

ANNO QUINQUAGESIMO OCTAVO

GEORGII III. REGIS.

CAP. XCII.

An Act to conſolidate and amend the Proviſions of ſeveral Acts, paſſed in the Fifty-firſt and Fifty-ſecond Years reſpectively of the Reign of His preſent Majeſty, for enabling Wives and Families of Soldiers to return to their Homes.

[10th *June* 1818.]

WHEREAS an Act paſſed in the Fifty-firſt Year of the Reign of His preſent Majeſty, intituled *An Act for enabling the Wives and Families of Soldiers embarked for Foreign Service, to return to their Homes*: And whereas another Act paſſed in the Fifty-ſecond Year of the Reign of His preſent Majeſty, intituled *An Act to explain, amend, and extend the Proviſions of an Act paſſed in the laſt Seſſion of Parliament, for enabling the Wives and Families of Soldiers to return to their Homes, to the Widows, Wives, and Families of Soldiers dying, or employed on Foreign Service*: And whereas another Act paſſed in the ſaid Fifty-ſecond Year of the Reign of His preſent Majeſty, intituled *An Act for enabling the Wives and Families of Soldiers embarked in* Ireland *for Foreign Service, to return to their Homes*: And whereas many Frauds have been practiſed againſt the Proviſions of

51 G. 3. c. 106.

52 G. 3. c. 120.

52 G. 3. c. 27.

the ſaid Acts, and falſe Certificates uſed to procure the Allowances granted by the ſame; and it is therefore expedient that effectual Proviſion ſhould be made for the Prevention of ſuch Frauds, and that further and more effectual Proviſion ſhould be made for enabling the Wives and Children of Soldiers, embarking from *Great Britain* or *Ireland* for Foreign Service, and the Widows and Children of Soldiers dying in the Service, to return to their Homes; and for that Purpoſe that the ſaid Acts ſhould be conſolidated into One Act, and the Proviſions thereof extended and amended; 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,

Parts of recited Acts repealed.

That the ſaid ſeveral recited Acts ſhall be and the ſame are hereby repealed; ſave and except as to all Caſes of any Offences committed, or Frauds practiſed againſt the ſaid Acts, and as to any Proſecutions for any ſuch Offences or Frauds, and ſave and except as to the paying, reimburſing, or accounting for any Money under any of the Proviſions thereof.

Secretary at War may iſſue Paſſes, to be filled up by Magiſtrates.

II. And be it further enacted, That it ſhall be lawful for the Secretary at War in *Great Britain*, or the Chief Secretary, or in his Abſence the Under Secretary for the Military Department in *Ireland*, to iſſue Paſſes to be filled up by any Magiſtrates or Juſtices of the Peace under the Proviſions of this Act, for granting Allowances to enable the Wives and Widows and Children of Soldiers deſirous of returning to their own Homes, in certain Caſes ſpecified in this Act, and in any other Caſes in which the Secretary at War in *Great Britain*, or the ſaid Chief Secretary or Under Secretary in *Ireland*, ſhall think, under the ſpecial Circumſtances, that it is expedient to give ſuch Allowances; and to make ſuch Rules and Regulations in relation to the iſſuing and filling up ſuch Paſſes, and the Certificates and Vouchers upon which the ſame are to be iſſued and Allowances advanced, as the Secretary at War in *Great Britain*, or the ſaid Chief Secretary or Under Secretary in *Ireland*, ſhall think fit.

Upon Regiments being ordered on Foreign Service, &c. how Women are to be diſpoſed of.

III. And be it further enacted, That the Commanding Officer of every Regiment, Battalion, Corps, or Detachment, about to embark for Foreign Service, and the Commanding Officer of every Regiment, Battalion, Corps, or Detachment, in which any Soldiers ſhall die on Service, leaving any Widows or Children deſtitute of the Means of returning to their reſpective Homes, ſhall cauſe a Return to be made out of the Wives, Widows, and Children of the Soldiers belonging to ſuch Regiment, Battalion, Corps or Detachment, who are deſirous of returning to their Homes, and are unable to do ſo without the Aſſiſtance of the Allowances authorized by this Act, ſtating in ſuch Returns the ſeveral Places of Reſidence to which ſuch Wives, Widows, and Children are deſirous of proceeding, and whether in *Great Britain* or *Ireland* reſpectively; and ſhall give to every ſuch Wife or Widow a Duplicate of ſuch Part of ſuch Return as ſhall apply to each Wife or Widow, and her Child or Children reſpectively, certifying thereon under his Hand, that the Perſon to whom ſuch Duplicate Certificate is given, is the Widow, Wife, or reputed Wife and the Child or Children of a Soldier in his Regiment, Battalion, Corps, or Detachment, and diſtinctly ſtating in the Body of ſuch Duplicate Certificate, that the ſame does not entitle ſuch Wife or Widow, or Child or Children, to any Allowance whatever,

