

ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

CAP. XXXVIII.

An Act for amending the Laws relating to the Local Militia in *England*. [20th *April* 1812.]

WHEREAS the Local Militia, as by Law eſtabliſhed, has been found of the utmoſt Importance to the internal Defence of this Realm: And whereas it is neceſſary, in the preſent Circumſtances of *Europe*, that the ſaid Force ſhould be permanently maintained: And whereas the Laws now in force for regulating the Local Militia require Amendment; and it is expedient that ſome of the Proviſions contained in the ſeveral Acts relating to the ſame ſhould be repealed, and others of them continued and amended, and that new Proviſions ſhould be made; and it would greatly tend to the better Execution thereof if the Whole of the ſaid Proviſions were comprized in One Act of Parliament: And whereas it is neceſſary for the Purpoſes aforeſaid, that certain Acts and Parts of Acts now in force ſhould be repealed; be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That an Act, paſſed in the Forty-eighth Year of the Reign of His preſent Majeſty, intituled *An Act for enabling His Majeſty to eſtabliſh a permanent Local Militia Force, under certain Reſtrictions, for the Defence of the Realm*; and alſo Three ſeveral Acts, paſſed in the Forty-ninth Year of the Reign of His preſent Majeſty, relating to the Local Militia, the one intituled *An Act to amend and render more effectual* 48 G. 3. c. 111. 49 G. 3. c. 40.

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an Act, passed in the last Session of Parliament, for enabling His Majesty to establish a permanent Local Militia Force, under certain Restrictions, for the Defence of the Realm, the other intituled An Act to amend several Acts passed in the last and present Sessions of Parliament, relating to the Local Militia; and the other intituled An Act to prevent the enlisting of Local Militia Men into the Regular Militia of any other County or Stewartry than the County or Stewartry to which they belong; and also so much of another Act, passed in the Fiftieth Year of the Reign of His present Majesty, intituled An Act to amend several Acts relating to the Local Militia of Great Britain, as relates to the Local Militia, shall be and the same are hereby repealed; and that the Local Militia raised by virtue of the said Act of the Forty-eighth Year aforesaid, shall, from and after the passing of this Act, be subject to all the Provisions and Regulations thereof: Provided always, that the repealing of the said several Acts hereby repealed, or any or either of them, shall not affect any Commission already granted under or by virtue of the said Acts, or any or either of them, but that all such Persons to whom any such Commissions 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: Provided also, that so many of the Serjeants, Corporals, Drummers, and private Local Militia Men as are now serving for the several Counties, Ridings, and Places aforesaid, shall be liable and continue to serve in the same Manner and for the same Length of Time as they ought to have served if this Act had not been made, and shall be liable and subject to the same Penalties, Pains, Fines, and Forfeitures for any Offence which they may have respectively committed previous to the passing of this Act, in the same Manner as if the Offence had not been committed till after the passing of this Act; and from Time to Time, in every Case where it shall be necessary to supply any Deficiency in the Number of private Local Militia Men of any County, Riding, or Place, the Man or Number of Men required to supply such Deficiency shall be raised, provided, and enrolled, and shall serve in the Manner and for the Time directed by and under and according to the Provisions, Rules, and Regulations of this Act.

49 G. 3. c. 82.

49 G. 3. c. 129.

and also so much of 50 G. 3. c. 25. as relates to the Local Militia, repealed.

Repeal of Acts not to affect Commissions.

Local Militia now serving to continue to serve as if this Act had not been made.

II. And be it further enacted, That the several Lieutenants of Counties, or, in the Absence of the Lieutenant, the Vice Lieutenant or any Three Deputy Lieutenants duly authorised by His Majesty, shall have full Power and Authority, and are hereby required from Time to Time to constitute and appoint such Persons as they shall think fit, being qualified as herein-after is directed, and living within their respective Counties, Ridings, and Places, or within some adjacent Counties, Ridings, or Places, to be Colonels, Lieutenant Colonels, Majors, and other Officers, qualified as herein-after directed, to train, discipline, and command the Persons to be so 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 Local Militia, to be armed and arrayed as herein-after directed, shall rank with the Officers of His Majesty's Regular Militia as youngest

Lieutenants shall appoint Officers.

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of their Rank: Provided always, that no higher Rank shall be given in any Regiment of Local Militia than that of Lieutenant Colonel Commandant, except in Cases where the Commandant shall have served with the Rank of Colonel in His Majesty's Regular Forces, or Regular or Supplementary Militia or Fencibles, or be the Lieutenant or Vice Lieutenant of any County. Rank of Officers.

