

ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

CAP. XC.

An Act for providing Relief for the Wives and Families of the Militia Men in *Scotland*, when called into actual Service. [10th *June* 1809.]

WHEREAS an Act passed in the Forty-third Year of the Reign of His present Majesty, intituled, *An Act for providing Relief for the Families of Militia Men in* Scotland, *when called into actual Service*: And whereas the said Act requiring to be amended, it is expedient to repeal the same, in order that the whole Provisions for such Relief may be consolidated in one Act; may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That after the Expiration of Two Calendar Months after the passing hereof, the said Act shall be and the same is hereby repealed (excepting in so far as the same relates to the Qualification and Appointment of Deputy Lieutenants for the Counties of *Bute* and *Sutherland*, and also excepting in so far as it prevents a Substitute from being received for any ballotted Man in the Militia of *Scotland*, which Substitute shall have more than Two lawful Children at the Time he shall be produced to

43 G. 3 c. 89.

Recited Act repealed, except so far as respects the Qualification and Appointment of Deputy Lieutenants for Bute and Sutther-

land, and preventing Substitutes from being received who have more than Two Children.

to be enrolled); and from and after the Expiration of such Two Months, wherever the said recited Act shall have been referred to in any Act or Acts of Parliament, this Act shall be deemed and taken to be the Act so referred to, in the same Manner as if this Act had been therein referred to.

Families of Militia Men in Scotland called out into actual Service, to receive a weekly Allowance.

II. And be it enacted, That if any Person serving or enrolled in the Militia of *Scotland* as a Non-commissioned Officer or Drummer, or as a balloted Man or Substitute, hired Man or Volunteer respectiyely, shall, when embodied and called out into actual Service, leave a Family unable to support themselves, the Family of every such Non-commissioned Officer, Drummer, balloted Man, Substitute, hired Man, or Volunteer respectively, shall receive in the Manner herein-after directed a weekly Allowance, by the following Rule; that is to say, a Sum not exceeding the usual and ordinary Price of one Day's Labour in Husbandry within the County, Stewartry, Division, District, Parish, or Place where such Family shall dwell, 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, Drummer, balloted Man, Substitute, hired Man, or Volunteer, whether he shall or shall not have any Child or Children, a Sum not exceeding the Price of one Day's such Labour, nor less than One Shilling.

Rate of Allowance how to be fixed.

III. And be it further enacted, That it shall be lawful for the Justices of the Peace of any County or Stewartry, in *Scotland*, raising any Militia, assembled in Quarter Sessions, either upon the Day on which the *Michaelmas* Head Court is held, or on the Day on which the Commissioners of Supply meet to assess the Land Tax, and they are hereby directed 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, Stewartry, 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 Allowances under this Act in such County, Stewartry, Division, or Place, until another or new Rate of Allowance shall be settled by them as aforesaid.

Former Rate of Allowance to continue, until a new Rate made.

IV. Provided always, and be it enacted, That the Rate of Allowance settled and ascertained by the Justices of the Peace of any County or Stewartry under the said recited Act, shall continue to be the Rate of Allowance to be paid to Wives and Families of Militia Men under this Act, until another or new Rate shall be settled in Manner hereby directed.

Allowance not to be made until Militia Man shall have joined his Corps, &c.

V. Provided always, and be it further enacted, That no Allowance shall be ordered or paid under this Act to the Wife or Children 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 be in the same Parish or Place wherein the Regiment, Battalion, or Corps in which her Husband shall serve shall be for the Time, or shall leave her Child or Children (if any) or depart from her Home

Home or Place of Reſidence ſpecified in the Declaration herein-after mentioned, unleſs under Certificate of any neighbouring Juſtice of the Peace, or the Miniſter and One or more Members of the Kirk Seſſion of the Pariſh in which ſuch Relief ſhall be given, authorizing ſuch Departure for a Time ſpecified therein, not exceeding Ten Weeks, for the Purpoſes of Harveſt, or obtaining by Work a better Support for her Family.

Nor to the Family of any Subſtitute, &c. marrying without the Conſent of his Commanding Officer.

VI. 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 previous to ſuch Marriage.

Commanding Officers to aſcertain that Men are not previouſly married, and to keep a Regiſter of Certificates.

VII. And be it enacted, That previous to the granting of any ſuch Certificate, ſuch Commanding Officer ſhall ſatisfy himſelf that every ſuch Subſtitute, hired Man, or Volunteer, was not previouſly married; and every Commanding Officer granting ſuch Certificate ſhall keep or cauſe to be kept, a Regiſter thereof, and of the Marriage, in the Manner appearing from Schedule (F.) hereunto annexed.

No Family to be entitled to Allowance unleſs Huſband makes a Declaration.

VIII. Provided always, and be it further enacted, That no Wife, Child or Children of any Militia Man ſhall be entitled to any Allowance under this Act, unleſs ſuch Militia Man ſhall make and ſign a Declaration before the Commanding Officer of the Regiment to which he belongs according to the Schedule (A.) hereunto annexed, and unleſs ſuch Commanding Officer ſhall certify that ſuch a Declaration has been made before him according to the Form appearing from Schedule (B.) hereunto annexed, and unleſs ſuch Commanding Officer ſhall tranſmit ſuch Declaration and Certificate to the Clerk of Supply of the County or Stewartry wherein ſuch Wife or Children reſide, which he is hereby required to do.

