

## PENSIONS AND GRATUITIES TO THE RELATIVES OF OFFICERS.

1. Widows of Officers of the Royal Navy, and the Royal Marines, may be allowed Pensions, and their Children Compassionate Allowances, at the rates specified in the attached table, and subject to the following regulations:

2. All applications for Pensions, and for Compassionate Allowances, must be addressed to the Secretary of the Admiralty for the decision of the Board.

3. The Pensions of all Widows shall commence from the day following that on which their husbands died, provided application be made by the Widow within Twelve Months from the same, otherwise from the time only of such application.

4. His Majesty's Orders in Council increasing rates of Pension, or Compassionate Allowances, are not retrospective in their operation, and only affect the families of such officers as may be on the Active List at the date of such Orders in Council, or subsequently thereto.

5. If the claim of a Widow to Pension shall not be established *before her death*, the amount of pension to which she would have been entitled if living shall not be allowed to her representatives.

6. The Pensions authorised by these Regulations cannot be claimed as a *Right*:—they are granted as rewards for good and faithful service rendered by deceased Officers;—they will only be conferred on persons deserving the Public Bounty;—the *ordinary* Pension will not be granted to Widows whose private incomes may exceed the confidential scale which may from time to time be fixed by the Admiralty as the limit for each Rank of Officer,—and the Pensions are liable to be discontinued altogether, in case of any misconduct rendering the individuals receiving them unworthy of the Public Bounty.

The Widows of Naval Officers placed on permanent Half Pay or on the Retired or Pension List, on or after the 2nd August, 1910, on account of misconduct, after having completed not less than 20 years counting towards retirement or pension, may at the discretion of the Admiralty be granted pensions, provided that a deduction of not less than 10 per cent. shall have been made from the Retired Pay or Pensions to which, but for their misconduct, these Officers would have been entitled. In such cases the Widow's Pension will be reduced by half the percentage by which the husband's Retired Pay or Pension has been reduced.

Widows of retired Officers, or others formerly in the Royal Navy, having been allowed to resign their Commissions, who have been called out or have volunteered for service in case of war or emergency and have lost their lives from causes attributable to the Service, may be allowed pensions, and their Children Compassionate Allowances on the special scale applicable to the rank held by the Officer at the time of his death, notwithstanding that he may have married whilst on the Retired List or after resignation of his Commission, and subject to the provisions of the Commutation Acts of 1871 and 1882.

7. A Widow shall not be eligible to be placed on the Pension List under any of the following circumstances:—

i. If her husband married after the age of 60 years, except Commissioned Warrant Officers, and Warrant Officers pensioned before 1st October, 1875, in whose case the limit of age is 50.

ii. If her husband, being capable of service, had, at his own solicitation, been excused from serving, when called upon, provided that he was officially warned that his Widow would thereby forfeit the Pension.

iii. If her husband had been guilty of any fraudulent misapplication of the public money.

iv. If her husband had been guilty of Bigamy; or if she had been living at the time of her husband's death in a disreputable state of separation.

v. If her husband died in the service of a Foreign state unless serving with the permission of the Admiralty.

vi. If she had not been married Twelve Months to the Officer by whose right she claims the Pension, unless the said Officer was killed or drowned in an immediate act of duty. The Admiralty may, however,

grant the Pension in cases of Officers dying before the expiration of Twelve Months from the time of their marriage, but only if satisfactory evidence is produced to show that the marriage did not take place under any circumstances which would imply that there was any fraud in the transaction, or any improper intention of obtaining the Pension for the Widow and provided it be clearly shewn that the Officer was in good health when he married, and that the disease which occasioned his death was not brought on by any misconduct, or by any circumstances over which he had control.

vii. If she shall receive any other Pension, Provision, or Allowance from the Government on account of her husband's services in a Naval or Military capacity; but Widows in receipt of Pensions from the Civil List are not deprived of their Naval Pensions on account thereof, and Widows who, in consequence of second marriage, may be eligible for either a Navy or an Army Pension, may elect to receive that which is most advantageous to them.

viii. If her private income exceeds the confidential scale fixed by the Admiralty as the limit for the rank last held by her husband; observing that the Widows of Commanders retired with the rank of Captain, Lieutenant Commanders or Lieutenants retired with the rank of Commander, and so on, may enjoy the private income applicable to the higher rank without forfeiting their Pensions thereby.

ix. If the marriage took place subsequent to the Officer commuting his Retired Pay, or if the Officer, after having commuted, removed his name from the List of the Navy, although the marriage may have taken place before such commutation.

