

Regulations of 14 November 1829 for granting pensions to discharged soldiers

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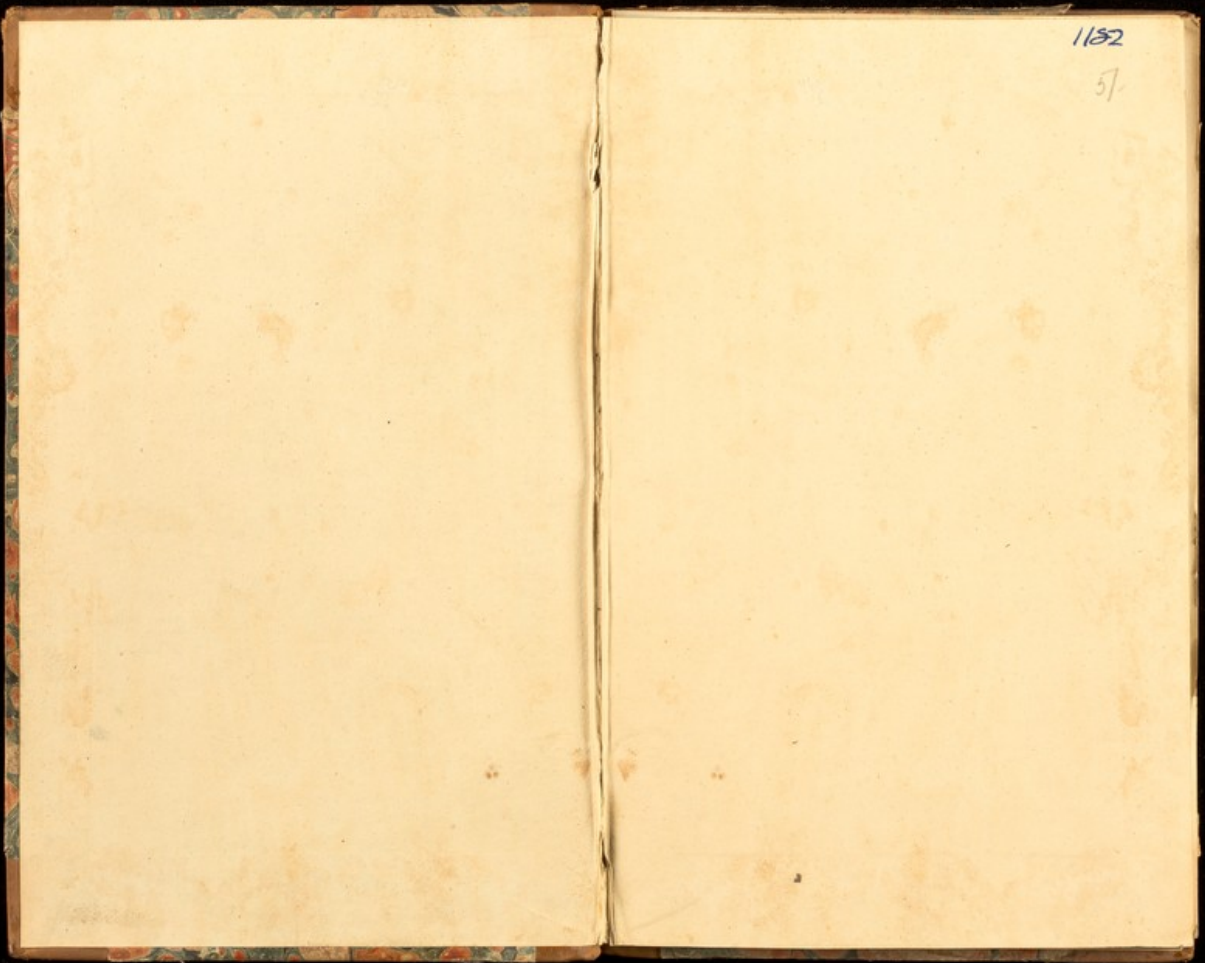
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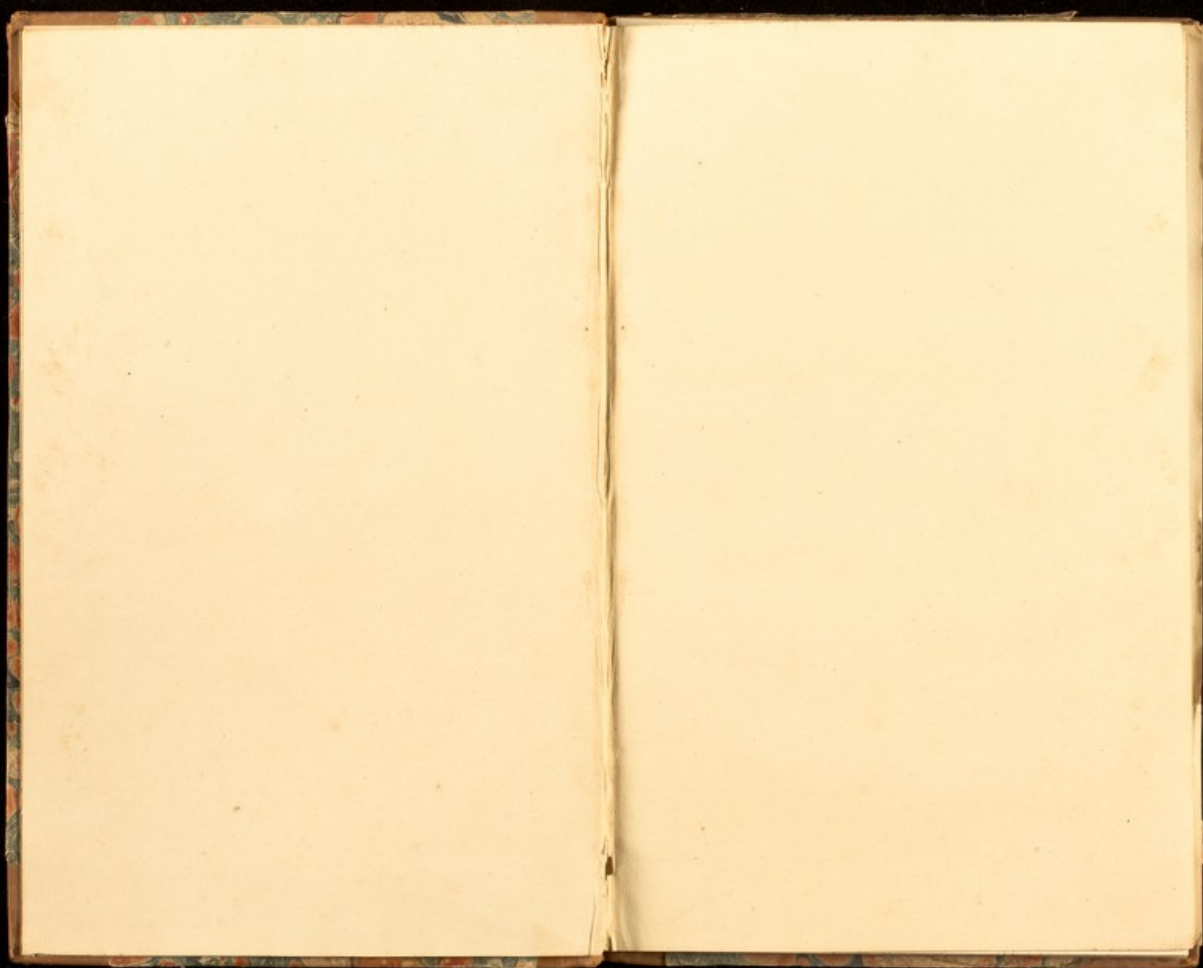
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No 2

REGULATIONS
OF 14 NOV^r 1829
FOR
GRANTING PENSIONS
TO DISCHARGED SOLDIERS.



C. C. Worcester
Boston



GEORGE R.

WHEREAS We have judged it expedient to revise, amend, and consolidate the Rules, Orders, and Regulations, which, in furtherance of various Acts of Parliament, have from time to time been established for the better ordering of Our Army, and for improving the condition of Soldiers, by granting them Pensions, Allowances, and Relief, on their Discharge after certain periods of Service, as wounded, disabled, or invalided, in Our Service.

7th Oct. 1806. Our Will and Pleasure therefore is, that
30th June, 1812. the several Warrants bearing the respective
28th Feb. 1814. dates specified in the margin hereof, and
25th Mar. 1816. that all Rules, Orders, and Regulations
19th Dec. 1816. consequent thereupon, shall (subject to the
16th Feb. 1818. reservation herein contained) be void; and
26th Mar. 1822. that in lieu thereof the Rules, Orders, and
28th July, 1823. Regulations annexed to this our Warrant,
19th Aug. 1823. shall henceforth be in force.
4th Nov. 1826.

It is Our further Will and Pleasure to reserve and continue to all Non-Commissioned Officers and Soldiers enlisted before the first day of December, 1820, every benefit to which they may respectively be entitled under the Warrants and Regulations hereby made void.

And We do hereby direct and order, that the Commissioners of Our Royal Hospital at Chelsea, as well as all other Persons whom it may in any wise concern, shall strictly observe and obey this Our Warrant and the Regulations annexed to it.

Given at Our Court at Windsor, this fourteenth day of November, 1829, in the Tenth Year of Our Reign.

By His Majesty's Command,

HENRY HARDINGE.

A

REGULATIONS.

I.

All Non-Commissioned Officers and Soldiers enlisted previously to the first day of December, 1829, shall, as regards their right to claim Pensions for Service and Wounds, remain entitled to every benefit or provision which they can at present claim under any Warrants or Regulations which were in force at the time of their Enlistment; but the following Rules and Regulations only shall be in force and applicable to all Non-commissioned Officers and Soldiers enlisted after the thirtieth day of November, 1829.

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CLAIMS FOR PENSIONS shall be divided into the four following Classes :

- 1st Class. Length of Service.
- 2d Class. Wounds received in Action.
- 3rd Class. Disabilities contracted in the Service, *after* 14 Years' Service.
- 4th Class. Disabilities contracted in the Service, *under* 14 Years' Service.

