ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

CAP. LVI.

An Act for completing the Militia of *Ireland*.

[3d *June* 1809]

WHEREAS by an Act paſſed in this Seſſion of Parliament, intituled, *An Act to allow a certain Proportion of the Militia of Ireland voluntarily to enliſt into His Majeſty's Regular Forces*, a certain Proportion of the ſaid Militia is allowed ſo to enliſt under certain Proviſions and Reſtrictions: And whereas it is neceſſary that ſuch Increaſe of the Regular Forces ſhould not diminiſh the ſaid Militia; but that the ſaid Militia ſhould be forthwith completed: 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 within Twelve Months after the paſſing of this Act, there ſhall be raiſed and levied in the ſeveral Counties, Counties of Cities and Counties of Towns in *Ireland* reſpectively, a Number of Private Militia Men equal to Two-fifths of the reſpective Eſtabliſhment of the ſeveral and reſpective Regiments or Battalions of Militia: Provided always, that the Eſtabliſhment of all ſuch Regiments or Battalions of Militia as have been or ſhall be augmented under the Proviſions of an Act made in the Forty-fourth Year of His preſent Majeſty's Reign, intituled, *An Act for empowering His Majeſty to direct the Augmentation of His Militia Forces in* Ireland, *to an Extent therein mentioned*, or under the Proviſions of any Act for the like Purpoſe, ſhall be conſidered as remaining at the Number or Eſtabliſhment allowed by ſuch Act, and that the Eſtabliſhment of ſuch Regiments or Battalions of the ſaid Militia as have not been or ſhall not be ſo augmented ſhall be conſidered as remaining at the

49 G. 3. c. 5.

Number equal to Two-fifths of the Eſtabliſhment of the Militia in Ireland, ſhall be raiſed within Twelve Months.

Eſtabliſhment of augmented Regiments ſhall remain as under 44 G. 3 c. 33. and of the others as under General Militia

Act; all above shall be considered as Supernumeraries.

the Number or Establishment fixed by the Provisions of any Act or Acts in force with respect to such Regiments as shall not be or shall not have been so augmented; and in case any Regiment or Battalion shall by the Addition of the Men required to be raised under this Act be increased to a Number exceeding its Establishment under such Acts respectively, all Men in such Regiment or Battalion exceeding the Number of such Establishment shall be considered as Supernumeraries.

Men shall be raised by volunteering.

II. And be it further enacted, That the Men necessary to be raised for the Purposes of this Act, shall and may be procured in the several Counties and Counties of Cities and Counties of Towns in *Ireland*, by the enrolling and receiving Volunteers in Manner directed by the said recited Act of the Forty-fourth Year aforesaid; and that it shall and may be lawful for the said Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to issue his or their Orders to any Colonel or Commanding Officer to any Regiment or Battalion of Militia in *Ireland*, to enrol and receive into such Regiment or Battalion such Volunteers as shall offer to serve in the said Militia not exceeding the Proportion aforesaid, and it shall and may also be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to issue his or their Order or Orders to the Commissioners for executing the Office of Lord High Treasurer of *Ireland*, requiring them to advance any such Sum or Sums of Money as the said Lord Lieutenant or other Chief Governor or Governors of *Ireland* may by such Order or Orders direct, and to pay to the several Colonels or other Commanding Officers of the different Regiments or Battalions of Militia in *Ireland* any Sum or Sums of Money not exceeding the Sum of Eight Guineas for every Private Man that may be from Time to Time so enrolled; and upon such Orders being issued as aforesaid, the several Colonels or Commanding Officers of such Regiments or Battalions shall proceed to enlist and enrol Men accordingly, in such Manner and under such Conditions, and the Men so enrolled shall be entitled to such Benefits, and shall be subject to such Regulations, and shall be and become Militia Men to all Intents and Purposes in like Manner as is directed and enacted with respect to Men enrolled and received under the said recited Act of the Forty-fourth Year aforesaid, for empowering His Majesty to direct the Augmentation of His Militia Forces in *Ireland*; and all the Directions, Regulations, and Provisions of the said recited Act shall be applied in the Execution of this Act as fully and effectually to all Intents and Purposes as if the same had been repeated and re-enacted in this Act, except only so far as the same are altered by this Act: Provided always, that every Volunteer so raised as aforesaid under this Act shall take the Oath required to be taken by Substitutes in the Militia of *Ireland*, which Oath shall and may be administered by any Person authorized to administer Oaths to Persons enrolled in the said Militia, or by any Justice of the Peace in the County in which any such Volunteer shall have been raised, or in which the Regiment for which he shall have been raised shall be at the Time of his joining such Regiment: Provided also, that every such Volunteer shall be entitled to such Bounty, not exceeding the said Sum of Eight Guineas, as shall be allowed under the Provisions of this present Act.

