Anno vicesimo nono

Georgii II. Regis.

An Act for the speedy and effectual Recruiting of His Majesty's Land Forces and Marines.



WHEREAS for recruiting His Majesty's Land Forces and Marines, it is necessary that a new Supply of Men be forthwith raised within the Kingdom of Great Britain, by common Consent and Grant in Parliament; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That within and throughout the several and respective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Parishes, Towns, Preamble.

A Levy of Able-bodied Men to be made throughout *Great Britain*.

Towns, and Places of Great Britain, a speedy and effectual Levy of Able-bodied Men to serve His Majesty as Soldiers, shall be forthwith had, made, practised, and put in Execution, according to the Rules and Directions of this present Act.

Justices of the Peace, Commissioners of the Land Tax, and Magistrates of Corporations and Burghs, to put this Act in Execution;

And it is hereby further enacted, That the Justices of the Peace of every County, Shire, Stewartry, Riding, Liberty, or Place, within Great Britain, and all and every the Persons who were named, or otherwise appointed to be Commissioners for putting in Execution an Act of Parliament made and passed at Westminster, in the Twenty eighth Year of the Reign of His present Majesty, intituled, An Act for granting an Aid to His Majesty, by a Land Tax, to be raised in *Great Britain*, for the Service of the Year One thousand seven hundred and fifty five; and for the Relief of the Inhabitants of the County of *Lincoln*, in respect of Arrears of the Land Tax, or any subsequent Act or Acts of Parliament for that Purpose, within the several and respective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Towns, and Places, therein particularly expressed, who are still living, and have duly qualified themselves according to the said Acts, or shall duly qualify themselves according to this present Act in that Behalf, shall be Commissioners for putting in Execution this present Act, and the Powers therein contained, within and for the same Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Towns, and Places of Great Britain, for which they were so named or appointed respectively; and that all and every the other Persons who are named or otherwise appointed to be Commissioners for putting in Execution an Act passed in the present Session of Parliament, intituled, An Act for granting an Aid to His Majesty by a Land Tax, to be raised in *Great Britain*, for the Service of the Year One thousand seven hundred and fifty six; and for the Relief of the Inhabitants of the City and County of the City of *Lincoln*, in respect of Arrears of the Land Tax, within or for the said Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Towns, and Places, or any of them respectively, or such of the Persons last-mentioned, as shall also duly qualify themselves according to this Act in that Behalf, shall also be Commissioners for putting in Execution this present Act, and the Powers therein contained, within and for the same respective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Towns, and Places of Great Britain,

Britain, for which they are so named or appointed respectively; and that all and every the Justices of the Peace, and Magistrates of Corporations and Burghs in any Part of Great Britain, who are or shall be in any of His Majesty's Commissions of the Peace, or in the Magistracy of such Corporation or Burgh, at any Time during the Execution of this Act, who shall duly qualify themselves according to this present Act in that Behalf (although not specially named or appointed Commissioners by the said Act) shall be likewise Commissioners for putting in Execution this present Act, and all the Powers therein contained within the Limits of their Commissions and Jurisdictions respectively; all which Commissioners by this Act intrusted with the Execution of the same, are hereby strictly enjoined and required to use their utmost Care and Diligence that His Majesty's Service, in making such Levies as aforesaid, be not disappointed or neglected.

and to take Care that His Majesty's Service be not neglected.

And be it further enacted by the Authority aforesaid, That the High Sheriff of every County, or his Deputy, immediately upon receiving Notice for that Purpose from the Secretary at War, shall send Precepts to their respective Bailiffs or others who are usually employed to summon Juries, directing them to summon the several Justices of the Peace, and Commissioners of the Land Tax within their respective Divisions, to attend at the usual Place of Meeting in every Division, upon a certain Day in the said Precepts named, within the Time limited by the Secretary at War (Notice of which Day shall be sent to the War Office upon the issuing of the Precepts by the Sheriff) to qualify themselves for the Execution of this Act; and the said Commissioners shall then and there appoint the several Times and Places for the succeeding Meetings in each of their respective Sub-divisions during the Continuance of this Act; and the said Justices of the Peace, and Commissioners of the Land Tax, shall, at such Meeting, issue their Precepts to the High Constables, Headboroughs, or other proper Officers for the respective Hundreds, Lathes, Rapes, Wapentakes, or other Sub-divisions, within the said Counties, Shires, Stewartries, Ridings, or Divisions, as aforesaid; which Precept shall contain an Account of the Times and Places appointed for the succeeding Meetings, and shall be returnable on a Day therein to be named, within Twenty Days, and not less than Fourteen Days, from the Time of issuing thereof; and such High Constables, Headboroughs, or other pro-

High Sheriffs, &c. upon Notice from the Secretary at War, to issue Precepts for summoning the Commissioners to meet, and qualify themselves.

