

ANNO QUADRAGESIMO SECUNDO

GEORGII III. REGIS.

***

herein-after mentioned, alſo appoint a proper Number of Colonels, Lieutenant Colonels, Majors, and other Officers, qualified as herein-after directed, to train, diſcipline, and command the Perſons ſo to be armed and arrayed according to the Rules, Orders, and Directions herein-after mentioned, and ſhall certify to His Majeſty the Names and Ranks of all ſuch Officers ſo to be appointed; and in caſe His Majeſty ſhall, within Fourteen Days after ſuch Certificate ſhall have been laid before him, ſignify his Diſapprobation of any of the Perſons ſo to be appointed, it ſhall not be lawful for the ſaid Lieutenants to grant a Commiſſion to any Perſon ſo diſapproved, but Commiſſions ſhall be granted to all ſuch Perſons who ſhall not be diſapproved by His Majeſty; and the Officers ſo appointed for the Militia, to be armed and arrayed as herein-after directed, ſhall rank with the Officers of ſuch of His Majeſty's Regular Forces as youngeſt of their Rank.

Rank of Officers.

Expiration of former Acts ſhall not affect any Commiſſion of Lieutenant or Deputy already granted.

II. Provided always, and be it enacted, That the Expiration of the ſeveral Acts heretofore paſſed, relative to a Militia Force in *Scotland*, ſhall not affect any Commiſſion of Lieutenant or Deputy Lieutenant already granted under or by virtue or relative to the ſaid Acts, or any or either of them; but that all ſuch Perſons to whom any ſuch Commiſſion ſhall have been granted ſhall and may act in the Execution of this Act, in like Manner as they might have acted in the Execution of the ſaid former Acts, or any or either of them.

Three Deputy Lieutenants may be authorized by His Majeſty to act, when the Lieutenant ſhall be out of the Kingdom, or where there ſhall be none.

III. And be it further enacted, That when the Lieutenant of any County, Stewartry, City, or Place, ſhall be out of the Kingdom of *Great Britain*, or when there ſhall be no Lieutenant, it ſhall be lawful for His Majeſty to authorize any Three Deputy Lieutenants of ſuch County, Stewartry, City, or Place, to grant Commiſſions to Officers to ſerve in the Militia for ſuch County, Stewartry, City, or Place, upon any Vacancy that ſhall then happen, in ſuch Manner as ſuch Lieutenant could do, and to do all other Acts, Matters, and Things which might lawfully have been done by the ſaid Lieutenant, and the ſame ſhall be good and valid in the Law, as if done by the ſaid Lieutenant himſelf.

Commiſſions not to be vacated by the Revocation of the Power of the Grantor.

IV. And be it further enacted, That no Commiſſion of any Deputy Lieutenant, nor any Commiſſion of any Officer in the Militia to be henceforth granted by any Lieutenant or Deputy Lieutenants, ſhall be vacated by reaſon of the Revocation, Expiration, or Diſcontinuance of the Commiſſion by which any ſuch Lieutenant or Deputy Lieutenants as aforeſaid was or were appointed.

Qualifications of Deputy Lieutenants and Officers, except within the City of *Edinburgh*.

V. And be it further enacted, That all Perſons to be appointed Deputy Lieutenants or Officers of the Militia in purſuance of this Act, (except within the City of *Edinburgh* and its Liberties), ſhall be qualified as follows; (that is to ſay), Every Perſon ſo to be appointed a Deputy Lieutenant ſhall be ſeiſed or poſſeſſed of an Eſtate in Property, either in his own Right or in Right of his Wife, of Four hundred Pounds *Scots* of valued Rent in *Scotland*, or ſhall be Heir Apparent of ſome Perſon who ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of Four hundred Pounds *Scots* of valued Rent; and every Perſon ſo to be appointed a Colonel ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of Eight hundred Pounds *Scots* of valued Rent, or ſhall be Heir Apparent of ſome Perſon who ſhall in like Manner be ſeiſed or

poſſeſſed of a like Eſtate as aforeſaid of Eight hundred Pounds *Scots* of valued Rent; and every Perſon ſo to be appointed a Lieutenant Colonel, ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of Six hundred Pounds *Scots* of valued Rent, or ſhall be Heir Apparent of ſome Perſon who ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of Six hundred Pounds *Scots* of valued Rent; and every Perſon ſo to be appointed a Major or a Captain, ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of Four hundred Pounds *Scots* of valued Rent, or ſhall be Heir Apparent of ſome Perſon who ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of Four hundred Pounds *Scots* of valued Rent, or ſhall be a younger Son of ſome Perſon who ſhall be, or at the Time of his Death was in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of Four hundred Pounds *Scots* of valued Rent; and every Perſon ſo to be appointed a Lieutenant ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of One hundred Pounds *Scots* of valued Rent, or ſhall be poſſeſſed of a Perſonal Eſtate alone, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together, to the Amount or Value of One thouſand Pounds Sterling, or ſhall be Son of ſome Perſon who ſhall be, or at the Time of his Death was in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of One hundred Pounds *Scots* of valued Rent, or who ſhall be, or who at the Time of his Death was poſſeſſed of a Perſonal Eſtate alone, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together, to the Amount or Value of One thouſand Pounds Sterling; and that every Perſon ſo to be appointed an Enſign ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of Fifty Pounds *Scots* of valued Rent, or ſhall be poſſeſſed of a Perſonal Eſtate alone, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together, to the Amount or Value of Five hundred Pounds Sterling, or ſhall be Son of ſome Perſon who ſhall be or at the Time of his Death was in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of One hundred Pounds *Scots* of valued Rent, or who ſhall be or who at the Time of his Death was poſſeſſed of a Perſonal Eſtate alone, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together, to the Amount or Value of Five hundred Pounds Sterling; of which ſaid Eſtates, required as Qualifications for Deputy Lieutenants, Colonels, Lieutenant Colonels, Majors, and Captains reſpectively, One Moiety ſhall be ſituate or ariſing within the reſpective Counties, Stewartries, Cities, or Places, in which they ſhall be appointed to ſerve, or within the Counties, Stewartries, Cities, or Places joined together, as herein-after mentioned, to form the Regiment or Battalion to which they ſhall belong.

The Lieutenant, with the Approbation of His Majeſty, may appoint the Provoſt of any Royal Burgh, or any Three reſident Perſons, properly qualified, to be Deputies of the Subdiviſion in which it is ſituate.

VI. Provided always, and be it enacted, That where it ſhall appear neceſſary to any Lieutenant that a Deputy Lieutenant or Deputy Lieutenants ſhould be reſident in any Royal Borough, within the County or Stewartry of which he is Lieutenant, it ſhall be lawful for ſuch Lieutenant, with the Approbation of His Majeſty, to appoint the Provoſt of the Borough for the Time being, or any Three Perſons reſident in ſuch Borough, who ſhall be ſeiſed or poſſeſſed of a Real Eſtate in Houſes or other Property within ſuch Borough and Liberties thereof of the yearly Value of One hundred Pounds Sterling, or ſhall be poſſeſſed of a Perſonal Eſtate alone, or ſeiſed or poſſeſſed of a Real and Perſonal Eſtate together, to the Amount or Value of Two thouſand Pounds Sterling, to be Deputy

Deputy Lieutenant or Deputy Lieutenants of the Subdiviſion within which ſuch Borough is ſituated.

Regulations reſpecting the City and County of the City of *Edinburgh*.

VII. And be it further enacted, That within the City and County of *Edinburgh* and Liberties thereof, the Lieutenant of the ſaid City, or where there is no Lieutenant appointed, then the Chief Magiſtrate thereof ſhall appoint the Deputy Lieutenants within the ſaid City, and ſhall alſo appoint Officers of the Militia, whoſe Number and Rank ſhall be proportionable to the Number of Militia Men which the ſaid City ſhall raiſe, as its Quota towards the Militia of the County to which the ſaid City is united for the Purpoſes aforeſaid; and all Powers and Proviſions made by this Act, with reſpect to the Counties at large, and the Militia thereof, and the Regiſtering herein-after directed of the Qualification of Deputy Lieutenants and Officers, ſhall take place and be in force, with reſpect to the ſaid City and its Liberties, and the Militia thereof, and the Regiſtering of the ſaid Qualifications, and the Value of the reſpective Qualifications of the Deputy Lieutenants and Officers of the Militia of ſuch City and its Liberties, ſhall be as follows: Every Deputy Lieutenant ſhall be ſeiſed or poſſeſſed of a Real Eſtate, in Houſes or other Property within the ſaid City and Liberties thereof, of the yearly Value of One hundred Pounds Sterling, or ſhall be poſſeſſed of a Perſonal Eſtate alone, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together, to the Amount or Value of Two thouſand Pounds Sterling; and every Lieutenant Colonel ſhall reſpectively be in like Manner ſeiſed or poſſeſſed of a like Real Eſtate in Houſes or Property within the ſaid City, of the yearly Value of Two hundred Pounds Sterling, or ſhall be poſſeſſed of a Perſonal Eſtate alone, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together, to the Amount or Value of Four thouſand Pounds Sterling; and the Qualification of a Major or Captain ſhall be a like Real Eſtate in Houſes or Property within the ſaid City of the yearly Value of One hundred Pounds Sterling, or Perſonal Eſtate alone, or Real and Perſonal Eſtate together, to the Amount or Value of Two thouſand Pounds Sterling; and the Qualification of a Lieutenant ſhall be a like Real Eſtate in Houſes or other Property within the ſaid City, of the yearly Value of Fifty Pounds Sterling, or Perſonal Eſtate alone to the Amount or Value of One thouſand Pounds Sterling; and the Qualification of an Enſign ſhall be a like Real Eſtate in Houſes or other Property within the ſaid City, of the yearly Value of Twenty-five Pounds Sterling, or Perſonal Eſtate alone to the Amount or Value of Five hundred Pounds Sterling: Saving always, and reſerving to the Royal College of Surgeons in *Edinburgh*, all Rights, Immunities, Privileges, and Exemptions, of which the ſaid College may have been, and ſtill are, in the lawful Poſſeſſion, and the Benefit of any Act or Acts of Parliament paſſed heretofore in their Favour.

No Deputy Lieutenant, or any Officer ſuperior to a Subaltern, to be appointed till his Qualification be delivered to the Clerk to the Commiſſioners of Supply, who

VIII. And be it further enacted, That no Perſon ſhall hereafter be appointed to be a Deputy Lieutenant of any County, Stewartry, City, or Place, or be appointed to a higher Rank in the Militia than that of Lieutenant, until he ſhall have delivered in to the Clerk to the Commiſſioners of Supply of the County, Stewartry, City, or Place for which he ſhall be appointed, or (in the Abſence of the Clerk of Supply) to his Deputy, a ſpecifick Deſcription in Writing, ſigned by himſelf, of his Qualification, ſtating the Pariſh or Pariſhes in which the Eſtate or Eſtates which form his Qualification is or are ſituate, and the Clerk of Supply, or his Deputy,

shall transmit to the Lieutenant of the County, Stewartry, City, or Place, a Copy of such Description; and no Commission granted after the passing of this Act for a higher Rank in the Militia than that of Lieutenant shall be valid, unless it be declared in the Commission that the Officer to whom the Commission is given hath delivered in his Qualification as above directed.

shall transmit a Copy to the County Lieutenant.

IX. And be it further enacted, That the Clerk of Supply of every County, Stewartry, City, and Place, shall and he is hereby required to enter the Qualifications transmitted to him according to the Directions of this Act, upon a Roll to be provided and kept for that Purpose, and to cause to be inserted in the *London Gazette* the Dates of the Commissions, and Names and Rank of the Officers, together with the Names of the Officers in whose room they are appointed, in like Manner as Commissions in the Army are published from the War Office; and he is hereby authorized to charge the Expence of such Insertion in the Gazette for each Commission to the Collector of the Land Tax of the County, Stewartry, City, or Place, who is hereby directed to pay the same; and the said Clerk of Supply or his Deputy shall, in the Month of *January* in every Year, transmit to One of His Majesty's Principal Secretaries of State a complete Account of the Qualifications so left with him, and the Secretary of State receiving such Accounts shall cause Copies thereof to be annually laid before both Houses of Parliament; and every Deputy Lieutenant and Commissioned Officer, not having already taken and subscribed the Oaths, and made, repeated, and subscribed the Declaration as required by this Act, shall, at some General Quarter Session of the Peace, or in the Court of Session, or the Court of Exchequer in *Scotland*, within Six Months after he shall have accepted his Commission, take the Oaths appointed to be taken by an Act, passed in the First Year of the Reign of His Majesty King *George* the First, intituled, *An Act for the further Security of His Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess* Sophia, *being Protestants, and for extinguishing the Hopes of the pretended Prince of* Wales, *and his open and secret Abettors*; and also by an Act, passed in the Thirty-sixth Year of the Reign of His present Majesty, intituled, *An Act for altering the Oath of Abjuration and the Assurance, and for amending so much of an Act of the Seventh Year of Her late Majesty Queen* Anne, *intituled, 'An Act for the Improvement of the Union of the Two Kingdoms,' as after the Time therein limited requires the Delivery of certain Lists and Copies therein mentioned to Persons indicted of High Treason or Misprision of Treason;* and shall also make, repeat, and subscribe the Declaration in the said Act of the First Year of King *George* the First, directed to be made, repeated, and subscribed by all Officers, Civil and Military.

Clerks of Supply to enter Qualifications upon a Roll, and to insert in the *London Gazette* Dates of Commissions, *etc.* and to transmit every *January* to the Secretary of State an Account of Qualifications to be laid before Parliament.

Deputy Lieutenants and Officers to take the Oaths, *etc.* within Six Months after Appointment.

X. And be it further enacted, That if any Person shall execute any of the Powers hereby directed to be executed by Deputy Lieutenants, Colonels, Lieutenant Colonels, or Majors, not being qualified as aforesaid, or without having delivered in such specifick Description of his Qualification as is herein-before required, every such Person shall forfeit and pay the Sum of Two hundred Pounds; and if any Person shall execute any of the Powers hereby directed to be executed by Captains, not being qualified as aforesaid, or without having delivered in such specifick Description of his Qualification as is herein-before required, every such Person shall forfeit

Penalty on Persons acting who are unqualified, or who have not delivered in their Qualifications.

and pay the Sum of One hundred Pounds, One Moiety whereof ſhall go to the Uſe of the Perſon who ſhall ſue for the ſame; and in every Action, Suit, or Complaint, brought againſt any Perſon for acting as Deputy Lieutenant, Colonel, Lieutenant Colonel, Major, or Captain not being qualified as herein-before directed, the Proof of his Qualification ſhall lie upon the Perſon againſt whom the ſame is brought: Provided always, that nothing in this Act contained ſhall reſtrain or prevent any Peer of this Realm, or Heir Apparent of any ſuch Peer, from being appointed or acting as a Deputy Lieutenant, or a Commiſſioned Officer in the Militia, within the County, Stewartry, City, or Place, or Counties, Stewartries, Cities, and Places contributing to form One ſuch Battalion of Militia as herein-after directed, wherein ſuch Peer, or Heir Apparent of ſuch Peer, ſhall have ſome Place of Reſidence, although he may not have the Qualification herein-before required; or to oblige any Peer of this Realm, or Heir Apparent of ſuch Peer, who ſhall be appointed a Deputy Lieutenant or Commiſſioned Officer as aforeſaid, to leave with the Clerk of Supply for the County, Stewartry, City, or Place for which he ſhall be appointed, any Qualification in Writing as aforeſaid.

Peers, or their Heirs Apparent, may act though not poſſeſſed of Qualifications.

XI. Provided always, and be it further enacted, That any Officer in the Militia, duly qualified as aforeſaid, who, in conſequence of the Augmentation of the Militia Forces herein-after provided, may hereafter be promoted to the Commiſſion of Major, and may, by any ſubſequent Reduction of that Augmentation, no longer retain ſuch Commiſſion, ſhall and may continue to rank in the general Militia Service, according to the Date of his Commiſſion or Appointment in the Militia ſo vacated as aforeſaid: Provided, that nothing herein contained ſhall extend to give any ſuch Major any Regimental Rank.

Officers promoted to the Rank of Major, in conſequence of an Augmentation of the Militia, to hold their Rank in the general Militia Service, notwithſtanding a ſubſequent Reduction.

XII. And be it further enacted, That His Majeſty, His Heirs and Succeſſors, may from Time to Time, as he and they ſhall think fit, ſignify his and their Pleaſure to his and their Lieutenant of any County, Stewartry, City, or Place, to diſplace all or any Deputy Lieutenants and Officers in the Militia; and thereupon His Majeſty's reſpective Lieutenants ſhall forthwith diſplace ſuch Deputy Lieutenants or Officers, and appoint others within the ſame County, Stewartry, City, or Place, with the like Qualifications, and under and ſubject to the like Proviſions and Reſtrictions, to ſerve in their Stead.

His Majeſty may order County Lieutenants to diſplace Deputy Lieutenants or Officers.

XIII. And be it further enacted, That the Lieutenant of every County, Stewartry, City, and Place, ſhall from Time to Time appoint a Clerk of the General Meetings to be holden as herein-after directed, and may diſplace ſuch Clerk if he ſhall think fit, and appoint another in his room; and the Deputy Lieutenants within their reſpective Subdiviſions, or the major Part of thoſe preſent at any Subdiviſion Meeting, ſhall alſo from Time to Time appoint a Clerk for their Subdiviſions, and may diſplace ſuch Clerk if they or the major Part of them ſhall think fit, and appoint another in his room.

County Lieutenants and Deputies may appoint Clerks of their Meetings.

XIV. And be it further enacted, That the Number of private Men (excluſive of Serjeants, Corporals, and Drummers) to be raiſed by virtue of this Act ſhall be as follows; (*videlicet*), For the County of *Edinburgh* Three hundred and thirty-three; for the City of *Edinburgh* Three hundred

Numbers of private Men to be as herein ſpecified.

dred and ten; for the County of *Linlithgow* Ninety-four; for the County of *Haddington* One hundred and fifty-four; for the County of *Berwick* One hundred and fifty-five; for the County of *Peebles* Forty-five; for the County of *Selkirk* Twenty-five; for the County of *Roxburgh* One hundred and seventy-eight; for the Stewartry of *Kircudbright* One hundred and fifty-one; for the County of *Wigton* One hundred and nineteen; for the County of *Ayr* Four hundred and thirty six; for the County of *Renfrew* Four hundred and four; for the County of *Lanark* Seven hundred and fifty-one; for the County of *Stirling* Two hundred and sixty-three; for the County of *Kinross* Thirty-five; for the County of *Fife* Four hundred and eighty-four; for the County of *Dunbarton* One hundred and seven; for the County of *Bute* Sixty-one; for the County of *Argyle* Three hundred and sixty-four; for the County of *Inverness* Three hundred and eighty-four; for the County of *Perth* Six hundred and fifty-three; for the County of *Forfar* Five hundred and eleven; for the County of *Kincardine* One hundred and thirty-six; for the County of *Aberdeen* Six hundred and forty; for the County of *Banff* One hundred and seventy-nine; for the County of *Elgin* One hundred and thirty-eight; for the County of *Nairn* Forty-three; for the County of *Cromarty* Sixteen; for the County of *Ross* Two hundred and seventy; for the County of *Sutherland* One hundred; for the County of *Caithness* One hundred and twenty-one; for the County of *Dumfries* Two hundred and eighty-four; for the County of *Clackmannan* Fifty-six.

Numbers of private Men hereby appointed to continue the Quotas until *June* 25, 1805, and the Numbers thereafter appointed by the Privy Council to continue the Quotas until others shall be settled.

XV. And be it further enacted, That the Numbers of Private Militia Men herein-before appointed to serve for the several Counties, Stewartries, Cities, and Places aforesaid, shall continue to be and remain the respective Quotas of the several and respective Counties, Stewartries, Cities, and Places aforesaid, until the Twenty-fifth Day of *June* One thousand eight hundred and five, and from thence until other Quotas shall be settled, ascertained, and appointed by His Majesty's Privy Council, in Manner hereinafter directed, and the several and respective Quotas that shall, at or after the Expiration of the said first mentioned Period, and also from Time to Time at or after the Expiration of every successive Ten Years, after such Period, be settled, ascertained, and appointed by His Majesty's Privy Council, under the Provisions of this Act, shall, from the Appointment thereof, continue to be and remain the respective Quotas of the several and respective Counties, Stewartries, Cities, and Places aforesaid, after which any such subsequent Quotas shall have been appointed, until other Quotas shall be settled, ascertained, and appointed, under this Act.

Regulations for holding General Meetings of Lieutenantcy.

XVI. And be it further enacted, That General Meetings of the Lieutenancy of every County, Stewartry, City, and Place, shall be holden in some principal Town of every such County, Stewartry, City, and Place; and such General Meetings shall consist of the Lieutenant, together with Two Deputy Lieutenants at the least, or on the Death or Removal, or in the Absence of the Lieutenant, then of Three Deputy Lieutenants at the least, of every County, Stewartry, City, and Place respectively, and One such General Meeting shall be holden within every County, Stewartry, City, and Place annually, upon the last *Tuesday* which shall happen before the First Day of *August* in every Year; and the Lieutenant, together with any Two Deputy Lieutenants, or (on the Death or Removal, or in the Absence of the Lieutenant) any Three Deputy Lieutenants of any County, Stewartry,

artry, City, or Place, when and as often as they ſhall find neceſſary for carrying the Purpoſes of this Act duly and fully into Execution, may ſummon, or cauſe to be ſummoned, other General Meetings of the Lieutenancy, on any Days to be fixed by ſuch Summons, of which Days, and the Places of holding ſuch Meetings reſpectively, Notice ſhall be given in any Weekly or other Newſpaper uſually circulated in ſuch County, Stewartry, City, or Place, Fourteen Days at the leaſt before the Days appointed for holding ſuch Meetings reſpectively; and the Lieutenant with any Two Deputy Lieutenants, or (upon the Death or Removal, or in the Abſence of the Lieutenant) any Three Deputy Lieutenants of any County, Stewartry, City, or Place, are hereby authorized to charge the Expence of ſuch Notices to the Collector of the Land Tax of the County, Stewartry, City, or Place, who is hereby authorized to pay the ſame; and in caſe any annual or other General Meeting ſhall not be attended by the Lieutenant and Two Deputy Lieutenants, or by Three Deputy Lieutenants, as herein-before required, the Lieutenant, or any One Deputy Lieutenant, who ſhall attend at ſuch Meeting, ſhall and may adjourn the ſame to any other Time and to any Place within ſuch County, Stewartry, City, or Place; and in caſe no Deputy Lieutenant ſhall attend at the Time and Place appointed for the next Meeting, then the Clerk of the General Meetings, or his Deputy, ſhall adjourn ſuch Meeting to any other Time to be holden at the ſame Place.

Subdiviſion Meetings to conſiſt of Two Deputy Lieutenants at the leaſt, or One Deputy and a Juſtice of the Peace.

XVII. And be it further enacted, That Meetings of the Deputy Lieutenants for the Subdiviſions of their reſpective Counties, Stewartries, Cities, and Places, ſhall be holden as herein-after directed; which Subdiviſion Meetings ſhall conſiſt of Two Deputy Lieutenants at the leaſt: Provided always, that at any Subdiviſion Meeting appointed according to the Directions of this Act, where Two Deputy Lieutenants do not attend, it ſhall be lawful for any One Deputy Lieutenant, together with any One Juſtice of the Peace of the County, Stewartry, City, or Place within which ſuch Subdiviſion lies, to do all Acts, Matters, and Things which are by this Act directed to be done by Deputy Lieutenants at their reſpective Subdiviſion Meetings, and all ſuch Acts, Matters, and Things ſo done by any ſuch Deputy Lieutenant and Juſtice of the Peace, ſhall be as good, valid, and effectual in the Law, to all Intents and Purpoſes, as if they had been done by Two Deputy Lieutenants of ſuch County, Stewartry, City, or Place; any Thing in this Act to the contrary hereof notwithſtanding.

Clerk to give Notice of Subdiviſion Meetings to the Deputy Lieutenants, and alſo to the Commanding Officer, and an Account of the Days for receiving Liſts, ballotting, enrolling, &c.

XVIII. And be it further enacted, That the reſpective Clerks of the Subdiviſion Meetings ſhall, as ſoon as conveniently may be after any ſuch Subdiviſion Meeting ſhall have been appointed, give Notice in Writing of the Time and Place of Meeting to ſuch of the Deputy Lieutenants who ſhall be reſident within ſuch Subdiviſion as he conveniently can, and alſo to the Commanding Officer of the Regiment or Battalion, if on actual Service, or (if not on actual Service) to the Colonel or other Commandant thereof, or in caſe of his Abſence from *Great Britain*, to the next Commanding Officer within *Great Britain*, by Notice addreſſed to the Adjutant, and an Account of the ſeveral Days fixed for receiving Liſts, and for ballotting, and for inrolling the Militia Men within ſuch Subdiviſion; and ſhall, as ſoon as the Militia Men are inrolled, likewiſe tranſmit to the Colonel or other Commandant, or to the Commanding Officer as aforeſaid,

ſaid, in Manner aforeſaid, a Liſt, ſpecifying the Names, Trades, and uſual Places of Abode of all ſuch Militia Men as are inrolled, and where there are Subſtitutes, the Names, Trades, and Places of Abode of the Perſons in the room of whom ſuch Subſtitutes were inrolled.

When Two Deputy Lieutenants, or One and a Juſtice, do not attend, another Meeting ſhall be appointed by Notice from the Clerk.

XIX. And be it further enacted, That if it ſhall happen that there ſhall not appear at any Subdiviſion Meeting Two Deputy Lieutenants, or One Deputy Lieutenant and One Juſtice of the Peace, the Clerk of ſuch Meeting ſhall, by Notice to be given in Writing to all the Deputy Lieutenants within ſuch Subdiviſion, or left at their reſpective Places of Abode, appoint another Meeting to be held within Fourteen Days at the ſame Place where ſuch Meeting was to have been holden, ſuch Notice being given Five Days at the leaſt previous to ſuch Meeting.

General Meetings to appoint Subdiviſion Meetings, and to require the Schoolmaſters or Chief Conſtables to order a Return to be made to the Deputy Lieutenants, of Men between the Ages of 18 and 45.

XX. And be it further enacted, That the Lieutenant and Deputy Lieutenants, or the Deputy Lieutenants, at every Annual or ſome other General Meeting to be holden as herein-before directed, ſhall appoint the Firſt Meeting of the Deputy Lieutenants for the ſeveral Subdiviſions of their reſpective Counties, Stewartries, Cities, and Places, which ſaid Firſt Meetings ſhall be appointed to be held as early after the Firſt Day of *Auguſt* in every Year, as conveniently may be, or at ſuch other Time as may be moſt expedient for carrying the Purpoſes of this Act fully and duly into Execution; and the ſaid Lieutenant and Deputy Lieutenant, or the ſaid Deputy Lieutenants, may, if they judge needful, appoint the Time and Place for a Second General Meeting, and ſhall iſſue out their Orders to the Schoolmaſter of each Pariſh, or to the Chief Conſtable, and where there is no Chief Conſtable, to ſome other Officer of the ſeveral Diſtricts, Pariſhes, or other Diviſions within their reſpective Counties, Stewartries, Cities, and Places, requiring every ſuch Schoolmaſter, Chief Conſtable, or other Officer as aforeſaid, to iſſue an Order under his Hand to all Conſtables or other Officers of every Pariſh or Place within their reſpective Counties, Stewartries, Cities, or Places, to return to the Deputy Lieutenants within their reſpective Subdiviſions, at the Places and on the Days appointed at the Firſt General Meeting in every Year, fair and true Liſts in Writing, in Manner by this Act directed, of the Names of all the Men uſually and at that Time dwelling within the reſpective Pariſhes and Places for which they ſhall reſpectively act under the Proviſions and in the Execution of this Act, between the Ages of Eighteen and Forty-five Years.

Schoolmaſters, &c. to give Notice in the Form in the annexed Schedule (A), to Houſekeepers, &c. to produce Liſts containing certain Particulars.

XXI. And be it further enacted, That the ſeveral Schoolmaſters, Conſtables, and other Officers and Perſons required to return Liſts of Perſons fit and liable to ſerve in the Militia, ſhall, within Fourteen Days after any ſuch Returns ſhall be required, give or leave Notice in Writing, in the Form in the Schedule to this Act annexed, marked (A.) to or for every Occupier of every Dwelling Houſe where any Perſon ſhall reſide, within the Limits of the Places for which they act as ſuch Schoolmaſters, Conſtables, or other Officers as aforeſaid, in the Execution of this Act, or any of the Proviſions thereof, at his or her Dwelling Houſe, or where ſuch Dwelling Houſe ſhall be divided into different Stories or Apartments, and occupied diſtinctly by ſeveral Perſons, then to or for the Occupier of each diſtinct Story or Apartment, to prepare or produce, within Fourteen Days next enſuing the Day of giving ſuch Notice, a Liſt in Writing, to the beſt

of his or her Belief, of the Chriſtian and Surname of each and every Man reſident in ſuch Dwelling Houſe, or diſtinct Story or Apartment, between the Ages of Eighteen and Forty-five, diſtinguiſhing every Perſon in ſuch Dwelling Houſe, or diſtinct Story or Apartment, of ſuch Age as aforeſaid claiming to be exempt from ſerving in the Militia, together with the Ground of every ſuch Claim of Exemption, and every ſuch Notice ſhall mention the Day, Time, and Place appointed for hearing Appeals within ſuch Subdiviſion, by Perſons claiming to be exempt from ſerving in the Militia; and every ſuch Occupier ſhall, after ſuch Notice ſo given or left, make out ſuch Liſt, and ſign the ſame with his or her own Name, and ſhall deliver the ſame, or cauſe the ſame to be delivered to ſuch Schoolmaſter, Conſtable, or other Officer or Perſon as aforeſaid; and if any Occupier ſhall neglect or refuſe to make out, ſign, and deliver ſuch Liſt as aforeſaid, within the Time before limited, or ſhall omit any Perſon who ought to have been included therein in purſuance of this Act, or knowingly make any falſe Return of any Particular required therein, every ſuch Occupier ſhall, for every ſuch Offence, forfeit and pay a Sum not exceeding the Sum of Five Pounds.

Penalty of 5*l.* for not duly delivering Liſts, or making falſe Returns.

Occupiers being Quakers, to produce Certificates of their being of that Perſuaſion, in which Caſe the Schoolmaſters, &c. ſhall make Returns of Perſons liable to ſerve in ſuch Houſes, as where Returns are not made to Notices.

