ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

CAP. CLII.

An Act to repeal an Act, passed in the Forty-ninth Year of His present Majesty, intituled *An Act for better regulating the Office of Agent General for Volunteers and Local Militia*, and for the more effectually regulating the said Office. [28th *July* 1812.]

WHEREAS the Regulations by Law established in the different Offices for the issuing and Payment of Public Monies required for Army and Navy Services, have been found beneficial: And whereas the Act now in force for regulating the Office of Agent General for Volunteers and Local Militia requires Amendment, and it is expedient that many of the Provisions contained in the said Act, relating to the same, should be repealed, and others of them continued and amended, and that new Provisions should be made; and it is necessary, for the Purposes aforesaid, that the said Act should be repealed; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this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 Forty-ninth Year of His present Majesty, intituled *An Act for better regulating the Office of Agent General for Volunteers and Local Militia*, shall be and the same is hereby repealed. 49 G. 3. c. 113. repealed.

II. And be it further enacted, That the said Agent General for Volunteers and Local Militia shall be and is hereby authorized and empowered to apply 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 Agent General to apply for Money for the different Services.

the Monies required for ſuch Services have hitherto been applied for, through the Secretary at War and the Paymaſter General of His Majeſty's Land Forces,

The Secretary at War to authorize the Iſſue of Sums for ſuch Services, which Money ſhall be paid into the Bank.

III. And be it further enacted, That the Secretary at War for the Time being ſhall approve of and authorize the Iſſues of ſuch Sums for the ſaid Services as he may deem proper, by Warrants addreſſed to the Paymaſter General of His Majeſty's Land Forces; in which Warrants the Secretary at War ſhall ſpecify for what particular Service or Services the ſaid Money is wanted; and the ſaid Paymaſter General 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, ſpecifying in every ſuch Memorial the Sum required, and for what particular Service or Services; and the Commiſſioners of His Majeſty's Treaſury for the Time being, or any Three or more of them, 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 Paymaſter General of His Majeſty's Forces, naming ſuch Paymaſter General for the Time being, the Sum ſpecified in ſuch Letter upon the unſatisfied Order at the Exchequer in favour of the ſaid Paymaſter 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 iſſued from the Exchequer to the Governor and Company of the Bank of *England*, and not to the Paymaſter General of His Majeſty's Forces, and ſhall be placed to the Account in the Books of the ſaid Governor and Company, intituled *The Account of the Paymaſter General of His Majeſty's Land Forces*, inſerting the Name of ſuch Paymaſter General for the Time being; and the ſaid Paymaſter General of His Majeſty's Forces for the Time being ſhall and is hereby required to write off or tranſfer all ſuch Sums as ſhall be ſo placed to his Account as aforeſaid to the Account in the Books of the Governor and Company of the Bank of England, intituled *The Account of the Agent General for Volunteers, Local Militia, and Militia and Defence Acts*, which Account the ſaid Governor and Company of the Bank of *England* are hereby required to open; in which Tranſfer and Account ſhall be inſerted the Name of ſuch Agent General for the Time being; for which Sums ſo written off or tranſferred the Receipt of the Caſhier or Caſhiers of the ſaid Governor and Company ſhall be a ſufficient Diſcharge in the Accounts of the ſaid Paymaſter General of His Majeſty's Land Forces.

The uſual Fees to be paid.

IV. 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 has been uſually paid upon Impreſts and Accounts hitherto made, according to the Form or Cuſtom of tranſacting Buſineſs between the Exchequer Pay Office and Bank ſeverally.

Bills drawn to be accepted payable at the Bank.

V. 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 Bills of Exchange 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

and every such Bill shall specify the particular Head of Service to which the Sum therein mentioned is to be applied; and no Bill so accepted shall be deemed a sufficient Voucher to the said Governor and Company, unless the Service for which it is drawn shall be 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 said Account is opened, and in pursuance of Bills of Exchange 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 which 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 Bills, or to their Order or Orders, according to the usual Course in respect of Bills of Exchange. The Service for which the Bills are drawn to be specified thereon.