ever, and that no Payment or Allowance whatever ſhall be made thereupon, but that ſuch Duplicate Certificate is only given for the Purpoſe of identifying ſuch Wife or Widow, or Child or Children, before the Magiſtrate or Juſtice, and of enabling him to fill up ſuch Paſs as ſhall be allowed by the Secretary at War in *Great Britain*, or Chief Secretary or Under Secretary in *Ireland*, in that behalf; and every ſuch Commanding Officer ſhall tranſmit all ſuch Returns as aforeſaid, or Duplicate Copies thereof, as relate to any Wives or Widows of Soldiers deſirous of returning to their Homes in *Great Britain*, to the Secretary at War in *London*, and of ſuch as are deſirous of returning to their Homes in *Ireland*, to the Chief Secretary or Under Secretary for the Military Department in *Dublin*; and in every Caſe in which any ſuch Wives, Widows, and Children may have to travel through any Part of *Ireland* to proceed to their Homes in *Great Britain*, or through any Part of *Great Britain* to proceed to their Homes in *Ireland*, every ſuch Officer ſhall tranſmit Duplicates of ſuch Returns both to the Secretary at War in *London* and Chief Secretary or Under Secretary aforeſaid in *Dublin*, or of ſuch Parts thereof as relate to ſuch laſt-mentioned Wives, Widows, and Children as aforeſaid.

Duplicate Paſſes to be taken to Magiſtrates, in order to their being filled up and ſigned.

IV. And be it further enacted, That each Wife or Widow, to whom any ſuch Duplicate ſhall have been delivered as aforeſaid, ſhall forthwith take the ſame to ſome neighbouring Juſtice or Magiſtrate, who ſhall fill up and ſign ſuch an engraved Copper-plate Form of Paſs, bearing His Majeſty's Arms, and ſigned by the Secretary at War, or by an Officer in his Department, and ſealed with his Official Seal in *Great Britain*, or a like Form of Paſs ſigned by the ſaid Chief Secretary or Under Secretary for the Military Department in *Dublin*, or ſome Officer in his Department, and ſealed with his Official Seal if in *Ireland*, as ſhall have been tranſmitted to ſuch Magiſtrate or Juſtice by the Secretary at War or Chief Secretary or Under Secretary aforeſaid reſpectively, or as ſhall be ſo tranſmitted upon Application made by ſuch Magiſtrate or Juſtice of the Peace for the Purpoſes of this Act; and every ſuch Magiſtrate or Juſtice of the Peace ſhall fill up the Blanks in ſuch Paſs, and certify the ſame, and make out a Route in the proper Column for ſuch Wife or Widow and Child or Children (if any) ſpecifying the Place to which ſuch Woman is going, and her Route; and ſhall deliver ſuch Paſs to her in exchange for the Duplicate Certificate of the Commanding Officer aforeſaid, in order that ſhe may receive ſuch Allowances as are authorized by this Act, not exceeding per Mile One Penny Halfpenny for herſelf, and One Penny for each Child.

Overſeers of the Poor, and Treaſurer of Kirk Seſſion, or Poſtmaſter in Ireland, to make Allowance upon Paſſes.