1st CLASS.

LENGTH OF SERVICE.

3.

A Soldier enlisted for unlimited Service has no claim as a *matter of right* to his Discharge, either with or without a Pension, after any period of service, however long.

4.

No Soldier, when discharged, shall be allowed a Pension for length of Service alone, unless he shall have served 24 complete Years in the Cavalry, or 21 years in the Infantry; but when discharged after those periods of Service, he may be allowed a Pension, not exceeding the undermentioned Rates: *viz.*

		Private.		Rates per Diem.	
		After Years of Service.		s.	d.
If discharged on account of the Public Service.	Cavalry	{ 24	1	0	
		{ 28			
	Infantry	{ 21	1	0	
		{ 25			
If discharged at his own request.	Cavalry ...	24	0	10	
	Infantry ...	21	0	10	

5.

If a Soldier shall be discharged on *Reduction* or *Disbandment* of his Corps after a Service of 14 Years, but

under 24 Years in the Cavalry, or 21 Years in the Infantry, he may at the discretion of the Commissioners be allowed the Gratuity specified in Article 46 of these Regulations; and shall be eligible to re-enter the Service, according to the rule laid down in Article 41.

6.

Serjeants-Major, Quarter-Master Serjeants, Troop Serjeants-Major, Colour Serjeants, Serjeants, and Corporals, shall have their Pensions computed at the same rate as Privates, with the following addition for every Year of Service as Non-commissioned Officers: *viz.*

	d.	s.	d.
Serjeants-Major . 2½	.....	2	4
Quarter-Master	.....	2	2
Serjeants.....2	} Total Pension for Service	} not to exceed	1 10
Serjeants.....1			
Corporals .....0½	.....	1	4

When a Non-Commissioned Officer is discharged at his own request, a diminution of Two-Pence a day shall be made in all ranks, from the rate of the Pension, to which he would otherwise, according to the scale in this Article, be entitled for actual Service.

Provided always that the Non-commissioned Officer shall have served 24 Years in the Cavalry, or 21 Years in the Infantry, and shall have been discharged as a Non-commissioned Officer, having served without interruption as such for the *Three Years* immediately preceding his Discharge. And no Non-commissioned Officer shall receive the aforesaid Superior Rates, if discharged whilst holding an inferior rank.

The period, during which any Soldier may have been employed as an Acting *Lance* Serjeant or Corporal, shall not be allowed to reckon as Non-commissioned Officers' Service.

A Soldier, exchanging from Cavalry to Infantry, or from any Regular Service, shall reckon his Service according to the Regulations applicable to the Corps in which he may be serving when discharged.

2d CLASS.

WOUNDS RECEIVED IN ACTION.

7.

The daily Rates of Pensions for *Wounds or Injuries* received in *Action* are to be governed by the Rules contained in the following Schedule, *viz.*

RANK.	FIRST DEGREE.		SECOND DEGREE.		THIRD DEGREE.		FOURTH DEGREE.	
	From <i>s. d.</i>	To <i>s. d.</i>	From <i>s. d.</i>	To <i>s. d.</i>	From <i>s. d.</i>	To <i>s. d.</i>	From <i>s. d.</i>	To <i>s. d.</i>
Men in <i>any Trade or both Ages, from Wounds, or being so severely wounded as to be totally incapable of earning a livelihood, & to require the assistance and care of some other person.</i>								
			Men rendered incapable of earning a livelihood, but not requiring the care of another person.		Men able to contribute in a small degree towards a livelihood.		Men able to contribute materially towards a livelihood, although unfit for the ordinary duties of the Service.	
Serjeant.	2 6	3 6	2 0	3 0	1 6	2 0	1 0	1 6
Corporal.	2 0	3 0	1 6	2 0	1 0	1 6	0 9	1 0
Private.	1 6	2 0	1 0	1 6	0 9	1 0	0 6	0 9

8.

In cases of *severe Wounds or Injuries* received in *Action*, the Pension shall be fixed, according to the Rates in the foregoing Schedule, by the Commissioners of Chelsea Hospital, who will grant the lowest or the highest, or any intermediate Rate, according to the *degree* of the Injury received, the *length* of the Soldier's previous Service, his *Character*, or any peculiar circumstances attending his conduct at the time the Wound was received.

3d CLASS.

DISABILITIES OR INJURIES CONTRACTED ON SERVICE, AFTER FOURTEEN YEARS' SERVICE.

9.

Any Non-commissioned Officer or Soldier discharged *after 14 Years' Service*, but *under 24 Years* in the Cavalry, or *under 21* in the Infantry, for a *permanent* Disability contracted by and in the Service, may be awarded a *permanent* Pension, at the following rates, *viz.*

A Serjeant, from *9d.* to *1s. 3d.*

A Corporal, from *7d.* to *1s. 0d.*

A Private, from *6d.* to *0s. 9d.*

Provided that the Serjeant or Corporal shall have served at least five Years in the rank he holds when discharged, and that the disability was not occasioned by any want of proper care on his own part. But unless the injury for which the Soldier may have been discharged be considered by the Commissioners to be *permanent*, he shall be awarded a *conditional* Pension only, at their discretion.

The precise Amount of Pension for permanent Disabilities after 14 Years' Service shall be regulated at the discretion of the Commissioners of Chelsea Hospital, according to the *Time* the Soldier may have served; the *Climate* in which he may have been serving; the *Degree* of the Disability as affecting his means of earning a livelihood; and his *Good Conduct* whilst serving; but no Pension shall be granted on account of Disability, if it has been occasioned by Vice, Intemperance, or Misconduct.

4th CLASS.

DISABILITIES UNDER FOURTEEN YEARS' SERVICE.

Any Non-commissioned Officer or Soldier discharged under 14 Years' Service, in consequence of Disability contracted in and by the Service, and not from a want of proper care on his part, may at the discretion of the Commissioners be awarded a *Temporary Pension*, according to the following Scale:

Under 14 Years, } A *temporary Pension* of 6*d.* a day
and above 10 Years } for a period extending from two to
Service. } three Years.

Under 10 Years, }
and above 7 Years } 6*d.* a day from one to two Years.
Service. }

Under 7 Years' }
Service. } 6*d.* a day from 1 to 18 Months.

In *special* cases where a *Gratuity* in Money, proportioned to the length of the Soldier's Service, may be considered

more advantageous to his Interests than a *temporary Pension*, a Sum varying from £1 to £18 may be given him, as a commutation, under the authority of the Secretary at War, if the Soldier be discharged without being examined by the Commissioners, or under their Authority, if examined by them.

In extreme cases of Disability or Injury, under 14 Years' Service, resulting from Military Duty, or the effects of Climate, the *temporary Pension* of 6*d.* a day may, under extraordinary circumstances of severe suffering from Service, be augmented to 9*d.* and renewed for a specific period, at the discretion of the Commissioners; but these cases shall be deemed *special*, and registered as such, with the grounds on which they have been decided.

In all *special* cases when Pensions on account of Disabilities or Accidents are granted, and likewise when Pensions are refused, or claims are deemed to be forfeited, the decision of the Commissioners, with the grounds thereof, shall be communicated to the Secretary-at-War, in order that the result may be notified to the Regiment from which the Soldier was discharged.

The decision of the Commissioners in fixing the rate of Pension granted for Service, Wounds or Disabilities, shall be *final*, and the Amount of the Pension shall not be augmented on account of alleged increase of Disability, after the Soldier shall have left the Service, unless any *Special* circumstances shall occur and be brought forward within 2 Years after the original grant of Pension, to justify a reconsideration thereof.

SPECIAL CASES OF DISABILITY OR INJURY.

15.

No Soldier shall be discharged for the loss of *one Eye* only, whether it be the *Right or Left*.

16.

If a Soldier shall have lost one *Eye*, by a *Wound*, and shall receive other *Wounds or Injuries*, in *Action*, which render his *Discharge* necessary, the loss of an *Eye* may be taken into consideration by the *Commissioners*, in fixing the *Pension* at such a rate as his *Service* and *Disability* combined may, in their judgment, entitle him to receive.

17.

In cases in which an *Eye* shall have been lost by the effects of *Service*, and not by *Wounds*, the loss may be considered by the *Commissioners* at their discretion, in apportioning the rate of *Pension*. If *under 14 Years' Service*, the loss of an *Eye* may be taken into consideration, and a *temporary Pension* or a *Gratuity* be granted, according to the scale laid down in the 11th and 12th Articles of these Regulations.

18.

In case a *Soldier* shall become totally blind from unavoidable causes, clearly attributable to *Service alone*, and not occasioned by *Vice*, *Intemperance*, or other *Misconduct*, he may be allowed a *Pension* varying according to the following *Scale*, viz. :

	From s. d.	To s. d.
Serjeant, having served as a Non-Commissioned Officer 10 Years, and not less than 5 Years as a Serjeant	1 3	2 0
Corporal, having served as such for 7 Years	1 0	1 3
Private	0 9	1 0

If the *Soldier* shall have served more than 14 Years, and is discharged with a *Good Character*, and with a constitution impaired by the effects of *Colonial Service*, an increase not exceeding *3d.* a day may be added to the aforesaid Rates; but the precise Rate shall be determined at the discretion of the *Commissioners*, according to the principles laid down in Art. 10 of these Regulations.

19.

Whenever a case of total or partial *Blindness* shall be involved in so much doubt, as to have been reported by a *Court Martial* or by a *Medical Officer* to be "a suspicious case," the *Commissioners* shall deal with it as to them may seem most just; but in every case in which it is proved that a *Soldier* has tampered with his *Eyes*, or that his loss of *Sight* has been caused by *Vice*, *Intemperance* or other *Misconduct*, and that his *Character* is bad, instead of being discharged on a *Pension*, he shall be detained in an *Eye Infirmary*, or shall be sent home to his *Parish*, or dismissed without a *Pension*.

20.