Declaration and Certificate to remain in force only Six Months.

IX. And be it enacted, That any ſuch Declaration and Certificate ſhall remain in force for Six Months, and no longer.

Declaration and Certificate to be tranſmitted to Clerk of Supply.

X. And be it further enacted, That upon ſuch Declaration and Certificate being tranſmitted to the Clerk of Supply of the County or Stewartry where ſuch Wife or Children reſide, he ſhall enter the ſame in a Regiſter to be kept of ſuch Declarations and Certificates, in the Manner appearing from Schedule (G.) hereunto annexed, and ſuch Clerk of Supply ſhall tranſmit every ſuch Declaration and Certificate within Six Days after he ſhall have received the ſame to the Miniſter of the Pariſh wherein ſuch Wife or Children reſide; and any Clerk of Supply receiving any ſuch Declaration and Certificate, and failing or neglecting to regiſter and tranſmit the ſame in the Manner herein directed, ſhall forfeit and pay a Sum not exceeding Five Pounds for each Default, to be recovered with Expences or Coſts of Suit, by a ſummary Complaint to be made to the Sheriff or

Stewart Depute of the County or Stewartry by any Perſon or Perſons, One Half of which Penalty to be applied to the Uſe of His Majeſty, His Heirs and Succeſſors, and the other Half to be paid to the Perſon or Perſons ſuing for the ſame.

Miniſter and Kirk Seſſion to enquire into Inability, and thereupon grant Certificate.

XI. And be it further enacted, That the Miniſter upon receiving ſuch Declaration and Certificate, ſhall lay the ſame before the Kirk Seſſion, and the ſaid Miniſter and Kirk Seſſion ſhall enquire into the Situation of the Family, and if upon ſuch Enquiry it ſhall appear that they are unable to maintain themſelves, ſuch Miniſter and Kirk Seſſion ſhall thereupon ſign a Certificate in the Terms appearing from the Schedule (C.) hereunto annexed, and ſhall tranſmit the ſame to ſome Commiſſioner of Supply reſiding within the Pariſh, or in the Event of no Commiſſioner of Supply reſiding within the Pariſh, to ſome Heritor poſſeſſed of Land within the Pariſh to the Amount of at leaſt Fifty Pounds of valued Rent, or ſome Perſon occupying Land within the Pariſh, and paying Rent of not leſs than Fifty Pounds Sterling *per Annum*; and in Cities or Towns Corporate, to one of the Magiſtrates thereof; and if ſuch Commiſſioner or Heritor, or Perſon or Magiſtrate reſpectively, ſhall be ſatisfied of ſuch Inability, they as well as ſuch Miniſter and Kirk Seſſion, ſhall ſign ſuch Certificate.

Smaller Allowance to be paid in certain Caſes.

XII. Provided always, and be it enacted, That if upon ſuch Enquiry it ſhall appear that ſuch Wife or Children may be enabled to maintain themſelves with a ſmaller Allowance than the Rate hereby directed to be paid to ſuch Wife or Children, ſuch Miniſter and Kirk Seſſion are hereby authorized to aſcertain and ſpecify the Amount of ſuch ſmaller Allowance to be paid to ſuch Wife or Children in ſuch Certificate as aforeſaid, and every ſmaller Allowance, ſo aſcertained and ſpecified, ſhall be paid in the ſame Manner as if the full Allowance authorized by this Act were to be paid to ſuch Wife or Children.

Certificate to be renewed every Three Months.

XIII. And be it further enacted, That ſuch Certificate ſhall remain in force for Three Months and no longer; and if at the Expiration of ſuch Period the Wife or Children ſhall ſtill be unable to ſupport themſelves, they ſhall again apply to the Miniſter, who ſhall again lay their Application before the Kirk Seſſion, and ſuch Miniſter and Kirk Seſſion ſhall again enquire into ſuch Inability, and if ſuch Inability ſhall appear to continue, another Certificate ſhall be granted according to the Form and in the Manner before directed, and ſo at the End of every Three Months as often as any ſuch Application ſhall be made; provided that a Return ſhall not have been made in the Manner herein-after directed, of the Death, Deſertion, Removal, or otherwiſe from the Regiment of any Militia Man, in Behalf of whoſe Wife or Children any ſuch Application ſhall have been made.

On Production of Certificate, Juſtices to make an Order for Allowance.

XIV. And be it further enacted, That upon the Production of ſuch Certificate to a Juſtice of the Peace of the County or Stewartry where ſuch Family reſides, ſuch Juſtice ſhall, if he be ſatisfied therewith, make an Order in the Form appearing from Schedule (D.) hereunto annexed, for the Payment of a weekly Allowance, according to the Rate which ſhall have been ſettled by the Juſtices of the County or Stewartry as aforeſaid,

for each and every Child and the Wife named in such Certificate, or where a smaller Allowance shall appear to have been ascertained, and shall be specified in such Certificate, then for the Payment of such smaller Allowance.

Order to remain in force only Three Months.

XV. And be it further enacted, That every such Order shall remain in force for Three Months, and no longer.

To be transmitted by Justice to Clerk of Supply, who shall transmit to Collector of Cess.

