ANNO TRICESIMO SEPTIMO

Georgii III. Regis.

CAP. V.

An Act for raiſing a certain Number of Men in the ſeveral Counties, Stewartries, Royal Burghs, and Towns, in that Part of *Great Britain* called *Scotland*, for the Service of His Majeſty's Army and Navy. [11th *November* 1796.]

WHEREAS it is expedient for the Publick Service that the moſt effectual Means ſhould be adopted for providing a ſpeedy Supply of Men to ſerve in His Majeſty's Army or Navy: 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 there ſhall be levied within that Part of *Great Britain* called *Scotland*, in the ſeveral Counties or Stewartries, and Royal Burghs and Towns, and other Places herein-after mentioned, ſuch able-bodied Men to ſerve His Majeſty as aforeſaid, at ſuch Times and in ſuch Manner as herein-after is directed, and that the Number of Men to be levied by virtue of this Act ſhall be as follows; (that is to ſay), Preamble. Men to be levied in the following Proportions.

For the County of *Aberdeen*, One hundred and fifty-four.
For the City of *Aberdeen*, including the Pariſh of *Old Machar*, Thirty-two.
For the Burgh of *Kintore*, One.
For the Burgh of *Inverury*, One.
For the Town of *Peterhead*, Four.
For the Town of *Frazerſburgh*, Two.

For the Town of *Old Mildrum*, One.
For the Town of *Huntley*, One.

For the County of *Ayr*, Eighty-one.
For the Burgh of *Ayr*, Five.
For the Burgh of *Irvine*, Two.
For the Town of *Kilmarnock*, Nine.
For the Town of *Beith*, One.
For the Town of *Steuarton*, One.

For the County of *Argyll*, Eighty-seven.
For the Burgh of *Inverary*, Three.
For the Burgh of *Campbellton*, Six.

For the County of *Bute*, Nine.
For the Burgh of *Rothſay*, Three.

For the County of *Berwick*, Thirty-three.
For the Burgh of *Lawder*, Two.
For the Town of *Eyemouth*, One.
For the Town of *Ayton*, One.
For the Town of *Dunſe*, Two.
For the Town of *Greenlaw*, One.

For the County of *Banff*, Fifty-three.
For the Burgh of *Banff*, Three.
For the Burgh of *Cullen*, One.
For the Town of *Macduff*, One.
For the Towns of *Old* and *New Keith*, Two.
For the Town of *Fochabers*, One.
For the Town of *Portſoy*, One.

For the County of *Caithneſs*, Twenty-four.
For the Burgh of *Wick*, Three.
For the Town of *Thurſo*, Eight.

For the County of *Cromarty*, Eight.
For the Town of *Cromarty*, Two.

For the County of *Clackmannan*, Five.
For the Town of *Clackmannan*, Two.
For the Town of *Alloa*, Eight.

For the County of *Dumfries*, Forty-three.
For the Burgh of *Annan*, Two.
For the Burgh of *Dumfries*, Seven.
For the Burgh of *Lochmaben*, One.
For the Burgh of *Sanquhar*, Two.
For the Town of *Moffat*, One.
For the County of *Dumbarton*, Twenty-one.
For the Burgh of *Dumbarton*, Four.
For the Town of *Kirkintilloch*, One.

For the County of *Edinburgh*, Eighty.
For the City of *Edinburgh*, including the Liberties of *Canongate*, *Pleaſance*, *South* and *North Leith*, and *Coalhill*, Eighty.
For the Town of *Dalkeith*, Five.
For the Towns of *Muſſelburgh*, *Fiſherow*, *Invereſk*, and *Newbigging*, Seven.

For the County of *Elgin*, Thirty-ſeven.
For the Burgh of *Elgin*, Four.
For the Burgh of *Forres*, Three.

For the County of *Fife*, Ninety-two.
For the Burgh of *Cupar*, Five.
For the Burgh of *Dumfermline*, *Limekilns*, and *Torryburn*, Eight.
For the Burghs of *Inverkeithing*, *Northferry*, and *Aberdour*, Two.
For the Burgh of *Bruntiſland*, Two.
For the Burgh of *Kinghorn*, Three.
For the Burgh of *Kirkcaldy* including the *Link*, Five.
For the Burgh of *Dyſart* and *Pathead*, Three.
For the Burgh of *Anſtruther Eaſter*, Two.
For the Burgh of *Anſtruther Weſter*, One.
For the Burgh of *Crail*, Three.
For the Burgh of *Kilrenny* and *Sillerdike*, One.
For the Burgh of *Pittenween*, Two.
For the Burgh of *Saint Andrew's*, Five.
For the Towns of *Leven*, *Largo*, *Ely*, *Kennoway*, *Methel*, *Buckhaven*, *Eaſter* and *Weſter Wemyſs*, Two.
For the Towns of *Leſley*, *Ceres*, *Auchtermuchty*, *Falkland*, and *Strathmiglo*, One;
For the Town of *Newbury*, One.

For the County of *Forfar*, Seventy.
For the Burgh of *Brechin*, Four.
For the Burgh of *Dundee*, Thirty-three.
For the Burgh of *Forfar*, Four.
For the Burgh of *Montroſe*, Five.
For the Burgh of *Arbroath*, Four.
For the Town of *Kirrymuir*, Two.
For the Town of *Cupar* of *Angus*, Two.

For the County of *Haddington*, Thirty-eight.
For the Burgh of *Haddington*, Five.
For the Burgh of *Dunbar*, Four.
For the Burgh of *North Berwick*, Two.
For the Town of *Preſton Pans*, One.

For the County of *Inverneſs*, Seventy-two.
For the Burgh of *Inverneſs*, Fourteen.

For the County of *Kinroſs*, Six.
For the Town of *Kinroſs*, Two.

For the County of *Kincardine*, Thirty-three.
For the Burgh of *Inverbervie*, One.

For the Stewartry of *Kircudbright*, Twenty-eight.
For the Burgh of *Kircudbright*, Three.
For the Burgh of *New Galloway*, One.
For the Town of *Caſtle Douglas*, One.
For the Town of *Gatehouſe*, One.
For the Town of *Creiton*, One.

For the County of *Lanerk*, Seventy-one.
For the City of *Glaſgow*, *Gorbals*, *Anderſton*, and *Calton*, Seventy-one.
For the Town of *Hamilton*, Three.