*Note.*—Widows of Officers married after partial commutation will only be granted a proportion of the pension for which they would otherwise have been eligible.

x. If marriage took place after the Officer was removed from the Active List. This regulation to be only applicable to Officers who retired after 10th November 1886, and is not to apply to Widows of Retired Officers or others called out or volunteering in case of war or emergency, who lose their lives from causes attributable to the Service.

xi. If her husband, being a Medical Officer, should retire or withdraw upon a gratuity.

8. The pensions of Widows whose private incomes may, after their pensions have been awarded, increase beyond the limit fixed from time to time by the Admiralty for the rank last held by their husbands, shall be suspended as long as their private incomes exceed such limit; but may be restored again in the event of their private incomes decreasing within the limit.

9. The Widows of Commissioned Officers (except Chaplains) who shall have married after the 10th November 1886, are only entitled to the Pensions of their respective classes, in the event of their husbands having 10 complete years' seniority as Commissioned Officers on the Active List, except the Husband be killed in action, or lose his life in the execution of his duty. If, however, the Officer had five years' seniority on the Active List, was in good health when he married, and it be clearly shewn that the disease which occasioned his death was not brought on by any misconduct, or by any circumstances over which the Officer himself had control, the Admiralty may award Pensions in such cases as they think proper.

The restrictions as to service as Commissioned Officer on the Active List will not apply to:—(a) Officers retired before the 10th November 1886, such Officers being allowed to count their time as Commissioned Officers on the Active, Reserved, or Retired Lists as qualifying for eligibility for pension to their widows.

(b) Lieutenants, Engineer Lieutenants and Carpenter Lieutenants promoted to that rank from Commissioned Warrant Officers or Warrant Officers.

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The Widow of a Mate, Commissioned Warrant Officer, Divisional Chief Officer of Coast Guard, or Chief Officer of an R.N.R. Battery, is only entitled to the rates applicable to those ranks should her husband have had one year's service in the rank, or should his death have been attributable to the Service; otherwise the rates applicable to Warrant Officers or to Chief Officers of Coast Guard Stations will be awarded.

The Widow of a Warrant Officer or Chief Officer of a Coast Guard Station with less than one year's service (acting time, if any, included) and confirmed in the rank, is not eligible for a Pension unless the Officer's death is attributable to the Service.

The Widow of a Head Schoolmaster who has been killed in action, or who has died of wounds received in action within 7 years of such wounds having been received, or who has died from illness brought on by fatigue, privation, or exposure incident to active operations before an enemy, within 7 years of his having been first certified to be ill, or who shall have completed not less than one year's continuous service as Warrant Officer at the time of his death, shall be granted a Pension, provided the marriage took place before the Officer attained the age of 45 years, and the Widow be certified as being left in necessitous circumstances and subject to the conditions laid down for the Pensions of other Officers' Widows, so far as they apply. The foregoing provisions are not applicable to Head Schoolmasters pensioned on or after the 10th January, 1910.

10. The Widow of a Chaplain shall not receive a Pension unless her Husband's name was on the List at the time of his death, nor unless she shall have been married during or prior to her Husband's service in the Navy, nor unless her Husband shall have served One Year on Full-Pay subsequent to their marriage, and shall have served Three Years on Full Pay.

If, however, he had completed Ten Years' Service on Full Pay, a Pension may be granted, although no portion of such service shall have been subsequent to their marriage, provided the Widow is otherwise eligible, and provided as regards Officers retired after 10th November, 1886, that the marriage took place before the Officer left the Active List.

12. In all cases of a Widow re-marrying, her Pension shall be suspended from the date of her re-marriage; but in the event of her again becoming a Widow, her Pension may be restored, upon proof being adduced to the Admiralty that her private income does not exceed the limit fixed from time to time by the Admiralty for the rank last held by her husband, and that she is otherwise deserving the Public Bounty, but it will be again liable to suspension during future re-marriage.

If a Widow, in consequence of re-marriage with a Naval or Marine Officer, becomes again eligible for a Pension from naval funds, she may either revert to her first Pension, or be granted the Pension for which her second marriage rendered her eligible whichever is most to her advantage.