XVI. And be it further enacted, That every such Certificate upon which any such Order shall have been made shall forthwith be transmitted by the Justice of the Peace making the same to the Clerk of Supply of the County, Stewartry, City, or Place in which such Families shall dwell, who shall record the same, and shall forthwith transmit Copies of so many of such Certificates as relate to Allowances to Families of Militia Men serving for any other County, Stewartry, City, or Place, to the Clerk of Supply of such other County, Stewartry, City, or Place, and shall also transmit the Originals of all Certificates transmitted to him by a Justice of the Peace as aforesaid, to the Collector of the Cess for his County or Stewartry, City or Place; and any Clerk of Supply failing or neglecting for the Space of Six Days after the Receipt of any such Certificates, to record and transmit Copies and the Originals thereof in the Manner herein directed, shall forfeit and pay a Sum not exceeding Five Pounds for each Neglect, to be recovered with Expences or Costs of Suit, in the same Manner that any Penalty against Clerks of Supply is herein directed to be recovered, One Half of which Penalty to be applied to the Use of His Majesty, His Heirs and Successors, and the other Half to be paid to the Person or Persons suing for the same.

Collector of Cess to remit for Allowances to Kirk Treasurer.

XVII. And be it further enacted, That it shall be lawful for such Collector of the Cess, and he is hereby authorized and required to remit or pay out of such public Monies as may be in his Hands, to the Treasurer of the Kirk Session of each Parish, and where there shall be no such Treasurer, then to the Minister and Kirk Session of such Parish, at least once in every Month, a Sum sufficient to satisfy and pay the Amount of the Allowances specified in such Certificates so transmitted to such Collector; and any Collector failing or neglecting to remit such Sum in the Manner herein directed, shall forfeit and pay a Sum equal to twice the Amount thereof, to be recovered with Expences or Costs of Suit, by a summary Complaint to be made to the Sheriff or Stewart Depute of the County or Stewartry, by any Person or Persons, One Half of which Penalty shall be paid to the Kirk Treasurer, or to the Minister and Kirk Session where there is no Kirk Treasurer, to make good the Sum which ought to have been remitted to him or them by such Collector, and the other Half to be paid to the Person or Persons suing for the same.

Treasurer of Kirk Session to pay upon an Order from the Justice, and transmit Account to Clerk of Supply.

XVIII. And be it further enacted, That the Treasurer of the Kirk Session or Minister and Kirk Session, (as the Case may be), to whom such Sum shall be remitted, shall give a Receipt for the same; and such weekly Allowances shall be paid by the Kirk Treasurer, or the Minister and Kirk, Session, upon Production of the Order made by a Justice of the Peace as aforesaid, to the Persons entitled to receive the same, provided such Persons

are actually residing in the Parish where such Allowances are demanded at the Time, but not otherwise, unless upon Permission for a limited Time, and upon a Certificate thereof in the Manner herein-before directed, and Receipts shall be taken from the Persons to whom such Allowances shall be paid; and the said Kirk Treasurer, or Minister and Kirk Session, shall transmit an Account once in every Month to the Clerk of the Commissioners of Supply, to be by him preserved and kept, shewing the Monies received and paid pursuant to this Act, in which the Persons to whom the same shall be paid shall be specially described by Name, Age, Residence, and as the Wife or Children of the Militia Man, declared and certified in the Manner herein directed; and any Treasurer of the Kirk Session, or Minister and Kirk Session, to whom Money shall have been remitted or paid as aforesaid, (as the Case may be), who shall refuse or delay to pay such weekly Allowances in the Manner herein directed, shall forfeit and pay a Sum equal to twice the Amount of each Sum so refused or delayed to be paid, or who shall fail or neglect to transmit an Account in the Manner hereby directed, shall forfeit and pay a Sum not exceeding Five Pounds for each Neglect, to be recovered in a summary Manner, with Expences or Costs of Suit, upon Complaint made to any Justice of the Peace of the County or Stewartry in which such Treasurer, Minister, and Kirk Session reside, by the Person or Persons to whom the same ought to have been paid, or by the Clerk of Supply, to whom the same ought to have been transmitted, One Half of which Penalty to be applied to the Use of His Majesty, His Heirs and Successors, and the other Half to be paid to the Person or Persons suing for the same.

Certified Copies of Accounts to be transmitted to Collector.

XIX. And be it further enacted, That every Clerk of Supply receiving such Account, shall within Ten Days after the Receipt thereof send a Copy of every such Account, certified by him to be a true Copy, to the Collector of the Cess of his County, Stewartry, City, or Place, and where any of the Allowances appearing to have been paid by such Account shall have been made to the Family of any Militia Man serving for any other County, Stewartry, City or Place, a Copy of so much of such Account, certified as aforesaid, shall within Ten Days after the Receipt thereof be transmitted by the Clerk of Supply, who shall have received the same, to the Clerk of Supply of every County, Stewartry, City, or Place, for which any such Militia Man shall be serving, who shall record the same; and any Clerk of Supply failing or neglecting to transmit Accounts in the Manner hereby directed, shall forfeit and pay a Sum not exceeding Five Pounds for each Default, to be recovered by any Person suing for the same, with Expences or Costs of Suit, in the Manner in which any other Penalty is directed to be recovered by this Act.

Annual Accounts to be stated by the Collector.

