, who may be permitted to reside out of the United Kingdom, but within His Majesty's Dominions, to receive the Amount of their Pensions Abroad, either by means of Bills of Exchange, to be drawn by such Out-pensioners upon the Agent of the Hospital at *Chelsea*, or otherwise, as the said Commissioners may deem most expedient.

**XXI Commissioners of Chelsea Hospital empowered to give Pensions according to Length of Service in Army and Navy.**

And be it further enacted, 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.

**XXII Pensions paid to Persons residing in Ireland to be in English Currency.**

And be it further enacted, That the Payment of any Pensioners residing in *Ireland*, which at the Time of the passing of this Act shall have been made in English Currency, shall be deemed to be good and lawful Payments, notwithstanding the Provisions of any Act or Acts of Parliament respecting the same ; and that it shall and may be lawful for the Commissioners of *Chelsea* Hospital, and they are hereby required, to make all future Payments of Pensions to Persons residing in *Ireland* in English Currency.

**XXIII Notice by Pensioners of Change of Residence.**

And be it further enacted, That every Pensioner resident in *Great Britain or Ireland*, who shall be entitled to receive Payment of his Pension by Remittance or Order, shall, as often as he shall change his Place of Abode, give Notice thereof to the said Commissioners of the said Hospital at *Chelsea*; and in case, for Want of any such Notice, any Loss shall happen by reason of any Remittance or Order being sent for any Pension to the Place from which such Pensioner shall have removed without giving such Notice, and to which Place his Pension shall have been remitted pursuant to the Notice inserted in the preceding Affidavit, such Loss shall fall upon and be borne and sustained by such Pensioner so making Default in this; Behalf.

**XXIV In-pensioners to be considered as having given up all Claim to Out-pension upon their Admission to Chelsea Hospital. Commissioners may restore an In-pensioner resigning the Hospital with Leave, to the Whole or Part of his Out-pension.**

And be it further enacted, That every Non-commissioned Officer or Soldier who shall have been already admitted or shall hereafter be admitted as an In-pensioner of either of the said Hospitals at *Chelsea* or *Kilmainham*, shall be considered and taken, at

the Time of his Admission thereto, to have for ever given up all Right, Title, Claim, and Interest to any Pension or annual Allowance for his Services in the Army, or for Wounds or Disabilities, and to which he might otherwise be or have been entitled ; and his Claim, Title, and Interest to any Pension or Allowance as aforesaid shall, from and immediately upon his Admission into either of the said Hospitals, be deemed and taken to have ceased, determined, and become utterly null and void to all Intents and Purposes, notwithstanding he may afterwards, from any Cause whatever, cease to be an In-pensioner of either of the said Hospitals : Provided always, that in the Event of any In-pensioner of either of the said Hospitals being allowed by the Commissioners of the said Hospital at *Chelsea* to resign and quit either of the said Hospitals as an In-pensioner, for reasonable Cause shown to them, it shall and may be lawful for the said Commissioners of the said Hospital at *Chelsea* to restore the Non-commissioned Officer or Soldier so ceasing to be an In-pensioner of either of the said Hospitals, either to the same Out-pension to which such Non-commissioned Officer or Soldier was entitled at the Time of his entering into either of the said Hospitals, or to any less Rate of Pension, according to the Discretion of the said Commissioners.

**XXV Persons sending or producing false Certificates, knowing them to be false, guilty, of a Misdemeanor.**

And be it further enacted, That if any Person shall, by the sending or Production of any false Certificate, or any altered Certificate or Discharge, Instructions, or other Document, knowing the same to have been fraudulently altered, or by making any false Representation, obtain or endeavour to obtain, for himself or any other Person, from the Commissioners of the said Hospital at *Chelsea*, any Pension or Increase of Pension, or other Allowance of Money, or any Inrolment or other Privilege or Advantage, such Person or Persons shall upon Conviction of such Offence be deemed guilty of a Misdemeanor, and punished accordingly, and shall for ever forfeit all Claim and Title whatsoever to Pension or Inrolment on account of Service, Wounds, or Disability.

**XXVI Assignment of Pensions void.**

And be it further enacted, That all Assignments, Bargains, Sales, Orders, Contracts, Agreements, or Securities whatsoever, which shall be given or made by any Person entitled to any Pension, Allowance, or Relief from the said Hospital at *Chelsea* as aforesaid, for the Transfer of such Pension, Allowance, or Relief, or to give or assign any Interest therein, or for, upon, or in respect of any such his Pension, Allowance, or Relief; shall be absolutely null and void to all Intents and Purposes, except as is provided by any Act or Acts of Parliament relating to the Relief of the Poor in *England* or *Scotland*.

**XXVII Secretary and Senior Clerks may administer certain Oaths to Out-pensioners.**

And be it farther enacted, That from and after the passing of this Act it shall and may be lawful to and for the Secretary of the said Hospital at *Chelsea*, and the Chief and first Four Senior Clerks respectively on the Establishment of the Office of the Secretary of the said Hospital for the Time being, and they are hereby authorized and required, as often as Occasion shall be, to administer to all and every Person entitled, or claiming to be entitled, to any Out-pension or Allowance of Money, either from the said Hospital at *Chelsea* or *Kilmainham*, or to any Allowance on account of Service in His Majesty's Army, all and every Oath and Oaths required or directed to be taken by any Law or Laws which now is or are or shall be in force at the Time such Oath is

required or directed as aforesaid, and also to administer any other Oath or Oaths to any Person or Persons, or to any other Person or Persons, touching any such Matters as shall be necessary for the Purpose of preventing Frauds in the receiving of Pensions, or proving the Identity of such Person or Persons, or for the Purpose of ascertaining or proving his or their Service, or Particulars of Service, in His Majesty's Army, or of any other Service for which any Out-pension or Allowance shall be claimed or granted, or of ascertaining or proving the Fact of any Disability or other Circumstance in respect of which such Pension shall be claimed or granted.