Notice of the Day of Meeting to be sent to the War Office.

Commissioners to appoint the Times and Places of their succeeding Meetings, and issue Precepts for that Purpose to the High Constables, &c.

per Officers, are hereby required forthwith to signify the Times and Places appointed for such Meetings, to the several Commissioners residing within their respective Districts; and the said Commissioners assembled at such First Meeting to qualify themselves as aforesaid, shall also give Notice of the Time and Place of all and every succeeding Meeting to be appointed as aforesaid, to such Military Officer or Officers as shall be directed to attend this Service, who shall demand the same.

and to give Notice thereof also to such Military Officers as shall attend this Service.

Provided always, and it is hereby enacted, That all reasonable Charges or Expences incurred by any Sheriff or Deputy Sheriff in the Execution of this Act, shall be allowed in the Accounts of such Sheriff at the Receipt of His Majesty's Exchequer.

Sheriffs to be allowed by the Exchequer the Expences incurred in the Execution of this Act.

And be it further enacted by the Authority aforesaid, That the Justices of the Peace for the Cities of London and Westminster in their Quarter Sessions, together with such Commissioners for the said Cities as may be present at the said Quarter Sessions, shall and may set down and appoint the several Times and Places of Meeting of the said Commissioners within the said Cities respectively, provided there be not more than Three Meetings appointed on One Day, within each of the said Cities, nor more than Two Days in One Week; of which Meetings the respective Clerks of the Peace for the said Cities shall give timely Notice to the Admiralty, and Office of His Majesty's Secretary at War, in order that the said Commissioners may be attended by proper Officers for receiving such impressed Men as aforesaid.

Times and Places of Meeting for the Commissioners of *London* and *Westminster*, to be settled at their Quarter Sessions, &c.

Notice thereof to be given to the Admiralty, and Secretary at War.

And it is hereby further enacted by the Authority aforesaid, That the said Commissioners, or any Three or more of them, in their respective Places or Stations, shall be, and are hereby authorized and impowered, to raise and levy, and to cause to be raised and levied, at any Time or Times during the Continuance of this Act, within their several Limits and Jurisdictions, such able-bodied Men as do not follow or exercise any lawful Calling or Employment, or have not some other lawful and sufficient Support and Maintenance, to serve His Majesty as Soldiers; and to require and command all and every the High Constables, Churchwardens, Overseers of the Poor, Petty Constables, Headboroughs, and Tythingmen, and other Parish and Town Officers, or any of them, within their respective Limits and Jurisdictions, to be aiding and assisting to them the said Commissioners, or any Three or more of them,

Three Commissioners impowered to levy such Men as are herein described;

and to call in the Assistance of Parish and Town Officers;

in

in the Performance of this His Majesty's Service; and for that Purpose the said Commissioners, or any Three of them, are to meet in their respective Sub-divisions, according to the Appointment of the Justices and Commissioners as aforesaid, and to issue out their Warrants, under their Hands and Seals, thereby requiring and commanding such Churchwardens, Overseers of the Poor, Petty Constables, Headboroughs, Tythingmen, or other Parish or Town Officers, or else requiring and commanding the said High Constables to issue their Precepts to such Churchwardens, Overseers, Petty Constables, Headboroughs, Tythingmen, and other Parish and Town Officers as aforesaid, every or any of them, to make or cause to be made a General Search within their respective Parishes, Townships, Constablewicks, or other Places, for all such Persons as they can find, who are or shall appear to them to be within the Description of this Act, and to bring all such Persons before the Commissioners, who have Power to execute this Act, in and for such County, Shire, Stewartry, Riding, or Division, at such Time and Place as shall have been appointed by the Justices and Commissioners as aforesaid, for the Second Meeting of the said Commissioners, in their respective Sub-divisions, which Time and Place shall be prefixed in the said Warrants and Precepts respectively; and afterwards the said Commissioners, within their respective Limits and Divisions, shall meet at such convenient Time or Times as they shall think fit, in order to issue their like Warrants or Precepts, for making General Searches for Persons within the said Description, and for bringing them before the Commissioners at any future Times and Places appointed by the Justices and Commissioners as aforesaid, during the Continuance of this Act.

and to meet in their Sub-divisions,

and issue General Search Warrants, &c. for bringing Persons within the Description of this Act, before them at their Second Meeting.

Subsequent Meetings for those Purposes, to be at such convenient Times and Places as shall be thought fit.

Provided always, That in case the Second Meeting appointed to be held in any Sub-division, shall be at so great a Distance of Time, as may render it inconvenient to issue Warrants for bringing Persons before such Commissioners at the Second Meeting, then the Commissioners of such Sub-division respectively may adjourn themselves to some convenient Day, previous to such Second Meeting, in order to issue their Warrants as aforesaid.