For the Burgh of *Lanerk*, Two.
For the Burgh of *Ruglen*, One.
For the Town of *Strathaven*, One.
For the Town of *Airdrie*, One.

For the County of *Linlithgow*, Seventeen.
For the Burgh of *Linlithgow*, Five.
For the Burgh of *Queensferry*, Two.
For the Town of *Borrowſtowneſs*, Four.

For the County of *Nairne*, Seven.
For the Burgh of *Nairne*, Two.

For *Orkney*, Thirty-eight.
For the Burgh of *Kirkwall*, Four.
For *Zetland*, Nineteen.
For the Town of *Lerwick*, Two.
For the Town of *Stromneſs*, Two.

For the County of *Peebles*, Twelve.
For the Burgh of *Peebles*, Three.

For the County of *Perth*, One hundred and ſixty-ſeven.
For the Burgh of *Perth*, Twenty-four.
For the Burgh of *Culroſs*, One.
For the Town of *Dunkeld*, Two.
For the Town of *Crieff*, Four.
For the Town of *Dumblane*, Two.
For the Town of *Auchterarder*, Two.
For the Town of *Alyth*, One.

For the County of *Renfrew*, Twenty-ſix.
For the Burgh of *Renfrew*, One.
For the Town of *Paiſley*, and the Villages of *Newtoun*, *Williamſburgh*, *Smithills*, *Carriagehills*, *Maxwelltoun*, and *Millerſtoun*, Eighteen.
For the Town of Port *Glaſgow*, Two.
For the Town of *Greenock* and *Carſdike*, Sixteen.

For the County of *Roſs*, Forty-nine.
For the Burgh of *Tain*, Two.
For the Burgh of *Dingwall*, Two.
For the Burgh of *Fortroſe*, Two.
For the Town of *Stornoway*, One.

For the County of *Roxburgh*, Forty-five.
For the Town of *Kelſo*, Three.
For the Burgh of *Jedburgh*, Five.
For the Town of *Hawick*, Three.
For the Town of *Melroſe*, Two.

For the County of *Selkirk*, Two.
For the Burgh of *Selkirk*, Three.
For the Town of *Gallowſhields*, One.

For the County of *Stirling*, Forty-eight.
For the Burgh of *Stirling*, Seven.
For the Town of *Falkirk*, Four.
For the Town of *Kilſyth*, One.

For the County of *Sutherland*, Thirty-one.
For the Burgh of *Dornock*, Three.

For

For the County of *Wigtoun*, Eighteen.
For the Burgh of *Wigtoun*, One.
For the Burgh of *Whitehorn*, One.
For the Town of *Newton*, Two.
For the Burgh of *Stranraer*, Two.

His Majeſty may appoint Officers to regulate the Admiſſion of Men.

II. And be it further enacted, That it ſhall and may be lawful for His Majeſty to conſtitute and appoint ſo many Officers to regulate the Admiſſion of Men to be levied under the Authority of this Act, for His Majeſty's Service, as His Majeſty ſhall deem neceſſary, who being ſo reſpectively appointed, ſhall eſtabliſh within their reſpective Diſtricts a convenient Place or Places of Rendezvous in each ſuch Diſtrict, for the Reception of ſuch Men; and every ſuch Man, ſo to be levied, ſhall, before his Enrolment, be examined by One ſuch Regulating Officer at the leaſt, as to his Ability to ſerve His Majeſty; and every ſuch Officer ſhall have the full Power of approving or of rejecting any Man tendered to ſerve His Majeſty, ſubject nevertheleſs to ſuch Controul and Superintendance as by this Act is particularly directed.

Clerks of the Peace to ſummon a General Seſſion of the Juſtices;

who ſhall aſcertain the Rent of Pariſhes, and apportion the Number of Men to be raiſed for each County.

III. And be it further enacted, That the Clerks of the Peace of the ſaid ſeveral Counties and Stewartries in *Scotland* (excepting the Counties of *Inverneſs*, *Roſs*, *Cromarty*, *Sutherland*, and *Caithneſs*, and the Stewartry of *Orkney* and *Zetland*) ſhall, within Thirty Days after the paſſing of this Act, and the Clerks of the Peace of the ſaid Counties of *Inverneſs*, *Roſs*, *Cromarty*, *Sutherland*, and *Caithneſs*, and of the ſaid Stewarty of *Orkney* and *Zetland*, ſhall, within Fifty Days after the paſſing of this Act, or ſooner if it can be done, cauſe an Advertiſement to be publiſhed in ſome One Newſpaper publiſhed, or uſually circulated within the County, ſummoning the Juſtices of the Peace of the ſaid different Counties and Stewartries to meet in General Seſſion upon a Day to be mentioned in ſuch Advertiſement, and at the uſual Place where the Juſtices of each County ſeverally are accuſtomed to meet; and the Juſtices, when aſſembled at ſuch Meeting, ſhall proceed to diſtinguiſh and aſcertain the valued Rent of the different Pariſhes within the County or Stewartry, and apportion the Number of Men to be raiſed for each County or Stewartry upon the ſeveral Pariſhes, according to the Proportion which the Valuation of ſuch Pariſh bears to the total Valuation of the County; and the ſaid Juſtices ſhall have Power to adjourn till the Duty incumbent on them by this Act is fully diſcharged, ſo as ſuch Adjournment ſhall only be from Day to Day, *Sundays* excepted.

The Juſtices Clerk to tranſmit to Miniſters an Intimation to be read from the Pulpit, requiring Heritors to meet for procuring Men, &c.