XXII. And be it further enacted, That in every Caſe where any Notice ſhall be ſerved upon any Occupier, being One of the People called *Quakers*, ſuch Occupier ſhall, within Seven Days after the Service of ſuch Notice, produce to the Schoolmaſter, Conſtable, or other Officer, a Certificate under the Hands of Two or more reputable Houſekeepers, being of the People called *Quakers*, acknowledging ſuch Perſon to be one of their *Perſuaſion*; and that in all ſuch Caſes ſuch Schoolmaſters, Conſtables, or other Officers, are hereby required to make Returns of the Perſons liable to ſerve in the Militia reſident in the Houſes, Stories, or Apartments of ſuch Occupiers ſo certified to be of the People called *Quakers*, in the ſame Manner as is directed by this Act in Caſes where Returns are not made to ſuch Notices as aforeſaid.

Schoolmaſters, *etc.* to make out yearly Liſts according to the Form in Schedule (B), of the Names of Men between the Ages of 18 and 45, within their reſpective Diſtricts, diſtinguiſhing their Rank, Occupation, *etc.* and to affix a Copy on the Church Door, with Notice of the Meeting for hearing Appeals,

XXIII. And be it further enacted, That the Schoolmaſters, Conſtables, or other Officers of every Pariſh or Place, ſhall, within One Month after having delivered ſuch Notices as aforeſaid, make out in every Year a fair and true Liſt in Writing, according to the Form in the Schedule to this Act annexed, marked (B. of the Names of all the Men uſually and at that Time dwelling within the reſpective Pariſhes and Places for which they ſhall reſpectively act in the Execution of the Proviſions of this Act, between the Ages of Eighteen and Forty-five Years, as well of thoſe who have not made any Return, or been returned in purſuance of ſuch Notices as aforeſaid, as of thoſe who ſhall have made ſuch Returns, or been returned in purſuance thereof, diſtinguiſhing their reſpective Ranks and Occupations, and thoſe who have made Returns to ſuch Notices from thoſe who have neglected to make ſuch Returns (and where the true Names of ſuch Perſons cannot be procured, the common Appellation of ſuch Perſon ſhall be ſufficient), and diſtinguiſhing which of the Perſons ſo returned labour under any Infirmity likely to incapacitate them from ſerving as Militia Men, and which of them claim to be exempt from ſerving in the Militia, and on what Account; and ſhall affix a true Copy of every ſuch Liſt on the Door of the Church or Chapel belonging to every ſuch Pariſh or Place, or (if any Place ſhall have no Church or Chapel belonging thereto) on the Door of the Church or Chapel of ſome Pariſh or Place thereto

adjoining, ſome One *Sunday* Morning before they ſhall make the Return to the Deputy Lieutenants as directed by this Act, which *Sunday* ſhall be Three Days at the leaſt before the Meeting of Deputy Lieutenants at which ſuch Return is to be made; and alſo Notice in Writing at the Bottom of the ſaid Copy of ſuch Liſt of the Day and Hour and Place of Meeting for hearing Appeals under this Act, and that all Perſons who ſhall think themſelves aggrieved may then appeal, and that no Appeal will be afterwards received; and ſhall afterwards make a Return of ſuch Liſt as aforeſaid, or a true and exact Copy thereof to the Deputy Lieutenants of the Subdiviſion.

Copies of Liſts to be returned to the Deputy Lieutenants.

XXIV. And be it further enacted, That if any Perſon whoſe Name ſhall be inſerted in any Liſt in purſuance of this Act, ſhall think himſelf aggrieved thereby, or by the Omiſſion of any other Name or Names, or ſhall claim to be exempted from ſerving in the Militia, it ſhall be lawful for ſuch Perſon, and he is hereby required to appeal to the Subdiviſion Meeting appointed to be held for hearing ſuch Appeals; and any Two or more of the ſaid Deputy Lieutenants are hereby empowered and required to hear and determine all ſuch Appeals; and if the ſame cannot be heard on the Day firſt appointed, to adjourn to any other Day or Days; and the Determination of any Two Deputy Lieutenants, if only Two are then and there aſſembled, or of the major Part of them, if more than Two are aſſembled, ſhall be final to all Intents and Purpoſes; and no Appeal ſhall be afterwards heard or allowed, or any Exemption whatever claimed or admitted, by or on Behalf of any Perſon or Perſons whatever.

Perſons aggrieved may appeal to the Subdiviſion Meetings, and the Determination thereat ſhall be final.

XXV. And be it further enacted, That on the Days and at the Places ſo reſpectively appointed as aforeſaid for the Returns of the Liſts, the Schoolmaſters, Conſtables, or other Officers reſpectively ſhall attend, and verify the ſaid Returns upon Oath; and the ſaid Deputy Lieutenants, or any Two or more of them aſſembled in their reſpective Subdiviſions, ſhall, after hearing any Appeals or Claims of Exemption, direct ſuch Liſts to be amended as the Caſe ſhall require; and ſhall alſo direct the Names of all Perſons by this Act reſpectively exempted from ſerving in the Militia to be ſtruck out, and the Names of any Perſons that ſhall have been omitted to be inſerted; and after amending the ſaid Liſts according to this Act, ſhall appoint the Times and Places for their Second Meetings within their reſpective Subdiviſions, and ſhall return to the Clerk of the General Meetings, for the Uſe of the ſaid General Meetings, Certificates under their Hands, in the Form in the Schedule to this Act annexed, marked (C.) of the Number of Men in each Pariſh or Place between the Ages of Eighteen and Forty-five Years, diſtinguiſhing the Numbers of Men liable to ſerve, and alſo the Number of Men exempt from ſerving in each Pariſh or Place within the Subdiviſions, and the ſame ſhall be kept by the Clerk for the Uſe of the General Meetings.

Schoolmaſters, *etc.* to attend and to verify Liſts on Oath, and the Deputy Lieutenants to amend Liſts and appoint Second Meetings, and ſhall return to the Clerk of the General Meetings, Certificates in the Form in Schedule (C.)

XXVI. And be it further enacted, That any Perſon who ſhall, by Gratuity, Gift, or Reward, or by Promiſe thereof, or any Indemnification, or by Menaces, or otherwiſe, endeavour to prevail on any Schoolmaſter, Chief Conſtable, Conſtable, or other Officer, to make a falſe Return of any Liſt for any Pariſh or Place, or to eraſe or leave out of any ſuch Liſt the Name of any Perſon who ought to be returned to ſerve as a Militia Man, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and

Penalty of 50*l.* for endeavouring to prevail on Schoolmaſters, *etc.* to make falſe Returns, and of 10*l.* on Perſons re-

refuſing to tell their Names or the Names of Lodgers.

and pay the Sum of Fifty Pounds; and if any Perſon ſhall refuſe to tell his Chriſtian and Surname, or ſhall falſely tell a Chriſtian or Surname, pretending the ſame to be his true Chriſtian or Surname, or ſhall refuſe to tell the Chriſtian or Surname of any Man lodging or reſiding within his or her Houſe, or ſhall knowingly tell any falſe Name, pretending it to be the true Name of any ſuch Perſon, to any Schoolmaſter, Conſtable, or other Officer, authorized by this Act to demand the ſame, every ſuch Perſon ſhall forfeit and pay the Sum of Ten Pounds.

Deputy Lieutenants may iſſue Orders for the Attendance of Conſtables, *etc.*; and if any ſhall neglect to appear, or if any Chief Conſtable, *etc.* ſhall not return Lifts, or ſhall be guilty of Fraud, Partiality, or Neglect, he may be committed to Gaol, or fined.

XXVII. And be it further enacted, That it ſhall be lawful for the Deputy Lieutenants within any Subdiviſion, or any Two or more of them, from Time to Time to iſſue their Order or Warrant under their Hands, requiring the Attendance of the Conſtable or other Officer of any Pariſh or Place within ſuch Subdiviſion, at ſuch Time and Place as in ſuch Order or Warrant ſhall be expreſſed; and if any ſuch Conſtable or other Officer ſhall refuſe or neglect to appear according to ſuch Order or Warrant, or if any Chief Conſtable or other Officer of any County, Stewartry, City, or Place, or any Conſtable or other Officer of any Pariſh or Place, ſhall refuſe or neglect to return any ſuch Liſt as before directed, or to comply with ſuch Orders and Directions as he ſhall from Time to Time receive from the ſaid Deputy Lieutenants, or any Two or more of them, in purſuance of this Act, or ſhall in making ſuch Return be guilty of any Fraud or wilful Partiality, or groſs Neglect in his Duty, the ſaid Deputy Lieutenants, or any Two or more of them, are hereby empowered and required to commit the Perſon ſo offending to the Common Gaol, there to be kept without Bail or Mainprize for the Space of One Month, or at their Diſcretion to fine ſuch Perſon in any Sum not exceeding Twenty Pounds nor leſs than Forty Shillings.

Two Juſtices may appoint Deputies to Quakers for carrying this Act into Execution.

XXVIII. Provided always, and be it further enacted, That if any Chief or other Conſtable ſhall be of the People called *Quakers* (and certified to be ſo by Two Perſons of the People called *Quakers*), and ſhall neglect or refuſe to perform the Duties required by this Act, it ſhall be lawful for any Two Juſtices of the Peace, acting for the Diviſion within which ſuch Quaker ſhall be, ſuch Officer as aforeſaid, and they are hereby required in all Caſes where the Circumſtances of the Caſe ſhall in their Judgement render it expedient and neceſſary for the due Execution of the Proviſions of this Act, by their Order under their Hands, to appoint a fit and proper Perſon to be Deputy to ſuch Quaker for the Purpoſe only of carrying this Act into Execution; and every Perſon ſo appointed Deputy as aforeſaid ſhall have and exerciſe all the Powers, Authorities, and Juriſdiction given by this Act to ſuch Officer for whom he ſhall ſo act, and ſhall do and perform all the like Duties and Offices under the like Pains, Penalties, and Forfeitures as are hereby impoſed for Neglect of Duty of any ſuch Officer as aforeſaid, in like Manner in every Reſpect as the Perſon for whom he ſhall ſo act; and where an Appointment of any Deputy ſhall be ſo made, the Principal Chief Conſtable (being One of the People called *Quakers*), ſhall be and he is hereby diſcharged from the Performance of any Duty required by him by this Act and from all Penalties incurred for Neglect thereof after the Time of ſuch Appointment.

XXIX. And

XXIX. And be it further enacted, That it shall be lawful for the Deputy Lieutenants, at their Subdivision Meetings, to add together, whenever they shall think it necessary, any Two or more Parishes or Places for the Purposes of this Act; and also to add together the Lists of such Parishes and Places aforesaid, so as to make the Choice of Militia Men, by Ballot, within every such Subdivision, as equal and impartial as possible; and where any Parishes and Places so added together shall lie in different Districts or Divisions within the same County, Stewartry, City, or Place, to direct in what District or Division the same shall be considered for the Purposes of this Act; and the said Deputy Lieutenants shall proceed upon the Lists so added together in like Manner as if they had been originally returned from One Parish as aforesaid; and the Schoolmasters, Constables, or other Officers of Parishes and Places so added together, shall act together in the Execution of this Act, as if they were respectively Officers of One and the same Parish or Place; and all such Schoolmasters, Constables, and Officers so as aforesaid acting together by virtue of this Act, shall hold their Meetings under this Act in the Parish or Place which shall be named first in such Order of Deputy Lieutenants; and if any Difference or Disagreement shall arise between the Officers of any Parish or Place, or between the Officers of different Parishes or Places, touching the Execution of this Act, the Deputy Lieutenants acting in and for the Subdivision where such Difference or Disagreement shall happen, shall at any Subdivision Meeting, and they are hereby authorized to hear and determine the same, and make such Order therein for the better Execution of this Act as to them shall seem meet, and such Orders shall be final and conclusive.

Two or more Places and Lists for them may be added together, and the Schoolmasters, *etc.* shall act together as if they were Officers of the same Parish, and shall meet in the Parish first named in the Order of the Deputy Lieutenants.

Deputy Lieutenants to hear and determine Differences between Parish Officers.

XXX. And be it further enacted, That the Clerks of all Subdivision Meetings shall, within Fourteen Days after every Subdivision Meeting, transmit to the Clerk of the General Meetings of the County, Stewartry, City, or Place, fair and true Copies of such Rolls as shall be signed at such Subdivision Meeting; and if any such Clerk shall omit or neglect to make such Return as aforesaid, within such Period as aforesaid, or shall knowingly or wilfully make any false Return, such Clerk shall forfeit and pay for every such Offence the Sum of Twenty Pounds.

If Clerks of Subdivision Meetings neglect to transmit to the Clerk of the General Meetings, Copies of Rolls, or make false Returns, they shall forfeit 20*l.*

XXXI. And be it further enacted, That the Clerks to the General Meetings of Lieutenancy in the several Counties, Stewartries, Cities, and Places required to raise Militia under this Act, shall and they are hereby required to transmit to His Majesty's Privy Council annually, as soon after the Returns, in the Form in the Schedule to this Act annexed, marked (D.), of Men shall have been made to the General Meetings as the same can be done, accurate Returns of the Number of Persons between the Ages of Eighteen and Forty-five, distinguishing the Number fit and liable to serve in the Militia for the Counties, Stewartries, Cities, and Places to which they respectively belong, and also the Number therein exempt from serving; and if any such Clerk shall omit or neglect to make such Return to the Privy Council within One Month after the General Meeting of Lieutenancy of the County, Stewartry, City, or Place to which he shall belong, at which the Returns of Men shall have been laid before such Meeting, or shall knowingly or wilfully make any false Return, such Clerk shall forfeit and pay for every such Offence the Sum of One hundred Pounds.

Clerks to General Meetings failing to transmit to the Privy Council annual Returns in the Form in Schedule (D.), of the Number of Persons between the Ages of 18 and 45, *etc.* or making false Returns to forfeit 100*l.*

The Privy Council by *June* 25, 1805, and afterwards every 10 Years to fix the Quota of Men to ſerve for each Place, and to tranſmit the Numbers to the County Lieutenants, and publiſh the ſame in the *London Gazette*.

XXXII. And be it further enacted, That it ſhall be lawful for His Majeſty's Privy Council, and they are hereby required, on or before the Twenty-fifth Day of *June* One thouſand eight hundred and five, and afterwards from Time to Time at the Expiration of every ſucceeding Period of Ten Years as aforeſaid, to take into Conſideration the Number of Men fit and liable to ſerve in the Militia in each County, Stewartry, City, and Place required by this Act to raiſe Militia, and forthwith to aſcertain, ſettle, and fix the Number of Militia Men who ſhall for the next ſucceeding Ten Years ſerve for each County, Stewartry, City, and Place aforeſaid, as near as may be by the Proportion that the Number of Men fit and liable to ſerve in each County, Stewartry, City, and Place, ſhall bear to the whole Number of Militia Men by this Act directed to be raiſed; and ſhall thereupon tranſmit the Number ſo fixed and ſettled as aforeſaid to the reſpective Lieutenants of the Counties, Stewartries, Cities, and Places aforeſaid, and ſhall cauſe Notice of the ſame to be Thrice printed in the *London Gazette*.

Where the Number fixed ſhall be greater than the former Quota, the General Meeting ſhall appoint what Number ſhall be choſen for each Diviſion, and where leſs, ſhall diſmiſs the Exceſs by Ballot, proportionably out of each Diviſion.

XXXIII. And be it further enacted, That where the Number of Militia Men ſo fixed and ſettled for any County, Stewartry, City, or Place, ſhall be greater than the former Quota of ſuch County, Stewartry, City, or Place, then and in every ſuch Caſe the Lieutenant for ſuch County, Stewartry, City, or Place, together with any Two or more Deputy Lieutenants, and on the Death or Removal, or in the Abſence of the ſaid Lieutenant, any Three or more Deputy Lieutenants ſhall, at a General Meeting to be holden for that Purpoſe, appoint what Number of Militia Men ſhall ſerve for each reſpective Pariſh or other Diviſion within ſuch County, Stewartry, City, or Place, and the additional Number of Militia Men to make up the whole Number ſo fixed and ſettled as aforeſaid ſhall be provided or choſen in the ſame Manner as other Militia Men are by this Act to be provided or choſen; and all the additional Men ſo provided or choſen as aforeſaid, or their Subſtitutes, and alſo all Volunteers, ſhall take the Oath by this Act required to be taken, and ſhall be inrolled, or ſign their Conſent to ſerve in the Militia in ſuch Manner as is directed by this Act, and in caſe of Refuſal, ſhall be ſubject to the ſame Penalties as in like Caſes are inflicted by this Act: Provided always, that where the Number of Militia Men ſo fixed and ſettled for any County, Stewartry, City, or Place as aforeſaid, ſhall be leſs than the former Quota of ſuch County, Stewartry, City, or Place, then and in every ſuch Caſe the ſaid Lieutenants, together with any Two or more Deputy Lieutenants, or (on the Death or Removal, or in the Abſence of the ſaid Lieutenant) any Three or more Deputy Lieutenants ſhall, at a General Meeting to be held for that Purpoſe diſmiſs to their own Homes, by Ballot, proportionally out of each reſpective Pariſh or other Diviſion, ſo many Militia Men as ſhall exceed the Number ſo fixed and ſettled as aforeſaid; and the ſeveral Perſons ſo diſmiſſed as aforeſaid ſhall remain liable to ſerve in the Militia, and ſhall and are hereby required to join any Regiment or Battalion of Militia ſerving for the County, Stewartry, City, or Place, from the Militia of which they ſhall have been diſmiſſed, whenever called upon ſo to do, for the Purpoſe of ſupplying Vacancies that may ariſe in the ſaid Militia; and the Names of all the Perſons ſo diſmiſſed as aforeſaid ſhall be entered in a Liſt; and the Deputy Lieutenants ſhall cauſe the Men neceſſary for ſupplying any Vacancies that may thereafter ariſe in the Militia of ſuch County, Stewartry, City, or Place, to be balloted for out of the Perſons contained in any ſuch Liſt as aforeſaid, while fit Perſons can be found to ſupply

Men diſmiſſed to be liable to ſerve, and their Names to be entered in a Liſt out of which Vacancies ſhall be filled up by Ballot, to ſerve for the Remainder of the Time for which they were engaged.

ſupply ſuch Vacancies, and ſo from Time to Time as Occaſion ſhall require, ſo long as any of the Perſons contained in any ſuch Liſt can be found fit to ſupply ſuch Vacancies as aforeſaid; and every Perſon ſo ballotted to ſupply ſuch Vacancy, who ſhall not be unfit by reaſon of Sickneſs or bodily Inability, ſhall ſerve in the Militia of ſuch County, Stewartry, City, or Place, upon the Conditions and for the Remainder of the Time for which ſuch Perſon ſhall have been engaged to ſerve in ſuch Militia before he was diſmiſſed as aforeſaid; and whenever and as ſoon as all Perſons returned in any ſuch Liſt that can be found fit to ſupply ſuch Vacancies as aforeſaid, ſhall by Ballot have ſupplied ſuch Vacancies as aforeſaid, then and in every ſuch Caſe the Men neceſſary for ſupplying ſuch future Vacancies as may ariſe in ſuch Militia ſhall be raiſed, choſen, and ballotted for in Manner directed by this Act.

General Meetings may alter Subdiviſions, and the Allotment of Men in each Diviſion.

XXXIV. And be it further enacted, That the Lieutenants of any County, Stewartry, City, or Place, together with any Three or more Deputy Lieutenants, or (on the Death or Removal, or in the Abſence of any Lieutenant) any Five or more Deputy Lieutenants may, at any General Meeting holden as before directed, alter the appointed Subdiviſions within ſuch County, Stewartry, City, or Place, if they ſhall ſee Occaſion, and alſo may alter the eſtabliſhed Allotment of the Number of Men in each reſpective Pariſh or other Diviſion to ſerve in the Militia, towards raiſing the Number of Militia Men by this Act, or by His Majeſty's Order in Council, as the Caſe may be, directed to be raiſed for ſuch County, Stewartry, City, or Place, according to the Numbers contained in the reſpective Certificates received from the ſeveral Subdiviſion Meetings.

At the Second Subdiviſion Meeting, the Deputy Lieutenants ſhall appoint the Number of Men to ſerve for each Pariſh, *etc.* and ſhall cauſe Notice to be given thereof, and of the next Meeting, and ſhall cauſe the Number to be ballotted for, *etc.*

XXXV. And be it further enacted, That the Deputy Lieutenants aſſembled at their ſaid Second Meeting, within any Subdiviſion as aforeſaid, ſhall appoint what Number of Men ſhall ſerve for each Pariſh and Place within ſuch Subdiviſion, in Proportion to the Number laſt appointed in the Manner herein-before directed, at a General Meeting, to ſerve for each Pariſh or other Diviſion; and ſhall appoint another Meeting, to be holden within Three Weeks from the Day on which ſuch Meeting was holden, within the ſame Subdiviſion; and ſhall iſſue out an Order to the Chief Conſtable or other Officers of the reſpective Counties, Stewartries, Cities, or Places, and to the Schoolmaſter and Conſtable or other Officer of every Pariſh or Place within their reſpective Counties, Stewartries, Cities, or Places, of the Number of Men ſo appointed to ſerve for ſuch Pariſh or Place, and of the Time and Place of the next Subdiviſion Meeting; and the ſaid Deputy Lieutenants, or any Two or more of them, aſſembled in purſuance of ſuch Appointments, ſhall cauſe the Number of Men appointed to ſerve as aforeſaid to be choſen by Ballot out of the Liſt returned for every Pariſh or Place aforeſaid, in Manner following; that is to ſay, the Names of all the Men contained in ſuch Liſt ſo returned for each Pariſh or Place, written or printed on diſtinct Pieces of Paper, being all as nearly as may be of equal Size, and rolled up in the ſame Manner, ſhall be put into a Box or ſome other Veſſel, and ſhall there be ſhaken together, and then a Number of Names, equal to the Quota to be furniſhed by ſuch Pariſh or Place, ſhall be drawn out and opened by the Perſon preſiding at the Meeting, and ſhall in like Manner proceed to ballot for each Pariſh or Place within their Subdiviſion; and at the Meeting at which the Militia Men to ſerve for each Pariſh or Place within their Subdiviſion ſhall have been ſo

ballotted for, the ſaid Deputy Lieutenants ſhall appoint another Meeting to be holden within Three Weeks for the ſame Subdiviſion, and ſhall iſſue out an Order to the Chief Conſtables or other Officers of the reſpective Counties, Stewartries, Cities, and Places, and to the Schoolmaſter, Conſtable, or other Officer of every Pariſh or Place, to give Notice to every Man ſo choſen to ſerve in the Militia to appear at ſuch Meeting, which Notice ſhall be given or left at his Place of Abode at leaſt Seven Days before ſuch Meeting; and ſuch Schoolmaſter, Conſtable, or other Officer ſhall attend ſuch Meeting, and make ſuch Return upon Oath of the Days when ſuch Notice was ſerved; and every Perſon ſo choſen by Ballot ſhall, upon ſuch Notice, appear at ſuch Meeting, and if on Examination found able and fit for the Service, and approved of in Manner herein-after directed, ſhall then and there take the following Oath; (that is to ſay),

Perſons choſen by Ballot to take the following Oath.

'I *A. B.* do ſincerely promiſe and ſwear, that I will be faithful, and bear true Allegiance to His Majeſty King *George*; and that I will faithfully ſerve in the Militia, within *Great Britain*, for the Defence of the ſame, during the Term of Five Years, for which I am inrolled, unleſs I ſhall be ſooner diſcharged.'

And ſhall be enrolled to ſerve for Five Years.

And every ſuch Perſon ſhall be then and there inrolled (in a Roll to be then and there prepared for that Purpoſe) to ſerve in the Militia of ſuch County, Stewartry, City, or Place, as a private Militia Man, for the Space of Five Years.

Subſtitutes may be produced, and if approved, ſhall be inrolled, and take the following Oath.

XXXVI. Provided always, That if any Perſon ſo choſen by Ballot ſhall produce for his Subſtitute a Man of the ſame County or Counties, Stewartries, Cities, or Places, forming a Battalion, as herein-after directed, or of ſome adjoining County, Stewartry, City, or Place, able and fit for Service, and who ſhall be examined and approved in Manner herein-after directed, ſuch Subſtitute ſo produced and approved ſhall be inrolled to ſerve in the Militia of ſuch County, Stewartry, City, or Place, as a private Militia Man, for the Space of Five Years, and alſo for ſuch further Time as the Militia ſhall remain embodied, if within the Space of Five Years His Majeſty ſhall order and direct the Militia for which ſuch Man is inrolled to be drawn out and embodied, as herein-after provided; and ſuch Subſtitute ſhall take the following Oath:

Oath.

'I *A. B.* do ſincerely promiſe and ſwear, That I will be faithful and bear true Allegiance to His Majeſty King *George*, and that I will faithfully ſerve in the Militia, within *Great Britain*, for the Defence of the ſame, during the Term of Five Years, or for ſuch further Time as the Militia ſhall remain embodied, if within the Space of Five Years His Majeſty ſhall order and direct the Militia to be drawn out and embodied, unleſs I ſhall be ſooner diſcharged.'

And any Perſon ſo choſen by Ballot, for whom ſuch Subſtitute ſhall have been ſo produced, approved, inrolled, and ſworn as aforeſaid, ſhall be exempt from Service in the Militia in the ſame Manner as if he himſelf had ſerved, according to the Directions of this Act.

The Inhabitants of any Place may produce Volunteers, and if approved,

XXXVII. And be it further enacted, That if the Inhabitants of any Pariſh or Place ſhall provide and produce to the ſaid Deputy Lieutenants, or any Two or more of them, at any Subdiviſion Meeting for chooſing the Militia Men by Ballot, any Volunteer or Volunteers, who ſhall be examined

mined and approved as is herein-after mentioned, ſuch Volunteer or Volunteers ſo examined and approved, ſhall be then and there ſworn in and inrolled to ſerve for ſuch Term, and on the ſame Conditions, as is herein-before provided in caſe of Subſtitutes produced by Perſons choſen by Ballot; and the ſaid Deputy Lieutenants ſhall cauſe only ſuch Number of Perſons to be choſen by Ballot out of the Liſt returned for ſuch Pariſh or Place, as ſhall be then wanted to make up the whole Number to ſerve for ſuch Pariſh or Place.

they ſhall be ſworn and enrolled.

XXXVIII. And be it further enacted, That no Peer of this Realm, nor any Perſon being a Commiſſioned Officer in His Majeſty's other Forces, or in any One of His Majeſty's Caſtles or Forts, nor any Officer on the Half-pay of the Navy, Army, or Marines, nor any Non-commiſſioned Officer or private Man ſerving in any of His Majeſty's other Forces, nor any Commiſſioned Officer ſerving or who ſhall have ſerved Four Years in the Militia, nor any Perſon being a Profeſſor of any of the Four Univerſities, nor any licenſed Clergyman, nor any Pariſh Schoolmaſter, nor any Teacher licenſed within the County, Stewartry, City, or Place, to teach in ſome ſeparate Congregation, whoſe Place of Meeting ſhall have been duly regiſtered within the Twelve Months previous to the General Meeting appointed to meet in *Auguſt* for the Purpoſes of this Act, nor any Conſtable or other Peace Officer, nor any Apprentice, Seaman, or ſeafaring Man, nor any Perſon employed and muſtered in His Majeſty's Service in any of His Majeſty's Forts or Caſtles, nor any Man who has more than Two lawful Children, and who is not poſſeſſed of an Eſtate in Lands, Goods, or Money of the clear Value of Fifty Pounds Sterling, and who ſhall make Oath that he is not ſeiſed or poſſeſſed of ſuch Eſtate, ſhall be liable to ſerve perſonally or provide a Subſtitute to ſerve in the Militia; and no Perſon having ſerved perſonally, or by Subſtitute, according to the Directions of this Act, or of any former Act for raiſing a Militia in *Scotland*, ſhall be obliged to ſerve again until by Rotation it ſhall come to his Turn; but no Perſon who has ſerved only as a Subſtitute or Volunteer in the Militia, ſhall by ſuch Service be exempted from ſerving again, if he ſhall be choſen by Ballot.

Certain Perſons exempt from Service.

Perſons who have ſerved not liable to ſerve again till their Turn comes, but Subſtitutes or Volunteers ſhall ſerve if choſen by Ballot.

XXXIX. And be it further enacted, That if through the Neglect or Miſtake of any Chief Conſtables, Schoolmaſters, Conſtables, or other Officers, or from any other Cauſe, the full Number of Men appointed for any Subdiviſion ſhould not be duly inrolled at the Meeting appointed for that Purpoſe as before directed, then the Deputy Lieutenants at their ſaid Meeting, or any Two or more of them, may and they are hereby required immediately to cauſe the Liſts to be amended, and to proceed to a freſh Ballot, and to adjourn their Meeting, or appoint other Meetings, and repeat the amending of the Liſts, as may be neceſſary and expedient for carrying the Purpoſes of this Act duly and fully into Execution; and it ſhall be lawful for any One Deputy Lieutenant to adminiſter the Oath herein-before required to be taken by Perſons to ſerve in the Militia, to any Perſon ballotted, or to any Perſon offering as a Volunteer under the Directions of this Act, or to any Perſon who, being qualified as this Act requires, ſhall offer to ſerve as a Subſtitute, ſuch ballotted Man, Volunteer, or Subſtitute, having been duly examined and approved as is herein-after mentioned; and ſuch Deputy Lieutenant is hereby authorized to direct and require the Clerk of the Subdiviſion for which every ſuch Perſon by whom

Deputy Lieutenants may cauſe Liſts to be amended, and proceed to a freſh Ballot, and may adminiſter Oaths, *etc.*

the ſaid Oath has been before him taken is to ſerve, to inrol the Name of every ſuch Perſon ſo having been duly examined and approved as aforeſaid, together with the Date of the Day on which the ſaid Oath was ſo adminiſtered to him, in the Roll of ſuch Subdiviſion.

Perſons choſen (except Quakers), and not appearing, &c. to forfeit 10 *l.*

XL. And be it further enacted, That if any Perſon choſen by Ballot according to the Directions of this Act to ſerve in the Militia, (not being One of the People called *Quakers*), ſhall refuſe or neglect to appear and take the ſaid Oath, and ſerve in the Militia, or to provide a Subſtitute to be examined and approved as herein-after mentioned, who ſhall take the ſaid Oath, and ſign his Conſent to ſerve as his Subſtitute, every ſuch Perſon ſo refuſing or neglecting ſhall forfeit and pay the Sum of Ten Pounds, and at the Expiration of Five Years be liable to ſerve again, or provide a Subſtitute; and in Default of Payment of ſuch Penalty, or for Want of ſufficient Effects whereon to levy the ſame, the Name of ſuch Perſon ſhall be entered on the Roll, and ſuch Perſon ſhall be delivered over to ſome proper Officer of the Regiment or Battalion for which he was ballotted, and ſhall be compelled to ſerve for ſuch Term, to be computed from the Time of his being apprehended, as any other Perſon who ſhould be then ballotted for would be compellable to ſerve, and ſhall be ſubject to the ſame Puniſhments for afterwards abſconding or deſerting, as he would have been ſubject to in caſe he had appeared and been duly ſworn and inrolled as a Militia Man.

If Penalty be not paid, the Perſon ſhall be compelled to ſerve.