If the Second Meeting be too distant, Commissioners in their Sub-divisions may adjourn to a previous Day.

Provided always, and it is hereby enacted, That it shall and may be lawful to and for the Churchwardens, Overseers of the Poor, Constables, Headboroughs, Tythingmen,

After such Second Meeting, the Parish and Town Officers may search for and secure such Persons as come within the Description of this Act, and convey them before Commissioners to be listed.

and other Officers of any Parish or Township, or any of them, at any Time after the said Second Meeting of the said Commissioners, without tarrying for any such Warrant or Precept as aforesaid, to search for, apprehend, and secure, all or any such Persons as they, or any of them shall find, or shall appear to them, or any of them, to be within the Description of this Act, and to convey them before the Commissioners at their next Meeting for listing of Soldiers to be examined, and (if judged within the Description of this Act) to be listed and delivered into His Majesty's Service, according to the true Intent and Meaning hereof.

Commissioners to examine the said Persons,

And be it further enacted by the Authority aforesaid, That the Commissioners for executing this Act, who shall attend this Service, at the Place or Places for Listing Soldiers as aforesaid, shall strictly examine the Persons who shall be brought before them by the said Churchwardens, Overseers, Constables, Headboroughs, Tythingmen, or other Parish or Town Officers as aforesaid; and in case the said Commissioners, or the major Part of them then present, upon Examination of the Persons so brought before them, shall find that such Persons shall come within the Descriptions herein mentioned; and the said Commissioners, and the Officer or Officers who shall be appointed to receive the impressed Men, shall judge them to be such as are hereby intended to be entertained as Soldiers in His Majesty's Service, then and in such Case, the said Commissioners shall cause such Persons to be delivered over by the said Churchwardens, Overseers, Constables, Headboroughs, Tythingmen, or other Parish or Town Officers, to such Officers or Persons as shall be appointed to receive such Recruits as aforesaid, such Officers or Persons giving a Receipt under their Hands, acknowledging what Men are so delivered to him or them; which Receipt they are hereby required to give.

and if found proper for the Service,

to deliver them over to the Military Officers;

Officers to give Receipts for them;

and to pay to the Parish and Town Officers for their Trouble, 20 s. for every such Man;

and to the Churchwardens, a Sum not exceeding 40 s. nor less than 5 s. if such Man have a Wife or Family;

And be it further enacted, That the respective Officers who shall receive such new raised Men, shall pay to the Officers of the Parish or Town so employed in the raising such Men, for their Pains and Services therein, Twenty Shillings of lawful Money of Great Britain for every Man so raised; and shall also pay for every such new raised Man, who shall have a Wife or Family, any Sum not exceeding Forty Shillings, nor less than Five Shillings, of lawful Money of Great Britain, into the Hands of the Churchwardens or Overseers of the Poor of such Parish or Township in which such

such new raised Man shall have gained a Settlement, and whose Wife or Family may become chargeable to such Parish or Township respectively; which Sum shall be settled by the Commissioners present at the Meeting when such Person shall be inlisted, or any Three or more of them, Regard being had to the Number of Children, or other particular Circumstances of such Person so inlisted; and the Sum of Six Pence per Diem for keeping every such new raised Man, who shall be delivered as aforesaid, according to the Number of Days that the Officers of the said Parish or Town shall have kept him in Custody, pursuant to the Powers granted by this Act, until such Delivery; the said Allowances, in case of Dispute, to be ascertained and distributed to or amongst the said Churchwardens, Overseers, Constables, Headboroughs, Tythingmen, and such other Parish and Town Officers, or any of them, according to the Judgement and Discretion of the said Commissioners, or the major Part of them then present.

as shall be settled by the Commissioners;

and 6 *d. per Diem* to the Parish Officers, &c. for the Time they shall have kept him.

Disputes relating thereto to be settled by the Commissioners.

Provided always, That no Person shall be inlisted by the said Commissioners by virtue of this Act, who is not such an able-bodied Man as is fit to serve His Majesty, and is free from Ruptures and every other Distemper, or bodily Weakness or Infirmity, which may render him unfit to perform the Duty of a Soldier, and that no Man be inlisted for His Majesty's Service by virtue of this Act, who shall appear in the Opinion of the Commissioners or Officer or Officers appointed to receive the impressed Men, to be under the Age of Seventeen Years, or above the Age of Forty five Years, or a known Papist, or who shall be under the Size of Five Feet Four Inches, without Shoes.

Able-bodied Men only to be inlisted;

and none under 17, nor above 45 Years of Age, nor Papists, nor who are under 5 Feet 4 Inches.

