Anno ſeptimo

Georgii III. Regis.

CAP. XV.

An Act for giving further Time to His Majeſty's Lieutenants, Deputy Lieutenants, Juſtices, and Clerks of the Peace, and others, for carrying into Execution certain Parts of an Act paſſed in the laſt Seſſion, for Pay and Cloathing of the Militia; and for indemnifying ſuch Lieutenants, Deputy Lieutenants, and Clerks of the Peace, and others, who have neglected to carry ſuch Parts of the ſaid Act into Execution.



WHEREAS by an Act made in the laſt Seſſion of Parliament, intituled, An Act for applying the Money granted in this Seſſion of Parliament, for defraying the Charge of the Pay and Cloathing of the Militia of that Part of *Great Britain* called *England*, for One Year, beginning the Twenty fifth Day of *March*, One thouſand ſeven hundred and ſixty ſix; and for explaining, amending, and rendering more effectual, ſeveral Acts of Parliament paſſed in the Second, Fourth, and

Preamble, reciting ſeveral Clauſes in Act 6 *Geo.* III.

and Fifth Years of the Reign of His preſent Majeſty, relating to the raiſing and training the Militia within that Part of *Great Britain* called *England*; it was enacted, That His Majeſty's Lieutenant, or Three Deputy Lieutenants, for every County, Riding, or Place, within that Part of Great Britain called England, where the Militia was or ſhould be raiſed, ſhould yearly and every Year, on or before the Twenty fifth Day of December, certify the ſame to the Clerk of the Peace, and when and at what Time the ſame was firſt raiſed, the Number and Rank of Officers, and the Number of Private Men of the Militia, in the Year when ſuch Certificate was made, and the reſpective Times of ſuch Militia being trained and exerciſed in the Year in which ſuch Certificate is made; which Certificate was thereby directed to be by the Clerk of the Peace, who ſhould receive the ſame, delivered to the Juſtices of the Peace at their General Quarter Seſſions to be held next after the Twenty fifth Day of December in every Year, on the Day on which ſuch Seſſions ſhould be opened, and to be there filed amongſt the Records of ſuch Seſſions, ſo that the true State of the Militia in each County might appear: And it was alſo by the ſaid Act enacted, that in every County, Riding, or Place, wherein no ſuch Certificate from His Majeſty's Lieutenant, or Three Deputy Lieutenants, ſhould be delivered to the Clerk of the Peace as aforeſaid, that the Clerk of the Peace of every ſuch County, Riding, or Place, ſhould, and was thereby required, at the General Quarter Seſſions of the Peace to be held next after the Twenty fifth Day of December in ſuch Year, to certify under his Hand and Seal to the Juſtices of the Peace ſo aſſembled at their ſaid General Quarter Seſſions, on the Day ſuch Seſſions ſhould be opened, that he had not received from His Majeſty's Lieutenant of the ſaid County, Riding, or Place, or any Three Deputy Lieutenants thereof, any ſuch Certificate as in the ſaid Act is directed to be by them made; and ſuch Clerk of the Peace is thereby directed to file ſuch Certificate amongſt the Records of ſuch Seſſions: And it is alſo thereby enacted, that in every County, Riding, and Place, in which no ſuch Certificate ſhall be made by His Majeſty's Lieutenant, or Three Deputy Lieutenants, in Manner as therein directed, and the ſame ſhould be certified by the Clerk of the Peace as aforeſaid, the Juſtices of the Peace of every ſuch County, Riding, or Place, ſhould, at their ſaid General Quarter