#### **XXVIII Punishing, Persons taking false Oaths.**

And be it further enacted, That every Person or Persons who shall take any false Oath as to the Particulars aforesaid, or in the Cases aforesaid, or any or either of them, before the said Secretary of the said Hospital at *Chelsea*, or before the said Chief Clerk, or either of the said Four first Senior Clerks as aforesaid, shall be deemed guilty of Perjury, and shall suffer such Punishment as by Law may be adjudged to Persons guilty of Perjury.

#### **XXIX Pensions to be paid a Quarter in advance.**

And be it further enacted, That every Out-pensioner to be admitted on the Pension List shall, on such his First Admission, receive in advance such Proportion of the Pension as shall be equal to the remaining Number of Days of the current Quarter which shall then remain unexpired, and from and after the End of the said Quarter continue to receive his Pension by Quarterly Payments in advance, upon complying with all the Rules, Orders, and Regulations of the said Hospital.

#### **XXX Treasurer of Chelsea Hospital to pay to the Agent of Out-pensions the necessary Monies for the same in advance.**

And be it further enacted, That it shall and may be lawful for the Agent for the Payment of Out-pensions, and he is hereby authorized and directed to receive in advance from the Treasurer of the said Hospital at *Chelsea* for the Time being such Monies as shall be necessary to discharge the same, and to pay or remit the said Pension to the Out-pensioners in the Manner prescribed by this Act, but subject to such Regulations with respect to the Mode of Payment thereof as shall be from Time to Time made by the Commissioners of the said Hospital at *Chelsea*; and the said Agent is hereby empowered and directed to give a Receipt or Acquittance for the said Monies to the said Treasurer, which Receipt or Acquittance shall be a full and final Discharge to the said Treasurer for such Sum or Sums so paid by him to the said Agent; and the Auditor or Auditors to whom, the Accounts of the said Treasurer are submitted, is and are hereby authorized and required to pass and allow all such Acquittances in the Accounts of the said Treasurer of the said Hospital at *Chelsea*; and the Lord High Treasurer or Commissioners of the Treasury for the Time being, or any Three or more of them, are hereby authorized and required to issue in advance to the Treasurer of the said Hospital at *Chelsea* such Sum or Sums of Money as from Time to Time shall be necessary for the Payment of the said Out-pension, upon such Warrant, Establishment, or Orders as shall be signed by the Secretary to the said Commissioners of the said Hospital at *Chelsea*.

**XXXI Statements of the Number of Out-pensioners to be made up.**

And be it further enacted, That the said Commissioners of the said Hospital at *Chelsea* are hereby authorized and directed to make up, or cause to be made up, at the usual Times at which the same have been heretofore made up, or at such other Times as the said Commissioners, by and with the Concurrence of the Lord High Treasurer or Commissioners of the Treasury for the Time being shall from Time to Time order or direct, an exact Statement or List of the Number of Out-pensioners borne on the Out-pension List, or who have either personally appeared, or have been certified by proper Affidavits to be living during the Whole or Part of the Quarter then immediately preceding.

**XXXII Commissioners of Chelsea Hospital to direct Warrants to be made for the Payment of Out-pensions.**

And be it further enacted, That the said Commissioners of the said Hospital at *Chelsea* shall, on such Statements or Lists so exhibited to them, make out, or cause to be made out, a Warrant to the Treasurer of the said Hospital at *Chelsea* for the Time being, and shall sign the same, authorizing and directing the said Treasurer to issue and pay in advance, into the Hands of the Agent for the Payment of the Out-pensions, such Sum or Sums as may and shall be requisite and necessary for the Payment of the Out-pensions as aforesaid.

**XXXIII Pensions to be paid without any other Deduction than that authorized by the Act 28 G.2 c.1. Punishing Agents or Clerks making other Deductions.**

And be it further enacted, That the Pensions, Allowance, and Relief granted to the said Out-pensioners, shall be paid to the Persons entitled thereto without any other Deduction for Stoppage or Charge than is directed by the said Act of Parliament of the Twenty-eighth Year of the Reign of King *George* the Second, and which said Stoppage or Deduction shall apply to all Pensions, whether the same shall be paid in *England* or *Ireland*; and if the Agent appointed or to be appointed for the Payment of the said Pensions, Allowances, and Reliefs, or any other Agent or Clerk employed in paying the same, shall exact or take any Fee or Reward whatsoever, for or on account of paying the said Pension, or on any other Account whatsoever relative to the Out-pension, such Person or Persons so offending shall lose or forfeit his or their said Office or Employment, and shall also forfeit the Sum of One hundred Pounds to any Person or Persons who shall sue for the same by Action of Debt, Bill, Complaint, or Information, in any of His Majesty's Courts of Record, within Twelve Calendar Months after the Offence committed, in which said Suit no Essoign, Protection, or Wager of Law shall be allowed, nor more than One Imparance, and be deemed incapable of serving His Majesty, His Heirs and Successors, in any Office or Employment, Civil or Military, whatsoever.

