

pendant or Defendants, or the Plaintiff or Plaintiffs shall discontinue an Action, or suffer a Nonpros, or shall become nonsuited; then such Defendant or Defendants shall have Treble Costs awarded to him or them against such Plaintiff or Plaintiffs. Treble Costs.

C A P. XXXI.

An Act for better regulating the Office of the Treasurer of his Majesty's Navy.

WHEREAS it appears, by the Reports made by the Commissioners appointed to examine, take, and state, the publick Accounts of the Kingdom, that Regulations are necessary for better conducting the Business in the Department of the Treasurer of his Majesty's Navy; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the first Day of July one thousand seven hundred and eighty-five, the Treasurer of his Majesty's Navy for the Time being, in all Memorials to be by him presented to the Treasury for Money for Navy Services, shall pray that such Sum as he requires may be issued to the Governor and Company of the Bank of England on his Account; and shall transmit with each Memorial, a Copy of the Letter or Letters from the Commissioners of the Navy, Victualling, and Sick and Hurt Boards, directing him to apply for such Sum or Sums; in which Letter or Letters the said Commissioners shall, and they are hereby required and directed to specify for what particular Service or Services the said Money is wanted; and shall also state the Balances then in the Hands of the Treasurer of the Navy, under each Head of Service respectively; and the Commissioners of his Majesty's Treasury for the Time being, by their Letter from Time to Time, shall direct the Auditor of the Exchequer to issue, to the Governor and Company of the Bank of England, on Account of the Treasurer of his Majesty's Navy, naming such Treasurer for the Time being, the Sum for which such Letter shall be drawn, upon the unsatisfied Order at the Exchequer in favour of the said Treasurer, for which the Receipt of the Cashier or Cashiers of the said Governor and Company shall be a sufficient Discharge; and all Sums for which Letters of the Commissioners of his Majesty's Treasury shall be drawn, shall be issued to the Governor and Company of the Bank of England, in like Manner as they have been heretofore issued to the Treasurer of his Majesty's Navy; and all such Monies to be issued to the Governor and Company of the Bank of England, shall be placed on an Account or Accounts to be raised in the Books of the Governor and Company of the said Bank of England, and to be intitled, *The Account of the Treasurer of his Majesty's Navy*, inserting the Name of such Treasurer for the Time being, for the Pay Branch, Cashier's Branch, and the Victualling Branch; and on Receipt of all such Monies at the Exchequer, the Treasurer of the Navy shall immediately certify to the Commissioners of the Navy an Account of the whole Receipt, under the respective Heads of Service, and shall also certify to the Commissioners of the Victualling, and Sick and Hurt Boards, the particular Sums received, and applicable to those Services respectively.

Treasurer of the Navy to apply to the Treasury for Money as herein mentioned; which shall be issued to the Bank,

and placed to the Account of the Treasurer of the Navy.

II. And be it further enacted and declared, That no Fees whatsoever shall be paid at the Exchequer or Treasury for or by reason of the Transactions aforesaid, beyond the Amount of what hath been usually paid upon Imprests and Accounts hitherto made, according to the former Custom of transacting Business between the Exchequer, Navy Pay Office, and Bank, severally.

No extra Fees to be paid at the Exchequer.

III. And be it further enacted, That, from and after the first Day of July one thousand seven hundred and eighty-five, no Money for the Service of the Navy shall be issued from his Majesty's Exchequer to the Treasurer of the Navy, or shall be placed, or directed to be placed in his Hands or Possession, but the same shall be issued and directed to be paid to the Governor and Company of the Bank of England, and to be placed to the Accounts above mentioned, according to the Services for which it is craved and issued.

No Money for Navy Services shall be issued from the Treasury to the Treasurer of the Navy.

IV. And be it enacted, That the Treasurer of his Majesty's Navy for the Time being, by himself, or the Person or Persons in his Office duly authorised by the said Treasurer, from and after the first Day of July one thousand seven hundred and eighty-five, shall draw upon the Governor and Company of the Bank of England for all Navy Services whatever, and shall specify, in each and every Draft, the Head of Service for which the same is drawn; and no Draft of the said Treasurer, or the Person or Persons authorised as aforesaid, shall be deemed a sufficient Voucher to the said Governor and Company of the Bank of England, unless the same specifies the Head of Service for which it is drawn, and has been actually paid by the said Governor and Company of the Bank of England.

