ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

CAP. XLVII.

An Act for consolidating and amending the several Laws for providing Relief for the Families of Militia Men of *England*, when called out into actual Service. [27th *May* 1803.]

WHEREAS it is expedient that many of the Provisions contained in several Acts relating to the Relief directed to be given to the Non-commissioned Officers, Drummers, Fifers, and Privates, serving in the Militia for *England*, should be repealed, and others of them continued and amended, and that new Provisions should be made; and it would greatly tend to the better Execution thereof, if the Whole of the said Provisions were comprized in One Act of Parliament: And whereas it is necessary for the Purposes aforesaid, that certain Acts and Parts of Acts now in force should be repealed; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this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, from and after the passing of this Act, an Act passed in the Thirty-third Year of the Reign of His present Majesty, (intituled, *An Act to provide for the Families of Persons chosen by Lot to serve in the Militia of this Kingdom, and of Substitutes serving therein; and to explain* 33 Geo. 3. c. 8.

and

and amend an Act of Parliament, passed in the Twenty-sixth Year of His present Majesty, intituled, 'An Act for amending and reducing into One Act of Parliament, the Laws relating to the Militia in that Part of Great Britain *called* England);' and also an Act, passed in the Thirty-fourth Year of the Reign of His present Majesty, (intituled, *An Act to amend an Act, passed in the last Session of Parliament, intituled, 'An Act to provide for the Families of Persons chosen by Lot to serve in the Militia of this 'Kingdom, and of Substitutes serving therein; and to explain and amend 'an Act of Parliament, passed in the Twenty-sixth Year of His present 'Majesty, intituled, "An Act for amending and reducing into One Act of Par-"liament, the Laws relating to the Militia in that Part of* Great Britain "*called* England;" *and also an Act, made in this present Session of Parliamemt, intituled, 'An Act for augmenting the Militia*);' and also an Act, passed in the Thirty-fifth Year of the Reign of His present Majesty, (intituled, *An Act to apportion the Relief by the several Statutes now in force directed to be given to the Families of Non-commissioned Officers, Drummers, Fifers, and Privates, serving in the Militia, between the County at large and the peculiar Districts therein, not contributing to the County Rate, according to the Number of Men serving for each in such Militia; and to remove certain Difficulties in respect to the Relief of Families of Substitutes, hired Men, or Volunteers serving in the Militia*); and also an Act, passed in the Thirty-sixth Year of the Reign of His present Majesty, (intituled, *An Act to explain and amend an Act, passed in the Thirty-third Year of His present Majesty's Reign, intituled, 'An Act to provide for the Families 'of Persons chosen by Lot to serve in the Militia of this Kingdom, and of 'Substitutes serving therein; and to explain and amend an Act of Parlia-'ment, passed in the Twenty-sixth Year of His present Majesty, intituled, "An Act for amending and reducing into One Act of Parliament, the Laws "relating to the Militia in that Part of* Great Britain *called* England);" shall be and the same are hereby repealed; save and except as to all Cases relating to the Repayment or Reimbursement of any Sum or Sums of Money heretofore advanced or paid under any or either of the said Acts; and to the allowing, accounting for, or recovering of any such Sum or Sums of Money, or any Arrears thereof, which may remain not repaid, reimbursed, allowed, accounted for, or recovered; or to any Fines, Penalties, or Forfeitures relating thereto respectively.

34 Geo. 3. c. 47.

35 Geo. 3. c. 81. and

36 Geo. 3. c. 114. repealed.

Exceptions.

The Families of Non-commissioned Officers, Drummers, or Private Militia Men in *England*, called out into actual Service, shall receive a weekly Allowance out of the Poor Rates.

II. And be it further enacted, That if any Person serving or enrolled in the Militia of *England*, as a Non-commissioned Officer or Drummer, or as a balloted Man or Substitute, hired Man or Volunteer respectively, shall, when embodied and called out into actual Service, leave a Family unable to support themselves, the Overseer or Overseers of the Poor of the Parish, Tything, or Township where the Family of such Person shall dwell, shall, by Order of some One Justice of the Peace, pay to the Family of every such Non-commissioned Officer, Drummer, balloted Man, Substitute, hired Man, or Volunteer respectively, out of the Rates for the Relief of the Poor of such Parish, Tything, or Township, a Weekly Allowance, according to the usual and ordinary Price of Labour in Husbandry within the said County, Riding, Division, District, or Place where such Family shall dwell, by the following Rule; that is to say, any Sum not exceeding the Price of One Day's such Labour, nor less than One Shilling, for each and every Child born in Wedlock, and under the Age of Ten Years; and for the Wife of such Non-commissioned Officer,

Officer, Drummer, ballotted Man, Subſtitute, hired Man, or Volunteer, whether he ſhall or ſhall not have any Child or Children, any Sum not exceeding the Price of One Day's ſuch Labour, nor leſs than One Shilling: And in every Pariſh, Tything, or Townſhip, where the Money ariſing by ſuch Rates ſhall not be ſufficient for the Purpoſe aforeſaid, a new Rate or Rates ſhall be made for raiſing a Sum ſufficient for that Purpoſe.