Lord Lieutenant shall give Directions to the Colonels and the Treasury as under 44 G. 3. c. 33. and all the Powers of that Act shall be applied in Execution of this Act.

Bounty shall not exceed 8*l.* 8*s.*

Oaths of Volunteers so raised.

Bounty under this Act.

A further Sum of One Guinea per

III. And be it further enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being,

being, to iſſue his or their Order or Orders to the Commiſſioners for executing the Office of Lord High Treaſurer of *Ireland*, requiring them to advance any ſuch further Sum or Sums of Money as the ſaid Lord Lieutenant or other Chief Governor or Governors may by ſuch Order or Orders direct, and to pay to the ſeveral Colonels or Commanding Officers of the different Regiments or Battalions of Militia in *Ireland* (to be applied in defraying the neceſſary Expence of procuring and enrolling ſuch Volunteers) any further Sum or Sums of Money not exceeding the Rate of One Guinea for every Private Man who may be from Time to Time ſo enrolled, over and above the Sum of Eight Guineas by this Act authorized to be advanced as Bounty on account of every ſuch Man.

Man may be advanced to the Colonel for Expences of procuring Men.

IV. Provided always, and be it further enacted, That no Volunteer under this Act ſhall be entitled to or ſhall receive any Part of ſuch laſt-mentioned Sum of One Guinea, nor ſhall be entitled to or ſhall receive any greater or higher Bounty than is authorized by this Act as aforeſaid.

Volunteers ſhall not receive any Part of ſuch Guinea.

V. Provided always, and be it enacted, That it ſhall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, at any Time after the paſſing of this Act, and during the ſaid Twelve Months, if it ſhall appear to ſuch Lord Lieutenant or other Chief Governor or Governors to be neceſſary for the more ſpeedily completing of the ſaid Militia, to order and direct by any Order or Proclamation to be iſſued for that Purpoſe by the ſaid Lord Lieutenant or other Chief Governor or Governors, by and with the Advice of His Majeſty's Privy Council in *Ireland*, that the Men required to be raiſed for the Purpoſes of this Act in any County, County of a City or County of a Town in *Ireland*, or any Proportion of ſuch Men ſhall be procured by Ballot, and that the raiſing and enrolling Volunteers for ſuch County, County of a City or County of a Town in Manner herein-before mentioned ſhall either ceaſe or proceed together with ſuch Ballot as to the ſaid Lord Lieutenant or other Chief Governor or Governors ſhall ſeem fit, and in every ſuch Caſe the Numbers ſo directed to be raiſed by Ballot ſhall be deemed and conſidered as Vacancies in the Militia in ſuch County, County of a City or County of a Town, and ſhall be ballotted for, raiſed and procured in ſuch Manner and by ſuch Ways and Means as are or may be directed with reſpect to the balloting or procuring Men to ſupply Vacancies in the Militia under or by virtue of any Act or Acts in force relating to the Militia of *Ireland*; and all Powers, Proviſions, Rules, Regulations, Penalties, Forfeitures, Clauſes, Matters and Things contained in any Act or Acts in force relative to the Militia of *Ireland*, ſhall as far as the ſame are applicable and can be applied for the Purpoſes of carrying this Act into Execution, and ſo far as the ſame are not hereby altered, varied or repealed, be applied for the enforcing and rendering effectual of ſuch Ballot in the Execution of the Proviſions of this Act in as full and ample a Manner as if the ſaid Powers, Proviſions, Rules, Regulations, Penalties, Forfeitures, Clauſes, Matters and Things were contained or were repeated or re-enacted in this Act.

