ANNO TRICESIMO SEPTIMO

Georgii III. Regis.

CAP. XXIV.

An Act to explain and amend an Act, made in this preſent Seſſion of Parliament, intituled, *An Act for raiſing a certain Number of Men in the ſeveral Counties in* England, *for the Service of His Majeſty's Army and Navy.* [30th *December* 1796.]

Preamble.

WHEREAS it is expedient that an Act, paſſed in the preſent Seſſion of Parliament, intituled, *An Act for raiſing a certain Number of Men in the ſeveral Counties in* England, *for the Service of His Majeſty's Army and Navy*, ſhould be explained and amended, in the Particulars hereinafter mentioned: May it therefore pleaſe Your Majeſty that it may be enacted; and 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 any Volunteer or Volunteers raiſed under the ſaid Act for the Army, who ſhall be approved by the Regulating Officer, may be brought before any Two Juſtices of the ſame County, Riding, Diviſion, or Place, reſiding near to the Place of Rendezvous, to be examined touching his Conſent to enter into ſuch Service; and it ſhall be lawful for ſuch Juſtices of the Peace to cauſe ſuch Volunteer or Volunteers to be atteſted and ſworn in the Manner and according to the Form in the Schedule to this Act annexed *(mutatis mutandis)*.

Act of preſent Seſſion, Cap. 4, recited.

Volunteers raiſed under recited Act for the Army may be brought before Two Juſtices, who may cauſe them to be atteſted according to the Form in the annexed Schedule.

Juſtices may order, over the Part of the Bounty agreed to be paid Volunteers on engaging, One Guinea to the Receiving Officers for Neceſſaries.

II. And be it further enacted, That it ſhall be lawful for the Juſtices of the Peace before whom any ſuch Volunteer ſhall be atteſted, over and above ſuch Part of the Bounty as ſhall have been agreed to be paid to ſuch Volunteer on his engaging to ſerve, to direct and order the further Sum of One Guinea, out of ſuch Bounty, to be advanced and paid to the Officer or Officers appointed to receive, and who ſhall receive, ſuch Volunteer, to be by him laid out in providing immediate Neceſſaries for ſuch Volunteer.

If Volunteers deſert before they arrive at Quarters or *Chatham*, the Pariſh muſt provide others, and the Bounties of Deſerters unpaid may be applied for that Purpoſe.

III. And be it further enacted, That if any Volunteer or Volunteers who ſhall be ſo atteſted ſhall deſert from His Majeſty's Service at any Time before ſuch Volunteer or Volunteers ſhall have arrived at the Head Quarters of their reſpective Regiments, if ſuch Regiments ſhall then be in *Great Britain*, and if ſuch Regiments ſhall then be on Foreign Service before ſuch Volunteer or Volunteers ſhall have arrived at *Chatham* Barracks, the Pariſh or Pariſhes by which ſuch Volunteers were provided ſhall be liable to provide other fit and able Men in lieu of thoſe who ſhall ſo deſert, to be raiſed in the Manner directed by the ſaid Act, within Fourteen Days after Notice in Writing of ſuch Deſertion ſhall be given to the reſpective Overſeers of ſuch Pariſhes or Places by the Officer from whom ſuch Volunteer or Volunteers deſerted; and the Bounties agreed to be given to any ſuch Volunteers who ſhall deſert, and remaining unpaid, may be applied for the Purpoſe of providing other Men in lieu of thoſe who ſhall deſert: Provided always, That the Officer or Officers who ſhall receive ſuch other Men in lieu of thoſe who have deſerted, ſhall return to the reſpective Overſeers of the Poor of the reſpective Pariſhes by whom ſuch Men ſhall be raiſed, all Sums received by him or them for the Purpoſe of providing Neceſſaries as aforeſaid, not exceeding the Sum of One Guinea for each ſuch Man; all which Sums of Money ſo repaid ſhall be allowed to ſuch Officer or Officers in his or their Accounts.

Officers to return to the Overſeers the Sum received for Neceſſaries of Deſerters, not exceeding a Guinea.

On Arrival of Volunteers at Quarters or *Chatham*, a Pay Ticket to be tranſmitted to the County Receiver General, who ſhall pay the Remainder of Bounties, and demand the ſame of the County Treaſurer.