XX. And be it enacted, That in the Month of *January* in every Year, Accounts shall be stated by and between the Collector of every County or Stewartry, with each Kirk Treasurer, or Minister, and Kirk Session, within his County or Stewartry, shewing the Amount of all Monies remitted or paid by such Collector to such Kirk Treasurers, or Ministers and Kirk Sessions respectively, in the Year preceding the First Day of the said Month of *January* in which such Account is stated, and also shewing the Allowances paid by such Kirk Treasurers or Ministers and Kirk Sessions

for the Year preceding such First Day of *January*, and such Accounts shall be settled by such Collector with such Kirk Treasurers or Ministers and Kirk Sessions respectively, who shall thereupon deliver up to such Collector the Receipts taken for the Payment of such Allowances; and any Collector of the Cess failing or neglecting to settle or to get settled such Accounts in the Month of *January* in every Year as aforesaid, shall not be allowed to take Credit in his Accounts with the Receiver General for *Scotland* for any Monies remitted or paid by him under this Act.

Accounts to be examined by Clerk of Supply.

XXI. And be it enacted, That every such Account shall on or before the Fifteenth Day of *February* in every Year, be examined and compared with the Vouchers thereof by the Clerk of Supply of the County, Stewartry, City, or Place, in which the same shall be made up, and shall thereupon be docquetted and signed by him.

Accounts of Allowances paid for other Counties to be transmitted to such Counties.

XXII. And be it enacted, That such Clerk of Supply shall make up from such Account, Accounts shewing the Allowances paid in his County, Stewartry, City, or Place, to Families residing therein of Militia Men serving for other Counties, Stewartries, Cities, or Places respectively, and shall on or before the Twenty-fifth Day of *February* in every Year transmit such Accounts, signed by him, to the Clerks of Supply of such Counties, Stewartries, Cities, or Places respectively; and any Clerk of Supply failing or neglecting to make up and transmit such Accounts to the Clerks of Supply of such Counties, Stewartries, Cities, or Places, shall forfeit and pay a Sum not exceeding Five Pounds for each Offence, to be recovered and applied in the same Manner as any other Penalty may be recovered and applied under this Act.

Accounts to be stated by Clerk of Supply once a Year.

XXIII. And be it further enacted, That in the Month of *March* in every Year, an Account shall be made up by the Clerk of Supply of every County, Stewartry, City, or Place, stating the Allowances paid previous to the First Day of *January* preceding, to the Families of any Militia Men serving for such County, Stewartry, City, or Place, whether residing in such County, Stewartry, City, or Place, or in any other County, Stewartry, City, or Place.

Assessment to be made thereupon.

XXIV. And be it enacted, That such Account may be examined by a Committee of the Commissioners of Supply, from Time to Time to be appointed by them for that Purpose, and shall be laid before the said Commissioners of Supply at the next Annual Meeting at which they assemble to assess the Land Tax, and at such Meeting the said Commissioners of Supply shall make an Assessment equal to the Amount of the Allowances appearing from such Account to have been paid to the Families of Militia Men serving for such County, Stewartry, City, or Place, in the following Manner; that is to say, upon Land according to the valued Rent of the same, and upon Houses according to the Rent or Yearly Value set on such Houses by the latest Assessment of the House Tax, and in the following Proportions; *videlicet*, for every such Assessment to the Amount of One Shilling Sterling upon One hundred Pounds *Scots* of valued Rent, an Assessment shall be laid upon the Rent or Yearly Value of Houses so ascertained, at the Rate of

of One Penny Sterling in the Pound of ſuch Rent or Yearly Value, and ſo in Proportion for any greater or leſs Sum.

Houſes not rated to Houſe Tax exempted.

XXV. Provided always, and be it enacted, That no ſuch Aſſeſſment ſhall be laid upon any Houſe which ſhall not be rated for the Houſe Tax.

No Perſon to be aſſeſſed for both Houſes and Land.

XXVI. Provided alſo, and be it enacted, That no Perſon or Perſons ſhall be aſſeſſed in reſpect of his, her, or their Houſe or Houſes, and alſo in reſpect of his, her, or their Lands in the ſame County or Stewartry, but it ſhall be in the Power of the ſaid Commiſſioners to lay ſuch Aſſeſſment upon ſuch Perſon or Perſons, either in reſpect of ſuch Houſe or Houſes, or of ſuch Lands, as to ſuch Commiſſioners ſhall ſeem calculated to produce the higheſt Aſſeſſment.

One-half of Aſſeſſment to be paid by Tenants.

XXVII. Provided alſo, and be it enacted, That for all Sums ſo aſſeſſed upon Land, the Proprietor ſhall have Relief againſt the Tenant or Occupier thereof for One Half of ſuch Aſſeſſment, and every ſuch Aſſeſſment upon Houſes ſhall be paid by the Occupier or Occupiers thereof, who ſhall be entitled to deduct from his, her, or their Rent One Half of every ſuch Aſſeſſment ſo paid by ſuch Occupier or Occupiers.

Account of Rate to be made up.

XXVIII. And be it further enacted, That at the Time every ſuch Aſſeſſment is made, an Account in the Form in the Schedule (E.) hereunto annexed, ſhall be ſtated, ſhewing the groſs Amount of the Sums for which it is made; and alſo the Rate at which it is to be levied upon the valued Rent of Land and upon the Rents of Houſes, in the Manner directed by this Act, which Account ſhall be ſigned by the Clerk of Supply, and by the Præſes of the Meeting of the Commiſſioners of Supply at which ſuch Aſſeſſment is made, and the ſame ſhall be tranſmitted to the Collector of the Ceſs as his Authority for levying ſuch Aſſeſſment; and ſuch Account ſo authenticated, ſhall, if required, be ſhewn by ſuch Collector to every Perſon paying his Proportion of ſuch Aſſeſſment.