VI. 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 shall not draw any Draft or Check upon the Bank of *England*, unless he shall have been so authorized; and no Draft or Check whatever shall be deemed a sufficient Voucher to the said Governor and Company, unless they shall also receive a Letter from the Secretary at War, desiring that the same may be paid. Secretary at War may empower the Agent General to draw on the Bank for Payment of Salaries.

VII. And be it further enacted, That Accounts shall be kept by the Bank of *England* of all Monies issued or directed to be paid through the said Agent General for the Time being 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. Agent General to keep Accounts with the Bank.

VIII. 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 for such Services is herein directed to be issued, paid, and applied under the Directions of the Secretary at War. Money received for Public Services to be paid into the Bank.

IX. And, in order that the Secretary at War 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 once in every Month, or oftener if required, such Agent The Balances of Public Money shall be stated to the Secretary at War monthly by the Agent General, &c.

General or his Deputy shall state to the Secretary at War 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 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, Balance shall vest in his Successor.

X. And be it further enacted, That upon the Death, Resignation, or Removal of any Agent General for Volunteers and Local Militia, the Balance of Cash which shall at that Time remain at the Credit of 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 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; and all outstanding Bills which may have been accepted by such preceding Agent General or his Deputy, or the Person or Persons duly authorized as aforesaid, shall be paid from the said Accounts by the said Governor and Company of the Bank of *England*, notwithstanding the Death, Resignation, or Removal of such Agent General: Provided always, that such succeeding Agent General shall not be held accountable for any Sum or Sums of Money which may be issued upon such outstanding Bills, notwithstanding the Payment of the same may take place after the Date of his Appointment, but the Agent General so dying or going out of Office, his Heirs and Executors, shall be charged with the total Amount of all such outstanding Bills so accepted by him or his Deputy, or the Person or Persons duly authorized as aforesaid, and which may have been or shall be so paid by any succeeding Agent General; and all Bills, Drafts, or Orders, so paid by the said Governor and Company of the Bank of *England* for such Acceptances as aforesaid, shall be delivered by such Agent General so going out of Office, or by the Heirs, Executors, or Administrators of any Agent General dying, as his or their own proper Vouchers, and shall be delivered by him or them to the Commissioners for auditing the Public Accounts.

Succeeding Agent General to accept Bills for unsatisfied Charges, and pay outstanding Bills;

but not to be charged with Bills accepted by his Predecessor.

Vouchers to be delivered to the Auditors.

Mode of making up Accounts and transferring Balance, on the Death or Removal of the Agent General, within the Year.

XI. And be it further enacted, That in the Event of the Death, Resignation, or Removal of any Agent General within the Year, the Accounts shall be so made up as to include and distinguish the actual Payments made on the Bills accepted by each Agent General, or by his Deputy or Deputies, or the Person or Persons duly authorized by them or either of them respectively within the Year, and to specify and distinguish the respective Balances (if any) remaining on the Death, Resignation, or Removal of any Agent General, on his several Accounts as aforesaid, and transferred over to the succeeding Agent General, so as to enable the Commissioners for auditing the Public Accounts to distinguish each Account, and to examine and declare the Accounts of any Agent General so dying or going out of Office, as a separate and distinct Account; and the Transfer of such Balances to any succeeding Agent General shall be a sufficient Discharge to the Heirs, Executors, or Administrators of any Agent General

ſo dying or going out of Office, for the Amount of ſuch Balances, and a Quietus and full Acquittance ſhall be given to the Heirs, Executors, or Adminiſtrators of any Agent General ſo dying, or to the Agent General, or his Heirs, Executors, or Adminiſtrators ſo going out of Office, for his Account or Accounts as aforeſaid, when and as ſoon as the ſame ſhall have been examined and declared; and the ſucceeding Agent General ſhall become charged with the Balances ſo transferred as aforeſaid.

Agent General to tranſmit Monthly Accounts of Receipts and Payments to the Secretary at War, who ſhall certify and return them if correct.