And it is hereby enacted, and strictly enjoined by the Authority aforesaid, That the Inhabitants of every Parish and Township where any Persons described as aforesaid do abide, or are to be found, at the Instance of any One or more of the Commissioners appointed for the Execution of this Act, or of any Churchwarden, Overseer of the Poor, or Constable of the same Parish or Township, shall, (not having a lawful or reasonable Excuse to the contrary) be aiding and assisting in the Furtherance of His Majesty's Service by this Act described.

All Inhabitants required to be assisting herein.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners at their First General Meeting assembled,

Clerks to be appointed by the Commissioners at their First General Meeting.

Clerks to be appointed for attending the Meeting of Commissioners in their Sub-divisions.

Clerks to be paid by the Officer 2s. for every Man inlisted.

sembled, to appoint a Clerk to attend them then and at each of their subsequent Meetings; and for the Commissioners of the several Sub-divisions, to appoint a Clerk to attend them at their respective Meetings in each Sub-division wherein Soldiers are to be listed as aforesaid; and such respective Clerks, as a Reward for their Labour and Pains in the Execution of this Act, shall be intitled to, and shall receive for every Man who shall be listed in pursuance of this Act, at the Meetings whereon they shall respectively attend, the Sum of Two Shillings of lawful Money of Great Britain, to be paid by the respective Officer who shall receive such new raised Men respectively.

The Second and Sixth Sections of the Articles of War to be read before Commissioners to new raised Men.

Names of the Men, Parish, Time of inlisting, &c. to be entered in a Book.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or such of them as shall be present at such Meeting for listing of Soldiers as aforesaid, shall cause the Second and Sixth Sections of the Articles of War against Mutiny and Desertion, to be read to such new raised Men, in the Presence of the said Commissioners then there; and the said Commissioners, or the major Part of them present, shall forthwith cause an Entry or Memorial to be made in a Book or Books to be kept by them or their Clerks for that Purpose, of the Names of such new raised Men, and of the Parishes or Places of their last Abode (if they can be known) and of the Time and Place when and where such Men were delivered to the said Officers or Persons appointed to receive them, and the Names of the Officers or Persons who received them, and for what Regiment or Company they were so received, and the Sums paid; and shall cause true Copies or Duplicates of such Entries, attested by the said Commissioners, or any Three or more of them then present, within Forty Days after the delivering such Men as aforesaid, to be transmitted into the Admiralty, or Office of His Majesty's Secretary at War, for the time being, to be compared with the Muster-roll; and every Clerk, for every Neglect or Default in not transmitting the said Copies or Duplicates of such Entries to the Admiralty, or Office of the Secretary at War, as aforesaid, shall forfeit the Sum of Ten Pounds; One Moiety thereof to the Use of His Majesty, His Heirs, and Successors, and the other Moiety to such Person or Persons who shall inform or sue for same, in some of the Courts of Record at Westminster, or the Court of Sessions in Scotland; and it is hereby declared, That the Pay of every such new raised

Attested Copy thereof to be transmitted within 40 Days, to the Admiralty, or Office of Secretary at War,

on Penalty of 10*l.*

Application of the Penalty.

Man so delivered to the Officers or Persons appointed to receive them as aforesaid, shall commence from the Time of his being taken and secured as aforesaid; and from and after such Delivery as aforesaid, and reading the said Articles of War, every Person so raised shall be deemed a listed Soldier to all Intents and Purposes, and shall be subject to the Discipline of War, and in Case of Desertion, shall be proceeded against as a Deserter, by any Law now in Force, or by any Law to be made for Punishment of Deserters; and no Person so listed, shall be liable to be taken out of his Majesty's Service, by any Process other than for some criminal Matter.

Commencement of Soldier's Pay.

After Articles of War read, Soldiers deemed to be listed, and subject to Martial Law.

No listed Person to be taken out of the Service, but for some criminal Matter.

Provided always, That nothing in this Act contained shall be construed to extend to impower the said Commissioners to inlist any Person as a Soldier, until the several Sums herein directed to be paid by the respective Officers appointed to receive such new raised Men, shall be first paid to the Person or Persons respectively authorized to receive the same.

None to be inlisted 'till the Sums payable by the Officers are first paid.

