

that Service, such a Number of Officers in the Army or Marines, whether on Full or Half Pay, or of Persons who have had Commissions in any of his Majesty's Forces, or in the Militia, including such Officers as are serving at the Time as Lieutenants in the Regiment, Battalion, or Corps of Militia in which any Company is become vacant, or in any Corps of Provisional Cavalry which may have been embodied, and have retired therefrom, as his Majesty shall approve, although not qualified according to the Laws relating to the Militia; provided that such Officers, in the Army or Marines, or said Provisional Cavalry, shall not be appointed to any higher Rank in the Militia, than they respectively have or have had in his Majesty's other Forces, or in the Militia: Provided always, that nothing herein contained shall enable any Lieutenant or Deputy Lieutenants, to appoint any of the Persons herein described to bear any higher Commission in the Militia than that of Captain.

Full or Half Pay, &c. approved by his Majesty, may be appointed Captains, though not qualified, &c.

V. And be it further enacted, That if within two Months from the Date of his Majesty's Warrant for embodying any Regiment, Battalion, or Corps of Militia in *Great Britain*, a sufficient Number of Officers possessing the Qualification required by Law within the County, Riding, Shire, Stewartry, or Place, to which such Regiment, Battalion, or Corps shall belong, cannot be found to accept Commissions therein, it shall be lawful for the Lieutenants and Deputy Lieutenants respectively, with the Approbation of his Majesty, to appoint Persons possessing any sufficient Estate or Property of the Value required by Law, in any other Part of *England or Wales*, if such Regiment, Battalion, or Corps, shall be Part of the Militia of *England*, or in any other Part of *Scotland*, if such Regiment, Battalion, or Corps, shall be Part of the Militia of *Scotland*.

If Officers possessing Qualifications within the County cannot be found, Persons possessing Qualifications elsewhere may be appointed.

VI. And, for the better Encouragement of Militia Men who may be attached to the Service of the Artillery, be it further enacted, That it shall be lawful for his Majesty, if he shall think fit, to order and direct that any Militia Men who shall be attached to the Service of the Artillery, and shall do Duty as Artillery Men, shall receive increased Pay, not exceeding such and the like Pay during the Time of their serving and doing Duty as Artillery Men as aforesaid, as any of the Men serving in the Royal Corps of Artillery are or may be entitled to; and it shall also be lawful for his Majesty to direct the same to be paid for such Periods, and under and subject to such Regulations and Restrictions, as his Majesty may deem proper and necessary, from Time to Time, to order and direct in relation to any such Increase of Pay as aforesaid.

His Majesty may order increased Pay to Militia Men attached to the Artillery.

“ Continuation of Act, 25 March 1804, § 7.”

C A P. XXXIX.

An Act for appointing Commissioners for distributing the Money stipulated to be paid by the United States of *America*, under the Convention made between his Majesty and the said United States, among the Persons having Claims to Compensation out of such Money.

[22d April 1803.]

WHEREAS by a Convention, made at *London* on the eighth Day of *January* One thousand eight hundred and two, between his Majesty and the United States of *America*, the said United States engaged to pay, and his Majesty consented to accept, for the Use of the Persons described in the sixth Article of the Treaty of Commerce, Amity, and Navigation, concluded at *London* on the fourth Day of *November* One thousand seven hundred and ninety-four, between his Majesty and the said United States, in Satisfaction and Discharge of the Money which the United States might have been liable to pay, in pursuance of the Provisions of the said sixth Article, the Sum of six hundred thousand Pounds Sterling, payable at the City of *Washington* in *America*, in three annual Instalments of two hundred thousand Pounds Sterling each, and to such Person or Persons as should be authorized by his Majesty to receive the same; the first of the said Instalments to be paid at the Expiration of one Year, and the second Instalment at the Expiration of two Years, and the third and last Instalment at the Expiration of three Years next following the Exchange of the Ratification of the said Convention, and to be paid in Money of the said United States, reckoning four Dollars and forty-four Cents to be equal to one Pound Sterling: And whereas it is expedient that Commissioners should be appointed for the apportioning, dividing, and distributing such Sum of Money amongst the several Persons who shall by such Commissioners be found entitled to receive Compensation out of the same, in Proportion to their several and respective Claims, so far as the same shall by such Commissioners be approved or adjudged to be good: 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 *Thomas Macdonald* Esquire, *Henry Pye Rich* Esquire, and *John Guillemard* Esquire, shall be, and they are hereby constituted and appointed Commissioners for the Purposes aforesaid; and that the Adjudication of such Commissioners, or any two of them, as to all Claims made for Compensation out of such Money, and also as to the Apportionment and Distribution thereof as aforesaid, shall be final and conclusive.

Convention with America, 8th Jan. 1802.

Commissioners appointed.

II. And be it further enacted, That the said Commissioners in this Act named, before they enter upon the Execution of the same, shall take an Oath before the Master of the Rolls for the Time being, or one of his Majesty's Justices of the Court of King's Bench, Common Pleas, or Barons of the Exchequer (which they, or either of them, are hereby authorized and required to administer in the Form following, that is to say),

Their Oath.

I *A. B.* do swear, That, according to the best of my Judgment and Knowledge, I will faithfully, impartially, and truly execute the several Powers and Trusts vested in me by an Act, intituled, *An Act* [here insert the Title of the Act], according to the Tenor and Purport of the said Act.

“ Parties or Witnesses may be examined on Oath, § 3. Commissioners may send for Persons and Records, and appoint Officers, &c. § 4. Written Depositions, &c. may be received in Evidence, § 5.”

VI. And

Persons giving false Evidence, subject to the Pains of Perjury.