IV. And be it further enacted, That whenever any Volunteer raiſed under the ſaid Act for the Army, ſhall have arrived at the Head Quarters of the Regiment for which he ſhall be atteſted, if ſuch Regiment ſhall then be in *Great Britain*, or, if ſuch Regiment ſhall be on Foreign Service, ſhall have arrived at *Chatham* Barracks, it ſhall and may be lawful for the Commanding Officer of ſuch Regiment, in every Caſe where the Regiment for which ſuch Volunteer ſhall be atteſted ſhall then be in *Great Britain*, and for the Inſpector General of the Recruiting Service at *Chatham*, in every Caſe where the Regiment for which ſuch Volunteer ſhall be atteſted ſhall then be on Foreign Service, and they are hereby reſpectively required to make out and tranſmit the Pay Ticket directed to be made out by the ſaid Act (and which Ticket ſhall be made out in the Manner directed thereby) to the Receiver General of the County where ſuch Volunteer ſhall have been raiſed, and ſuch Receiver General, ſhall and he is hereby empowered to pay to the Order of ſuch Commanding Officer, or ſuch Inſpector General, as the Caſe may require, the Remainder of the Bounty Money agreed to be paid to ſuch Volunteer on his engaging to ſerve, and then remaining due, out of any Publick Monies in the Hands of ſuch Receiver General; and ſuch Receiver General ſhall pay the ſame without Delay, and ſhall demand Repayment of the ſame from the County Treaſurer who ſhall have received ſuch Bounty Money.

Out of the Bounty, Three Guineas may be applied for Neceſſaries, and the Remainder paid the Volunteer.

V. And be it further enacted, That out of the Bounty Money which any ſuch Officer or ſuch Inſpector General ſhall receive in purſuance of this Act for the Uſe of any Volunteer, it ſhall be lawful for them reſpectively to apply Part thereof, not exceeding Three Guineas, to complete the Neceſſaries to be provided for ſuch Volunteer, in the Manner ſuch Commanding Officer and Inſpector General reſpectively ſhall think moſt for the Benefit of the reſpective Volunteers; and the Remainder of ſuch Bounty Money (if any) ſhall be advanced and paid to ſuch Volunteers without Delay; and the Officer or Officers who ſhall have expended any Part of ſuch Bounty Money in providing Neceſſaries as aforeſaid, ſhall account to ſuch Volunteers how the ſaid reſpective Sums have been applied and diſpoſed of, which Accounts ſhall be rendered within a reaſonable Time after ſuch Application thereof.

Perſons enrolled to be delivered by the Overſeers, at the neareſt Rendezvous, or at Head Quarters or *Chatham*.

VI. And be it further enacted, That every Perſon who ſhall have been already enrolled by virtue of the ſaid Act of the preſent Seſſion of Parliament, or who ſhall be enrolled by virtue thereof after the paſſing of this Act, to ſerve in the Army, ſhall be delivered by the Overſeers of the Poor of the Pariſh or Pariſhes for which ſuch Perſon ſhall be engaged to ſerve at the neareſt Place of Rendezvous appointed, or to be appointed, for the Reception of Volunteers raiſed for the Army by virtue of the ſaid Act, within the County, Riding, or Diviſion, for which ſuch Perſon ſhall be engaged to ſerve; or if not there delivered, then at the Head Quarters of ſuch Regiment, if ſuch Regiment ſhall be in *Great Britain*, or if ſuch Regiment ſhall be on Foreign Service, then at *Chatham* Barracks; and that no Officer ſhall be compelled to receive ſuch Perſon at any other Place than is herein deſcribed.

If a Volunteer deſert after Delivery at the Rendezvous, the Pariſh which ſhall provide another Man ſhall receive the Sum paid the Deſerter, not exceeding a Third of the Bounty, *&c.*

VII. Provided always, and be it further enacted, That if any Volunteer raiſed, or to be raiſed, for the Army by virtue of the ſaid Act, who ſhall have been delivered to the proper Officer at the Place of Rendezvous appointed for the Reception of Volunteers within any County, Riding, or Diviſion, ſhall afterwards deſert from ſuch Officer or Officers, then the Pariſh or Pariſhes for which the Perſon ſo deſerting ſhall have been raiſed, and which ſhall provide any other Man in lieu of the Perſon ſo deſerting, ſhall be entitled to receive the Sum paid to ſuch Deſerter, not exceeding One Third Part of ſuch Sum as ſhall have been agreed to be paid to him as a Bounty at the Time when he engaged to ſerve, and which ſhall have been expreſſed in the Certificate of the Juſtices of the Peace who ſhall have atteſted ſuch Perſon; and the Juſtices of the Peace before whom ſuch other Man ſhall be atteſted, ſhall, on Production of ſuch Certificate, or a true Copy thereof, atteſted by the Juſtices granting the ſame, make an Order on the Receiver General of the County, Riding, or Diviſion, for the Payment of the ſame; and which Sum every ſuch Receiver General is hereby required to pay accordingly out of any Publick Monies in the Hands of ſuch Receiver General.

