ANNO TRICESIMO OCTAVO

GEORGII III. REGIS.

CAP. XXVII.

An Act to enable His Majesty more effectually to provide for the Defence and Security of the Realm during the present War; and for indemnifying Persons who may suffer in their Property by such Measures as may be necessary for that Purpose. [5th *April* 1798.]

WHEREAS it is expedient that His Majesty should be enabled to exercise, in the most effectual Manner, the Powers by Law vested in Him for preventing and repelling an Invasion of this Kingdom by His Majesty's Enemies; and that, for such Purpose, Provision should be made to enforce prompt Obedience to such Orders as His Majesty shall think fit to issue for procuring the Information necessary to the effectual Exercise of such Powers upon any Emergency; and for applying, in the most expeditious Manner, and with the greatest Effect, the voluntary Services of His Loyal Subjects for the Defence of the Kingdom; and also to enable His Majesty to procure Ground which may be wanting for erecting Batteries, Beacons, and other Works, which may be deemed necessary for the Publick Service; and also to provide for the Preamble.

Indemnity (in certain Cases) of Persons who may suffer in their Property by Measures which may be taken for the Defence and Security of the Country, and Annoyance of the Enemy: 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 Lieutenants of the several Counties, Ridings, and Places, within that Part of *Great Britain* called *England*, and of the several Counties, Stewartries, Cities, and Places, in that Part of *Great Britain* called *Scotland*, and their Deputy Lieutenants, or such of them as His Majesty shall direct, and the Deputy Lieutenants acting as Lieutenants under the Laws now in Force, shall, respectively, in Obedience and Conformity to such Orders as His Majesty shall think fit to issue for such Purpose, procure Returns of the Numbers of Men residing within the several Counties, Ridings, Stewartries, Cities, and Places aforesaid, who shall be of the Age of Fifteen Years, and under the Age of Sixty Years; distinguishing which of them are, by Reason of Infirmity, incapable of active Service, and which of them are engaged in any Volunteer Corps, and what Corps, and which of them are willing to engage themselves, to be armed, arrayed, trained, and exercised for the Defence of the Kingdom, and upon what Terms; and which of them are willing to engage, in Cases of Emergency, either gratuitously or for Hire, as Boatmen or Bargemen, or as Drivers of Carriages or Horses, or Drivers of Waggons, Carts, or Cattle, or as Pioneers, or other Labourers for any Works or Labour which may be necessary for the Publick Service; and also distinguishing all Aliens and Quakers, with such other Particulars as His Majesty shall think fit to require; and also to procure Returns of the Numbers of the Males and Females, residing within the several Counties, Ridings, Stewartries, Cities, and Places aforesaid, who by Reason of Infancy, Age, or Infirmity, or for other Cause, may probably be incapable of removing themselves in case of Danger; and also for procuring Returns of all Boats, Barges, Waggons, Carts, Horses, and other Cattle and Sheep, and of all Hay, Straw, Corn, Meal, Flour, and other Provisions, and of all Mills and Ovens, and all other Matters and Things which may be useful to an Enemy, or applicable to the Publick Service, within the said Counties, Ridings, Stewartries, Cities, and Places respectively; and which of such Boats, Barges, Waggons, Carts, and Horses, the Owners thereof are willing to furnish, in case of Emergency, for the Publick Service, either gratuitously or for Hire, and with what Number of Boatmen, Bargemen, Drivers, and other necessary Attendance, and upon what Terms and Conditions, and of all such other Particulars as His Majesty shall require, for the Purpose of enabling His Majesty, and the Persons acting under His Majesty's Authority, to give such Orders as may be necessary for the Removal, in case of Danger, of such Persons as shall be incapable of removing themselves, and for the Removal of all Boats, Barges, Waggons, Carts, Horses, Cattle, Sheep, Hay, Straw, Corn, Meal, Flour, and other Provisions, Matters, and Things aforesaid, or for the Employment thereof in His Majesty's Service, or otherwise, as the Exigency of the Case shall require, and generally to give such Directions touching such Matters respectively, as may be deemed most likely to defeat the Views of the Enemy, and most advantageous for the Publick Service.