No Claim to be received after June 1, 1804. Commissioners shall give an Account of their Proceedings to the Treasury, &c. Treasury to issue Money necessary for carrying Act into Execution.

The Instalments of the 600,000l. when paid in America, shall be remitted to the Bank of England, subject to the Order of the Commissioners. When Claims are ascertained, Order shall be made out for Payment.

Notice of such Remittances or Orders for Payment shall be published in the London Gazette.

Orders of Commissioners sufficient Authority to the Bank.

Orders may be transferable.

Free from Stamps.

VI. And be it further enacted, That in case any Person or Persons, upon Examination upon Oath before the said Commissioners, or any two of them respectively, as before mentioned, shall wilfully and corruptly give false Evidence; every such Person so offending, and being thereof duly convicted, shall be, and is and are hereby declared to be, subject and liable to such Pains and Penalties as by any Law now in being, Persons convicted of wilful and corrupt Perjury are subject and liable to.

VII. And be it further enacted, That no Claim or Request of any Person or Persons under this Act shall be received after the first Day of *June* One thousand eight hundred and four.

VIII. And be it further enacted, That the said Commissioners shall from Time to Time, at their Discretion, or as often as they shall be thereunto required, and as soon as possible for the Determination of their Examinations and Proceedings, by virtue of this Act, without any further Requisition, give an Account of their Proceedings in Writing to the Lords Commissioners of his Majesty's Treasury, and to his Majesty's Principal Secretaries of State for the Time being.

IX. And be it further enacted, That the Lords Commissioners of the Treasury, or Lord High Treasurer for the Time being, are hereby authorized to issue, or cause to be issued, all such Sums of Money as may from Time to Time be necessary for the enabling the said Commissioners to carry into Execution the Purposes of this Act, and shall cause the same to be paid to such Person or Persons as the said Commissioners, or any two of them, shall, by Writing under their Hands, desire or direct out of any Part of the publick Monies remaining in his Majesty's Exchequer; which Sum so issued and paid shall be employed for the Payment of such Secretary, Agents, Clerks, Messengers, and other Officers, and in defraying all other necessary Charges in or about the Execution of the Powers of this Act, and in such Manner and in such Proportions as shall be appointed by the said Commissioners, or any two of them, by Writing under their Hands and Seals in that Behalf, the same to be accounted for by the Person or Persons to whom the same shall be issued and paid, according to the Course of his Majesty's Exchequer, without any Fee or other Charges to be taken or demanded for the Issuing and Payment of the same, or on the Passing of the said Accounts, other than such Sum as the said Commissioners, or any two of them, shall appoint; and which Money so issued shall not be subject to any Tax, Duty, Rate, or Assessment whatsoever imposed by Authority of Parliament.

“ His Majesty may supply Vacancies occasioned by Death or Resignation of Commissioners during the Recess of Parliament, § 10.”

XI. And be it further enacted, That the said several Instalments of the said Sum of six hundred thousand Pounds shall, as soon after the Payment thereof respectively in *America* as the same can be done, be remitted to and paid into the Hands of the Cashier of the Governor and Company of the Bank of *England*, to the Account of, and with the Privity and in the Names of, the Commissioners appointed under this Act, and shall be and remain in the Names of the said Commissioners for the Time being under this Act, to be paid to the several and respective Persons entitled thereto, under the Orders of the said Commissioners, or any two of them, pursuant to the Provisions of this Act.

XII. And be it further enacted, That when and so soon as the said Commissioners, or any two of them, shall have approved and adjudged the Claim of any Person or Persons to any such Compensation as aforesaid, to be good and valid in the Whole or in Part, and ascertained the Amount of any Dividend or Proportion of Money to which any such Person or Persons respectively are then entitled, the said Commissioners, or any two of them, shall make out, or cause to be made out, in such Form as they shall think fit, an Order or Orders for the Payment of such Sum or Sums respectively as shall have been so ascertained as aforesaid, or of such Part thereof as shall be in Proportion to the Amount of the Money which shall then have been remitted from *America*, and paid into the Bank of *England*, in Manner hereinbefore directed, and shall annex their Hands and Seals, or the Hands and Seals of any two of them, to such Order or Orders, and shall cause the same to be delivered to the Person or Persons respectively entitled thereto, or to the Agent or Agents of such Person or Persons duly authorized, on such Receipts, Acquittances, or Assignments being delivered, duly executed, by such Person or Persons, to the Extent of the Money to be by such Person or Persons respectively received, as the said Commissioners, or any two of them, shall have directed or required.

XIII. And be it further enacted, That when and so soon as any Instalment or Instalments as aforesaid shall have been so paid into the Bank of *England*, the said Commissioners, or any two of them, shall cause Notice thereof to be published in *The London Gazette*, and so soon as they shall have ascertained any Dividend or Proportion of Money as aforesaid, they shall either cause special Notice thereof to be given to the Person or Persons entitled to receive the same, or to the known Agent or Agents of such Person or Persons respectively, of the Time when and Place where the Order or Orders for Payment will be delivered, or cause Notice thereof to be published in *The London Gazette*, as they shall think proper.

XIV. And be it further enacted, That the Order of the said Commissioners, or any two of them, shall at any Time be sufficient Authority to the Governor and Company of the Bank of *England*, for the Payment of any Money so paid into the Names of the said Commissioners as aforesaid, in Manner directed by this Act.

XV. And be it further enacted, That every Order made by the said Commissioners, or any two of them, under this Act, shall be transferable by the Indorsement thereon, and Signature, attested by two credible Witnesses to such Indorsement of the Person or Persons to whom the same shall have been made and given by the said Commissioners, or of the Person or Persons holding the same under any such Indorsement thereof as aforesaid; and no such Order or Indorsement thereon shall be subject to any Stamp Duty.