Quarter Seſſion of the Peace to be held next after the Twenty fifth Day of December in every Year, rate and aſſeſs the Sum of Five Pounds per Man upon ſuch County, Riding, or Place, in ſuch and the ſame Manner, according to ſuch and the ſame Proportions upon every Town, Pariſh, and Place, within each reſpective County, Riding, or Place, to be collected, levied, received, and accounted for, in ſuch Manner and by ſuch Means as the County Rates had been uſually, or might, by an Act made in the Twelfth Year of the Reign of His late Majeſty King George the Second, intituled, An Act for the more eaſy aſſeſſing, collecting, and levying, the County Rates, or by the Acts of the Second, Fourth, and Fifth Years of His preſent Majeſty's Reign, for explaining, amending, and enforcing, the ſeveral Laws relating to the raiſing and training the Militia within that Part of Great Britain called England, be aſſeſſed, collected, levied, received, and accounted for; which ſaid Payment of Five Pounds per Man was thereby declared to be in full Diſcharge for the Neglect and Failure of not having raiſed and trained the Militia for ſuch County, Riding, or Place, for the Year then next preceeding; and the Treaſurer or Treaſurers of the County, Riding, or Place, who ſhould receive the ſaid Five Pounds per Man, was and were thereby required to pay the ſame to the Receiver General of the Land Tax for ſuch County, Riding, or Place, within One Calendar Month after he or they ſhould have received the ſame; and the reſpective Receivers General of the Land Tax were thereby required to give a Receipt for the ſame to the Perſon paying ſuch Money, whoſe Receipt was to be a ſufficient Diſcharge for ſuch Payment; which ſaid Receiver General of the Land Tax was thereby required, within Ten Days after the Receipt thereof, to certify the ſame to the Lord High Treaſurer, or the Lords Commiſſioners of His Majeſty's Treaſury for the time being, and pay the ſame into the Receipt of His Majeſty's Exchequer, in the ſame Manner as he is required to pay the Land Tax; for the Payment of which Money ſo paid to the Receiver General, or into the Exchequer, no Fee or Gratuity was to be given: And whereas it was by the ſaid Act alſo enacted, That ſuch Clerks of the Peace of each reſpective County, Riding, or Place, ſhould, within Fourteen Days next after the General Quarter Seſſions of the Peace to be held after the Twenty fifth Day of December yearly, & 12 Geo. II.

tranſmit to the Lord High Treaſurer, or the Commiſſioners of His Majeſty's Treaſury for the time being, and alſo to the Receiver General of the Land Tax for ſuch County, Riding, or Place, a Copy, ſigned by ſuch Clerk of the Peace, of every Certificate which ſhould have been delivered in purſuance of the ſaid Act; and in caſe no ſuch Certificate ſhould have been delivered in, then ſuch Clerks of the Peace were to certify to the Lord High Treaſurer, or to the Commiſſioners of His Majeſty's Treaſury, and alſo to ſuch Receiver General, that no ſuch Certificate, from His Majeſty's Lieutenant, or any Three Deputy Lieutenants, had been received by him, and that he had certified the ſame to the Juſtices of ſuch General Quarter Seſſions; and ſhould alſo certify what Proceedings were had at ſuch General Quarter Seſſions, in relation to the aſſeſſing and rating the ſaid Sum of Five Pounds per Man, where the Militia ſhould not have been raiſed in the ſaid Year One thouſand ſeven hundred and ſixty ſix: And whereas ſeveral of His Majeſty's Lieutenants, Deputy Lieutenants, Clerks of the Peace, Juſtices of the Peace, Treaſurers of Counties, and Receivers General of the Land Tax, through Ignorance of what was required of them by the herein before recited Part of the ſaid Act, or by the Rigour of the Seaſon at the Time the ſame was to be carried into Execution, or otherwiſe, may have omitted or neglected to do and perform what by the ſaid Part of the ſaid Act was required of them; be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That His Majeſty's Lieutenant, or Three Deputy Lieutenants, for every County, Riding, or Place, within that Part of Great Britain called England, where the Militia was raiſed in and for the Year One thouſand ſeven hundred and ſixty ſix, on or before the Twenty fifth Day of December in the ſaid Year, and who neglected or omitted to certify the State thereof for the ſaid Year to the Clerk of the Peace, in the Manner in the ſaid Act directed, on or before the ſaid Day, ſhall, and he or they are hereby required to certify the ſame to the Clerk of the Peace, in the Manner in the ſaid Act directed, on or before the Twenty fifth Day of March, One thouſand ſeven hundred and ſixty ſeven; and ſuch Certificate, of the State of the Militia

Where the State of the Militia, raiſed for the laſt Year, has not been duly certified to the Clerks of the Peace, on or before 25 *Dec.* laſt, the ſame is to be certified on or before 25 *March*, 1767;

Militia in and for the ſaid Year One thouſand ſeven hundred and ſixty ſix, ſo made, ſhall be, by the Clerk of the Peace who ſhall receive the ſame, delivered to the Juſtices of the Peace at their General Quarter Seſſions to be held next after the ſaid Twenty fifth Day of March, One thouſand ſeven hundred and ſixty ſeven, on the Day on which ſuch Seſſions ſhall be opened, to be then filed amongſt the Records of ſuch Seſſions.

and the Certificate delivered to the Juſtices at their then next General Quarter Seſſions, and filed;