And be it further enacted by the Authority aforesaid, That the Officer or Officers, and other Person or Persons appointed to attend the said Commissioners, and to receive such impressed Men, shall, in case he or they shall find it necessary, secure such impressed Men in some secure House or Place to be provided by the Justices of the Peace in their Petty or Special Sessions for that Purpose; but in case no such House or Place shall be so provided, then in the Gaol of the County, Town, or Place where such Man shall be received into His Majesty's Service, or in the House of Correction, or other Publick Prison of such County, Town, or Place, where Debtors are not usually confined; and the Keeper of such Gaol, House of Correction, or Prison, shall receive such impressed Men until they can be removed, without Fee or Reward; and such Keeper shall be allowed the usual Subsistence for such Men, during the Time they shall remain there, from the Officer by whom they shall be delivered as aforesaid; and the Constables, Headboroughs, and other Civil Officers, shall, if required, be assisting to such Officer in conveying such Man or Men to such secure Place, Gaol, or House of Correction, and shall be allowed such reasonable Sum or Sums as the major Part of the Commissioners then present shall appoint, to be paid by the Officer or Officers who shall require such Assistance.

Officers may secure impressed Men.

Keeper to be allowed their Subsistence Money.

Civil Officers, if required, to be aiding in securing them, and to be allowed for their Trouble.

And

Commissioners may levy a Fine not exceeding 10 *l.* on Constable, *&c.* for Neglect of Duty.

And it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Three or more of them, to impose upon any High Constable, Churchwarden, Overseer, Petty Constable, Headborough, Tythingman, or other Parish or Town Officer, for every wilful Neglect or Default in the Execution of any Warrant, Order, or Precept, to them or any of them directed in pursuance of this Act, a Fine not exceeding Ten Pounds, and to cause every such Fine to be levied by Distress and Sale of the Offenders Goods, rendering the Overplus (if any be) to the Owners; and to distribute One Moiety of the said Fine to reward the Informer or Informers, and the other Moiety to the Churchwardens or Overseers, to the Use of the Poor of the Parish where the Offence shall be committed.

Application of the Fine.

Persons obstructing the Execution of this Act to forfeit 10 *l.*

And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever, shall wilfully do any Act or Thing whereby the Execution of this Act, in the searching for, taking, and securing such Able-bodied Men as aforesaid, shall be hindered or frustrated, every such Person shall, for every such Offence, forfeit any Sum not exceeding Ten Pounds, to the Use of the Poor of the Parish where such Offence shall be committed; and all and every such Offences may be enquired of, heard, and finally determined, by any Two or more of His Majesty's Justices of the Peace dwelling in or near the Place where such Offence shall be committed, who have hereby Power to cause the said Penalty to be levied by Distress and Sale of the Offender's Goods and Chattles, rendering the Overplus (if any be) to the Owners; and if the Offenders have no Goods and Chattles sufficient to answer the said Penalty, then to commit him or her to the County Gaol, or House of Correction, there to remain for the Space of Three Months without Bail or Mainprize.

Two Justices may hear and determine such Offences, *&c.*

For want of Distress, Offender to be committed.

Persons who have a Vote in the Election of Members of Parliament, not liable to be listed

Provided always, and it is hereby declared, That this Act shall not extend to the taking or levying any Person to serve as a Soldier, who shall make it appear to the Satisfaction of the Commissioners then present, that he hath any Vote in the Election of any Member or Members to serve in Parliament in any County, City, Borough, Town, Port, or Place, within the Kingdom of Great Britain.

And it is hereby enacted, That no Person who, at the Time of the Execution of this Act, shall have any Military

Military Office or Employment in Great Britain (other than in the Militia) shall execute any Power or Authority by this Act given to Commissioners as aforesaid. No Military Officer may be a Commissioner.

And be it further enacted by the Authority aforesaid, That if any Action, Plaint, Suit, or Information, shall be commenced or prosecuted against any Person or Persons for what he or they shall do in Pursuance or Execution of this Act, the same shall be commenced within Three Months after the Offence committed; and such Person or Persons so sued in any Court whatsoever, shall and may plead the General Issue, Not Guilty; and, upon any Issue joined, may give this Act and the Special Matter in Evidence; and if the Plaintiff or Prosecutor shall become Nonsuit, or forbear further Prosecution, or suffer a Discontinuance; or if a Verdict pass against him, the Defendant shall recover Treble Costs; for which they shall have the like Remedy, as in any Case where Costs by the Law are given to Defendants. Limitation of Actions. General Issue. Treble Costs.

And, for the better obviating such Frauds and Abuses as may be practised in discharging of Soldiers, it is hereby further enacted by the Authority aforesaid, That no private Soldier who shall be duly listed into His Majesty's Service by virtue of this Act (during the Time such Soldier shall remain in Great Britain) shall be discharged from His Majesty's Service, without the Consent of the Colonel, or, in his Absence, the Field Officer commanding in Chief the Regiment, first had and obtained in Writing under their Hands and Seals for that Purpose; in which Writing the Cause of his Discharge shall be expressed, and a Duplicate or Copy of every such Discharge forthwith transmitted to the Secretary at War, to be by him kept and entered in a Book; or if a Marine, without the Consent of the Lord High Admiral, or the Commissioners of the Admiralty for the time being first had and obtained; and any Officer that shall presume to discharge any Soldier inlisted pursuant to this Act, in any other Manner, contrary to this Act, shall, for such Offence, be cashiered. No Soldier or Marine to be discharged without a Certificate from his Colonel, &c. of which a Duplicate to be transmitted to the Secretary at War. Officer breaking this Order, to be cashiered.