**XXXIV Clothes, Linen, and Stores of the Hospital to be marked. Persons having or illegally disposing of, and Pawnbrokers taking in pawn Clothes, &c. or taking out or defacing Marks ; or secreting or not accounting for Articles delivered to them, to forfeit 20l. Offender convicted, and not paying the Penalty, how to be dealt with.**

And be it further enacted, That the said Commissioners of the said Hospital at *Chelsea* shall and may, and they are hereby authorized to cause the Clothes, Linen, Stores, and other Articles belonging to the said Hospital, capable of being marked, to be from Time

to Time marked, stamped, or branded with the Words " *Chelsea* Hospital," and from Time to Time, in case the said Commissioners should sell or dispose of any of the said Clothes, Linen, Stores, or other Articles, or should allow the In-pensioners, or any of them, to sell or dispose of any of the said Clothes, Linen, Stores, or other Articles, then the said Commissioners shall and may, and they are hereby authorized to obliterate or deface the said Marks, Stamps, and Brands respectively, by marking, stamping, or branding upon the said Clothes, Linen, Stores, or other Articles so sold or disposed of by the said Commissioners, or so allowed by them to be sold or disposed of by the said In-pensioners, or any of them, the said Words " *Chelsea* Hospital" reversed over and upon the said Words before marked, stamped, or branded on the said Clothes, Linen, Stores, or other Articles respectively; and if any Pensioner or other Person or Persons shall unlawfully pawn, sell, embezzle, secrete, or dispose of, or if any Pawnbroker or other Person or Persons shall unlawfully take in pawn, buy, exchange, or receive any Clothes, Linen, Stores, or other Goods or Articles marked, stamped, or branded as aforesaid, and not previously crossed out, obliterated, or defaced as aforesaid, upon any Account or Pretence whatsoever, such Mark, Stamp, or Brand, not obliterated or defaced as aforesaid, to be considered and taken as sufficient Evidence, without further Proof, that the Clothes, Linen, Stores, Goods, and Articles so marked, stamped, or branded, and not obliterated or defaced as aforesaid, are the Property of the said Commissioners, or if any Pensioner or other Person or Persons shall cause such Mark or Stamp, Marks or Stamps, to be taken out, obliterated, or defaced from any of the Clothes, Linen, Stores, Goods, or Articles belonging to the said Hospital at *Chelsea*, or if any Pensioner or other Person or Persons shall knowingly and unlawfully pawn, sell, or dispose of, or if any Pawnbroker or other Person or Persons shall knowingly and unlawfully take in pawn, buy, exchange, or receive any Clothes, Linen, or other Goods or Articles belonging to the said Hospital, or shall secrete, embezzle, or not duly account for any Clothes, Linen, or other Goods or Articles, whether marked or unmarked, belonging to the said Hospital, or the Commissioners thereof, or use therein, such Articles having been intrusted or delivered to him or them for any Purpose whatsoever, the Person or Persons so offending shall forfeit for every such Offence any Sum not exceeding Twenty Pounds, upon Conviction thereof upon the Oath of One or more credible Witness or Witnesses, before any One or more of His Majesty's Justices of the Peace of the County wherein the said Offence or Offences shall be committed, which Penalty shall be levied by Warrant under the Hand and Seal or Hands and Seals of the said Justice or Justices of the Peace, by Distress and Sale of the Goods and Chattels of the said Offender or Offenders, One Moiety of which said Penalty or Penalties shall be paid to the Informer or Informers, and the other Moiety shall go and be paid to the Use of the said Hospital; and in case any Offender who shall be convicted as aforesaid, of having: pawned, sold, or unlawfully disposed of, or bought, exchanged, received, or taken in pawn any such Clothes, Linen, or other Goods or Articles as aforesaid, or of having caused such Mark or Stamp, Marks or Stamps as aforesaid, to be taken out, obliterated, or defaced, shall not have (or shall at the Time of Conviction declare that he or she has not) sufficient Goods or Chattels whereon Distress may be made to the Value of the said Penalty or Penalties recovered against him or her, for such Offence or Offences, or in case it shall be considered by the Justice or Justices before whom such Offender shall be convicted, that the Offender so convicted is likely to abscond before the said Penalty or Penalties can be levied by Distress, then and in every such Case such Justice or Justices of the Peace shall and may, by Warrant under his or their Hand and Seal or Hands and Seals, commit the Offender to the Common Gaol of the County where such Offence or Offences shall be committed, there to remain without Bail or Mainprize for the Space of Three Calendar Months, or until the said Penalty or Penalties shall be paid.