IV. And be it further enacted, That immediately after making ſuch Apportionment in each Shire or Stewartry, the Juſtices of the Peace in and for the ſame ſhall cauſe their Clerk to tranſmit to the Miniſters of the ſeveral Pariſhes within the Shire or Stewartry, other than Pariſhes comprehended within the Royal Burghs and Towns herein-before mentioned, an Intimation to be read from the Pulpit the Firſt Day of Divine Service after receiving the ſame, requiring the Heritors of the Pariſh to meet, by themſelves or Agents, within Ten Days from the Time of the Intimation being ſo made at the Pariſh Church or Manſe of the ſaid Pariſh; and the Heritors, or their ſaid Agents, ſhall meet accordingly, and at ſuch Meeting ſhall direct ſuch Meaſures to be taken as to them ſhall ſeem moſt expedient to procure the Number of Men apportioned on the Pariſh, by the Payment of Bounty Money, and to have the Men procured

Heritors to pay 25 *l.* for each Man deficient of Quota;

procured delivered over to the Regulating Officer appointed to paſs and receive them, within Fifteen Days after the Meeting; and in caſe the ſaid Number of Days ſhall elapſe without the Quota of Men apportioned upon the Pariſh being produced, delivered over, and paſſed, then the Heritors of ſuch Pariſh ſhall be liable, in the Firſt Inſtance, to pay unto the Collector of the Ceſs for the County or Stewartry within which the Pariſh is ſituated, a Sum of Money equal to Twenty-five Pounds Sterling for each Man of the Quota required from the Pariſh deficient, ſuch Deficiency being certified under the Hand of the Regulating Officer of the Diſtrict, and Copies of his Certificate delivered to the Miniſter of the Pariſh, and to the Clerk of the Peace for the Shire or Stewartry in which the Pariſh is ſituated; and in caſe the ſaid Heritors ſhall fail to make ſuch Payment within the Time above-mentioned, then the Juſtices of the Peace of the County or Stewartry ſhall immediately aſſeſs the Pariſh in the Sum due for its Deficiency at the Rate aforeſaid, according to the valued Rent of the Pariſh, aſcertained by them in Manner aforeſaid, and ſhall order the Collector of the Land Tax for ſuch County or Stewartry, and he is hereby authorized and required, without Loſs of Time, to recover the ſame from the Heritors of ſuch Pariſh, in the ſame Manner, and by the ſame Means, as he is empowered by Law to recover and render the Land Tax effectual.

and if not paid, the Juſtices to aſſeſs the Pariſhes for Deficiencies.

Bounties to be paid by the Heritors, who may raiſe the Amount on the Pariſhes.

V. And be it enacted, That the Bounty Monies to Men procured by the Heritors of the ſeveral Pariſhes, ſhall, in the Firſt Place, be provided and paid by the ſaid Heritors, and an Account kept thereof, and at the Elapſe of the Time before-mentioned, when the Sum of Twenty-five Pounds for each Man then deficient is appointed to be recovered and paid as aforeſaid, in order to defray the Expence of the Bounties to be given to the ſaid Men, it ſhall be lawful to the Heritors in the ſaid Pariſhes, or ſuch of them as have advanced the Bounty Monies, or to any Perſon authorized by them, to raiſe a Sum equal to the Whole of the Money ſo advanced and paid by them upon the Pariſh agreeably to the Act of the Parliament of *Scotland*, which was paſſed in the Reign of *Charles* the Second, in the Year One thouſand ſix hundred and ſixty-three, Chapter Sixteen, and the Proclamations of the Privy Council of *Scotland* in the Reign of King *William*, ratified by an Act of the Parliament of *Scotland*, which was paſſed in the ſame Reign, Firſt *September* One thouſand ſix hundred and ninety-eight, Chapter Twenty-firſt.

Heritors paying for deficient Men may aſſeſs Inhabitants in a Moiety of the Sum.

VI. And be it enacted, That in the Caſe aforeſaid of the Number of Men allotted to any Pariſh not being raiſed, and delivered over as above directed, within the Time before limited, and the Sum of Twenty-five Pounds for each deficient Man being raiſed from the Heritors as before directed, then the Heritors paying ſhall be, and they are hereby authorized to aſſeſs the Tenants, Inhabitants, and Poſſeſſors, of ſuch Pariſh, in a Moiety of the Sum ſo paid, to be levied in the ſame Manner as they are empowered to do by the aforeſaid Acts of the Parliament of *Scotland*.

Aſſeſſments may be recovered by Diſtreſs.

VII. And be it enacted, That in caſe any Perſon or Perſons ſhall refuſe or delay to pay his, her, or their Proportion of the Sum or Sums ſo aſſeſſed or impoſed, within the Time appointed for Payment thereof, the ſame ſhall, upon a Complaint to the Sheriff or Stewart Depute of the Shire or Stewartry, or his Subſtitute, by the Procurator Fiſcal of the County or Stewartry, be recovered and rendered effectual by Diſtreſs and Sale of the Effects of the Perſon or Perſons refuſing or delaying ſo to pay.

VIII. And

VIII. And be it enacted, That in all Caſes where there is not ſufficient Evidence of the valued Rent of Lands, the Apportionments and Aſſeſſments hereby directed ſhall be made according to the cuſtomary Payment of the Ceſs or Land Tax, or in ſuch other Way as to the Juſtices of the Peace of each Shire or Stewartry, aſſembled as aforeſaid, ſhall ſeem beſt; and in caſe there be no acting Juſtice of the Peace within any Diſtrict, the Duty and Powers by this Act made incumbent on or given to the Juſtices, ſhall be performed and exerciſed by the Sheriff Depute or Subſtitute for ſuch Diſtrict, and the Duties of the Clerk of the Peace by the Sheriff or Stewart Clerk, or his Deputies.

Where there is no Evidence of the Rent of Lands, Aſſeſſments to be made according to the Land Tax; and where no Juſtices act, Sheriff Depute to act, &c.

IX. And be it further enacted, That it ſhall be lawful for the ſaid Juſtices at their ſaid Meetings to add together, whenever they ſhall think it neceſſary, Two or more Pariſhes, for the raiſing any Man or Number of Men in purſuance of this Act, ſo as to make the Charge as equal and impartial, and convenient as poſſible; and the Heritors of the Pariſhes ſo added together, or their Agents, ſhall proceed to raiſe the Proportion of Men allotted for the ſame, and to raiſe the Money neceſſary; and all the other Proceedings directed by this Act ſhall take place in like Manner as if the Pariſhes ſo joined did originally or by Law form but One Pariſh; and the Juſtices ſhall, in the Caſe of ſuch Junction, direct where the Heritors of the Pariſhes joined ſhall meet; and the ſaid Heritors are hereby directed and required to meet at the Place ſo appointed accordingly, by themſelves or their Agents.

Juſtices may add together Two or more Pariſhes for raiſing Men, &c.