Men may be required by Lord Lieutenant to be raiſed by Ballot, and in ſuch Caſe they ſhall be raiſed as under exiſting Acts relating to Iriſh Militia.

VI. And be it further enacted, That a General Meeting of the Governor or Governors and Deputy Governors or of Three Deputy Governors at the leaſt ſhall be held in each County, County of a City or County of a Town in *Ireland*, wherein it ſhall be required that any Men ſhall

General Meetings of the Governors, &c. in each County, within

Ten Days after Lord Lieutenant's Order, ſhall appoint the Number of Men for each Subdiviſion, &c.

ſhall be raiſed by Ballot under the Proviſions of this Act as aforeſaid, within Ten Days after the Date of any ſuch Order or Proclamation of the Lord Lieutenant or other Chief Governor or Governors for that Purpoſe, or as ſoon after as may be, and at ſuch General Meeting the ſaid Governor or Governors or Deputy Governors of ſuch County, County of a City or Town, or ſuch of them as ſhall be preſent at ſuch Meeting, ſhall reſpectively apportion and divide every ſuch County into ſuch Subdiviſions as they ſhall think moſt expedient for the Purpoſes of ſuch Ballot, and ſhall appoint and apportion the Number of Men to be raiſed for and by every Pariſh or other Place within any ſuch Subdiviſion, and for and by every Pariſh or Place in any ſuch County of a City or County of a Town for the completing the whole Number of Men, ſo required to be raiſed by ſuch Ballot, which Number ſo appointed and apportioned ſhall be the Quota or Proportion that each Subdiviſion and each Pariſh or Place ſhall reſpectively furniſh towards the Number of Men required to be furniſhed by ſuch Ballot as aforeſaid, and ſuch Governor or Governors or Deputy Governors ſhall from Time to Time appoint ſuch other Days and Fines for the carrying ſuch Ballot into Effect as ſhall appear neceſſary and expedient to them for the Purpoſe of applying the Powers of any Act or Acts relating to the Militia of *Ireland* to the Execution of this Act with reſpect to ſuch Ballot as aforeſaid, and all ſuch Powers ſhall be applied and carried into Effect accordingly.

Bounty to ballotted Men and Subſtitutes ſhall be paid under Regulations of Lord Lieutenant.

VII. And be it further enacted, That a Sum not exceeding Eight Guineas ſhall be allowed and paid in reſpect of every Man who ſhall be provided or raiſed by ſuch Ballot under the Proviſions of this Act as aforeſaid, and ſhall be paid and applied as a Bounty to the Uſe of every ſuch ballotted Man, or of any Subſtitute provided by or for ſuch ballotted Man, at ſuch Times and Places and in ſuch Proportions as to any Advance of any Part thereof, and in ſuch Manner and under and ſubject to ſuch Regulations and Reſtrictions as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being ſhall have any Order of his or their Chief Secretary by any Regulations from Time to Time made in that Behalf think fit to order and direct, and every ſuch ballotted Man or Subſtitute receiving ſuch Bounty as aforeſaid, ſhall be enrolled to ſerve in like Manner and ſhall take the like Oath as is required with reſpect to Volunteers raiſed under the Proviſions of this Act; and it ſhall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for the Time being, to iſſue his or their Order or Orders to the Commiſſioners for executing the Office of Lord High Treaſurer of *Ireland*, or any Three or more of them, or to any Collector of Exciſe in *Ireland*, to advance and pay out of any Public Money in their Hands to the Governor or Governors of the County or County of a City or Town in which ſuch Ballot ſhall be directed to take place, or to ſuch other Perſon or Perſons as the ſaid Lord Lieutenant or other Chief Governor or Governors ſhall think fit, any Sum or Sums of Money for or in reſpect of any ſuch Bounties or any Advances in reſpect thereof, as may be neceſſary under ſuch Regulations, Reſtrictions, and Securities as to the ſaid Lord Lieutenant or other Chief Governor or Governors ſhall ſeem fitting or expedient, and all Monies paid by ſuch Collectors under any ſuch Orders as aforeſaid ſhall be good and valid, and ſhall be allowed to all ſuch Collectors in their Accounts.