The Treasurer to draw on the Bank for all Navy Services.

V. Provided always, That the Monies to be issued unto the Governor and Company of the Bank of England, on Account of the Treasurer of his Majesty's Navy, shall not be paid out of the Bank, unless for Navy Services, and in pursuance of Drafts to be drawn on the Governor and Company of the Bank of England, and signed by the Treasurer of his Majesty's Navy for the Time being, or the Person or Persons authorised as aforesaid; in which Drafts shall be specified the Heads of Service to which the Sums therein mentioned are to be applied; and which Drafts, so drawn, shall be sufficient Authority to the Bank to pay such Money to the Persons mentioned in such Drafts, or to the Bearer of them.

Bank not to pay said Monies, unless for Navy Services, and in pursuance of proper Drafts.

VI. And be it further enacted, That upon the Death, Resignation, or Removal, of the present, and every other Treasurer of his Majesty's Navy hereafter to be appointed, the Balance of Cash for which he shall at that Time have Credit, on his Account or Accounts as Treasurer of his Majesty's Navy, with the Governor and Company of the Bank of England, shall, at the End of the current Month after a Successor shall be appointed to the said Office, actually vest in such Successor, in Trust for the Service of the Navy under the respective Heads, and be forthwith transferred, carried over, and placed to the Account or Accounts

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

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Treasurer to
issue his Drafts
for all unsatisfied
Demands;

and to make up
annual Accounts
of Navy and
Viftualling Ser-
vices,

to be transmitted
to the Auditor
of the Impreff.

Treasurer to in-
fert, in the an-
nual Account,
all Payments
made to him in
fuch Year, &c.

Treasurer to
keep an Account
with the Bank,
&c.

Any Person
forging the Name
of the Treasurer,
&c. to obtain
Money from the
Bank, fhall fuffer
Death as a Felon.

Not to prevent
the Treasurer
from iffuing Mo-
ney to pay Clerks
at Out-ports,

On the Death,
&c. of every
Treasurer, fald
Clerks Accounts
to be made up,
&c.

counts of fuch Succellor Treasurer of his Majesty's Navy, to be applied to the fald Service, in purffuance of the like Drafts as aforefald: And the Treasurer of his Majesty's Navy for the Time being fhall, and he is hereby directed and required to form his Memorials and Requisitions to the Treasury, and to iffue his Drafts as aforefald, for all Charges and Demands on Account of the Navy Service, which fhall be due and remain unfatisfied, although the fame may have accrued in the Time of any former Treasurer.

VII. And be it further enacted, That the fald Treasurer of the Navy fhall, and he is hereby required to make up, or caufe to be made up, an annual Account of the Navy and Viftualling Services, intituled, *The Account of the Treasurer of his Majesty's Navy*, to be figned and attested by every Treasurer who fhall have paid or difcharged any Part of the fald Account; the firft Account to end on the thirty-firft Day of *December* one thoufand feven hundred and eighty-fix; and every fucceeding Account to begin on the firft Day of *January*, and to end on the thirty-firft Day of *December*, in each Year following, and to tranfmit the fame (having been previously examined in the Offices of the Commiffioners of the Navy, of the Viftualling Office, and of the Sick and Hurt, and figned by the Commiffioners of the Navy) to the Auditor or Auditors of the Impreff, who fhall, and they are hereby directed and required, within three Months after the Receipt thereof, to examine, or caufe to be examined, the fald annual Accounts, and, if found fatisfactory, to prefent, or caufe to be prefented, the fame to the proper Offices or Officers for Declaration; and when the fame is declared, a Quietus or Acquittance, in the ufual Form, fhall be made out to the fald Treasurer or Treafurers, his or their Heirs, Executors, and Adminiftrators.