The County and Deputy Lieutenants, in Obedience to His Majesty's Orders, to procure Returns of Men 15 Years of Age, and under 60; and which are in Volunteer Corps; and which are willing to be armed, &c.;

and of Boats, Waggons, Horses, &c.;

and which of them the Owners are willing to furnish for the Publick Service, &c.

II. And

His Majeſty may require the Lieutenants to appoint Officers to be ready for training Men willing to engage, *etc.*

II. And be it further enacted, That it ſhall be lawful for His Majeſty, by and with the Advice of His Privy Council, to order and require, from Time to Time, as His Majeſty ſhall ſee Occaſion, the Lieutenants, or Deputy Lieutenants acting as Lieutenants as aforeſaid, to appoint proper Officers to be ready for arraying, training, exerciſing, and commanding ſuch Men as ſhall be willing to engage themſelves to be armed, trained, and exerciſed as aforeſaid; and alſo proper Perſons to be in like Manner ready, in caſe of Need, for ſuperintending and directing the Execution of the ſeveral other Duties which may be neceſſary to be done for the ſeveral Purpoſes herein-before mentioned; ſuch Officers and other Perſons to be appointed in ſuch Numbers, and under ſuch Regulations and Reſtrictions as His Majeſty ſhall think fit to order and direct, ſuch Lieutenants, or Deputy Lieutenants acting as Lieutenants as aforeſaid, firſt ſignifying to His Majeſty the Names and Ranks of all Officers ſo to be appointed, and the Purpoſes for which they are ſo to be appointed, and appointing ſuch Officers only as His Majeſty ſhall approve: Provided always, that if the ſaid Lieutenants, or Deputy Lieutenants acting as Lieutenants as aforeſaid, ſhall not, within the Time which may be ſpecified in the Orders which ſhall be given for ſuch Purpoſe, ſignify to His Majeſty the Names of a ſufficient Number of Officers, whom His Majeſty ſhall approve, for the Command of ſuch Men as aforeſaid, and appoint ſuch other Perſon as ſhall be neceſſary for the Purpoſes aforeſaid, it ſhall be lawful for His Majeſty to appoint ſo many Officers, and other Perſons, as ſhall be neceſſary for ſuch Purpoſes.

If the Lieutenants ſhall not, in the ſpecified Time, ſignify to His Majeſty the Names of a ſufficient Number of Officers, *&c.* His Majeſty may appoint the neceſſary Number.

His Majeſty may require the Lieutenants and Deputies to hold Meetings, and the Clerks, *&c.* to attend them.

III. And be it further enacted, That it ſhall be lawful for His Majeſty, by Order under his Sign Manual, to authorize and require the ſeveral Lieutenants and Deputy Lieutenants aforeſaid, to hold ſuch General and Subdiviſion Meetings, within their reſpective Counties, Ridings, Stewartries, Cities, and Places, as His Majeſty ſhall think fit, and as ſhall be neceſſary for the Execution of this Act, and to require, for ſuch Purpoſes, the Attendance of the Clerks of the ſeveral General Meetings and Subdiviſion Meetings of Lieutenancy, within their reſpective Counties, Ridings, Stewartries, Cities, and Places, and of all other Perſons whoſe Aſſiſtance ſhall be neceſſary for carrying into Execution this Act, in ſuch and the ſame Manner, and with the ſame Powers and Authorities, as by the ſeveral Acts now in force, concerning the Militia Forces of this Kingdom, is provided, with reſpect to ſuch Militia Forces, ſo far as the Proviſions in ſuch Acts reſpectively are applicable to the Purpoſes of this Act.

Lieutenants and Deputies, Juſtices, *&c.* to have the like Powers as they have by the Militia Laws;

IV. And be it further enacted, That the ſaid Lieutenants, and their Deputy Lieutenants, and the Deputy Lieutenants acting as Lieutenants as aforeſaid, and all Juſtices of the Peace, Conſtables, Tythingmen, Headboroughs, and other Officers, ſhall, for the Purpoſes of this Act, have the like Powers and Authorities to do, within their reſpective Counties, Ridings, Stewartries, Cities, and Places, reſpectively, all ſuch Acts, Matters, and Things, as ſhall be required by His Majeſty to be done by them reſpectively in the Execution of this Act, as they reſpectively have to do the ſeveral Acts, Matters, and Things by Law required to be done by them reſpectively, by any Act now in force concerning the Militia Forces of this Kingdom.

and to obey ſuch Orders as they ſhall receive.