VIII. And

VIII. And be it further enacted, That the ſeveral Colonels and Commanding Officers of the ſeveral Regiments and Battalions of Militia in *Ireland* ſhall keep or cauſe to be kept true and regular Entries of the Names, Additions, Places of Reſidence, Pariſh, and other Deſcription of the Men whom they ſhall enrol or receive under the Proviſions of this Act, and the ſeveral Sums which they ſhall advance and pay to any ſuch Perſons reſpectively, and ſhall at the Expiration of every Calendar Month from the Commencement of their enrolling or receiving ſuch Men tranſmit regular Copies of ſuch Entries certified by them reſpectively, and alſo by the Adjutant and Paymaſter or Clerk of the Regiment or Battalion reſpectively to the Office of the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, and alſo to the Clerks of the General Meetings for the County, County of a City or County of a Town to which the Regiment or Battalion under the Command of ſuch Colonel or Commanding Officer ſhall reſpectively belong.

Commanding Officers ſhall ſend Monthly to Lord Lieutenant's Chief Secretary and to Clerk of Annual Meetings Liſts of Men enrolled.

IX. And be it further enacted, That if within the Period of Twelve Months after the paſſing of this Act, and within which Period all the Men required to be raiſed under this Act ought to have been enrolled, the Number of Men required to be raiſed under the Proviſions of this Act in any County, County of a City, or County of a Town in *Ireland*, ſhall not be duly raiſed and enrolled, then and in every ſuch Caſe the County, County of a City, or County of a Town, in which ſuch Number of Militia Men ſhall not be raiſed, ſhall be charged with the Payment of the Sum of Thirty Pounds, for every Man required to be enrolled under this Act in ſuch County, County of a City, or Town remaining deficient, and the reſpective Colonels or the Commanding Officers of the ſeveral Regiments of Militia in *Ireland*, ſhall after the Expiration of ſuch Twelve Months, tranſmit to the ſeveral and reſpective Treaſurers for the ſeveral Counties, Counties of Cities, and Towns in *Ireland*, Ten Days at leaſt previous to the next General Aſſizes, or if to the Treaſurer of the County and City of *Dublin*, Ten Days at leaſt previous to the next preſenting Term, after the Expiration of ſuch Twelve Months, Certificates of ſuch Deficiencies and Vacancies as ſhall then remain to be filled up in their reſpective Counties, Counties of Cities and Towns, which ſaid Certificates the ſaid Treaſurers are hereby reſpectively required to lay before the Judges of Aſſize, or in the County or City of *Dublin*, before the Court of King's Bench as ſoon as may be, and upon ſuch Certificate of the reſpective Colonels or Commanding Officers being laid before the Judges of Aſſize, or in the County or City of *Dublin* before the Court of King's Bench, it ſhall be lawful for ſuch Judges of Aſſize, and ſuch Court, and they are hereby reſpectively required to fine the County, County of a City or County of a Town (or ſuch Diſtricts, Pariſhes, or Baronies thereof, in which it ſhall appear upon Proof on Oath of any One or more Governors or Deputy Governors, that ſuch Neglect ſhall have happened) in the Sum of Thirty Pounds for every Man ſo deficient, and the ſaid Judge of Aſſize or Court ſhall direct the Treaſurer of the County, County of a City or Town, to iſſue his Warrant to levy the ſaid Sum of Thirty Pounds off the County, County of a City or Town, or off the Diſtrict, Pariſh or Barony in which ſuch Deficiency ſhall remain to be ſupplied, which ſaid Sum of Thirty Pounds ſhall be levied by the Collector of the Grand Jury Ceſs in like Manner and with like Powers, Authorities, and Remedies for