V. And be it further enacted, That upon Production of ſuch Paſs to any Overſeer of the Poor if in *England*, or any Treaſurer of the Kirk Seſſion if in *Scotland*, or Poſtmaſter if in *Ireland*, of any Place through which ſuch Woman ſhall proceed, according to the Route ſpecified in ſuch Paſs, he ſhall, out of any Money in his Hands applicable to the Relief of the Poor, if an Overſeer of the Poor, or Treaſurer of Kirk Seſſion, or out of any Public Money in his Hands if a Poſtmaſter, pay her an Allowance not exceeding the Rate *per* Mile ſpecified in ſuch Paſs as aforeſaid for the Number of Miles to the next City, Town, or Place to which ſhe may be going, not exceeding Eighteen Miles; and he ſhall indorſe on ſuch Paſs the Money ſo paid, and take a Receipt from the Woman, ſigned with her

her Hand or with her Mark, ſpecifying the Regiment, Battalion, Corps, or Detachment to which her Huſband belongs, or if a Widow, did belong, ſo as that the Deſcription on the Receipt may correſpond with the Deſcription in the Paſs ſo produced to him as aforeſaid.

Money ſo advanced to be repaid by Collector of Exciſe.

VI. And be it further enacted, That the Sums ſo advanced by any ſuch Overſeer or Treaſurer of Kirk Seſſion ſhall, upon Production and Delivery of ſuch Receipt to the Collector of Exciſe of the Diſtrict within which ſuch Overſeer or Treaſurer of Kirk Seſſion acts as ſuch, or any Perſon officiating for ſuch Collector, be repaid to ſuch Overſeer or Treaſurer of Kirk Seſſion, for the Uſe of the Fund for the Relief of the Poor, by ſuch Collector of Exciſe or other Perſon, out of any Public Monies in his Hands; and all Sums ſo repaid, and all Sums advanced for ſuch Allowances by any Poſtmaſter or Perſon acting as Poſtmaſter in *Ireland*, ſhall be allowed in their reſpective Accounts; and every ſuch Overſeer or Treaſurer of Kirk Seſſion ſhall give to the Collector of Exciſe, at the Time of ſuch Repayment, a Receipt for the Money ſo repaid; and ſuch Receipt of the Overſeer or Treaſurer of Kirk Seſſion, together with the Receipt of the Woman, ſhall be taken as Caſh in the Payment of the Duties of Exciſe received by ſuch Collector, the Receipt of the Woman for any ſuch Allowance paid by any Poſtmaſter or Perſon acting as Poſtmaſter in *Ireland*, ſhall be taken as Caſh in the Payment of the Poſt Office Duties in *Ireland* received by ſuch Poſtmaſter or Perſon aforeſaid, and allowed in their reſpective Accounts accordingly; and all Sums of Money ſo advanced out of any Duties of Exciſe in *Great Britain*, ſhall be repaid by the General Agent, or by any other Perſon to be appointed for that Purpoſe by the Secretary at War in *London*, to ſuch Perſon or Perſons as ſhall be authorized by the Commiſſioners of Exciſe in *England* or *Scotland* reſpectively to draw for or receive the ſame for or on account of the ſame Duties; and all Sums of Money ſo advanced in *Ireland* ſhall be repaid by the General Agent, or by any other Perſon to be appointed for that Purpoſe by the Chief Secretary, or in his Abſence the Under Secretary for the Military Department in *Ireland*, to the Receiver General of His Majeſty's Poſt Office in *Ireland*.

In Dublin, Application ſhall be made to the Agent of the Regiment.

VII. Provided always, and be it further enacted, That in the City of *Dublin* every ſuch Woman ſhall, in every Inſtance, apply to the Agent of the Regiment (if any) in *Dublin* to which ſhe ſhall belong, and not to the Poſtmaſter or Perſon acting as ſuch, and ſuch Agent ſhall and may pay and advance in any Caſe ſuch Money, and indorſe and ſubſcribe ſuch Certificate as aforeſaid, and ſhall be allowed ſuch Sum ſo paid in his Accounts; and every ſuch Indorſement ſhall be of the ſame Force, Validity, and Effect, to all Intents and Purpoſes, as if the ſame had been done by a Perſon acting as the Poſtmaſter in Manner aforeſaid.

In caſe of Sickneſs, Women entitled to Allowance.