If any Liſts be loſt, new ones ſhall be made out.

XLI. And be it further enacted, That if the Liſt of any Pariſh or Place ſhall be loſt or deſtroyed, it ſhall be lawful for the ſaid Deputy Lieutenants, or any Two or more of them, to cauſe a new Liſt in ſuch Pariſh or Place to be made and returned to them at their next Subdiviſion Meeting, in the ſame Manner as the Liſt loſt or deſtroyed was made, and ought to have been returned to them by Direction of the General Meeting.

Perſons choſen ſhall ſerve though they remove, and thoſe having more than One Reſidence ſhall ſerve where their Names were firſt inſerted in the Liſt.

XLII. And be it further enacted, That every Perſon choſen by Ballot to ſerve in the Militia, ſhall be liable to ſuch Service, although he may have removed from the Place where his Name was inſerted in the Liſt, provided he was reſiding in ſuch Place at the Time when the Liſt was according to the Directions of this Act prepared; and every Perſon liable to ſerve in the Militia, having more than One Place of Reſidence, ſhall ſerve for the County, Stewartry, City, or Place where his Name ſhall have been firſt inſerted in ſuch Liſt as aforeſaid; and the Clerk to the Subdiviſion Meeting to which ſuch Liſt ſhall be returned, ſhall, if ſuch Perſon requires the ſame, grant a Certificate *gratis*, under his Hand, that ſuch Perſon's Name was inſerted in ſuch Liſt, and ſpecifying the Time when ſuch Liſt was made and returned.

Perſons ſhall ſerve in the Militia of the County in which the Pariſh Church is ſituated.

XLIII. And be it further enacted, That where any Pariſh ſhall lie in Two or more Counties or Stewartries, the Inhabitants of ſuch Pariſh ſhall ſerve in the Militia of the County or Stewartry wherein the Church belonging to ſuch Pariſh is ſituated, and that ſuch Pariſh ſhall, for all the Purpoſes of this Act, be deemed Part of ſuch County or Stewartry.

Perſons fraudulently bound Ap-

XLIV. Provided always, and be it further enacted, That if any Two or more Deputy Lieutenants ſhall at any of their Subdiviſion Meetings receive

ceive Information, or ſhall ſuſpect that any Perſon whoſe Name is inſerted in any Liſt, and deſcribed as an Apprentice, has been fraudulently bound Apprentice in order to avoid ſerving in the Militia, it ſhall be lawful for them to make Enquiry thereof, and to ſummon ſuch Perſons as they ſhall think neceſſary to appear before them at ſuch Time and Place as they ſhall appoint, and to examine ſuch Perſons upon Oath; and in caſe it ſhall appear that ſuch binding was fraudulent, in order to avoid ſerving in the Militia, it ſhall be lawful for ſuch Deputy Lieutenants to appoint ſuch Perſon ſo fraudulently bound Apprentice to ſerve as a Militia Man for the Pariſh or Place for which ſuch Liſt ſhall have been returned, if there ſhall be a Vacancy, and if there ſhall be no Vacancy at that Time, then upon the Firſt Vacancy that ſhall happen, and the Perſon to whom ſuch Apprentice ſhall have been ſo bound, ſhall for ſuch Offence forfeit and pay the Sum of Ten Pounds.

prentice ſhall be liable to ſerve, and the Maſter ſhall forfeit 10*l.*

XLV. And be it further enacted, That if any Perſon being One of the People called *Quakers*, ſhall be choſen by Ballot to ſerve in the Militia, and ſhall refuſe or neglect to appear, and to take the Oath and ſerve in the Militia, or to provide a Subſtitute of the ſame County, Stewartry, or Place, or of ſome adjoining Pariſh or Place, to be examined and approved as herein after directed, who ſhall take the ſaid Oath, and ſubſcribe his Conſent to ſerve as the Subſtitute of ſuch Quaker, then and in every ſuch Caſe any Two or more Deputy Lieutenants ſhall, if they ſhall think proper, upon as reaſonable Terms as may be, provide and hire a fit Perſon of the ſame County or Counties, Stewartries, Cities, or Places, forming a Battalion or Regiment as herein-after directed, to ſerve as a Subſtitute for ſuch Quaker, and ſuch Subſtitute ſhall, after being duly examined and approved, take the ſaid Oath, and ſubſcribe his Conſent to ſerve in the Militia for the ſame Term, and on the ſame Conditions, as is herein-before directed in the Caſe of Subſtitutes produced by Perſons choſen by Ballot; and any Two or more Deputy Lieutenants may and are hereby authorized, by Warrant under their Hands, to levy by Diſtreſs and Sale of the Goods and Effects of ſuch Quaker, ſuch Sum of Money as ſhall be neceſſary to defray the Expence of providing and hiring ſuch Subſtitute, rendering to ſuch Quaker the Overplus, (if any), after deducting the Charges of ſuch Diſtreſs and Sale; and if no Goods or Effects belonging to ſuch Quaker can be found ſufficient to levy ſuch Diſtreſs, and it ſhall nevertheleſs appear ſatisfactorily to ſuch Deputy Lieutenants that ſuch Quaker is of ſufficient Ability to pay the Sum of Ten Pounds, then it ſhall be lawful for ſuch Deputy Lieutenants to commit ſuch Quaker to the Common Gaol, there to remain without Bail or Mainprize for the Space of Three Months, or until he ſhall have paid ſuch Sum of Money as ſuch Deputy Lieutenants ſhall have agreed to pay to ſuch Subſtitute as aforeſaid; and in caſe any Meaſures ſhall be uſed in making Diſtreſs as aforeſaid, which may be by any ſuch Quaker thought oppreſſive, it ſhall be lawful for ſuch Quaker to complain to the Deputy Lieutenants at their next Meeting, who are hereby empowered and required to hear and finally determine the ſame.

Two Deputy Lieutenants may provide Subſtitutes for Quakers, and may levy the Expence by Diſtreſs, *etc.*

Quakers may complain to the Deputy Lieutenants.

XLVI. Provided always, That no Man ſhall be deemed, taken, and accepted to be a Quaker within the Meaning of this Act, unleſs he ſhall produce before the Deputy Lieutenants, at ſome of their Subdiviſion Meetings, a Certificate under the Hands of Two or more reputable Houſekeepers,

No Perſon to be deemed a Quaker unleſs he produces a Certificate of his being of that Perſuaſion.

keepers, being of the People called *Quakers*, acknowledging ſuch Man to be One of their Perſuaſion.

No Man to be inrolled until reported fit for Service by a Surgeon, who ſhall have an Allowance for his Attendance.

XLVII. And be it further enacted, That no Man ſhall be approved or inrolled to ſerve in the Militia under this Act, either as a ballotted Man, or as a Subſtitute or Volunteer, until he ſhall have been carefully examined by ſome Surgeon of competent Skill, and ſhall have been declared and reported by ſuch Surgeon to be neither ruptured, lame, maimed, nor afflicted with any Diſorder that may render him unfit to ſerve, but to be in every Reſpect able and fit for Service; and the Deputy Lieutenants aſſembled at their Subdiviſion Meetings, or any Two Deputy Lieutenants, ſhall in all Caſes, before they proceed to inrol any Man for the Militia, cauſe ſuch Examination to be carefully made; and it ſhall be lawful for the ſaid Deputy Lieutenants, and they are hereby empowered and directed to require the Attendance of any Surgeon of any Regiment, Battalion, or Corps of the Militia of the County, Stewartry, City, or Place, for which any Man is to be inrolled, or any Surgeon belonging to His Majeſty's other Forces, if any ſuch Surgeon is within a reaſonable Diſtance, and can conveniently be had, or otherwiſe to require the Attendance of any other competent Surgeon for that Purpoſe, and a reaſonable Allowance, not exceeding Ten Shillings, ſhall be made to the Surgeon performing ſuch Examination for every Day he ſhall actually attend for that Purpoſe, and ſhall be paid to him in like Manner as Allowances are by this Act directed to be made and paid to Subdiviſion Clerks.

Two Deputy Lieutenants may diſcharge Perſons choſen by Ballot who are unfit for Service, and cauſe others to be choſen.

XLVIII. And be it further enacted, That whenever it ſhall appear to any Two or more Deputy Lieutenants, aſſembled at any Subdiviſion Meeting, that any Perſon choſen by Ballot to ſerve in the Militia is not of the full Height of Five Feet Four Inches, or is not approved upon Examination by a Surgeon according to the Directions of this Act, ſuch Deputy Lieutenants ſhall and are hereby empowered and required to diſcharge ſuch Perſon, and immediately to amend the Liſt for the Place for which ſuch Perſon ſhall have been ballotted, and to cauſe another Perſon to be choſen in his Stead, by Ballot, according to the Directions of this Act.

Deputy Lieutenants to claſs the Men inrolled, and make out a Liſt in the Form in Schedule (E), a Copy of which the Clerk of the Subdiviſion ſhall tranſmit to the Clerk to the General Meetings to be entered in a Book.

XLIX. And be it further enacted, That the Deputy Lieutenants in their ſeveral Subdiviſions ſhall, as ſoon as they ſhall have inrolled the Number of Men required in their Subdiviſion, divide the Men ſo inrolled into as many Claſſes of the Deſcription herein-after mentioned as ſhall be found among ſuch Men; that is to ſay, in the Firſt Claſs they ſhall put all the Men under Thirty Years of Age, and having no Child or Children living; and in the Second Claſs, all the Men above Thirty Years of Age, having no Child or Children living; and in the Third Claſs, all the Men not having any Child or Children living under the Age of Fourteen Years; and in the Fourth Claſs, all the Men having any Child or Children, One of whom only ſhall be under the Age of Fourteen Years; and in the laſt Claſs, all the Men not included in any of the former Deſcriptions; and ſhall forthwith make out a Liſt of ſuch Claſſes, according to the Form in the Schedule to this Act annexed, marked (E); and within Three Days after the completing thereof, the Clerk of ſuch Subdiviſion Meeting ſhall tranſmit to the Clerk to the General Meetings an exact and true

Copy of ſuch Liſt, made out in ſuch Form as aforeſaid, to be by him entered in a Book to be kept for that Purpoſe.

Men becoming unfit to ſerve may be diſcharged, but if done by the Commandant only, it muſt be confirmed by Two Deputy Lieutenants before others are ballotted for.

L. And be it further enacted, That whenever any Militia Man, after having been ſworn and inrolled, ſhall become unfit for Service, it ſhall be lawful for the Colonel, or other Commandant of the Regiment or Battalion to which ſuch Militia Man ſhall belong, together with any Two or more Deputy Lieutenants of the County, Stewartry, City, or Place to which ſuch Regiment or Battalion belongs, if the ſaid Regiment or Battalion ſhall then be within the ſaid County, Stewartry, or Place, or for the Colonel or other Commandant only, if the ſaid Regiment or Battalion ſhall be abſent therefrom, to diſcharge any Militia Man of his Regiment or Battalion; but another Man ſhall not be ballotted for in the Room of ſuch Militia Man ſo diſcharged, until ſuch Diſcharge ſhall be confirmed under the Hands of Two or more Deputy Lieutenants of the County, Stewartry, City, or Place to which ſuch Regiment or Battalion belongs, aſſembled at any Meeting in the Subdiviſion for which ſuch Militia Man was inrolled, or at any General Meeting for the County, Stewartry, City, or Place as aforeſaid.

Vacancies by Death, *etc.* to be filled up by a freſh Ballot.

LI. And be it further enacted, That when any Private Militia Man ſhall, before the Expiration of the Term for which he was to ſerve, die, or be appointed a Serjeant, Corporal, or Drummer in the Militia, or be diſcharged in Manner aforeſaid as unfit for Service, or in purſuance of the Sentence of a Court Martial, the Colonel or Commanding Officer of the Regiment, Battalion, or Corps to which ſuch Private Man ſhall belong, ſhall certify the Vacancy occaſioned by ſuch Death, Appointment, or Diſcharge (as the Caſe may be) to the Clerk to the General Meetings, who ſhall forthwith tranſmit the ſaid Certificate to the Deputy Lieutenants of the Subdiviſion for which ſuch Private Man ſhall have been inrolled, and ſuch Vacancy ſhall be filled up by a freſh Ballot for a Militia Man to ſerve according to the Proviſions of this Act.

No Ballot to be for a Private appointed a Non-commiſſioned Officer or Drummer in the Room of One reduced to the Ranks.

LII. And be it further enacted, That whenever any Private Militia Man ſhall be appointed a Non-commiſſioned Officer or Drummer in any Regiment or Battalion of Militia, in the Room of any Non-commiſſioned Officer or Drummer reduced to the Ranks, no Ballot ſhall take place in the Pariſh or Place for which ſuch Private Man ſo appointed was then ſerving, in conſequence of any Vacancy occaſioned by ſuch Appointment, until the Non-commiſſioned Officer or Drummer ſo reduced ſhall have obtained his Diſcharge.

Where a Private ſhall be appointed a Non-commiſſioned Officer or Drummer in conſequence of a Vacancy, another ſhall be ballotted for, unleſs the Place ſhall find a Volunteer.

LIII. And be it further enacted, That where in any Regiment or Battalion of Militia, in which any Private Man ſhall be appointed a Serjeant, Corporal, or Drummer, in conſequence of any Vacancy occaſioned by the Death or Diſcharge of any Non-commiſſioned Officer or Drummer, the Pariſh or Place for which ſuch Private Militia Man was then ſerving ſhall find and provide another Man in his Stead, who ſhall be ballotted for in the Manner directed by this Act, unleſs a Volunteer ſhall be found by ſuch Pariſh or Place.

Deputy Lieutenants, on Certificate of Death, *&c.* to

LIV. And be it further enacted, That whenever any Certificate, ſigned by the Colonel or other Commandant of any Regiment or Battalion of

motion, *etc.* shall cause Vacancies to be filled up by Ballot.

Militia, shall be transmitted to the Deputy Lieutenants of the Subdivision for which any private Militia Man shall have been inrolled, of any such private Militia Man having died, or been appointed a Serjeant, Corporal, or Drummer in the Militia, or been discharged as being unfit for Service in Manner aforesaid, or in pursuance of the Sentence of a Court Martial, such Deputy Lieutenants shall and are hereby required to cause such Vacancy to be filled up by Ballot immediately after the Receipt of such Certificate, except in such Cases as are in this Act excepted.

At Subdivision Meetings Men shall be ballotted for in Room of those whose Terms of Service will expire before *Nov.* 20, next ensuing, and such Men may be discharged, and the others received.

LV. And be it further enacted, That any Two or more of the Deputy Lieutenants, at their several Subdivision Meetings, shall and they are hereby required to ballot for Militia Men in the Room of all Militia Men actually serving, whose Terms of Service will expire before the Twentieth Day of *November* then next ensuing the holding of such Subdivision Meetings, and shall at a following Meeting to be holden as soon as conveniently may be, proceed to inrol the said ballotted Men or their Substitutes as aforesaid; and the Commanding Officer of any Regiment or Battalion is hereby empowered, from Time to Time, to discharge any Man of his Regiment, Battalion, or Corps, whose Time of Service will expire before the Twentieth Day of *November* then next ensuing, and to receive any other Militia Man in his Room, who shall have taken the Oath and been inrolled according to the Directions of this Act; and every such Man so discharged, if serving for himself, shall be entitled to the same Immunity from further Service as if he had served his full Term; and if any such Man so discharged was serving as a Substitute, then the Person for whom he served shall be entitled to the like Immunity as aforesaid.

The Inrolment of Servants shall not vacate their Contracts with their Masters, unless the Militia shall be embodied, *etc.* and if any Dispute shall arise touching Wages under 20*l.*, Two Justices may settle it, and may grant Warrants for levying the Money by Distress, if not paid.

LVI. And be it further enacted, That if any Servant whatever, hired by the Year or otherwise, shall be inrolled as a Militia Man by virtue of this Act, such Inrolment shall not vacate or rescind the Contract or alter the Engagement between such Servant and his Master or Mistress, or Employer or Employers, unless the Militia of the County, Stewartry, City, or Place for which such Servant shall be inrolled shall be embodied or called out by His Majesty, or ordered so to be in pursuance of this Act, or unless such Person so inrolled shall leave the Service of his Master, Mistress, or Employer or Employers, for the Purpose of being trained and exercised for the Space of Twenty-one Days in pursuance of this Act, and shall not return again to the same Service at the End of such Twenty-one Days, or as soon after as reasonably may be, allowing to his Master, Mistress, or Employer or Employers, an Abatement from his Wages, in Proportion to the Duration of his Absence from his said Service, to be settled by any Two or more Justices of the Peace in the Manner herein-after mentioned; and in every such Case where any Dispute shall arise between such Servant and his Master or Mistress, or Employer or Employers, touching any Sum or Sums of Money due to such Servant for or on Account of his Service performed before the Time of his Departure from Service, under the Conditions of the said Inrolment, or by being called out to join the Militia in which he shall have been so inrolled, or touching any Abatement to be made by such Servant by reason of his Absence for the Purpose of being trained and exercised, it shall and may be lawful, on Complaint made thereof to any Two or more Justices of the Peace for the County, Stewartry, City, or Place where such Master or Mistress, or Employer or Employers shall inhabit, for such Justices to hear and determine every such Complaint,

Complaint, and to examine upon Oath every ſuch Servant, or any other Witneſs or Witneſſes, touching the ſame, and to make ſuch Order for the Payment of ſo much Wages to ſuch Servant in Proportion to the Service he has performed, or ſuch Abatement from his Wages, in Proportion to the Duration of his Abſence from his Service, as the Caſe may require, and as to ſuch Juſtice ſhall ſeem juſt and reaſonable, provided the Sum in Queſtion do not exceed the Sum of Twenty Pounds; and in caſe of Refuſal or Non-payment of any Sums ſo ordered to be paid by the Space of Twenty-one Days next after ſuch Determination, ſuch Juſtice may and ſhall iſſue forth his Warrant to levy the ſame by Diſtreſs and Sale of the Goods and Effects of ſuch Maſter or Miſtreſs, or Employer or Employers, rendering the Overplus to the Owner or Owners, after Payment of the Charges of ſuch Diſtreſs and Sale.

Subſtitutes or Volunteers who do not appear to be ſworn in ſhall return the Bounty, and be liable to Penalty.

LVII. And be it further enacted, That every Perſon who ſhall receive Money from any other Perſon to ſerve as his Subſtitute in the Militia, or from any Perſon or Perſons to ſerve as a Volunteer as aforeſaid, and ſhall neglect to appear at the uſual Meeting appointed for ſwearing in the Militia Men, or before ſome One Deputy Lieutenant, in order to be ſworn according to the Directions of this Act, being convicted thereof before any Deputy Lieutenant or Juſtice of the Peace, ſhall be obliged to return the Money to the Perſon or Perſons from whom he received it, and ſhall forfeit and pay to ſuch Perſon or Perſons any Sum not exceeding Forty Shillings nor leſs than Twenty Shillings, at the Diſcretion of the Deputy Lieutenant or Juſtice of the Peace before whom he ſhall be ſo convicted; and if ſuch Offender ſhall not immediately return the Money ſo by him received as aforeſaid, and likewiſe pay the ſaid Penalty, he ſhall be committed to the common Goal or Houſe of Correction for Fourteen Days, or until the ſaid Sum ſhall be returned.

Two Deputy Lieutenants or a Juſtice may order the Money agreed to be given a Subſtitute or Volunteer, to be paid him on Inrolment, where the Militia is not embodied; and where it is, One Half, and the other to the Clerk of the Sub-diviſion to be remitted to the Paymaſter, to be paid the Man on his joining, and being approved; and if he ſhall not join or be approved, the Money ſhall be paid to the Perſon provided in his Room.

LVIII. And be it further enacted, That if any Perſon choſen by Ballot to ſerve in the Militia ſhall have engaged any other Perſon to ſerve as his Subſtitute, or if any Perſon or Perſons ſhall have engaged any Perſon to ſerve as a Volunteer as aforeſaid, and the Perſon ſo choſen by Ballot, or ſuch Perſon or Perſons engaging a Volunteer ſhall have agreed to pay to the Perſon ſo engaged a certain Sum for ſuch Service, it ſhall be lawful for Two Deputy Lieutenants, or any One Juſtice of the Peace, when the Militia of the County, Stewartry, City, or Place for which ſuch Subſtitute or Volunteer ſhall be inrolled ſhall not be embodied, and they and he are and is hereby required, after ſuch Subſtitute or Volunteer has been examined by a Surgeon, and approved, according to the Directions of this Act, and inrolled by the Deputy Lieutenants in purſuance thereof, to order ſuch Sum of Money as ſhall appear to them or him to be due to the Subſtitute or Volunteer ſo engaged, to be immediately paid to him on ſuch Inrolment by the Perſon or Perſons by or for whom he ſhall be engaged to ſerve as aforeſaid; and in every Caſe where the Militia ſhall be embodied at the Time of ſuch Inrolment, it ſhall be lawful for the ſaid Deputy Lieutenants or Juſtice to direct any Sum not exceeding One Half Part of the ſaid Sum of Money ſo engaged to be given as aforeſaid, to be paid to him forthwith, or to be advanced to ſuch Perſon or to ſuch of his Family, and in ſuch Proportions, as he ſhall requeſt at the Time of ſuch his Inrolment; and the remaining Part thereof to be paid to and received by the Clerk of the Subdiviſion Meeting, who ſhall thereupon forthwith remit

the ſame to the Paymaſter or Battalion Clerk of the Regiment or Battalion of Militia to which ſuch Subſtitute or Volunteer ſhall be ſent as a Militia Man, to be retained by him until ſuch Subſtitute or Volunteer ſhall have joined ſuch Regiment or Battalion, and been approved at Head Quarters as fit to ſerve, and then to be paid or accounted for to ſuch Subſtitute or Volunteer; and if he ſhall not join or be approved of, then ſuch Money ſhall remain in the Hands of ſuch Paymaſter, to be afterwards applied in like Manner to the Payment of ſome other Subſtitute or Volunteer, in lieu of the One for whom ſuch Money ſhall have been remitted as aforeſaid; and ſuch Deputy Lieutenants or Juſtice ſhall proceed therein for enforcing the Payment of every ſuch Sum of Money in ſuch and the like Manner, in every Reſpect, and by all ſuch and the like Powers and Authorities, as is and are directed by and contained in all or any Statutes or Statute made for the Recovery of Wages in *Scotland*; and if any ſuch Subdiviſion Clerk ſhall omit or neglect to remit ſuch Money within One Week after the ſame ſhall have been paid to him as aforeſaid, ſuch Clerk ſhall forfeit and pay, for every ſuch Offence, the Sum of Twenty Pounds.

The Payment of ſuch Money may be enforced as Recovery of Wages in *Scotland*, and Clerk neglecting to remit the Money ſhall forfeit 20*l.*

Enliſtment of a Militia Man into the other Forces ſhall be void, and any Man ſo offering to enliſt, denying that he is ſerving in the Militia, or offering to ſerve in any other Regiment of Militia, ſhall be impriſoned, not exceeding Six Months, and his Term of Service ſhall recommence from his Commitment, and when ended, he ſhall belong to the Corps into which he inliſted.

LIX. And be it further enacted, That in caſe any Officer, Serjeant, or other Perſon, ſhall at any Time wilfully and knowingly enliſt any Man to ſerve in His Majeſty's other Forces, who at the Time of ſuch enliſting ſhall be inrolled or engaged to ſerve in the Militia, every ſuch enliſting ſhall be deemed null and void; and in caſe any Militia Man, at the Time of offering to enliſt as aforeſaid, ſhall deny to the Officer, Serjeant, or other Perſon recruiting for Men to enliſt and ſerve in His Majeſty's other Forces, that he is (at the Time of his offering to enliſt) a Militia Man then actually inrolled and engaged to ſerve (which the ſaid Officer, Serjeant, or other Perſon is hereby required to aſk every Man offering to enliſt in His Majeſty's other Forces), or ſhall offer himſelf to be inrolled and ſerve in any other Regiment or Battalion of Militia, every Militia Man ſo offending ſhall, on Conviction thereof upon the Oath of One Witneſs, before any One Juſtice of the Peace, be committed to the Common Gaol or Houſe of Correction, there to remain without Bail or Mainprize for and during any Time not exceeding Six Months, and his Term of Service ſhall recommence from the Date of ſuch Commitment, over and above any Penalty or Puniſhment to which ſuch Perſon ſo offending is or ſhall be otherwiſe liable; and every Perſon ſo offending, from the Day on which his Engagement to ſerve in the Militia ſhall end, and not ſooner, ſhall belong as a Soldier to the Corps of His Majeſty's other Forces into which he ſhall have been ſo enliſted; and if any Officer or other Perſon ſhall enliſt any Man belonging to the Militia to ſerve in His Majeſty's other Forces, knowing him to belong to the Militia, or without aſking him if he belongs to the Militia, every ſuch Officer, Serjeant, or other Perſon, ſhall for every ſuch Offence forfeit and pay the Sum of Twenty Pounds; and if any Perſon actually ſerving in any of His Majeſty's other Forces ſhall offer himſelf to ſerve, and be inrolled as a Subſtitute in the Militia, every Perſon ſo offending ſhall forfeit and pay to the Perſon informing of ſuch Offence the Sum of Ten Pounds, or be committed to the Common Gaol or Houſe of Correction for any Time not exceeding Three Months.

Perſons enliſting Militia Men ſhall forfeit 20*l.*

Soldiers offering to ſerve as Subſtitutes to forfeit 10*l.* or be impriſoned not exceeding Three Months.

Perſons ordering Serjeants, &c. of the Militia to beat up for Volun.

LX. And be it further enacted, That if any Perſons ſhall give Orders to any Serjeant, Drummer, or other Perſon ſerving in the Militia, to beat up in any City, Town, or Place for Volunteers to ſerve in the Militia,

 the

the Perſon who ſhall give ſuch Orders ſhall, upon Proof thereof, and upon ſuch beating up as aforeſaid, upon Oath before any Juſtice of the Peace, forfeit and pay the Sum of Twenty Pounds, One Moiety whereof ſhall be applied to the Uſe of the Perſon who ſhall make Information thereof before any Juſtice of the Peace; and if ſuch Serjeant, Drummer, or other Perſon, ſhall refuſe to declare upon Oath before ſuch Juſtice from whom he received ſuch Orders, it ſhall be lawful for ſuch Juſtice and he is hereby required, by Warrant under his Hand and Seal, to commit ſuch Serjeant, Drummer, or other Perſon to the Houſe of Correction for any Time not exceeding Three Months.

teers ſhall forfeit 20*l.*; and ſuch Serjeant, *etc.* refuſing to declare who gave the Order ſhall be impriſoned not exceeding Three Months.

LXI. And be it further enacted, That the Money ariſing by Penalties incurred for refuſing to ſerve in the Militia, or to find Subſtitutes to ſerve in their Room, ſhall be applied by any Two or more Deputy Lieutenants within their reſpective Subdiviſions in providing Subſtitutes for the Perſons who have paid ſuch Penalties, which Subſtitutes ſhall be examined, approved, ſworn in, and inrolled, to ſerve for the ſame Term, in the ſame Manner, and on the ſame Conditions, as is herein-before provided in the Caſe of Subſtitutes provided by Perſons choſen by Ballot; and if any Surplus ſhall remain, the ſame ſhall be paid to the Colonels or other Commandants of the reſpective Regiments or Battalions in which ſuch Perſons ought to have ſerved as Militia Men, and be applied as Part of the Regimental Stock; and a Return of the Amount of ſuch Penalties with the Names of Perſons paying the ſame, ſhall be tranſmitted by the Clerks of the Subdiviſion Meetings to the Clerk of the General Meetings, and where Two or more Counties, Stewartries, Cities, or Places, are joined together to form a Regiment or Battalion, a Copy of every ſuch Return ſhall be tranſmitted by the Clerk of the General Meetings of ſuch County, Stewartry, City, or Place, or Counties, Stewartries, Cities, or Places, to the Clerk of the General Meeting of the County, Stewartry, City, or Place, furniſhing the greateſt Number of Men to ſuch Regiment or Battalion; and the Return of the Account of ſuch Penalties, with the Names of Perſons paying the ſame, ſhall be tranſmitted by the Clerks of the Subdiviſion Meetings to the Clerks of the General Meetings, and where Two or more Counties, Stewartries, Cities, or Places, are joined together to form a Regiment or Battalion, ſuch Return ſhall be ſent by the Clerk or Clerks of the General Meetings of the other County, Stewartry, City, or Place, or Counties, Stewartries, Cities, or Places, to the Clerk of the General Meeting of the County or Stewartry, furniſhing the greateſt Number of Men to ſuch Regiment or Battalion.

Penalties for refuſing to ſerve or to find Subſtitutes ſhall be applied in providing them; and any Surplus ſhall be a Part of the Regimental Stock.

A Return of Penalties, and Perſons paying them, to be tranſmitted by the Clerk of the Subdiviſions to the Clerk of the General Meetings, *etc.*

LXII. And be it further enacted, That in all Caſes in the Execution of this Act, when any Matter or Thing is directed to be enquired of or examined into, upon the Oath of any Witneſs or Witneſſes, before any Lieutenant of any County, Stewartry, or City, or any Deputy Lieutenant or Lieutenants, or Juſtice or Juſtices of the Peace; any ſuch Lieutenant, Deputy Lieutenant or Lieutenants, or Juſtice or Juſtices of the Peace, is or are hereby authorized, to adminiſter ſuch Oath, to any Witneſs or Witneſſes, and that all other Oaths to be taken in purſuance of this Act, ſhall and may be reſpectively adminiſtered by any Lieutenant or Deputy Lieutenant.

Lieutenants, Deputies, and Juſtices, authorized to adminiſter Oaths.

How the Militia shall be divided, and classed.

LXIII. And be it further enacted, That the Militia of the several Counties, Stewartries, Cities, and Places aforesaid, shall be divided into Fifteen different Regiments or Battalions, consisting of Companies not more than One hundred Men, nor less than Sixty Men each; and that for the Formation of the said Regiments or Battalions, the said Counties, Stewartries, Cities, and Places shall compose Regiments or Battalions, and be classed as follows; *(videlicet)* The County of *Aberdeen* shall of itself form One Battalion; and the Counties of *Ayr*, *Fife*, *Lanark*, *Perth*, and *Renfrew*, shall in like Manner of themselves form each a Battalion: And the following Counties, Stewartries, Cities, and Places, shall be joined together to form Battalions; *(videlicet)*

The Counties of *Argyle* and *Bute*;
The Counties of *Berwick*, *Haddington*, *Linlithgow* and *Peebles*;
The Counties of *Caithness*, *Sutherland*, *Ross*, and *Cromarty*;
The Counties of *Dumfries*, *Roxburgh*, and *Selkirk*;
The County of *Edinburgh*, and the City of *Edinburgh*;
The Counties of *Forfar* and *Kincardine*;
The Counties of *Inverness*, *Banff*, *Elgin*, and *Nairne*;
The Stewartry of *Kirkcudbright* and County of *Wigton*; and
The Counties of *Stirling*, *Dunbarton*, *Clackmannan*, and *Kinross*.

