ANNO TRICESIMO QUARTO

Georgii III. Regis.

CAP. XLVII.

An Act to amend an Act, paſſed in the laſt Seſſion of Parliament, intituled, *An Act to provide for the Families of Perſons choſen by Lot to ſerve in the Militia of this Kingdom, and of Subſtitutes ſerving therein; and to explain and amend an Act of Parliament, paſſed in the Twenty-ſixth Year of His preſent Majeſty, intituled,* '*An Act for amending,* '*and reducing into One Act of Parliament, the* '*Laws relating to the Militia in that Part of* 'Great Britain *called* England;' and alſo an Act, made in this preſent Seſſion of Parliament, intituled, *An Act for augmenting the Militia.*

[9th *May* 1794.]

Preamble. 33 Geo. III, Cap. 8, recited.



WHEREAS, in and by an Act, passed in the last Session of Parliament, intituled, *An Act to provide for the Families of Persons chosen by Lot to serve in the Militia of this Kingdom, and of Substitutes serving therein; and to explain and amend an Act of Parliament, passed in the Twenty-sixth Year of His present Majesty, intituled, 'An Act for amending, and re-'ducing into One Act of Parliament, the Laws relating to the Militia in 'that Part of* Great Britain *called* England,' Provision is made for the Relief of the Families of Militia Men chosen by Lot, and of Corporals, Drummers, and Fifers, serving in the Militia, in the Cases in the said Act mentioned; but no Provision is made therein for the Families of Serjeants serving in the said Militia: Therefore 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 Authority of the same, That the like Allowances shall be made to the Families of Serjeants serving in the Militia as by the said Act is directed to be made to the Families of Corporals, Drummers, and Fifers, serving therein, such Allowance to be ordered, paid, and reimbursed, by such Persons in such Manner as is directed by the said Act, and by this Act, with respect to the Allowances made to the Families of such Corporals, Drummers, and Fifers.

Like Allowances to be made to the Families of Serjeants, as are given by the recited Act to the Families of Corporals, &c.

The Families of Persons inrolled in place of Men discharged at their own Request entitled to Relief.

II. And be it further enacted by the Authority aforesaid, That if the Colonel or Commanding Officer of any Regiment of Militia shall discharge any Militia Man, whether Principal or Substitute, at his own Request, on his producing another Man to serve in his Stead, and such Militia Man shall produce such Person, who shall be sworn and inrolled accordingly, the Wife and Family of such Person so produced, inrolled, and sworn, shall be entitled to the same Relief as the Wives and Families of every other Substitute is by the said Act, and this Act, entitled to.

Penalty on Parish Officers not paying Money in pursuance of Orders of Justices, &c.

III. And be it further enacted, That if any Churchwarden or Overseer of the Poor shall, on Demand made, in pursuance of any Order of any Justice or Justices of the Peace, for the Payment of any Sum of Money, by virtue of the said Act of the last Session of Parliament, or of this Act, and after the producing of the said Order to him, refuse or neglect to pay and satisfy the Sum or Sums of Money directed to be paid in or by such Order, every such Churchwarden or Overseer of the Poor, so refusing or neglecting to make such Payment, shall, for every such Neglect, forfeit the Sum of Five Pounds, to be recovered upon the Oath of One or more credible Witness or Witnesses, or by the Confession of the Party accused, before the Justice making such Order, or any other Justice of the Peace, of the County, Riding, Division, City, or Place, where the Offence shall be committed; which said Justice is hereby authorized and required, upon any Information exhibited, or Complaint made in that Behalf, to summon the Party accused, and to examine into the Matter of Fact, and upon due Proof thereof as aforesaid, to give Judgement for such Penalty, to be levied by Distress and Sale of the Offender's Goods and Chattels, in case the same shall not be forthwith paid, by Warrant under the Hand and Seal of such Justice causing the Overplus, if any, after deducting the Charges of such Dis-

treſs and Sale, to be rendered to the Party; and the Penalty ſo adjudged ſhall be paid, One Moiety thereof to the Party aggrieved, and the other Moiety to the Poor of the Pariſh.

Perſons aggrieved may appeal to the Quarter Seſſions.