Fine of 30l. for every Man deficient at the End of Twelve Months after paſſing this Act.

Non-payment thereof on any Part thereof, as are provided by Law in reſpect to any Money to be levied under the Preſentment of a Grand Jury.

Treaſurer ſhall pay Money levied to Collectors of Exciſe.

X. And be it further enacted, That the ſeveral Treaſurers of the reſpective Counties and Counties of Cities and Towns as aforeſaid, ſhall collect and receive the Sums ſo ordered to be levied, and pay the ſame to the Collector of Exciſe for ſuch County, County of a City or Town, or in caſe any County ſhall be divided into Two or more Diſtricts with Two or more Collectors, then to the Collector of that Part of the County in which the County Town is ſituate, and every ſuch Collector ſhall and he is hereby required to give a Receipt for all Sums of Money which ſhall be ſo paid to him as aforeſaid, and ſuch Receipt ſhall be lodged by the ſaid Treaſurer among the Records of the County.

Counties ſhall not be charged for any Men raiſed under this Act within 12 Months after the paſſing this Act.

XI. Provided always, and be it enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend to charge any County, County of a City or County of a Town in *Ireland*, with the Expence of raiſing any Volunteers or ballotted Men under this Act, or with the Payment of any Sum or Sums of Money, other than the Fine by this Act impoſed in Caſes where the Number of Men required by this Act ſhall not be raiſed within the Period of Twelve Months after the paſſing of this Act, it being the Intention of this Act that ſuch Men as ſhall be enrolled under this Act within the ſaid Twelve Months either as Volunteers or ballotted Men ſhall be raiſed without any Charge whatſoever being made on the Counties, or any of them: Provided alſo, that nothing in this Act contained ſhall extend or be in any Manner conſtrued to extend to alter, repeal or make void the Proviſions of any Act or Acts reſpecting the Militia of *Ireland* in force at the Time of the paſſing of this Act, except ſo far as ſuch Act or Acts is or are expreſsly repealed or altered by this Act.

All former Acts ſhall remain in force, except as expreſsly altered by this Act.

After Aug. 1, 1810, Two further Periods may be appointed for enliſting of Militia Men into the Regulars.

XII. And be it further enacted, That it ſhall be lawful for His Majeſty, by any Order or Orders ſignified by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, or his or their Chief Secretary, to appoint Two ſeveral Periods of Three Days each reſpectively at any Time after the Firſt Day of *Auguſt* One thouſand eight hundred and ten, for enliſting of Militia Men from the Militia of *Ireland*, into His Majeſty's Regular Forces, in Addition to the Time and Periods ſpecified in the ſaid recited Act of this Seſſion of Parliament for allowing ſuch Enliſtment, as to any Regiment in which the full Number of Men allowed by the ſaid Act to enliſt, ſhall not have enliſted under the Proviſions of the ſaid Act into His Majeſty's Regular Forces, and all the Clauſes, Powers, Proviſions, and Authorities in the ſaid recited Act contained, ſhall apply to ſuch additional Periods of enliſting as fully as if the ſame had been ſpecified in the ſaid recited Act.

Acts may be repealed or altered this Seſſion.

XIII. And be it further enacted, That this Act may be altered, amended, or repealed by any Act or Acts to be paſſed in this preſent Seſſion of Parliament.

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