To compel Aſſeſſment to be made.

XXIX. And be it further enacted, That in caſe any Commiſſioners of Supply ſhall omit, neglect, or refuſe to make any ſuch Aſſeſſment, according to the Directions of this Act, then the Clerk of Supply of ſuch County, Stewartry, City, or Place ſhall and he is hereby required, within Fourteen Days after the Meeting at which ſuch Aſſeſſment ought to have been made, to certify to His Majeſty's Attorney in Exchequer in *Scotland*, ſuch Neglect, Omiſſion, or Refuſal of ſuch Commiſſioners, and the Names of ſuch Commiſſioners, who ſhall be preſent at ſuch Meeting; and His Majeſty's Attorney in Exchequer is hereby required, on Receipt of ſuch Certificate, forthwith to proceed by all ſuch legal Means as ſhall be moſt effectual and expeditious to compel ſuch Commiſſioners to pay due Obedience to this Act, and to cauſe ſuch Aſſeſſment to be made, and the Money raiſed, collected, and paid.

How Aſſeſſments ſhall be levied in Edinburgh and Glaſgow.

XXX. Provided always, and be it enacted, That in the Cities of *Edinburgh* and *Glaſgow*, the Magiſtrates thereof ſhall and they are hereby authorized to levy from the Heritors, Burgeſſes, and Inhabitants

of such City, their Proportion of the Assessment to be made pursuant to this Act, to raise the Sum necessary to afford the Relief hereby provided to the Families of the Militia serving for the said Cities, in such Manner and in the same Proportions as the Cess Stent and other public Burdens and Contributions are in Use by Law to be assessed and levied in the said Cities.

In those Cities Certificates, &c. shall be transmitted to Town Clerks.

XXXI. Provided always, and be it further enacted, That in the Two Cities aforesaid, all Certificates of Inability shall be transmitted from the Parishes within the same to the Town Clerk of the said Cities respectively, who shall and he is hereby required to do all Matters and Things directed by this Act to be done by the Clerk to the Commissioners of Supply in any County or Stewartry.

Adjutant to make Monthly Returns of Vacancies.

XXXII. 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 that the Militia to which he shall belong shall remain embodied and in actual Service, return to the respective Clerks of Supply of the County, Stewartry 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 Causes of Vacancy, that shall have occurred among the private Militia Men serving for the several and respective Subdivisions of the County, Stewartry, 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 balloted Man, Substitute, hired Man, or Volunteer, and the Parish or Place for which he was serving; and such respective Clerks of the Commissioners of Supply shall within Six Days after the Receipt of such Return, transmit proper Extracts of so much thereof as relates to Militia Men whose Families reside within their own County, Stewartry, City, or Place, to the Kirk Treasurers, or the Ministers and Kirk Sessions of the respective Parishes or Places therein, and proper Extracts of the Remainder of such Returns to the Clerks of Supply of the other Counties or Stewartries in which the Families of any such Militia Men receiving an Allowance under this Act, shall be then residing, and such Clerks of Supply of such other Counties or Stewartries shall, within Six Days after the Receipt of the same, transmit proper Extracts thereof to the Kirk Treasurers, or the Ministers and Kirk Sessions of the respective Parishes within their Counties or Stewartries, in which the Families of any such Militia Men receiving an Allowance under this Act shall be then residing.

Allowance for Trouble to Kirk Treasurer.

XXXIII. And be it further enacted, That it shall and may be lawful for the Commissioners of Supply of any County or Stewartry, assembled at the annual Meeting at which they meet to assess the Land Tax, and they are hereby empowered to grant such Allowance to such Treasurer of the Kirk Session as they shall think sufficient for his Trouble in paying and keeping the Accounts of such Disbursements, and such Commissioners of Supply shall be and they are hereby further empowered to allow a Sum equal to what shall appear to them to be the necessary Expences incurred by such

Treaſurer of the Kirk Seſſion, or by the Miniſter and Kirk Seſſion, in diſcharging the Duties hereby required of him or them, which Allowances ſhall be paid by the Collector of the County or Stewartry upon the Order of ſuch Commiſſioners, who ſhall include the Sum ſpecified therein in the Amount of the Aſſeſſment directed to be made purſuant to this Act: Provided always, that no ſuch Allowance ſhall be granted to any ſuch Treaſurer, or Miniſter, or Kirk Seſſion, who ſhall fail or omit to ſettle their Accounts in the Manner directed by this Act.

Allowances to Collectors and Clerks of Supply.

XXXIV. And be it further enacted, That it ſhall and may be lawful for the Commiſſioners of Supply of any County or Stewartry aſſembled at ſuch annual Meeting as aforeſaid, and they are hereby empowered to grant an Allowance to the Collector of the Ceſs and to the Clerk of Supply of their County or Stewartry for their Trouble in doing and performing the various Matters and Things required by this Act to be done and performed by ſuch Collector of the Ceſs and Clerk of Supply, not exceeding the Sum of Twenty Pounds *per Annum* to any Collector of the Ceſs, and Thirty Pounds *per Annum* to any Clerk of Supply; and every ſuch Allowance ſhall be ſatisfied and paid upon the Order of ſuch Commiſſioners by being included in the firſt Aſſeſſment made under this Act after ſuch Order ſhall have been made; and the Collector of the Ceſs levying ſuch Aſſeſſment ſhall account for and pay ſuch Allowance to the Clerk of Supply as he ſhall be entitled to by ſuch Order.