Except in extreme cases of *Disability*, no *Infantry Soldier* shall be discharged for *Rupture alone*; should a *Ruptured Soldier* be discharged before he has served 14 Years, his case shall be considered according to the 11th and 12th Articles of these Regulations.

21.

Any Cavalry Soldier who shall be discharged under 14 Years' Service for a Rupture which would not disable him for Infantry Service, may, at the discretion of the Commissioners, either be transferred to a Veteran or Garrison Battalion or Company, or be allowed a temporary Pension or Gratuity, according to Article 11.

FORFEITURE OF PENSION.

22.

Any Pensioner refusing to serve, or not appearing when called upon by the Commissioners, or other lawful authority, shall forfeit his Pension, unless a satisfactory explanation be subsequently given; but no Pensioner who has actually served 24 Years in the Cavalry, or 21 Years in the Infantry, shall be liable to be called upon to serve. And any Pensioner who neglects to draw his Pension for *four successive Quarters* shall be struck off the Pension List, and shall not be replaced unless he shall satisfactorily account for such omission; and the Commissioners shall, at their discretion, grant or withhold the Arrears, or any portion thereof.

23.

Every Soldier, convicted by a Court Martial of being a Deserter, may, in addition to any other punishment awarded by the Court, be sentenced to forfeit all claim to Pension. Such Sentence shall, in all cases, be recorded on the Discharge sent to the Commissioners of Chelsea Hospital: but if, after such sentence has been passed, he shall have performed good and faithful, or gallant Service, he may be eligible for a Pension, provided that he be recommended by his Commanding Officer, through the Commander-in-Chief, in conformity with the Rules laid down in the Mutiny Act and Articles of War.

24.

If a Soldier shall have been convicted by the Civil Power, or by a Court Martial of any *reicious or disgraceful conduct*, such as to render him unworthy of belonging to the Army, and consequently to be unfit for the Military Service, he shall, on being discharged in consequence thereof, have the Sentence, or Cause of his dismissal from the Service, recorded in his Discharge, and shall forfeit all claim to Pension.

25.

Any Soldier convicted before a competent Court-Martial of *feigning or producing Disease or Infirmary*, or of materially injuring his Health by habitual *Drunkenness*, or of being detained in Hospital by any disease contracted by his own vice or intemperance, thereby rendering himself unfit for Service, or of *absenting* himself from an Hospital whilst under Medical treatment, or of being guilty of a gross violation of the Rules of the Hospital, or of intentionally protracting his cure, or of wilfully aggravating his disease, shall be liable to be brought to trial by the Regimental Commanding Officer, or on charges preferred by the Surgeon of the Hospital, and to have the whole time of such detention in Hospital deducted from his Service, or of forfeiting all claim to Pension, provided such forfeiture form part of the Sentence of the Court-Martial by which he was convicted.

26.

Any Soldier *maimed* by the *firing off of his musket*, or by other means, and who thereby becomes unfit for Service, whether the injury occurred *on or off duty*—whether *accidentally or intentionally*, shall in all cases, be tried by a District Court-Martial, as soon after the event as possible; and if it shall be proved before such Court that the injury was the unavoidable result of Military Service, and was in no way attributable to *design, negligence, drunkenness, or misconduct* on his part, the Court may recommend the Soldier for a Pension; stating the proofs adduced and the

grounds of their recommendation, or of their rejection of the claim, as the Case may be. The finding of the Court, and the confirmation of the Commanding Officer must invariably be annexed to the Discharge, and adverted to therein; but the final decision upon the claim to Pension shall in all Cases which are brought before the Chelsea Board rest with the Commissioners.

27.

Any Soldier who shall be *disabled* or *mutilated* by an *accident*, which did not happen in the immediate execution of some act of military duty, or which, if it did so happen on duty, was owing to his own *Negligence*, shall not be entitled to a Pension, although he be discharged for such disability.

His claim in such case can only be considered with reference to the *Service* he may have performed, or to the *Wounds* he may have received in action, or to the *goodness of his Character*. The finding of the District Court-Martial, stating the whole of the circumstances of the case, must be annexed to the Discharge. The Commissioners will exercise their discretion in granting or withholding a Pension, but in no case shall a *permanent* Pension be granted for such accidental injury, unless the Soldier has served *above fourteen Years*. If the Soldier shall be ordered to be discharged at the Regiment, His Majesty's Pleasure, and the amount of any gratuity, will be signified by the Secretary at War.

If it shall appear to the Court that the Injury or Mutilation was not the effect of *accident*, but of *design*, the Soldier shall not be discharged, but shall be employed in such Regimental or Garrison Duty or Work as the Commander-in-Chief may direct.

28.

If a Pensioner be guilty of gross violence or outrage towards the Persons employed in paying the Pensioners, he shall be punished by the loss either of a part or of the

whole of his Pension, at the discretion of the Commissioners, in addition to any other punishment which the Law may inflict for such offence.

29.

If a Pensioner be discovered to have received *credit* for a longer period than he actually served, by a *false entry*, *alteration*, or *erasure*, in any Regimental Book or Document, or by a *misrepresentation* of his claims, or to have obtained *through any other means* a higher rate of Pension than he was entitled to at the time of his Discharge, when he was sworn to the truth of his statement of Services, such Pensioner, in the event of the Commissioners deciding that he was cognizant of the fraud, or guilty of the concealment of the truth, shall forfeit his Pension; and if a Pensioner shall commit any *felonious act*, or practise any *gross fraud*, which shall be proved to the satisfaction of the Commissioners, they shall either strike him off the Pension List, or reduce the Rate of his Pension at their discretion. In all cases of over-issue the Pensioner shall have his Pension lowered to the true Rate, and shall by a stoppage from his Pension, refund either the whole amount over issued, or such part thereof as the Commissioners may think proper to direct; but if the over issue originated in any error of computation over which the Soldier could have no control, the Pensioner shall not be called upon to refund any part thereof.

If a Non-commissioned Officer or Soldier be privy to the making of any false Entry, or producing any fraudulent Document, either as regards his own Services or those of any other Person, he shall on conviction thereof before a competent Court-Martial be rendered incapable of receiving a Pension, according to the provisions of the Mutiny Act and Articles of War.

30.

If a Pensioner shall apply to any *Parish for relief* for himself or family, or shall suffer his family to become chargeable to the Parish, his Pension, by the Acts of Parliament of 59 Geo. III. Cap. 12. and 6 Geo. IV. Cap. 27.

will be payable to the Parish Officers according to the provisions of the said Acts.

31.

Any Pensioner or other Person, who shall *knowingly personate*, or *falsely assume* the name or character of a Soldier who is or may become entitled to a Pension, or shall falsely pretend to be the *Heir, Administrator, or Assignee* of a Pensioner or Soldier, for the purpose of fraudulently obtaining Money or Effects, or shall knowingly and wilfully assist in forging or counterfeiting the name or handwriting of any such Pensioner or Soldier as aforesaid, or in forging any document relating thereto, is liable, on being legally convicted thereof, to be transported as a felon, according to the Act 7th Geo. IV. Cap. 16, Clause 38, (1826).

32.

Any Pensioner imprisoned in a Gaol by order of a Magistrate, as a Vagrant, or as having committed any misdemeanour or crime, if he *assumes a false name*, whether he be convicted or not of the offence for which he was apprehended, shall, on proof of such *concealment of the true name* under which he was pensioned, have his Pension suspended, reduced, or altogether taken away, at the discretion of the Commissioners.

And if any Pensioner gives a false statement as to his place of residence, or for a fraudulent purpose draws his Pension at a place different from that where he usually resides, he shall be liable to have his Pension taken away, reduced, or suspended, at the discretion of the Commissioners.

33.

Non-commissioned Officers and Soldiers, who have forfeited their claims to Pension in consequence of Misconduct, shall have their Names, and the circumstances under which their Pensions were forfeited, published in the Orderly Book of the Regiment to which they belonged, and a Memorandum of the fact shall be sent to their *Parishes* by the Secretary at War, as provided in the Mutiny Act and Articles of War.

COMMUTATION OF PENSIONS.

34.

Pensioners, *not being Natives* of the United Kingdom, may have their Pensions *commuted* for a Sum of Money, on His Majesty's pleasure being signified to the Commissioners of Chelsea Hospital by The Secretary at War; the Money to be paid out of Funds appropriated for the use of the said Hospital.

35.

If a Pensioner, being a *Native* of the United Kingdom, should be desirous of settling Abroad in any of His Majesty's Colonies, his Pension may be commuted in the manner laid down in the preceding Article. But if any Pensioner shall have received a commuted Allowance for his Pension from the Commissioners, and shall at any subsequent time fraudulently attempt to revive a Claim to the Pension so commuted, he will be liable to be proceeded against under the Act of Parliament referred to in Article 31.

RULES IN RECKONING SERVICE.

36.

No Soldier shall be allowed to reckon his Service under Eighteen Years of Age.

If a Soldier at the time of Enlistment shall misrepresent or conceal his real Age, and his real Age be afterwards discovered, he shall in no case benefit by such discovery; if, for instance, he swore that he was under Eighteen Years, although he was actually older, the Age specified on

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his Attestation shall be the standard for calculating his Service, and consequently his Service under Eighteen Years of Age according to such Attestation, will not be allowed to reckon.

37.

The distinction between Service in the East and West Indies, and Service in any other part of His Majesty's Dominions, having ceased since the Year 1818, as regards the reckoning of Service for Pension, the same Rule will apply as regards the Claim to *Additional Pay*, which in the case of men enlisted after the 30th November, 1829, will only commence after 14 Years' Service actually completed.

38.

Any Soldier may be *transferred* from one Battalion to another of the same Regiment; or he may be permitted to volunteer into another Regiment on the disbandment of his Corps, or on its being ordered Home from a foreign Station; but he shall *not be liable to be drafted* from one Regiment to another without his consent, unless by sentence of a Court Martial. Pensioners who have not served 21 Years, will be held liable to be called upon to serve in a Veteran or Garrison Battalion, or in the Militia, or in a Regiment of the Line within the limits of the United Kingdom.