VIII. And be it further enacted, That the Treasurer of the Navy fhall every Year infert, in the fald annual Account, all Payments which fhall have been made by him in the Courfe of fuch Year; and that all Bills, which fhall have been drawn by the Commiffioners of the Navy or Viftualling, fhall be fufficient Vouchers to difcharge the fald Treasurer of any Sums paid by him upon fuch Bills, whether the Payments directed to be made by the fald Bills fhall be upon Account, or otherwife; and that when the fald Treasurer of the Navy fhall, in the Account of any Year, have taken Credit for any Payments made in purffuance of Impreff Bills, or on Account, no further Bills fhall in any fubfequent Period be drawn upon the fald Treasurer, or any Treasurer of the Navy for the Time being, for the Purpofes of clearing the fald Impreffs, but the Perfons to whom the Payments have been fo made on Account, fhall be fet *infuper* in the Exchequer, and to be made accountable for the fame, and the Treasurer of the Navy fhall be no longer chargeable or accountable for the fame.

IX. And be it further enacted, That, from and after the firft Day of *July* one thoufand feven hundred and eighty-five, the Treasurer of his Majesty's Navy for the Time being fhall keep the Account with the Bank of all Monies iffued to or directed to be paid to him for the Service of the Navy; and the fald Treasurer, obferving the Rules and Regulations hereby prefcribed, fhall not be answerable for any Money which he fhall not actually receive; and the Governor and Company of the Bank of *England* fhall be answerable for all the Monies which fhall be actually received by them for the Service of the Navy.

X. And be it further enacted, That if any Person or Perfons fhall, from and after the paffing of this Act, knowingly and wilfully forge or counterfeit, or caufe or procure to be forged or counterfeited, or knowingly or wilfully act or affift in the forging or counterfeiting the Name or Hand of the Treasurer of his Majesty's Navy for the Time being, or the Person or Perfons authorized as aforefald, to any Draft, Instrument, or Writing whatfoever, for or in order to the receiving or obtaining any of the Money in the Hands or Custody of the Governor and Company of the Bank of *England*, on Account of the Treasurer of his Majesty's Navy; or fhall forge or counterfeit, or caufe or procure to be forged or counterfeited, or knowingly and wilfully act or affift in the forging or counterfeiting any Draft, Instrument, or Writing in Form of a Draft, made by fuch Treasurer of his Majesty's Navy, or the Person or Perfons authorized as aforefald; or fhall utter or publifh any fuch, knowing the fame to be forged or counterfeited, with an Intention to defraud any Person whomfoever; every fuch Person and Perfons fo offending, being thereof lawfully convicted, fhall be, and is and are hereby declared and adjudged to be guilty of Felony, and fhall fuffer Death as a Felon, without Benefit of Clergy.

XI. Provided always, and be it enacted, That this Act fhall not extend, or be conftrued to extend, to prevent the Treasurer of his Majesty's Navy from iffuing to the Pay Clerks at the feveral Out-ports, fuch Sums as may be thought neceffary by the Navy Board for paying Ships, and carrying on Recalls; and the Pay Clerk at each Port fhall, and he is hereby required to make up, at the End of every Month, an Account of all his Receipts and Payments during that Month, which Account fhall be figned by him, the Comptroller's Clerk, and the Ticket Office Clerk, at each Port, and tranfmit the fame, within fourteen Days after the Expiration of each Month, to the Treasurer of his Majesty's Navy, and a Copy thereof to the Commiffioners of his Majesty's Navy; and the Comptroller's Clerk at every Out-port fhall, and he is hereby required to tranfmit to the Navy Board every Week an Account of the Payments made by the Treasurer's Clerk at that Port.

XII. And be it further enacted, That, upon the Death, Refignation, or Removal, of every Treasurer of his Majesty's Navy, the Accounts of the Pay Clerks at the feveral Out-ports fhall be immediately made up, and the Balance of Cash, for which he fhall at that Time have Credit with each of them, fhall, as foon as a Succellor fhall be appointed, be carried to the Credit of the Account of fuch Succellor, and an Account thereof forthwith tranfmitted to the Commiffioners of the Navy.