Establishments of the Militia.

LXIV. And be it further enacted, That to each Company of such Regiments or Battalions of Militia as aforesaid, there shall be One Captain, One Lieutenant, and One Ensign; and that the Field Officers of such Regiments or Battalions shall be as follows; (that is to say), in every Regiment or Battalion consisting of not less than four hundred and twenty private Men, there shall be One Colonel, One Lieutenant-Colonel, and One Major; and in every Regiment or Battalion consisting of less than Four hundred and twenty private Men, there shall be One Lieutenant Colonel, and One Major: Provided always, that no Colonel or Field Officer in the Militia shall be a Captain of a Company, except in the Case herein-after mentioned: Provided also, that where a Regiment or Battalion shall consist of less than Four hundred and twenty private Men, but not less than Two hundred and fifty private Men, Three Persons qualified according to this Act may be appointed to hold the Rank of Colonel, Lieutenant Colonel, and Major, in such Regiment or Battalion respectively, but with no higher Pay than if the Persons so appointed to hold the Rank of Colonel, Lieutenant Colonel, and Major, were appointed to hold only the Rank of Lieutenant Colonel, Major, and Captain respectively, and which Three Persons who may be so appointed to hold the Rank of Colonel, Lieutenant Colonel, and Major respectively, shall be severally appointed in the Manner herein-after provided in the Case of other Colonels, Lieutenant Colonels, and Majors of the Militia: Provided also, that every Regiment or Battalion consisting of Five Companies, but less than Eight Companies, may have One Company of Grenadiers or Light Infantry, to which Two Lieutenants shall be appointed instead of One Lieutenant and One Ensign; and that every Regiment or Battalion consisting of Eight Companies or upwards, may have One Company of Grenadiers and One Company of Light Infantry, to each of which Companies Two Lieutenants shall be appointed instead of One Lieutenant and One Ensign: Provided also, that to every Company consisting of Ninety private Men and upwards, there may be

Two Lieutenants and One Enſign, or Three Lieutenants as the Caſe may be.

How the Field Officers ſhall be appointed.

LXV. And be it further enacted, That the different Field Officers commanding the ſaid ſeveral Battalions ſhall be appointed as follows: Where Three or more Counties, Stewartries, Cities, or Places, are joined together to form a Battalion, the Colonel ſhall be appointed by the Lieutenant of the County, Stewartry, City, or Place, furniſhing the greateſt Number of private Men; the Lieutenant Colonel ſhall be appointed by the Lieutenant of the County, Stewartry, City, or Place, furniſhing the next greateſt Number; and the Major ſhall be appointed by the Lieutenant of the County, Stewartry, City, or Place, furniſhing the Third greateſt Number: And where Two Counties, Stewartries, Cities, or Places only are joined together to form a Battalion, then and in ſuch Caſe the Colonel and Major ſhall be appointed by the Lieutenant of the County, Stewartry, City, or Place, furniſhing the greateſt Number; and the Lieutenant Colonel ſhall be appointed by the Lieutenant of the County, Stewartry, City, or Place, furniſhing the ſmalleſt Number; and where One County, Stewartry, City, or Place of itſelf, forms One Battalion, then the Colonel, Lieutenant Colonel, and Major, ſhall be appointed by the Lieutenant of the County, Stewartry, City, or Place, forming ſuch Battalion.

Where a County, *etc.* does not furniſh ſufficient Men for a Company, the Lieutenant ſhall not appoint any of the Field Officers.

LXVI. Provided always, and be it enacted, That where any County, Stewartry, City, or Place, does not furniſh Men ſufficient to form a Company, the Lieutenant of ſuch County, Stewartry, City, or Place, ſhall not appoint any of the Field Officers.

How the Captains and Subalterns ſhall be appointed.

LXVII. And be it further enacted, That the Captains and Subalterns of Companies ſhall be appointed as follows: Where the Men furniſhed by any County, Stewartry, City, or Place, ſhall not be ſufficient for a Company, the Lieutenant of the County, Stewartry, City, or Place, furniſhing the greateſt fractional Part of a Company, ſhall appoint the Captain; the Lieutenant of the County, Stewartry, City, or Place, furniſhing the next greateſt fractional Part of a Company, ſhall appoint the Lieutenant; and the Lieutenant of the County, Stewartry, City, or Place, furniſhing the next greateſt fractional Part of a Company, ſhall appoint the Enſign; and where the Men furniſhed by Two Counties only form One Company, or the fractional Part of a Company, the Lieutenant of the County, Stewartry, City, or Place, furniſhing the largeſt fractional Part of ſuch Company, ſhall appoint the Captain; and the Lieutenant of the other County, Stewartry, City, or Place, ſhall appoint the Lieutenant and Enſign: And where any County, Stewartry, City, or Place, ſhall furniſh Men ſufficient for One or more complete Company or Companies, the Captains, Lieutenants, and Enſigns of ſuch Company or Companies ſhall be appointed by the Lieutenant of ſuch County, Stewartry, City, or Place; and any fractional Part of a Company which may remain furniſhed by ſuch County, Stewartry, City, or Place, ſhall become ſubject to the Rules above preſcribed, where the Men furniſhed by Two or more Counties, Stewartries, Cities, or Places, are requiſite to complete a Company.

His Majeſty may direct a Supernumerary Officer

LXVIII. Provided always, and be it enacted, That if His Majeſty ſhall at any Time direct that any Proportion of the ſaid Militia ſhall be trained and exerciſed

For Officers to be appointed to Men trained to the Service of Artillery.

exercised to the Service of any Artillery that may be attached to any Regiment or Battalion of Militia, it shall be lawful for His Majesty to direct that a Supernumerary Officer or Officers of the said Regiment or Battalion of such Rank as His Majesty shall order, and being duly qualified as aforesaid, shall be appointed to and for the said Men so directed to be trained and exercised as aforesaid.

Officers accepting Commissions of the same Rank in other Regiments to rank according to Dates of vacated Commissions.

LXIX. And be it further enacted, That every Officer of any Militia Regiment or Battalion, who may have accepted or shall accept a Commission or Appointment of the same Rank in any other Militia Regiment or Battalion, and shall thereby vacate his former Commission, shall continue to rank in the general Service according to the Date of his Commission or Appointment of the same Rank in the Militia so vacated as aforesaid.

Where Commandant shall be absent from *Great Britain*, His Majesty may direct the Officer next in Command to act for him, who shall be vested with the same Powers till the Commandant shall return, and notify his Arrival.

LXX. And be it further enacted, That when any Colonel or other Commandant of any Regiment or Battalion of Militia shall be absent from *Great Britain*, and until he shall return to *Great Britain*, and shall have notified his Arrival to the Clerk of the General Meeting of the District to which such Regiment or Battalion shall belong, and to the Commanding Officer and Adjutant thereof, it shall be lawful for His Majesty, by Warrant under His Sign Manual, to direct and order that the Officer next in Command, who shall be residing in *Great Britain*, shall in all Cases act and serve as the Commandant of such Regiment or Battalion; and all Powers and Authorities which might have been exercised by such Colonel or other Commandant so absent as aforesaid, while resident in *Great Britain*, shall be vested in and exercised by the Officer next in Command in such Regiment or Battalion, who shall be resident in *Great Britain*; and from and after issuing the said Warrant as aforesaid, all Matters and Things which ought to be transacted and done by any other Person or Persons with such Colonel or other Commandant, whilst resident in *Great Britain*, shall be transacted and done during the Time aforesaid with such Officer so next in Command as aforesaid, who shall be residing in *Great Britain*; and all Money directed to be issued or paid to or to the Order of such Colonel or other Commandant for the Use of such Regiment or Battalion, shall be issued and paid to or to the Order of such Officer next in Command as aforesaid; and all Acts, Matters, and Things, done by and with such Officer so next in Command as aforesaid, during the Time aforesaid, which are or shall be authorized or required to be done by or with such Colonel or other Commandant when in *Great Britain*, shall be good and valid as if done by or with such Colonel or other Commandant; and during the Absence from *Great Britain* of the Colonel or other Commandant of such Regiment or Battalion, and until he shall return to *Great Britain*, and notify his Arrival as aforesaid, the Officer next in Command in such Regiment or Battalion, who shall be residing in *Great Britain*, shall appoint the Regimental or Battalion Clerk and Agent to such Regiment or Battalion, in the same Manner as such Colonel or other Commandant might have done, and shall take Security from such Agent, and shall be and is hereby made subject and liable to make good all Deficiencies that may happen from the said Agent, or from himself, upon Account of the Pay, Cloathing, or publick Stock of such Regiment or Battalion: Provided always, that such Officer so next in Command as aforesaid, who shall assume the Powers so given to him as aforesaid in consequence of the Absence from *Great Britain* of his Colonel or other Commandant, shall,

The Officer next in Command shall, within Seven Days after assuming the Command,

within Seven Days after he ſhall aſſume any ſuch Powers, notify the Abſence from *Great Britain* of ſuch Colonel or other Commandant to the Lieutenant of the County, Stewartry, City, or Place, and alſo when the Regiment or Battalion ſhall be in actual Service, to the Secretary at War: Provided alſo, that if any ſuch Colonel or other Commandant as aforeſaid ſhall have given any Orders for Cloathing or other Neceſſaries, or for Accoutrements, which ought to be provided in due Courſe, or in purſuance of any Order by proper Authority at the Time when ſuch Order ſhall be given, for the Uſe of his Regiment or Battalion, and if before ſuch Orders ſhall be completed, or after the ſame ſhall be completed and before the Money ſhall be iſſued for the ſame, ſuch Colonel or other Commandant ſhall leave *Great Britain*, the Orders ſo given by ſuch Colonel or other Commandant ſhall nevertheleſs be completed, and the Money to be iſſued in reſpect thereof ſhall be paid to the Order of ſuch Colonel or other Commandant, notwithſtanding his Abſence from *Great Britain* as aforeſaid; and in like Manner if any Officer ſo next in Command as aforeſaid ſhall, in conſequence of the Abſence from *Great Britain* of his Colonel or other Commandant, and under the Authorities given to him as aforeſaid, give any Orders for Cloathing or other Neceſſaries, or for Accoutrements, which ought to be provided in due Courſe, or in purſuance of any Order by proper Authority at the Time when ſuch Orders ſhall be given, for the Uſe of his Regiment or Battalion, and before ſuch Orders ſhall be completed, or after the ſame ſhall be completed and before the Money which ought to be iſſued ſhall be iſſued for the ſame, the Colonel or other Commandant ſhall return to *Great Britain*, and notify his Arrival as aforeſaid, the Orders ſo given by ſuch Officer ſo next in Command as aforeſaid ſhall be completed, and the Money to be iſſued in reſpect thereof ſhall be paid to the Order of ſuch Officer, notwithſtanding the Return of ſuch Colonel or other Commandant as aforeſaid.

Notify the Abſence of the Commandant to the County Lieutenant, and when in actual Service to the Secretary of War.

Orders given by the Commandant for Cloathing or Accoutrements ſhall be completed, and the Money paid to his Order, though he may leave *Great Britain*, as ſhall the Orders given by the Officer next in Command during the Abſence of the Commandant, though he may return.

LXXI. And be it further enacted, That His Majeſty may and ſhall appoint One proper Perſon, who ſhall have ſerved in ſome of His Majeſty's other Forces, or in the Militia of *England* or of *Scotland*, while embodied, for the Term of Five Years at the leaſt, to be an Adjutant to each Regiment or Battalion of Militia; and ſuch Adjutant, if appointed out of His Majeſty's other Forces, ſhall, during his Service in the Militia, preſerve his Rank in the Army in the ſame Manner as if he had continued in that Service; and it ſhall be lawful for the Lieutenant of any County, Stewartry, City, or Place, on the Recommendation of the Colonel or other Commandant of any Regiment or Battalion of Militia, to appoint the Adjutant of ſuch Regiment or Battalion to ſerve with the Rank of Captain, provided ſuch Adjutant ſhall have ſerved Five Years in the Militia while embodied, or in His Majeſty's other Forces, although ſuch Adjutant may not have the Qualification required by this Act for Captains: Provided always, that no ſuch Appointment to the Rank of Captain ſhall be valid, unleſs in the Inſtrument granting the ſame it be ſpecified in what Regiment or Battalion of the Militia, while embodied, or of His Majeſty's other Forces, ſuch Adjutant hath ſerved, and what was or were the Date or Dates of his Commiſſion or Commiſſions: Provided alſo, that no Adjutant ſo appointed to ſerve with the Rank of Captain ſhall, by virtue of the Date of ſuch Appointment as aforeſaid, or otherwiſe, be entitled to rank above or to command any Captain of a Company in the Militia:

His Majeſty to appoint Adjutants from the Army or Militia, who ſhall preſerve their Rank in the Army, and may be appointed to the Rank of Captain after Five Years Service, though not qualified; but no Adjutant ſo appointed to that Rank ſhall command any Captain of a Company, or be entitled to greater Pay than Adjutant.

Provided alſo, that no ſuch Adjutant ſhall, by Reaſon of any ſuch Appointment as aforeſaid, be entitled to receive any greater or other Pay than that of Adjutant.

The Lieutenant authorized to name the Colonel, may, with the Approbation of His Majeſty, appoint a Surgeon, who ſhall, when the Regiment is diſembodied, receive an Allowance for his Attendance during the Exerciſe of the Militia, and at Enrolments, and be paid for Medicines, *etc.*

LXXII. And be it further enacted, That it ſhall be lawful for the Lieutenant of the County, Stewartry, City, or Place, who is authorized by this Act to name the Colonel of any Regiment or Battalion of Militia, with the Approbation of His Majeſty, to appoint One fit and proper Perſon, who ſhall have paſſed in Examination at Surgeon's Hall in *London*, or before the College of Surgeons in *Edinburgh*, and received his Certificate accordingly, to be Surgeon of ſuch Regiment or Battalion, and every ſuch Appointment ſhall recite the Certificate of the Perſon ſo appointed, and an atteſted Copy thereof ſhall be tranſmitted to and depoſited with the Clerk of the General Meetings; and every ſuch Surgeon ſhall, while the Militia to which he ſhall belong are diſembodied, receive Ten Shillings *per* Day for every Day of his Attendance during any Exerciſe of ſuch Militia under this Act, and the ſame for every Day that he ſhall attend the Inrolments at the Subdiviſion Meetings, ſuch laſt mentioned Attendances being certified by any Deputy Lieutenant or Lieutenants of ſuch Subdiviſion Meeting to the Collector of the County, Stewartry, City, or Place, the Lieutenant of which has appointed ſuch Surgeon in Manner aforeſaid; and in Addition thereto, every ſuch Surgeon ſhall alſo receive his actual and reaſonable Expences for Medicines and Neceſſaries for the Sick, during the Time of any Exerciſe of ſuch Militia in purſuance of this Act, and for his Attendance, Medicines, and Neceſſaries for the ſick Serjeants, Corporals, and Drummers, when actually reſident at the Head Quarters of the Regiment or Battalion, as herein-after directed, which ſhall be repaid him by the ſaid Collector, on an Account ſtated by ſuch Surgeon, and certified by the Commanding Officer and Adjutant of the Regiment or Battalion to which he ſhall belong; and every ſuch Surgeon ſo appointed as aforeſaid ſhall, during the Time of the Militia to which he ſhall belong being embodied, receive the Pay and Allowance of a Surgeon of Infantry in His Majeſty's other Forces, and be ſubject to the like Rules, Reſtrictions, and Directions, in every Reſpect, as far as the ſame may be applicable; and no ſuch Surgeon ſhall be capable of holding any other Commiſſion in ſuch Militia, or of receiving any Pay in reſpect of any other Commiſſion in ſuch Militia, during the Time of his being ſuch Surgeon as aforeſaid.

Surgeon, when the Regiment is embodied, to receive the Pay and Allowance of a Surgeon of Infantry, but not to hold any other Commiſſion.

The Colonel, with the Approbation of His Majeſty, may appoint a Perſon who has ſerved in the Army or Militia to be Quarter Maſter, who may have the Rank of a Subaltern, though not qualified; but ſhall not hold any other Commiſſion.

LXXIII. And be it further enacted, That it ſhall be lawful for the Colonel of each Regiment or Battalion, with the Approbation of His Majeſty, to appoint One fit and proper Perſon, who has ſerved in His Majeſty's other Forces, or in the embodied Militia, to be the Quarter Maſter of any ſuch Regiment or Battalion reſpectively; and it ſhall be lawful for the Lieutenant of the County, Stewartry, City, or Place, authorized by this Act to appoint the Colonel of ſuch Regiment or Battalion, on the Recommendation of the Colonel thereof, to appoint ſuch Quarter Maſter to ſerve with the Rank of Lieutenant or Enſign, although ſuch Quarter Maſter may not have the Qualification required by this Act for Lieutenants or Enſigns reſpectively: Provided always, that ſuch Quarter Maſter ſhall not be capable of holding any Commiſſion, or receiving any Pay in reſpect of any Commiſſion, in any Company in the Militia during the Time of his being ſuch Quarter Maſter as aforeſaid.

LXXIV. And

LXXIV. And be it further enacted, That the Colonel or other Commandant of every Regiment or Battalion of Militia, when such Regiment or Battalion is not in actual Service, may appoint a Regimental or Battalion Clerk, who shall execute the Office of Paymaster.

The Colonel, when a Regiment is not in actual Service, may appoint a Clerk, who shall act as Paymaster.

LXXV. And be it further enacted, That no Adjutant, Surgeon, Regimental or Battalion Clerk, Paymaster, or Quarter Master in the Militia, shall be capable of being appointed Captain of a Company, nor shall any Person holding the Commission of Captain of a Company be capable of being appointed Adjutant, Surgeon, Regimental or Battalion Clerk, Paymaster, or Quarter Master of Militia.

No Adjutant, *etc.* to be appointed Captain of a Company, nor any Captain of a Company to be appointed Adjutant, *etc.*

LXXVI. And be it further enacted, That no Officer who is entitled to Half Pay shall be deemed or taken to forfeit, or quit such Half Pay during the Time he shall serve as Lieutenant, Ensign, Adjutant, Regimental or Battalion Clerk, Quarter Master, or Surgeon in the Militia, but that the same shall nevertheless continue; and instead of the Oath usually required of Half Pay Officers to entitle them to the Receipt of their Half Pay, every such Officer so entitled to Half Pay, and serving as aforesaid, shall take the following Oath:

Half Pay Officers, serving as Subalterns, *etc.* may receive their Half Pay on taking the following Oath.

'I *A. B.* do swear, That I had not, between the and the any Place or Employment of Profit, Civil or Military, under His Majesty, besides my Allowance of Half Pay as a reduced in late Regiment of save and except my Pay as Lieutenant, Ensign, Adjutant, Regimental or Battalion Clerk, Quarter Master, or Surgeon, (*as the Case may be*), for serving in the Militia.'

And the taking of the said Oath shall, without taking any other Oath, be sufficient to entitle such Person to his Half Pay.

LXXVII. And be it further enacted, That Serjeants, Corporals, and Drummers, shall be appointed to the Militia by the Colonels or other Commandant of each Regiment or Battalion, in the following Proportions; (that is to say), when not in actual Service, there shall be One Serjeant and One Corporal to every Thirty private Men; and when the Militia shall be drawn out into actual Service, an Addition shall be made, so that there shall be One Serjeant and One Corporal to every Twenty private Men; and when not in actual Service, there shall be One Drummer to every Company, with an Addition of One Drummer for each Flank Company of Regiments or Battalions consisting of Five or more Companies as aforesaid; and when the Militia shall be drawn out into actual Service, there shall be an Addition of One Drummer to every Company so drawn out; and the Daily Pay of every such Serjeant, Corporal, and Drummer respectively, when not in actual Service, shall be as follows; (that is to say), of every Serjeant One Shilling and Sixpence, of every Corporal One Shilling and Two-pence, and of every Drummer One Shilling; and such Serjeants, Corporals, and Drummers, shall be new cloathed, when not in actual Service, Once in Two Years; and all Serjeants, Corporals, and Drummers, shall take the following Oath; (that is to say),

The Proportions of Non-commission Officers and Drummers, and their Pay.

Non-commission Officers and Drummers to take the following Oath.

'I *A. B.* do sincerely promise and swear, That I will be faithful and bear true Allegiance to His Majesty King *George*; and that I will faithfully

'faithfully ſerve in the Militia, within *Great Britain*, for the Defence of 'the ſame, until I ſhall be legally diſcharged.'

Colonel may appoint a Serjeant Major and Drum Major, but no Publican ſhall be a Serjeant, Corporal, or Drummer.

And the Colonel or other Commandant of every Regiment or Battalion may appoint a Serjeant Major, and the Colonel or other Commandant of every Regiment or Battalion may alſo appoint a Drum Major, and that all Serjeants, Corporals, and Drummers, having received any Pay as ſuch from any Regiment or Battalion, ſhall be deemed to be engaged and compellable to ſerve in ſuch Regiment or Battalion, until they ſhall be legally diſcharged: Provided always, that no Perſon who ſhall keep any Houſe of publick Entertainment, or who ſhall ſell any Ale or Wine, or any Brandy or other Spirituous Liquors by Retail, ſhall be capable of being appointed, or of ſerving or receiving Pay as a Serjeant, Corporal, or Drummer, in the Militia: Provided always, that if it ſhall happen that in any Regiment or Battalion there ſhall be a Surplus of Fifteen Private Men, or upwards, after the Appointment of One Serjeant and One Corporal to every Thirty Private Men, ſuch Regiment, Battalion, or Corps ſhall be entitled to have One additional Corporal, when not in actual Service, for ſuch Surplus Number of Men.

An additional Corporal may be appointed where there is a Surplus of 15 Men above the Proportion of 30 to a Serjeant and Corporal.

41 Geo. 3. c. 55. recited.

LXXVIII. And whereas by an Act, paſſed in the Forty-firſt Year of the Reign of His preſent Majeſty, it was enacted, that it ſhould be lawful for His Majeſty to retain in actual Service, and to cauſe full Pay to be iſſued to the Adjutants, Serjeants Major, and the Whole or ſuch Proportion of the Serjeants and Drummers of each Regiment of the Militia then embodied as His Majeſty ſhould think fit, for a certain Time therein mentioned; be it enacted, That the Serjeants Major, and Serjeants and Drummers to be appointed by virtue of this Act, ſhall be taken in the Firſt Inſtance from amongſt the Serjeants Major, Serjeants and Drummers ſo retained as aforeſaid, who upon their Appointment to each Regiment or Battalion to which they ſhall belong, ſhall ſeverally take the Oaths preſcribed to be taken by ſuch Serjeants and Drummers reſpectively.

Serjeants Major, Serjeants, and Drummers to be appointed under this Act, ſhall be taken in the Firſt Inſtance from thoſe retained under recited Act, who ſhall take the uſual Oaths.

Commandants may diſcharge Serjeants, *etc.* and appoint others.

LXXIX. And be it further enacted, That any Serjeant, Corporal, or Drummer, may be diſcharged by the Colonel or other Commandant, and the ſaid Colonel or other Commandant may appoint any proper Perſon in the Room of every Serjeant, Corporal, and Drummer, who ſhall die, deſert, or be diſcharged; all which Serjeants, Corporals, and Drummers, ſo appointed, ſhall take the like Oath as is herein-before required to be taken by Serjeants, Corporals, and Drummers reſpectively.

Extra Drummers may be kept as Fifers or Muſicians, at the Expence of the Regiment.

LXXX. And be it further enacted, That in caſe His Majeſty's Lieutenant for any County, Stewartry, City, or Place, or the Colonel or Commandant of any Regiment or Battalion of Militia, ſhall be deſirous of keeping up a greater Number of Drummers than is herein directed to be employed, as Fifers or Muſicians for the Uſe of any ſuch Regiment or Battalion, and ſhall be willing to defray the Expence of ſuch additional Drummers, it ſhall and may be lawful for ſuch Lieutenant or Colonel, or other Commandant, to retain in their reſpective Regiments or Battalions any Number of the Drummers employed or to be employed as Fifers or Muſicians therein, over and above the Number eſtabliſhed by this Act, or at any Time hereafter to engage any additional Number of Drummers

to act as Fifers or Muſicians in their reſpective Regiments or Battalions; and all ſuch Drummers ſo retained, or in future engaged to ſerve in any ſuch Regiment or Battalion as Fifers or Muſicians, ſhall be deemed as Drummers of Militia within the Meaning of this Act, to all Intents and Purpoſes whatſoever, and ſhall be ſubject to the ſame Orders, Regulations, Penalties, and Puniſhments, as other Drummers of Militia are by this Act ſubject, and ſhall continue to ſerve as Drummers ſo long as they ſhall receive the ſame Pay and Cloathing as other Drummers have, or better Cloathing in lieu thereof, and no longer.

Serjeants and Out-Penſioners of *Chelſea* Hoſpital may receive their Allowances therefrom, together with Pay in the Militia.

Serjeants, &c. having ſerved 20 Years in the Militia, may be placed on the *Chelſea* Penſion.

LXXXI. And be it further enacted, That any Perſon able and fit to ſerve, being a Serjeant on the Eſtabliſhment of *Chelſea* Hoſpital at the Allowance of Twelve-pence *per* Day, or being an Out-Penſioner on the Eſtabliſhment of the ſaid Hoſpital at the Allowance of Five-pence a Day, and being appointed to ſerve as a Serjeant in the Militia, may and ſhall receive the ſaid Allowance of Twelve-pence a Day, or Five-pence a Day reſpectively, together with his Pay from the ſaid Militia; and any Perſon who ſhall have faithfully ſerved as a Serjeant, Corporal, or Drummer in the Militia for Twenty Years, and who ſhall be diſcharged on Account of Age or Infirmity, ſhall, on the Recommendation of the Colonel or other Commandant of the Regiment or Battalion to which he belongs, and the Lieutenant, or Two or more Deputy Lieutenants of the County, Stewartry, City, or Place to which the ſaid Regiment or Battalion belongs, or (on the Death or Removal, or in the Abſence of the ſaid Lieutenant) on the Recommendation of the Colonel or other Commandant, and Three or more Deputy Lieutenants of ſuch County, Stewartry, City, or Place, be entitled to Examination at the *Chelſea* Board, and be capable of being placed on the Eſtabliſhment of the ſaid Hoſpital, at the Penſion of Five-pence *per Diem*, if the ſaid Board ſhould judge him deſerving thereof.

Militia to be exerciſed 21 Days annually; and if the Whole be not appointed to be exerciſed at the ſame Time, then as the Lieutenant or Deputy Lieutenants, with Approbation of His Majeſty, ſhall appoint.

LXXXII. And be it further enacted, That the ſaid Militia to be raiſed as aforeſaid ſhall be called out Once in every Year for the Purpoſe of being trained and exerciſed for the Space of Twenty-one Days; and in every County, Stewartry, City, or Place, in which it ſhall have been appointed, that the Whole of ſuch Militia ſhall not be trained or exerciſed at the ſame Time, then the reſpective Parts thereof ſhall be trained and exerciſed ſucceſſively, until the Whole of the Men ſerving for ſuch County, Stewartry, City, or Place, ſhall have been trained and exerciſed for the Space of Twenty-one Days; and that for the Purpoſe aforeſaid the Men ſerving for ſuch County, Stewartry, City, or Place, ſhall be called out to be ſo trained and exerciſed in ſuch Manner, and in ſuch Proportions, at ſuch Time or Times, and Place or Places in ſuch County or Stewartry, as ſhall be appointed, with the Approbation of His Majeſty, by the Lieutenant or Deputy Lieutenants, at a General Meeting of the Lieutenancy to be holden as herein-before directed, or in Default of any ſuch Meeting being holden, then by the Lieutenant of the County, Stewartry, City, or Place, compoſing of itſelf a Regiment or Battalion of Militia, or of the County, Stewartry, City, or Place compoſing the greateſt Number of each Regiment or Battalion, or by Three Deputy Lieutenants authorized by His Majeſty to act as aforeſaid: Provided always, That it ſhall not be lawful to order leſs than One Company of Sixty private Men at the leaſt, with Officers and Serjeants, Corporals, and Drummers in Proportion,

to be trained and exerciſed together: Provided always, that it ſhall be lawful for the Lieutenant or Deputy Lieutenants of any County or Stewartry, compoſing of itſelf a Regiment or Battalion of Militia, or of the County, Stewartry, or City, compoſing the greateſt Number of each Regiment or Battalion, at any General Meeting of Lieutenancy, to alter the Places appointed for aſſembling the Men for Exerciſe, and from Time to Time to appoint other or additional Places, as they ſhall find expedient, giving the like Notice thereof as is herein required to be given of the Places firſt to be appointed.

When any Regiment ſhall have been diſembodied, His Majeſty may order it not to be trained for 12 Months.

LXXXIII. Provided always, and be it enacted, That whenſoever any Regiment or Battalion to be raiſed under this Act ſhall have been diſembodied as herein-after directed, it ſhall and may be lawful for His Majeſty to order and direct that ſuch Regiment or Battalion ſhall not be trained and exerciſed, in Manner as is herein-after directed, for the Space of Twelve Calendar Months, to be calculated from the Day on which it ſhall have been ſo diſembodied, or for ſuch Number of Months not exceeding Twelve Months, as His Majeſty ſhall think fit.

During the Time of Exerciſe, the Mutiny Act and Articles of War ſhall extend to ſuch *Militia*, but not to Life or Limb; and any Officer commanding a Detachment, not being under the Rank of a Captain, may order Courts Martial to be held, and the Commandant of the Regiment, on Application, ſhall order a ſufficient Number of Officers to attend, but the Sentence ſhall be ſubmitted to the Commandant.

LXXXIV. And be it further enacted, That during ſuch Time as any Militia ſhall be aſſembled for the Purpoſe of being trained and exerciſed, all the Clauſes, Proviſions, Matters, and Things, contained in any Act of Parliament which ſhall then be in force for the puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, and in the Articles of War made in purſuance of ſuch Act, ſhall be in force with reſpect to ſuch Militia, and to all the Officers, Non-commiſſioned Officers, Drummers, and Private Men, of the ſame, in all Caſes whatſoever, but ſo that no Puniſhment ſhall extend to Life or Limb; and that it ſhall be lawful for the Officer commanding and preſent with any Detachment or Diviſion of Militia, called out to exerciſe under any of the Proviſions of this Act, not being under the Rank of Captain to order, when he ſhall think it neceſſary, a Regimental Court Martial to be held for the Trial of any Offence committed by any Serjeant, Drummer, Corporal, or Private Man under and during his Command; and if a ſufficient Number of Officers ſhall not be preſent to conſtitute ſuch Court Martial, it ſhall be lawful for the Commanding Officer of the Regiment or Battalion of Militia to which any ſuch Detachment or Diviſion of Militia ſhall belong, and he is hereby required, upon Application made to him by the Officer commanding ſuch Detachment or Diviſion for that Purpoſe, to order a ſufficient Number of Officers of proper Rank to attend for the Purpoſe of aſſiſting at ſuch Court Martial, who ſhall forthwith attend the ſame, and aſſiſt as Members thereof; and the Sentence of every ſuch Court Martial ſhall, in every Caſe, be ſubmitted to the Colonel or other Commandant of the Regiment or Battalion to which ſuch Detachment or Diviſion ſhall belong, or (in his Abſence from the County, Stewartry, City, or Place) to the Senior Field Officer within the ſame for his Approval thereof, who ſhall cauſe ſuch Sentence to be put in Execution, mitigated, or remitted, as he ſhall in his Diſcretion think beſt for the Service.