X. And be it further enacted, That where any Pariſh lies in Two or more Counties or Stewartries, the Charge impoſed on ſuch Pariſh for raiſing Men for His Majeſty's Service by this Act, ſhall be in the Shire or Stewartry where the Church belonging to ſuch Pariſh is ſituated, and the Whole of ſuch Pariſh ſhall, for the Purpoſes of this Act, be deemed Part of the ſaid Shire or Stewartry; and all the Money to be levied for or in reſpect of ſuch Pariſh, in purſuance of this Act, ſhall be paid to and recovered by the Officers of the ſame.

The Charge for raiſing Men in a Pariſh lying in Two Counties to be made in that where the Church is ſituate.

XI. And be it enacted, That in caſe any Regulating Officer ſhall fail to make his Certificate, and to cauſe Copies thereof to be delivered as herein-before directed, he ſhall, for every ſuch Failure, be liable in the Penalty of Thirty-one Pounds Ten Shillings, to be recovered by ſummary Complaint made by the Procurator Fiſcal of the County or Stewartry to the Sheriff or Stewart Depute; and in caſe the Procurator Fiſcal ſhall fail in his Duty in any of the Articles before mentioned, then he ſhall be liable in a Penalty of Thirty-one Pounds Ten Shillings for each Failure, to be recovered by a ſummary Complaint to the Sheriff or Stewart Depute by the Regulating Officer, the Collector of the Land Tax, or any Heritor of the Pariſh.

Penalty on Regulating Officer or Procurator Fiſcal for Neglect.

XII. And be it further enacted, That the Orders or Decrees of the Sheriffs or Stewarts Depute, and of the Juſtices of the Peace, in any of the Caſes before-mentioned, and in all Proceedings held under this Act, ſhall be final and concluſive as to all Parties, and ſhall not be removeable by Bill of Suſpenſion, Advocation, or any other Form or Proceſs of Law, into any ſuperior or other Court whatſoever.

Orders of Sheriffs, &c. to be final.

XIII. And be it further enacted, That the Magiſtrates of the ſeveral Cities, Royal Burghs, Towns, and Places, in this Act mentioned, except

Magiſtrates, within a limited Time,

to take Measures for levying Men, and may levy Money to pay Bounties.

thoſe to the Northward of *Inverneſs*, ſhall, within Twenty Days after the paſſing of this Act, and the Magiſtrates of the ſeveral Cities, Burghs, Towns, and other Places, in this Act mentioned, ſituated North of *Inverneſs*, ſhall, within Forty Days after paſſing of the ſame, or ſooner if it can be done, take ſuch Meaſures as ſhall ſeem to them moſt expedient for levying the Number of able-bodied Men, according to the Proportions herein-before allotted for each of the ſaid Cities, Royal Burghs, Towns, and other Places; and they ſhall be, and they are hereby authorized to levy from the Heritors, Burgeſſes, and Inhabitants, of ſuch Cities, Burghs, Towns, and other Places, a Sum not exceeding Twenty-five Pounds *per* Man, for paying the Bounties they may ſee proper to give to ſuch Men as are actually levied, not exceeding the Numbers allotted for ſuch City, Burgh, Town, or other Places, by this Act, in ſuch Manner, and by the Proportions as is herein-after directed; and the Men ſo levied ſhall be delivered over by the ſaid Magiſtrates to the Regulating Officer appointed to act for that Place in Manner aforeſaid.

If the Complement of Men is not raiſed within a limited Time, the Magiſtrates to aſſeſs the Heritors and Inhabitants for the Deficiency.

XIV. And be it enacted, That in caſe the Magiſtrates of any of the ſaid Cities, Royal Burghs, Towns, or other Places, ſhall not have raiſed its full Complement of Men accepted of by the Regulating Officer, within Thirty Days after they are herein-before directed to take Meaſures for that End, then the ſaid Magiſtrates ſhall ſtent and aſſeſs the Heritors and Inhabitants in a Sum equal to Twenty-five Pounds for each Man deficient, and ſhall levy the Sum ſo aſſeſſed in the Manner, and according to the Proportions herein-after directed; and the ſaid Sum ſhall be paid to the Collector of the Ceſs for ſuch City, Burgh, or Town, or where there is no Collector of the Ceſs for ſuch City, Burgh, or Town, then to the Collector of the Ceſs for the Shire or Stewartry within which ſuch City, Burgh, Town, or other Place, is ſituated, to anſwer and pay the Bounty Money given to Men levied to ſupply the Deficiency, until the whole Number allotted for ſuch City, Burgh, Town, or Place, ſhall be completed.

Magiſtrates neglecting to make Aſſeſſments for Deficiencies to be perſonally liable.

XV. And be it enacted, That in caſe the Magiſtrates of any of the ſaid Cities, Burghs, Towns, or other Places, ſhall neglect or refuſe to aſſeſs and ſtent the Heritors and Inhabitants thereof, for the Sums of Money for which ſuch City, Burgh, Town, or Place, may be liable in caſe of Deficiency as aforeſaid, or to levy, apply, and pay over the ſame in Manner and for the Purpoſes aforeſaid, then the Magiſtrates of ſuch City, Burgh, Town, or Place, making Default, ſhall be perſonally liable in a Penalty equal to the Sum deficient, to be recovered by ſummary Complaint to the Sheriff Depute, at the Inſtance of the Procurator Fiſcal of the Sheriff Court, within the Juriſdiction whereof ſuch City, Burgh, Town, or Place, making Default, is ſituated; and the Sums ſo recovered ſhall be paid over and applicable in the ſame Way that the Sums are by this Act directed to be applied in the Caſe of the Magiſtrates levying the ſame from the Heritors and Inhabitants.