And be it further enacted, That in every County, Riding, or Place, wherein no ſuch Certificate from His Majeſty's Lieutenant, or Three Deputy Lieutenants, ſhall be delivered to the Clerk of the Peace, on or before the Twenty fifth Day of March aforeſaid, that the Clerk of the Peace of every ſuch County, Riding, or Place, ſhall, and he is hereby required, at the General Quarter Seſſions of the Peace to be held next after the ſaid Twenty fifth Day of March, to certify under his Hand and Seal, to the Juſtices of the Peace aſſembled at their ſaid General Quarter Seſſions, on the Day ſuch Seſſions ſhall be opened, that he hath not received from His Majeſty's Lieutenant of the ſaid County, Riding, or Place, or any Three Deputy Lieutenants thereof, any ſuch Certificate, as in the ſaid Act and this Act is directed to be by them made, and ſuch Clerk of the Peace is hereby directed to file ſuch Certificates amongſt the Records of ſuch Seſſions.

but where no ſuch Certificate ſhall be made,

Clerks of the Peace are to certify ſuch Omiſſion to the General Quarter Seſſions,

and file a Certificate thereof.

And be it further enacted, That ſuch Clerks of the Peace of each reſpective County, Riding, or Place, ſhall, within Fourteen Days next after the General Quarter Seſſions of the Peace to be held after the ſaid Twenty fifth Day of March, One thouſand ſeven hundred and ſixty ſeven, tranſmit to the Lord High Treaſurer, or the Commiſſioners of His Majeſty's Treaſury for the time being, and alſo to the Receiver General of the Land Tax for ſuch County, Riding, or Place, a Copy, ſigned by ſuch Clerk of the Peace, of every Certificate which ſhould have been delivered in purſuance of this Act; and in caſe no ſuch Certificate ſhall be delivered in on or before the ſaid Twenty fifth Day of March, One thouſand ſeven hundred and ſixty ſeven, then ſuch Clerks of the Peace ſhall certify to the Lord High Treaſurer, or the Commiſſioners of His Majeſty's Treaſury, and alſo to ſuch Receiver, that no ſuch Certificate from His Majeſty's Lieutenant, or any Three Deputy Lieutenants, had been received by him, and that

They are alſo to tranſmit to the Treaſury, and Receiver General of the Land Tax,

a Copy of every Certificate delivered in purſuance of this Act;

and where none are delivered, to certify the ſame,

with the Proceedings of the Seſſions, relating to the Aſſeſſments to be made thereupon.

that he had certified the ſame to the Juſtices of ſuch General Quarter Seſſions; and ſhall alſo certify what Proceedings were had at ſuch General Quarter Seſſions, in relation to the aſſeſſing and rating the ſaid Sum of Five Pounds per Man, where the Militia was not raiſed in the ſaid Year One thouſand ſeven hundred and ſixty ſix.

The Aſſeſſments are to be made, &c. in the ſame Manner and Proportions as the County Rates,

And it is hereby further enacted, That in every County, Riding, and Place, in which no Certificate ſhall be made, on or before the ſaid Twenty fifth Day of March, One thouſand ſeven hundred and ſixty ſeven, by His Majeſty's Lieutenant, or Three Deputy Lieutenants, in Manner as therein and herein directed, and the ſame ſhall be certified by the Clerk of the Peace aforeſaid, the Juſtices of the Peace for every ſuch County, Riding, or Place, ſhall, at their ſaid General Quarter Seſſion of the Peace to be held next after the Twenty fifth Day of March, One thouſand ſeven hundred and ſixty ſeven, rate and aſſeſs the Sum of Five Pounds per Man upon ſuch County, Riding, or Place, in ſuch and the ſame Manner, according to ſuch and the ſame Proportions upon every Town, Pariſh, and Place, within each reſpective County, Riding, or Place, to be collected, levied, received, and accounted for, in ſuch Manner, and by ſuch Means, as the County Rates have been uſually, or may, by an Act made in the Twelfth Year of the Reign of His late Majeſty King George the Second, intituled, An Act for the more eaſy aſſeſſing, collecting, and levying, the County Rates; or by the Acts of the Second, Fourth, and Fifth Years of His preſent Majeſty's Reign, for explaining, amending, and enforcing, the ſeveral Laws relating to the raiſing and training the Militia within that Part of Great Britain called England, be aſſeſſed, collected, levied, received, and accounted for; which ſaid Payments of Five Pounds per Man ſhall, and is hereby declared to be, in full Diſcharge for the Neglect and Failure of not having raiſed and trained the Militia for ſuch County, Riding, or Place, in and for the Year One thouſand ſeven hundred and ſixty ſix; and the Treaſurer or Treaſurers of the County, Riding, or Place, who ſhall receive the ſaid Five Pounds per Man, is and are hereby required to pay the ſame to the Receiver General of the Land Tax for ſuch County, Riding, or Place, within One Calendar Month after he or they ſhall receive the ſame; and the reſpective Receivers General of the Land Tax are here-

by Act 12 *Geo.* II. or by Acts 2. 4, & 5 *Geo.* III.