The Juſtices at any *Michaelmas* Quarter Seſſions, may regulate the Rate of Allowance.

III. And be it further enacted, That it ſhall be lawful for the Juſtices of the Peace, aſſembled at any *Michaelmas* General Quarter Seſſions of the Peace, held for any County, Riding, Diviſion, or Place in *England*, raiſing any Militia, to ſettle, aſcertain, and regulate the Rate of Allowance to be paid under this Act to the Families of Militia Men reſident within ſuch County, Riding, Diviſion, or Place; and every ſuch Rate of Allowance ſo ſettled, aſcertained, and regulated as aforeſaid, ſhall be binding upon all Juſtices of the Peace making any Order for the Payment of Allowance under this Act in ſuch County, Riding, Diviſion, or Place, until any other or new Rate of Allowance ſhall be ſettled as aforeſaid.

No Allowance to be made to the Wife or Family of any Perſon till he ſhall have joined his Corps, nor longer than he ſhall remain in actual Service, or to any Wife who ſhall follow the Corps, or leave her Child; or depart from her Home, unleſs under Certificate for obtaining Work, *etc.*

IV. Provided always, and be it further enacted, That no Allowance ſhall be ordered or paid under this Act, to the Wife or Family of any Perſon ſerving in the Militia, until ſuch Perſon ſhall have joined the Regiment, Battalion, or Corps to which he belongs, or for any longer Period than ſuch Perſon ſhall continue to ſerve and remain embodied in actual Service, nor in any Caſe in which the Wife, in reſpect of, or by whom any ſuch Relief is demanded, ſhall follow the Regiment, Battalion, or Corps in which her Huſband ſhall ſerve, or ſhall leave her Child or Children, if any, or depart from her Home, unleſs under Certificate of any neighbouring Juſtice of the Peace, or the Overſeer or Overſeers of the Pariſh in which ſuch Relief ſhall be given, authorizing ſuch Departure for a Time ſpecified therein for the Purpoſes of Harveſt, or obtaining by Work a better Support for her Family, or unleſs for the Purpoſe of going to reſide, and reſiding in the Pariſh, Tything, or Place, for which her Huſband ſhall ſerve, in caſe at the Time of her Huſband being called out into actual Service, ſhe ſhall be reſiding in any other Pariſh, Tything, or Place.

No Allowance ſhall be made to the Family of any Subſtitute, hired Man, or Volunteer, who ſhall have falſely declared that he had no Wife or Family; or that he had only One Child, having more, but upon certain Conditions;

V. Provided alſo, and be it further enacted, That no Allowance under this Act ſhall be ordered or paid to the Family of any Subſtitute, hired Man, or Volunteer, who ſhall at the Time of his Enrolment have fraudulently and falſely repreſented and declared, that he had no Wife or Family, or to any Subſtitute, hired Man, or Volunteer, having more than One Child at the Time of his Enrolment, who ſhall have fraudulently and falſely repreſented and declared at the Time of ſuch Enrolment that he had only One Child: Provided always, that where the Subſtitute, hired Man, or Volunteer, to whom any ſuch Family ſhall belong, ſhall undertake and make Proviſion for the Maintenance of his other Children, to the Satisfaction of any Juſtice of the Peace to whom any Application ſhall be made under this Act for the Relief of ſuch Family, it ſhall be lawful for ſuch Juſtice to order the Allowance under this Act to be paid in reſpect of the Wife of ſuch Subſtitute, hired Man, or Volunteer, and of One Child of ſuch Family under the Age of Ten Years.

VI. Provided

nor to the Family of any Non-commiſſioned Officer or Drummer reduced to a private Man for Miſconduct;

VI. Provided alſo, and be it further enacted, That no Allowance under this Act ſhall be paid to the Family of any Non commiſſioned Officer or Drummer, reduced for Miſconduct to the Condition of a Private Man, ſuch Reduction being certified by the Commanding Officer or Adjutant to the Clerk of the General Meetings, and by him to the Treaſurer of the County, Riding, or Place, in the Militia of which ſuch Non-commiſſioned Officer or Drummer ſhall ſerve, and by ſuch Treaſurer to the Overſeers of the Poor of the Pariſh, Tything, or Townſhip in which ſuch Family ſhall dwell, and every ſuch Allowance ſhall ceaſe and determine from the Time of ſuch Reduction being ſo certified to the Overſeers as aforeſaid, and be no longer payable, notwithſtanding any Order of any Juſtice to the contrary; and every ſuch Family requiring Relief, ſhall, from and after that Time, be relieved as caſual Poor only.

nor to the Family of any Subſtitute, hired Man, or Volunteer, who ſhall marry after being called out into actual Service, without the Conſent of the Commanding Officer.