Regulations for ſending Notice of the Times and Places of Exerciſe.

LXXXV. And be it further enacted, That Notice of the Times and Places of Exerciſe of the Militia Men to be raiſed by virtue of this Act ſhall be ſent as follows; (*videlicet*) where a County of itſelf forms a Battalion,

the Notice ſhall be ſent by Order of the General Meetings of Lieutenancy of ſuch County, by the Clerk of the General Meetings, to the Clerk of the ſeveral Subdiviſion Meetings in ſuch County; and where Two or more Counties, Stewartries, Cities, or Places, compoſe a Battalion, the Notice ſhall be ſent by Order of the General Meetings of Lieutenancy of the County, Stewartry, City, or Place, compoſing the greateſt Number of ſuch Regiment or Battalion, not only to the Clerk of the ſeveral Subdiviſion Meetings in ſuch County, but alſo to the Clerk of the General Meetings of the other County, Stewartry, City, or Place, or Counties, Stewartries, Cities, or Places, compoſing ſuch Battalion, who ſhall again ſend Notice to the Clerk of the ſeveral Subdiviſion Meetings in ſuch County, Stewartry, City, or Place, or Counties, Stewartries, Cities, and Places reſpectively; and the ſaid Deputy Lieutenants, at ſome Subdiviſion Meeting to be held for carrying this Act into Execution, after the Receipt of the ſaid Notices, ſhall cauſe the Men ſerving for ſuch Subdiviſion to be called out in ſuch Order and Courſe as ſhall have been notified by the Clerk of the General Meetings as aforeſaid; and for that Purpoſe ſhall iſſue Orders to the Chief Conſtables, or other Officers of the ſeveral Counties, Stewartries, Cities, and Places, reſpectively, and to the Schoolmaſters, Conſtables, and other Officers, within their reſpective Pariſhes or other Diviſions, which Schoolmaſters, Conſtables, and other Officers, ſhall cauſe ſuch Notice as aforeſaid to be affixed on the Door of the Churches or Chapels belonging to their reſpective Pariſhes or Places, or (if any Place ſhall have no Church or Chapel belonging thereto) on the Door of the Church or Chapel of ſome Pariſh or Place thereunto adjoining, which Notice ſhall be deemed a ſufficient Notice to every Perſon inrolled by virtue of this Act, notwithſtanding any Omiſſion in the Delivery of written Notices in Manner herein-after directed; and ſuch Conſtables and other Officers are hereby required alſo to give Notice in Writing to the ſeveral Militia Men, who ſhall be called out to be trained and exerciſed at ſuch Times and Places reſpectively, by ſerving them perſonally, or by leaving the ſame at their uſual Place of Abode, to attend at the Time and Place mentioned in ſuch Order; and all ſuch Militia Men ſhall duly attend at the Time and Place of Exerciſe, according to ſuch Notices reſpectively.

Subdiviſion Meetings ſhall iſſue Orders for calling out the Men.

Notices to be affixed on the Church Doors, which ſhall be ſufficient.

Conſtables to give written Notices to the Men to attend.

LXXXVI. And be it further enacted, That the Clerks of the ſeveral Subdiviſion Meetings in every County, Stewartry, City, or Place, ſhall, within the Space of Ten Days after the Receipt of ſuch Notices as aforeſaid from the Clerks of the General Meetings, cauſe a full and true Liſt, ſpecifying the Name and Date of the Inrolment of all the Perſons inrolled (within each Subdiviſion reſpectively), to ſerve in ſuch Militia and the Time and Place of Exerciſe, to be tranſmitted to the Commanding Officer of the Regiment or Battalion of Militia for which ſuch Perſons have been inrolled by virtue of this Act, or to ſuch Perſon as ſhall be appointed by ſuch Commanding Officer to receive the ſame; and ſhall in like Manner cauſe a Duplicate of ſuch Liſt to be tranſmitted to the Adjutant of the ſaid Regiment or Battalion, and in every Caſe where there is no Adjutant, to the Major or Captain Commandant of ſuch Corps.

Clerks of Subdiviſion Meetings to ſend Liſts of the Men enrolled, and the Time and Place of Exerciſe, to the Commanding Officer, *etc.*

LXXXVII. And be it further enacted, That the Pay of every Perſon inrolled to ſerve in the Militia of any County, Stewartry, City, or Place, when not embodied and called out into actual Service, and who ſhall be called out for

Pay of Men called out to Exerciſe to commence on their joining, but to ſuch as

have been prevented, the Commanding Officer may direct an Allowance to be made, on a ſatisfactory Certificate.

for the Purpoſe of being trained and exerciſed as aforeſaid, ſhall commence upon the Day on which ſuch Perſon ſhall join the Regiment or Battalion, or Detachment or Diviſion to which he ſhall belong, and not before: Provided always, that if ſuch Perſon ſhall have been prevented joining ſuch Regiment or Battalion, or Detachment or Diviſion, by Sickneſs or other ſufficient Cauſe, and ſhall produce to the Commanding Officer thereof a ſatisfactory Certificate of ſuch Sickneſs or other ſufficient Cauſe, it ſhall be lawful for the Commanding Officer of ſuch Regiment or Battalion, or Detachment or Diviſion, and he is hereby required, to direct an Allowance of Pay to be made to the Perſon ſo prevented, according to the Time mentioned in ſuch Certificate as aforeſaid.

Men coming from a Diſtance to the Place of Exerciſe ſhall receive certain Allowances, on Certificate from Two Deputy Lieutenants, which ſhall be repaid to the Clerk of the Subdiviſion, by the Collector of the Land Tax.

LXXXVIII. Provided alſo, and be it further enacted, That every Man of the ſaid Militia, coming from a conſiderable Diſtance, who ſhall appear at the Place or Places to be appointed for Exerciſe, ſhall be entitled to an Allowance, after the Rate of One Shilling *per Diem* for each Day neceſſarily ſpent in coming from the Pariſh or Place for which he ſhall ſerve to the Place or Places to be appointed for Exerciſe; and ſhall in like Manner be entitled to a ſimilar Allowance of One Shilling *per Diem* for each Day neceſſary to enable him to return to the Pariſh or Place for which he ſhall ſerve, after the Days appointed for Exerciſe are over, to be calculated at not leſs than Ten Miles *per* Day, with the uſual Number of halting Days; and where ſuch Militia Man has Occaſion to come and return by Sea, or to paſs a Ferry or Ferries, he ſhall farther be allowed the Sum uſually paid for ſuch Paſſage by Sea, or at ſuch Ferry or Ferries in coming from and returning to the Pariſh or Place for which he ſhall ſerve; for which Purpoſe a Certificate ſhall be given to every ſuch Militia Man of the Number of Days, and of the Amount of the Paſſage Money, for which ſuch Allowance ſhall be made to him, under the Hands of Two or more of the Deputy Lieutenants of the Pariſh or Diviſion to which ſuch Militia belongs, which Certificate ſhall be produced by ſuch Militia Man to the Clerk of the Subdiviſion Meetings, in whoſe Diſtrict the ſaid Militia Man hath his Abode, who ſhall thereupon pay to ſuch Militia Man the Allowance ſpecified in ſuch Certificate; and upon ſuch Certificate being produced to the Collector of the Land Tax of the County, Stewartry, City, or Place to which ſuch Militia Man belongs, the ſaid Collector ſhall reimburſe the Clerk of the Subdiviſion Meeting, who has paid the ſame, for the Amount of the Allowances ſpecified in ſuch Certificate, and all ſuch Sums ſo paid by ſuch Collector ſhall be allowed in his Accounts.

Militia Men falling ſick on the March may be relieved by Warrant of a Juſtice, and the Expence ſhall be reimburſed by the Collector of the Land Tax.

LXXXIX. And be it further enacted, That in caſe any Militia Man ſhall, on his March to the Place where he ſhall be ordered to attend for the Annual Exerciſe, be diſabled by Sickneſs or otherwiſe, it ſhall be lawful for any One Juſtice of the Peace of the County, Stewartry, City, or Place where ſuch Man ſhall then be, by Warrant under his Hand, to order him ſuch Relief as ſuch Juſtice ſhall think reaſonable; and upon ſuch Warrant being produced to the Collector of the Land Tax of the County, Stewartry, City, or Place within which ſuch Militia Man ſhall then be, he ſhall pay all ſuch Expences as ſhall be incurred purſuant to ſuch Warrant, upon an Account thereof to be certified under the Hand of ſuch Juſtice of the Peace, and all ſuch Sums ſo paid by any ſuch Collector ſhall be allowed in his Accounts.

XC. And

XC. And be it further enacted, That it shall be lawful for all Justices of the Peace and Magistrates of Cities, Towns, and Places, and they and each of them are and is respectively hereby required, to quarter and billet the Officers, Non-commissioned Officers, Drummers, and Private Men, serving in the Militia, at the Times when they shall be called out to Annual Exercise, in the same Way and Manner as His Majesty's Regular Forces are so furnished and provided in that Part of *Great Britain* called *Scotland*, upon Application made to any such Justices of the Peace or Magistrates by His Majesty's Lieutenant, or by the Colonel or other Commanding Officer of the Regiment or Battalion of Militia so called out to exercise as aforesaid, or of any Division or Detachment thereof; and when the Militia is not embodied nor called out to exercise as aforesaid, all Justices of the Peace and Magistrates aforesaid may, and they and each of them are and is hereby respectively required, to order and provide convenient Quarters in such Manner as aforesaid for the Serjeants, Corporals, and Drummers of the Militia.

Justices, *etc.* may billet the Militia when called out to annual Exercise, and when not called out, may order Quarters for the Non-commission Officers and Drummers.

XCI. And be it further enacted, That when the Militia shall be called out to be trained and exercised, any Justice of the Peace of any County, Stewartry, City, or Place, being thereunto required by an Order from the Lieutenant, or from any Deputy Lieutenant of such County, Stewartry, City, or Place, or from the Colonel or other Commanding Officer of any Regiment or Battalion, Detachment or Division of Militia, being within such County, Stewartry, City, or Place, may and shall be aiding and assisting in the providing of Carriages and Horses to convey the Arms, Clothes, Accoutrements, Ammunition, and other Stores of such Militia, and shall do every Thing necessary in that Behalf, in the same Manner as Justices of the Peace in *Scotland* do for the Purpose of providing Carriages and Horses to convey the Arms, Clothes, Accoutrements, Ammunition, and other Stores of His Majesty's Forces upon their March.

Justices may aid in providing Carriages and Horses for conveying the Arms, *etc.* of the Militia on its March, as for His Majesty's Forces.

XCII. And be it further enacted, That when any Regiment or Battalion of Militia, or any Detachment or Division thereof as aforesaid, shall be assembled for the Purpose of being trained and exercised, it shall be lawful for the Captain or Commanding Officer of every Company to put the Militia Men of his Company under Stoppages, not exceeding Fourpence *per* Day, for the Purpose of providing them with Linen, and also with other Necessaries, and for defraying the Expence of repairing any Arms which shall have been broken or damaged by any such Militia Man's Neglect: Provided always, that every such Captain or Commanding Officer shall account with each Militia Man for such Stoppages; and after having deducted what shall have been laid out, and paid for Necessaries, and for repairing the Arms as aforesaid, shall pay the Sum remaining (if any there shall be) into the Hands of the Militia Man to whom the same belongs, before such Militia Man shall be dismissed from such Training and Exercise.

Militia Men, when called out to exercise, may be put under Stoppages for providing them with Linen, *etc.*

XCIII. And be it further enacted, That the Colonel or other Commanding Officer of every Regiment or Battalion of Militia, as often as his Regiment or Battalion shall be called out to exercise as before directed, and within Fourteen Days from the Time of assembling, shall and he is hereby required to return to the Lieutenant of the County, Stewartry, City, or Place, to which the same belongs, or where Two or more Counties, Stewartries,

Returns of the Militia, when called out to exercise, to be made by the Colonel, *etc.* to the County Lieutenant, *etc.* on Penalty for Neglect.

Stewartries, Cities, or Places are joined together to form a Regiment or Battalion, to the Lieutenant of the County, Stewartry, City, or Place, furniſhing the greateſt Number of Men to ſuch Regiment or Battalion, a true State of ſuch Regiment or Battalion, and a Duplicate thereof to the Clerk to the General Meetings, to be preſerved among the Proceedings thereof; and where any ſuch Regiment or Battalion ſhall be ſo ordered to be trained and exerciſed in Parts or Proportions ſucceſſively in Manner directed by this Act, the Officer commanding every ſuch Part or Proportion for the Time being, ſhall, within Seven Days after the aſſembling of ſuch Part or Proportion, make a Return of the State of the Militia exerciſed by him or under his Command, to the Colonel or Commanding Officer of the Regiment or Battalion to which the Militia ſo exerciſed ſhall belong, on Pain of forfeiting Twenty Pounds for every ſuch Omiſſion; and the Colonel or Commanding Officer receiving ſuch Returns, ſhall, within Fourteen Days after all the Returns of Men belonging to his Regiment or Battalion, who ſhall have been ſo aſſembled, ſhall have been received by him, tranſmit a General Return to the Lieutenant of the County, Stewartry, City, or Place, to which ſuch Militia ſhall belong, or where Two or more Counties, Cities, or Places, are joined together to form a Regiment or Battalion, to the Lieutenant of the County, Stewartry, City, or Place, furniſhing the greateſt Number of Men to ſuch Regiment or Battalion, and a Duplicate thereof to the Clerk of the General Meetings to be preſerved among the Proceedings thereof; and in caſe any Officer ſhall refuſe or neglect for Three Months after the Time herein appointed for making ſuch Returns ſo to do, he ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds.

Captains of Companies to make out a Return in the Form in Schedule (F.) for the Adjutant, or where none, for the Commanding Officer who ſhall make out a general Return, and tranſmit the ſame to the Clerk of the General Meetings, and neceſſary Extracts to the Clerks of the Subdiviſions, who ſhall correct their Books of Enrolment therefrom.

XCIV. And be it further enacted, That the Captain or Commanding Officer of every Company of Militia called out to exerciſe under this Act, ſhall, during the Time of ſuch Exerciſe, make out a correct and accurate Return of the State of the Claſſes of the Men belonging to his Company, arranged according to the Form in the Schedule to this Act annexed, marked (F.) ſpecifying the ſeveral Particulars therein mentioned, and the Subdiviſion to which every ſuch Man ſhall belong, and ſhall deliver or tranſmit the ſame to the Adjutant of the Regiment or Battalion, or where there ſhall be no Adjutant, to the Commanding Officer of the Regiment or Battalion to which ſuch Company ſhall belong; and ſuch Adjutant or Commanding Officer (as the Caſe may be) ſhall, within One Month after every ſuch Exerciſe as aforeſaid, prepare and make out a general and accurate Return of all ſuch Claſſes, according to ſuch Form, and with ſuch Specification as aforeſaid, and ſhall tranſmit the ſame to the Clerk of the General Meetings; and ſhall alſo tranſmit to the Clerks of the Subdiviſion Meetings within the County, Stewartry, City, or Place, to the Militia of which he ſhall belong, Extracts of ſuch Return, containing the State of the Claſſes of the Men belonging to their reſpective Subdiviſions; and ſuch Subdiviſion Clerks ſhall forthwith correct the Books of Inrolment of their reſpective Subdiviſions, ſo as to correſpond accurately with ſuch Return; and the Clerk to the General Meetings ſhall, forthwith upon Receipt of ſuch Returns as aforeſaid, and within Two Months after the Expiration of ſuch Exerciſe as aforeſaid, make out and tranſmit to One of His Majeſty's Principal Secretaries of State correct Abſtracts of all ſuch Returns as aforeſaid, made out in the Form

Clerk to the General Meetings, within a certain Period, to tranſmit to the Secretary of State an

Form in the Schedule marked (G.) to this Act annexed; and every Person so required as aforesaid to make any such Return, who shall refuse or neglect to make the same in Manner aforesaid, at the Period hereby required for that Purpose, shall for every such Offence forfeit and pay the Sum of Fifty Pounds.

Abstract of Returns in the Form in Schedule (G).

Penalty for neglecting to make Returns.

XCV. And be it further enacted, That every Militia Man (not labouring under any Infirmity incapacitating him) who shall not appear at the Time and Place appointed for his being exercised according to the Directions of this Act (Notice having been published and given as by this Act required) shall be deemed a Deserter, and if not taken until after the Time of any such Exercise, shall forfeit and pay the Sum of Ten Pounds; and also every Militia Man who having joined the Regiment or Battalion to which he belongs, or any Company or Companies, or Detachment or Division thereof, shall desert or absent himself during the Time of any such Exercise, and shall not be taken until after the Time of such Exercise, shall forfeit and pay the Sum of Ten Pounds; and if such Penalty shall not be immediately paid, the Justice of the Peace before whom any Militia Man shall be convicted of any such Offence, shall commit such Militia Man to the House of Correction to hard Labour, or to the Common Gaol, there to remain without Bail or Mainprize for the Space of Six Months, or until he shall have paid the said Penalty, without any Mitigation whatsoever.

Men not appearing at the Time and Place of Exercise, or absenting themselves during that Time, if not taken till after, shall forfeit 10 *l.* or shall be committed for Six Months.

XCVI. And be it further enacted, That in case any Militia Man shall desert or absent himself from his Duty, and shall not return and voluntarily surrender himself to the Adjutant or other Officer, Commissioned or Non-commissioned, commanding at the City, Town, or Place where the Arms of the Regiment or Battalion to which he shall belong shall be deposited, or shall not be taken within the Space of Three Months from the Time of his so deserting or absenting himself, then upon Certificate thereof from the Commanding Officer of the Regiment or Battalion to which he belonged to the Deputy Lieutenants, at any of their Meetings for the Subdivision for which such Militia Man was inrolled, such Deputy Lieutenants, or any Two or more of them, are hereby required to hold a Subdivision Meeting, and to proceed to ballot for another Person to serve and be returned to such Regiment or Battalion in the room of such Militia Man; and in case such Militia Man shall at any Time thereafter return or be taken, he shall, notwithstanding any Person shall have been chosen in his room, be compelled to serve in the same Manner, and for the same Term, (the said Term to recommence from the Day on which he shall have returned or have been taken), as if no Person had been so chosen in his room.

If Men absent themselves, and do not return, or are not taken within Three Months, others shall be ballotted for; and whenever they return, or are taken, shall be compelled to serve.

XCVII. And be it further enacted, That all Muskets delivered for the Service of the Militia shall be marked distinctly in some visible Place with the Letter (M.) and the Name of the County, Stewartry, City, or Place to which they belong; and in case any Militia Man shall sell, pawn, or lose any of his Arms, Clothes, Accoutrements, or Ammunition, or neglect or refuse to return the same in good Order to his Captain, or to the Person appointed to receive the same, every such Militia Man shall, for every such Offence, forfeit and pay a Sum not exceeding Three Pounds; and if such Militia Man shall not immediately pay such Penalty, the

Muskets to be marked, and if any Men sell, pawn, or lose their Arms, &c. or neglect to return them in good Order, they shall forfeit not exceeding 3 *l.* or shall be committed

for not exceeding Three Months.

the Justice of the Peace before whom he shall be convicted shall commit him to the House of Correction, to be kept to hard Labour for any Time not exceeding Three Months, or until he shall have paid the said Penalty.

Penalty for buying Militia Arms, *etc.*

XCVIII. And be it further enacted, That if any Person shall knowingly and wilfully buy, take in Exchange, conceal, or otherwise receive any Militia Arms, Clothes, or Accoutrements, or any such Articles belonging to any Militia Man as are generally deemed Regimental Necessaries, according to the Custom of the Army, being provided for the Militia Man, and paid for by Deductions out of his Pay, or any publick Stores or Ammunition whatever delivered for the Militia, upon any Account or Pretence whatsoever, contrary to the true Intent and Meaning of this Act, the Person so offending shall forfeit and pay for every such Offence the Sum of Ten Pounds; and if such Offender shall not immediately pay such Penalty, and shall not have sufficient Goods and Effects whereon to levy such Penalty, the Justice before whom he or she shall be convicted shall commit him or her to the Common Gaol, there to remain without Bail or Mainprize for the Space of Six Months, until he or she shall have paid the said Fine, or shall cause such Offender to be publickly or privately whipped, at the Discretion of such Justice.

When the Militia is not embodied, Serjeant Majors, *etc.* may be tried by a Court *Martial* for Offences committed, and Serjeants, *etc.* for Desertion, while the Regiment was embodied, and not taken.

XCIX. And be it further enacted, That every Serjeant Major, Serjeant, Corporal, Drum Major, and Drummer of the Militia, shall be at all Times subject to any Act which shall be in force for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, and to the Articles of War, under the Command of the Colonel or other Commandant of the Regiment or Battalion to which he belongs; and it shall be lawful for the Colonel or other Commandant of any Regiment or Battalion of Militia, to direct the holding of Courts Martial as hereinafter directed, for the Trial of any Serjeant Major, Serjeant, Corporal, Drum Major, or Drummer of such Regiment or Battalion, by either a General or Regimental Court Martial, for any Offence against the said Act or Articles of War committed during the Time such Regiment or Battalion shall not be embodied, and for the Trial of any Serjeant, Corporal, Drummer, or Private Man of such Regiment or Battalion, who shall have deserted while the said Regiment or Battalion was embodied, and shall not have been apprehended till after it shall have been disembodied, but so that no Punishment shall extend to the Loss of Life or Limb.

Commandant of the Regiment, to which the Offender shall belong, may order any Officers of the Regiment, resident where the Trial is to be, or within Ten Miles, to assist as Members of the Court Martial, but shall not be entitled to Pay.

Sentence not to be put in

C. And be it further enacted, That, if a sufficient Number of Officers to form a Court Martial cannot be found, it shall be lawful for the Colonel or other Commandant, and in his Absence for the Senior Field Officer of the Regiment or Battalion to which the Person on whom such Court Martial is to be held shall belong, to order any Officers of such Regiment or Battalion actually resident within the Town where such Serjeant Major, Serjeant, Corporal, Drum Major, or Drummer, is to be tried, or within Ten Miles thereof, to attend and assist as Members of such Court Martial, who shall thereupon attend at the Time required, and assist accordingly; but no Officer shall be entitled to receive Pay for any such Attendance: Provided always, that no Sentence of any Court Martial, held as aforesaid on any Serjeant Major, Serjeant, Corporal, Drum Major, or Drummer, or Private Man as aforesaid, shall be put in Execution, until it shall

have been confirmed by the Colonel or other Commandant, or by the Field Officer by whose Order such Court Martial was assembled.

Execution till confirmed by the Colonel, *etc.*

CI. And be it further enacted, That any Serjeant, Corporal, or Drummer of the Militia may, by Sentence of a Court Martial, be reduced to the Condition of a Private Militia Man, to serve as such during any Time not exceeding Fifteen Months, in case the Regiment or Battalion to which he belongs shall not be then embodied or called out into actual Service; and in case the Regiment or Battalion to which he belongs shall be then embodied or called out into actual Service, to serve as aforesaid until the disembodying of the said Regiment or Battalion; after which Time, or at the End of the said Fifteen Months, as the Case may be, if not regularly re-appointed to the Rank of a Non-commissioned Officer or Drummer, he shall be discharged from the Service.

Non-commissioned Officers and Drummers may be reduced to serve as Privates for a certain Period, and if not then restored, they shall be discharged

CII. And be it further enacted, That the Arms, Accoutrements, Cloathing, and other Stores, belonging to every Regiment or Battalion of Militia, when not embodied, shall be kept in such convenient Place as the Colonel or other Commandant shall direct, with the Approbation of His Majesty, signified by One of His principal Secretaries of State.

Arms, *etc.* when the Militia is not embodied, to be kept where the Commandant shall direct, with the Approbation of His Majesty.

CIII. And be it further enacted, That all the Serjeants, Corporals, and Drummers in every Regiment or Battalion of Militia shall constantly be resident within the City, Town, or Place where the Arms belonging to such Regiment or Battalion are kept, and shall be under the Command of the Adjutant, who shall also be constantly resident within the said City, Town, or Place (unless as herein-after provided) and shall act in such Command under the Orders of the Colonel or other Commandant of such Regiment or Battalion; and that the Adjutant, and in his occasional and unavoidable Absence the Serjeant-Major, or (where there is no Serjeant-Major) the Senior Serjeant shall make Monthly Returns of the true State of the Serjeants, Corporals, and Drummers of the Regiment or Battalion severally to His Majesty's Secretary of State, to the Lieutenant of the County, and to the Colonel or other Commandant of the said Regiment or Battalion, in Default of which, on each such Neglect, such Adjutant or Serjeant-Major shall be subject to such Punishment as a Court Martial shall adjudge; and that no Serjeant, Corporal, or Drummer, shall be absent from such City, Town, or Place, without a regular Furlough or Licence in Writing, signed by his Colonel or other Commandant; and every Serjeant, Corporal, and Drummer, absent on Furlough or Licence, shall respectively receive, during the Time of such Absence, the Pay following; that is to say, every Serjeant the Sum of One Shilling, every Corporal the Sum of Eight-pence, and every Drummer the Sum of Six-pence *per* Day respectively, and no more; and every Serjeant, Corporal, and Drummer, who shall absent himself without such Furlough or Licence, shall forfeit all Pay during the Time of such Absence, and be liable to be apprehended and punished as a Deserter; and such Adjutant shall never absent himself from such City, Town, or Place, without Leave of the Colonel or other Commandant of such Regiment or Battalion; nor for more than Three Calendar Months in One Year, except in case of Sickness: Provided nevertheless, that whenever such Adjutant shall be absent with such Leave as aforesaid, then such Serjeants, Corporals, and Drummers,

Non-commission Officers and Drummers to reside where the Arms are kept, and be under the Command of the Adjutant, and Monthly Returns of their State shall be made by him, or in his Absence, by the Serjeant Major, *etc.* to the Secretary of State, the County Lieutenant, and the Commandant of the Corps.

Serjeants, *etc.* absent on Leave to receive Pay as herein specified, and if absent without, to forfeit their Pay, and be deemed Deserters.

Adjutant not to be absent without Leave, nor for more than Three Months in the Year, except in

Sickneſs, and when abſent the Serjeants, *etc.* to be under the Command of the Battalion Clerk, *etc.*

mers, ſhall be under the Command of the Battalion Clerk, if he ſhall be a Commiſſioned Officer of ſuch Regiment or Battalion, or otherwiſe, of the Serjeant Major, or of ſome Serjeant who ſhall be appointed by the ſaid Adjutant, with the Approbation of the ſaid Colonel or other Commandant, to act as Serjeant Major during the Abſence of ſuch Adjutant, or of the Senior Serjeant, when the Corps has not any Adjutant or Serjeant Major.

Method of proceeding when Information is received of the Reſidence of a Militia Man who ſhall not join at the annual Exerciſe, or ſhall deſert during it, and not be apprehended.