No Collector to take Credit for Sums remitted, unleſs he produces Vouchers.

XXXV. And be it further enacted, That no Sums paid or remitted by any Collector purſuant to this Act, ſhall be allowed in his Accounts with the Receiver General of *Scotland*, unleſs he ſhall produce, as the Vouchers thereof, the original Certificates of Inability, directed by this Act to be tranſmitted to him by the Clerk of Supply, of his County, Stewartry, City, or Place, and the Receipts tranſmitted or delivered to him by the Kirk Treaſurers or Miniſters and Kirk Seſſions, purſuant to this Act, and alſo the Accounts, annually ſettled in Manner herein directed, with the Vouchers thereof.

Account of Money remitted and levied to be tranſmitted by Collector to Exchequer.

XXXVI. And be it enacted, That each Collector of the Land Tax, remitting and paying Money as directed by this Act, ſhall on or before the Fifteenth Day of *April* in every Year, tranſmit to the Lord Chief Baron and other Barons of His Majeſty's Exchequer in *Scotland*, an Account, with the Vouchers, of all the Money ſo remitted and paid by him previous to the firſt Day of *January* preceding, and of all the Money levied by him purſuant to any Aſſeſſment made in Terms of this Act or otherwiſe received purſuant to this Act, previous to the Date of ſuch Account; and any Collector of the Land Tax failing or neglecting to tranſmit ſuch Account in the Manner herein directed, ſhall forfeit and pay a Sum not exceeding Twenty Pounds Sterling, to be recovered upon the Application of His Majeſty's Advocate to the ſaid Lord Chief Baron and Barons aforeſaid, beſides being otherwiſe reſponſible for ſuch Default as accords of Law.

Accounts to be tranſmitted by Clerk of Supply to Exchequer.

XXXVII. And be it enacted, That the Clerk of Supply of every County, Stewartry, City, or Place, ſhall and is hereby required, within Fourteen Days after the annual Meeting of the Commiſſioners of Supply, at which they

they assemble to assess the Land Tax, to transmit to His Majesty's Attorney in Exchequer a Copy of the Account made up by him in the Month of *March* preceding, as directed by this Act, and shall at the same Time certify to His Majesty's said Attorney in Exchequer, whether an Assessment has been made therefore pursuant to this Act, and shall further certify to such Attorney in Exchequer the gross Amount of all the Allowances made to the Families of Militia Men residing within his County, Stewartry, City, or Place, pursuant to this Act, previous to the First Day of *January* preceding; and any Clerk of Supply failing or neglecting to transmit such Account, or to certify to His Majesty's Attorney in Exchequer in the Manner hereby directed, shall forfeit and pay any Sum not exceeding Ten Pounds, to be recovered in the same Manner as any Penalty against any Collector of the Cess may be recovered.

Accounts transmitted to Exchequer to be examined.

XXXVIII. And be it further enacted, That such Accounts and Vouchers so transmitted by the Collectors of the Cess and Clerks of Supply to the Court of Exchequer shall, as soon as conveniently may be after the Receipt thereof, be examined by His Majesty's Remembrancer in Exchequer, who shall report to the Lord Chief Baron and other Barons of the Exchequer, whether the Directions of this Act have been complied with, and whether it appears that the Assessments have been made and levied which ought to have been made and levied in Terms of this Act, and whether such Collectors have rendered due Accounts, with proper Vouchers thereof, and have accounted for every Sum of Money which ought to have come to their Hands pursuant to this Act; and the Lord Chief Baron and other Barons aforesaid shall make such Order, and give such Directions as shall appear to them necessary and proper to be made and given thereupon.

Barons of Exchequer may direct the Collectors of Cess to recover from each other.

XXXIX. And be it enacted, That it shall and may be lawful for the Lord Chief Baron and other Barons of the Court of Exchequer in *Scotland*, and they are hereby empowered, if they shall think proper, to order and direct the respective Collectors of the Cess of the Counties, Stewartries, Cities, or Places in which Allowances shall appear to have been paid for Families residing therein of Militia Men serving for other Counties, Stewartries, Cities, or Places, to recover from the respective Collectors of the Cess of such other Counties, Stewartries, Cities, or Places such Sums of Money as shall appear to have been paid for Families of Militia Men serving for such other Counties, Stewartries, Cities, or Places as aforesaid.

Accounts under former Act to be transmitted before the 1st of Jan. 1810.

XL. And be it enacted, That on or before the First Day of *January* in the Year One thousand eight hundred and ten, all Accounts of Monies remitted or paid in Manner directed by the said recited Act, passed in the Forty third Year of the Reign of His present Majesty, signed in the Manner thereby provided, shall be transmitted in the Manner thereby directed; and if any Collector of the Cess shall fail to transmit such Accounts on or before the said First Day of *January*, in the Year One thousand eight hundred and ten, in the Manner directed by the said Act, such Collector shall not be entitled to take Credit in his Accounts with the Receiver General in *Scotland* for any such Sum so remitted or paid by him; and

such Collector shall not be entitled to demand or receive from the Collector of any other County, Stewartry, City, or Place, the Amount of Allowances paid or remitted by such Collector, for Families of Militia Men serving for such other County, Stewartry, City, or Place.