VII. Provided always, and be it further enacted, That, from and after the paſſing of this Act, no Allowance under this Act ſhall be given, or ordered to be given, to the Family of any Subſtitute, hired Man, or Volunteer, who ſhall marry after and during the Time of his being called out into actual Service, unleſs ſuch Marriage ſhall have taken place with the Conſent of the Colonel or Commanding Officer of the Regiment, Battalion, or Corps, to which ſuch Militia Man ſhall belong, and ſuch Conſent ſhall have been certified under the Hand of ſuch Colonel or other Commanding Officer.

Families not to be ſent to any Workhouſe for receiving ſuch Allowances; nor the Perſons to whoſe Families paid, deprived of their legal Settlements or Right of voting for Members.

VIII. Provided always, and be it further enacted, That the Families of Non-commiſſioned Officers, Drummers, or ballotted Men, or of Subſtitutes, hired Men, or Volunteers, ſhall not be removeable, or ſent to any Workhouſe or Poorhouſe by reaſon of receiving any ſuch Allowances; nor ſhall any Perſons, to whoſe Families any ſuch Allowances ſhall be paid, be thereby deprived of their legal Settlements elſewhere, or of their Right of voting for the Election of Members to ſerve in Parliament.

Allowances to Non-commiſſioned Officers and Drummers, to be repaid the Overſeers of the Poor by the County Treaſurer.

IX. And be it further enacted, That every ſuch Weekly Allowance to be paid under this Act, to the Family of any Non-commiſſioned Officer or Drummer, ſhall be repaid to the Overſeer or Overſeers of the Poor of the Pariſh, Tything, or Townſhip, in which ſuch Family was relieved, by the Treaſurer of the County, Riding, or Place, in which ſuch Pariſh, Tything, or Townſhip is ſituated, out of the publick Stock thereof; and every Weekly Allowance which ſhall be ſo paid to the Family of any Non-commiſſioned Officer or Drummer, in any other County, Riding, or Place, than that for which ſuch Non-commiſſioned Officer or Drummer ſhall ſerve, or to the Family of any Private Man in any other Pariſh, Tything, or Townſhip, than the One for which ſuch Private Militia Man ſhall ſerve, ſhall reſpectively be reimburſed, in the Manner herein-after mentioned.

Relief to Families of Non-commiſſioned Officers and Drummers to be apportioned between Counties at large and.

X. Provided always, and be it further enacted, That in all Caſes where a certain Number of Private Militia Men are directed to be raiſed for any County, together with or including any City, Borough, Town, or Place in *England*, being a County or Diſtrict of itſelf, not contributing to the General County Rate, the ſeveral Sums of Money raiſed for the Relief of the Families of Non-commiſſioned Officers and Drummers reſpectively,

reſpectively, ſhall be divided and apportioned between and borne by ſuch County, and ſuch City, Borough, Town, or Place, being a County or Diſtrict of itſelf, or not contributing to the General County Rate, in ſuch Proportions as the reſpective Numbers of Militia Men, apportioned to be raiſed in and by ſuch County, and by ſuch City, Borough, Town, and Place reſpectively, bear to each other.

Places not contributing to the County Rates, according to the Number of Men raiſed for each.

XI. And be it further enacted, That the Treaſurers of any ſuch County, City, Borough, Town, and Place reſpectively, are hereby authorized and required to demand, receive, and make Payment of ſuch Proportions and Sums of Money, the one to the other of them, as the Caſe may require.

Treaſurers to demand and pay ſuch Proportions to one another.

XII. And be it further enacted, That if any Diſpute or Diſagreement ſhall ariſe as to the Proportion ſo to be paid as aforeſaid, or any other Matter or Thing relating thereto, or to ſuch Payments, the Lord Lieutenant of the ſaid County at large, and in his Abſence the Deputy Lieutenants, or any Three or more of them, at any Meeting called, or to be called, may and ſhall, and he and they is and are hereby empowered and required, to adjuſt and ſettle the ſame, whoſe Deciſion therein ſhall be final; and the ſaid Lord Lieutenant and Deputy Lieutenants, or any Three or more of them, is and are reſpectively hereby authorized and empowered to call for, require, and inſpect, the Account and Accounts of every ſuch Treaſurer, for the Purpoſe of adjuſting and ſettling their ſaid Proportion.

Diſputes as to Proportions to be ſettled by the Lord Lieutenant or Three Deputy Lieutenants.