Volunteers may be removed out of the County for which raiſed, to Head Quarters or *Chatham*, and only Part of their Bounty to be paid till their Arrival.

VIII. Provided alſo, and be it further enacted, That whenever any Volunteer who, from and after the paſſing of this Act, ſhall be raiſed for the Army by virtue of the ſaid Act of the preſent Seſſion of Parliament, and entered in any Regiment whoſe Head Quarters ſhall not then be within the County, Riding, or Diviſion, for which ſuch Volunteer ſhall be engaged to ſerve, it ſhall and may be lawful to convey ſuch Volunteer out of the County, Riding, or Diviſion, where he ſhall have been raiſed into

any other County, Riding, or Diviſion, where ſuch Head Quarters ſhall be, or to *Chatham* Barracks, as the Caſe may require; and no Part of the Bounty Money for which he engaged to ſerve, except One Third Part thereof allowed by the ſaid Act to be paid to him at the Time of his Enrolment, and the further Sum of One Guinea, allowed to be paid to the Officer for his Uſe for Neceſſaries by this Act, ſhall be paid either to him or to his Uſe until he ſhall have arrived at ſuch Head Quarters, or at *Chatham* Barracks, as the Caſe may require.

If Overſeers undertake to deliver any Perſon raiſed, at Head Quarters or *Chatham*, they may pay him the Remainder of Bounty.

IX. Provided always, and be it further enacted, That if the Overſeers of the Poor of the Pariſh or Pariſhes for which any Perſon already raiſed, or to be raiſed, for the Army, by the ſaid Act is or ſhall be engaged to ſerve, ſhall voluntarily undertake to deliver ſuch Perſon at the Head Quarters of the Regiment for which ſuch Perſon is or ſhall be entered, or at *Chatham* Barracks, as the Caſe may require, it ſhall and may be lawful for them ſo to do, and to pay to ſuch Perſon the Whole of the Bounty Money then remaining due to ſuch Perſon, except ſuch Sums as the Commanding Officer of ſuch Regiment, the Inſpector General of Recruits at *Chatham*, and the Officers appointed to receive ſuch Men at the Places of Rendezvous reſpectively, ſhall be entitled to receive for the Uſe of ſuch Perſon for providing Neceſſaries, not exceeding, in the Whole, the Sum of Four Guineas, including the Sum of One Guinea directed to be advanced to the Officer at the Time of receiving ſuch Perſon.

Pariſhes delivering Volunteers at Head Quarters or *Chatham*, or on board Ship, to receive 4*d.* *per* Mile, for the Diſtance, from the County Receiver General.

X. And be it further enacted, That any Pariſh or Pariſhes which ſhall cauſe to be delivered any Volunteer raiſed or to be raiſed for the Army, at the Head Quarters of the Regiment in which he ſhall be entered, or at *Chatham* Barracks as aforeſaid, or ſhall deliver any Volunteer raiſed or to be raiſed for the Navy on board any of His Majeſty's Ships of War, at ſuch Place and Time as is herein-before mentioned, ſhall, by Order of Two Juſtices of the Peace of the County, Riding, or Diviſion, where ſuch Volunteer ſhall have been raiſed, to be granted on the Certificate of the Commanding Officer at the Head Quarters, or at *Chatham* Barracks, in reſpect of Recruits for the Army, and of the Officer having the Command of the Ship, in reſpect of Recruits for the Navy, of ſuch his future Officer having received ſuch Volunteer, be entitled to receive an Allowance after the Rate of Four-pence for each and every Mile ſuch Volunteer ſhall be conveyed, from the Receiver General of ſuch County, Riding, or Diviſion, to be paid to the Overſeer or Overſeers of ſuch Pariſh or Pariſhes, by ſuch Receiver General out of any Publick Monies in his Hands: Provided, that in every Caſe where any Receiver General is by this Act required to pay any Sum of Money out of any Publick Monies, the Perſon or Perſons demanding the ſame ſhall give a Receipt for the ſame, which ſuch Receiver General ſhall produce as a Voucher for ſuch Payment: Provided alſo, that every ſuch Receiver General who ſhall advance any Monies in purſuance of this Act, ſhall be reimburſed the ſame by and out of any Monies which ſhall come into the Hands of the Treaſurer of ſuch County, Riding, or Diviſion, of the Fines to be paid by any Pariſh or Pariſhes for not raiſing the Number of Men required to be raiſed by the ſaid Act, and which ſhall be directed to be paid to ſuch Receiver General by any Juſtices of the Peace, in purſuance of the ſaid Act; and if ſuch Receiver General ſhall not receive ſufficient of

Receipts to be given the Receiver General as his Vouchers, who ſhall be reimburſed by the County Treaſurer.