Provided always, and it is hereby enacted, That every Person who shall be listed upon this Act, after he shall have continued in the Military Service of His Majesty, His Heirs, and Successors, during the Space of Five Years, shall be at Liberty, if he think fit, to demand his Discharge from the Colonel, or, in his Absence, the Officer commanding the Regiment or Company to which he shall belong; and such Discharge shall be granted to him gratis in Writing under the Hand Impressed Men, after 5 Years Service, to be discharged, if they demand it.

of such Colonel or Officer, who is hereby impowered and required to give the same accordingly; any thing herein contained to the contrary notwithstanding.

Clerks to be rewarded for their Trouble, in transmitting the Duplicates required, to the respective Offices.

And be it further enacted, That the said several Clerks to the said Commissioners, provided the said Copies or Duplicates be duly transmitted into the Office of the Admiralty, or Secretary at War, as aforesaid, shall have and receive by the Hands of the Paymasters of his Majesty's Land Forces and Marines, or One of them, such Rewards as the Lord High Treasurer, or Commissioners of the Treasury for the time being, upon Consideration of the Numbers of Men listed in the several Counties, Cities, Boroughs, or other Places, and the Pains and Charges of the several Clerks in this Service, shall judge the said Clerks severally and respectively to deserve.

His Majesty, when a sufficient Number of Men shall be raised, may suspend by Proclamation, &c. the Execution of this Act.

Provided always, That his Majesty, when he shall be satisfied by the said Returns of the Commissioners, or otherwise, that a sufficient Number of Recruits in the Whole shall be raised for his present Service, may be graciously pleased to suspend or stop the further Execution of this Act by Proclamation, or Order in Council, or other publick Notice in the London Gazette; any thing herein contained to the contrary notwithstanding.

Persons employed in the Execution of this Act, exempted from the Penalties, of Act 25 *Car.* II.

Provided always, and be it further enacted by the Authority aforesaid, That no Commissioner, Churchwarden, Overseer, Constable, Headborough, Tythingman, or other Parish or Town Officer, who shall be employed in the Execution of this Act, shall be liable, for or by reason of such Execution, to any of the Penalties mentioned in an Act made in the Twenty fifth Year of the Reign of King Charles the Second, For preventing Dangers which may happen from Popish Recusants; or in One other Act made in the First Year of the Reign of King William and Queen Mary, intituled, An Act for abrogating the Oaths of Allegiance and Supremacy, and appointing other Oaths; or in One other Act made in the Parliament holden in the Thirteenth and Fourteenth Years of the Reign of the late King William the Third, intituled, An Act for the further Security of His Majesty's Person, and the Succession of the Crown in the Protestant Line; and for the extinguishing the Hopes of the pretended Prince of *Wales*, and all other Pretenders, and their open and secret Abettors.

1 *Will.* & *Mary*,

and 13 & 14 *Will.* III.

Provided always, and be it enacted, That no Person or Persons hereby appointed to be a Commissioner

or

or Commissioners for any County, Riding, City, Borough, Cinque Port, or Place, of England, Wales, or Berwick upon Tweed (except such as duly qualified themselves to be Commissioners for executing the said Act for the Land Tax made and passed in the Twenty eighth Year of His present Majesty's Reign, or any subsequent Act or Acts of Parliament for that Purpose) shall be capable in England, Wales, or Berwick upon Tweed, of acting as a Commissioner or Commissioners in the Execution of this Act, or executing any the Powers of the Commissioners therein mentioned (unless it be the Power hereby given of administering Oaths) until such Time as he or they respectively shall have taken the Oaths appointed by an Act of Parliament made in the First Year of the Reign of King William and Queen Mary, intituled, An Act for the abrogating the Oaths of Supremacy and Allegiance, and appointing other Oaths; and also in the said Act, intituled, An Act for the further Security of His Majesty's Person, and the Succession of the Crown in the Protestant Line; and for extinguishing the Hopes of the pretended Prince of *Wales*, and all other Pretenders, and their open and secret Abettors; which Oaths it shall and may be lawful to and for any Two or more of the said Commissioners to administer; and they are hereby required to administer the same to any other of the said Commissioners; and that no Person or Persons hereby appointed to be a Commissioner or Commissioners for any Part of Scotland (except such as duly qualified themselves according to the Laws of Scotland, to be Commissioners there for executing the said Act for the Land Tax made and passed in the Twenty eighth Year of His present Majesty's Reign, or any subsequent Act or Acts of Parliament for that Purpose) shall be capable of acting as a Commissioner or Commissioners in the Execution of this present Act in any Part of Scotland, until such Time as he or they respectively shall have duly qualified themselves according to the Laws of Scotland for that Purpose.