XIII. And be it further enacted, That in all Cities, Towns, Liberties, Diviſions, and Places, which do not contribute to the General County Rates, and where no Treaſurer is yet appointed, the Juſtices of the Peace for every ſuch City, Town, Liberty, Diviſion, and Place, in caſe there are any, and if not, then the Juſtices of the County wherein ſuch City, Town, Liberty, Diviſion, and Place ſhall be, ſhall and may, and they are hereby required, at their General Quarter Seſſions, to appoint a Treaſurer, and from Time to Time to aſſeſs upon every Pariſh, Tything, Townſhip, Hamlet, and Vill, within the Liberties of ſuch Cities, Towns, Liberties, Diviſions, and Places, in ſuch Proportions as the Rates heretofore made for the Relief of the Poor have uſually been aſſeſſed, and ſhall cauſe to be paid, out of the Money collected and levied for the Relief of the Poor of every ſuch Pariſh, Tything, Townſhip, Hamlet, and Vill, into the Hands of ſuch Treaſurer, ſuch Sum and Sums of Money as are, ſhall, and may be, in their Diſcretion, neceſſary for the Purpoſes of this Act; and ſuch Treaſurer ſhall pay and diſpoſe of the ſame accordingly, and ſhall be and act in all Reſpects, in reſpect to the Proviſions of this Act, the ſame as the Treaſurer or Treaſurers of peculiar Diſtricts where a publick Stock is now raiſed.

In Places not contributing to the County Rate, where no Treaſurer is appointed, the Juſtices in Quarter Seſſions ſhall appoint One, and make Aſſeſſments, *etc.*

XIV. And be it further enacted, That in every Caſe in which any Allowance under this Act ſhall be paid to the Family of any Private Militia Man in any other Pariſh, Tything, or Townſhip, than that for which ſuch Private Militia Man ſhall ſerve, it ſhall be lawful for the Juſtice of the Peace, who ſhall make any Order for the Relief of ſuch Family, to certify the ſame under his Hand, and in ſuch Certificate to direct the Overſeers of the Pariſh, Tything, or Townſhip for which ſuch Private Militia Man ſhall ſerve, to reimburſe the Money ſo paid to the Overſeer or

Where an Allowance is made to the Family of a Militia Man in any other Place than that for which he ſhall ſerve, the Juſtice making the Order for Relief, may direct the Overſeers of

the Place for which ſerving, to reimburſe the Money.

or Overſeers who ſhall have advanced the ſame in purſuance of the Order before mentioned.

Where ſuch Reimburſement cannot be conveniently procured from the Overſeers, Repayment may be demanded from the Treaſurer of the Place where the Allowances were paid.

XV. Provided always, and be it further enacted, That where, by reaſon of the Diſtance of any Pariſh, Tything, or Townſhip, in which any Allowance under this Act ſhall be ſo paid to the Family of any Private Militia Man ſerving for any other Pariſh, Tything, or Townſhip, from ſuch other Pariſh, Tything, or Townſhip, where the ſame ſhall be ſituate in any other County, Riding, Diviſion, or Place, the Overſeer or Overſeers of the Poor, entitled to the Repayment of ſuch Allowances, under any ſuch Order and Certificate as aforeſaid, cannot conveniently procure the Repayment thereof from the Overſeers of the Poor of the Pariſh, Tything, or Townſhip for which ſuch Private Militia Man ſhall have ſerved or be ſerving, it ſhall be lawful for ſuch Overſeer or Overſeers to demand Repayment of ſuch Allowances from the Treaſurer of the County, Riding, or Diviſion in which the Pariſh, Tything, or Townſhip, where ſuch Allowances ſhall have been paid, ſhall be ſituate; and every ſuch Treaſurer ſhall, upon Production of ſuch Order and Certificate as aforeſaid, forthwith reimburſe ſuch Allowances to the Overſeer or Overſeers demanding the ſame.

Treaſurers reimburſing ſuch Allowances, ſhall tranſmit an Account ſigned by a Juſtice, to the Treaſurer of the Place for which the Man ſhall ſerve, who ſhall repay the ſame.

XVI. Provided alſo, and be it further enacted, That every ſuch Treaſurer as aforeſaid, who ſhall reimburſe to any ſuch Overſeer or Overſeers as aforeſaid, any Sum or Sums of Money in purſuance of this Act, on Account of any ſuch Weekly Allowance paid to the Family of any Non-commiſſioned Officer or Drummer, or any Private Militia Man ſerving in the Militia of any other County, Riding, or Diviſion, ſhall deliver or tranſmit an Account of ſuch Money as he ſhall have ſo reimburſed as aforeſaid, ſigned by One or more Juſtice or Juſtices of the Peace for the County, Riding, City, Town, Liberty, Diviſion, or Place where ſuch Family ſhall dwell, to the Treaſurer of the County, Riding, City, Town, Liberty, Diviſion, or Place in the Militia whereof ſuch Non-commiſſioned Officer, Drummer, or Private Militia Man ſhall ſerve, and thereupon the Treaſurer to whom ſuch Account ſhall have been delivered or tranſmitted as aforeſaid, ſhall and he is hereby required forthwith to pay to the Treaſurer, who ſhall have ſo delivered or tranſmitted ſuch Account, the Sum or Sums ſo by him reimburſed to ſuch Overſeer or Overſeers, and ſhall be allowed the ſame in his Accounts.