39.

Non-Commissioned Officers and Soldiers shall not be allowed to reckon as Service the period of *Imprisonment*, whilst under the legal sentence of a Civil or Military Court, nor the period of confinement previous to Trial, unless acquitted of the Offence alleged against them, according to the Provisions of the Mutiny Act and Articles of War.

40.

If any Person discharged from the Army for Disability, or for any other cause, shall subsequently re-enter the

Army, and shall, when questioned by the Magistrate at the time of his being attested, conceal the fact, or misrepresent the cause of his former Discharge, he shall not be allowed to reckon his past Service, nor to receive any Pension, if again Discharged for Disability.

41.

If any Soldier discharged on *Reduction or Disbandment* of his Corps, shall not have the opportunity of immediate re-enlistment into any other Corps, he shall, on *re-enlisting within three Years*, be allowed to reckon his former Service, provided that he shall not have passed the Age at which *disbanded* Soldiers may be allowed to re-enter the Service—and that he shall in every respect be eligible for the Service. The man so re-enlisting must at the time of being attested, declare his former period of Service in the Army, Ordnance, or Marines, and the cause of his Discharge from his last Corps; but if he should fail to make such declaration of his previous Service, so that it may be recorded in his Attestation, he shall not be permitted to reckon it at any subsequent period.

42.

Pensioners who shall, under a Proclamation of His Majesty or other lawful authority, be called upon to serve in a Veteran Company or Battalion, or in the Militia, or to be attached to a Regiment of the Line within the United Kingdom, shall in addition to their previous Services reckon such Service, provided the period thereof shall not be less than *One Year*.

43.

Any Pensioner who *voluntarily enlists* into a *Veteran* Company or Battalion, or the *Militia*, or who is appointed

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to be a *District, Barrack, or Garrison Serjeant, or a Military Clerk, or Hospital Steward, or who is employed in any other Military capacity, shall, when discharged, revert to his former Pension, unless it be pronounced by competent authority to have been forfeited. If he shall have served Ten Years or more in any of the situations above-mentioned, and shall have been discharged therefrom with a good character, or even if he shall have served less than Ten Years, and shall have been discharged under circumstances entitling him to special consideration, as a deserving Soldier, His Majesty's pleasure will be signified by the Secretary at War, that such increase of Pension may be granted as the Commissioners shall think fit; not, however, exceeding in any case the Rates specified in Articles 4 and 6.*

44.

The Services of all Soldiers at present in the Army, shall be accurately revised and balanced up to the 31st Dec. 1828, by the Military Boards established, and now sitting for the Investigation of those Services. The period of Service which each Man may be allowed to reckon to that date, shall be recorded and certified in words at length, by the particular Board before which the examination takes place, and such Record shall be admitted by any other Military Board which may be hereafter assembled for deciding upon the Soldier's Claims, as the only correct Statement of his Service, to the termination of the Year 1828, from and after which time the balance of every Soldier's Services shall be struck periodically, and under such Instructions as His Majesty may be pleased to give through the Secretary at War.

45.

No Soldier shall hereafter reckon as Military Service, the time he may have previously served in His Majesty's Navy.

CONDITIONS UNDER WHICH DISCHARGES
MAY BE OBTAINED.

46.

His Majesty having been pleased to direct that Soldiers may be allowed to *purchase or obtain their Discharges*, under certain conditions and limitations, the terms are to be regulated by the following Scale, viz.:

Period.	For Men serving in the	
	CAVALRY.	INFANTRY.
Under 7 Years' actual Service,	£30	£20
After 7 Years' ditto	25	18
.. 10	21	15
.. 12	15	10
.. 14	12	5
.. 15	6	Free Discharge at home, and in addition three Months' Pay abroad.
.. 16	Free Discharge.	Free Discharge, and in addition three Months' Pay at home, and six Months' Pay abroad.
.. 17	Free Discharge, and three Months' Pay.	Free Discharge, and in addition six Months' Pay at home, and one Year's Pay abroad.
.. 18 } and to 21 }	Free Discharge and six Months' Pay.	Free Discharge, and in addition one Year's Pay at home, and one and a half Year's Pay abroad.

The Gratuities shall be calculated at the respective rates of full pay of Cavalry, of Foot Guards, or of Infantry, excluding additional pay.

Where Grants of Land in addition to free Discharges can be made in the Colonies, the precise terms of the Grant, and the most advantageous mode of paying the gratuity of Full Pay, shall be clearly explained to the Soldier before he receives his discharge, and shall be registered in the Regimental Records. When the Soldier has been settled three months, and is actually residing on his Grant, and is industriously employed in clearing it, the Governor, under authority from the Secretary at War, may, in addition to the Gratuity, authorize the issue of a Quarter's Pension at 6*d.* a Day; and may from time to time renew such issue for a period not exceeding in the whole One Year.

47.

Soldiers who have *actually* served 21 Years in the Infantry, or 24 in the Cavalry, and who being fit for Service, are *discharged at their own request*, may be allowed a Pension of 10*d.* a Day, as shewn in Article 4.

48.

But in all cases of Soldiers allowed to *purchase Discharges*, or to *obtain free Discharges*, or Pensions on Discharge at their *own request*, (if they have served the requisite period,) the number of Men to be annually discharged, and the selection of the Individuals, shall be governed by such Instructions as the Commander-in-Chief may give from time to time, or the Master General of the Ordnance for that Department, for extending or limiting the numbers, or wholly suspending the permission, according to circumstances.

Provided that in all the aforesaid cases a period of *not less than 30 days* shall elapse between the Soldier's application, and the commanding Officer's consent to recommend the Discharge; this interval being allowed for the express purpose of giving the Soldier sufficient time for due deliberation. At the same time it shall be clearly

explained to him what prospect of permanent Pension he will forfeit, in consequence of accepting a free Discharge at his own request.

But nothing in this Regulation is to be construed as giving any *right* to a soldier to claim his Discharge by purchase or otherwise, it being intended as an *indulgence* to be conferred upon the deserving soldier, in proportion to his good conduct, and the length of his Service.

49.

If any Soldier *purchase* his Discharge, or receive a *free Discharge* at his own request, he shall have *no claim* to Pension; and should he subsequently re-enlist, he shall not be permitted to reckon his former Service.

50.

With the view of *rewarding meritorious Soldiers* when discharged, and of encouraging good conduct in others whilst serving, His Majesty has been pleased to direct that a Gratuity in addition to the Pension may in certain cases be given to one Serjeant, or Corporal, and one Private, annually, in every Regiment of an Establishment of 700 Rank and File and upwards.

The Men to be recommended must have completed 21 Years of actual Service in the Infantry, or 24 in the Cavalry; have never been convicted by Court-Martial, and must have borne an irreproachable Character, or have particularly distinguished themselves in the Service.

The Serjeants must have served 10 Years, and the Corporals 7 Years in their respective Ranks as Non-commissioned Officers, and must have been discharged as such.

The Gratuity to the—

Serjeant, shall be	£15 0
Corporal „	7 0
Private „	5 0

The names and Services of the Individuals receiving the Gratuity shall be published in Regimental Orders, and sent to the Parishes to which they belong, *after* the Commander-in-Chief shall have confirmed the Regimental Commanding Officer's recommendation, and *after* the Commissioners of Chelsea Hospital shall have notified to the Secretary-at-War that the Gratuities have been paid.

Discharged Soldiers receiving a gratuity for *Meritorious Conduct*, shall be entitled to wear a silver medal, having on one side of it the words "For Long Service and Good Conduct," and on the other side in relief, the King's Arms, with the name and rank of the Soldier, and the Year inscribed on the medal. The medal will be transmitted by the Adjutant General to the Officer commanding the Regiment, who will deliver it to the Soldier on the parade, with the Parchment Certificate of Discharge, on which the grant will be recorded, as well as in the Regimental Orders, and in the Register of Soldiers' Services.

If circumstances should prevent the Discharged Soldier from receiving the medal at the Regiment, it will be delivered to him through the Adjutant General, at the Board of the Chelsea Commissioners.

In Corps of a lower Establishment than 700 Rank and File, one Individual may be recommended every Year for the above mentioned Gratuity, to be selected by alternate Years; that is to say, one Year a Serjeant or Corporal, the next Year a Private.

In order to secure the Interests of the Soldier, at the close of his Military Service, a Regimental Board shall henceforward be assembled under the Orders of the Commander-in-Chief, for the purpose of verifying the following particulars, before any Soldier be recommended to be discharged.

1st. His Services.

The Regimental Records shall be produced, from which the Board will make a Report, stating the period of the Soldier's Service, the Countries in which he has served, the Wounds he has received, the Battles, Sieges, or Campaigns, in which he was present, and any instances of remarkable bravery he may have displayed.

2nd. His Character.

The Regimental Records shall be referred to, and Parole Evidence be required from those Officers of the Corps, particularly the Medical Officers, who have had the best opportunities of witnessing the soldier's conduct in all situations. If he shall have forfeited his Service by the Sentence of a Court Martial, and shall not have had such Service restored, the fact and cause of such forfeiture are to be stated; and as the rate of Pension to be awarded will be influenced by *Character*, the Board will, after the most careful investigation, report whether the Soldier's conduct has been generally good, bad, or indifferent, in the terms best calculated to express their opinion, more especially directing their attention to the latter years of his Service.

3rd. His Disability.

The Board is to specify the nature, degree, and

cause of the Disability, in their Report, and to affix to it the Report from the Medical Officer, stating the origin and progress of such Disability, the manner in which it was contracted, the conduct of the Man whilst in Hospital, and the degree of his unfitness for Military Service, in order that no Soldier may be discharged as Disabled, unless the Disability shall be ascertained to be such, as in all probability to disqualify him permanently for Military Service.

4th. His Accounts and Claims.

The Board will ascertain and report upon all just demands of Pay, Clothing, &c., and before the Soldier leaves the Regiment, the Settlement of his Accounts is to be certified in his Discharge, and signed by him.

