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GEORGII III. REGIS.

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C A P. CXIII.

An Act for better regulating the Office of Agent General for Volunteers and Local Militia.

[15th *June* 1809.]

WHEREAS the Regulations by Law eſtabliſhed in the Offices of the Paymaſter General of His Majeſty's Forces, of the Treaſurer of His Majeſty's Navy, and of the Treaſurer of the Ordnance, for the Iſſuing and Payment of Public Monies required for Army and Navy Services, have been found beneficial; and it is expedient that Regulations for the like Purpoſes ſhould be eſtabliſhed by Law in the Office of the Agent General for Volunteers and Local Militia; 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 the ſaid Agent General for Volunteers and Local Militia ſhall be and is hereby authorized and empowered to apply to the Treaſury for Money for the different Services to which he may have been or ſhall be authorized to act as Agent General, in the ſame Manner as the Monies required for ſuch Services have hitherto been applied for by the Paymaſters General of His Majeſty's Forces.

Agent General to apply to the Treaſury for Money for the different Services.

II. And be it further enacted, That the Agent General for Volunteers and Local Militia ſhall from Time to Time ſubmit to the Secretary at War Statements of all his Receipts and Payments, applicable to each ſeparate Head of Service, and that the Secretary at War for the Time being ſhall

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who ſhall cheque the ſame, and authorize the Application for further Sums for ſuch Services, which Money ſhall be paid into the Bank.

ſhall cauſe ſuch Statements to be checked by the Books in his Department, and ſhall approve of and authorize the Application for ſuch further Sums for the ſaid Services as he may deem proper, by Letter addreſſed to the ſaid Agent General, in which Letter the Secretary at War ſhall ſpecify for what particular Service or Services the ſaid Money is wanted, and the ſaid Agent General for the Time being ſhall, in all Memorials to be by him preſented to the Treaſury for Money for ſuch Services, pray that ſuch Sum as is required may be iſſued to the Governor and Company of the Bank of *England*, on his Account, and ſhall tranſmit with each Memorial a Copy of the Letter or Letters from the Secretary at War, and the Commiſſioners of His Majeſty's Treaſury for the Time being, by their Letter from Time to Time ſhall direct the Auditor of the Exchequer to iſſue to the Governor and Company of the Bank of *England*, on Account of the Agent General for Volunteers and Local Militia, naming ſuch Agent General for the Time being, the Sum for which ſuch Letter ſhall be drawn upon the unſatisfied Order at the Exchequer, in favour of the ſaid Agent General, for which the Receipt of the Caſhier or Caſhiers of the ſaid Governor and Company ſhall be a ſufficient Diſcharge; and all Sums for which ſuch Letters of the Commiſſioners of His Majeſty's Treaſury ſhall be drawn, ſhall be iſſued from the Exchequer to the Governor and Company of the Bank of *England*, and not to the Agent General for Volunteers and Local Militia, and ſhall be placed to the Accounts in the Books of the ſaid Governor and Company, for the particular Service to which the ſame may be applicable, which Accounts ſhall be entitled, "The Account of the Agent General for Volunteers," "The Account of the Agent General for Local Militia," and "The Account of the Agent General for the Militia and Defence Acts," inſerting the Name of ſuch Agent General for the Time being in each of them reſpectively.

The uſual Fees to be paid.

III. And be it further enacted, That no Fees whatever ſhall be paid at the Exchequer or Treaſury by reaſon of the Tranſactions aforeſaid, beyond the Amount of what hath been uſually paid upon Impreſts and Accounts hitherto made, according to the former Cuſtom of tranſacting Buſineſs between the Exchequer, Pay Office, and Bank ſeverally.

Bills drawn to be accepted, payable at the Bank.

