

ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

CAP. CLI.

An Act to repeal an Act passed in the Fifty-second Year of His present Majesty for better regulating the Office of Agent General for Volunteers and Local Militia, and for the more effectually regulating the said Office; and to make further Provisions for the Regulation of the Office of Agent General. [28th *July* 1814.]

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Local Militia requires Amendment; and it is expedient that some of the Provisions contained in the said Act should be repealed, and others of them continued and amended, and that new Provisions should be made; and it is necessary for the Purposes aforesaid that the said Act should be repealed; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this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 Fifty-second Year of His present Majesty, intituled *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and Local Militia,' and for the more effectually regulating the said Office*, shall be and the same is hereby repealed. 52 G. 3. c. 158. repealed.

Agent General to apply for Money for the Militia, &c.

II. And be it further enacted, That the ſaid Agent General ſhall be, and is hereby authorized and empowered to apply for Money for the Militia when diſembodied, the Local Militia and Volunteers, or any other Service or Services to which he may have been or ſhall be authorized by the Secretary at War to act as Agent General, in the ſame Manner as 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.

Secretary at War to authorize the Iſſues by Warrants addreſſed to the Paymaſter General, who ſhall apply to the Treaſury.

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 the "Diſembodied Militia, Local Militia, Volunteers, 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 ſaid Agent General ſhall be a ſufficient Diſcharge in the Accounts of the ſaid Paymaſter General of His Majeſty's Land Forces.

Accounts to be opened at the Bank.

Cuſtomary Fees only allowed.

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.

V. And

V. And be it further enacted, That it shall be lawful for the Agent General for the Disembodied Militia, Local Militia, Volunteers, and Militia and Defence Acts 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 Disembodied Militia, Volunteers, or Local Militia, or other Persons duly authorized by the Secretary at War, payable at the Bank of *England*, 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 Money 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.

Agent General empowered to accept Bills authorized by the Secretary at War.

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 the Petty Accounts of the said Office, 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 have received a Letter from the Secretary at War desiring that the same may be paid; and the said Agent General is hereby required to render an annual Account of all Sums so drawn out of the Bank for the Payment of such Salaries and Expences of his Office, with the proper Vouchers for the actual Payment of the same to the Secretary at War, who shall cause the said Accounts to be examined, and when found correct shall duly pass the same.

Agent General to draw on the Bank for Payment of Salaries and Allowances to Persons in his Office.

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.

Bank to keep an Account.

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;

Agent General to pay the Money received by him into the Bank.

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.

A Monthly Statement of the Balance to be delivered to the Secretary at War.

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 said Agent General, and thereby be enabled to judge of the Necessity and Propriety of further Issues; and to 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 General or his Deputy, shall state to the Secretary at War, the Sum Total of the Public Money on Account of the said 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 Resignation of Agent General, Balance of Cash to vest in his Successor, who shall accept Bills for unsatisfied Demands, &c.

X. And be it further enacted, That upon the Death, Resignation, or Removal of any Agent General for Disembodied Militia, Local Militia, Volunteers, and Militia and Defence Acts, 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.

The Accounts of Agent General to be kept

XI. And be it further enacted, That in the Event of the Death, Resignation, or Removal of any such 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.

Separate from his Predeceſſor's.

XII. And be it further enacted, That the ſaid Agent General for the Time being ſhall tranſmit to the Secretary at War, Monthly Accounts applicable to each ſeparate Head of Service, of all his Receipts and Payments, (that is to ſay) of all Sums received by him and placed to his Account, with the Governor and Company of the Bank of *England* on the one Hand, and of all Sums paid therefrom on the other, whether by Bills of Exchange accepted by the ſaid Agent General or by Drafts drawn by him; and alſo a ſeparate and correct Liſt of all the Sums ſo drawn out of the Bank by him as aforeſaid within the Month, and ſhall ſpecify the Authorities under which the ſame were drawn; and that the Secretary at War ſhall cauſe ſuch Accounts and Liſts 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 ſuch Certificate the Amount authorized to be paid or drawn out by ſuch Agent General.

Monthly Accounts to be ſent to Secretary at War.

XIII. And be it further enacted, That the ſaid Agent General 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, whether by Bill or Draft as aforeſaid, 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 own 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 as herein-before mentioned, which ſhall have been duly certified by the Secretary at War.

Annual Accounts to be made out.

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 Sums drawn out of the Bank as herein-before mentioned, certified by the Secretary at War, with the Bills of Exchange and Drafts or Checks actually paid by the Bank of *England*; which

Accounts and Vouchers to be tranſmitted to the Commiſſioners of Public Accounts.

which Bills and Drafts or Checks ſhall be conſidered the proper Vouchers for the Sums contained in the ſaid Liſts, 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 of any ſuch Account, whether the ſame ſhall have been delivered prior to the paſſing of this Act or ſubſequent thereto, to examine or cauſe to be examined the ſame, and to diſcharge the ſaid Agent General of all Sums paid or drawn out of the Bank of *England*, whether by Bills accepted, or by Drafts or Checks drawn by the ſaid Agent General, 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 the ſaid Vouchers, and by the Certificates of the Secretary at War as aforeſaid, 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 ſaid Agent General, his Heirs, Executors, and Adminiſtrators, for ſuch Account ſo declared as aforeſaid.

Books of Account to remain in the Office.

XV. And be it further enacted, That all Books of Accounts, and all Vouchers whatever, kept in the Office of the ſaid Agent General, 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 Accounts 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 to prevent the Tranſmiſſion of the Vouchers in due Time to the Commiſſioners for auditing the Public Accounts.

Puniſhment of Forgery.

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 the 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 ſaid Agent General; 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 authoriſed 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.

XVII. And

XVII. And be it further enacted, That all Bills, Drafts, and Orders, drawn upon the ſaid Agent General, on account of the Public Services for which he is or may be authorized to act as Agent General; and alſo all Bills, Drafts, or Orders, by which anv Sums of Money whatſoever are remitted to the Bank of *England*, or to 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. Bills may be drawn on unſtamped Paper.

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