CIV. And be it further enacted, That if any Militia Man ſhall not join the Regiment or Battalion, Detachment or Diviſion to which he belongs, at the Time of annual Exerciſe, or ſhall deſert during the Time of annual Exerciſe, and ſhall not be apprehended before the Expiration of the Time appointed for ſuch Exerciſe, and if the Commanding Officer, or the Adjutant of ſuch Regiment or Battalion, or the Commanding Officer of the Company, Detachment, or Diviſion to which ſuch Offender belongs, ſhall receive Information of the Place where he ſhall be or reſide, any ſuch Commanding Officer or Adjutant may, by Writing under his Hand, deſcribe the Perſon of ſuch Offender, and alſo certify that he did not join the Regiment or Battalion, Detachment or Diviſion, at the Time of annual Exerciſe, or that he deſerted during the Time of annual Exerciſe (as the Caſe may be) and ſend the ſame by a Serjeant, Corporal, or Drummer of ſuch Regiment or Battalion to the Adjutant or Serjeant Major of the Regiment or Battalion, or to the Senior Serjeant when there is no Adjutant or Serjeant Major of the Regiment or Battalion, or Detachment or Diviſion thereof, of the County, Stewartry, City, or Place, wherein ſuch Offender is ſuppoſed to be or reſide, and the Adjutant, Serjeant Major, or Senior Serjeant to whom ſuch Certificate ſhall be ſent, ſhall forthwith direct a Party of the Serjeants, Corporals, or Drummers, of the Regiment or Battalion to which he belongs to aſſiſt in the apprehending ſuch Offender, and in conveying him before ſome Juſtice of the Peace of the County, Stewartry, City, or Diviſion, wherein ſuch Offender ſhall be apprehended; and if by his Confeſſion, or the Teſtimony of any Witneſs or Witneſſes upon Oath, or the Knowledge of ſuch Juſtice, it ſhall appear or be found that ſuch Perſon is guilty of ſuch Offence, ſuch Adjutant, Serjeant Major, or Senior Serjeant as aforeſaid, ſhall order a Party of the Serjeants, Corporals, and Drummers under his Command, to convey ſuch Offender to the Head Quarters of the Regiment or Battalion of Militia of the next County, Stewartry, City, or Place, in the Way to the County, Stewartry, City, or Place, to which ſuch Offender belongs, and deliver him into the Cuſtody of the Adjutant or Serjeant Major of ſuch Regiment or Battalion, or Senior Serjeant as aforeſaid, who ſhall cauſe him to be conveyed in like Manner to the Adjutant or Serjeant Major of the Regiment or Battalion, or Senior Serjeant of the Regiment or Battalion of the next County, Stewartry, City, or Place, and ſo in like Manner until ſuch Offender ſhall be delivered into the Cuſtody of the Adjutant or Serjeant Major of the Regiment or Battalion, or Senior Serjeant as aforeſaid of the Corps to which he belongs, who ſhall take him before a Juſtice of the Peace, to be dealt with as this Act directs in Caſes of Militia Men deſerting or abſenting themſelves from their Duty, when not embodied or called out into actual Service; and from the Time of his being ſo apprehended as aforeſaid until he

he is brought before ſuch Juſtice of the Peace as aforeſaid, ſuch Offender ſhall be ſubſiſted at the Rate of Sixpence *per* Day from the publick Monies in the Hands of the Collector of the Land Tax of the County, Stewartry, City, or Place to which ſuch Regiment or Battalion belongs, for which Subſiſtence ſuch Juſtice is hereby required to make ſuch Order upon ſuch Collector, who ſhall be allowed the ſame in his Accounts; and if any Serjeant, Corporal, or Drummer ſhall deſert from the Regiment or Battalion to which he belongs, it ſhall be lawful for any Conſtable or other Officer of the Town or Place where any Perſon who may be reaſonably ſuſpected to be ſuch Deſerter ſhall be found, to cauſe ſuch Perſon to be apprehended and taken before any Juſtice of the Peace living in or near to ſuch Town or Place, who is hereby empowered to examine ſuch ſuſpected Perſon; and if by his Confeſſion, or the Teſtimony of any Witneſs or Witneſſes upon Oath, or by the Knowledge of ſuch Juſtice, it ſhall appear or be found that ſuch ſuſpected Perſon is ſuch Deſerter, ſuch Juſtice ſhall forthwith cauſe him to be conveyed to the Common Gaol of the County or Place where he ſhall be found, or the Houſe of Correction or other publick Priſon in the Town or Place in or near to which ſuch Deſerter ſhall be apprehended, there to remain until he ſhall be demanded by ſome Perſon or Perſons authorized to receive him as herein-after directed, and ſhall tranſmit an Account thereof to the Clerk of the General Meetings of the County, Stewartry, City, or Place, to which ſuch Deſerter belongs; and the Keeper of ſuch Gaol, Houſe of Correction, or Priſon, ſhall receive the full Subſiſtence of ſuch Deſerter, at the Rate above ſpecified, for his Maintenance, during the Time he ſhall continue in his Cuſtody, but ſhall not be entitled to any Fee or Reward on Account of his Impriſonment; and ſuch Clerk of the General Meetings receiving ſuch Account, ſhall immediately tranſmit a Copy thereof to the Colonel or Commanding Officer of the Regiment or Battalion of his County, Stewartry, City, or Place, and alſo to the Adjutant or other Officer commanding the Serjeants, Corporals, and Drummers of ſuch Regiments or Battalions, and the Colonel or Commanding Officer of the Regiment or Battalion to which ſuch Deſerter ſhall be found to belong, or the Adjutant or Officer commanding the Serjeants, Corporals, and Drummers of ſuch Regiment or Battalion, ſhall and he is hereby required, immediately on receiving ſuch Copy as aforeſaid, to ſend any Serjeant, Corporal, or Drummer, or any Party of the Serjeants, Corporals, or Drummers of his Regiment or Battalion, to the Place where ſuch Deſerter ſhall be ſo confined, and ſhall alſo ſend by ſuch Serjeant, Corporal, or Drummer, or the Serjeant commanding ſuch Party of Serjeants, Corporals, or Drummers, an Order under his Hand to the Keeper of the ſaid Gaol, Houſe of Correction, or Priſon, requiring him to deliver ſuch Deſerter to the Perſon or Perſons therein named, which he is hereby required to do; and the Serjeant, Corporal, or Drummer, to whom ſuch Deſerter ſhall be ſo ordered to be delivered, in caſe One only ſhall be ſent on ſuch Duty, ſhall apply to the Adjutant or Serjeant Major of the Regiment or Battalion, or to the Senior Serjeant of the Corps of the County, Stewartry, City, or Place where ſuch Deſerter ſhall be ſo confined as aforeſaid, and ſuch Adjutant, Serjeant Major, or Serjeant, ſhall order a ſufficient Party of the Serjeants, Corporals, or Drummers under his Command,

Method of proceeding where Perſons are found ſuſpected to be Non-commiſſion Officers, or Drummers, who have deſerted.

Gaolers to receive the Subſiſtence of Deſerters while confined, but no Fee.

to assist in conveying such Deserter, and he shall be conveyed to the Adjutant or Serjeant Major of the Regiment or Battalion, or Senior Serjeant of the Corps to which he belongs, in the same Manner as before directed with respect to the conveying of private Militia Men to the Adjutant or Serjeant Major of the Regiment or Battalion, or Senior Serjeant of the Corps to which they belong; and such Adjutant or Serjeant Major, or Serjeant shall take such Deserter before a Justice of the Peace of the County, Stewartry, City, or Place to which he belongs, who shall forthwith cause him to be conveyed to the Common Gaol, House of Correction, or other publick Prison of such County, Stewartry, City, or Place, where he shall remain without Bail or Mainprize, until a Court Martial can and shall be summoned and held for the Trial of such Deserters, according to the Provisions of this Act, when he shall be delivered to the Person or Persons named in any Order to be issued for that Purpose under the Hand of the Officer by whose Authority such Court Martial shall be summoned, requiring the Delivery of such Deserter; and all Gaolers and Keepers of Prisons shall (if required so to do by any Serjeant, or Corporal, or Drummer, employed in conveying any such Militia Man, or Serjeant, Corporal, or Drummer so offending to the Regiment or Battalion to which he belongs) receive into their Custody, and confine such Offender for such Time as they shall be respectively so required as aforesaid, not exceeding Twenty-four Hours, and every such Gaoler or Keeper of any Prison who shall refuse so to do, shall forfeit the Sum of Twenty Shillings; and all such Serjeants, Corporals, and Drummers, while they are employed in executing such Duty as aforesaid, and all other Serjeants, Corporals, and Drummers of the Militia, while on any March or employed in any Duty upon which they may be commanded by any legal Authority, shall be billetted in like Manner as Serjeants, Corporals, or Drummers belonging to His Majesty's other Forces employed in apprehending and conveying Deserters are to be billetted.

Gaolers to receive and confine Deserters on Penalty of 20*s.*

Serjeants, *etc.* conveying Deserters, or on any March, shall be billetted, as the other Forces.

Persons apprehending Deserters to be paid 20*s.* by Warrant of the Justice before whom convicted.

CV. And be it further enacted, That the Justice of the Peace before whom any Deserter shall be convicted, shall and may issue his Warrant to the Clerk of the Regiment or Battalion to which such Deserter shall belong, or (where there is no Clerk) to the Commanding Officer, requiring such Clerk or such Commanding Officer to pay out of such Regiment or Battalion the Sum of Twenty Shillings to the Person who shall have apprehended such Deserter, and such Clerk or Commanding Officer is hereby authorized and required to pay the same accordingly on Demand.

Persons concealing or assisting Deserters to forfeit 5*l.*

CVI. And be it further enacted, That if any Person shall harbour, conceal, or assist any Deserter, knowing him to be such, the Person so offending shall forfeit for every such Offence the Sum of Five Pounds.

In Cases of actual Invasion, Rebellion, *etc.* His Majesty may order the Militia to be embodied and put under the

CVII. And be it further enacted, That in all Cases of actual Invasion, or upon imminent Danger thereof, and in all Cases of Rebellion or Insurrection, it shall be lawful for His Majesty (the Occasion being first communicated to Parliament, if the Parliament shall be then sitting, or declared in Council, and notified by Proclamation, if no Parliament shall be then sitting or in being) to order and direct the Lieutenants of the said

ſaid ſeveral Counties, Stewartries, Cities, and Places, or on the Death or Removal, or in the Abſence from their reſpective Counties, Stewartries, Cities, or Places, of any of them, then any Three or more Deputy Lieutenants, with all convenient Speed, to draw out and embody all the Regiments or Battalions of Militia within their reſpective Counties, Stewartries, Cities, and Places herein-before appointed to be raiſed and trained, or ſo many of them, or ſuch Part or Proportion of them, or any of them, as His Majeſty ſhall in His Wiſdom judge neceſſary, and in ſuch Manner as ſhall be beſt adapted to the Circumſtances of the Danger, and to put the ſaid Forces under the Command of ſuch General Officers as His Majeſty ſhall be pleaſed to appoint; and to direct the ſaid Forces to be led by their reſpective Officers into any Parts of *Great Britain*, for the repelling and Prevention of any Invaſion, and for the Suppreſſion of any Rebellion or Inſurrection within *Great Britain*; and from the Time of any Regiment or Battalion of Militia being drawn out and embodied as aforeſaid, and until the ſame ſhall be returned again to its own County, Stewartry, City, or Place, and diſembodied by His Majeſty's Order, the Officers, Non-commiſſioned Officers, Drummers, and Private Men of every ſuch Regiment or Battalion, ſhall be ſubject to all the Proviſions contained in any Act of Parliament which ſhall be then in force for the puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, and the Articles of War made in purſuance thereof; and all the Proviſions contained in every ſuch Act, and the Articles of War, ſhall be in force with reſpect to the Militia, and ſhall extend to all the Officers, Non-commiſſioned Officers, Drummers, and Private Men of the Militia, while embodied as aforeſaid, in all Caſes whatſoever.

Command of General Officers, and led by their reſpective Officers into any Part of *Great Britain*; and while ſo embodied, ſhall be ſubject to the Mutiny Act and Articles of War.

CVIII. Provided always, and be it further enacted, That neither the Whole nor any Part of the Militia, directed by this Act to be raiſed and maintained, ſhall on any Account be carried or ordered to go out of *Great Britain*.

Militia not to be ordered out of *Great Britain*.

CIX. And be it further enacted, That whenever His Majeſty ſhall cauſe the Militia to be drawn out and embodied as aforeſaid, if the Parliament ſhall then be ſeparated by ſuch Adjournment or Prorogation as will not expire within Fourteen Days, His Majeſty may and ſhall iſſue a Proclamation for the Meeting of the Parliament within Fourteen Days; and the Parliament ſhall accordingly meet and ſit upon ſuch Day as ſhall be appointed by ſuch Proclamation, and continue to ſit and act in like Manner, to all Intents and Purpoſes, as if it had ſtood adjourned or prorogued to the ſame Day.

When His Majeſty ſhall ſo order the Militia to be embodied, he ſhall iſſue a Proclamation for the Meeting of Parliament in 14 Days.

CX. And be it further enacted, That the Lieutenant of every County, Stewartry, City, and Place, or (on the Death or Removal of any ſuch Lieutenant, or in his Abſence from his County, Stewartry, City, or Place) any Three or more Deputy Lieutenants, to whom any Order from His Majeſty for drawing out and embodying the Whole of the Militia of ſuch County, Stewartry, City, or Place ſhall be directed, ſhall forthwith iſſue his or their Order to the Chief Conſtables or other Officers of the ſeveral Diviſions within their reſpective Counties, Stewartries, Cities, and Places, with Directions to forward the ſame immediately to the Conſtables or other Officers of the ſeveral Pariſhes and Places within their reſpective Diviſions;

When the Militia is ordered to be drawn out, the County Lieutenants ſhall iſſue Orders to the Chief Conſtables, to be forwarded to the Conſtables, *etc.* who ſhall cauſe Notice to be given to the Men to attend.

Diviſions; and ſuch Conſtables or other Officers are hereby required, upon Receipt thereof, forthwith to cauſe Notice in Writing to be given to the ſeveral Militia Men, or left at their uſual Places of Abode within their reſpective Pariſhes or Places, to attend at the Time and Place mentioned in ſuch Order.

Militia Officers not to ſit on Trials of Officers or Soldiers of the other Forces, nor contrariwiſe.

CXI. And be it further enacted, That no Officer ſerving in the Militia ſhall ſit in any Court Martial upon the Trial of any Officer or Soldier ſerving in any of His Majeſty's other Forces; nor ſhall any Officer ſerving in any of His Majeſty's other Forces ſit in any Court Martial upon the Trial of any Officer or Soldier ſerving in the Militia.

If Militia Men do not march purſuant to Order, they ſhall be deemed Deſerter, and Perſons harbouring them ſhall forfeit 100 *l.*

CXII. And be it further enacted, That if any Perſon of the ſaid Militia, ordered to be drawn out and embodied as aforeſaid (not labouring under any Infirmity incapaciting him to ſerve as a Militia Man), ſhall not appear and march in purſuance of ſuch Order, every ſuch Militia Man ſhall be liable to be apprehended and puniſhed as a Deſerter, according to the Proviſions of any Act which ſhall be then in force for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, and of the Articles of War made in purſuance of the ſame; and if any Perſon ſhall harbour and conceal any ſuch Militia Man, when ordered to be drawn out and embodied as aforeſaid, knowing him to be ſuch Militia Man, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of One hundred Pounds.

Militia when ordered to be drawn out, to be entitled to the ſame Pay as other Infantry, and Non-commiſſioned Officers or Men maimed or wounded, entitled to the Benefit of *Chelſea* Hoſpital.

CXIII. And be it further enacted, That from the Date of His Majeſty's Warrant for drawing out the Militia of any County, Stewartry, City, or Place, into actual Service, the Officers and Men of the Militia of ſuch County, Stewartry, City, or Place, ſhall be entitled to the ſame Pay as the Officers and Men of His Majeſty's other Infantry Forces receive, and no other; and if any Non-commiſſioned Officer, Drummer, or Private Man of the Militia ſhall be maimed or wounded in actual Service, he ſhall be equally entitled to the Benefit of *Chelſea* Hoſpital with any Non-commiſſioned Officer, Drummer, or Private Man belonging to any of His Majeſty's other Forces.

Pay of Officers and Men who ſhall not join on the Day appointed, unleſs prevented by Neceſſity, ſhall commence only from the Day of joining.

CXIV. Provided always, and be it further enacted, That the Pay of every Officer, Serjeant, Corporal, Drummer, and Private Man, who ſhall not join his Regiment or Battalion of Militia on the Day appointed for that Purpoſe, ſhall commence only from the Day of his joining ſuch Regiment or Battalion, unleſs ſuch Officer, Serjeant, Corporal, Drummer, or Private Man ſhall have been prevented from joining on the Day appointed as aforeſaid by Sickneſs, or any other inevitable Neceſſity, to be proved to the Satisfaction of the Commanding Officer of the Regiment or Battalion in which ſuch Officer, Serjeant, Corporal, or Drummer, or Private Man may, by Order of his Commanding Officer, be accounted with for his Pay from the Date of His Majeſty's Warrant as aforeſaid.

Pay of Men enrolled after the Militia is embodied, to commence from the Day

CXV. And be it further enacted, That the Pay of every Perſon inrolled to ſerve in the Militia of any County, Stewartry, City, or Place, after ſuch Militia ſhall have been embodied and called out into actual Service, ſhall commence upon the Day on which ſuch Perſon ſhall join the Regiment or

Battalion to which he ſhall belong, and not before: Provided always, that it ſhall be lawful for the Deputy Lieutenants or Juſtices of the Peace, by whom any ſuch Perſon ſhall have been ſo inrolled, to order and direct an Allowance to be made to ſuch Perſon for the Purpoſe of enabling him to proceed and join the Regiment or Battalion to which he may belong; not exceeding the Rate of the Pay of ſo many Days as would enable him to march from the Place where he was inrolled to the Place where the ſaid Regiment or Battalion may be ſtationed, to be calculated at the Rate of not leſs than Ten Miles *per* Day, with the uſual Number of halting Days, together with ſuch Sum or Sums as muſt neceſſarily be paid by ſuch Perſon for his Paſſage by Sea, or over any Ferry or Ferries; and the ſaid Allowance of Pay and Paſſage Money ſhall be advanced to ſuch Perſon at the Time of his Inrolment by the Clerk of the Subdiviſion Meeting, under the Order of the Deputy Lieutenants or Juſtices aforeſaid, or One of them, and ſhall be repaid to the ſaid Subdiviſion Clerk by the Collector of the Land Tax of the County, Stewartry, City, or Place, on the Production of a Certificate to that Effect, ſigned by the ſaid Deputy Lieutenants or Juſtices, or any Two or more of them, and the ſaid Collector ſhall be allowed for the ſame in his Accounts accordingly.

Of joining; but an Allowance may be made them at the Time of Enrolment to enable them to march, and paid by the Clerk of the Subdiviſion, who ſhall be repaid by the Collector of the Land Tax.

CXVI. And be it further enacted, That when any Regiment or Battalion of Militia ſhall be drawn out into actual Service, and during the Time it ſhall continue in actual Service, the Colonel or other Commandant thereof ſhall and may appoint an Agent to ſuch Regiment or Battalion, and ſhall take Security from ſuch Agent; and ſuch Colonel or other Commandant ſhall be and is hereby made ſubject and liable to make good all Deficiencies that may happen from the ſaid Agent, or from himſelf, upon Account of the Pay, Cloathing, or publick Stock of ſuch Regiment or Battalion.

When a Regiment is drawn out, the Colonel ſhall appoint an Agent, from whom he ſhall take Security, and ſhall make good Deficiencies in Pay, *etc.*

CXVII. And be it further enacted, That when the Militia of any County, Stewartry, City, or Place, ſhall be ordered out into actual Service, the Collector of the Land Tax for ſuch County, Stewartry, City, or Place, ſhall and is hereby required forthwith to pay to the Captain or other Commanding Officer of every Company of Militia ſo ordered out the Sum of One Guinea for the Uſe of every Private Militia Man belonging to his Company; and the ſaid Collector ſhall alſo pay to every Captain or other Commanding Officer of a Company as aforeſaid, the Sum of One Guinea for every Recruit, as early as may be after ſuch Recruit ſhall have joined his Company, while out in actual Service as aforeſaid (all which Money ſo paid by the ſaid Collector ſhall be allowed him in his Accounts); and the Money ſo received by any Captain or other Commanding Officer, or ſo much thereof as ſuch Captain or other Commanding Officer ſhall think proper, ſhall be laid out in the Manner he ſhall think moſt advantageous for the reſpective Militia Men; and ſuch Captain or Commanding Officer ſhall, on or before the Twenty-fourth Day of the Month next enſuing that in which he ſhall have received ſuch One Guinea as aforeſaid, account to ſuch Militia Man how the ſaid Sum of One Guinea hath been applied and diſpoſed of, and ſhall at the Time of ſettling ſuch Account, pay the Remainder of the Money (if any) to the ſaid Militia Man.

When the Militia is ordered out, the Collector of the Land Tax ſhall pay to the Captain of every Company One Guinea for the Uſe of each Man, and alſo for each Recruit, as early as may be after he has joined, to be laid out for his Advantage.

Captains to account with the Men for the ſame.

CXVIII. And be it further enacted, That whenever any Regiment or Battalion of Militia ſhall be embodied for actual Service, and abſent from the

When a Regiment is out of its County,

a Liſt of Men whoſe Time of Service ſhall be within Four Months of expiring, and who ſhall be willing to continue to ſerve, and for what Price, ſhall, at certain Periods, be tranſmitted by the Commanding Officer to the Clerk of the General Meetings, in the following Form.

the County, Stewartry, City, or Place to which it belongs, the Commanding Officer of ſuch Regiment or Battalion of Militia ſhall apply to every Man choſen by Lot, whoſe Time ſhall be within Four Months of expiring, and who, in his Judgement, and after an Examination by the Surgeon of the Regiment or Battalion, ſhall ſtill be fit to ſerve as a Militia Man, and enquire if he is willing to continue in the Service for ſuch Term as any Man who ſhould be then ballotted to ſerve would be ſubject to, and for what Price or Sum he will ſo continue; and ſuch Commanding Officer ſhall, on the Firſt Day of the Months of *January*, *March*, *May*, *July*, *September*, and *November* reſpectively, or as ſoon after as conveniently may be, tranſmit to the Clerk of the General Meetings of the County, Stewartry, City, or Place to which his Regiment or Battalion of Militia belongs, a Liſt of all ſuch Men in ſuch Regiment or Battalion of Militia as he ſhall find willing to continue in the Service, in which Liſt ſhall be ſet down the Sums they are reſpectively willing to continue for, and which Liſt ſhall be ſigned by every ſuch Militia Man as aforeſaid, and ſhall be made in the following form, *videlicet*:

Dated the Day of

Name of the County.	Names of the Men.	Of the Pariſh of	In the Diviſion of	Time of Service expires on the	Sum for which they engage to ſerve.	Signature of Conſent.
	A. B.	*P.*	*H.*			*A. B.*
	E. F.	*Q.*	*I.*			*E. F.*
	G. K.	*R.*	*N.*			*G. K.*

Signing the Liſt ſhall be binding.

And that the ſigning of the ſaid Liſt ſhall be binding upon the Perſons ſigning the ſame to all Intents and Purpoſes whatſoever.

Clerk of the General Meetings ſhall tranſmit to

CXIX. And be it further enacted, That the Clerk of the General Meetings of every County, Stewartry, City, or Place aforeſaid, ſhall, as ſoon after the Receipt of ſuch Notices as the ſame can be done, tranſmit to

 the

the reſpective Clerks of the Subdiviſion Meetings, for the Uſe of the Deputy Lieutenants acting in ſuch Subdiviſions, correct Extracts of ſuch Returns, ſpecifying in every ſuch Extract the Men that ſhall have been inrolled for the Subdiviſion to which the Clerk to whom any ſuch Extract is ſent ſhall belong; and thereupon it ſhall be lawful for ſuch Deputy Lieutenants, if they ſhall think fit, to cauſe the Men willing to continue to ſerve as aforeſaid to be inrolled as Volunteers for the particular and reſpective Pariſhes or Places for which they ſhall have been originally inrolled to ſerve, and thereupon as many Men ſhall be ballotted for in ſuch Pariſhes or Places as may be neceſſary to ſerve in the room of ſuch Militia Men ſo inrolled as Volunteers; and the Perſon or Perſons ballotted to ſerve in the room of ſuch Militia Men ſo inrolled as Volunteers, may, in the Order in which they have been ballotted, appoint ſuch Perſon or Perſons (in the Order in which their Names appear in the Extracts of Returns tranſmitted to the Deputy Lieutenants) his or their Subſtitute or Subſtitutes; and upon ſuch Perſon or Perſons ſo ballotted for tranſmitting to the Paymaſter of the Regiment in which ſuch Men ſhall be then ſerving, the Bounty to be given to ſuch Men whom they ſeverally appoint their Subſtitutes in the Order before ſpecified, ſuch Perſon or Perſons ſo ballotted for ſhall be in the ſame Situation as other Perſons who have found Subſtitutes in the Manner directed by this Act, and the Paymaſter ſhall forthwith pay or account to the ſaid Men reſpectively ſo appointed Subſtitutes for the Bounties received by him; and ſuch of the Men as ſhall not be appointed Subſtitutes, ſhall be diſcharged at the Expiration of the Period of Service.

the Clerks of the Subdiviſions Extracts of the Returns, and the Deputy Lieutenants may cauſe the Men willing to continue to ſerve, to be enrolled as Volunteers, and the ſame Number ſhall be ballotted for, who may appoint the Volunteers their Subſtitutes, and on their tranſmitting the Bounty to the Paymaſter ſhall be in the Situation as others who have found Subſtitutes.

CXX. And be it further enacted, That in caſe the Term of Service of any Perſon who ſhall have been choſen by Lot, and inrolled to ſerve in the Militia, ſhall be prolonged in the Manner herein directed beyond the Term of Five Years, then and in ſuch Caſe the Collector of the Land Tax for the County, Stewartry, City, or Place to which the Perſon ſo choſen by Lot, and inrolled, ſhall belong, ſhall, and he is hereby required, forthwith to pay to the Captain or other Commanding Officer of each Company reſpectively, the Sum of One Guinea for every Perſon whoſe Time of Service ſhall be ſo prolonged; and ſhall in like Manner, ſo often as the Term of Service of any Perſon ſo choſen by Lot, and inrolled to ſerve in the Militia, ſhall be prolonged as aforeſaid, pay the like further Sum of One Guinea (all which Money ſo paid by the Collector ſhall be allowed him in his Account); and the Money ſo received by any Captain or Commanding Officer, or ſo much thereof as ſuch Captain or Commanding Officer ſhall think proper, ſhall be laid out in the Manner he ſhall think moſt advantageous for each reſpective Perſon ſo choſen by Lot, and inrolled, and whoſe Time of Service ſhall be prolonged as aforeſaid; and ſuch Captain or Commanding Officer ſhall, on or before the Twenty-fourth Day of the Month next enſuing that in which he ſhall have received any ſuch One Guinea, account to ſuch Perſon how the ſaid Sum or Sums have been applied and diſpoſed of; and ſhall at the Time of ſettling ſuch Account as aforeſaid pay over to him the Remainder of the ſaid Money, if any, which ſhall not have been ſo applied and diſpoſed of.

Bounties ſhall be paid to Men choſen by Lot whoſe Term ſhall be prolonged beyond Five Years by the Collector for the County to the Captain of the Company for the Uſe of the Men;

CXXI. And be it further enacted, That in caſe the Term of Service of any Subſtitute, hired Man, or Volunteer ſerving in the Militia, ſhall, by reaſon

and alſo for Subſtitutes or Volunteers whoſe Term

shall be so prolonged, and a like Bounty at the End of every Three Years they shall continue to serve beyond the Five Years.

son of the Militia being embodied, continue beyond the Term of Five Years, then and in such Case, the Collector of the Land Tax for the County, Stewartry, City, or Place to which such Substitute, hired Man, or Volunteer shall belong, shall and he is hereby required forthwith to pay to the Captain or other Commanding Officer of each Company respectively the Sum of One Guinea for every Substitute, hired Man, or Volunteer, whose Term of Service shall so continue; and in case such Term shall so continue for more than Three Years beyond the said Term of Five Years, then at the Expiration of the said Three Years the said Collector shall pay the like further Sum of One Guinea for every Substitute, hired Man, or Volunteer whose Term shall so further continue; and in like Manner, at the Expiration of every additional Term of Three Years, pay the like further Sum of One Guinea (all which Money so paid by the Collector shall be allowed him in his Account); and the Money so received by any Captain or Commanding Officer, or so much thereof as such Captain or Commanding Officer shall think proper, shall be laid out in the Manner he shall think most advantageous for each respective Substitute, hired Man, or Volunteer; and such Captain or Commanding Officer shall, on or before the Twenty-fourth Day of the Month next ensuing that in which he shall have received such Money as aforesaid, account to such Substitute, hired Man, or Volunteer, how the said Sum or Sums have been applied and disposed of; and shall at the Time of settling such Account as aforesaid pay over to such Substitute, hired Man, or Volunteer, the Remainder of the said Money (if any) which shall not have been so applied, disposed of, and accounted for.

If any Substitute or Volunteer shall not join, or if any of them, or if any Serjeant, Corporal, or Drummer, shall desert or absent himself, he may be adjudged to further Service in the Militia, or to Service in the other Forces; and in the latter Case if the Sentence be approved by His Majesty, the Secretary at War, or his Deputy, may order him to be entered as a Private Soldier, and conveyed to the Head Quarters of any Regiment, or for Recruits belonging to Regiments on Foreign Stations.

CXXII. And be it further enacted, That if any Person sworn and inrolled in the said Militia, either as a Substitute or Volunteer (not labouring under any Infirmity incapacitating him to serve as a Militia Man), shall not with due Diligence join the Regiment or Battalion of Militia of the County, Stewartry, City, or Place for which he shall be so sworn and inrolled (in case such Regiment or Battalion shall then be embodied) according to such Order as shall be given him in that Respect by the Lieutenant or Deputy Lieutenants, or any of them, or by any Officer of the said Regiment or Battalion, or by any other Person authorized to give such Order, or if any Person serving in any embodied Militia as a Substitute or Volunteer, or any Serjeant, Corporal, or Drummer shall desert or absent himself from his Duty, every such Serjeant, Corporal, Drummer, or private Militia Man shall be liable to be apprehended and punished, according to the Provisions of any Act which shall be then in force for the punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, and of the Articles of War made in pursuance of the same; and may by a General Court Martial be adjudged to further Service in the said Militia for some Period to be limited, or to Service in His Majesty's other Forces, without Limitation as to the Period or Place of such Service, according as the Court Martial before whom he shall be tried shall think fit to direct; and in case the said Court shall adjudge such Militia Man to serve in His Majesty's other Forces, and such Sentence shall be approved by His Majesty, it shall be lawful, by Order under the Hand of the Secretary at War, or his Deputy to cause such Man, if found fit for general Service, on Examination by a Surgeon of His Majesty's other Forces, to be entered as a private

private Soldier, to ſerve in ſuch Regiment or Corps of His Majeſty's other Forces as ſhall be directed in ſuch Order, or for general Service, and to be forthwith conveyed either to the Head Quarters of the Regiment or Corps in which he ſhall be ſo entered, or to the Head Quarters for Recruits belonging to His Majeſty's Regiments on Foreign Stations (as the Caſe may require); and ſuch Subſtitute or Volunteer ſhall, from the Time of his being delivered over to be ſo conveyed as aforeſaid, be ſubject and liable to all the like Penalties and Puniſhments contained in any Act then in force for puniſhing Mutiny and Deſertion, as if he had been originally enliſted for general Service, or for the Regiment or Corps in which he ſhall be ſo ordered to be entered as aforeſaid.

When the Whole number of Men enrolled for any Place ſhall have been ordered to be embodied, if any ſhall afterwards make Default, and not to be taken within Three Months, the Vacancies ſhall be filled up by Ballot.

CXXIII. And be it further enacted, That whenever the whole Number of Perſons inrolled in the ſaid Militia for any County, Stewartry, City, or Place, ſhall have been ordered to be drawn out and embodied as aforeſaid, and in caſe any of the Perſons ſo ordered to be drawn out and embodied ſhall afterwards make Default, either by not appearing in purſuance of any ſuch Order as aforeſaid, or by Deſertion or Abſence from Duty, and ſuch Perſon ſhall not be taken within the Space of Three Months from the Time of ſuch Default, Deſertion, or Abſence, then a Vacancy ſhall be declared by the Deputy Lieutenants at their Firſt Meeting to be holden for the Subdiviſion for which ſuch Perſon was inrolled next after the Receipt of the Certificate of ſuch Default, Deſertion, or Abſence, under the Hand of the Officer commanding the Regiment or Battalion to which ſuch Perſon belonged, and the Vacancy thus occaſioned ſhall be forthwith filled up by a freſh Ballot.