But no Soldier shall be examined before a Regimental Board, with a view to his Discharge for Disability, unless he shall have been previously inspected by the General, or other Superior Officer in Command, by whose orders the Regimental Board will be convened.

The Board shall be composed of Three Officers: A Field Officer, or the second in Command shall be the President, and Two Captains shall be Members. When the Report of the Board shall have been confirmed by the Officer Commanding the Regiment, the President shall fill up the Discharge according to the substance of the Regimental Board's proceedings. The Discharge shall then be signed by the President, and countersigned by the Commanding Officer, and be transmitted, together with a certified copy of the Court's Proceedings, to the Adjutant General, through the General or other Officer commanding on the Station.

In any case of Disability, requiring the Soldier personally to appear before the Commissioners of Chelsea Hospital to obtain a decision upon his Claim for Pension, the Soldier in the first instance will be ordered to the Invalid Depôt at Chatham, or to the General Hospital in Dublin, in order that the Remarks of the Military and Medical Authorities at those Stations may be inserted in the Discharge; and on the day appointed for the Commissioners to hold a Board at Chelsea, or Kilmainham, the principal Medical Officer, or the Staff Surgeon, who has had the Soldier, whose case is before the Board, under treatment at the General Hospital, will attend, with an Abstract of his professional Observations on each Man's Case, when the Board will decide upon the claim to Pension.

If the Regimental Investigation shall have been held Abroad, the General or Superior Officer on the Station will, according to his judgment, order the Soldier to a Convalescent Station Abroad, or to the Invalid Depôt at Chatham.

Upon the Report of the Military and Medical authorities at the Invalid Depôt at Chatham, or at the General Hospital in Dublin, the Commander-in-Chief will give the necessary orders for the Personal appearance of the Soldier at Chelsea, or Kilmainham, or for his joining the Depôt Companies of his Regiment, or for his final Discharge, according to the circumstances of the Case; but no Soldier who may have been sent from the Invalid Depôt, Chatham, or from the General Hospital Dublin, to his Regiment, on a Medical Report of his fitness for Duty, shall be returned to the said Depôt or Hospital until after the expiration of One Year, unless specially directed to be so returned by the Commander-in-Chief. And whenever a decision shall have been given by order of the Commander-in-Chief to retain a Soldier in the service, proposed to be discharged, the case of such Soldier shall not be again brought forward for discharge, until after the expiration of one Year, dating from the last decision.

If the Case of the Soldier be clearly such as not to entitle him to any Pension, and that there is no necessity for his personal appearance before the Commissioners of Chelsea Hospital, the proceedings of the Regimental Board, and the Discharge stating the grounds of the rejection of his Service, shall nevertheless be sent to Chelsea: if the Commissioners shall concur that the Soldier has no Claim, they will communicate their decision to the Secretary at War, according to Article 13, of these Regulations; but if the Commissioners shall entertain a different opinion, they will make further inquiry. Recruits under three years' service, who, upon trial, have been proved to be never likely to be made good and efficient Soldiers, may be reported once a year after the summer half-yearly inspection, for the purpose of being discharged, under such instructions as the Commander-in-Chief and the Secretary at War may issue.

No Discharge to which a claim for Pension may attach, shall be finally confirmed by the Adjutant General's Department, until the Case shall have been decided upon by the Commissioners of Chelsea Hospital.

Lists of the Soldiers allowed to purchase Discharges, or obtain free Discharges, shall be periodically sent to the Secretary at War, with the Discharges themselves, and other requisite Documents, in order that an accurate Register may be kept of this Class of Discharged Men at Chelsea.

Soldiers who obtain permission to be discharged at their own request, for length of Service and good Conduct, as laid down in Article 46, and Soldiers discharged in the Colonies or Garrisons abroad, as being disabled, if they

have in both cases completed 21 Years' Service in the Infantry, or 24 Years in the Cavalry, and are desirous of settling in such Colonies, may be admitted on the Out-Pension List, without appearing personally before the Commissioners of Chelsea Hospital, provided that the recommendation from the Officer commanding on the Station, with the Reports and Discharges, shall be transmitted through the Commander-in-Chief to the Secretary at War, who will signify His Majesty's pleasure to the Commissioners for the Pensioning of any Soldier, without his appearing personally before them, at such Rate of Pension as they may determine; and until such decision shall be received abroad, the Soldier will continue to draw his Full Pay, without Allowances: but in all these instances the Soldier's Case shall be investigated, and his Claim to Pension regulated according to the 51st and 52d Articles of these Regulations.

Any Soldier *discharged while serving Abroad* shall, if the superior Authorities on the spot think fit, and that the good conduct of the Soldier justifies the indulgence, have the option of receiving assistance by a grant of land, to become a Settler in the Colony in which he may be serving, as regulated in Art. 46, or of being sent to Great Britain or Ireland free of expence; in the latter case he shall receive the regulated Marching Money, from the Place of his being landed to the Parish or Place in which he was originally attested, or to such other Place as he may choose, provided no additional expence be incurred.

DEDUCTIONS TO WHICH THE PENSIONER
IS LIABLE.

57.

By an Act relating to Army Pensions, of the 16th July, 1830, the Secretary at War, with regard to Pay and Pensions, and the Commissioners of Chelsea Hospital, with regard to Prize Money and Pensions, paid by order of the Commissioners, are respectively empowered to issue any balance due to a deceased Officer, Soldier, or Pensioner, when the amount does not exceed £50, to the next of Kin or legal Representative of the Deceased, without the production of letters of Administration.

58.

No person employed to pay the Pensioners shall be allowed to charge more than three pence for the affidavit required to be transmitted quarterly to the Secretary to the Board of Chelsea Hospital.

59.

Should a Pensioner lose his instructions, and make an application for a fresh Copy, he may be supplied therewith, on making an affidavit of the circumstances under which the Original was lost, and provided it shall be shown that the same had not been pledged, or improperly disposed of; but if the Pensioner be proved to have taken a false Oath, he shall be struck off the Pension List. When new Instructions are given, he shall be liable to pay for them a sum not exceeding two shillings and sixpence, nor less than one shilling.

60.

The Commissioners shall, as heretofore, at their discretion, dismiss any In-Pensioner from the Hospital, if

guilty of Misconduct; and upon such Dismissal they shall have the power of reducing the amount of the Pension to which such Pensioner was entitled on his admission, or of taking it away altogether.

61.

Whenever a Grant of Land is made to a Discharged Soldier, either in commutation of the Pension, or in aid of his becoming a Settler, he shall be exempt from the payment of any Fees for such Grant; the terms upon which Grants to Soldiers and Pensioners are to be made shall be governed by such Instructions as His Majesty may be pleased to give, through the Secretary of State for the Colonial Department.

62.

Should any doubts arise as to the true intent and meaning of any part of the foregoing Regulations, His Majesty's pleasure will be signified through the Secretary-at-War.

By His Majesty's Command,

HENRY HARDINGE.

GENERAL ORDER.

HORSE GUARDS,

1st January, 1830.

HIS MAJESTY having been pleased, by His Royal Warrant, bearing date 14th November, 1829, to authorize certain alterations in the mode of discharging Soldiers, the General Commanding in Chief deems it proper to issue the following Orders to the Army in consequence.

1.

Non-commissioned Officers or Private Soldiers are not to be discharged without the authority of the General Commanding in Chief, signified through the Adjutant General.

2.

Previously to any Soldier being proposed for discharge on account of *unfitness for Service*, the Commanding Officer of the Corps is to make a full Report of the Case to the General Officer under whose Orders he is stationed, that he may personally inspect the Man, assisted by the superior Medical Officer under his Command; and if his opinion coincide with that of the Commanding Officer and the Regimental Surgeon, he is to certify the same at the bottom of a Return prepared according to the annexed Form (No 1.) which Return is then to be transmitted direct to the Adjutant General by the Commanding Officer, for the purpose of being laid before the General Commanding in Chief, whose instructions relative to the disposal of the Man will be communicated to the Commanding Officer.

3.

If the Regiment be stationed in Ireland, the Return is to be transmitted to the Deputy Adjutant General in Dublin, for the purpose of being laid before the General Officer Commanding the Forces in that part of the United Kingdom.

4.

Before a Soldier is henceforward permitted to leave the Corps to which he belongs, preparatory to his removal from the Service under any circumstances whatever, whether of unfitness for duty, or at his own request, a Regimental Board must be assembled to investigate, verify, and record the following particulars, viz.:

- 1st. His Services:
- 2nd. His Disability:
- 3rd. His Character:
- 4th. His Accounts and Claims:

according to the mode prescribed in the Regulations annexed to His Majesty's Warrant before-mentioned.—The Board is to be composed of three Officers, viz. the Major of the Regiment, or the second in Command, as President, and two Captains as Members.

5.

From the Proceedings of this Board the Discharge of the Soldier, according to the annexed Form (No. 2.) is to be filled up, and when signed by the President, and countersigned by the Commanding Officer, is in every case to be transmitted, together with a *Duplicate* of the Proceedings of the Board, to the Adjutant General.

6.

Every Soldier, on being *finally discharged*, is to be furnished with a Parchment Certificate, according to the

annexed Form (No. 3.) which must be confirmed in the Adjutant General's Department, before it is delivered to the Man.

7.

When Soldiers are sent home from Foreign Stations for the purpose of being discharged, the General or other Officer Commanding will take care, that the Medical Staff Officers have had full opportunity of investigating the Cases, before the Men are permitted to embark. He will also take care, that the same course with regard to the previous assembling of a Regimental Board, and the preparation of the prescribed Documents, be pursued, and that the several Discharges, Parchment Certificates, and Duplicates of the Proceedings of the Board be forwarded, carefully sealed up, to the Commandant of the Invalid Depôt at Chatham, which place is the destination of all Invalids returning from Foreign Stations.

8.