III. And be it further enacted, That all Officers of Local Militia holding the Rank of Lieutenant Colonel Commandant, shall take Rank of and command all other Lieutenant Colonels serving in the said Local Militia, notwithstanding the Commissions of the said Lieutenant Colonels should be of a prior Date to the Commissions of such Lieutenant Colonels Commandant; and that Officers of the Local Militia shall rank with the Officers of Yeomanry and Volunteer Corps, according to the Dates of their respective Commissions: Provided always, That every Officer of Local Militia, who shall have held any Commission in any Volunteer Corps at the Time of his becoming an Officer of the Local Militia, shall be entitled to rank with the Officers of Yeomanry and Volunteer Corps, according to the Date of his Commission of the same Rank in the Volunteers. Lieutenant Colonels Commandant to command Lieutenant Colonels.

IV. Provided always, and be it further enacted, That any Person who shall have held the Rank of Colonel of any Regiment or Battalion of Regular or Supplementary Militia, and who may be appointed to the Command of any Regiment or Battalion of Local Militia to be raised by virtue of this Act, shall rank as Colonel, according to the Date of his Commission, in the Local Militia; and every Lieutenant or Vice-Lieutenant of any County, as long as he shall continue to act as such, who shall be appointed to the Command of any Regiment or Battalion of Local Militia as aforesaid, shall rank as Colonel, according to the Date of his Commission in the Local Militia; and every Person who shall have served in the Regular or Supplementary Militia as a Commissioned Officer, and by reason of the Reduction of such Militia shall have ceased to hold such Rank, shall, if appointed to a like Commission in the Local Militia, rank acording to the Date of his first Commission: Provided always, that no Officer holding the Rank of Colonel in the Local Militia, shall be entitled to or receive any greater Pay or Emolument than that of Lieutenant Colonel Commandant. Rank in the Local Militia of Officers who have served in Regular or Supplementary Militia.

V. And be it further enacted, That no Commission of any Officer in the Local Militia, already granted or to be granted by any Lieutenant or Vice Lieutenant or Deputy Lieutenants, shall be vacated by Reason of the Revocation, Expiration, or Discontinuance of the Commission by which any such Lieutenant or Vice Lieutenant or Deputy Lieutenants as aforesaid was or were appointed. Commissions not revoked by the Revocation of the Power of the Grantor.

VI. And be it further enacted, That the Lieutenant of every County, Riding, or Place, shall have the Chief Command of the Local Militia within the County, Riding, or Place, to which he is appointed. Lieutenant to have Chief Command of Local Militia.

VII. And be it further enacted, That all Persons to be appointed Officers of the Local Militia, in pursuance of this Act, shall be qualified as follows; (that is to say), every Person to be appointed a Lieutenant Colonel shall be seised or possessed either in Law or Equity Qualifications of Officers.

for his own Uſe and Benefit in Poſſeſſion of a Freehold, Copyhold, or Cuſtomary Eſtate for Life, or for the Life of his Wife, ſhe having a Freehold, Copyhold, or Cuſtomary Eſtate for her Life, or for ſome greater Eſtate, or of an Eſtate for ſome long Term of Years, determinable on One or more Life or Lives, in Manors, Meſſuages, Lands, Tenements, and Hereditaments, in *England*, *Wales*, or the Town of *Berwick-upon-Tweed*, of the yearly Value of Six hundred Pounds, or ſhall be Heir Apparent of ſome Perſon who ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of One thouſand two hundred Pounds; and every Perſon ſo to be appointed a Major, ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Four hundred Pounds, or ſhall be Heir Apparent of ſome Perſon who ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Eight hundred Pounds; and every Perſon ſo to be appointed a Captain, ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of One hundred and fifty Pounds, or ſhall be Heir Apparent of ſome Perſon who ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Three hundred Pounds, 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 the yearly Value of Five hundred Pounds, or ſhall himſelf be poſſeſſed of Real or Perſonal Property to the Amount in the Whole of Two thouſand five hundred Pounds; and every Perſon ſo to be appointed Lieutenant ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Thirty Pounds, or ſhall be poſſeſſed of a Perſonal Eſtate alone to the Amount of Seven hundred and fifty Pounds, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together to the Amount or Value of One thouſand five hundred Pounds, 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 Sixty Pounds, or who ſhall be or who at the Time of his Death was poſſeſſed of a Perſonal Eſtate alone to the Amount of One thouſand five hundred Pounds, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together to the Amount or Value of Two thouſand Pounds; 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 the yearly Value of Twenty Pounds, or ſhall be poſſeſſed of a Perſonal Eſtate alone to the Amount of Four hundred Pounds, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together to the Amount or Value of Eight hundred Pounds, 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 Fifty Pounds, or who ſhall be or who at the Time of his Death was poſſeſſed of a Perſonal Eſtate alone to the Amount of Eight hundred Pounds, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together to the Amount or Value of One thouſand two hundred Pounds: Provided always, that any Officer who ſhall have held any Commiſſion in His Majeſty's Regular Army, or in the Regular or Supplementary Militia, or in any Fencible Regiment, or who ſhall have transferred himſelf together with his Corps or any Part thereof, from the Volunteers into the Local Militia with His Majeſty's Approbation, ſhall be eligible and duly qualified to hold the ſame Rank in the Local Militia, although not qualified as hereinbefore directed; any Thing in this Act to the contrary notwithſtanding.