V. And be it further enacted, That all Lieutenants, Deputy Lieutenants, Juſtices of the Peace, Conſtables, and other Officers, and all other Perſons, ſhall obey ſuch Orders as they ſhall reſpectively receive under the Authority of this Act, and the ſeveral Proviſions herein contained.

The Lieutenants or Deputies to iſſue Warrants, as required by His Majeſty, to the Conſtables, &c. to cauſe Returns to be made to the Subdiviſion Meetings, on Oath.

VI. And be it further enacted, That the Lieutenants or Deputy Lieutenants of the ſeveral Counties, Ridings, Stewartries, Cities, and Places aforeſaid, within ſuch Time as they ſhall be required by His Majeſty ſo to do, ſhall iſſue Warrants to the ſeveral Conſtables, Tythingmen, Headboroughs, or other Officers, of every Pariſh or Place, within the ſeveral Counties, Ridings, Stewartries, Cities, and Places aforeſaid, to cauſe Returns to be prepared and made, touching the ſeveral Purpoſes aforeſaid, or any of them, as His Majeſty ſhall direct, for their reſpective Pariſhes and Places; and ſuch Conſtables, Tythingmen, Headboroughs, and other Officers, ſhall make ſuch Returns ſeverally and reſpectively to the ſaid Deputy Lieutenants at their reſpective Subdiviſion Meetings, according to the Warrants which ſhall be iſſued for ſuch Purpoſes, and ſhall verify the ſame, upon Oath, before ſuch Deputy Lieutenants.

His Majeſty, in certain Caſes, may authorize the Lieutenants and Deputies to order the Removal of Boats, Waggons, Horſes, &c.

VII. And be it further enacted, That it ſhall be lawful for His Majeſty, in caſe of actual Invaſion of this Kingdom, or if His Majeſty ſhall ſee ſpecial Cauſe to apprehend that ſuch Invaſion will be actually attempted by the Enemy, to authorize and empower, by Order under His Sign Manual, the ſaid Lieutenants and Deputy Lieutenants or any of them, on any Emergency, and on the Requiſition of the Officer commanding within the Diſtrict reſpectively, or of ſuch other Perſons as His Majeſty ſhall ſpecially empower to make ſuch Requiſition, to give all ſuch Orders as ſhall be neceſſary for the Removal of any Boats, Barges, Waggons, Carts, or other Carriages, Horſes, Cattle, Sheep, Hay, Straw, Corn, Meal, Flour, or Proviſions of any Kind, or any other Things which may be of Advantage to an Enemy, or uſeful for the Publick Service, and to take the ſame, if neceſſary, for the Publick Service; and alſo to give ſuch Orders as ſhall be neceſſary for the Removal of the Inhabitants of any Houſe, Hamlet, Diſtrict, or Place, or any of them, and eſpecially ſuch as by reaſon of Infancy, Age, or Infirmity, or other Cauſe, ſhall be incapable of removing themſelves in caſe of Danger; and alſo, in caſe of Neceſſity, to deſtroy any Boats, Barges, Waggons, Carts, or other Carriages, Horſes, Cattle, Sheep, Hay, Straw, Corn, Meal, Flour, or Proviſions of any Kind, or any Thing which may be of Advantage to an Enemy; and to remove, deſtroy, or render uſeleſs, any Houſe, Mill, Bridge, or other Building, or any Matter or Thing whatſoever, and generally to do and act in the Premiſes as the Publick Service and the Exigencies of particular Caſes ſhall require.

and to deſtroy any which may be of Advantage to the Enemy.