13. Every Officer, whether on Full, Half, or Retired Pay, shall,—in order to facilitate the decision upon the claim of his Family, after his decease, to the benefit of these Regulations, notify his marriage *within one month* of its taking place, to the Admiralty, according to the Form given.

14. With respect to marriages contracted in Scotland, none will be admitted, for the purposes of these Regulations, which cannot be proved either by an extract of the Register of the Kirk Session, or other legal record of the place in which the marriage shall have been celebrated—or by an acknowledgment of a

Marriage to be transmitted to the Admiralty, made and subscribed by the parties themselves in Scotland, in presence of a Magistrate, according to the Form given, or a Decree of Declaration of Marriage.

15. The Widows of Officers on the Reserved and Retired Lists are only eligible for the Pension applicable to the rank and seniority of their husbands at the date when they were last on the Active List, except in the case of (i.) Captains who were advanced to the rank of Flag Officer whilst on the Retired List and who were Retired or Married before the 10th November, 1886, whose Widows are pensioned as the Widows of Flag Officers, and (ii.) Commissioned Warrant Officers retired after 1st April, 1896, with the substantive honorary or relative rank of Lieutenant, Carpenter Lieutenant, or Engineer Lieutenant, whose Widows are pensioned as the Widows of Junior Lieutenants.

The widows of Paymasters-in-Chief and Paymaster Captains who attain that rank on retirement will be awarded the same rate of Pension as widows of Paymaster Captains on the Active List.

The same rate may also be awarded to the widows of Paymaster Commanders who are still on the Active List, provided that at the time of their death they have reached the age for optional retirement, and were eligible by service for, and would in the ordinary course have been granted, the rank of Paymaster Captain on retirement.

### 16. Widows of Marine Officers.

#### (a) Officers retired before 29 June, 1882.

The General Rules for the grant of Pensions to the Widows of Naval Officers are applicable to the cases of Widows of Marine Officers, except where otherwise stated in these Regulations.

In computing the period on the list of Commissioned Officers necessary to render Widows eligible for Pensions, in the case of Marine Officers who have been promoted from the ranks, three years in the ranks shall be allowed to reckon as two years in commission towards such qualifying period; and if under this rule the time is still insufficient, the Admiralty may, at their discretion, award a Pension notwithstanding, provided the actual service in all ranks amounts to the period required in the cases of other Officers.

The Widows of Marine Officers who held Brevet or Honorary Rank on the ACTIVE LIST shall be granted the Pension applicable to that rank. The Widows of Marine Officers who were given an honorary rank on or after retirement shall only be entitled to the Pension applicable to the substantive rank of the Officer when last on the Active List.

#### (b) Officers retired after 29 June, 1882.

The Widows of Marine Officers retired after 29th June, 1882, will be pensioned under the rules governing the award of Pensions to Widows of Officers of His Majesty's Army.

17. *Widows and Children of Officers killed in Action.* Gratuities, under the following regulations, shall be allowed, as His Majesty's Royal Bounty, to the Widows and Orphans of such of the Officers mentioned in Article 1, as may be slain in the King's Service, in fight with the enemy, pirates, or smugglers, or in encounters with the Ships of friends by mistake, or in quelling disturbances on shore or afloat; and persons dying of their wounds within seven years shall be considered as persons slain, viz.:—

1. To a Widow, a Gratuity equal to a year's Full-Pay of the rank which her husband held at the time of his death.

11. To each Orphan (who shall not be married, nor be above the prescribed limit of age), one third of the Gratuity to the Widow; posthumous children shall be considered as orphans.

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In the calculation of these Gratuities, the Officer's Command Money and other Full-pay Allowances, except Table Money, shall be included.

18. In the case of an Officer killed in action, or dying from wounds received in action within seven years, and not leaving a Widow, but leaving a Daughter or Daughters only, an annual Allowance, equal to the ordinary rate of Widow's Pension may, under special circumstances, be granted, instead of the Compassionate Allowance, to such Daughter or Daughters collectively. Such Allowances may be continued until the Daughter, or the last survivor of them, in case there be more than one, may become disqualified by marriage or otherwise.

19. *Children of Officers.*—(1) Allowances on the Compassionate List to the legitimate Children of deceased Commissioned Officers, may be given in those cases in which the rank of the Officer would render his Widow eligible to be placed on the Pension List; provided it be shown that the Children have no other Allowance, Pension, or Provision from the Government (except in the case of Boys under the age of eighteen who may be serving as Subordinate Officers in the Navy), and that their pecuniary circumstances, and those of their family, are so limited that they actually require assistance from the Compassionate Fund.