The serious Evils, which have resulted to the Public, as well as to Individuals, from the very careless and incorrect manner in which the Regimental Records have been kept, and Discharges filled up, having been fully ascertained and placed beyond question, by the Investigations recently instituted, and now in course of progress, throughout the whole Army. The General Commanding in Chief feels it incumbent upon him to require Officers in Command, and all others concerned, to give the strictest attention to the preparation of the Documents now required, for the accuracy of which in every respect they will be held personally responsible; and Lord Hill trusts that there will be no occasion or opportunity, in future, for recurrence to measures which are painful to his feelings, in proportion as they expose the misconduct of Individuals, and reflect discredit upon the Army at large.

9.

In cases where Soldiers serving on Foreign Stations may be desirous of being discharged on the Spot, the General or other Officer Commanding shall, if he see fit, forward their applications to the Adjutant General, together with all the prescribed Documents, in the same manner as if the Men were on their way home, on the receipt of which Documents the pleasure of the General Commanding in Chief will be signified.

10.

With regard to Soldiers who may be allowed, under certain conditions and limitations, to obtain their Discharges at their own request, according to the Scale laid down in the annexed Table (No. 4.) the General Commanding in Chief desires that Commanding Officers, in recommending Individuals for this indulgence, will be careful always to give the preference to Men according to the goodness of their Character; a course which, if steadily pursued, cannot fail to operate as a strong inducement to good conduct.

11.

In the cases of Soldiers who are prepared to pay the regulated Compensation for their Discharge, the mode of application now in use may be continued; but in the cases of Men with Length of Service giving them a claim to Pension on that account, who may be desirous of obtaining Free Discharges, with or without Gratuity, Commanding Officers will allow a period of Thirty Days to intervene between the receipt of the Soldier's application, and its transmission to the Adjutant General, in order to afford the Man sufficient time to re-consider the step he is about to take, and to withdraw his request, if on mature deliberation it shall appear to him imprudent or unadvisable. It will also be the duty of the Commanding Officer to assist the Man with the best information and advice in his power on so important a

HIS MAJESTY'S REG'T OF



Whereof is Colonel.

No. 53. THOMAS ATKINS, SERJEANT,
BORN in the Parish of St. Mary, Portmouth,
County of Hants, by Trade a Labourer.
Arrested for the 5th Regiment of Foot, at
on the 9th May, 1806, at the age of 18 Years, which he is entitled to reckon up to the 30th September, 1829,
1st. SERVICE. After the Age of 18 Years, which he is entitled to reckon up to the 30th September, 1829,
is Twenty three Years and One Hundred and Forty-five Days, the Statement of which is as follows:

Regiment.	Promotions, Reductions, &c.	Rank.	Period of Service in each Rank.		Amount of Service.		
			From	To	Years.	Days.	
5th Foot.	Private	Private	9th May, 1807	24th December, 1813	6	249	
	Promoted	Corporal	24th December, 1813	18th May, 1814	1	145	
	Dismissed	Sergeant	18th May, 1814	4th December, 1815	1	206	
	Re-engaged	Sergeant-Major	8th December, 1814	14th December, 1820	6	19	
	Promoted	Private	13th December, 1820	7th July, 1822	1	202	
	Dismissed	Corporal	8th July, 1822	29th March, 1824	1	232	
	Promoted	Sergeant	26th March, 1824	30th September, 1825	6	182	
	Total of the foregoing Statement					33	145
	Deduct, Three Years not allowed to reckon as stated in the proceedings of the Regimental Board					3	145
	Total Service up to the 30th September, 1829					30	145

For Soldiers enlisted previous to the 15th March, 1815.

From	To	Years.		Days.	
		Years.	Days.	Half period	Half period
East	26th December, 1813	2	...	...	...
West	14th December, 1823	2	...	...	...
* WARRANT.					
Total of the foregoing Statement					
Deduct, Three Years not allowed to reckon as stated in the proceedings of the Regimental Board					
Total Service up to the 30th September, 1829					

Years.	Days.
3	45
7	20
5	19

A non-commissioned Officer enlisted after the 15th November, 1815, must have served not less than three Years without interruption as such, immediately preceding his discharge. Vide Art. 6, of the Pensioner Regulations.

* Further Service from the 1st October, 1822, to the 14th December, 1823, when finally discharged.

* To be erased, when not required, by drawing the Pen through the Lines.

SERVED. Two Years in the East Indies, Two Years in the West Indies, Six at Gibraltar, Two in the Peninsula, the remainder at Home. Wounded in the Leg at Waterloo; present at the Siege of Bhurtpore; distinguished himself at the Storming of the place.

2nd DISABILITY or cause of Discharge. According to the Surgeon's Report annexed, it appears that this is a case of disease or disability, contracted on Duty; without being attributable to Neglect, Design, Vice, or Intemperance; and the Regimental Board approves of the Opinion of the Surgeon, as it is shown by the Proceedings of the Board hereto annexed.

Or, is a Case of Disease originating in Constitutional infirmity, or in Misconduct, and not contracted by the exigencies of the Service.

Or by purchasing his Discharge for £

Or by receiving a Gratuity of £ and a Free Discharge.

3rd CHARACTER-general The Regimental Board is of opinion, that his Conduct has been that of a good and efficient Soldier, seldom in the Hospital, trustworthy and sober.

Or think his Character and Conduct have been bad, for the reasons set forth in the Proceedings of the Board.

4th PAY and CLOTHING. He has received all just Demands from his Entry into the Service up to the 20th September, 1829.

I, THOMAS ATKINS, &c.

Certified _____ Captain.

I Certify that the foregoing Statements are correct Extracts from the Regimental Records, and the Proceedings of the Regimental Board.

Major, and President.

Confirmed by me,

Lieutenant Colonel Commanding.

OPINION. Of the Principal Medical Officer at

December 4th, 1829.

After a treatment of One Month in the General Hospital, I am of opinion that THOMAS ATKINS is unfit for Service, and likely to be permanently disqualified for Military Duty, and I approve of the opinion of the Surgeon.

Or, I am of opinion that the Soldier is capable of further Service, &c. &c.

Horse Guards,

Order Serjeant THOMAS ATKINS to appear personally before the Commissioners of Chelsea Hospital, or

By Order of the General Commanding-in-Chief the Discharge of Thomas Atkins is confirmed.

DECISION. The Commissioners award **THOMAS ATKINS** to receive a Pension of _____ a day, commencing _____

Secretary or Chief Clerk.

DESCRIPTION OF **THOMAS ATKINS**, at the time of his discharge.

He is 40 Years of Age, 5 Feet 10 Inches in Height,

{ bald
or
light } hair, grey eyes, sallow Complexion.

By Trade a Labourer.

He has a Scar or mark on his left hand.

When he left the Regiment, **THOMAS WILLIAMSON** was the Pay Sergeant of his Company.

MARCHING ALLOWANCE. **THOMAS ATKINS** received from Pay-Master _____ at Chatham, on the 14th December, 1829, Ten Days' Marching Allowance, to carry him to Coventry, _____ the place of his enlistment, or to _____ the Port at which he is to embark on the way to the place of his enlistment.

THOMAS ATKINS.

PARCHMENT CERTIFICATE.

5th Regiment of Foot.

THESE are to Certify that **Thomas Atkins**, Sergeant, born in the Parish of **St. Mary**, in or near the Town of **Portsmouth**, in the County of **Hants**, was enlisted at **Coventry**, for the aforesaid Corps, on the 6th May, 1806, at the Age of 17 Years. That he has served in the Army for Twenty-six Years, and 5 Months. Was a Corporal Six Years, a Sergeant Ten Years; was in the West Indies Four Years, and in the East Indies Five Years. That he is discharged in consequence of being unfit for further Service, and has been granted a Pension.

Signed _____ Commanding Officer.

Dated at **Manchester**, 30th September, 1829.

Horse Guards.

DISCHARGE of Sergeant **Thomas Atkins** confirmed.

CHARACTER.

Thomas Atkins has been a well-conducted Soldier; was wounded at _____, and has distinguished himself by several acts of Bravery; and, in consequence of his long and meritorious Service, he has received a special Gratuity of £ _____, in addition to the Pension to which he is entitled.

Signed _____ Commanding Officer.

The Soldier's Character is to be inserted only when recommendatory; if the general conduct of a Soldier, whilst in the Service, has been such as to give him no claim to have any thing said in his favour, the space for Character in the above Certificate is to be cut off close under the black line following the confirmation of the Discharge, thereby leaving no opportunity for any addition to be made after the Certificate is given to the Man.

When a Soldier is discharged on account of disgraceful conduct, that will appear in the body of the Certificate.

TABLE NO. 4.

CONDITIONS UNDER WHICH DISCHARGES
MAY BE OBTAINED.

His Majesty having been pleased to direct that Soldiers may be allowed to purchase or obtain their Discharges, under certain conditions and limitations, the terms are to be regulated by the following Scale, viz.:

Period.	For Men serving in the	
	CAVALRY.	INFANTRY.
Under 7 Years' actual Service.	£30	£20
After 7 Years' ditto . .	25	18
.. 10	21	15
.. 12	15	10
.. 14	12	5
.. 15	6	Free Discharge at home, and in addition three Months' Pay abroad.
.. 16	Free Discharge.	Free Discharge, and in addition three Months' Pay at home, and six Months' Pay abroad.
.. 17	Free Discharge, and three Months' Pay.	Free Discharge, and in addition six Months' Pay at home, and one Year's Pay abroad.
.. 18 and to 21	Free Discharge and six Months' Pay.	Free Discharge, and in addition one Year's Pay at home, and one and a half Year's Pay abroad.

ADJUTANT GENERAL'S OFFICE,
Dublin, 1st February, 1830.

GENERAL ORDER.

THE Lieutenant General Commanding is pleased to direct that the following arrangements shall be adopted for carrying into effect, in this Command, the Regulations annexed to His Majesty's Warrant, bearing date the 14th November, 1829, and the General Order of 1st January last, relative to the Discharge of Soldiers.