VIII. Provided

VIII. Provided always, and be it further enacted, That the immediate Reverſion or Remainder of and in Manors, Meſſuages, Lands, Tenements, or Hereditaments, which are leaſed for One Life, or for Two or Three Lives, or for any Term of Years determinable upon the Death of One Life, or of Two or Three Lives, on reſerved Rents, and which are to the Leſſee or Leſſees of the clear yearly Value of Three hundred Pounds, ſhall be deemed equal to an Eſtate herein-before required as a Qualification of the yearly Value of One hundred Pounds, and ſo in Proportion to the ſeveral other Qualifications required by this Act.

Leaſes for Lives of 300l. per Ann. to be deemed equal to a Qualification herein-before required of 100l. per Ann. and ſo proportionally.

IX. And be it further enacted, That a Perſon poſſeſſed in Law or Equity, for his own Uſe and Benefit in Poſſeſſion, of an Eſtate for a certain Term originally granted for Twenty Years or more, of an annual Value (over and above all Rents and Charges payable out of or in reſpect of the ſame), equal to the Value of ſuch an Eſtate as is required for the Qualification of a commiſſioned Officer of the Local Militia reſpectively, and ſituate as aforeſaid, ſhall be and is hereby deemed and declared to be ſufficiently qualified to act in the Execution of this Act.

Eſtates granted for 20 Years, of an annual Value equal to the Value of Eſtates required for Qualifications ſhall be ſufficient.

X. And be it further enacted, That no Perſon ſhall hereafter be appointed to a higher Rank in the Local Militia than that of Lieutenant, until he ſhall have delivered in to the Clerk of the Peace of the County, Riding, or Place, for which he ſhall be appointed, or (in the Abſence of the Clerk of the Peace) 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, if the ſame be a Real Eſtate; or if the ſame be Perſonal Property, then of the Particulars of ſuch Perſonal Property; or if the Qualification ariſe from Service in His Majeſty's Regular Forces, Regular or Supplementary Militia or Fencibles, or Volunteers as aforeſaid, then of the Particulars of ſuch Service; and the Clerk of the Peace or his Deputy ſhall tranſmit to the Lieutenant of the County, Riding, or Place, a Copy of ſuch Deſcription; and no Commiſſion granted after the paſſing of this Act, for a higher Rank in the Local 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.

No Officer ſuperior to a Subaltern to be appointed, till his Qualification be delivered to the Clerk of the Peace, who ſhall tranſmit a Copy to the County Lieutenant.

XI. And be it further enacted, That the Clerk of the Peace of every County, Riding, 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 Treaſurer of the County, Riding, or Place, who is hereby directed to pay the ſame; and the ſaid Clerk of the Peace or his Deputy ſhall, in the Month of *January* in every Year, tranſmit to One of His Majeſty's Principal Secretaries of State a Certificate in the Form in Schedule (A.) that the Qualifications have been ſo left with him; and every Commiſſioned Officer, not having already taken and ſubſcribed the Oaths, and made, repeated, and ſubſcribed the Declaration, as required

Clerk of the Peace to enter Qualifications upon a Roll, and to inſert in the London Gazette Dates of Commiſſions, &c. and to tranſmit every January to the Secretary of State a Certificate of Qualifications to be laid before Parliament.

by this Act, shall, at some General Quarter Session of the Peace, or in One of His Majesty's Courts of Record at *Westminster*, within Six Months after the passing of this Act, if he shall have been appointed before the passing of this Act, or if not appointed till after the passing of this Act, then 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.