(2) The scale of Compassionate Allowances for Children of Officers is laid down in the foregoing Table, but motherless children who are not in receipt of more than 30*l.* a year from other sources may be granted allowances within a maximum of double the ordinary rates.

(3) When a Medical Officer retires, or withdraws on a gratuity, his children will have no claim to Compassionate Allowance.

20. The Allowances granted to the Sons of Officers may be continued until they attain the *Age of Eighteen* or are otherwise previously provided for; and those to the *Daughters* may be continued until they marry, or attain the *Age of Twenty-one*, whichever shall first happen, and no longer; except in very special cases, in which it shall be shown that such Sons or Daughters are afflicted with any mental or bodily infirmity, rendering them incapable of making any exertion for their own support; and that they are still in distressed circumstances, the allowance may be continued, or revived should any break of continuity from under age have occurred.

These allowances may also be awarded in those special cases where the Sons and Daughters of Officers who were not in receipt of Allowances when under age, are rendered incapable of making adequate exertion for their own support through infirmity, dating from a period before the father's death, and before the Sons and Daughters reached the age at which in ordinary circumstances Compassionate Allowance would cease.

21. Children who are being educated at the expense of Greenwich Hospital may be granted the minimum Compassionate Allowances applicable to their Father's rank, provided real poverty is proved to exist.

22. All persons alluded to in Article 20 who are in receipt of 30*l.* a year from other sources, or whose Mothers have been refused Pensions on account of private income, are considered ineligible for Compassionate Allowances under ordinary circumstances. In the case of motherless children, however, the private income limit is 45*l.*

23. In the event of a Widow re-marrying, her Children by the first marriage are still eligible for Compassionate Allowances, provided they are otherwise qualified to receive them.

24. Compassionate Allowances are granted for the year commencing 1st January, but are not payable till after the following 1st April.

25. Children who were born after their Fathers commuted their Retired Pay are not eligible to be placed on the Compassionate List. Children born after partial commutation will only be granted a proportion of the Allowances for which they would otherwise have been eligible.

26. The aggregate amount of the Allowances to the Family of any Officer shall not exceed, in ordinary cases, the amount of the Half Pay of his Rank and Seniority at the time of his death. In the case of an Officer whose death is attributable to the Service, the aggregate amount of the Allowances to his Family shall not exceed 100*l.* a year more than the amount of the Half-Pay of his Rank and Seniority at the time of his death.

27. *Mothers.*—When an Officer is killed in action, or killed or drowned on duty, or dies of wounds or injuries received on duty within seven years after being injured, and leaves no Widow nor legitimate Child, but leaves a Mother who is a Widow in distressed circumstances, and who was dependant upon him, the Mother shall receive a Pension equal to the ordinary rate of Widow's Pension attached to the rank which her Son held at the time of his death; but if such Mother shall herself be in the receipt of a Pension as an Officer's Widow, or shall have any other provision of any kind from the public, in that case no Allowance will be made to her on account of her Son, unless she gives up the other Pension or Allowance, and the pension given to a Mother on account of her Son will be forfeited on re-marriage, and will not be restored in the event of her again becoming a Widow.

28. *Sisters.*—Sisters of Officers are not eligible for any Allowance, unless under very special and extraordinary circumstances. The Allowance will not exceed that which would be given to a Mother and will not be given in any case unless the Officer shall have been killed in action, or killed or drowned on duty, or shall die of wounds or injuries received on duty within two years after being injured, and shall have left no Widow, legitimate Child, nor Mother, nor unless the Sister shall be an Orphan, having no surviving Brother, and shall have been dependant for support upon the Officer killed. Every Pension so granted will cease when the person receiving it shall marry, or be in any other manner sufficiently provided for.

29. If there be no ordinary rate of Pension attached to the rank of the Officer, such Pension may be granted as the Admiralty may see fit, in the case of both Mothers and Sisters, under the circumstances stated in Articles 28 and 29.

30. Widows, Children, and other relatives of Officers who may have been granted temporary Commissions, or have held acting appointments, together with relatives of Officers of the Royal Naval Reserve and Royal Naval Volunteer Reserve, to be eligible for pension and allowances on the same scales as are prescribed for Officers of similar ranks holding permanent Commissions in the Royal Navy.