Treaſurer of the County to pay the ſame to the Receiver General of the Land Tax;

by required to give a Receipt for the ſame to the Perſon paying ſuch Money, whoſe Receipt ſhall be a ſufficient Diſcharge for ſuch Payment; which ſaid Receiver General of the Land Tax is hereby required, within Ten Days after the Receipt thereof, to certify the ſame to the Lord High Treaſurer, or the Lords Commiſſioners of His Majeſty's Treaſury for the time being, and pay the ſame into the Receipt of His Majeſty's Exchequer, in the ſame Manner as he is required to pay the Land Tax; for the Payment of which Money, ſo paid to the Receiver General, or into the Exchequer, no Fee or Gratuity whatſoever ſhall be given.

who is to certify the ſame to the Treaſury; and pay over the Money into the Exchequer.

Provided always, and be it enacted by the Authority aforeſaid, That if any Part of the ſaid Act herein before recited, hath, before the ſaid Twenty fifth Day of March, One thouſand ſeven hundred and ſixty ſeven, been begun to be carried into Execution by the Clerk of the Peace, or Juſtices of the Peace in their General Quarter Seſſions, of and in any County, Riding, or Place, wherein the Militia was not raiſed in the Year One thouſand ſeven hundred and ſixty ſix, and hath not been totally and finally carried into Execution by them, or either of them, before, at, or after, the Twenty fifth Day of December, One thouſand ſeven hundred and ſixty ſix, in the Manner, and at the Times, in the ſaid Act directed; then, and in ſuch Caſe, ſuch Clerk of the Peace, and Juſtices of the Peace in their General Quarter Seſſions, ſhall proceed to carry this Act into Execution, in the ſame Manner as if nothing had been done in Purſuance of, and Obedience to, the ſaid Act herein before recited.

If any Part of the recited Act hath, before 25 *Mar.* 1767, been begun to be carried into Execution by the Clerks of the Peace, or Juſtices, where the Militia was not duly raiſed,

they are to proceed to carry this Act into Execution.

And be it further enacted by the Authority aforeſaid, That all and every Lieutenant, Deputy Lieutenant, Clerk of the Peace, and all and every other Perſon or Perſons, who neglected or omitted to do and perform any Acts, Matters, or Things, required of them by the ſaid before in Part recited Act, or within the reſpective Times in the ſaid Act mentioned, directed, appointed, and limited, for the doing and performing thereof, and who ſhall do and perform ſuch Acts, Matters, and Things, at or within the reſpective Times in this Act mentioned, directed, appointed, and limited, for the doing thereof, ſhall be, and he and they is and are hereby indemnified, freed, and diſcharged, from and againſt all Suits, Actions, Indictments, and Informations, and from and againſt all Penalties, Forfeitures, Incapacities, and Diſabilities, incurred, for or by reaſon of ſuch Neglect or Omiſſion as aforeſaid.

Perſons who have omitted any Acts required to be done by the recited Act,

performing the ſame within the Times herein limited;

are indemnified.

Indemnity not to extend to Neglect of delivering and filing Certificates,

Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to indemnify any Lieutenant, Deputy Lieutenant, Clerk of the Peace, or any other Perſon or Perſons who ſhall neglect or omit to receive, deliver, file, make, record, or tranſmit, ſuch Certificates, as are by this Act directed to be received, delivered, filed, made, recorded, or tranſmitted, or by any other Means, neglect the Execution of this Act, according to the true Intent and Meaning thereof.

or executing this Act.

The recited Act to remain in Force, except as to the Allowance of further Time, and Indemnifications, before-mentioned.

And be it further enacted, That the ſaid in Part recited Act, and every Clauſe, Matter, and Thing, therein contained (except the Allowance of further Time for the doing, performing, and executing, ſuch Parts thereof, as are mentioned and ſet forth in this Act, and the Indemnification herein before-mentioned) ſhall, to all Intents and Purpoſes, be and remain in as full Force as if this Act had not been made.

Perſons ſued may plead the General Iſſue.

And be it further enacted, That in caſe any Action, Suit, Bill of Indictment, or Information, ſhall, from and after the paſſing of this Act, be brought, carried on, or proſecuted, againſt any Perſon or Perſons hereby meant, or intended to be indemnified, re-capacitated, or reſtored, for or on account of any Forfeiture, Penalty, Incapacity, or Diſability whatſoever, incurred, or to be incurred, by any ſuch Neglect or Omiſſion; ſuch Perſon or Perſons may plead the General Iſſue, and, upon their Defence, give this Act and the ſpecial Matter in Evidence, at any Trial to be had thereupon.

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FINIS.