Treaſury to cauſe Liſts to be prepared of the Number of inhabited Houſes within the Limits of Cities, &c. aſſeſſed to the Duties on

XVI. And be it further enacted by the Authority aforeſaid, That the Commiſſioners of His Majeſty's Treaſury, for the Time being, ſhall cauſe to be prepared true Liſts of the Number of all the inhabited Houſes within the Limits of any of the Cities, Royal Burghs, Towns, Pariſhes, and Places, particularly above ſpecified, which are aſſeſſed and pay to the Duties on Inhabited Houſes, or to the Duties on Houſes, Windows, or Lights, by virtue of any Act or Acts of Parliament now in Force, and ſhall

forthwith cauſe the ſame to be forwarded by the reſpective Surveyors or other proper Officers of the ſaid Duties, to the Chief Magiſtrate of each of the ſaid Cities, Royal Burghs, Towns, Pariſhes, or other Places reſpectively; and where there are no ſuch Magiſtrate or Magiſtrates, to the Juſtices of Peace, Clerk of the County or Stewartry, within which ſuch Town, Village, or Place, is reſpectively ſituated; and the Magiſtrates of the ſaid Cities, Royal Burghs, Towns, Pariſhes, and other Places, and the Juſtices of the Peace of the County or Stewartry, within which ſuch Towns, Villages, or Places above deſcribed, are reſpectively ſituated, duly and regularly aſſembled, ſhall, as ſoon after the Receipt of ſuch Liſts, as conveniently may be, reſpectively proceed to apportion among the Inhabitants of the ſaid Cities, Royal Burghs, Towns, Pariſhes, and Places, as nearly and equally as may be, the Sums of Money appointed to be levied by this Act either for Bounties to Men raiſed in purſuance of this Act, or for Fines or Penalties incurred for Default of raiſing the Proportion of Men reſpectively above ſpecified; and the ſaid Magiſtrates aſſembled as aforeſaid, are hereby reſpectively authorized and required to divide and apportion the ſaid Bounties, Fines, or Penalties reſpectively, as near as may be, in ſuch Proportions as the Number of Inhabited Houſes aſſeſſed to and paying the ſaid Duties in each City, Royal Burgh, Town, Pariſh, or Place, ſhall bear to each other: Provided always, that where, from the inconſiderable Number of inhabited Houſes aſſeſſed as aforeſaid, contained in any Royal Burgh, Town, Village, or Place, the ſaid Liſt ſhall appear to the Magiſtrates of the ſaid Burgh, Town, Village, or Place, or to the Juſtices of the Peace, as the Caſe may be, within which the ſame are reſpectively ſituated, either totally inapplicable, or not affording an equal and impartial Rule for apportioning among the Inhabitants of the ſame, the ſaid Bounties, Fines, or Penalties, it ſhall be lawful for the ſaid Magiſtrates and Juſtices reſpectively, and they are hereby commanded and required to apportion the ſaid Bounties, Fines, or Penalties, among the Inhabitants of the ſame, in ſuch Manner and by ſuch Rule as to them ſhall ſeem moſt expedient, and as may render the Operation of this Act, in ſuch Caſes, as equal and impartial as poſſible: Provided always, that it ſhall be in the Power of any Inhabitant of ſuch Burgh, Town, Village, or Place, conceiving himſelf aggrieved by the Aſſeſſment impoſed by any Magiſtrate or Juſtice of the Peace above mentioned, to appeal from the ſame to a General Meeting of the Juſtices of the Peace, of the County or Stewartry within which ſuch Burgh, Town, Village, or Place, is reſpectively ſituated; provided the ſaid Appeal be entered within Ten Days after written Notice has been given by the ſaid Magiſtrates or Juſtices, or Perſon authorized by them, of the Rate or Aſſeſſment propoſed to be put upon ſuch Inhabitant; and the Order or Decree of the ſaid General Meeting of Juſtices ſhall be final and concluſive as to all Parties, and ſhall not be removeable by Bill of Suſpenſion, Advocation, or any other Form or Proceſs of Law, into any ſuperior or other Court whatſoever.

Houſes, &c. and forwarded to the Chief Magiſtrates, who ſhall apportion the Sums to be levied.

Where the Liſts ſhall appear inapplicable, the Magiſtrates or Juſtices may apportion the Money as to them ſhall ſeem expedient.

Appeal may be made to a General Meeting of Juſtices.

Their Decree to be final.

XVII. And be it enacted, That where Pariſhes are partly Landward and partly within Burgh, the Landward Part of the Pariſh, whether holden of the Burgh or not, or whether paying Ceſs to or with the Burgh or not, ſhall be conſidered as Part of the Shire or Stewartry liable for its Proportion of the Men allotted by this Act to be raiſed in or for the ſame, and the Part within Burgh ſhall be included in the Allotment for the Burgh.

The Landward Part of the Pariſhes to be deemed Part of the Shire, and the Part within the Burgh Part thereof.

XVIII. Provided

General Meeting of Juſtices may determine what Part of any Pariſh ought to be aſſeſſed within the County, and what Part within the City, &c.

XVIII. Provided always, and be it enacted, That when any Doubt ſhall ariſe what Part of any Pariſh ought to contribute and be aſſeſſed within the County or Stewartry of which it is a Part, and what Part of it is included and ought to contribute and be aſſeſſed as Part of the City, Royal Burgh, Town, Village, or Place, particularly and reſpectively above ſpecified, it ſhall be in the Power of a General Meeting of the Juſtices of the Peace of the County or Stewartry within which ſuch City, Royal Burgh, Town, Village, or Place, is ſituated, duly aſſembled at a General Meeting, and of which due Notice ſhall be given by Advertiſement or otherwiſe, in order that all concerned may attend to fix, aſcertain, and determine, from the Liſt of inhabited and aſſeſſed Houſes, or from ſuch other Evidence as the Nature of each Caſe reſpectively admits, what Part of ſuch Pariſh falls to contribute and be aſſeſſed with the County or Stewartry, and what Part and Right in purſuance of this Act to contribute and be aſſeſſed, as Part of the City, Royal Burgh, Town, Village, or Place, reſpectively; and ſuch Order or Judgement may, at the Suit of any Party conceiving himſelf aggrieved, be removed by Bill of Advocation, Suſpenſion, or other uſual Proceſs of Law into the Court of Seſſion; any Thing in this Act contained to the contrary notwithſtanding.

Their Order may be removed into the Court of Seſſion.

Juſtices, &c. may direct a Third of Bounties to be advanced to Volunteers on their Examination, and the Reſidue to be paid the Collector of the Ceſs.