ſuch

ſuch Monies, then the Deficiency ſhall be allowed to ſuch Receiver General in his Accounts.

No Perſon to be enrolled in the Army under certain Heights.

XI. Provided always, and be it further enacted, That no Perſon ſhall be enrolled to ſerve in the Army, by virtue of the ſaid Act, who, being under the Age of Eighteen Years, ſhall be under the Height of Five Feet Three Inches, or being above the Age of Eighteen, ſhall be under the Height of Five Feet Four Inches.

Where the whole Number is not raiſed for any Place, further Time may be allowed by the General Seſſions.

XII. And be it further enacted, That where the whole Number of Men appointed to be raiſed by or for any Place or Places, ſhall not be raiſed, and a Return thereof made to the Juſtices of the Diſtrict at a Petty Seſſions, within Three Weeks next after Notice of the Order of General Seſſions ſhall have been ſerved, in the Manner directed by the ſaid Act of the preſent Seſſion, it ſhall and may be lawful for the Juſtices, at ſuch Seſſions, to allow a further Time for that Purpoſe, not later than the Twentieth Day of *January* One thouſand ſeven hundred and ninety-ſeven, and at the End of ſuch further Time to proceed in the Execution of the ſaid Act, in the Manner they are directed to proceed at the End of the Firſt Period of Three Weeks aforeſaid.

Volunteers may be received on board Ship from Overſeers, who may pay them their Bounties.

XIII. And be it further enacted, That if any Volunteer entered to ſerve in His Majeſty's Navy by virtue of the ſaid Act of the preſent Seſſion ſhall, at the voluntary Requeſt of the Overſeers of the Poor of the Pariſh or Pariſhes for which ſuch Volunteer ſhall be engaged to ſerve, be conveyed by the ſaid Overſeers on board any of His Majeſty's Ships of War, at ſuch Place, and within ſuch Time, as the Regulating Officer by whom ſuch Volunteers ſhall be entered, ſhall direct, by any Order in Writing ſigned by him, it ſhall and may be lawful for the Perſon taking or having the Command of ſuch Ship to receive ſuch Volunteer from the ſaid Overſeers of the Poor; and the ſaid Overſeers of the Poor may, in the Preſence of the Perſon taking the Command of ſuch Ship, pay the Whole of the Bounty Money agreed to be paid, into the Hands of ſuch Volunteer, to his ſole Uſe, every ſuch Volunteer giving a Receipt to the ſaid Overſeers, which ſhall be atteſted by the Perſon then taking the Command of ſuch Ship, in Token of his having received ſuch Volunteer into the ſaid Service.

Proviſions of this and recited Act, may be applied in the Execution of either

XIV. And be it further enacted, That all and every the Proviſions of this Act ſhall, in the Execution of the ſaid Act paſſed in the preſent Seſſion of Parliament, be uſed and applied, and conſtrued, in like Manner as if the ſame Proviſions were ſpecially enacted in the ſaid Act; and all and every the Proviſions of the ſaid Act ſhall, in the Execution of this Act, be uſed, applied, extended, and conſtrued, in like Manner as if the ſame Proviſions were ſpecially enacted in this Act.

Act may be altered or repealed this Seſſion.

XV. Provided always, and be it further enacted, That this Act may be altered, varied, or repealed, by any Act or Acts to be made in this preſent Seſſion of Parliament.

SCHEDULE

SCHEDULE to which this Act refers.

FORM OF ATTESTATION.

I do make Oath, That I am by Trade a and to the beſt of my Knowledge and Belief was born in the Pariſh of in the County of and that I have no Rupture, nor ever was troubled with Fits; and that I am no Ways diſabled by Lameneſs, or otherwiſe, but have the perfect Uſe of my Limbs; that I am not an Apprentice, nor belonging to the Militia, nor to any other Regiment, nor to His Majeſty's Navy, or Marines; and that I voluntarily enliſted myſelf at in the County of the Day of to ſerve His Majeſty King *George* the Third, as a Private Soldier, in the Regiment, commanded by or in ſuch other Regiment wherein I ſhall be required to ſerve during the Continuance of the preſent War, and for the Space of One Calendar Month after the End of the War, if the Regiment in which I ſhall be ſerving ſhall be in *Great Britain*, or otherwiſe, for the Space of One Calendar Month next after its Arrival in *Great Britain*.

As Witneſs my Hand, at this Day of

Witneſs preſent

N. B. The Juſtices Certificate, (according to the Form No. 8, annexed to the Act of the preſent Seſſion, in this Act mentioned), to be ſubjoined to the Atteſtation.

FINIS.