**XXXV Actions, &c. on behalf of Chelsea Hospital to be brought in the Name of the Treasurer. Property how to be laid.**

And be it further enacted, That all Actions or Suits to be brought, commenced, or prosecuted by or on behalf of the Commissioners of the said Hospital at *Chelsea*, may be brought, commenced, and prosecuted in the Name of the Treasurer or Deputy Treasurer, or Secretary, of the said Hospital for the Time being; and upon the Trial or Hearing of any such Action or Suit, it shall not be necessary to produce any Commission, Charter, or Authority appointing, confirming, or constituting the Commissioners of the said Hospital at *Chelsea*, nor any Warrant, Instrument, or Authority appointing the Treasurer or Deputy Treasurer, or Secretary, to their respective Offices, nor any Power, Grant, Letters Patent, or Authority under or by virtue of which the Commissioners for the said Hospital at *Chelsea*, or Treasurer' or Deputy Treasurer, or Secretary, shall respectively act in the Execution of their said Offices, but the general acting of the said Commissioners, Treasurer or Deputy Treasurer, or Secretary, in their said respective Offices of Commissioners, Treasurer or Deputy Treasurer, or Secretary, shall be deemed sufficient Proof of the due Appointment of them respectively to their said respective Offices; and in all Indictments, Informations, Prosecutions, and other Proceedings against any Person or Persons for feloniously stealing or taking away, or unlawfully pawning, selling, or disposing of, or buying, exchanging, or receiving, or embezzling, secreting, or not accounting for any of the Clothes, Linen, or other Goods or Articles belonging to the said Hospital at *Chelsea*, or the Commissioners thereof, it shall be sufficient to charge the same as being the Property of the Lords and others, Commissioners of the Royal Hospital for Soldiers at *Chelsea* in the County of *Middlesex*; and in all Indictments, Informations, Prosecutions, or other Proceedings against any Person or Persons for personating or falsely assuming the Name or Character of, or causing or procuring any other to personate or falsely assume the Name or Character of any Person entitled or supposed to be entitled to Wages, Pay, Prize Money, or Pension or other Allowance of Money for Service done or supposed to be done in His Majesty's Army, or in any other Service entitling or supposed to entitle any Person to Pay, Prize Money, Pension, or Allowance, or the Executor, Administrator, Wife, Relation, or Creditor of any such Person, in order to receive, obtain, or claim Wages, Pay, or other Allowance of Money, Pension, or Prize Money, due or supposed to be due; or for forging, counterfeiting, or altering, or causing or procuring to be forged, counterfeited, or altered, or aiding or assisting in forging, counterfeiting, or altering, or uttering of publishing as true, or causing or procuring to be uttered or published as true, or aiding or assisting in uttering or publishing as true, knowing the same to be false and counterfeited, any Letter of Attorney, Bill, Ticket, Order, Certificate, Assignment, last Will or Power of Attorney, or other Power or Authority whatsoever, in order to receive, obtain, or claim Wages, Pay, Allowances of Money, Pension Money, of Prize Money, due or supposed to be due to any such Officer or Soldier, or other Person ; or for knowingly or willingly taking a false Oath, or causing or procuring any other to take a false Oath, to obtain Probate of any Will, or to obtain Letters of Administration in order to receive, obtain, or claim Wages, Pay, Prize Money, or Pension Money due or supposed to be due to any such Officer or Soldier, or other Person, or for any Fraud, Misbehaviour, or other Offence to which such Form is applicable, it shall be sufficient to charge the same as being done with Intent to defraud the Lords and others, Commissioners of the Royal Hospital for Soldiers at *Chelsea* in the County of *Middlesex*.

### **XXXVII Letters and Packets on the Business of the Hospital to be free of Postage.**

And be it further enacted, That all Letters or Packets addressed to the Secretary of the said Hospital at *Chelsea* for the Time being, or sent to or delivered at his Office, upon any Business or Affairs of the said Hospital at *Chelsea*, shall, from and after the passing of this Act, be free from the Duty of Postage; and also that all Letters or Packets sent by the said Secretary of the said Hospital at *Chelsea*, upon such Business or Affairs as aforesaid, shall be sent free from the said Duty of Postage; and all Letters and Packets relating to the Matters aforesaid, that shall be forwarded by the said Secretary, shall be under Cover, with the Words " Pursuant to Act of Parliament, *George* the Fourth," printed upon the same ; and the said Secretary of the said Hospital at *Chelsea* shall write his Name under the same, and he is hereby strictly prohibited from inclosing or sending under such Covers any Writing, Paper, or Parcel, excepting such as relate to the Business of Affairs of the said Hospital at *Chelsea*.

### **XXXVIII Penalty on Secretary or other Persons sending under free Covers any Writing, &c. not relating to the Hospital.**

And be it further enacted, That if such Secretary of the said Hospital at *Chelsea*, or any other Person, shall send or convey, under any of the Covers aforesaid, any Writing, Paper, or Parcel, other than those relating to the Business or Affairs of the said Hospital at *Chelsea*, the Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds, to be recovered, with full Costs of Suit, by any Person, by Action of Debt, Bill, Plaint, of Ill-formation, in any of His Majesty's Courts of Record at Westminster, wherein no Essoign, Privilege, Protection, Wager of Law, or more than One Impar lance, shall be allowed ; One Moiety of which Penalty shall go to the Person who shall sue for the same, and the other Moiety thereof to and for the Use of His said Majesty.

### **XXXIX The Personation of Pensioners, or forging Documents, Felony.**

And be it further enacted, That if any Person shall willingly and knowingly personate or falsely assume the Name or Character, or procure any other to personate or falsely assume the Name or Character of any Officer, Non-commissioned Officer, Soldier, or other Person, entitled or supposed to be entitled to any Pension, Wages, Pay, Grant or other Allowance of Money, Prize Money, of Relief) due or payable, or supposed to be due or payable, for or on account of any Service done or supposed to be done by any such' Officer, Non-commissioned Officer, Soldier, or other Person as aforesaid, in His Majesty's Army, or other Military Service, or shall personate or falsely assume the Name or Character of the Executor or Administrator, Wife, Relation, or Creditor of any such Officer, Non-commissioned Officer, or Soldier, or other Person as aforesaid, in order fraudulently to receive any Pension, Wages, Pay, Grant or other Allowance of Money, Prize Money, or Relief, due or payable, or supposed to be due or payable, for or on account of any Services done or supposed to be done by any such Officer, Non-commissioned Officer, Soldier, or other Person as aforesaid; or if any Person shall forge or counterfeit, or alter, or cause or procure to be forged or counterfeited, or altered, or knowingly and willingly act, aid, or assist in forging, counterfeiting, or altering, the Name or Handwriting of any Officer, Non-commissioned Officer, Soldier, or other Person entitled, or supposed to be entitled, to any Pension, Wages, Pay, Grant, Allowance of Money, Prize Money, or Relief, due or payable, or supposed to be due or payable, for or on account of any such Service or supposed Service as aforesaid, or the Name or Handwriting of any Officer, Under Officer, Clerk, or Servant of the said Commissioners of the said Hospital at *Chelsea*, or of any Officer