Orders and Certificates to accompany Accounts.

XLI. And be it enacted, That every Collector shall transmit the original Orders and Certificates entitling the Persons to receive the Allowances for which any Monies specified in such Account shall have been remitted or paid pursuant to the said recited Act, by any such Collector, along with such Accounts; and also the Receipts of the Persons who shall have received such Allowances.

General Account to be made up.

XLII. And be it enacted, That on or before the Fifteenth Day of *February* in the Year One thousand eight hundred and ten, an Account shall be made up by the Clerk of Supply, and the Collector of the Cess of every County, Stewartry, City or Place, stating the Allowances paid by such Collector or by any other Collector of the Cess, in Terms of the said recited Act, passed in the Forty-third Year of His present Majesty's Reign aforesaid, to the Families of Militia Men serving for such County, Stewartry, City or Place, whether such Families were residing in such County, Stewartry, City or Place, or in any other County, Stewartry, City or Place, and also stating the Amount of the Assessments and Sums levied in virtue thereof in such County, Stewartry, City or Place.

Assessment to be made.

XLIII. And be it enacted, That such Accounts and Vouchers may be examined by a Committee of the Commissioners of Supply respectively of every County, Stewartry, City or Place, and shall be laid before the Commissioners of Supply at the First Meeting held after the said Fifteenth Day of *February* in the Year One thousand eight hundred and ten, for assessing the Land Tax, and an Assessment shall then be made in the Manner directed by this Act, for the Amount of the Sums for which it shall appear from such Accounts and Vouchers that an Assessment, if any, ought to be made, in Terms of the said recited Act.

Excess of Assessment upon such Account.

XLIV. And be it further enacted, That if upon the Settlement of any such Account it shall appear that Assessments shall have been made in any County, Stewartry, City, or Place, to an Amount beyond the Allowances paid to Wives and Families of Militia Men serving for such County, Stewartry, City, or Place, then such Excess of Assessment shall be deducted from the Amount of the First Assessment to be made under this Act.

Saving of Part of 43 G. 3. c. 89.

XLV. And be it enacted, That so much of the said recited Act as relates to the Qualification and Appointment of Deputy Lieutenants in the Counties of *Bute* and *Sutherland*, and also so much of the said Act as prevents a Substitute from being received for any ballotted Man in the Militia of *Scotland*, which Substitute shall have more than Two lawful Children at the Time he shall be produced to be enrolled, shall not be repealed, but such Act, so far as regards the same, shall remain in force in the same Manner as if this Act had not been made: Provided always, that no Allowance under this Act shall be ordered to be

paid to the Family of any Subſtitute, hired Man, or Volunteer to be enrolled after the paſſing of this Act, who ſhall at the Time of his Enrolment have more than Two lawful Children, or who ſhall have fraudulently repreſented and declared that he had no Wife at the Time of his Enrolment, or who ſhall have fraudulently and falſely repreſented and declared at the Time of ſuch Enrolment, that he had not more than Two lawful Children.

XLVI. 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 this Seſſion.

SCHEDULES to which this Act refers.

Schedule (A).

DECLARATION to be made and ſigned by a Militia Man, having a Wife or Family in a State of Indigence.

1. Where the Wife is living.

I *A.B.* a Militia Man ſerving in [*ſpecify* the Corps] do declare, That *C. D.* is my lawful Wife, and has been ſo ſince the Day of , and that I have by the ſaid *C. D.* [One, Two, *or*, more Children, as the Caſe may be] under the Age of Ten Years [*ſpecifying* the Name and Age of each Child] and that the ſaid *C. D.* reſides (with ſuch Child or Children) in the Pariſh of [*Name of Pariſh*] and is unable to ſupport herſelf [and ſuch Child or Children] by reaſon that [*ſtate the Reaſon*]; and if a Subſtitute, that I had not more than Two lawful Children born in Wedlock at the Time I was produced to be enrolled: And theſe Things I the ſaid *A. B.* do ſolemnly aver and declare to be true.

Dated this Day of

A. B.

2. Where the Wife is dead leaving a Child or Children.

I *A.B.* a Militia Man ſerving in [*ſpecify* the Corps] do declare, That *C. D.* deceaſed, lately reſiding [*ſpecify* where] was my lawful Wife, and that we were married Perſons ſince the Day of and that I have by the ſaid *C.D.* [One, Two, *or* more Children under the Age of Ten Years, *ſpecifying* the Name and Age of each Child] and that ſuch Child or Children reſide with [*ſpecify* with whom they reſide] at [*ſpecify* the Place] and that ſuch Child or Children are unable to ſupport themſelves by reaſon that [*ſtate* the Reaſon]; and if a Subſtitute, that I had not more than Two lawful Children born in Wedlock at the Time I was produced to be enrolled: And theſe Things I the ſaid *A. B.* do ſolemnly aver and declare to be true.

Dated this Day of

A. B.

Schedule (B).

CERTIFICATE by Commanding Officer.

1. Where the Militia Man is not a Subſtitute, hired Man, or Volunteer, or being a Subſtitute, hired Man, or Volunteer, was married previous to the Time at which he was called out to actual Service.