1 G. 1. c. 13.

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

XII. And be it further enacted, That if any Person shall execute any of the Powers hereby directed to be executed by Colonels, Lieutenant Colonels, or Majors, not being qualified as aforesaid, or without having delivered in such specific Description of his Qualification as is herein-before required, every such Person shall forfeit and pay the Sum of One 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 and pay the Sum of Fifty Pounds, One Moiety whereof shall go to the Use of the Person who shall sue for the same; and in every Action, Suit, or Information, brought against any Person for acting as 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 the Realm, or Heir Apparent of any such Peer, from being appointed or acting as a Commissioned Officer in the Local Militia, within the County, Riding, or Place, 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 Commissioned Officer as aforesaid, to leave with the Clerk of the Peace for the County, Riding, or Place, for which he shall be appointed, any Qualification in Writing as aforesaid.

His Majesty may direct County Lieutenants to displace Officers.

XIII. 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, Riding, or Place, to displace all or any Officers in the Local Militia, and thereupon His Majesty's respective Lieutenants shall forthwith displace such Officers, and appoint others within the same County, Riding, or Place, with the like Qualifications,

Qualifications, and under and subject to the like Provisions and Restrictions, to serve in their Stead.

XIV. And be it further enacted, That it shall be lawful for His Majesty to order and direct, that a Number of private Men not exceeding the Numbers herein specified for each County respectively, shall be enrolled to serve in the Local Militia at such Periods and in such Counties, and in such Proportions in any such Counties, Divisions, or Parts thereof, as His Majesty by any Warrant or Warrants under His Royal Sign Manual shall specify, order, and direct, in that Behalf, according to the Provisions of this Act; (that is to say), For the County of *Bedford* One thousand two hundred and sixty-eight; for the County of *Berks* Two thousand two hundred and forty-four; for the County of *Bucks* Two thousand three hundred and ninety-six; for the County of *Cambridge* One thousand nine hundred and twenty-four; for the County of *Chester*, with the City and County of the City of *Chester*, Three thousand five hundred and forty; for the County of *Cornwall* Two thousand five hundred and eighty-eight; for the County of *Cumberland* Two thousand four hundred and sixty; for the County of *Derby* Three thousand seven hundred and fifty-six; for the County of *Devon*, with the City and County of the City of *Exeter*, Six thousand and forty-eight; for the County of *Dorset*, with the Town and County of the Town of *Pool*, One thousand six hundred and forty-four; for the County of *Durham* One thousand nine hundred and sixty-eight; for the County of *Essex* Four thousand nine hundred and seventy-six; for the County of *Gloucester*, with the City and County of the City of *Gloucester*, and the City and County of the City of *Bristol*, Four thousand six hundred and fifty-two; for the County of *Hereford* Two thousand and eighty; for the County of *Hertford* One thousand nine hundred and twenty; for the County of *Huntingdon* Six hundred and thirty-six; for the County of *Kent*, with the City and County of the City of *Canterbury*, Five thousand one hundred and eighty four; for the County of *Lancaster* Nine thousand seven hundred and fifty-six; for the County of *Leicester* Two thousand five hundred and seventy-two; for the County of *Lincoln*, with the City and County of the City of *Lincoln*, Five thousand four hundred and seventy-two; for the County of *Middlesex* (exclusive of the Tower Division, commonly called *The Tower Hamlets*) Twelve thousand one hundred and fifty-two; for the County of *Monmouth* One thousand one hundred and twenty; for the County of *Norfolk*, with the City and County of the City of *Norwich*, Four thousand eight hundred and thirty-six; for the County of *Northampton* Two thousand eight hundred and ninety-six; for the County of *Northumberland*, with the Town and County of the Town of *Newcastle-upon-Tyne*, and the Town of *Berwick-upon-Tweed*, Two thousand six hundred and ninety-six; for the County of *Nottingham*, with the Town and County of the Town of *Nottingham*, Two thousand two hundred and fifty-six; for the County of *Oxford* Two thousand four hundred and twelve; for the County of *Rutland* Three hundred and thirty-two; for the County of *Salop* Three thousand nine hundred and sixty-four; for the County of *Somerset* Six thousand two hundred and twenty-four; for the County of *Southampton*, with the Town and County of the Town of *Southampton*, Three thousand four hundred; for the County of *Stafford*, with the City and County of the City of *Lichfield*, Four thousand five hundred and thirty-two; for the County of *Suffolk* Four thousand one hundred and sixty eight; for the County of *Surrey* Five