or Person in any way concerned in the paying, or ordering, directing, or causing the Payment of the said Pensions, Wages, Pay, Money, Allowance of Money, Prize Money, or Relief, or any of them; or shall forge, counterfeit, or alter, or cause or procure to be forged, counterfeited, or altered, or knowingly and willingly act, aid, or assist in forging, counterfeiting, or altering, any Letter of Attorney, Bill, Ticket, Order, Certificate, Voucher, Receipt, Will, or any other. Power, Instrument, Warrant, Document, or Authority whatsoever, relating to or anywise concerning the Payment or obtaining or claiming any Pension, Wages, Pay, Grant, Allowance of Money, Prize Money, or Relief, for and in order to "the receiving, obtaining, or claiming any such Pension, Wages, Pay, Grant, Allowance of Money, Prize Money, or Relief; or shall utter or publish as true, or knowingly and willingly act, aid, or assist in uttering or publishing as true, knowing the same to be forged, counterfeited, or altered, any such Letter of Attorney, Bill, Ticket, Order, Certificate, Voucher, Receipt, Will, or any other Power, Instrument, Warrant, Document, or Authority whatsoever, with Intent to obtain the Payment of any such Pension, Wages, Pay, Money, or Allowance of Money, Prize Money, or Relief, from the said Commissioners of the said Hospital at *Chelsea*, or from any Officer, Under Officer, Clerks or Servant of the said Commissioners, or from the Person authorized, or supposed to be authorized, to pay the same, or with Intent to defraud any Person whatsoever, or any Corporation whatsoever; every such Person so offending, being thereof lawfully convicted, shall be and if hereby declared and adjudged to be guilty of Felony, and shall and may be transported for Life, or for such Term of Years as the Court shall adjudge.

**XXXIX Orders, Certificates, &c. relating to Pensions, free from Stamp Duty.**

And be it further enacted, That all Orders, Certificates, Vouchers, Receipts, and Affidavits, for or relating to any Army Pensions, Allowances, or Relief, or Monies issued on account thereof, shall be free from all Duties of Stamps, and be good, valid, and effectual, although the same shall not have been stamped; any thing in any Act contained to the contrary notwithstanding.

**XL Sums not exceeding 20l. may be paid without Letters of Administration.**

And be it further enacted, 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.

**XLI Acts to be done by Commissioners may be done by any Three of them.**

And be it enacted, That where by this or any other Act or Acts of Parliament any Matters or Things are directed to be done by the Commissioners of the said Hospital at *Chelsea*, or by any specific Number of the said Commissioners, it shall be lawful for all such Matters and Things to be done either by the Commissioners of the said Hospital at *Chelsea*, or by any Three of the said Commissioners.



**XLII His Majesty empowered to grant the Premises to the Commissioners of the Hospital.**

And be it further enacted, That it shall and may be lawful to and for His Majesty, His Heirs or Successors, at any Time or Times hereafter, by Letters Patent, or Indenture or Indentures under the Great Seal of *Great Britain*, to grant and confirm the Fee Simple and Inheritance of and in all and singular the Capital Messuages or Tenements, Buildings, Lands, Gardens, Yards, Areas, Pieces of Water, Hereditaments, and Premises whatsoever, now used or occupied as and for the said Hospital at *Chelsea*, for the Purposes of the Institution, or belonging or appertaining or adjoining or near thereto, being the Property of His Majesty, and which said Premises are more particularly described in the Schedule to this Act annexed, unto and to the Use of such Persons as His Majesty shall by His said Letters Patent or by such Indenture or Indentures appoint, or to such Corporation, or to such Commissioners of the said Hospital, as His Majesty may think fit, their Heirs, Successors, or Assigns, in Trust and for the Benefit of the said Hospital for ever, and for the Purposes of the said Institution.

**XLIII The Grant of the Lands to be valid.**

And be it further enacted, That such Grant and Confirmation of the said Premises, or any Part thereof, as shall be made by His said Majesty, His Heirs or Successors, by any such Letters Patent, Indenture or Indentures, as aforesaid, in pursuance of this Act, shall be and is and are hereby declared and enacted to be good, valid, and effectual in the Law, according to the Tenure and Purport thereof, ill the said Letters Patent, Indenture or Indentures, to be expressed, notwithstanding any Restriction, Matter, or Thing contained in an Act of Parliament made in the First Year of the Reign of Her late Majesty Queen Anne, intituled *An Act for the better Support of Her Majesty's Household, and of the Honour and Dignity of the Crown* ; or in an Act made in the First Year of His late Majesty King *George* the Third, intituled *An Act for the Support of His Majesty's Household, and of the Honour and Dignity of the Crown of Great Britain* ; or in an Act made in the Thirty-fourth Year of the Reign of His said late Majesty, intituled *An Act for the better Management of the Land Revenue of the Crown, and for the Sale of the Fee Farm and other unimproveable Rents* ; or any other Law or Statute to the contrary in anywise notwithstanding.