1. The Form of Return required to be prepared in the case of a Soldier proposed for Discharge on account of unfitness for Service, is laid down in the General Order above referred to. The above Return, when duly completed, is to be transmitted to the Deputy Adjutant General; and if there should appear to the Lieutenant General sufficient grounds for considering the Man a fit subject for Discharge, the Officer Commanding the Corps will be instructed to convene the required Regimental Board. When the Discharge of the Man, together with a Duplicate of the proceedings of the Board, accompanied also by the required Parchment Certificate, shall be received, a Route will be issued by the Quarter Master General's Department for the Man's march to Dublin, should it be considered necessary for him to appear before the Governors of Kilmainham Hospital, as having a claim to Pension:

2. As difficulties may arise owing to the want of adequate accommodation in the General Hospital, Phoenix Park, of a nature to preclude the possibility of a strict compliance with the 52d Article of the above Warrant, directing that all Soldiers claiming Pension on account of disability may be received into General Hospital for

further Medical treatment; and it being deemed at the same time most important, that the Medical Staff in charge of the General Hospital, should have the means of checking, by their professional opinion, improper Discharges, the Lieutenant General directs, with a view to the due attainment of that object, that on the arrival of Invalids at Dublin, early arrangements may be made for their examination by a Board of Medical Officers, composed, as far as practicable, of the Medical Staff: Invalids, therefore, on their arrival in Dublin, are to be placed, in the first instance, in charge of the Inspecting Field Officer at the Recruiting Depot, who will furnish the Director General of Hospitals, from time to time, with a list of them, as they may arrive, with a view to arrangements being made for their attendance at the General Military Hospital, Phoenix Park, for examination, as above directed.

3. The arrival of Invalids at Dublin, as far as practicable, is to be so regulated, as to admit of the Medical examination in the Phoenix Park being made some days before the Meeting of the Kilmainham Board, which will take place, as heretofore, on the last Wednesday of every month;—the Medical Officers to whom the duty of examination may be intrusted, will be furnished with the Men's Discharges, and the Duplicate of the proceedings of the Regimental Boards, together with any Reports that the Army Medical Office can furnish relating to the particular cases intended for examination. The above documents, that is, the Discharges, the Opinion of the Staff Medical Officer having been duly inserted, as also the Proceedings of the Regimental Boards, are to be then returned to the Deputy Adjutant General through the Director General of Hospitals, accompanied by a Report of the result of the Medical Examination. In framing their Report, the Board will conform to the instructions contained in a Memorandum from the Army Medical Office, dated the 31st of *January*, a Copy of which is herewith annexed, (No. 1.) and which is intended to shew:—

1st.—The names of Men who may be deemed fit for

further Service, and who will therefore be sent back to their respective Regiments or Depots.

2d.—Names of Men who are decidedly unable to serve any longer from ill health, mental or bodily disability, and who will therefore be ordered to appear before the Board of Governors of Kilmainham Hospital, for examination as to their claims to Pension.

3d.—Names of Men, whose cases may be considered of a nature to require further Medical Treatment, and who will, in consequence, be immediately admitted into the General Military Hospital, Phoenix Park, there to remain until their respective ailments can be duly determined and reported on.

4. Men of the description mentioned in Article 2, as being decidedly unfit for Service, will undergo the usual Medical Inspection at the Royal Hospital, on the morning of their appearing before the Kilmainham Board, by the Director General of Hospitals.

5. Under the arrangements above detailed, the statement containing the Opinion of the Staff Medical Officer on the Men's Discharges must necessarily be modified, as it cannot, for the reasons stated, be filled up strictly in compliance with the prescribed form.

6. As soon as the Men selected to appear before the Kilmainham Board shall have passed examination, they will receive from the District Paymaster the regulated allowances to carry them to their respective homes, according to the scale laid down in the Regulations from the War Office, bearing date 6th June, 1827; and as it is particularly desirable, that they should be settled with, and enabled to proceed to their respective homes, without loss of time, the District Paymaster will be in attendance at the Royal Hospital, on each Board Day, in order to settle with the Men, according as they pass examination, when he will be put in possession of their Discharges for that purpose. After the Men shall have received

whatever allowance they may be entitled to under the War Office Regulations above referred to, the District Paymaster will fill up the Certificate of Marching Allowance, and return the Discharges to the Register of Kilmainham Hospital, with a view to their transmission to Chelsea, where the Men's claims to Pension will be finally decided upon.

7. The Parchment Certificates will be sent to the Register of Kilmainham, to be transmitted by him to Chelsea with the Discharges of the Men—the Certificates alluded to cannot be completed until the Commissioners of Chelsea Hospital shall have decided upon the Men's claims to Pension; but in order to prevent the necessity of sending them back to Ireland for confirmation, they will be previously confirmed by the Deputy Adjutant General, leaving however the date of confirmation blank, to be filled up at Chelsea, as also to be inserted in the space allotted for that purpose, whether the Men have, or have not, been granted a Pension;—these Certificates, when thus completed, will be forwarded to the Men at their respective homes, from Chelsea.

8. In the cases of Men proposed for Discharge, as unfit for Service, who may happen to be in General Hospital, and the Head Quarters of their respective Corps stationed at a distance, and who cannot therefore attend the Regimental Boards as required, steps will be taken on the spot to investigate, verify, and record their disabilities, accounts, and claims, and the proceedings will be forwarded to the Regiments to which the Men belong, in order to their being annexed to the Regimental Boards from which the Discharges are to be completed.

9. With a view of giving the fullest effect to the Regulations contained in the King's Warrant, the Lieutenant General enjoins, on the part of Regimental Medical Officers, the strictest attention to the Instructions laid down in the annexed Memorandum, (No. 2,) prepared by the Director General of Hospitals for their guidance, in the cases of Soldiers proposed for Discharge as unfit for further Service.

10. According to Article 53 of the War Office Regulations for Pensioning Soldiers, Men who are clearly not entitled to claim any Pension, and for whose personal appearance before the Board of Kilmainham there can be no necessity, will be discharged, under special instructions for that purpose, at the Head Quarters of their Regiments, without any delay or expense being incurred in marching them to Dublin. This Class will include all Men under Seven Years' Service, who, in most cases, can have no claim to Pension, although they may be fit subjects for the *temporary* Pension, or Gratuity, specified in Article 11.

11. With regard to Men having claim to Pension for length of Service, who may be desirous of obtaining Free Discharges, with, or without gratuity, according to the Scale laid down in Table 4, annexed to the General Order of 1st of January, it is the Lieutenant General's desire that all applications for the Discharge of Men of this description may be accompanied by a Descriptive Return and Statement of their Services, &c. prepared according to the form annexed, (No. 3.)

The 25th of each Month being the period fixed for the transmission to the Horse Guards of applications on the part of Men to obtain Free Discharges, all such applications, which Officers Commanding Corps may be disposed to recommend, are to be forwarded so as to reach the Royal Hospital on or before the 20th of each Month.

By Command of
THE LIEUTENANT GENERAL COMMANDING,

J. GARDINER,
Deputy Adjutant General.

No. 1.

MEMORANDUM.

A Summary for the guidance of Staff Medical Boards ordered to assemble for the examination of Soldiers recommended as fit subjects for Discharge, and shewing the precise duty required of said Boards.

The Director General has furnished the annexed Form, as a return or Table, comprehending and exhibiting at one view, under appropriate headings, the several subjects and results of the Board's investigation.

1st.—The Regiments of Cavalry or Infantry will be inserted in said Return in the order of seniority.

2d.—In conducting the personal examination and inspection of each Case, the Board are carefully to refer to Article 2 of the Man's Discharge, wherein is specified the nature, cause, and circumstances of his unfitness or disability, stated by the Regimental Medical Officer, and where it may appear to them necessary, they are to enter the same briefly under its proper head in the Return.

3d.—The Board's Finding and Opinion on each Case will be entered under its proper head, concisely but clearly, noting whether they consider the disability to be of a permanent nature or otherwise.

4th.—Agreeably to the Official Memorandum, dated *Adjutant General's Office, Dublin, 15th January, 1830*, the Board will take care that every Invalid examined by them shall be disposed of, or classed under one or other of the following subdivisions, viz.—

- 1st.—Men deemed fit for further Service.
- 2d. unfit for further Service.
- 3d. doubtful.

5th.—As No. 1 class of the above will comprise Men deemed serviceable, it will be sufficient for the Board briefly to record, in its place, their difference from the Opinion of the Regimental Medical Officer, or Regimental Board, without entering upon the grounds of said difference, unless the peculiarity of the Case especially calls for it.

6th.—No. 2 will form a class where disability and unfitness for Service must be of a very obvious character; the Board will invariably record their Opinion, as to whether the disability may be of a permanent character or not, and, if possible, whether contracted in and by the Service.

7th.—No. 3 being a class on whom the Board are unable to form an Opinion, the subjects of it will be transferred to the General Military Hospital in Dublin, as special cases for observation and report by the Physician or Surgeon General.

Army Medical Office,

Dublin, 31st January, 1830.

FORM OF RETURN (referred to in the preceding Memorandum) to be made by Staff Medical Boards to the Director General of Hospitals, subsequent to the Inspection of all Soldiers assembled at the Recruiting Depot, Trenchardstreet, Dublin, who have been sent up from Regiments as Claimants for Pensions.

Dublin,
Day of

Regiment.	Name and Age.	Service.		Cause of Disability given by Regimental Medical Officer, and Regimental Board.	Remarks by Staff Medical Board.	Returned to his Regiments.	DISPOSAL.	By General, His Majesty's Order, and the part.
		Years.	Days.					

MEMORANDUM.

The Director General of Hospitals feels it incumbent upon him, in his official capacity, to call the special attention of Regimental Medical Officers, serving in Ireland, to the strict fulfilment of the Orders lately issued in His Majesty's Name, for the due examination of all Soldiers who shall hereafter be proposed for Discharge, or recommended for the Pension of Chelsea Hospital.