Treaſurer repaying ſuch Allowances to another Treaſurer, to tranſmit the ſigned Account to the Juſtices at the next Quarter Seſſions, who ſhall order the ſame to be repaid out of the Poor Rates.

XVII. And be it further enacted, That every Treaſurer who ſhall repay to any Treaſurer of any other County, Riding, or Diviſion, any ſuch Allowances as aforeſaid, on any ſuch ſigned Account as aforeſaid, ſhall tranſmit ſuch ſigned Account, and alſo an Account of all Monies ſo repaid by him in purſuance thereof, to the Juſtices of the Peace for the County, Riding, or Diviſion, at the next or General Quarter Seſſions of the Peace, or any ſubſequent Seſſions; which Accounts ſo received ſhall be allowed by the Juſtices at ſuch Seſſions, who ſhall forthwith, as to all Allowances ſo repaid in reſpect of the Families of any Private Militia Men, make Orders for the Overſeers of the Poor of the reſpective Pariſhes, Tythings, or Townſhips for which ſuch Private Militia Man ſhall reſpectively ſerve or have ſerved, to pay the ſame to the Treaſurer of ſuch County, Riding, or Place, out of the Poor Rates of ſuch reſpective

Pariſhes,

Pariſhes, Tythings, or Townſhips, within Fourteen Days next after the Receipt of ſuch Orders reſpectively.

In *Exeter*, the Allowances ſhall be paid by the Treaſurer of the Corporation of the Poor, and ſhall be levied as the Poor Rates, *etc.*

XVIII. Provided always, and be it further enacted, That within the City and County of the City of *Exeter*, all Allowances to be made by virtue of this Act to the Families of Perſons ſerving in the Militia, ſhall be paid by the Treaſurer or Treaſurers of the Corporation of the Governor, Deputy Governor, Aſſiſtants, and Guardians of the Poor of the City and County of *Exeter*, and that the ſame ſhall be aſcertained, aſſeſſed, raiſed, collected, and levied by ſuch and the ſame Ways and Means as the Money raiſed for the Relief of the Poor within the ſaid City and County is, by virtue of the ſeveral Acts of Parliament now in Force for the Relief of the Poor within the ſaid City and County, or any or either of them, directed to be raiſed; and it ſhall be lawful for the ſeveral Perſons authorized to put the ſaid Acts in Execution, to cauſe to be raiſed and levied ſuch Sum or Sums as ſhall be neceſſary for that Purpoſe, over and above what they are already authorized to raiſe for the Relief of the Poor of the ſaid City and County; and all and every Perſon and Perſons who are by the ſaid Acts, or either of them, required to do any Act, Matter, or Thing, for the aſcertaining, aſſeſſing, confirming, or altering of Aſſeſſments, collecting and levying the Sums thereby directed to be raiſed for the Relief of the Poor, are hereby required and authorized to do all ſuch and the like Acts, Matters, and Things, for the aſcertaining, aſſeſſing, confirming, or altering Aſſeſſments, collecting and levying the Money hereby directed to be raiſed, and ſhall be ſubject to all ſuch Forfeitures and Penalties, in caſe of their Neglect or Refuſal to perform the ſame, as are impoſed for Offences of the like Nature by the above mentioned Acts, or either of them, and alſo in the ſame Manner, and by the ſame Ways and Means, to raiſe and levy, or cauſe to be raiſed and levied, ſuch further Sum and Sums of Money as ſhall have been advanced and paid by the Treaſurer of the Corporation of the Poor for the Maintenance of ſuch Wives and Families, and ſhall cauſe the ſame to be repaid to the Treaſurer of the ſaid Corporation.

Monies to be raiſed in *Briſtol* by Pariſh Rates in relation to this Act, ſhall be raiſed as the Poor Rates, *etc.*

XIX. Provided alſo, and be it further enacted, That all Monies to be levied by Pariſh Rates to be made within the City and County of the City of *Briſtol*, in relation to this Act, ſhall be paid, aſcertained, aſſeſſed, raiſed, collected, levied, and repaid in ſuch Manner and by ſuch and the ſame Ways and Means as are preſcribed to be obſerved in raiſing Money for the Relief of the Poor within the ſaid City and County of the City of *Briſtol*, by virtue of any Act or Acts of Parliament relating thereto; and that it ſhall be lawful for the ſeveral Perſons authorized to put the ſaid Acts in Execution, to cauſe to be raiſed and levied ſuch Sum or Sums over and above what they are already authorized to raiſe for the Relief of the Poor of the ſaid City and County, and alſo in the ſame Manner, and by the ſame Ways and Means, to raiſe and levy, or cauſe to be raiſed and levied, ſuch further Sum and Sums of Money as ſhall have been advanced and paid by the Treaſurer or the Corporation of the Poor, and ſhall cauſe the ſame to be repaid to the Treaſurer of the ſaid Corporation; and that all and every Perſon and Perſons who are by the ſaid Acts, any or either of them, required to do any Act, Matter, or Thing, for the aſcertaining, aſſeſſing, confirming, or altering of Aſſeſſments, collecting and levying the Sums thereby directed to be raiſed for the Relief of the Poor, are hereby