**XLIV Commissioners empowered to purchase Lands, &c. for the Purposes of the Hospital.**

And be it further enacted, That it shall and may be lawful for the Lords and others, Commissioners of the said Hospital at *Chelsea* for the Time being, for the Purposes or for the Advantage of the said Royal Hospital, or for the Improvement of the Buildings or Neighbourhood of the said Hospital, or for any Purposes connected with the said Royal Hospital, and they are hereby empowered, to treat contract, and agree for the absolute Purchase, and to complete Pur chases already agreed to be made, of any Messuages, Land, Tenements, or Hereditaments, and the Freehold and Inheritance thereof, or any Estate or Interest therein, with any Body or Bodies Politic. Corporate, or Collegiate, or any Tenant or Tenants for Life, or in Fee Tail General or Special, or for any Term or Terms of Yean absolute or determinable on any Life or Lives, or with any Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, or other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trust respectively, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons whomsoever, who shall be willing to sell the same; and upon

Payment of the Purchase Money for the same respectively, to the Parties or Persons respectively entitled thereto, or upon Payment thereof into the Bank of *England*, in Manner by this Act directed (as the Case may be), the Messuages, Lands, Tenements, and Hereditaments so to be purchased as aforesaid shall vest absolutely in the said Lords and others, Commissioners and Governors for the Time being, or in such Person or Persons as they shall in any such Contract nominate to be their Trustee or Trustees for that Purpose, to and for the Purposes of the said Institution, or for the Health and Comfort of the Pensioners maintained therein, and from thenceforth all other Parties and Persons whomsoever shall be divested of all Right and Title, Claim or Reservation, of, in, or to such Lands, Tenements, and Hereditaments, and any Term, Right, and Interest therein so purchased, without incurring or being subject or liable to any Penalties or Forfeitures of the Statutes of Mortmain, or any other Law or Statute whatsoever, and in case of a Re-sale of the said Lands, Tenements, or Hereditaments, or any of them, under the Provision herein-after in that Behalf contained, to purchase and hold other Lands, Tenements, or Hereditaments in like Manner.

**XLV Bodies Politic, Trustees, &c. may sell and convey Lands, &c. to the Commissioners.**

And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life, or in Fee Tail General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trust respectively, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, or other Person or Persons under any Disability of acting for himself, herself, and themselves, and also to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, and to and for all and every Person or Persons whomsoever, who are or shall be seised, possessed of, or interested in any Messuages, Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought fit or expedient to be purchased by the said Lords and others, Commissioners for the Time being of the said Hospital, for the Use or Benefit of the said Institution, or for the Health or Comfort of the Pensioners maintained therein, to treat, contract, and agree with the said Lords and others, Commissioners of the said Hospital, or any Person or Persons appointed by them and on their Behalf, for the absolute Sale of the same Hereditaments to them, and also to convey by Indenture of Bargain and Sale the Hereditaments to be contracted or agreed to be purchased, and the Inheritance thereof in Fee Simple, unto and to the Use of the said Lords and others, Commissioners of the said Hospital at *Chelsea* for the Time being, or to a Trustee or Trustees appointed by them on their Behalf; and which said Bargain and Sale shall, without any-Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, and without Inrolment, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons and Bodies conveying, but also to convey all Right, Estate, Interest, Use, Property, Possibility, Claim, and Demand whatsoever of their said several Cestuique Trust, and of all Persons whomsoever claiming or to claim by, from, or under him, her, or them, or under any other Persons whomsoever, or claiming or to claim in Remainder or Reversion expectant on any particular Estate, or byway of Executory Devise, or Springing Use, or otherwise howsoever, and the same shall be deemed and considered to bar the Dower and Dowery of any such Person or Persons, and all Estates Tail and other Estates, Possessions, Reversion, Remainder, or Expectancy, and the Issue and Issues of any Person or Persons claiming under

them, as effectually as Fines or Common Recoveries, or any other Conveyance or Assurance would do, if levied or suffered or executed by the proper Parties in due Form of Law; any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding; and all Bodies Corporate or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life, or in Fee Tail General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all and every other Person and Persons, is and are and shall be indemnified for what he, she, or they shall do by virtue and in pursuance of this Act.

#### **XLVI Application of Purchase Money when amounting to 200l.**

And be it further enacted, That in all Cases in which there shall be any Money to be paid for any Messuages, Lands, Tenements, or Hereditaments, contracted for or purchased, which shall belong to any Body Corporate, Collegiate, or Ecclesiastical, Tenant for Life or in Tail, or for Years, Trustee, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as aforesaid, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Lords and others, Commissioners of the Royal Hospital for Soldiers at *Chelsea* in the County of *Middlesex*; to the Intent that such Money may be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of other Lands, Tenements, and Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Messuages, Lands, Tenements, and Hereditaments which have been or shall be purchased for the Purposes aforesaid stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined, and capable of taking Effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application made thereto as aforesaid, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase and Settlement thereof were then actually made.