In the performance of this duty, it will be expected, that in the Certificates required from Medical Officers, to be laid before Regimental Boards, the nature of the disease or disability under which the Soldier labours, shall be fully set forth, care being taken to state distinctly whether the disease or disability originated from the effects of service, from neglect, vice, or misconduct, or might have been produced in a great measure from constitutional causes; and as the Regimental Medical Officer must in every case pronounce an Opinion whether the Soldier is fit, or unfit, for further Service in the Line, it behoves him to take especial care that the Opinion so pronounced shall be borne out and confirmed by a fair consideration of all circumstances.

The Director General further observes, that as every Soldier proposed for Discharge will, on his arrival in Dublin, be re-examined by a Board of Staff Medical Officers, by whom the Certificates given by Regimental Medical Officers, will be carefully perused, it is quite certain that any material error or imperfection in the above documents will be immediately discovered, and reported to the Lieutenant General Commanding.

In addressing professional Men, of character and experience, the Director General confidently hopes and expects, that each Regimental Medical Officer will execute

this important trust in an able, impartial, and satisfactory manner, it being expressly understood that the right of Discharge from the Service must, in every case, rest solely on permanent disability and unfitness to perform the active duties of a Soldier.

Army Medical Office,
Dublin, January, 1830.

No. 3.

Regiment.

Return of Men who solicit Free Discharge under the provisions of His Majesty's Warrant of the 14th November, 1805, having claim to Pardon for length of Service.

NAME AND NAME	Where born L. I. or R.		Age.		Service		CONDITIONS.	CHARACTER.
	Years.	Months.	Years.	Months.	Years.	Months.		

MEMO.—

This Return is to be accompanied by a letter containing the name of the Officer commanding the Regiment, or any other Officer, as may think necessary.

Signature of
Officer Commanding.



ANNO PRIMO

GULIELMI IV. REGIS.

CAP. XLI.

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

WHEREAS an Act was passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to consolidate and amend several Acts relating to the Royal Hospitals for Soldiers at Chelsea and Kilmainham*: and whereas another Act was passed in the said seventh Year of the Reign of his said late Majesty, intitled *An Act to amend an Act passed in the fifty-second Year of the Reign of His late Majesty King George the Third, so far as the same relates to the retired allowances of Quartermasters of Cavalry and Infantry*: and whereas another Act was passed in the Tenth Year of the Reign of His said late Majesty, intitled *An Act for transferring the Management of Greenwich Out-Pensions, and certain Duties in Matters of Prize, to the Treasurer of the Navy*: and whereas it is expedient to make further Regulations with respect to Pensions; be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the autho-

7 G. 4. c.
16.

7 G. 4. c.
31.

10 G. 4. c.
26.

rity of the same, that so much of the said Act, intitled *An Act to consolidate and amend several Acts relating to Royal Hospitals for Soldiers at Chelsea and Kilmainham*, as enacts that it shall be lawful for the said Commissioners of the said Hospital at *Chelsea* to give to any Soldier, not being a native of the United Kingdom, who may have been or may be discharged, and may be entitled to any Out-Pension or allowance from the said Hospital at *Chelsea*, by reason of Service, or having become invalid or disabled, and shall be desirous of living out of *England*, and who may be recommended for that purpose by any order of his Majesty, to be signified to the said Commissioners by his Majesty's Secretary at War, such sum of money, in gross, in lieu of such annual Pension or Allowance, as may be directed by the Secretary at War, with the approbation of the Commissioners of his Majesty's Treasury, in that behalf, any thing contained in this or any other Act or Acts to the contrary notwithstanding; and also so much of the said Act as enacts, that it shall and may be lawful for the said Commissioners of the said Hospital at *Chelsea*, upon all Applications to be hereafter made to them by any Person or Persons claiming on account of their Services in his Majesty's Army, to give Pensions to such person or persons, in their discretion, according to their length of Service, allowing in the apportionment of such Pensions all such time as the said person or persons shall have served (previously to his entering into his Majesty's Army) either as a petty Officer, seaman, or landman in his Majesty's fleet, or as a Non-commissioned Officer or private Marine; and also so much of the said Act as enacts that it shall be lawful for the said Commissioners of the said Hospital at *Chelsea* to authorize the Agent for Pensions, or other proper Officer, to pay to any person or persons who shall prove him, her, or themselves, to the satisfaction of such Commissioners or of the said proper Officer, to be the next of kin or legal representative, or otherwise legally entitled to any Pension money due to any deceased Pensioner, not exceeding Twenty Pounds, although such person shall not have taken out letters of administration or have procured probate of any will of such deceased Pensioner or Officer;

Certain
Parts of the
Act of 7 G.
4. c. 16. re-
pealed.

- 10 G. 4. c. 26. and also so much of the said Act, intituled *An Act for transferring the Management of Greenwich Out-Pensions, and certain Duties in Matters of Prize, to the Treasurer of the Navy*, as declares that it shall be lawful for the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, for the time being, in his and their Discretion, upon applications to be hereafter made to him or them by any person or persons claiming Pensions on account of the Services of such person or persons in his Majesty's Navy, to allow in the apportionment of such Pension so much of the time as the said person or persons shall have served (previously to his or their entering into his Majesty's Navy) either as a Non-commissioned Officer or Private in his Majesty's Army; and also the whole of the said Act, intituled *An Act to amend an Act passed in the Fifty-second Year of the Reign of His late Majesty King George the Third, so far as the same relates to the retired allowances of Quartermasters of Cavalry and Infantry*, shall be and the same are hereby repealed.

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

II. And be it enacted, that the Lords and others, Commissioners of the Royal Hospital for Soldiers at *Chelsea* in the County of *Middlesex*, may and shall give to any Non-commissioned Officer or Soldier entitled to Out-Pension from the said Royal Hospital, who shall be desirous of living out of *Great Britain* and *Ireland*, and who shall be recommended for that purpose by any order of his Majesty, signified to the said Commissioners by the Secretary at War, a sum of money not exceeding in amount four years' pension, as a commutation or equivalent in gross for all annual pension to which such non-commissioned officer or soldier might otherwise be entitled; and the money so to be paid as an equivalent or commutation for Pension shall be paid out of any money voted for or applicable to the payment of pensions under the management of the said Commissioners of *Chelsea* Hospital; and the receipt of the person receiving such commutation or equivalent, or other proof of his having accepted an equivalent or commutation in gross in lieu of such annual pension, shall be a full discharge for the

How Commutation Money to be paid.

All Claim for annual Pension to cease after Commutation.

sum so paid, and shall be a release and abandonment of all claims to any future or other payment of pension whatsoever.

III. And be it enacted, that from and after the passing of this Act it shall be lawful for the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, for the time being, in his or their discretion, with respect to the granting of naval pensions, to allow to any non-commissioned officer or soldier who shall have entered into the Royal Marines his previous service as a non-commissioned officer or soldier in his Majesty's Army, in reckoning his claim for naval pension, and also to allow to any non-commissioned officer, petty officer, or seaman of his Majesty's Navy his previous service as a marine, in reckoning his claim for pension; and it shall be lawful for the said Commissioners of *Chelsea* Hospital, in their discretion, with respect to the granting of Army Pensions, to allow to any non-commissioned officer or soldier of His Majesty's Army his previous service as a Marine, in reckoning his claim for pension; provided that such previous service, and the cause of discharge from such service, shall be declared and verified and recorded at the time the said persons shall respectively enter into his Majesty's Army or Navy or Marines.

IV. And be it enacted, that it shall be lawful for the said Commissioners of *Chelsea* Hospital, with the consent of the Secretary at War, in all cases in which it may be deemed expedient, to restore any non-commissioned officer or soldier who shall have been convicted of felony, and thereby forfeited his pension, either to his original pension or to any less rate of pension.

V. And be it further enacted, that it shall be lawful for the said Commissioners of the said Hospital at *Chelsea*, with respect to pension or prize money, and for the Secretary at War of his own proper authority, with respect to pay, to authorize the agent for pensions, or other proper officer charged with the payment thereof, to pay

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

Persons convicted of Felony may be restored to Pension.

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

to any person or persons who shall prove him, her, or themselves to the satisfaction of such Commissioners, with respect to pension and prize money, or of the Secretary at War, with respect to pay, to be the next of kin or legal representative or otherwise legally entitled to any pension or prize money or pay due to any deceased officer, non-commissioned officer, soldier, or pensioner, such pension, prize money, or pay, provided the same does not exceed Fifty Pounds, although the person so entitled shall not have taken out letters of administration, or have procured probate of any will, of such deceased officer, non-commissioned officer, soldier, or pensioner.

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

VI. And be it enacted, that nothing in this Act contained shall revive or give force or effect to any Act or parts of any Act which was or were repealed by the said herein-before last-recited and hereby repealed Act of the seventh year of his late Majesty.

GENERAL

HEADS OF ARRANGEMENT
OF THE
REGULATIONS FOR PENSIONING SOLDIERS.

REVISED WARRANT, cancelling all existing Warrants, Regulations, &c.

ARTICLES.

- 1 to 14. Division of Pensions into Four Classes.
- 1st. Length of Service.
 - 2nd. Wounds received in Action.
 - 3rd. Disabilities, *after* 14 Years' Service.
 - 4th. Disabilities *under* 14 Years' Service.
- 15 to 21. Special cases of Disability, how to be dealt with.
- 22 to 33. Forfeiture of Pension for Misconduct, specified in each Article.
- 34 and 35. Commutation of Pension for a Sum of Money, or Grant of Land.
- 36 to 45. Rules in reckoning Service, shewing what description of Service will be admitted or excluded.
- 46 to 56. Conditions under which Discharges may be obtained.
- 57 to 62. Deductions to which the Pensioner is liable.

- Page 32. General Order, dated Horse Guards, 1st January, 1830.
- 45. General Order, dated Adjutant General's Office, Dublin, 1st February, 1830.
- 50. Memorandum from the Army Medical Office, dated Dublin, 31st January, 1830.
- 53. Memorandum from the Army Medical Office, dated Dublin, January, 1830.
- 56. Act 1st William IV. for making further Regulations with respect to Army Pensions.