IV. And be it further enacted, That if any Perſon ſhall find himſelf aggrieved by any ſuch Order of any Juſtice or Juſtices of the Peace, for the Payment of any ſuch Sum of Money as aforeſaid, it ſhall and may be lawful for ſuch Perſon to appeal to the Juſtices of the Peace, at the next General or Quarter Seſſions of the Peace, for the ſame County, Riding, Diviſion, City, or Place, when any Demand, in purſuance of ſuch Order, ſhall be made as aforeſaid, who are hereby impowered to hear and finally determine the ſame, and it ſhall be lawful for the ſaid Juſtices at ſuch Seſſions to award and order, where they ſhall ſee Occaſion, the Payment of ſuch Sum and Sums of Money which ſuch Appellant, as Churchwarden or Overſeer of the Poor, ought to have paid in purſuance of ſuch Order, made by virtue of the ſaid Act of the laſt Seſſion of Parliament, or this Act, and hath neglected to pay in Manner aforeſaid.

Quarter Seſſions may order Recompence for Trouble of County Treaſurers, &c.

V. And whereas the Treaſurers of the ſeveral Counties, Ridings, Cities, Towns, Diviſions, and Places, in *England*, neceſſarily incur and have extraordinary Trouble, Labour, and Expence, in tranſacting and negociating the Buſineſs and Duty of their reſpective Offices whilſt the Militia is embodied and in actual Service; and, as the Law now ſtands, no adequate Recompence or Satisfaction, in many Caſes, is or can be made or given to them for the ſame: Be it therefore enacted, That it ſhall and may be lawful to and for the Juſtices of the Peace for every County in *England*, Riding, City, Town, Diviſion, and Place, at any General Quarter Seſſions of the Peace to be held for each reſpective County, Riding, City, Town, Diviſion, and Place, to order and direct ſuch Recompence and Satisfaction as they ſhall think juſt and reaſonable to be made or given to ſuch Treaſurers, for their extraordinary Trouble, Labour, and Expences aforeſaid, for ſuch Time and in ſuch Manner as they ſhall think proper, to be paid or allowed out of the publick Stock or Treaſure of every ſuch County, Riding, Town, Diviſion, and Place, reſpectively.

34 *Geo.* III, Cap. 16, recited, and Volunteers may be beat up for, to ſerve in any Company raiſed under it.

VI. And whereas by an Act, made in this Seſſion of Parliament, intituled, *An Act for augmenting the Militia*, certain Powers are given for augmenting the Number of the Militia Forces, to continue for a limited Time; be it further enacted, That, during the Continuance of the ſaid Act, it ſhall and may be lawful for any Serjeant, Drummer, or other Perſon, ſerving His Majeſty, being thereunto authorized by his or their ſuperior Officer or Officers, to beat up in any City, Town, or Place, for Volunteers, to ſerve as Privates in any Company to be added to the Regiment or Battalion of Militia of any County or Riding in purſuance of the ſaid Act, without incurring or being liable to any Penalty or Forfeiture for ſo doing; any Thing in an Act, made in the Twenty-ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act for amending, and reducing into One Act of Parliament, the Laws relating to the Militia in that Part of* Great Britain *called* England, to the contrary thereof in anywiſe notwithſtanding.

Volunteers to take the following Oath.

VII. And be it further enacted, That every Volunteer who ſhall be inrolled and added as a Private to the Eſtabliſhment of any Regiment or Battalion of Militia of any County or Riding, in purſuance of the ſaid Act of this Seſſion of Parliament, ſhall take the following Oath:

Oath.

'I *A. B.* do ſincerely ſwear, That I will be faithful, and bear true Allegiance, to His Majeſty King *George*; and I do ſwear that I am 'a Proteſtant, and that I will faithfully ſerve in the Militia within the 'Kingdom of *Great Britain*, for the Defence of the ſame, during the 'Continuance of the preſent War with *France*, or for any leſſer Time, 'until His Majeſty ſhall order and direct my Diſcharge.'

Who may adminiſter it.

Which Oath ſhall and may be adminiſtered by the Perſons reſpectively authorized and directed to adminiſter the Oaths appointed to be taken by Perſons choſen by Ballot to ſerve in ſuch Militia, or by any Juſtice of the Peace for the County or Riding where ſuch Volunteer ſhall have been inliſted.

FINIS.