#### **XLVII Application when less than 200l. and exceeding 20l.**

Provided always, and it is further enacted, That if any Money so to be paid for any Lands, Tenements, and Hereditaments to be purchased for the Purposes aforesaid, and belonging to any Body Corporate, Collegiate, or Ecclesiastical, Tenant for Life or in Tail or for Years, Trustees, Feme Covert, Infant, Lunatic, or any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the, same shall, at the Option of the Person or Persons for the Time being entitled the Rents and Profits of the Hereditaments so purchased, taken, or used, or of his, her, or their

Guardian or Guardians, Committee or Committees, in Cases of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, to be paid into the Bank in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed or otherwise the same shall be paid, at the like Option. to Two Trustees, to be named by the Person or Persons making such Option, and approved by the said Lords Commissioners of the said Hospital, such Nomination and Approbation to be signified by Writing under the Hands of the nominating and appointing Parties, in order that such Principal Money, and the Dividends to arise therefrom, or the Interest thereof, may be applied in the Manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said High Court of Chancery.

#### **XLVIII Application when not exceeding 20l.**

Provided always, and be it further enacted, That when such Money so contracted and agreed to be paid as last before-mentioned, shall not exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, belong absolutely and be paid to the Person or Persons who would for the Tune being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased or agreed for, or hereafter to be purchased, for the Purposes aforesaid, or in case of Infancy, Idiocy, or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

#### **XLIX In case of disputed Titles, the Persons in Possession to be deemed entitled.**

Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the High Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments, so purchased or to be purchased as aforesaid, or to any Bank Annuities to be purchased with any such Money, as to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

#### **L Court may order Expences of Purchases to be paid by the Commissioners.**

Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments purchased or to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or

Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases so agreed for or purchased, or here after from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Lords and others, Commissioners of the said Hospital at *Chelsea*, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct: Provided always, that no such Order shall be made if it can be shewn by the said Lords and others, Commissioners of the said Hospital at *Chelsea*, or it shall appear upon the Face of the Agreement for any Purchase aforesaid, that the Consideration Money for the same was intended to cover and include all contingent and other Expences relating to the said Purchase.

**LI On Payment of Purchase Money, the Lands, &c. vested in the Commissioners.**

And be it further enacted, That upon Payment of the Money contracted or to be contracted or agreed to be paid for the Purchase of any Lands, Tenements, or Hereditaments, or any Estate, Right, or Interest as aforesaid, to the Party or Parties, or Person or Persons, respectively entitled to receive such Monies, or their Agents, or upon Payment thereof into the Bank of *England* for the Purpose of being disposed of in manner herein-before directed, as the Case may be, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law or in Equity, of the Party or Parties and Person and Persons respectively to whom or for whose Use or Benefit the same shall be paid, in, to, or out of such Lands, Tenements, or Hereditaments, shall vest in the said Lords and others, Commissioners of the said Hospital at *Chelsea* for the Time being, or in such Person or Persons as they shall from Time to Time nominate to be their Trustee or Trustees for the Time being for the said Purpose.

**LII Indemnity to the Trustees and Executors of the late Colonel Drouly.**

And whereas Colonel *John Drouly*, late Governor of *Cowes Castle* in the *Isle of Wight*, deceased, did, in and by his last Will and Testament, bearing Date the Eleventh Day of *July* One thousand eight hundred and nine, after certain Bequests to his Brother and Sister, and to the several charitable Institutions all therein named, give and bequeath the Residue of his Estate to *Alexander Fraser* of *Lincoln's Inn*, Esquire, *George Ridge* senior, Banker, of *Charing Cross*, Esquire, since deceased, *George Ridge* junior, Esquire, and *John Ridge* of the same Place, Esquire, who pre-deceased the Testator, upon Trust, (amongst other Things,) to pay to the respective Treasurers of *Chelsea* and *Greenwich Hospitals* One thousand Pounds each, and upon this further Trust to pay and divide all the Residue not therein-before disposed of to the Royal Military Hospital at *Chelsea* in the County of *Middlesex*, and the Royal Naval Hospital at *Greenwich*, equally between the said Hospitals, Share and Share alike, to be paid to the respective Treasurers of the said Hospitals, to be applied for the Use and Benefit of the Pensioners of the- said respective Hospitals, in such Manner as the Governors and Directors thereof respectively, for the Time being, should from Time to Time order and direct: And whereas the said *Alexander Fraser*, and the said *George Ridge* senior, and *George Ridge* junior, his Co-trustees and co-surviving Executors, named in the said recited Will, did, On the Twenty-seventh Day of *July* which was in the Year One thousand eight hundred and twenty-one, transfer the Sum of Twenty thousand Pounds Three *per Cent.* Consolidated Bank Annuities, in part of the Residuary Share so bequeathed as aforesaid to the said Royal Military Hospital at *Chelsea*, of and in the Residuary Estate of the said Testator *John Drouly* deceased, into the Names and Account of Sir *Samuel Hulse*, Sir *Harry Calvert*, *Richard Neave*, and *William Henry Spicer*, Esquires,

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*Status: This is the original version (as it was originally enacted).*