I *E. F.* commanding the [*ſpecify* the Regiment] do certify, That upon the Day of *A. B.* a Militia Man ſerving in the ſaid Regiment for the Pariſh of in the County or Stewartry of [*ſpecify* whether a ballotted Man, or a Subſtitute, hired Man, and if a Subſtitute, for whom ſerving, and for what Pariſh or Place] came before me, and made the Declaration hereunto annexed. Witneſs my Hand this Day of

E. F.

2. Where the Militia Man being a Subſtitute, hired Man, or Volunteer, was married ſubſequent to the Time at which he was called out into actual Service.

I *E. F.* commanding the [*ſpecify* the Regiment] do certify, That upon the Day of *A. B.* a Subſtitute, hired Man, or Volunteer [*as the Caſe may be*] ſerving in the ſaid Regiment for the Pariſh of in the County [*or*, Stewartry] of was married upon the Day of with the Conſent of [*ſpecify* Name] then commanding Officer of the ſaid Regiment (certified under the Hand of the ſaid Commanding Officer previous to the Marriage) to [*ſpecify* the Name of the Wife, and the Pariſh or Place where ſhe now reſides]: And I further certify, That the ſaid *A. B.* came before me, and made the Declaration hereunto annexed. Witneſs my Hand this Day of *E. F.*

Schedule (C.)

CERTIFICATE by the Miniſter, Kirk Seſſion, Commiſſioners of Supply, or other Perſon.

WE *A. B.* Miniſter of the Pariſh of and *C. D. E. F.* and *G. H.* Members of the Kirk Seſſion thereof, do hereby certify, That in conſequence of a Declaration and Certificate tranſmitted to the ſaid Miniſter, purſuant to an Act paſſed in the Forty-ninth Year of the Reign of His preſent Majeſty, intituled, [*Here inſert the Title of this Act*] We did enquire into the Situation of [*mention* Wife or Children] and found her [*or*, them] to be unable to maintain herſelf [*or*, themſelves] by Reaſon [*ſtate the Reaſon*] and we alſo enquired whether the Wife had departed from her Home or Place of Reſidence ſpecified in the ſaid Declaration, and found that ſhe had not done ſo, (or that ſhe had done ſo with the Permiſſion and upon a Certificate thereof, in the Manner provided by the ſaid Act) and we reported theſe Things to [*mention* Name of Juſtice, Heritor, Perſon or Magiſtrate] of which he alſo ſatisfied himſelf. In Witneſs whereof the ſaid [Juſtice, Heritor, Perſon, *or* Magiſtrate] has with us ſet his Hand hereto this Day of

Where the Wife or Children ſhall be enabled to maintain themſelves with a ſmaller Allowance than the full Rate, then after the Reaſon of Inability theſe Words will follow;—"But we found that upon receiving an Allowance of per Week, ſuch Wife or Children will be able to maintain themſelves."

Schedule (D.)

ORDER to be made by a Juſtice of the Peace for Payment of Allowances.

I *A. B.* One of His Majeſty's Juſtices of the Peace for the County [*or*, Stewartry] of in conſequence of a Certificate produced to me, of which a Copy is annexed, do hereby order [*mention* Name of Kirk Treaſurer or Miniſter, and Kirk Seſſion] of the Pariſh of [*mention* Pariſh] to pay to the therein named [*mention* Name of Wife or Children] a Weekly Allowance of to the ſaid Wife) and for each of the ſaid (Children.) For which this Order ſhall be a ſufficient Authority. Witneſs my Hand at this Day of

E. F.

Schedule (E).

AN ACCOUNT ſhewing the Amount and Rate of Aſſeſſments made this Day of purſuant to Act Forty-ninth George III. Cap.

	£.	s.	d.
1. For the Amount of Allowances paid to Families reſiding in this County or Stewartry of Militia Men ſerving for this County or Stewartry - -			
2. For the Amount of Allowances paid in other Counties or Stewartries [viz. *ſpecify* the Counties] to Families therein reſiding of Militia Men ſerving for this County or Stewartry - - - -			
3. For the Amount of Allowances for Trouble and Charges in Terms of the Act - -			
1. To Officers, ſpecifying to whom			
2. Charges incurred by them - -			
£.			

1. Amount of valued Rent within the County [*or* Stewartry] - - - £.	
2. Amount of Rents of Houſes - £.	
Rate of Aſſeſſment: on each £.100. of valued Rent - - - in the Pound of Rent or Yearly Value of Houſes, according to the lateſt Aſſeſſment for the Houſe Tax - - -	
£.	

Schedule (F.)

REGISTER of Substitutes, Hired Men, and Volunteers, belonging to the Regiment of [*describe the Regiment*] married with the Consent of the Colonel or Commanding Officer.

Name of Substitute, &c.	For what Parish serving	Name of Woman.	Where then residing.	Date of Certificate.	Commanding Officer by whom granted.	Date of Marriage.

Schedule (G.)

REGISTER of Declarations made by Militia Men serving in the Regiment [*describe the Regiment*] and of Certificates granted by the Commanding Officer, to enable their Wives and Families to receive the Allowances granted by Act 49 Geo. III. Cap.

Name of Declarant.	Parish for which serving.	Name of Wife.	Name of their Child or Children under 10 Years.	Where residing.	Date of Certificate.	To whom transmitted.	When transmitte

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