IV. And be it further enacted, That it ſhall be lawful for the Agent General for Volunteers and Local Militia for the Time being, by himſelf or his Deputy, or the Perſon or Perſons in his Office, duly authorized by the ſaid Agent General, to accept all ſuch Bills, Drafts, or Orders, which ſhall be drawn upon him by any Officers of Volunteers or Local Militia, or other Perſons duly authorized by the Secretary at War, payable at the Bank of *England*; and every ſuch Bill or Draft ſhall ſpecify the particular Head of Service to which the Sum therein mentioned is to be applied, and no Bill or Draft ſo accepted, ſhall be deemed a ſufficient Voucher to the ſaid Governor and Company, unleſs the Service for which it is drawn is ſpecified thereon, and unleſs it ſhall be actually paid by the ſaid Governor and Company, and the Monies ſo to be iſſued to the ſaid Governor and Company on account of the ſaid Agent General, ſhall not be paid out of the Bank unleſs for the Public Services, for which his ſeparate Accounts are opened, and in purſuance of Bills or Drafts drawn upon the ſaid Agent General and accepted as aforeſaid, on which ſhall be ſpecified the Heads of Service to which the Sums therein mentioned are to be applied, and

The Service for which the Bills are drawn to be ſpecified thereon.

which Drafts or Bills ſo drawn and accepted ſhall be ſufficient Authority to the Bank of *England* to pay ſuch Money to the Perſon or Perſons mentioned in ſuch Drafts or Bills, or to their Order or Orders according to the uſual Courſe in reſpect to Bills of Exchange.

Secretary at War may empower the Agent General to draw on the Bank for Payment of Salaries, &c.

V. Provided always, and be it further enacted, That it ſhall be lawful for the Secretary at War, from Time to Time to authorize and empower the ſaid Agent General to draw on the Bank of *England* for ſuch Sums as the Secretary at War ſhall deem proper, for the Payment of the Salaries and Allowances to the Perſons employed in his Office, and for ſuch Sums as ſhall be neceſſary for Payments on his petty Accounts, and the ſaid Agent General is hereby directed to draw diſtinct and ſeparate Drafts for each of the ſaid Services, and to keep a ſeparate Account thereof.

Agent General to keep Accounts with the Bank.

VI. And be it further enacted, That the ſaid Agent General for the Time being ſhall keep Accounts with the Bank of *England* of all Monies iſſued or directed to be paid to him for Public Services; and the ſaid Agent General, obſerving the Rules and Regulations hereby preſcribed, ſhall not be anſwerable for any Money which he ſhall not actually receive, or which ſhall not be actually drawn for by him, or paid upon the Bills accepted by him or his Deputy, or other Perſon or Perſons authorized by him as aforeſaid; and the ſaid Governor and Company of the Bank of *England* ſhall be anſwerable for all the Monies which ſhall be actually received by them for ſuch Public Services.

Money received for publick Services to be paid into the Bank.

VII. And be it further enacted, That all Sums of Money received by the ſaid Agent General for Public Services, ſhall be immediately paid by him into the Bank of *England*, and placed to his Account there in Manner aforeſaid; and ſuch Money ſhall be iſſued, paid, and applied in ſuch and the like Manner and under the ſame Regulations and Reſtrictions as the Money to be iſſued from the Exchequer for ſuch Services is herein directed to be iſſued, paid, and applied.

The Balances of publick Money ſhall be ſtated to the Treaſury monthly by the Agent General, &c.

VIII. And, in order that the Commiſſioners of His Majeſty's Treaſury may have frequent Knowledge of the Balance of Caſh in the Hands of the Governor and Company of the Bank of *England*, on Account of the Agent General for Volunteers and Local Militia, and thereby be enabled to judge of the Neceſſity and Propriety of further Iſſues, and prevent the unneceſſary Accumulation of Public Money in the Hands of the ſaid Governor and Company, be it enacted, That in the Firſt Memorial preſented every Month, or oftener, if required, to the Commiſſioners of His Majeſty's Treaſury by the Agent General for Volunteers and Local Militia for the Time being, for a Supply of Money for Public Services, ſuch Agent General or his Deputy ſhall inſert in the Body of ſuch Memorial the Sum Total of the Balance of Public Money on Account of the Agent General, in the Hands of the Governor and Company, together with an Account of all the Claims and outſtanding Drafts or Bills with which ſuch Balance is chargeable, and to which it is to be applied.

On Death or Removal of any Agent General, Ba-

IX. And be it further enacted, That upon the Death, Reſignation, or Removal of any Agent General for Volunteers and Local Militia, the Balance

lances ſhall veſt in his Succeſſor.