If His Majeſty ſhall order the Militia or a Proportion thereof, to be embodied, the County Lieutenant, *etc.* ſhall iſſue his Order to the Clerks of the Subdiviſions to make out Liſts of all Perſons enrolled in each by a certain Day, and a Duplicate Copy ſhall be made for the Uſe of the Deputy Lieutenants, and another tranſmitted to the Clerk of the General Meetings for the Uſe of the Lieutenant;

CXXIV. And whereas it may be expedient that only ſuch a Proportion of the Militia, and in ſuch of the Counties, Stewartries, Cities, and Places, as ſhall be ſpecified in any Order of His Majeſty, ſhould be drawn out and embodied in the Firſt Inſtance, and that the Appointment of the Private Men neceſſary to conſtitute ſuch Proportion ſhould be made or decided by Ballot or otherwiſe, as herein-after mentioned, in each Subdiviſion or Diſtrict, without aſſembling them previouſly out of the Subdiviſion or Diſtrict to which they belong; be it therefore enacted, That the Lieutenant of every County, Stewartry, City, or Place, or (in caſe of Vacancy, or in the Abſence of the Lieutenant from his County, Stewartry, City, or Place), any Three or more Deputy Lieutenants, to whom any Order of His Majeſty for the Purpoſe of embodying the ſaid Militia, or ſuch Part or Proportion thereof as His Majeſty ſhall have judged neceſſary and ordered to be embodied, ſhall have been directed, ſhall, as ſoon after the Receipt thereof as conveniently may be, iſſue his or their Order to the Clerks of the ſeveral Subdiviſion Meetings in ſuch County, Stewartry, City, or Place, to prepare and make out a full and true Liſt, containing the Names of all Perſons inrolled to ſerve in the ſaid Militia by virtue of this Act within each Subdiviſion reſpectively, and arranged according to their Claſſes as herein-before mentioned, before a Day to be ſpecified in the ſaid Order of the Lieutenant or Deputy Lieutenants as aforeſaid, and which Day ſhall not be later than Three Days after the Date of ſuch Order; and the ſaid Clerks ſhall, within the Time fixed by ſuch Order, prepare and make out ſuch Liſts accordingly; and alſo Two Duplicates thereof, One of which Duplicates ſhall be for the Uſe of the Deputy

Lieutenants at their reſpective Subdiviſion Meetings, and the other Duplicate thereof ſhall be tranſmitted to the Clerk of the General Meetings, for the Uſe of the Lieutenant of the County, Stewartry, City, or Place, or of the Deputy Lieutenants who ſhall have iſſued ſuch Order as aforeſaid.

and he ſhall alſo iſſue Orders for aſſembling the Men within their reſpective Subdiviſions, and in ſuch Proportions as ſhall ſeem expedient; and the Schoolmaſters, *etc.* ſhall cauſe written Notice to be given to the Men to attend;

CXXV. And be it further enacted, That the ſaid Lieutenant or Deputy Lieutenants as aforeſaid, to whom His Majeſty's Order ſhall be directed, ſhall at the Time of iſſuing his or their Order herein-before mentioned alſo iſſue his or their Order for aſſembling all the Men of the ſaid Militia within their reſpective Subdiviſions, or at ſuch Place or Places within their reſpective Counties, Stewartries, Cities, or Places, and in ſuch Proportions as to the ſaid Lieutenant or Deputy Lieutenants as aforeſaid ſhall appear moſt expedient, on the Day or Days to be ſpecified in ſuch his or their Order to the Chief Conſtables or other Officers of ſuch County, Stewartry, City, or Place, and to the Schoolmaſters, Conſtables, or other Officers of the ſeveral Pariſhes and Places within the ſaid County, Stewartry, City, or Place, reſpectively; and ſuch Schoolmaſters, Conſtables, or other Officers are hereby required, upon Receipt thereof, forthwith to cauſe Notice in Writing to be given to the ſeveral Men of the ſaid Militia, or left at their uſual Places of Abode within their reſpective Pariſhes or Places, to attend within their reſpective Subdiviſions or Diſtricts at the Time and Place mentioned in ſuch Order; and ſhall alſo cauſe a like Notice thereof to be affixed on the Doors of the Churches or Chapels belonging to their reſpective Pariſhes or Places, or (if any Place ſhall have no Church or Chapel belonging thereto) on the Door of the Church or Chapel of ſome Pariſh or Place thereunto adjoining, which Notice ſhall be deemed a ſufficient Notice to every Perſon inrolled by virtue of this Act, notwithſtanding any Omiſſion in the Delivery of written Notices in Manner herein directed; and all ſuch Militia Men ſhall duly attend at the Time and Place appointed in ſuch Notices reſpectively.

and Notices of the Time and Place to be affixed on the Church Doors.

Men not appearing or not abiding the Orders of the Deputy Lieutenants, to be deemed Deſerters, and if not taken before the Ballot is compleated ſhall forfeit 10*l.* and be liable to be embodied.

CXXVI. And be it further enacted, That if any Perſon of the ſaid Militia, not labouring under any Infirmity, incapacitating him to ſerve as a Militia Man, ſhall not appear in purſuance of ſuch Order, or appearing ſhall not abide the Orders of the Deputy Lieutenants attending in purſuance of this Act, every ſuch Perſon ſhall be deemed a Deſerter; and if not taken previouſly to the Completion of the Ballot at which ſuch Perſon ought to attend in purſuance of this Act, ſhall forfeit the Sum of Ten Pounds, and ſhall be deemed and taken to be a Perſon liable to be embodied within the Intent and Meaning of this Act, and to ſerve according to the Directions herein contained, over and above the Number to be choſen by Ballot as aforeſaid.

County Lieutenant, *etc.* to appoint the Firſt Subdiviſion Meeting for balloting, and the Time and Place for aſſembling the

CXXVII. And be it further enacted, That the ſaid Lieutenant or Deputy Lieutenants as aforeſaid of every County, Stewartry, City, or Place, or any Three or more of them, ſhall appoint the Firſt Meeting to be holden by the ſeveral Deputy Lieutenants of the ſame County, Stewartry, City, or Place, within their reſpective Subdiviſions, or at ſuch other Place or Places as ſhall have been appointed as aforeſaid, on the Day mentioned in ſuch Order as aforeſaid, for aſſembling the Men of the ſaid Militia, in order

order to their being chosen or ballotted to serve according to the Directions of this Act; and shall also appoint the Time and Place of assembling such of the said Men as shall be so chosen or ballotted within their respective Counties, Stewartries, Cities, or Places, in order to their being embodied, for which several Appointments the respective Deputy Lieutenants shall have Notice; and all the Men inrolled on the List of every such Subdivision or District, and appearing in pursuance of such Order on the Day so to be appointed, shall be then mustered by the said Deputy Lieutenants; and the said Deputy Lieutenants shall at such Meeting proceed in the Manner by this Act directed, to cause a Number of the Men so appearing to be chosen or ballotted for, according to the Directions of this Act, equal to such Proportion of the complete Number that had been or ought to be inrolled by virtue of this Act, on the List of such Subdivision or District as shall or may be specified in His Majesty's Order for drawing out and embodying any Part or Proportion of the Militia as aforesaid, and to cause the Names of all the Persons chosen and ballotted to be marked on the List of such Subdivision or District; and when the Choice and Ballot shall be concluded, the said Deputy Lieutenants shall cause the List of such Subdivision or District to be publickly called, and as the Name of each Person contained therein shall be read, shall then and there declare whether such Person is or is not (as the Case may be) chosen or ballotted out of such List in the Manner herein-before provided; and the Names of all the Persons so chosen and ballotted shall be returned to the Lieutenant of the County, Stewartry, City, or Place for which such Persons are inrolled, or to the Deputy Lieutenants, who shall have given such Order as aforesaid, and the Persons so chosen and ballotted shall be embodied to serve according to the true Intent of this Act; and the said Deputy Lieutenants shall openly declare to the Men who have been so chosen or ballotted, the Time and Place of their assembling, in order to their being embodied; and all and every such Persons or Person who shall have been declared to be so chosen or ballotted, shall immediately proceed and repair to, and shall duly attend at the Time and Place so to be appointed and declared, in order to their or his being embodied accordingly; and all and every such Persons or Person as shall be so declared not to have been so chosen or ballotted as aforesaid, shall be discharged from further Attendance in pursuance of such Order as aforesaid.

Men chosen, of which the Deputy Lieutenants shall give Notice, and shall cause a Proportion of the Men to be ballotted for, and their Names marked on the List, which is to be called over, and the Names of the Persons chosen shall be returned to the County Lieutenant, *etc.* and the Time and Place of their being to be embodied declared, and the Men not chosen shall be discharged from further Attendance.

CXXVIII. Provided always, and be it enacted, That it shall be lawful for the said Deputy Lieutenants, in their several Subdivision Meetings, and before they proceed to choose or ballot, as herein-before directed, to revise and correct the Names of the Men contained in such Class or Classes, according to the several Changes or Alterations that may have taken place since the last Revisal or Correction thereof.

Deputy Lieutenants may correct Classes.

CXXIX. And be it further enacted, That whenever His Majesty shall think fit to draw out and embody a Part or Proportion only of the Militia of any County, Stewartry, City, or Place, the Deputy Lieutenants in their several Subdivisions shall, before they proceed to choose or ballot for the Private Men who are to form such Part or Proportion, examine the Classes of the Descriptions herein-before mentioned, entered according to the Provisions of this Act; and in every Case in which the Part or Proportion of

When His Majesty shall order only a Part of the Militia to be embodied, the Deputy Lieutenants shall examine the Classes, and if the Number

required ſhall equal the Firſt, or Firſt and Second, or ſucceeding Claſſes in their Order, the Men contained therein ſhall be choſen without Ballot, but if leſs than the Firſt Claſs the Number ſhall be balotted for thereout; and if more than that and any ſucceeding Claſs in Order, ſuch Claſſes ſhall be firſt choſen, and the Remainder ballotted for out of the next Claſs to the laſt wholly taken, and in like Manner any further Proportion ſhall be ſupplied as well as Vacancies.

the Militia required to be called out in ſuch Subdiviſion ſhall equal the Number of Men contained in ſuch Firſt, or Firſt and Second, or other ſucceeding Claſſes, in their Order, then and in ſuch Caſe the Men contained in ſuch Claſs or Claſſes, as the Caſe may be, ſhall be forthwith choſen without any Ballot; and when the Proportion of Men ſo required as aforeſaid ſhall be leſs than the Number of Men contained in ſuch Firſt Claſs, then ſuch Proportion ſhall be ballotted for out of ſuch Claſs only, and no other; and when the Proportion ſo required as aforeſaid ſhall exceed the Number of Men contained in the Firſt, or Firſt and any ſucceeding Claſs or Claſſes, in the Order in which they ſhall ſo ſtand as aforeſaid, the Deputy Lieutenants ſhall firſt chooſe all the Men in ſuch Firſt Claſs, or Firſt and next ſucceeding Claſs or Claſſes, until ſuch Proportion ſhall be as near as may be completed, and ſhall then proceed to ballot in Manner directed by this Act for the Remainder of the Proportion ſo required as aforeſaid out of the Claſs immediately following the laſt Claſs that ſhall have been wholly taken, towards making up ſuch Proportion as aforeſaid; and the Deputy Lieutenants ſhall proceed in like Manner for the ſupplying of any further Part or Proportion of Militia, in caſe any further Part ſhould be afterwards ordered by His Majeſty to be embodied; and ſhall, during the Whole of the Time that a Part or Proportion only of the Militia ſhall remain embodied, ſupply all Vacancies as they ſhall ariſe in ſuch Part or Proportion out of the Claſſes as they ſtand in Succeſſion; and ſhall in no Caſe proceed to ballot for the ſupplying of any Vacancy out of any Claſs, until all the Men contained in the preceding Claſs or Claſſes, who ſhall be able and fit to join ſuch Militia, ſhall have been choſen for that Purpoſe.

If any Man enrolled in any Subdiviſion of a County, the Militia whereof ſhall be ordered to be embodied, ſhall deſert or be abſent, and ſhall not be taken within Three Months, the Vacancy ſhall be filled up by a freſh Ballot.

CXXX. And be it further enacted, That whenever the Militia, or any Part or Proportion of the Militia of any County, Stewartry, City, or Place, ſhall have been ordered to be drawn out and embodied in purſuance of this Act, in caſe any of the Perſons inrolled in any Subdiviſion of ſuch County, Stewartry, City, or Place, the Militia whereof ſhall be ſo ordered to be drawn out and embodied as aforeſaid, ſhall make Default, either by not appearing in purſuance of any ſuch Order as aforeſaid, or by Deſertion or Abſence from Duty, and ſuch Perſon ſhall not be taken within the Space of Three Months from the Time of ſuch Default, then a Vacancy ſhall be declared by the Deputy Lieutenants at their Firſt Meeting to be holden for the Subdiviſion for which the Perſon ſo making Default was inrolled, next after the Receipt of the Certificate of ſuch Default, Deſertion, or Abſence, under the Hands of the Officer commanding the Regiment or Battalion to which ſuch Perſon belonged, and the Vacancy thus occaſioned ſhall be forthwith filled up by a freſh Ballot, within the Subdiviſion aforeſaid.

Any Perſon enrolled, and not choſen, not having a Child under Fourteen, and not being more than Thirty-five Years

CXXXI. And be it further enacted, That if any Perſon inrolled by virtue of this Act, and not choſen or ballotted as aforeſaid, who ſhall not have any Child or Children living under the Age of Fourteen Years, and who ſhall not be more than Thirty-five Years of Age, ſhall offer himſelf as a Volunteer to be drawn out and embodied in the Room of any Perſon ſo choſen or ballotted, it ſhall be lawful for the Deputy Lieutenants, at any Meeting, to accept ſuch Volunteer in the Room of ſuch Perſon ſo choſen

or ballotted as aforeſaid, and ſuch Perſon ſo accepted ſhall ſerve as if he had himſelf been ſo choſen or ballotted in Manner aforeſaid. old, may be accepted as a Volunteer.

CXXXII. And be it further enacted, That every Man of the ſaid Militia who ſhall appear and attend at the Ballot to be taken as herein-before directed, and who ſhall not be choſen or ballotted as aforeſaid, ſhall be entitled to an Allowance, after the Rate of One Shilling *per Diem*, during the Time he ſhall be neceſſarily employed from Home, in going to and continuing at and returning from the Place to be appointed for ſuch Ballot, not to exceed Three Days, to be paid by the Clerk of the Subdiviſion or other Meeting in which ſuch Men ſhall be inrolled; and on the Certificate of the Number of Men ſo paid, under the Hands of ſuch Deputy Lieutenants and Juſtices of the Peace reſpectively, or where no Deputy Lieutenant ſhall there attend, then of any Two or more ſuch Juſtices of the Peace as aforeſaid, the Collector of the Land Tax for ſuch County, Stewartry, City, or Place, ſhall reimburſe to the ſaid Clerk the Sums ſo paid out of any Monies in his Hands of any Aid granted by Parliament by way of Land Tax. Men attending at the Ballot, and not being choſen, ſhall be paid by the Clerk One Shilling *per Diem* while from Home, which the Collector ſhall reimburſe.

CXXXIII. And be it further enacted, That the reſpective Clerks of the Subdiviſion or other Meetings ſhall be and they are hereby authorized and empowered to draw on the Collector of the Land Tax for the County, Stewartry, City, or Place, for ſuch Sum or Sums of Money as ſuch Deputy Lieutenants and Juſtices of the Peace reſpectively, or where only One Deputy Lieutenant ſhall attend as ſuch Deputy Lieutenant, or where no Deputy Lieutenant ſhall attend, then as any Two or more Juſtices of the Peace ſhall, by any Order under their or his reſpective Hands or Hand direct and appoint, which Sum or Sums of Money ſhall be applied by ſuch reſpective Clerks for paying the Allowances herein-before directed to be made; and the Receipt of any ſuch Clerk, together with ſuch Order, ſhall be to the ſaid Collector of the Land Tax a ſufficient Diſcharge for the Payment of ſuch Sum or Sums of Money, and be allowed in his Account. Clerks may draw upon the Collectors, by Order of the Deputy Lieutenants, *etc.* for Money to pay Allowances.

CXXXIV. And be it further enacted, That the Clerk of each Subdiviſion or other Meeting ſhall, when required by ſuch Deputy Lieutenants and Juſtices of the Peace, or where no Deputy Lieutenant ſhall attend, then by any Two or more Juſtices of the Peace, make out an Account of the reſpective Sums of Money by him received and paid in purſuance of this Act, to be by them examined, allowed, and ſigned; and the Account ſo examined, allowed, and ſigned, ſhall be and is hereby directed to be the proper Voucher and Acquittal of ſuch Clerk for the Application and Diſpoſal of ſuch Money. Clerks, when required, to make out Accounts of Monies received and paid, to be examined and allowed.

CXXXV. And be it further enacted, That nothing herein contained ſhall be conſtrued to debar His Majeſty from ordering the Remainder of the ſaid Militia, or ſo many of the Remainder of the ſaid Militia of any County, Stewartry, City, or Place, as His Majeſty ſhall in His Wiſdom think proper, to be drawn out and embodied whenever the Occaſion ſhall require, according to the Proviſions preſcribed by this Act. His Majeſty may order the Remainder of the Militia to be embodied.

CXXXVI. And

When His Majeſty ſhall order any further Proportion of the Militia to be embodied, the County Lieutenant, and other Officers, ſhall purſue the Rules preſcribed for embodying the Firſt Proportion.

CXXXVI. And be it further enacted, That whenever His Majeſty ſhall think fit to draw out and embody any further Proportion of the Militia of any County, Stewartry, City, or Place, it ſhall be lawful for the Lieutenant of ſuch County, Stewartry, City, or Place, or Three or more Deputy Lieutenants as aforeſaid, and he and they is and are hereby reſpectively required, to cauſe ſuch further Proportion to be drawn out and embodied as His Majeſty ſhall order; and in ſo doing ſuch Lieutenants and Deputy Lieutenants reſpectively, and alſo all and every the Deputy Lieutenants, and all other Officers aforeſaid reſpectively, ſhall purſue the Rules and Directions herein-before preſcribed for drawing out and embodying the Firſt Proportion thereof.

While any Part of the Militia ſhall continue embodied, His Majeſty may order any not embodied to be drawn out, to be muſtered, trained, and exerciſed.

CXXXVII. And be it further enacted, That if during ſuch Time as any Part of the Militia which ſhall have been drawn out and embodied for Service ſhall continue embodied, His Majeſty ſhall deem it expedient that the Militia of any County, Stewartry, City, or Place, or any Part thereof, which ſhall not at ſuch Time be actually embodied for Service, ſhould be drawn out in order to be muſtered, trained, and exerciſed for a limited Time, inſtead of being ſo embodied for Service, according to the Proviſions of this Act, it ſhall be lawful for His Majeſty to direct the Lieutenants or Deputy Lieutenants of all or any of the ſaid Counties, Stewartries, Cities, or Places, to cauſe the ſaid Militia not actually embodied, or any Part thereof, to be drawn out in order to be muſtered, trained, and exerciſed, in ſuch Proportion, and for ſuch Time, and at ſuch Place or Places as ſhall be appointed, with the Approbation of His Majeſty, by the Lieutenant or Deputy Lieutenants, in Manner as is herein-before directed for training and exerciſing the diſembodied Militia, and the ſame ſhall be muſtered, trained, and exerciſed accordingly.

When the whole Militia of any County, *etc.* is ordered to be embodied, all the Officers, Non-commiſſioned Officers, and Drummers, ſhall join, and when a Part, ſuch a Proportion of them as ſhall be ordered by His Majeſty, who ſhall regulate the Numbers and Duties of thoſe remaining in the County, *etc.* for muſtering, *etc.* the Privates.

CXXXVIII. And be it further enacted, That whenever the Whole of the Militia of any County, Stewartry, City, or Place, is ordered to be embodied, all the Officers, Non-commiſſioned Officers, and Drummers of every Regiment or Battalion of the Militia of ſuch County, Stewartry, City, or Place, ſhall immediately join the Regiment or Battalion to which they reſpectively belong, at the Time and Place appointed for the embodying ſuch Militia; and whenever the Militia of any County, Stewartry, City, or Place, is called out and embodied by Detachments or Diviſions, under any Order of His Majeſty for that Purpoſe purſuant to the Proviſions of this Act, it ſhall be lawful for His Majeſty to order and direct the Proportion and Deſcription of Officers, Non-commiſſioned Officers, and Drummers, who ſhall accompany ſuch Detachments or Diviſions of Men, and the reſpective Eſtabliſhments of ſuch Detachments or Diviſions, and alſo to regulate the Numbers and Duties of all ſuch Officers, Serjeants, Corporals, and Drummers, as ſhall remain within any ſuch County, Stewartry, City, or Place, for the muſtering, training, and exerciſing of the Remainder of the private Militia Men thereof, as the Service may require, and to His Majeſty may ſeem moſt fit and convenient.

His Majeſty may diſembody the Mi-

CXXXIX. And be it further enacted, That it ſhall be lawful for His Majeſty, from Time to Time as he ſhall think fit, to diſembody any Part or

Proportion of any Militia of any County, Stewartry, City, or Place, embodied under this Act, and from Time to Time again to draw out and embody any ſuch Militia ſo diſembodied as aforeſaid, or any Proportion thereof, as to His Majeſty ſhall ſeem neceſſary, according to the Rules and Proviſions of this Act.

litia, and embody them, as to Him ſhall ſeem neceſſary, according to the Proviſions of this Act.

CXL. And be it further enacted, That when the Militia, or any Part thereof, having been ſo drawn out into actual Service as aforeſaid, ſhall be again duly diſembodied, and the Officers and Men thereof diſmiſſed to return to their ſeveral Places of Abode, the Officers, Non-commiſſioned Officers, Drummers, and private Men, ſhall be ſubject to the ſame Orders, Directions, and Engagements only, as they were ſubject to under the Proviſions of this Act, before they were ſo drawn out into actual Service as aforeſaid.

Militia when diſembodied, to be ſubject to the ſame Orders only as before being drawn out.

CXLI. And whereas it may be expedient, that in all Caſes of actual Invaſion or of imminent Danger of Invaſion, and in caſe of Rebellion, His Majeſty ſhould be empowered to increaſe, without Delay, the Number of Militia Forces, for the more effectual Protection and Defence of this Realm; be it therefore enacted, That it ſhall be lawful for His Majeſty (the Occaſion being firſt communicated to Parliament, if Parliament ſhall be then ſitting, or declared in Council, and notified by Proclamation, if no Parliament ſhall be then ſitting or in being), to order and direct, by His Royal Proclamation, that, in Addition to the Number of Men required by or under the foregoing Proviſions of this Act to be raiſed by the ſeveral Counties, Stewartries, Cities, and Places herein mentioned, there ſhall be forthwith raiſed and inrolled in the ſaid ſeveral Counties, Stewartries, Cities, and Places, any Number of Men not exceeding the Proportion of One Half of the whole Number of Men before required by or under this Act to be raiſed by each County, Stewartry, City, and Place; and the Lieutenants and Deputy Lieutenants reſpectively of the ſaid Counties, Stewartries, Cities, and Places, ſhall immediately on the iſſuing of any ſuch Proclamation, aſſemble and forthwith proceed to apportion the Number of Men required to be raiſed in their reſpective Counties, Stewartries, Cities, and Places, among the ſeveral Pariſhes or Places therein reſpectively, and ſhall thereafter proceed to raiſe and inrol ſuch Men at ſuch Time or Times as ſhall be ſpecified for that Purpoſe in ſuch Proclamation; and all the Powers, Proviſions, Regulations, Rules, Penalties, Forfeitures, Bounties, Allowances, Clauſes, Matters, and Things in this Act contained relative to the Militia, ſhall be applied, practiſed, enforced, and put in Execution, for the raiſing, training, and exerciſing, and for the embodying and calling out into actual Service the Supplementary Militia, ſo ordered and directed to be raiſed and inrolled, in as full and ample a Manner, in every Reſpect, as far as the ſame can be applied and put in force, as if the ſaid Number of Men ſo added to the Militia had been included in the Number of Men required and directed to be raiſed by virtue of this Act.

In caſe of Invaſion or Rebellion, His Majeſty may, by Proclamation, increaſe the Militia, not exceeding Half the Number required by this Act, and the County Lieutenants and Deputies ſhall apportion the Number, and proceed to raiſe and enrol the Men, at ſuch Time as ſhall be ſpecified in the Proclamation.

CXLII. And be it further enacted, That, whenever His Majeſty ſhall cauſe the Supplementary Militia to be raiſed or inrolled, or drawn out and embodied as aforeſaid, if the Parliament ſhall then be ſeparated by ſuch Adjournment or Prorogation as will not expire within Fourteen Days, His

When the Supplementary Militia is raiſed, His Majeſty ſhall iſſue a Pro-

clamation for the Meeting of Parliament within Fourteen Days..

His Majeſty may and ſhall iſſue a Proclamation for the Meeting of the Parliament within Fourteen Days, and the Parliament ſhall accordingly meet and ſit upon ſuch Day as ſhall be appointed by ſuch Proclamation, and continue to ſit and act in like Manner, to all Intents and Purpoſes, as if it had ſtood adjourned or prorogued to the ſame Day.

His Majeſty, by Proclamation, may reduce and diſembody the Supplementary Militia, but the Privates ſhall remain liable to ſerve for the Periods for which enrolled, and ſhall ſupply Vacancies in the Places for which enrolled; and no Ballot ſhall take Place while ſuch Vacancies can be ſupplied from them; but they ſhall not be liable to ſupply Vacancies for any other Place than that for which originally enrolled.

CXLIII. And be it further enacted, That it ſhall be lawful for His Majeſty, from Time to Time, whenever He ſhall deem it expedient to reduce the Whole or any Part of the Supplementary Militia, by His Royal Proclamation to declare ſuch Reduction accordingly; and in caſe the ſaid Supplementary Militia, or any Part thereof, ſhall be then embodied, to diſembody the ſame, or any Number of private Militia Men equal thereto, without Regard to whether ſuch Men were raiſed and inrolled in purſuance of any Proclamation for raiſing the Supplementary Militia, or were inrolled before, and were ſerving at the Time of the iſſuing thereof; and the private Militia Men ſo diſembodied as aforeſaid, or ſo many of them as may have been inrolled and not embodied at the Time of iſſuing ſuch Proclamation, ſhall nevertheleſs remain liable to ſerve for the reſpective Periods for which they ſhall have been reſpectively inrolled to ſerve, and ſhall, during ſuch Periods, ſupply all the Vacancies that may ariſe in the reſpective Pariſhes or Places, or united Pariſhes or Places, for which they ſhall have been ſo inrolled, whenever called upon ſo to do; and the Deputy Lieutenants of the reſpective Subdiviſions ſhall, from Time to Time, cauſe any Man or Men, as the Caſe may be, that may be required for ſupplying any Vacancy or Vacancies in the eſtabliſhed Militia that may ariſe for any Pariſh or Place, or united Pariſhes or Places in their reſpective Subdiviſions, to be taken from their reſpective Claſſes as aforeſaid, or ballotted, as the Caſe may require, according to the Proviſions in this Act contained relating to the taking Men for the Militia from Claſſes, until all the Men ſo remaining liable, and that ſhall be fit to ſerve, ſhall have ſupplied ſuch Vacancies: Provided always, that no Ballot ſhall take Place for the raiſing and inrolling any Man to ſupply any Vacancy that may ariſe for any Pariſh or Place, ſo long as the ſame can be ſupplied from any Men, or by any Man, then inrolled for ſuch Pariſh or Place, that ſhall remain liable and be fit to ſerve: Provided alſo, that no Man ſo remaining liable to ſerve as aforeſaid for any Pariſh or Place ſhall be called upon or be liable to ſupply any Vacancy ariſing for any other Pariſh or Place than that for which he ſhall be originally inrolled to ſerve under the Proviſions of this Act: Provided alſo, that no ſuch Man ſo remaining liable to ſupply ſuch Vacancy as aforeſaid ſhall, during the Time he ſo remains liable, be capable of being inliſted into His Majeſty's regular Forces.

The Supplementary Militia Men ſhall make Part of the Regiment of the County.

Additional Officers, *etc.* ſhall be appointed as for the Regiment.

CXLIV. And be it further enacted, That where the Militia ſhall be increaſed in Manner above directed, the Men raiſed and inrolled for ſuch Supplementary Militia ſhall be added to and make Part of the Regiment or Battalion of the County, forming of itſelf One Regiment or Battalion, or of the Regiment or Battalion compoſed of the Counties, Stewartries, Cities, or Places for which they ſhall be ſo raiſed and inrolled; and the additional Number of Captains, Lieutenants, and Enſigns, Serjeants, Corporals, and Drummers, neceſſary for ſuch Supplementary Militia, ſhall be appointed in the Manner above directed in the Caſe of the Regiment or

Battalion of Militia to which ſuch Supplementary Militia ſhall be added.

CXLV. Provided always, and be it further enacted, That no Regiment ſhall be compoſed of more than Twelve Companies; and that no Regiment, conſiſting of leſs than One thouſand private Men, ſhall be formed into more than Ten Companies.

No Regiment ſhall have more than 12 Companies, nor more than 10, if leſs than 1000 Men.

CXLVI. And be it further enacted, That, in every Regiment or Battalion which ſhall be increaſed by ſuch Supplementary Militia to the Number of Eight hundred private Men or upwards, One Major ſhall be added to every ſuch Regiment or Battalion, ſo that to every Regiment or Battalion ſo increaſed to not leſs than Eight hundred private Men, there may be One Colonel, One Lieutenant Colonel, and Two Majors.

An additional Major ſhall be appointed to every Regiment increaſed to 800 Privates or upwards,

CXLVII. And be it further enacted, That where Two or more Counties, Stewartries, Cities, or Places, are joined together to form a Battalion, ſuch additional Major of every ſuch Regiment or Battalion increaſed to Eight hundred private Men or upwards, ſhall be appointed by the Lieutenant of the County, Stewartry, City, or Place, furniſhing the greateſt Number of private Men; and where One County, Stewartry, City, or Place of itſelf, forms One Battalion, then ſuch additional Major ſhall be appointed by the Lieutenant of the County, Stewartry, City, or Place forming ſuch Battalion.

By whom the additional Major ſhall be appointed;

CXLVIII. Provided always, and be it further enacted, That where any County, Stewartry, City, or Place, does not furniſh Men ſufficient to form a Company, the Lieutenant of ſuch County, Stewartry, City, or Place, ſhall not appoint any ſuch additional Field Officers.

but no additional Field Officer ſhall be appointed by the Lieutenant of a County not furniſhing ſufficient for a Company.

CXLIX. And whereas it may happen through Neglect or otherwiſe, that in ſome County, Stewartry, City, or Place, the Militia may not be raiſed according to the Directions of this Act, and it is juſt and reaſonable that all His Majeſty's Subjects ſhould contribute equally towards the Expence of raiſing and ſupporting a Militia for the Defence of the Realm; be it therefore further enacted, That the Lieutenant, or any Three Deputy Lieutenants of every County, Stewartry, City, and Place, where the Militia ſhall be raiſed according to the Directions of this Act, ſhall, on or before the Twenty-fifth Day of *December* in every Year, tranſmit a Certificate to the Clerk of the Commiſſioners of Supply of ſuch County, Stewartry, City, or Place, containing an Account of the Names, Number, and Rank of the Officers, and the Number of Non-commiſſioned Officers, Drummers, and private Men of the Militia of that Year, and the Time during which ſuch Militia hath been trained and exerciſed, and every ſuch Clerk of Supply ſhall deliver ſuch Certificate to the Commiſſioners of Supply at their General Meeting, to be held in the Month of *April* in every Year, and the ſame ſhall be kept amongſt the Records of ſuch Meeting; but where no ſuch Certificate ſhall be received by the Clerk of Supply as aforeſaid, he ſhall certify the ſame under his Hand to the Commiſſioners ſo aſſembled, and ſuch Certificate of the ſaid Clerk of Supply ſhall be kept amongſt the Records of ſuch Meeting.