Numbers of Private Men to be as herein specified.

thouſand three hundred and forty-four; for the County of *Suſſex* Three thouſand two hundred and twelve; for the County of *Warwick*, with the City and County of the City of *Coventry*, Three thouſand four hundred and twelve; for the County of *Weſtmorland* Nine hundred and ſeventy-two; for the County of *Worceſter*, with the City and County of the City of *Worceſter*, Two thouſand four hundred and ſixty-four; for the County of *Wilts*, Three thouſand ſix hundred and ſixty-eight; for the Weſt Riding of the County of *York*, with the City and County of the City of *York*, Nine thouſand ſeven hundred and ſixteen; for the North Riding of the ſaid County Three thouſand ſix hundred and forty-four; and for the Eaſt Riding of the ſaid County, with the Town and County of the Town of *Kingſton-upon-Hull*, Two thouſand two hundred and fifty-ſix; for the County of *Angleſea* Five hundred and twelve; for the County of *Brecknock* eight hundred and ſixteen; for the County of *Cardigan* Nine hundred and ſeventy-ſix; for the County of *Carmarthen*, with the County Borough of *Carmarthen*, One thouſand ſix hundred and twenty; for the County of *Carnarvon*, Five hundred and twelve; for the County of *Denbigh* One thouſand three hundred and ſeventy ſix; for the County of *Flint* Eight hundred and four; for the County of *Glamorgan* One thouſand ſix hundred and twelve; for the County of *Merioneth* Four hundred and eighty-four; for the County of *Montgomery* One thouſand one hundred and ſixteen; for the County of *Pembroke*, with the Town and County of the Town of *Haverfordweſt*, Eight hundred and four; and for the County of *Radnor*, Five hundred and ſixty.

Where the Quota now fixed is leſs than Number actually ſerving, Exceſs to continue to ſerve till their Periods of Service are expired; but no Vacancies to be ſupplied till the Local Militia is reduced below the Quota fixed by this Act.

XV. Provided always, and be it further enacted, That where the Number of Local Militia ſo fixed and ſettled for any County, Riding, or Place as aforeſaid, ſhall be leſs than the Number actually ſerving for ſuch County, Riding, or Place, at the Time of paſſing this Act, the Exceſs, over and above the Quota ſo fixed as aforeſaid, ſhall continue to ſerve in the Local Militia of their reſpective Counties, until the Expiration of the Period for which they were originally enrolled; any Thing in this Act to the contrary notwithſtanding; but that no Vacancies ariſing in the Local Militia of ſuch County, Riding, or Place, ſhall be ſupplied until the Number of Men ſerving in ſuch County ſhall be reduced below the Number ſo fixed as aforeſaid, as the Quota of ſuch County, Riding, or Place.

Where Quota now fixed is greater than Number of Local Militia now ſerving, no further Enrolment ſhall take place ſo long as Local Militia and Volunteers together, equal ſix Times the Militia.

XVI. And be it further enacted, That when the Number of Local Militia Men ſo fixed as aforeſaid for any County, ſhall be greater than the Number actually ſerving for ſuch County, at the Time of paſſing this Act, no further Enrolments of Men for the Local Militia of ſuch County ſhall take place, beyond what may be neceſſary to keep the ſeveral Regiments complete to their Eſtabliſhments, ſo long as the Number of Men ſerving in ſuch County ſhall, in Addition to and together with and including the effective Yeomanry and Volunteers ſerving in ſuch County, (excluſive of Supernumeraries above the Eſtabliſhment of ſuch Corps ſerving without Pay), amount to Six Times the original Quota of the Militia of ſuch County fixed under an Act paſſed in the Forty-ſecond Year of His preſent Majeſty, relating to the Militia of *England*: Provided always, that when and ſo often as the Number of effective Yeomanry and Volunteers in any ſuch County as aforeſaid ſhall be reduced by the diſbanding or diſcontinuing the Services of any Corps of Yeomanry or Volunteers,

Volunteers, or by Reaſon of the effective Numbers of any ſuch Corps being diminiſhed, a Number of Local Militia Men not exceeding in Amount ſuch Deficiency ſhall be forthwith ballotted and enrolled under this Act, until the Number of the Local Militia of ſuch County ſhall be equal to the Number fixed as aforeſaid for the Quota of ſuch County under this Act: Provided always, that no Vacancy ariſing in any Corps of Yeomanry or Volunteer Cavalry, by reaſon of the effective Numbers of ſuch Corps being diminiſhed, ſhall be ſupplied as aforeſaid, by Ballot for the Local Militia under this Act, unleſs ſuch Vacancy ſhall not have been ſupplied by the entering of any Men into ſuch Corps within Six Months after ſuch Vacancy occurring in ſuch Corps.