hereby required and authorized to do all ſuch and the like Acts, Matters, and Things, for the aſcertaining, aſſeſſing, confirming, or altering Aſſeſſments, collecting and levying the Money hereby directed to be raiſed, and ſhall be ſubject to all ſuch Forfeitures and Penalties, in caſe of their Neglect or Refuſal to perform the ſame, as are impoſed for Offences of the like Nature by the above mentioned Acts, or any or either of them.

In *Plymouth*, Allowances ſhall be paid by the Treaſurer of the Corporation of the Poor, and ſhall be raiſed as the Poor Rates, *etc.*

XX. Provided alſo, and be it further enacted, That within the Borough of *Plymouth*, all Allowances to be made by virtue of this Act, to the Families of Perſons ſerving in the Militia, ſhall be paid by the Treaſurer or Treaſurers of the Corporation of the Governor, Deputy Governor, Aſſiſtants, and Guardians of the Poor of the ſaid Borough of *Plymouth*; and that the ſame ſhall be aſcertained, aſſeſſed, raiſed, collected, and levied by ſuch and the ſame Ways and Means as the Money raiſed for the Relief of the Poor within the ſaid Borough is, by virtue of the ſeveral Acts of Parliament now in Force for the Relief of the Poor within the ſaid Borough, or any or either of them, directed to be raiſed; and it ſhall be lawful for the ſeveral Perſons authorized to put the ſaid Acts in Execution, to cauſe to be raiſed and levied ſuch Sum or Sums as ſhall be neceſſary for that Purpoſe, over and above what they are already authorized to raiſe for the Relief of the Poor of the ſaid Borough; and all and every Perſon and Perſons who are, by the ſaid Acts or either of them, required to do any Act, Matter, or Thing, for the aſcertaining, aſſeſſing, confirming, or altering of Aſſeſſments, collecting and levying the Sums thereby directed to be raiſed for the Relief of the Poor, are hereby required and authorized to do all ſuch and the like Acts, Matters, and Things for the aſcertaining, aſſeſſing, confirming, or altering Aſſeſſments, collecting and levying the Money hereby directed to be raiſed, and ſhall be ſubject to all ſuch Forfeitures and Penalties, in caſe of their Neglect or Refuſal to perform the ſame, as are impoſed for Offences of the like Nature by the above mentioned Acts or either of them; and alſo in the ſame Manner and by the ſame Ways and Means to raiſe and levy, or cauſe to be raiſed and levied, ſuch further Sum and Sums of Money as ſhall have been advanced and paid by the Treaſurer of the Corporation of the Poor, for the Maintainance of ſuch Wives and Families, and ſhall cauſe the ſame to be repaid to the Treaſurer of the ſaid Corporation.

Accounts of Allowances to be reimburſed under this Act, ſhall be made up, ſigned by the Juſtices, and demanded of the Overſeers, *etc.* within certain Periods.

XXI. Provided always, and be it further enacted, That Accounts of all Allowances paid under this Act, in reſpect whereof any Reimburſement ſhall be directed by this Act, ſhall be made up at the End of every ſucceſſive Six Months, or ſhorter Period, from the Time of the firſt commencing the Payment thereof, and ſhall be ſigned by the Juſtices granting Certificates for the Reimburſement thereof, or by ſome other Juſtices of the ſame County, Riding, Diviſion, or Place, within One Month after the reſpective Periods up to which ſuch Accounts ſhall be made up, and the Money due on ſuch Account ſhall, as ſoon as the ſame can be done, be demanded of the Overſeers of the Poor of the Pariſh, Townſhip, or Place, or Treaſurers, required to make ſuch Reimburſement as aforeſaid; and no ſuch Sum of Money ſhall be demanded or demandable, unleſs the ſame ſhall have been ſo firſt certified within One Month as aforeſaid, and delivered to the Overſeer of the Pariſh, Townſhip, or

Place, or Treaſurer, by whom ſuch Reimburſement is to be paid, within Three Months after ſuch certifying thereof as aforeſaid.

Where more than a Wife and Three Children ſhall become chargeable, the Overſeers of the Poor may provide another Man to ſerve in room of the Father, whoſe Pay ſhall commence from the Diſcharge of the Man in whoſe room provided, &c.