Commissioners in *England*, not to act till they have taken the Oaths appointed by

Act 1 *Will. & Mary*;

nor Commissioners in *Scotland*, till they have qualified themselves as the Laws there direct.

Provided always, and be it enacted, That if any Person hereby appointed a Commissioner for any County, City, Town, or Place, in England, Wales, or Berwick upon Tweed (except as before excepted) shall presume to act as a Commissioner in the Execution of this Act, before he shall have taken the said Oaths, which by this Act he is required to take, and in the Manner hereby prescribed, he shall forfeit to His Majesty the Sum of Two hundred

Commissioners in *England* acting before they have taken the Oaths,

forfeit 200*l.*

hundred Pounds, to be recovered by Action of Debt, or on the Case, Bill, Suit, or Information, in any of his Majesty's Courts of Record at Westminster, wherein no Essoin, Protection, Wager of Law, or more than One Imparlance shall be allowed; and that if any Person hereby appointed a Commissioner for any Shire, Stewartry, Burgh, or Place in Scotland (except as before excepted) shall presume to act as a Commissioner in the Execution of this Act, before that he shall have qualified himself according to the Laws in Scotland, he shall forfeit to his Majesty the Sum of Fifty Pounds, to be recovered in the Court of Exchequer in Scotland, in the same Manner as any other Penalties are there recoverable.

and Commissioners in *Scotland*, 50*l.*

Provided also, That in case there shall not be a sufficient Number of Commissioners for any City, Borough, Town, Port, or Place of Great Britain (for which by this Act Commissioners are specially appointed) capable of acting according to the respective Qualifications required by this Act, then and in every such Case, any the Commissioners appointed for the County, Shire, or Stewartry at large, within which such City, Borough, Town, or Place doth stand, or which is next adjoining thereto, may act as Commissioners in the Execution of this Act, within such City, Borough, Town, Port, or Place; any thing herein contained to the contrary notwithstanding.

Commissioners for the County, &c. at large, &c. may act for any City, &c.

Provided always, and be enacted by the Authority aforesaid, That no such Person shall be capable of acting as a Commissioner in the Execution of this Act, or of any of the Powers therein contained, in or for any County at large, within England, the Dominion of Wales, (the Counties of Anglesey, Merioneth, Cardigan, Carmarthen, Glamorgan, Montgomery, Pembroke, Carnarvon, and Monmouth excepted) or in or for any of the Ridings in the County of York, unless such Person by himself, or his Tenants or Trustees was taxed, or did pay in the same County or Riding, for the Value of One hundred Pounds per Annum or more of his own Estate, by virtue of the said Act, for the Land Tax made and passed in England, in the Twenty eighth Year of his Majesty's Reign, or any subsequent Act or Acts of Parliament for that Purpose, or unless such Person so appointed to be a Commissioner, shall, at the Time of the Execution of this Act, by himself, his Tenants, or Trustees, enjoy an Estate of Lands, Tenements, or Heredi-

Qualification of Commissioners for Counties at large within *England*.

taments, of the ſaid yearly Value of One hundred Pounds or more, within the ſaid County or Riding reſpectively; any thing herein contained to the contrary notwithſtanding.

Perſons diſabled preſuming to act, forfeit 50*l.*

And it is hereby further enacted, That if any Perſon intended by this Act to be diſabled for any the Cauſes laſt-mentioned, ſhall nevertheleſs preſume to act as a Commiſſioner in the Execution of this Act, or any of the Powers therein contained, every ſuch Perſon for ſuch Offence, ſhall forfeit the Sum of Fifty Pounds, to any Perſon or Perſons who will inform or ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at Weſtminſter, or in the Exchequer of Scotland as aforeſaid.

Commiſſioners may act for any City, being Inhabitants, or Inns of Court.

Provided nevertheleſs, and it is hereby enacted, That no Perſon who is appointed to be a Commiſſioner for executing this Act, in any Part of Great Britain, ſhall be diſabled from acting as a Commiſſioner, within and for any City, Borough, Cinque Port, or Corporate Town only, whereof he ſhall be an Inhabitant at the Time of the Execution of this Act, or from acting as a Commiſſioner within any of the Inns of Court or Inns of Chancery.

Mayors, Bailiffs, &c. to act as Commiſſioners ſpecially appointed.