Balance of Caſh for which he ſhall at that Time have Credit on his Account or Accounts, as Agent General, with the Governor and Company of the Bank of *England*, ſhall, as ſoon as a Succeſſor ſhall be appointed, actually veſt in ſuch Succeſſor, in Truſt for the Public Services for which the ſame were iſſued, and ſhall forthwith be transferred, carried over, and placed to the Account of ſuch Succeſſor, to be applied to the ſaid Services in the Manner herein-before directed, and the ſucceeding Agent General ſhall; and he is hereby directed and required to ſubmit Statements to the Secretary at War, and form his Memorials and Requiſitions to the Treaſury, and to accept Bills as aforeſaid for all unſatisfied Charges and Demands on account of Public Services, although the ſame ſhall have accrued in the Time of any preceding Agent General.

Accounts of Agent General to be tranſmitted to the Commiſſioners of Public Accounts.

X. And be it further enacted, That all ſuch Accounts of the Agent General for the Time being ſhall be tranſmitted, with proper Vouchers, to the Commiſſioners for auditing the Public Accounts, who ſhall, and they are hereby directed and required, with the leaſt poſſible Delay, after the Receipt thereof, to examine or cauſe to be examined the ſaid Accounts, and if found ſatisfactory to preſent or cauſe to be preſented the ſame to the proper Officer or Officers for Declaration, and when the ſame are declared, a Quietus or Acquittance in the uſual Form ſhall be made out to the Agent or Agents General, whoſe Accounts ſhall have been ſo declared, his or their Heirs, Executors, or Adminiſtrators.

Books of Accounts and Vouchers to belong to the Office of the Agent General, and not to be conſidered Private Property.

XI. And be it further enacted, That all Books of Accounts, and all Vouchers whatever kept in the Offices of Agent General for Volunteers and Local Militia ſhall belong to the ſaid Office, and ſhall not be at the Diſpoſal of the Agent General to take and diſpoſe of the ſame as his private and proper Books of Account and Vouchers; provided that nothing herein ſhall extend to prevent any Perſon who hath exerciſed the Office of Agent General, or his or their Executors or Adminiſtrators, by himſelf or themſelves, or by any Perſon or Perſons authorized by him or them, from taking Copies or Extracts thereof until an Acquittance in the Exchequer ſhall be made out for ſuch Agent General, his Heirs, Executors, and Adminiſtrators, nor the Tranſmiſſion of the Vouchers in due Time to the Commiſſioners for auditing the Public Accounts.

Forging Drafts in the Name of the Agent General, &c. puniſhed with Death.

XII. And be it further enacted, That if any Perſon or Perſons ſhall knowingly and wilfully forge or counterfeit, or cauſe or procure to be forged or counterfeited, or knowingly or wilfully act or aſſiſt in forging or counterfeiting the Name or Hand of the Agent General for the Time being, or his Deputy, or the Perſon or Perſons duly authorized as aforeſaid, to any Draft, Inſtrument, or Writing whatſoever, for or in order to the receiving or obtaining any of the Money in the Hands or Cuſtody of the Governor and Company of the Bank of *England*, on Account of the Agent General for the Volunteers and Local Militia, and ſhall forge or counterfeit, or cauſe or procure to be forged or counterfeited, or knowingly and wilfully act or aſſiſt in the forging or counterfeiting any Draft, Inſtrument, or Writing, in Form of a Draft, made by ſuch Agent General or his Deputy, or the Perſon or Perſons authorized as aforeſaid, or ſhall utter or publiſh any ſuch, knowing the ſame to be forged or counterfeited, with an Intention to defraud any Perſon whomſoever, every ſuch Perſon or Perſons

sons so offending, being thereof lawfully convicted, shall be, and is and are hereby declared and adjudged guilty of Felony, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

So much of 48G.3.c.111. and of 48G.3.c.150. as directs Fines to be paid into the Bank to the Account of the Paymaster of the Forces, repealed;