Perſons who enrol in any Volunteer Corps ſubſequent to this Act not liable to be called out under the

VIII. And be it further enacted, That any Perſons who may enrol themſelves in any Volunteer Corps of Infantry or Cavalry, ſubſequent to the Date of this Act, ſhall not be liable to be called out and placed under the Command of any General Officer commanding within the Diſtrict in which ſuch Corps may be formed, except in caſe of actual Invaſion, or of the actual Appearance of the Enemy on the Coaſt, or

of the Danger of Invaſion being deemed ſo imminent as to make it adviſeable for the Lieutenant or Deputy Lieutenants, or any of them, to give Orders for the Removal of Cattle, Corn, or any other Articles which may be of Advantage to the Enemy, or uſeful to the Publick Service, in the Manner herein-before mentioned.

Command of the General of the Diſtrict, except in certain Caſes.

IX. And be it further enacted, That if the Commanding Officer of any Corps or Company of Volunteers, who ſhall be appointed under the Authority of this Act, or who has been or ſhall be appointed under the Authority of an Act of the Thirty-fourth Year of His Majeſty's Reign, intituled, *An Act for encouraging and diſciplining ſuch Corps or Companies of Men as ſhall voluntarily enrol themſelves for the Defence of their Counties, Towns, or Coaſts, or for the general Defence of the Kingdom, during the preſent War*, ſhall make any falſe Return of ſuch Corps or Company, with Intent to defraud His Majeſty, every ſuch Officer ſhall forfeit and loſe the Sum of Two hundred Pounds.

If the Commanding Officer of any Corps of Volunteers ſhall make a falſe Return, he ſhall forfeit 200 *l.*

X. And be it further enacted, That it ſhall be lawful for His Majeſty to authorize any General Officer or Officers, or other Perſon or Perſons commiſſioned for ſuch Purpoſe, to ſurvey and mark out any Piece of Ground wanted for the Publick Service, and to treat and agree with the Owner or Owners thereof, or any Perſon or Perſons having any Intereſt therein, for the Poſſeſſion or Uſe thereof, during ſuch Time as the Exigence of the Service ſhall require; and in caſe the Owner or Owners of any ſuch Ground, or any Perſon or Perſons having any Intereſt therein, ſhall refuſe or decline to enter into ſuch Contract touching the ſame, as ſhall be ſatisfactory to ſuch Officer or Officers, or other Perſon or Perſons commiſſioned as aforeſaid, or ſhall be unable ſo to do by reaſon of Infancy, Coverture, or other Diſability, it ſhall be lawful for the Perſon or Perſons ſo authorized by His Majeſty to require Two or more Juſtices of the Peace, or Deputy Lieutenants for the County, Riding, Stewartry, City, or Place, where ſuch Piece of Ground ſhall be, to put His Majeſty's Officers into immediate Poſſeſſion of ſuch Piece of Ground, which ſuch Juſtices or Deputy Lieutenants ſhall accordingly do, and ſhall for that Purpoſe iſſue their Warrant, under their Hands and Seals, commanding Poſſeſſion to be ſo delivered, and ſhall alſo iſſue their Warrants to the Sheriff of the County, Riding, Stewartry, City, or Place, wherein ſuch Piece of Ground ſhall be ſituate, to ſummon a Jury to appear, and be on a Day and at a Place in ſuch Warrant to be mentioned, to enquire of and aſcertain the Compenſation which ought to be made for the Poſſeſſion or Uſe of ſuch Piece of Ground, during the Time for which the ſame ſhall be required for the Publick Service, to the ſeveral Perſons intereſted therein, and to whom the ſame ought to be paid, the Verdict of which Jury ſhall be certified by ſuch Juſtices or Deputy Lieutenants to the Receiver General of the Land Tax of the County, Riding, Stewartry, City, or Place, where ſuch Lands ſhall lie; which Receiver General ſhall, out of any Money in his Hands, pay ſuch Compenſation to ſuch Perſon or Perſons, in ſuch Manner, and for ſuch Purpoſes, as by ſuch Verdict ſhall be directed: Provided always, that no ſuch Piece of Ground ſhall be ſo taken for the Publick Service, without the Conſent of the Owner or Owners thereof, unleſs the Neceſſity for the ſame

His Majeſty may authorize Perſons to treat for the Uſe of Ground for the Publick Service, who may, in Caſes of Refuſal or Inability of the Party to treat, apply to Two Juſtices or Deputy Lieutenants to put His Majeſty's Officers into Poſſeſſion, which they ſhall do, and direct the Sheriff to ſummon a Jury to aſcertain the Compenſation to be made.