And whereas ſome Doubts may ariſe whether Mayors, Bailiffs, and other chief Magiſtrates of Cities, Boroughs, Towns Corporate, and Cinque Ports, for which Commiſſioners are ſpecially appointed by virtue of this Act, can act as Commiſſioners for executing this Act in the ſaid Cities, Boroughs, Towns Corporate, and Cinque Ports; be it further enacted by the Authority aforeſaid, That all Mayors, Bailiffs, and other chief Magiſtrates, who are appointed Commiſſioners for executing this Act, ſhall be, and have Power to act as Commiſſioners for executing this Act, within and for any City, Borough, Town Corporate, or Cinque Port, wherein they inhabit at the Time of executing this Act, as well where Commiſſioners are ſpecially appointed by this Act, as where they are not.

Bailiff's Followers and Aſſiſtants, &c. not exempted by this Act.

And it is hereby provided and enacted, That no Bailiff's Follower or Aſſiſtant, employed or belonging to any Sheriff, Bailiff of Liberties, Marſhalſea Court, or any other Perſon or Perſons that ſhall be ſo employed by any One that ſhall have the Power of executing any Warrant or Proceſs whatſoever, ſhall be deemed thereby to follow or exerciſe any Calling or Employment, or to have a ſufficient Support or Maintenance within the Intent and Meaning of this Act.

And forasmuch as great Inconveniencies may happen by impressing Men during the Time of Harvest; be it therefore enacted by the Authority aforesaid, That from and after the Fifteenth Day of May, One thousand seven hundred and fifty six, until the Fifteenth Day of October following, all Harvest Labourers, and Persons working at Hay Harvest and Corn Harvest Work within the Time aforesaid, within the Kingdom of Great Britain, shall not be impressed by virtue of this Act, but shall be free and exempted from the same during the Time aforesaid, provided they have a Certificate under the Hands of the Minister, and of One Churchwarden or Overseer of the Poor or Elders of the Parish or Place where they live, allowed under the Hand and Seal of One Justice of the Peace of the same County, Shire, Stewartry, Riding, City, or Place; which Certificate shall be given gratis.

Labourers, having proper Certificates, not liable to be impressed in Harvest Time.

And for the more easy and better putting this Act in Execution; be it enacted by the Authority aforesaid, That any Three or more Commissioners for putting this Act in Execution in the several Ridings of the County of York (being Justices of the Peace) though not all of the same Riding, may, within the Castle of York, or Limits thereof, execute the Powers of this Act.

Commissioners for executing this Act within the Castle of *York*.

And whereas divers Soldiers who have deserted his Majesty's Service, have been harboured in a certain Place called Threapwood, lying within or near the Counties of Chester and Flint, or One of them, and adjoining to the Town of Cuddington in the said County of Chester; be it further enacted by the Authority aforesaid, That the Commissioners hereby appointed for the County of Chester, and the Officers of the said Town of Cuddington, shall execute this Act in the said Place called Threapwood, according to the true Intent and Meaning thereof.

Commissioners for executing this Act in *Threapwood*.

And be it further enacted by the Authority aforesaid, That if at any of the Meetings of the Commissioners by this Act appointed in any of their Sub-divisions, they shall not be attended by some proper Officer appointed for the receiving of Recruits, either through Negligence, or any unavoidable Accident, then and in that Case it shall and may be lawful to and for the said Commissioners to adjourn themselves to some other convenient Day; and they are hereby authorized to give Directions for detaining in Custody all such Persons as shall have been then brought before them by the Parish Officers to be

Officer not attending to receive Recruits, Commissioners may adjourn, and order the Detention of the impressed Men.

be inlisted, or such of them as they shall think duly qualified for His Majesty's Service; and the said Commissioners shall give Notice to any of the Officers attending on this Service, in the County or Place where such Sub-divisions shall lye, of the Day of such Adjournment; and the said Officer is hereby required either to attend himself, or to appoint some other Officer to attend such Commissioners, and to receive such Persons as the said Commissioners shall inlist into His Majesty's Service; and the Officer so receiving the Recruits shall pay to such Person as the Commissioners shall appoint, Six Pence per Diem, for the Subsistence of every Recruit then inlisted, from the Day of the last Meeting of the Commissioners, to the said Day of Adjournment, the same to be charged to the Account of the several Regiments or Companies into which the said Recruits shall be inlisted, together with such Charges and Expences as shall appear to the said Commissioners to have been incurred on account of the detaining the said Persons, from the Day of the former Meeting of the said Commissioners, to the Day of such Second Meeting, not exceeding Three Pounds.

Notice of Adjournment to be given to any Officers attending this Service, &c.

Officer to pay Subsistence Money for every Recruit;

and incidental Charges.

And be it further enacted by the Authority aforesaid, That this Act, and every Thing herein contained, shall be and continue in force until the End of the next Session of Parliament.

Continuance of this Act.

FINIS.