XIX. And be it enacted, That it ſhall be lawful for any Juſtice of the Peace, or any Sheriff or Stewart Depute, or Subſtitute, or Chief Magiſtrate, reſident in any City, Burgh, or Town, in this Act mentioned, before whom any Perſon ſhall be brought to be examined touching his Conſent to enter into His Majeſty's Service, to direct that any Sum, not exceeding One Third Part of the Bounty agreed to be paid to him on his engaging to ſerve, ſhall be advanced to ſuch Perſon, or to ſuch of his Family, and in ſuch Proportions, as he ſhall requeſt at the Time of his Enrolment herein-after mentioned; and that the Reſidue of ſuch Bounty ſhall be paid into the Hands of the Collector of the Ceſs for the Shire or Stewartry, Burgh or Town, to which the ſaid Perſon belongs, or for which he is inliſted, there to remain until the ſame ſhall become payable to ſuch Perſon, on his being enrolled in ſome Regiment, or muſtered on Board any of His Majeſty's Ships of War.

Volunteers to be brought before the neareſt Regulating Officer, and, if approved by him, taken before a Juſtice, &c. who ſhall certify their entering, &c.

XX. And be it enacted, That every Perſon who ſhall agree to enter himſelf as a Volunteer in either of ſuch Services as aforeſaid, ſhall be produced before the Officer or Officers appointed to regulate the ſame Service, at the neareſt Place of Rendezvous to any Pariſh or Place for which ſuch Volunteer ſhall agree to ſerve; and in caſe ſuch Officer or Officers ſhall, on Examination, approve of ſuch Volunteer to ſerve His Majeſty, then ſuch Volunteer or Volunteers may forthwith be brought before any ſuch Juſtice, Sheriff Depute, or Subſtitute, or Chief Magiſtrate, reſident as aforeſaid, acting in and for the Pariſh or Place; and in caſe it ſhall appear to ſuch Juſtice, Sheriff Depute, or Subſtitute, or Magiſtrate, that ſuch Perſon or Perſons hath or have voluntarily entered himſelf or themſelves in the Service of His Majeſty as aforeſaid, then they are hereby required forthwith to certify, under their Hands, that ſuch Perſon or Perſons hath or have voluntarily entered himſelf or themſelves in the Service of His Majeſty's Army or Navy, as the Caſe may be, and at the Foot of ſuch Certificate enter the Amount of the Sums to be paid as Bounty or Bounties to ſuch Volunteer or Volunteers, on his or their entering into ſuch Service, and the Sums (if any) which have been

been directed to be advanced to him or them at the Time of his or their Enrolment; and which Certificates ſhall be delivered to ſuch Regulating Officer, and he ſhall thereupon cauſe ſuch Perſon or Perſons to be enrolled in His Majeſty's Military or Naval Service, as the Caſe may require.

Certificates to be delivered to the Officer who ſhall cauſe the Men to be enrolled.

XXI. And be it enacted, That in caſe the Regulating Officer at the neareſt Place of Rendezvous aforeſaid, ſhall reject any Perſon or Perſons produced before him as ſuch Volunteer or Volunteers, as unfit to ſerve His Majeſty in either of the ſaid Services, and the Heritors of any Pariſh, or Magiſtrates of any Burgh or Town, for which ſuch Perſon or Perſons ſhall have been tendered to ſerve, ſhall think themſelves aggrieved by the Rejection, it ſhall and may be lawful for any one of ſuch Heritors or Magiſtrates to apply, by ſummary Complaint, to the Sheriff or Stewart Depute, or Subſtitute, of the Shire or Stewartry, who ſhall cauſe the ſaid Complaint to be ſerved on the ſaid Regulating Officer or Officers, directing him to anſwer the ſame within a Time to be limited, not exceeding Six Days, and he or they, on receiving ſuch Notice, ſhall, and they are hereby required, before the Time of hearing the Matter of the ſaid Complaint, to ſet down his Reaſons in Writing for ſuch Rejection, and ſuch Writing being exhibited to the Sheriff or Stewart Deputes, or their Subſtitute, they ſhall do therein what ſhall ſeem to them in their Diſcretion expedient, and their Order ſhall be final and concluſive.

If Regulating Officer reject a Volunteer, the Heritors or Magiſtrates may appeal to the Sheriff Depute, &c.

Regulating Officer to write his Reaſons for Rejection.

Sheriff's Order final.

XXII. And be it enacted, That in all Caſes where Default ſhall be made in procuring and delivering Men by the Heritors or Magiſtrates as aforeſaid, it ſhall be lawful for any Perſon or Perſons, having Authority under His Majeſty to provide Men for the Service of the Army or Navy, to produce any Perſon or Perſons, Subſtitute or Subſtitutes, or for any ſuch Perſon or Perſons voluntarily to come before any Juſtice of the Peace, Sheriff or Stewart Depute, or Subſtitute, or Chief Magiſtrate reſident of the County, Diſtrict, or Place reſpectively for which they are produced or come, and be examined as to their Conſent to ſerve in His Majeſty's Army or Navy, as Subſtitutes for ſuch Pariſhes or Places reſpectively, and who ſhall, and they are hereby authorized and required to ſettle the Bounty or Bounties to be paid for ſuch Subſtitutes; ſuch Bounty or Bounties, including the Expences incurred in providing the ſaid Subſtitutes, not to exceed the aforeſaid Sum of Twenty-five Pounds Sterling; and ſuch Juſtices ſhall, in caſe any ſuch Perſons ſhall be approved of by the Regulating Officer as aforeſaid, certify ſuch Conſent and Approbation, and the Bounties agreed to be paid, in the Manner herein-before directed with reſpect to Volunteers; and the ſaid Juſtices ſhall thereupon make an Order upon the Collector of the Ceſs for the Shire or Stewartry, or Burgh or Town, for which ſuch Subſtitute is enrolled, to pay the Bounty Money out of the Money in the Hands of ſuch Collector ariſing from the Aſſeſſments made for and in the Pariſh or Place for which ſuch Subſtitute or Subſtitutes is or are admitted.

If Men are not procured by the Heritors or Magiſtrates, certain Perſons may produce Subſtitutes, or Volunteers may offer themſelves to a Juſtice, &c. who ſhall ſettle the Bounty, &c. and order the Collector of the Ceſs to pay it.