Verdict of Jury to be certified to the Receiver General of the Land Tax, who ſhall pay the Compenſation.

No Ground to be taken without the Owner's Conſent,

unleſs the Neceſſity be certified by the Lord Lieutenant, *etc.* or in caſe of actual Invaſion.

ſame ſhall be firſt certified by the Lord Lieutenant, or Two of the Deputy Lieutenants of the County, Riding, Stewartry, City, or Place, in which ſuch Land ſhall lie, or unleſs the Enemy ſhall have actually invaded the Kingdom at the Time when ſuch Piece of Ground ſhall be ſo taken.

Treaſury to appoint Perſons to aſcertain the Value of Articles taken or injured for the Publick Service, and to pay a Compenſation for them.

XI. And be it further enacted, That when it ſhall have been found neceſſary to take, for the Publick Service, remove, or deſtroy, any Waggons, Carts, or other Carriages, Horſes, Cattle, Sheep, Hay, Straw, Corn, Meal, Flour, or other Proviſions, or any other Articles whatſoever, or to deſtroy or injure any Houſe, Mill, Bridge, or other Building, or any Matter or Thing of Value, under the Directions aforeſaid, the Commiſſioners of His Majeſty's Treaſury ſhall appoint Perſons to enquire into and aſcertain the Value of ſuch Articles, and the Compenſation which ought to be made for the ſame, by way of Purchaſe or Hire, or Recompence for Damage, or otherwiſe, according to the Nature of the Caſe; and if the Owner or Owners, or Perſon or Perſons intereſted, ſhall be willing to accept the Compenſation which ſhall be ſo aſcertained, the ſame ſhall be paid by the ſaid Commiſſioners of His Majeſty's Treaſury, or ſuch Perſon or Perſons as ſhall be appointed by them for that Purpoſe, in purſuance of a Certificate under the Hands of the Perſons ſo employed to aſcertain the ſame; and if the Owner or Owners, or Perſon or Perſons intereſted, ſhall not be willing to accept ſuch Compenſation, it ſhall be lawful for His Majeſty to order Two Juſtices of the Peace of the County, Riding, Stewartry, City, or Place, to ſettle and aſcertain the Compenſation which ought to be made to ſuch Owner or Owners, or Perſons intereſted; which Juſtices ſhall ſettle and aſcertain the ſame accordingly, and ſhall grant a Certificate thereof to the Commiſſioners of His Majeſty's Treaſury, who ſhall order the ſame to be paid to the Perſon or Perſons entitled thereto, out of any Money granted for the Supply of the Year.

If the Owners be not willing to accept the Compenſation, Two Juſtices may ſettle it, *etc.*

The Officers of the Stannaries to procure Returns, and other Matters to be done touching the Tinners in *Devon* and *Cornwall*.

XII. And be it further enacted, That the Warden of the Stannaries, and all other Officers of the Stannaries, ſhall, reſpectively, in obedience to His Majeſty's Orders, to be iſſued for that Purpoſe, procure like Returns to be made, and all other Matters to be done touching the Tinners of the Counties of *Devon* and *Cornwall*, according to the Cuſtoms of the Stannaries and Privileges of the Working Tinners, as are hereby required to be done by the Lieutenants and Deputy Lieutenants aforeſaid, touching other Perſons reſiding in the ſaid Counties of *Devon* and *Cornwall*, not entitled to the Benefit of ſuch Privileges; and ſuch Warden and other Officers of the Stannaries ſhall have ſuch and the like Powers and Authorities to do and execute all and every the Matters and Things, which ſhall be ſo required to be done as aforeſaid, as the ſaid Lieutenants and Deputy Lieutenants of the ſeveral Counties, Ridings, Stewartries, Cities, and Places aforeſaid, have for doing the ſeveral Matters and Things hereby required to be done by them reſpectively.