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in the Books of the Governor and Company of the Bank of *England*, the said Sir *Samuel Hulse* being the Governor of the said Royal Military Hospital, and the said Sir *Harry Calvert* the Lieutenant Governor thereof, the said *Richard Neave* the Secretary thereof, and the said *William Henry Spicer* the Deputy Treasurer of the said Hospital: And whereas the said Twenty thousand Pounds Three *per Cent.* Consolidated Bank Annuities were so transferred into the Names of the said Sir *Samuel Hulse*, Sir *Harry Calvert*, *Richard Neave*, and *William Henry Spicer*, at the Request in Writing, under the respective Hands of *John King* Esquire, and of the said Sir *Samuel Hulse* and Sir *Harry Calvert*, Three Commissioners of the said Royal Military Hospital at *Chelsea*, they and the other Commissioners being desirous that the said Residuary Bequest of the said *John Drouly*, in favour of the said Royal Hospital at *Chelsea*, should be strictly applied in conformity with the Directions Of his said Will, for the Use and Benefit of the Pensioners of the said Hospital, and for that Purpose that the same Bequest, and the Funds therefrom arising, should be kept separate from the general Funds of the said Hospital, standing in the Name only of the Treasurer for the Time being of the same Royal Hospital; and it is desirable that the said *Alexander Fraser*, and his said Co-trustees and Co-executors, should be indemnified for the said Transfer so made of the said Twenty thousand Pounds Three *per Cent.* Consolidated Bank Annuities as aforesaid, instead of selling the Stock and paying the Money arising from the Produce of such Sale to the Treasurer, pursuant to the Testator's Directions in that respect: Be it therefore further enacted, That the said *Alexander Fraser*, *George Ridge* senior, and *George Ridge* junior, the said surviving Trustees and Executors named in the said recited Will of the said *John Drouly* deceased, and every of them, their and every of their Heirs, Executors, Administrators, Goods and Chattels, Lands and Tenements, shall stand, be, and remain saved harmless and indemnified of, from, and against all Loss, Costs, Charges, Damages, and Expences which they or any of them can or may or otherwise might or could bear, pay, sustain, expend, be at or be put unto, or be liable for or by reason of their having so as aforesaid transferred the said Sum of Twenty thousand Pounds Three *per Cent.* Consolidated Bank Annuities into the Names of the said. Sir *Samuel Hulse*, Sir *Harry Calvert*, *Richard Neave*, and *William Henry Spicer*, in the Way and Manner herein-before stated, and also for or by reason or on account of any Loss, Misapplication, or Nonapplication of the said Twenty thousand Pounds Three *per Cent.* Consolidated Annuities, or any Part thereof, or the Interest, Dividends, or Annual Produce thereof, as fully and effectually as if the said *Alexander Fraser* and his said Co-trustees and Co-executors had sold the Stock and paid the Produce of the same in strict Conformity with the Directions of the said Will of the said Testator.

SCHEDULE TO WHICH  
THIS ACT REFERS

|   | A. | R. | P. |     |
|---|----|----|----|-----|
| Burton's Court,<br>including Walks,<br>Lodges, Guard-<br>house              | 13 | 2  | 1  | 167 |
| West Court,<br>including<br>Buildings on<br>North, South,<br>and East Sides | 2  | 1  | 32 | 230 |
| Figure Court,<br>including Chapel<br>and Hall                               | 1  | 2  | 33 | 103 |
| East Court,<br>including<br>Buildings on<br>North, South,<br>and West Sides | 2  | 1  | 32 | 230 |
| Water Gardens   | 4  | —  | 21 | 149 |
| Clerk of the<br>Works and<br>Infirmary, with<br>Airing Ground               | 1  | 1  | 26 | 190 |
| Stables   | —  | 1  | 6  | 258 |
| Guard-house,<br>Artificer's Yard,<br>&c.                                    | —  | —  | 39 | 198 |
| Surgeon's House<br>and Garden,<br>Wash-house and<br>Drying Ground           | —  | 3  | 9  | 207 |
| Whitster,<br>Turncock Court,<br>and Master<br>Barber                        | —  | —  | 39 | 176 |
| Sir Willoughby<br>Gordon's House,<br>&c. (on Lease),                        | 3  | 2  | 5  | 176 |
| Burial Ground   | 1  | 1  | 15 | 53  |
| Laboratory  | —  | —  | 33 | 237 |

The above-mentioned Premises comprise, or are intended to comprise, all the Buildings and Land used for and with the Royal Hospital for Soldiers at Chelsea.

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*Status: This is the original version (as it was originally enacted).*

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|   | A. | R. | P. |     |
|---|----|----|----|-----|
| Agent's Office  | —  | —  | 32 | 120 |
| Secretary's<br>Office and<br>Garden                     | —  | 1  | 15 | 198 |
| Governor's<br>Garden                                    | 1  | 2  | 8  | 237 |
| Passage to ditto  | —  | —  | 6  | 186 |
| Physician's<br>House, &c.                               | —  | —  | 23 | 138 |
| Coach Road to<br>East Court                             | —  | 2  | —  | 135 |
| Ditto - to West<br>Court                                | —  | 2  | 39 | 92  |
| Infirmery<br>Passage                                    | —  | —  | 5  | 198 |
| Kitchen Garden  | 3  | 3  | 37 | 76  |
| Canals  | 2  | —  | 34 | 57  |
| Governor's<br>Meadow, and<br>private Walk and<br>Garden | 3  | 3  | 19 | 189 |
| Terrace   | —  | —  | 16 | 19  |
| Walk between<br>Kitchen Garden<br>and Canal             | —  | 1  | 29 | 219 |
| Passage to<br>Governor's<br>Meadow                      | —  | —  | 10 | 163 |
| Creek, Coal<br>Yard, and Gravel<br>Walk                 | —  | 2  | 25 | 202 |
| Acres   | 47 | 1  | 5  | 194 |

The above-mentioned Premises comprise, or are intended to comprise, all the Buildings and Land used for and with the Royal Hospital for Soldiers at Chelsea.