XXIII. And be it enacted, That every ſuch Certificate ſo granted, or a full and true Copy thereof, ſigned by the Regulating Officer, ſhall in all Caſes be tranſmitted along with the Perſon enrolled, and delivered to the Commanding Officer of the Regiment, Battalion, or Company, or of the Ship or Veſſel in which ſuch Perſon ſhall be entered to ſerve, and ſuch Commanding Officer ſhall, within Four Days from the Time of ſuch Perſon being admitted into any Regiment, and before ſuch Volunteer

Certificates or Copies to be tranſmitted with the Perſons enrolled to the Commanding Officer, who ſhall make out a Ticket for the

Bounty due, &c.

ſhall be compelled to go out of the County for which he ſhall ſerve, or from the Time of ſuch Perſon joining ſuch Regiment, which ſhall firſt happen, or from the Time of ſuch Perſon being muſtered and rated on Board any Ship, and before ſuch Ship or Veſſel ſhall proceed to Sea, as the Caſe may be, make out a Ticket or Tickets for the Payment of the Bounty Money agreed to be paid to ſuch Perſon, and then remaining due, in ſuch Manner as if ſuch Money had become due to ſuch Perſon on Account of Arrears of Wages as a Seaman on Board ſuch Ship or Veſſel, and ſuch Bounty Money ſhall and may be paid to ſuch Perſon, or to his Family, in the Manner directed in reſpect of Men enrolled in *England*, as directed by an Act paſſed in this preſent Seſſion of Parliament, intituled, *An Act for raiſing a certain Number of Men in the ſeveral Counties of* England, *for the Service of His Majeſty's Army and Navy*, and ſhall be reimburſed to the Perſon ſo paying the ſame, by the Collector of the Ceſs for the particular Shire, Stewartry, Burgh, or Town.

Certain Perſons diſqualified to be enrolled;

XXIV. Provided always, and be it enacted, That no Perſon ſhall be received or enrolled in His Majeſty's Service by virtue of this Act, who is not, in the Opinion of the Regulating Officer or Officers, ſuch an able-bodied Man as is fit to ſerve His Majeſty, and is free from Ruptures, and every other Diſtemper or Infirmity which may render him unfit to perform his Duty in the Army or Navy; and who, in the Opinion of ſuch Officer or Officers, ſhall appear to be under the Age of Sixteen Years, or above the Age of Forty-five Years; nor any Perſon being an articled Clerk or Apprentice (unleſs with the Conſent of the Maſter of ſuch Clerk or Apprentice); nor any Perſon inliſted in any of His Majeſty's Forces, or already entered in His Majeſty's Navy; nor any Deſerter: Provided that no Perſon enrolled by virtue of this Act ſhall, by Reaſon of any ſuch Diſqualification, as being a Clerk, or Apprentice, or inliſted, or entered, or being a Deſerter, be liable to be diſcharged from His Majeſty's Service, or taken out of the ſame, unleſs Notice in Writing of ſuch Diſqualification ſhall be given to the Officer or Officers under whoſe Command ſuch Perſon ſhall be, before the Time of his entering into any Regiment, or on Board any of His Majeſty's Ships of War, and before the Bounty hereby authorized to be paid, or any Part thereof, ſhall have been paid or ſatisfied to him.

But no Perſon if enrolled ſhall be diſcharged as being an articled Clerk, &c. unleſs Notice of Diſqualification be given before his entering and the Bounty paid.

Regulation of 37 *Geo.* III. Cap. 4, reſpecting Deſerters from the Naval Service in *England*, to extend to this Act.

XXV. And be it enacted, That all the Regulations eſtabliſhed by the aforeſaid Act of this preſent Seſſion of Parliament, intituled, *An Act for raiſing a certain Number of Men in the ſeveral Counties of* England, *for the Service of His Majeſty's Army and Navy*, againſt Deſerters from His Majeſty's Naval Service for *England*, and againſt Perſons harbouring or concealing Deſerters, and for billetting Officers and Men, ſhall attach upon and be conſtrued to comprehend the Caſes of Perſons enrolled in His Majeſty's Naval Service in *Scotland*, and the Officers commanding them, by virtue of this Act.

Expences in executing this Act to be defrayed by the reſpective Counties.

XXVI. And be it further enacted, That all the Expences incurred in the Execution of this Act in *Scotland* (including ſuch Gratifications for the Trouble of the Clerks of the Peace, and other Officers, who are reſpectively required to execute this Act, as ſhall be deemed adequate for their Trouble by the Juſtices of the Peace or Sheriff Depute, or Subſtitute, or reſident Chief Magiſtrate as aforeſaid), ſhall be defrayed by the ſeveral Counties, Stewartries, Burghs, Towns, and Places ſeverally; and the Collectors of the Land Tax in the ſeveral Counties, Stewartries, and

Burghs, are hereby empowered to aſſeſs and levy the ſaid Expence along with the Land Tax, according to the Rules and Proportions herein-before mentioned.

Collectors of the Land Tax may advance Bounties.

XXVII. And be it enacted, That until the Money to be raiſed by virtue of this Act ſhall be actually recovered and paid in to the ſeveral Collectors, that the reſpective Collectors of Land Tax, out of the Publick Money in their Hands, ſhall, and are hereby authorized and required to advance and pay ſuch Sums as may be neceſſary for Payment of Bounties to ſuch Perſons as ſhall be approved of by the Regulating Officers.

Perſons receiving Money under this Act to be liable as Publick Accountants.

Surplus Money to be at the Diſpoſal of the Treaſury, &c.

XXVIII. And be it further enacted, That the ſaid Collectors of the Ceſs in the ſeveral Counties, Stewartries, Burghs, and Towns, herein-before mentioned, and all other Perſons into whoſe Hands Money raiſed or contributed under or in purſuance of this Act ſhall be paid, ſhall be liable for the ſame as Publick Accountants; and all Surplus Money remaining, after ſatisfying the Purpoſes of this Act, ſhall be at the Diſpoſal of the Commiſſioners of His Majeſty's Treaſury, to be applied in providing Men for the Augmentation of His Majeſty's Army or Navy, in ſuch Manner as in their Diſcretion ſhall ſeem expedient; and the uſual Proceſs ſhall and may iſſue for compelling an Account and Payment thereof.

By *April* 5, 1797, the Collectors of the Ceſs to tranſmit Accounts of Money levied, and of Balances in Hand, to the Receiver General of the Land Tax in *Scotland*, who ſhall forward them to the Treaſury.