The Lieutenancy, Lord Mayor, *&c.*

XIII. And be it further enacted, That His Majeſty's Commiſſioners of Lieutenancy for the City of *London*, the Lord Mayor of the ſaid City,

and the Aldermen, Deputies, and Common Councilmen of the ſeveral Wards of the ſaid City and Liberties thereof, and the Conſtables, Beadles, and other Ward Officers of the ſame, the Conſtable of the Tower of *London*, Lieutenants of the Tower Hamlets, and the Deputy Lieutenants of the ſaid Hamlets, and their ſeveral Officers, the Juſtices of the Peace for the Tower Liberties, the Conſtables and other Peace Officers within the ſame, the Warden of the Cinque Ports Two ancient Towns and their Members, his Lieutenant or Lieutenants, and his or their Officers, and the Mayors, Jurats, Juſtices of the Peace, Conſtables, and other Peace Officers for the Liberties of the Cinque Ports Two ancient Towns and their Members, and all other Juſtices of the Peace, Conſtables, and other Peace Officers, within their reſpective Diſtricts, and all other Perſons having Authority within the ſame, ſhall put in Execution all and every the Powers and Proviſions contained in this Act, in like Manner as they are reſpectively authorized to put in Execution the ſeveral Laws reſpecting the Militia Forces of this Kingdom, or any of them, within their reſpective Diſtricts.

of *London*, the Conſtable of the Tower, &c. the Warden of the Cinque Ports, &c. to have the like Power in Execution of this Act, as they have reſpecting the Militia.

XIV. And be it further enacted, That the Form of Conviction by One of His Majeſty's Juſtices of the Peace, in purſuance of this Act, ſet forth and expreſſed in the Schedule hereto annexed, may be uſed, with ſuch Additions and Variations only as may be neceſſary to adapt the ſame to the particular Exigencies of the Caſe; and that no Objection ſhall be made, or Advantage taken, for Want of Form, in any ſuch Conviction by any Perſon or Perſons whatſoever.

Form of Conviction in Schedule, may be uſed with the neceſſary Variations.

XV. And be it further enacted, That the Acceptance of any Commiſſion, under the Authority of this Act, ſhall not vacate the Seat of any Member returned to ſerve in Parliament.

Acceptance of Commiſſions not to vacate Seats in Parliament.

XVI. And be it further enacted, That the reſpective Clerks of the General and Subdiviſion Meetings of Lieutenancy, Conſtables, and other Officers, required to execute this Act, and who ſhall reſpectively execute the ſame to the Satisfaction of the Deputy Lieutenants aſſembled at their reſpective Subdiviſion Meetings, ſhall have and receive ſuch Compenſation for their Care, Trouble, and Expences, in and about the executing of this Act, as the ſaid Deputy Lieutenants ſhall judge them reſpectively to have deſerved for the ſame; and the ſaid Deputy Lieutenants ſhall direct ſuch Compenſation to be paid by the Receiver General of the County, Riding, or Place in *England*, or Receiver General of *Scotland*, as the Caſe ſhall require, out of any Money in his Hands, and ſuch Receiver General ſhall pay the ſame accordingly, in caſe ſuch Order as ſhall be made by ſuch Deputy Lieutenants at ſuch Subdiviſion Meetings ſhall be confirmed at a General Meeting, but not otherwiſe.

Clerks of the Meetings, and other Officers, to receive Compenſation.

XVII. And be it further enacted, That in caſe any Conſtable, Headborough, Tythingman, or other inferior Officer, or other Perſon, ſhall diſobey any Orders which ſhall be iſſued in purſuance of this Act, or ſhall obſtruct or hinder the Execution thereof, every ſuch Perſon, upon Conviction of ſuch Offence before any Juſtice of the Peace of the County,

Penalty for diſobeying Orders, or obſtructing the Execution of this Act.