County Lieutenants, *etc.* to tranſmit certified Returns of the Militia, and Times of Exerciſe, to the Clerk of the Commiſſioners of Supply annually, on or before *Dec.* 25. to be kept among their Records;

but where none are received by the Clerk, he ſhall certify the ſame to the Commiſſioners.

CL. And

Where the Quota of any County, *etc.* ſhall not be raiſed within a limited Time, 10*l.* ſhall be paid annually for each Man deficient, for which the Commiſſioners of Supply ſhall make an Aſſeſſment.

CL. And be it further enacted, That in every County, Stewartry, City, or Place, in which the full Number of Men required by or in purſuance of any of the Proviſions of this Act, as the Quota of ſuch County, Stewartry, City, or Place, ſhall not be raiſed and completed within Six Months after the paſſing of this Act, or after the ſame ſhall have been fixed and eſtabliſhed by any ſubſequent Order of His Majeſty in Council as herein-before directed, then and in every ſuch Caſe the Sum of Ten Pounds ſhall be annually paid for and in lieu of every private Militia Man leſs than the Quota of ſuch County, Stewartry, City, or Place, who ſhall not have been raiſed within the Time limited by this Act; and the Commiſſioners of Supply of every ſuch County, Stewartry, City, and Place, aſſembled at the Firſt General Meeting held in the Month of *April* in each Year next after the Expiration of the ſaid Six Months, ſhall, upon the Receipt of the Certificate of the Lieutenant, or Three Deputy Lieutenants, which Certificate he and they is and are hereby required to tranſmit to the Clerk of the Commiſſioners of Supply for ſuch County, Stewartry, City, or Place, in order to be laid before the ſaid Commiſſioners of Supply, aſſeſs the ſaid Sum of Ten Pounds *per* Man as aforeſaid upon every ſuch County, Stewartry, City, or Place, according to the valued Rent thereof, and in caſe at any future Time the Number of Men required to be provided for the Militia of any County, Stewartry, City, or Place, according to the ſeveral Proviſions of this Act, ſhall not be provided within Three Calendar Months after the Lieutenant, or any One of the Three Deputy Lieutenants, ſhall have had Notice from or by the Order of the Commanding Officer of any Regiment or Battalion of ſuch Militia of any ſuch Deficiency, then and in every ſuch Caſe the Commiſſioners of Supply aforeſaid, aſſembled at the Firſt Meeting to be holden for the County, Stewartry, City, or Place, after ſuch Deficiency ſhall have been made known to them by the Lieutenant or Deputy Lieutenants as aforeſaid, ſhall rate and aſſeſs upon the valued Rent as aforeſaid the like Sum of Ten Pounds for every Man ſo deficient as aforeſaid, in every County, Stewartry, City, or Place.

Such Aſſeſſments upon Counties to be made on each Pariſh, proportionally to the Number of Men it is required to raiſe.

CLI. And be it further enacted, That the Commiſſioners of Supply aforeſaid, in making any ſuch Rate and Aſſeſſment upon the Whole of any County, Stewartry, City, or Place, ſhall apportion the Sums ſo to be aſſeſſed as aforeſaid, and rate and aſſeſs the ſame upon the valued Rent of the ſeveral Pariſhes and Places in ſuch County, Stewartry, City, or Place, in the ſame Proportions in which the Men for the Militia are required to be raiſed by ſuch Pariſhes and Places reſpectively, according to ſuch Apportionment as may have been made thereof in purſuance of this Act, or to the laſt Apportionment that ſhall have been made of Men to be raiſed by each Pariſh and Place.

When the Deficiency ſhall ariſe in any particular Pariſh or Pariſhes, the Aſſeſſment ſhall be made thereon.

CLII. And be it further enacted, That when in any County, Stewartry, City, or Place, ſuch Deficiency of Men ſhall ariſe from the Default of any particular Pariſh or Place, or Pariſhes or Places in ſuch County, Stewartry, City, or Place, in not raiſing the Proportion or reſpective Proportions of Men required to be raiſed by any ſuch Pariſh or Place, or Pariſhes or Places, then and in ſuch Caſes the ſaid Commiſſioners of Supply, in making ſuch Rate or Aſſeſſment as aforeſaid, ſhall rate and aſſeſs all and every ſuch Sum and Sums of Money upon the valued Rent of ſuch Pariſh or

Place, Pariſhes or Places, that ſhall have ſo made Default as aforeſaid, in Proportion to the Number of Men by which each of ſuch Pariſhes or Places ſhall fall ſhort of the Number of Men required to be raiſed therein.

Commiſſioners of Supply failing to make ſuch Aſſeſſments, ſhall be perſonally liable for the Amount, which may be recovered by ſummary Complaint to the Sheriff or Stewart Depute, by the County Lieutenant.

CLIII. And be it further enacted, That the Commiſſioners of Supply aſſembled at ſuch Meeting as aforeſaid, failing or neglecting to make ſuch Rate or Aſſeſſment in the Manner by this Act directed, ſhall be perſonally liable in a Penalty equal to the Sum for which ſuch Rate or Aſſeſſment ought to be ſo made, to be recovered by a ſummary Complaint to be made to the Sheriff or Stewart Depute, at the Inſtance of the Lieutenant or any Two Deputy Lieutenants of the County or Stewartry in which ſuch Rate or Aſſeſſment ought to be ſo made, where ſuch County or Stewartry of itſelf forms a Regiment or Battalion, and where Two or more Counties, Stewartries, Cities, or Places, are joined together to form a Regiment or Battalion, then at the Inſtance of the Lieutenant or any Two Deputy Lieutenants of any of the Counties, Stewartries, Cities, or Places, compoſing ſuch Regiment or Battalion, and the Sums ſo recovered ſhall be paid and applied in the ſame Manner as ſuch Rate or Aſſeſſment, if made and levied, would have been paid and applied.

How Aſſeſſments ſhall be made where there is not Evidence of valued Rents.

CLIV. And be it further enacted, That in all Caſes where there is not ſufficient Evidence of the valued Rent of Lands in any County or Stewartry, the Aſſeſſments and Apportionments thereof hereby directed, ſhall be made according to the cuſtomary Payment of the Land Tax.

In Cities, &c. the Aſſeſſments ſhall be levied as the Ceſs Stent.

CLV. And be it further enacted, That in the Caſe of Cities, Royal Burghs, and Towns liable to pay ſuch Aſſeſſment or an Apportionment thereof as aforeſaid, the Magiſtrates thereof ſhall, and they are hereby authorized to levy from the Heritors, Burgeſſes, and Inhabitants of ſuch Cities, Burghs, and Towns, their Proportion of ſuch Aſſeſſment or Apportionment thereof, in ſuch Manner and in the ſame Proportions as the Ceſs Stent and other publick Burthens and Contributions are in uſe by Law to be aſſeſſed and levied in ſuch Cities, Burghs, and Towns reſpectively.

Magiſtrates neglecting to make ſuch Aſſeſſments in Cities, *etc.* ſhall be perſonally liable for the Amount, which may be recovered by ſummary Complaint to the Sheriff or Stewart Depute, by the Collector of the Land Tax.

CLVI. And be it further enacted, That in caſe the Magiſtrates of any City, Burgh, or Town, ſhall neglect or refuſe to ſtent and aſſeſs the Heritors, Burgeſſes, and Inhabitants thereof for ſuch Aſſeſſment, or their Apportionment thereof, then the Magiſtrates of ſuch City, Burgh, or Town ſo neglecting or refuſing, ſhall be perſonally liable in a Penalty equal to the ſaid Aſſeſſment, or their Apportionment thereof, to be recovered by ſummary Complaint to the Sheriff or Stewart Depute of the County or Stewartry in which ſuch City, Burgh, or Town is ſituated, at the Inſtance of the Collector of the Land Tax of the County or Stewartry entitled to Relief by ſuch Aſſeſſment or Apportionment thereof, and the Sums ſo recovered ſhall be paid and applied in the ſame Manner as ſuch Aſſeſſment, or the Apportionment thereof, if made, would have been paid and applied.

The Landward Part of Pariſhes ſhall be deemed

CLVII. And be it further enacted, That where Pariſhes are partly Landward and partly within Burgh, the Landward Part of the Pariſh ſhall be conſidered

Part of the County, and the Part within Burgh, Part thereof.

sidered as Part of the County or Stewartry liable for the above-mentioned Rate or Assessment, or its Apportionment thereof, and the Part within Burgh shall be included in the Assessment for the Burgh.

Commissioners of Supply to transmit the Amount of the Sums assessed to the Collector of the Land Tax, who shall give Notice to the Persons assessed, and levy the same.

CLVIII. And be it further enacted, That the Commissioners of Supply of the several Counties, Stewartries, Cities, and Places, where any such Rate and Assessment shall be made as aforesaid, shall, immediately after the making of any such Rate and Assessment as aforesaid, transmit or cause to be transmitted the several Amounts of the Sums so assessed upon the several Parishes and Places to the Collector of the Land Tax of such County, Stewartry, City, or Place; and such Collector shall, as soon as conveniently may be, cause Notice thereof to be given to the respective Persons in the several Parishes and Places upon which any such Rate or Assessment shall have been made as aforesaid; and such Collector shall forthwith levy and collect the same in such Manner as he levies and collects the Cess or Land Tax.

Collectors to retain such Money in their Hands Three Months, and pay thereout Bounties to any Volunteers that the Deputy Lieutenant shall raise within that Period for supplying Deficiencies, and then pay the Balance to the Receiver General of *Scotland*.

CLIX. And be it further enacted, That the Collector or Collectors levying and collecting any such Sum or Sums of Money, shall retain such Sum or Sums of Money in his or their Hands for Three Calendar Months after the Receipt thereof; and during the said Period of Three Months it shall be lawful for any Deputy Lieutenant of the Subdivision of the said County, Stewartry, City, or Place, within which such Parish or Place shall be situate, to raise any Volunteer or Volunteers for such Militia, in lieu of such Man or Men as shall be so deficient as aforesaid, and to agree with every such Volunteer for a Bounty not exceeding the Sum of Ten Pounds, and the Deputy Lieutenants before whom any such Volunteer shall be duly examined, approved, sworn, and inrolled to serve in the Militia, shall make an Order upon such Collector or Collectors for the Payment of such Bounty; and upon the Production to such Collector or Collectors of a Certificate, under the Hands of such Deputy Lieutenants as aforesaid, of any such Volunteer having been duly examined, approved, sworn, and inrolled to serve in the Militia, and of such Order for the Payment of such Bounty as aforesaid, and of a Certificate under the Hands of the Commanding Officer of any Regiment or Battalion of Militia of such County, Stewartry, City, or Place, of such Man having joined his Regiment or Battalion, such Collector or Collectors shall, and he and they is and are hereby respectively required to pay out of such Money in his or their Hands as aforesaid, any Sum of Money, not exceeding the said Sum of Ten Pounds, for each of such Volunteers as aforesaid; and such Collector or Collectors shall, at the Expiration of Three Months after the Receipt of such Money as aforesaid, pay all Sums of Money as may have come into his or their Hands for and on Account of any such Fines as aforesaid, and as shall not have been paid for and on Account of any such Volunteer as aforesaid in Manner herein directed, to the Receiver General of *Scotland*, in the same Manner as such Collector or Collectors pay the Cess or Land Tax levied by them to such Receiver General, who shall keep an Account thereof as herein-after directed.

Where a Place lies in Two Counties, the Assessment

CLX. And whereas there are some Towns and Places which lie in Two Counties or Stewartries, and Doubts may arise whether such Towns and Places are obliged to pay to both Counties or Stewartries towards raising

the ſaid Money; be it therefore further enacted, That where any Town or Place lies in Two Counties or Stewartries, or Part thereof in a County and Part in a Stewartry, the Proportion of the ſaid Money to be paid for ſuch Town or Place in lieu of raiſing the Militia as aforeſaid, ſhall be paid to the Collector of the Land Tax of the County or Stewartry wherein the Church of ſuch Town or Place is ſituate.

ſhall be paid to the Collector of that wherein the Church ſtands.

CLXI. And be it further enacted, That every Collector of the Land Tax to whom any ſuch Money ſhall be paid, ſhall give a Receipt for ſuch Money to the Perſon or Perſons paying the ſame, which Receipt ſhall be a ſufficient Diſcharge for ſuch Payment; and that when the whole Sum directed to be raiſed in any County, Stewartry, City, or Place as aforeſaid, ſhall be paid into the Hands of the Receiver General for *Scotland*, in purſuance of this Act, ſuch Payment ſhall be a full Diſcharge and Indemnification to ſuch County, Stewartry, City, or Place, for the Failure or Neglect in raiſing and training the Number of Men of the Militia for the Year in reſpect whereof ſuch Payment ſhall be made; and the Receiver General of *Scotland* ſhall, within Ten Days after the Receipt of any ſuch Money, certify ſuch Receipt to the Lord High Treaſurer and Commiſſioners of His Majeſty's Treaſury, and forthwith pay the ſame into the Receipt of His Majeſty's Exchequer at *Weſtminſter*; and the Money ſo paid into the Exchequer ſhall be kept ſeparate and apart from all other Money, and ſhall be accounted for yearly to Parliament, and diſpoſed of as Parliament ſhall direct; and no Fee or Gratuity whatſoever ſhall be given or paid to any Officer of the Exchequer for or on Account of receiving or iſſuing any ſuch Money.

When the whole Aſſeſſment upon any place is paid to the Receiver General for *Scotland*, it ſhall be indemnified for not raiſing its Quota, and he ſhall within Ten Days after receiving any Money, certify it to the Treaſury and pay it into the Exchequer, to be diſpoſed of by Parliament.

CLXII. Provided always, and be it further enacted, That the Collector of the Land Tax of every County, Stewartry, City, or Place, in which any ſuch Money ſhall be raiſed as aforeſaid, ſhall be allowed for his Pains and Trouble the Sum of One Penny in the Pound upon the whole Sum ſo by him received and paid; which Allowance every ſuch Collector is hereby authorized to detain in his Hands out of the Money ſo received by him, before Payment made to the Receiver General of *Scotland* as aforeſaid.

The Collector may detain *1d. per* Pound of the Money he receives.

CLXIII. And be it further enacted, That the Clerk of Supply for every County, Stewartry, City, or Place, ſhall and he is hereby required, within Fourteen Days next after the Firſt Meeting of the Commiſſioners of Supply to be held next after the Twenty-fifth Day of *December* yearly, to tranſmit to the Lord Chief Baron and other Barons of His Majeſty's Court of Exchequer in *Scotland*, and alſo to the Collector of the Land Tax for ſuch County, Stewartry, City, or Place, a Copy, ſigned by ſuch Clerk of Supply, of every Certificate which he ſhall have received from the Lieutenant or any Three Deputy Lieutenants of ſuch County, Stewartry, City, or Place as aforeſaid; and where ſuch Certificate ſhall be omitted to be delivered, the Clerk of Supply ſhall certify ſuch Omiſſion to the Lord Chief Baron and other Barons of His Majeſty's Court of Exchequer in *Scotland*, and alſo to the Collector of the Land Tax, and that ſuch Clerk of Supply hath certified the ſame to the Commiſſioners of Supply at ſuch Meeting, and required ſuch Commiſſioners to

Clerk of Supply to tranſmit annually Copies of Certificates received from the County Lieutenants, and where not delivered to certify ſuch Omiſſion to the Barons of Exchequer, and Collector of the Land Tax, *&c.* and ſhall certify Omiſſions of Commiſſioners of Supply in proceeding to

raiſe the Money where the Militia has not been raiſed, to the King's Attorney in Exchequer, who ſhall compel them to do it.

to proceed according to the Directions of this Act; and ſuch Clerk of Supply ſhall alſo certify what Proceedings have been had at ſuch Meeting in relation to the aſſeſſing and raiſing of the ſaid Money, where the Militia ſhall not have been raiſed; and in caſe ſuch Commiſſioners of Supply ſhall omit, neglect, or refuſe to proceed to raiſe the ſaid Money according to the Directions of this Act, then the Clerk of Supply of ſuch County, Stewartry, City, or Place, ſhall, and he is hereby required, within Fourteen Days next after ſuch General Meeting, to certify to His Majeſty's Attorney in Exchequer in *Scotland* ſuch Omiſſion, Neglect, or Refuſal of ſuch Commiſſioners, and the Names of the Commiſſioners who ſhall be preſent at ſuch Meeting; and the King's Attorney in Exchequer is hereby required, on Receipt of ſuch Certificate, forthwith to proceed by all ſuch legal Ways and Means as ſhall be moſt effectual and expeditious, to compel ſuch Commiſſioners to pay due Obedience to this Act, and to cauſe the ſaid Money to be raiſed, collected, and paid.

If 10*l. per* Man be not raiſed in any Place, and paid into the Exchequer, His Majeſty's Attorney in Exchequer in *Scotland*, ſhall compel its being done.

CLXIV. And be it further enacted, That if the ſaid Sum of Ten Pounds *per* Man to be raiſed and paid in any ſuch County, Stewartry, City, or Place as aforeſaid, ſhall not be levied, collected, and paid into the Exchequer at *Weſtminſter* in Manner herein before directed, His Majeſty's Attorney in Exchequer in *Scotland* is hereby required forthwith, upon Knowledge or Information thereof, to proceed by all ſuch legal Ways and Means as ſhall be moſt effectual and expeditious to compel the levying and collecting of ſuch Money, and the Payment thereof into the Exchequer as aforeſaid.

Penalty for Neglect of Duty in Clerks of Supply, Collectors of Land Tax, Chief Conſtables, *etc.*

CLXV. And be it further enacted, That if any Clerk of Supply ſhall refuſe or wilfully neglect to receive, deliver, make, record, or tranſmit any ſuch Certificates as aforeſaid, according to the Directions and true Meaning of this Act, every ſuch Clerk of Supply ſo offending ſhall, for every ſuch Offence forfeit and pay the Sum of One hundred Pounds, and ſhall alſo forfeit his Office, and be rendered incapable of having, receiving, or holding any Office of Truſt, Civil or Military, under the Crown; and if any Collector of the Land Tax, Chief Conſtable, Petty Conſtable, or other Officer, who ought to act and aſſiſt in the raiſing and collecting of the ſaid Money, ſhall wilfully omit, neglect, or refuſe to act or aſſiſt therein, according to the Directions and true Meaning of this Act, every ſuch Collector of the Land Tax ſo offending ſhall, for every ſuch Offence, forfeit and pay the Sum of Two hundred Pounds; and every ſuch Chief Conſtable ſo offending ſhall, for every ſuch Offence, forfeit and pay the Sum of Fifty Pounds; and every ſuch Petty Conſtable and other Officer ſo offending ſhall, for every ſuch Offence, forfeit and pay the Sum of Twenty Pounds; and the King's Attorney in Exchequer aforeſaid ſhall and he is hereby required forthwith to lay the ſame before His Majeſty's Advocate for *Scotland*, who is alſo hereby required, with all due Diligence, to proſecute with Effect all ſuch Commiſſioners of Supply, Collectors of the Land Tax, and other Officers who ſhall omit, neglect, or refuſe to perform the Duty required of them reſpectively by this Act, touching the raiſing, collecting, and paying of the ſaid Money; and in caſe His Majeſty's Attorney in Exchequer aforeſaid ſhall wilfully omit or

The King's Attorney in Exchequer to lay ſuch Offences before His Majeſty's Advocate in *Scotland*, who ſhall proſecute Commiſſioners of Supply, *etc.*

delay to proceed againſt any ſuch Juſtice of the Peace, Collector of the Land Tax, or other Officers as aforeſaid, he ſhall for every ſuch Offence forfeit and pay the Sum of Five hundred Pounds.

500 *l.* Penalty on His Majeſty's Attorney for Neglect.

CLXVI. And be it further enacted, That the Proviſions of an Act, paſſed in the Twenty-fourth Year of the Reign of His late Majeſty King *George* the Second, intituled, *An Act for the rendering Juſtices of the Peace more ſafe in the Execution of their Office, and for indemnifying Conſtables and others acting in Obedience to their Warrants*, ſhall extend to all His Majeſty's Lieutenants, and to all Deputy Lieutenants acting in the Execution of this Act, in like Manner, and as fully and effectually as the ſame extend to Juſtices of the Peace acting in the Execution of their Office.

Proviſions of 24 Geo. 2. c. 44. to extend to County Lieutenants and Deputies.

CLXVII. And be it further enacted, That the Acceptance of a Commiſſion in the Militia ſhall not vacate the Seat of any Member returned to ſerve in Parliament.

Commiſſions in Militia not to vacate Seats in Parliament.

CLXVIII. And be it further enacted, That no Officer, Non-commiſſioned Officer, Drummer, or private Man of the Militia, ſhall be liable to any Penalty or Puniſhment for or on Account of his Abſence, during the Time he ſhall be going to vote at any Election of a Member to ſerve in Parliament, or during the Time he ſhall be returning from ſuch Election.

Voters going to Elections of Members not puniſhable for Abſence.

CLXIX. And be it further enacted, That no Serjeant, Corporal, or Drummer of the Militia, nor any private Man, from the Time of his Inrolment until he ſhall be regularly diſcharged from the Militia, ſhall be compelled to ſerve as a Peace Officer or Pariſh Officer, or to perform any Highway Duty, commonly called *Statute Work*.

Non-commiſſion Officers, Drummers, and Privates, not liable to ſerve as Peace Officers.

CLXX. And be it further enacted, That every Perſon having ſerved in the Militia, when drawn out into actual Service, being a married Man, may ſet up and exerciſe any Trade in any Town or Place within *Great Britain* without any Let, Suit, or Moleſtation of or from any Perſon or Perſons whomſoever, for or by Reaſon of uſing or exerciſing ſuch Trade, as freely and with the ſame Proviſions, and under the ſame Regulations, as any Mariner or Soldier can or may do by virtue of an Act, paſſed in the Twenty-fourth Year of His preſent Majeſty's Reign, intituled, *An Act to enable ſuch Officers, Mariners, and Soldiers, as have been in the Land or Sea Service, or in the Marines or in the Militia, or any Corps of Fencible Men, ſince the Second Year of His preſent Majeſty's Reign, to exerciſe Trades*; and no ſuch Militia Man ſhall be liable to be removed out of any ſuch Town or Place.

Married Militia Men may ſet up in any Place in *Great Britain*, as Soldiers may under 24 Geo. 3. c. 44.

CLXXI. And be it further enacted, That the Allowances to be made to Schoolmaſters, Conſtables, and other Officers, for their Trouble in the Execution of this Act, ſhall be given as follows; (*videlicet*), the Amount thereof ſhall from Time to Time be certified by the Lieutenant of the County, Stewartry, City, or Place, or by any Two or more Deputy Lieutenants, to the Lord Chief Baron and Barons of the Court of Exchequer in *Scotland*, who are hereby empowered to reſtrict theſe

The Amount of Allowances to Schoolmaſters, &c. to be certified by the County Lieutenant or Deputies, to the Barons of Exchequer, who ſhall

grant Warrant for Payment.

Claims to such Sums as they shall think reasonable, and to grant Warrant for Payment thereof out of the Revenues of the Land Tax, Assessed Taxes, or Consolidated Duties of Customs and Excise, or any of them, which they shall think most proper to apply to this Purpose.

How Penalties shall be recovered and how applied, where not otherwise directed by this Act.

CLXXII. And be it further enacted, That all Fines, Penalties, and Forfeitures by this Act imposed, the Manner of Recovery whereof is not by this Act particularly provided for, which shall exceed the Sum of Twenty Pounds, shall be recovered by Action of Debt, Complaint, or Information, in the Court of Exchequer in *Scotland*, wherein no Essoign, Privilege, Protection, Wager of Law, or more than One Imparlance shall be allowed; and that all Fines, Penalties, and Forfeitures by this Act imposed, the Manner of Recovery whereof is not particularly provided for, which shall not exceed the Sum of Twenty Pounds, shall, on Proof upon Oath of the Offence before any Two or more Justices of the Peace of the County, Stewartry, City, or Place where the Offence shall be committed, be levied by Distress and Sale of the Offenders Goods and Effects, by Warrant under the Hands of such Justices, rendering the Overplus (if any) on Demand, after deducting the Charges of such Distress and Sale, to the Person whose Goods and Effects shall have been so distrained and sold; and for Want of sufficient Distress, such Justices are hereby required, in all Cases where no particular Time of Commitment is herein-before directed, to commit such Offender to the Common Gaol of the County, Stewartry, City, or Place where the Offence shall have been committed, for any Time not exceeding Three Months; and the Money arising by all such Fines, Penalties, and Forfeitures, the Application whereof is not otherwise particularly directed by this Act, shall be paid to the Clerk, or (where there are no Clerks), to the Commanding Officers of the respective Regiments or Battalions of Militia of the respective Counties, Stewartries, Cities, or Places where such Offences shall have been respectively committed, and shall be made Part of the publick Stock of such Regiments or Battalions of Militia respectively.

No Order of Conviction shall be removed out of the County, but Proceedings shall be forthwith had thereupon.

CLXXIII. And be it further enacted, That no Order of Conviction made by any Lieutenant of any County, Stewartry, City, or Place, or by any Two or more Deputy Lieutenants, or by any One Deputy Lieutenant, together with any One Justice of the Peace, or by any Justice or Justices of the Peace by virtue of this Act, shall be removed by Bill of Advocation out of the County, Stewartry, City, Town, or Place wherein such Order or Conviction shall have been made to the Court of Session; and that no Bill of Advocation or Suspension shall supersede Execution or other Proceeding upon any such Order or Conviction so made in pursuance of this Act, but that Execution and other Proceedings shall be forthwith had and made thereupon immediately upon Conviction.

Limitation of Actions.

CLXXIV. And be it further enacted, That if any Action shall be brought against any Person or Persons for any Thing done in pursuance of this Act, such Action or Suit shall be commenced within Six Months next after the Fact committed, and not afterwards, and shall be laid in the County, Stewartry, City, or Place where the Cause of Complaint did arise, and not elsewhere, unless before the Court of Exchequer in the Cases allowed by this

Act; and the Defendant or Defendants in every ſuch Action or Suit may plead the General Iſſue, and give this Act, and the Special Matter in Evidence; and if the Defendant or Defendants ſhall be aſſoilzied in any ſuch Action or Suit, or if the Plaintiff or Plaintiffs ſhall be non-ſuited, or diſcontinue his, her, or their Action or Suit, after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgement ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Treble Coſts, and have the like Remedy for the ſame as any Defendant hath in other Caſes to recover Coſts by the Laws of *Scotland*.

General Iſſue.

Treble Coſts.

SCHEDULES

SCHEDULES to which this Act refer:

Schedule A.

To

TAKE Notice that you are hereby required within Fourteen Days from the Date hereof, to prepare or produce a Liſt in Writing, to the beſt of your Belief, of the Chriſtian and Surname of each and every Man reſident in your Dwelling Houſe between the Ages of Eighteen and Forty-five, diſtinguiſhing every Perſon in your Dwelling Houſe of ſuch Age as aforeſaid, claiming to be exempt from ſerving in the Militia, together with the Ground of every ſuch Claim of Exemption; and you are to ſign ſuch Liſt with your own Name, and to deliver or cauſe the ſame to be delivered to me.

Dated the Day of

A. B. Conſtable of

Deſcriptions.	Names of Perſons liable to ſerve.	Names of Perſons exempt.	Ground of Exemption.
Houſekeeper.		*A. B.*	60 Years of Age.
——	*C. D.*		
Lodger.	*E. F.*	——	——
——	*G. H.*	——	——
——	——	*P. R.*	Seaman.
Servants.	*I. K.*	*V. S.*	
	L. M.	*T. R.*	
	N. O.		Serving by Subſtitute.

N. B. If a Houſe is divided in diſtinct Stories or Apartments, occupied diſtinctly, each diſtinct Occupier is required to make this Return.

Neglect of Compliance with this Notice will ſubject the Party to the Penalty of Ten Pounds.

TAKE Notice, that the Day of at at the Hour of in the noon is appointed for hearing Appeals within this Subdiviſion, by Perſons claiming to be exempt from ſerving in the Militia.

A. B. Conſtable of

Schedule B.

PARISH of

MILITIA LIST, made purſuant to the Directions of an Act paſſed in the Forty-ſecond Year of the Reign of King *George* the Third.

Names returned.	Rank or Occupations.	Infirmity, if any, likely to incapacitate from ſerving.	Ground of Exemption claimed.

Names of thoſe not returned, or common Appellations.	Rank or Occupation, if known.	Infirmity, if known.	Ground of Exemption, if known.

NOTICE is hereby given, that the Day of at the Hour of in the noon, at is appointed for hearing Appeals; and that all Perſons who think themſelves aggrieved may then appeal, and that no Appeal will afterwards be received.

A. B. Conſtable of

Schedule C.

SUBDIVISION of in the County of

CERTIFICATE of Number of Men, diſtinguiſhing the Number liable and the Number exempt.

Dated the Day of

Pariſhes or Places.	Number of Men liable to ſerve.	Number of Men exempt.	Total in each Pariſh.
A. B.			
C. D.			
Totals -			

A. B. Clerk of Subdiviſion.

Schedule D.

RETURN of Men between the Age of Eighteen and Forty-five, in the County of

Dated the Day of

Subdivisions.	Number of Men liable to serve.	Number of Men exempt.	Total in each Subdivision.
Totals -			

A. B. Clerk of General Meetings.

Schedule E.

SUBDIVISION of in the County of

RETURN of Inrolment, dated the Day of

Parishes.	NAMES OF MEN.			Date of Inrolment.	Ages.	CLASSES.				
	Principal.	Substitutes.	Volunteers.			1st.	2d.	3d.	4th.	Last.
B.	Sam[l] Jones	—	—	Apl 21	30	X				
C.	Tho[s] Smith	Edw[d] Jones	—	22	—	—	X			
D.	—	—	Tho[s]. Gray	23	—	—	—	—	X	
—	—	—	—		—	—				
—	—	—	—	—						X
Totals serving.										

Signed *A. B.* Clerk to Subdivision Meeting.

Schedule F.

RETURN of Company in the of the Militia of County of dated the Day of

Diviſions.	Pariſhes.	NAMES OF MEN SERVING.			Ages.	CLASSES.				
		Principals.	Subſtitutes.	Volunteers.		1ſt.	2d.	3d.	4th.	Laſt.
H.	*B.*	Saml. Jones.	—	—	32		X			
—	—	—	Thos. Gray	—	24				X	
—	—	—	—	Thos. Smith.	26	X				
M.	*H.*	—	—	—	—		X			
—	—	—	—	—	—		X			
Totals.										

Signed *A. B.* Captain of Company.

Schedule G.

RETURN of Private Militia ſerving for the County of
Dated the Day of

Deſcription of Men.	No. of each.	Years of Service unexpired.					Number of Men in each Claſs.				
		1.	2.	3.	4.	5.	1ſt.	2d.	3d.	4th.	Laſt.
Principals -											
Subſtitutes -											
Volunteers -											
Totals.											

A. B. Clerk to General Meetings.

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