XXII. And be it further enacted, That in every Caſe in which the Family of any Private Man ſerving in the Militia of any County, Riding, or Place in *England*, when called out and embodied for actual Service, ſhall become chargeable in reſpect of any greater Number than the Wife and Three Children reſpectively under the Ages of Ten Years, it ſhall be lawful for the Overſeers of the Poor of the Pariſh, Tything, Township, or Place for which ſuch Man ſhall ſerve, or in which the Family of ſuch Man ſhall reſide, to provide another fit and able Man between the Ages of Eighteen Years and Thirty-five Years, and having no Wife, or any Child under the Age of Ten Years, to ſerve in the ſtead of the Man having ſuch Family as aforeſaid; and the Colonel or Commanding Officer of the Regiment, Battalion, or Corps to which ſuch Men ſhall belong, upon ſuch other Man being duly examined, approved of, and enrolled as a fit and able Man, and joining at the Head Quarters of the ſaid Regiment, Battalion, or Corps, may and ſhall diſcharge or cauſe to be diſcharged the Man in whoſe ſtead ſuch other Perſon ſhall be ſo produced, approved, and enrolled as aforeſaid: Provided always, that the Pay of every ſuch Perſon ſo provided as aforeſaid, ſhall commence and be drawn only from the Day of the Diſcharge of the Man in whoſe ſtead he ſhall have been provided, and not before; any Thing in any Act contained to the contrary notwithſtanding: Provided alſo, that no ſuch Private Militia Man ſhall be diſcharged at any other Period of the Year, than between the Firſt Day of *November* and the Twenty-fifth Day of *March*.

Payments made by Overſeers under this Act ſhall be allowed as other Expences on Account of the Militia; and if any Overſeer ſhall not pay Money ordered by a Juſtice, he ſhall forfeit 5*l.*, which may be recovered by Diſtreſs.

XXIII. And be it further enacted, That all Payments made by any Overſeer or Overſeers in purſuance of any Order or Certificate of any Juſtice or Juſtices of the Peace under this Act, ſhall be allowed and paſſed in their reſpective Accounts, in like Manner as other Expences incurred on Account of the Militia, are now by Law paſſed and allowed; and if any Overſeer of the Poor ſhall, on Demand made in purſuance of any Order or Certificate of any Juſtice or Juſtices of the Peace for the Payment of any Sum of Money by virtue of this Act, and Production of ſuch Order or Certificate to him, refuſe or neglect to pay and ſatisfy the Sum or Sums of Money directed to be paid in or by ſuch Order or Certificate, every ſuch Overſeer of the Poor ſo refuſing or neglecting to make ſuch Payment, ſhall, for every ſuch Neglect, forfeit the Sum of Five Pounds, to be recovered upon the Oath of One or more credible Witneſs or Witneſſes, or by the Confeſſion of the Party accuſed, before the Juſtice making ſuch Order, or any other Juſtice of the Peace of the County, Riding, Diviſion, City, or Place, where the Offence ſhall be committed; which ſaid Juſtice is hereby authorized and required, upon any Information exhibited or Complaint made in that Behalf, to ſummon the Party accuſed, and to examine into the Matter of Fact, and upon due Proof thereof as aforeſaid to give Judgement for ſuch Penalty, to be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, in caſe the ſame ſhall not be forthwith paid, by Warrant under the Hand and Seal of ſuch Juſtice, cauſing the Overplus (if any) after deducting the Charges of ſuch Diſtreſs and Sale, to be rendered to the Party; and the Penalty ſo adjudged ſhall be paid, One Moiety thereof to the Party who ſhall inform

Application of Penalty.

inform for the ſame, and the other Moiety thereof to the Poor of the Pariſh, to the Overſeers of which any ſuch Sum of Money ought to have been paid.

Act ſhall extend to all Places having ſeparate Overſeers, and to Places united for the Purpoſe of ballotting for Men, *etc.*