VIII. And be it further enacted, That if, by reaſon of any Sickneſs or Accident, any ſuch Woman or Women, and Child or Children, ſhall have been left at any Place of Embarkation, or at the laſt Quarters of any Regiment, Battalion, or Corps, or Detachment, or at any Place on the March from ſuch laſt Quarters to any Place of Embarkation, and the Regulations and Proviſions of this Act, for giving any ſuch Allowances as aforeſaid, ſhall not have been performed, and any ſuch Woman or

Women, or Child or Children, ſhall have been omitted in any ſuch Return as aforeſaid, then and in every ſuch Caſe it ſhall be lawful for the Officer commanding where ſuch Woman or Women, and Child or Children ſhall have been ſo left, to make out ſuch Return as is preſcribed by this Act, of ſuch Woman or Women, and Child or Children, and to tranſmit the ſame to the War Office in *London* or *Dublin* as aforeſaid, as the Caſe may require, and to give to every ſuch Woman ſuch Duplicate as aforeſaid, and alſo to tranſmit any ſuch further Return as may be neceſſary under any ſpecial Circumſtances of the Caſe, to the Secretary at War in *London*, or Chief Secretary or Under Secretary at *Dublin*, as the Caſe may require; and every ſuch Return and Duplicate reſpectively ſhall be of the ſame Force and Effect in all Reſpects, as if done in Manner and by the Perſon ſpecified in this Act, in relation to Returns and Duplicates as aforeſaid under this Act.

Paſs when to be given up.

IX. And be it further enacted, That every ſuch Soldier's Wife or Widow as aforeſaid ſhall, at the laſt Place of receiving any Allowance under this Act, antecedent to her Arrival at her Home, or at the Port or Place of Embarkation, deliver up the Paſs ſo given to her as aforeſaid, to the Perſon ſo advancing ſuch Allowance, and the Overſeer of the Poor or Treaſurer of the Kirk Seſſion paying ſuch Allowance in *Great Britain*, ſhall deliver ſuch Paſs to the Collector of Exciſe; and every ſuch Paſs ſo delivered up as aforeſaid ſhall, if in *Great Britain*, be tranſmitted by the Collector of Exciſe to the Secretary at War in *London*, and if in *Ireland*, ſhall be tranſmitted by the Poſtmaſter or Poſtmaſter General to the Under Secretary for the Military Department in *Dublin*.

In caſe of being detained by contrary Winds, Overſeers to make proper Allowances.

X. And be it further enacted, That if by contrary Winds, or Want of a Veſſel ready for ſailing, or by the Sickneſs of herſelf or of any of her Children, or by any other reaſonable Cauſe, any ſuch Woman ſhall be detained more than One Night at any Port or Place of Embarkation, or at any Place in her Journey, from the ſigning of the Paſs by a Magiſtrate or Juſtice of the Peace as aforeſaid, to her Arrival at ſuch Port, or at her Home, whether in *Great Britain* or *Ireland*, then and in every ſuch Caſe ſuch Woman ſhall and may apply to any Juſtice of the Peace, who ſhall thereupon examine into the Facts on Oath, and if ſatisfied of the Truth thereof, ſhall give ſuch Woman an Order to receive from the Overſeer of the Poor, or Treaſurer of the Kirk Seſſion, or Perſon then acting as Poſtmaſter, as aforeſaid, as the Caſe may require, if on her Journey, and if at her Port or Place of Embarkation then from the Diſtrict Paymaſter, the Sum of One Shilling a Day for the Maintenance of herſelf, and the Sum of Sixpence a Day for each Child for whom an Allowance is ſpecified in the Paſs, and ſuch Payment ſhall be made to her accordingly, ſo long as ſhe ſhall be ſo unavoidably detained, and no longer; and ſuch Order, with the Receipt of ſuch Woman, and the Certificate of ſome Magiſtrate or Juſtice of the Peace of ſuch Detention, and the Period thereof, ſhall be a ſufficient Voucher for every ſuch Payment, and every ſuch Sum ſo paid, being ſo duly vouched, ſhall be allowed and finally diſcharged in Manner aforeſaid reſpectively.

Wives and Widows of Soldiers to conform to Regulations.

XI. And be it further enacted, That all Wives and Widows of Soldiers having any ſuch Paſſes as aforeſaid, and not complying with the Regulations preſcribed therein and in this Act, ſhall be liable to be treated as Vagrants, and may be paſſed as ſuch to their Homes, either in *England*, *Ireland*, or *Scotland* reſpectively, as the Caſe may be, in like Manner in every reſpect, if no ſuch Paſs had been given.

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