County, Riding, Stewartry, City, or Place, where the Offence ſhall be committed, ſhall forfeit and pay a Sum not leſs than Five Pounds, and not exceeding One hundred Pounds, at the Diſcretion of ſuch Juſtice, to be levied by Diſtreſs and Sale in the Manner herein-before directed with reſpect to the Penalty herein-before impoſed; and for Want of ſufficient Diſtreſs, then ſuch Juſtice is hereby required to commit ſuch Offender to the Common Gaol of the County, Riding, or Place, where the Offence ſhall be committed, for any Time not exceeding Three Months and the Monies ariſing by ſuch Penalty ſhall be paid to the Treaſurer of the County, Riding, Stewartry, City, or Place, where the Offence ſhall be committed, to be applied as Part of the Stock of ſuch County, Riding, Stewartry, City, or Place.

No Order or Conviction to be removed out of the County, or Proceedings thereupon to be ſuperſeded.

XVIII. And be it further enacted, That no Order or Conviction made in purſuance of this Act, by any Lieutenant, Deputy Lieutenant, or Juſtice of the Peace, ſhall be removed, by *Certiorari*, Advocation, or Suſpenſion, out of the County, Riding, or Place wherein ſuch Order or Conviction ſhall be made, into any Court whatever; and that no Writ of *Certiorari*, Advocation, or Suſpenſion, ſhall ſuperſede Execution or other Proceedings upon any ſuch Order or Conviction, but that Execution and other Proceedings ſhall be had thereupon, any ſuch Writ or Writs, or Allowance thereof, notwithſtanding.

His Majeſty may authorize Three Deputy Lieutenants to act in the Abſence of the Lieutenant.

XIX. And be it further enacted, That it ſhall be lawful for His Majeſty to authorize any Three Deputy Lieutenants of any County, Riding, Stewartry, City, or Place, in the Abſence from ſuch County, Riding, Stewartry, City, or Place, of the Lieutenant thereof, to do all Acts, Matters, and Things, in the Execution of this Act, which might lawfully be done by ſuch Lieutenant, and the ſame ſhall be good and valid in the Law, as if done by ſuch Lieutenants.

Recovery of Penalties.

XX. And be it further enacted, That all Penalties by this Act impoſed, for Recovery whereof no other Means are hereby provided, ſhall be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, or the Courts of Great Seſſion in the Principality of *Wales*, or the Courts of the Counties Palatine of *Cheſter*, *Lancaſter*, or *Durham*, or in the Court of Seſſion, or Court of Exchequer, in *Scotland*, as the Caſe ſhall require, wherein no Eſſoin, Privilege, Protection, Wager of Law, or more than One Imparlance ſhall be allowed.

Limitation of Actions.

XXI. 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 ſhall be commenced within Three Months next after the Fact committed, and not afterwards, and ſhall be laid in the County or Place where the Cauſe of Complaint ſhall ariſe, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue. General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon; and if the Jury ſhall find for the Defendant or Defendants in ſuch Action or Suit, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her, or their Action or Suit, after

after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgement ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Treble Coſts, and have the like Remedy for the ſame as any Defendant hath in other Caſes to recover Coſts. Treble Coſts.

XXII. And be it further enacted, That this Act ſhall have Continuance during the preſent War with *France*. Continuance of Act.

XXIII. Provided always, That this Act, or any of the Proviſions herein contained, may be altered, varied, or repealed, by any Act or Acts to be paſſed in this preſent Seſſion of Parliament. Act may be altered or repealed this Seſſion.

The SCHEDULE to which this Act refers.

FORM of CONVICTION for Disobedience of Orders, or Obstruction or Hindrance of the Execution of such Orders.

M. to wit. } BE it remembered, That on this Day of in the Year of His present Majesty's Reign, *A. B.* of is duly convicted before me One of His Majesty's Justices of the Peace for the County of in pursuance of an Act of the Thirty-eighth Year of His present Majesty's Reign, intituled, [*Here set forth the Title of the Act,*] for that the said *A. B.* on at did contrary to the said Act: Wherefore I the said do adjudge, that he the said *A. B.* do pay the Sum of as a Penalty for his Offence, in pursuance of the Powers vested in me by the said Act.

Given under my Hand and Seal this Day of in the Year of our Lord

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1798.