XXIV. And be it further enacted, That all the Proviſions in this Act contained, relating to the Allowances to the Families of any Perſons ſerving in the Militia for any Pariſh, Tything, or Townſhip, or any united Pariſhes, Tythings, or Townſhips, and for the Reimburſement of all Sums of Money which ſhall be advanced under any of the Proviſions of this Act, ſhall extend to all Hamlets, Vills, and Places having ſeparate Overſeers of the Poor, and maintaining the Poor thereof ſeparately and diſtinctly, and alſo to all Pariſhes, Tythings, Townſhips, and Places united for the Purpoſes of ballotting for Militia Men, as well as to all other Pariſhes, Tythings, and Places; and the Juſtices of the Peace, who ſhall make Orders for the Relief of any ſuch Families, or any other Juſtice of the ſame County, Riding, Diviſion, or Place, ſhall give Directions for the Reimburſement of the Money to be advanced for ſuch Purpoſe by the Overſeers of the Poor of the Pariſh, Tything, Townſhip, or Place, or united Pariſhes, Tythings, Townſhips, or Places reſpectively, which ought to reimburſe the ſame, or to contribute to the Reimburſement thereof; and the Treaſurers of the ſeveral Counties, Ridings, Diviſions, and Places, and the Juſtices of the Peace of the ſeveral Counties, Ridings, Diviſions, and Places within which all and every ſuch Pariſhes, Tythings, Townſhips, and Places reſpectively ſhall be, ſhall make Reimburſement, and direct Reimburſement to be made by ſuch ſeveral Pariſhes, Tythings, Townſhips, and Places reſpectively, in the ſame Manner as by this Act is provided with reſpect to Pariſhes, Tythings, and Townſhips therein deſcribed, ſo that in all Caſes whatſoever ſuch Reimburſement may be fully made according to the true Intent and Meaning of this Act; and where any Man ſhall ſerve for any united Pariſhes or Places, or for any Pariſh or Place comprizing more than One Townſhip or Place, which ſhall have ſeparate and diſtinct Overſeers of the Poor, all and every ſuch Juſtices as aforeſaid, ſhall aſcertain in what Proportions ſuch united Pariſhes or Places, or ſuch ſeveral Townſhips or Places comprized within the ſame Pariſh or Place for which any ſuch Man, whoſe Family ſhall be ſo relieved, ſhall ſerve, ought to contribute to ſuch Relief, ſuch Proportions to be aſcertained according to the Numbers of Men liable to be ballotted for the Militia, which each of ſuch united Pariſhes or Places, or each of ſuch Townſhips or Places, as the Caſe may be, ſhall appear to have had by the laſt Returns made for that Purpoſe, and ſuch Juſtices ſhall make Orders for the Reimburſement of ſuch Advances as aforeſaid, in ſuch ſeveral Proportions ſo to be aſcertained, and from Time to Time as Occaſion ſhall require; and in order to enable ſuch Juſtices to aſcertain ſuch Proportions, the Clerks of the ſeveral Subdiviſion Meetings ſhall, when thereunto required, certify, by Writing under their Hands, the Number of Men ſo liable to be ballotted for, according to the Returns made for each of ſuch Pariſhes, Townſhips, or Places, for which Certificate there ſhall be paid a Fee of One Shilling and no more.

Juſtices ſhall aſcertain what Proportions ſhall be contributed by united Places, or by Places comprizing more than One, which ſhall have ſeparate Overſeers, for the Relief granted to the Families of Men ſerving for ſuch Places.

The Adjutant, or where none, the Serjeant Major ſhall make monthly Returns to the

XXV. And be it further enacted, That the Adjutant of every Regiment, Battalion, or Corps of Militia, or where there ſhall be no Adjutant, the Serjeant Major thereof, ſhall, within Seven Days after the Twenty-fourth Day of every Month, during the Time of the Militia to which he ſhall belong

long remaining embodied or in actual Service, return to the respective Clerks of the Subdivision Meetings of the County, Riding, or Place to which such Regiment, Battalion, or Corps shall belong, a particular List of all Promotions and Vacancies, and all Deaths, Desertions, and other Casualties that shall have occurred among the Private Militia Men serving for the several and respective Subdivisions of the County, Riding, or Place to which such Regiment, Battalion, or Corps shall belong, in the Calendar Month preceding each such Twenty-fourth Day as aforesaid; and shall specify the Christian and Surname of each Man so returned, and whether ballotted Man, Substitute, hired Man, or Volunteer, and the Parish, Tything, or Place for which he was serving; and such respective Clerks of the Subdivision Meetings shall, within Fourteen Days after the Receipt of such Return, transmit proper Extracts thereof to the respective Overseers of the Poor of the respective Parishes, Tythings, or Places for which any such Man shall have been serving.

Clerks of the Subdivision Meetings of certain Particulars, who shall transmit Extracts to the Overseers of the Poor.

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

Appeal may be made to the Quarter Sessions.

XXVII. And be it further enacted, That it shall be lawful for the Justices of the Peace, at any General Quarter Sessions of the Peace to be held for each respective County, Riding, City, Town, Division, and Place in *England*, to order and direct such Recompence and Satisfaction, as they shall think just and reasonable, to be made and given to the respective Treasurers for their extraordinary Trouble, Labour, and Expences in the Execution of their respective Offices, while the Militia is embodied and in actual Service, for such Time and in such Manner as they shall think proper, to be paid or allowed out of the publick Stock or Treasure of every such County, Riding, Town, Division, and Place respectively.

Quarter Sessions may order Recompence to the Treasurers out of the County Stock.

XXVIII. And be it further enacted, That this Act may be altered, varied, or repealed, by any Act or Acts to be passed in this Session of Parliament.

Act may be altered or repealed this Session.

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