XII. And be it further enacted, That the ſaid Agent General for the Time being ſhall tranſmit to the Secretary at War, Monthly Accounts of all his Receipts and Payments applicable to each ſeparate Head of Service, and alſo a ſeparate and correct Liſt of all the Payments made by him within the Month; and ſhall ſpecify the Authorities under which the the ſame were made; and that the Secretary at War ſhall cauſe ſuch Accounts and Liſts of Payments to be checked by the Books of his Department; and if the ſame ſhall be found correct, ſhall return ſuch Liſts certified accordingly, ſpecifying in each Certificate the Amount authorized to be paid by ſuch Agent General.

Agent General to make up annual Accounts.

Mode of making them up.

XIII. And be it further enacted, That the Agent General for Volunteers and Local Militia ſhall make up Annual Accounts ending on the Twenty-fourth Day of *December* in each Year, applicable to each ſeparate Head of Service, of all Monies received and Payments made by him, within the Period of the ſaid Accounts reſpectively; in which Accounts the ſaid Agent General ſhall charge himſelf with the Balance actually transferred to his Account at the Bank of *England*, from the Account of the preceding Agent General, or with the Balance brought forward from his Account for the Year preceding (as the Caſe may be) and alſo with all Sums carried to his Account at the Bank within the Period of the Account; and the ſaid Agent General ſhall ſtate, on the Credit Side of ſuch Account, the Amount of each of his Monthly Liſts of Payments, which ſhall have been duly certified by the Secretary at War.

Mode of tranſmitting General and ſeparate Accounts to the Auditors, and giving Acquittances upon ſuch Accounts.

XIV. And be it further enacted, That the general Annual Accounts of the Agent General for the Time being, ſo made up as aforeſaid, together with the ſeparate Monthly Liſts of Payments certified by the Secretary at War, with the proper Vouchers for the actual Payment of the Sums therein contained, ſhall, within Three Months after the Twenty-fourth Day of *December* in each Year, be tranſmitted 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 ſame, and ſhall diſcharge the ſaid Agent General of all Sums paid in purſuance of the Authority of the Secretary at War; and the ſaid Commiſſioners ſhall, after ſuch Examination, preſent or cauſe to be preſented to the proper Office for Declaration, the ſaid Accounts as aforeſaid, ſpecifying the Amount diſcharged by proper Vouchers, and the Amount with which the Agent General is to remain charged for the ſucceeding Year, on account of Balances (if any) remaining on ſuch Accounts as aforeſaid; and when ſuch Accounts ſo diſcharged as aforeſaid ſhall be declared, a Quietus or Acquittance, in the uſual Form, ſhall be made out to the Agent General, his Heirs, Executors, and Adminiſtrators, for ſuch Account ſo declared as aforeſaid.

 XV. And

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

XV. 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 contained 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.

XVI. 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 Person or Persons duly authorized as aforesaid, to any Bill of Exchange, Acceptance, Draft, or Instrument in 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 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 Bill of Exchange, Acceptance, 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 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 case of Felony without Benefit of Clergy.

Bills for Pay and Allowances, or Orders for remitting Money on account of Local Militia, &c. to be drawn on unstamped Paper.

XVII. And be it further enacted, That all Bills, Drafts, and Orders drawn upon the said Agent General on account of the Pay or Allowances of the Militia or Local Militia, or of any Yeomanry or Volunteer Corps, or of any Staff Officers, or which may be drawn by any Clerks of Subdivision, or any Persons under the Directions of the Secretary at War, for the Payment of Bounties or any other Public Service whatever, and also all Bills, Drafts, or Orders by which any Balances, Fines, Penalties, Bounties, or any other Sums of Money whatsoever are remitted to the Bank of *England*, or the said Agent General for Public Services, may and shall be drawn upon unstamped Paper; and no such Bill, Draft, or Order shall be void by reason of being so drawn or written upon unstamped Paper; any Thing in any Act or Acts of Parliament to the contrary notwithstanding.

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