Penalty of 500l. on Collectors failing to tranſmit Accounts.

XXIX. And be it further enacted, That the Collectors of the Ceſs within the ſaid ſeveral Counties, Stewartries, Cities, Burghs, and Towns, ſhall, on or before the Fifth Day of *April* in the Year One thouſand ſeven hundred and ninety-ſeven, tranſmit to the Receiver General of the Land Tax in *Scotland* an Account of the Sums levied by them either for Bounties to Men actually raiſed, or for Fines and Penalties incurred in Default of raiſing Men in purſuance of this Act, and ſtating what Sums of Money remain in their Hands unappropriated to the Purpoſes herein-before directed, and the ſaid Receiver General ſhall forthwith tranſmit the ſaid reſpective Accounts ſo received as aforeſaid, to the Lords Commiſſioners of His Majeſty's Treaſury, and each Collector failing to tranſmit to the ſaid Receiver General the ſaid Accounts, ſhall incur the Penalty of Five hundred Pounds Sterling, ſuch Penalty to be recovered by ſummary Complaint before the Court of Seſſion, or by Information in the Court of Exchequer, at the Suit of His Majeſty's Advocate.

Penalty of 500l. on Heirs, &c. of Collectors dying or becoming inſolvent, who do not, within 40 Days, deliver an Account of all Things done by the Deceaſed, &c. touching the Execution of this Act.

XXX. And be it enacted, by the Authority aforeſaid, That in caſe of the Death or Inſolvency of any Collector of the Ceſs, or any other Perſon into whoſe Hands Money raiſed or contributed under or in purſuance of this Act, ſhall be paid, the Heirs, Executors, Sureties, and Repreſentatives of the ſaid Collector, or other Perſons aforeſaid, ſhall, within Forty Days after the Deceaſe or Inſolvency, deliver in to the Juſtices of Peace, Clerk, or Town Clerk reſpectively, as the Caſe may be, of each County, Stewartry, City, Royal Burgh, or Place reſpectively, an Account, to the beſt of their Knowledge and Belief, of all Things done by ſuch Perſon inſolvent or deceaſed, touching the Execution of this Act, and render an Account of all Monies actually received and remaining unpaid by any ſuch Collector or other Perſon, levying and retaining any Sums levied and paid to them in purſuance of this Act, and that under the Penalty of Five hundred Pounds; to be ſued for and recovered in like Manner as is herein-before directed, in reſpect to the Penalties which may be incurred by ſuch Collector neglecting to tranſmit

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to the Receiver General of the Land Tax the Accounts of the Sums levied in purſuance of this Act.

Regulating Officer may intimate to Clerks of the Peace and Chief Magiſtrates when and where he will be ready to receive Men;

XXXI. And whereas the Regulating Officer appointed to receive and paſs the Men as above mentioned, may not be able to go through the Examination of ſuch Men at the different Places of Rendezvous within his Diſtrict, in the Space of Twenty Days after the Meeting of the Heritors for the Purpoſes above mentioned; be it enacted, That ſuch Regulating Officer may intimate to the Clerks of the Peace of each County or Stewartry, and Chief Reſiding Magiſtrate of each Burgh or Town ſituated within his Diſtrict, that he will be ready to receive ſuch Men as they may have procured, at ſuch particular Place of Rendezvous, and on ſuch ſeveral ſucceſſive Days as he may find abſolutely neceſſary, to enable him to travel without Loſs of Time, and with all ſuitable Diſpatch, from one Place of Rendezvous to another, in the ſeveral Counties, Burghs, Towns, and other Places, within his Diſtrict; and the Clerk of the Peace ſhall forthwith give Notice to the Miniſter of each Pariſh within the County, or, in his Abſence, to the Precentor or Seſſion Clerk of the ſame, of the Place of Rendezvous, and the particular Day on which the Heritors of ſuch Pariſh are reſpectively to produce and deliver over ſuch Volunteer or Volunteers as aforeſaid, or in Default thereof to be liable in the Penalty of Twenty-five Pounds Sterling above mentioned for each Man of their Quota deficient, to be levied, recovered, and applied, as herein directed; and the Chief reſident Magiſtrate of each Burgh or Town is in like Manner to produce and deliver over at ſuch Place of Rendezvous, on ſuch Day as the Regulating Officer ſhall notify, ſuch Volunteer or Volunteers apportioned on each, or in Default thereof to be liable as aforeſaid in the Penalty of Twenty-five Pounds for each Man deficient, to be levied, recovered, and applied, as herein directed.

Clerks of the Peace to give Notice thereof to the Miniſters when Volunteers are to be produced, or 25*l.* paid for each Man deficient;

Chief Magiſtrates to be liable in 25*l.* for each Man not then produced.

Miſtake in 35 *Geo.* 3. Cap. 29, rectified.

XXXII. And whereas, by an Act paſſed in the Thirty-fifth Year of His Majeſty's Reign, intituled, *An Act for raiſing a certain Number of Men in the ſeveral Counties, Stewartries, Royal Burghs, and Towns in that Part of* Great Britain *called* Scotland, *for the Service of His Majeſty's Navy,* Forty-nine Men were appointed to be levied for the County of *Wigtoun,* and Eighteen Men for the Town of *Kilmarnock,* both of which Numbers were by Miſtake apportioned on the ſaid County and Town; be it therefore enacted, That on the ſaid County furniſhing, or proving itſelf to have furniſhed, Twenty-three Men, and the ſaid Town of *Kilmarnock* furniſhing, or proving itſelf to have furniſhed, Six Men, for the Service of His Majeſty's Navy, as directed by the aforeſaid Act, they ſhall be diſcharged of all further Claim upon them for any further Number of Men, or of any Demand for Penalties incurred for deficient Men, beyond the ſaid Number of Twenty-three Men and Six Men reſpectively.

Limitation of Actions.

XXXIII. And be it further enacted, That if any Action ſhall be brought againſt any Perſon or Perſons for any Thing done in purſuance of this Act, ſuch Action or Suit ſhall be commenced within Six Months next after the Fact committed, and not afterwards.

This Act may be altered or repealed this Seſſion.

XXXIV. 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.

FINIS.