XIII. And be it further enacted, That so much of an Act passed in the Forty-eighth Year of the Reign of His present Majesty, intituled, *An Act for enabling His Majesty to establish a permanent Local Militia Force under certain Restrictions, for the Defence of the Realm*; and of another Act passed in the Forty-eighth Year aforesaid, intituled, *An Act for enabling His Majesty to establish a permanent Local Militia Force in* Scotland, *under certain Restrictions, for the Defence of the Realm*; as directs that the Clerks of Subdivision or other Meetings, by whom any Fines or Penalties may have been or shall be received, should pay the same into the Bank of *England*, to a separate Account of the Paymaster General of His Majesty's Forces, or as requires the said Paymaster General to open a separate Account for the Purposes of the said recited Act, shall be and is hereby repealed.

and the Paymaster shall cause the Sums so paid in to be transferred over to the Account of the Agent General.

XIV. And be it further enacted, That it shall and may be lawful for the said Paymaster General to cause any Sum or Sums of Money arising from Fines, Penalties, and Forfeitures under the said recited Act passed in the last Session of Parliament which shall have been or shall be received by him or paid to the Bank of *England* on his Account to be transferred or paid over to the separate Account opened at the Bank of *England*, in the Name of the Agent General for Volunteers and Local Militia, and by so doing the said Paymaster General shall be and is hereby fully discharged for the Amount of the Sum which may have been or shall be so transferred or paid over by him as aforesaid, and from and after the passing of this Act all Fines, Penalties, and Forfeitures arising under the said recited Acts which may have been or shall be received by any Clerk of Subdivision or other Meetings, shall, within Twenty-one Days after the Receipt thereof, be paid into the separate Account in the Bank of *England*, in the Name of the Agent General for Volunteers and Local Militia, in the same Manner and under the same Rules and Regulations, and subject to the same Provisions, Clauses, and Penalties so far as is consistent with the Provisions of this Act as are contained or prescribed in the said recited Acts with respect to the Payment of Fines, Penalties, and Forfeitures directed to be made to the Account of the Paymaster General; and all such Sums of Money so transferred or paid into such Account of such Agent General shall be applied in the same Manner as if the same had been issued from the Exchequer to such Account.

The Clerk of Meeting shall in future pay the Money arising by such Fines to the Account of the Agent General.

Instead of drawing for Bounties on the Paymaster General of the Forces,

XV. And be it further enacted, That so much of the said recited Acts as direct that the Clerk of Subdivision or other Meetings shall draw upon the Paymaster General of His Majesty's Forces for the Amount of the Bounties payable under the said recited Acts to Persons transferring themselves from Volunteer Corps or voluntarily enrolling themselves into the Local Militia shall be and is hereby repealed.

such Bills for Bounties shall be drawn on the Agent General.

XVI. And be it further enacted, That from and after the passing of this Act, all such Bills or Drafts on Account of Bounties as aforesaid, shall be drawn upon the Agent General for Volunteers and Local Militia, and shall be by him accepted agreeably to such Regulations as may from Time to Time be issued by the Secretary at War for the Time being.

 XVII. And

Bills for Bounties and Payments of Fines which have been accepted, declared legal.

XVII. And whereas Bills on Account of Bounties to Men inrolled to ſerve in the Local Militia as aforeſaid, have been referred to and accepted by the ſaid Agent General for Volunteers and Local Militia, and certain Sums on Account of Fines and Penalties incurred under the ſaid recited Acts have been paid into his Account at the Bank of *England*; be it enacted, That all ſuch Acceptances and Receipts and Payments ſhall be and are hereby declared to be legal and effectual to all Intents and Purpoſes, any Thing in the ſaid recited Acts to the contrary notwithſtanding.

Not to affect Proviſion in recited Acts requiring Accounts to be furniſhed by Clerks of Meetings.

XVIII. Provided always, and be it further enacted, That nothing in this Act or any other Act or Acts of Parliament ſhall extend to repeal or alter any Proviſion in the ſaid recited Acts, by which Accounts are required to be furniſhed by the Clerks of Subdiviſion or other Meetings, or Penalties are inflicted for their neglecting duly to tranſmit the ſame, or for unlawfully retaining Money in their Hands.

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