Volunteers may transfer their Services to the Local Militia.

XVII. And be it further enacted, That in all Caſes in which the Number of Local Militia Men ſo fixed by this Act as the Quota of any County ſhall be greater than the Number actually ſerving for ſuch County, it ſhall be lawful for the Members of any Corps of Volunteers, within the Ages limited by this Act, and not having more than Two Children under the Age of Fourteen Years, as may be deſirous of forming Part of the ſaid Local Militia to be raiſed under this Act, to transfer themſelves, with the Approbation of His Majeſty, under the Direction of the Lieutenant or Deputy Lieutenants, to become and form Part of the Local Militia under this Act of the County or Part or Diviſion of the County to which ſuch Corps ſhall belong, upon ſuch Terms and Conditions as to His Majeſty ſhall ſeem fit; and all Volunteers ſo permitted to transfer their Services, ſhall thereupon forthwith be enrolled without Ballot in ſuch Local Militia, and take the Oath herein-after required to be taken by Perſons ballotted under this Act, and if actually ſerving as ſuch on the Twelfth Day of *May* One thouſand eight hundred and nine, and having conſtantly continued to ſerve as ſuch ſince that Period, ſhall be entitled to a Bounty of Two Guineas, and to the ſame Allowance for Neceſſaries as other Local Militia Men are entitled to under this Act, and ſhall be deemed and taken to be Local Militia Men to all Intents and Purpoſes.

Volunteers ſo transferring themſelves not liable to ſerve in the Regular Militia.

XVIII. Provided always, and be it further enacted, That no Perſon who ſhall transfer himſelf as a Member of a Volunteer Corps into the Local Militia, and ſhall be thereupon enrolled in the Local Militia, ſhall be liable to be called upon to be enrolled to ſerve in the Regular Militia, by reaſon of his having been ballotted and entered for the Regular Militia, during the Period of his having been a Member of a Volunteer Corps; any Thing in any Act or Acts to the contrary notwithſtanding.

Bounties to ſuch Volunteers to be certified, &c.

XIX. And be it further enacted, That whenever any ſuch Bounty ſhall become payable to any Member of a Volunteer Corps ſo transferring himſelf as aforeſaid, the Deputy Lieutenant or Juſtice attending the Enrolment and ſwearing in of ſuch Men, ſhall ſign a Certificate of the Amount of the Bounty ſo to be paid, and to whom, and for what Pariſhes or Places; and the Clerk of the Subdiviſion Meeting ſhall forthwith tranſmit ſuch Certificate to the Secretary at War, and draw upon the Agent General for the Amount of Bounties ſpecified to be ſo payable.

Yeomanry and Artillery Corps may transfer their Services to the Local Militia.

XX. And be it further enacted, That it ſhall be lawful for His Majeſty to permit any Volunteer Corps of Yeomanry or Artillery to transfer themſelves into the Local Militia, upon ſuch Terms and Conditions as to

to their Establishment, and as to Allowances for Horses or Accoutrements, or other Things, and as to Pay, as His Majesty shall direct; and to be attached to the Local Militia of the County wherein such Corps shall serve, in such Manner as His Majesty shall direct: Provided always, that no Vacancies arising in any such Corps of Yeomanry, so transferred as aforesaid, shall be supplied by Ballot under this Act; but all such Vacancies which shall not be supplied by the entering of any Men into such Corps, within Six Months after such Vacancy occurring in such Yeomanry Corps, shall be supplied by Ballot for the Local Militia of the County to which such Yeomanry Corps shall be attached.

Powers of 42 G. 3. c. 90. 48 G. 3. c 91. and 49 G. 3. c. 82. &c. applicable to the Local Militia, extended to this Act.

XXI. And be it further enacted, That all such Powers, Provisions, Rules, Regulations, Clauses, Matters, and Things contained in the said Act of the Forty-second of His Majesty, or in an Act passed in the Forty-sixth Year of His present Majesty, or in an Act passed in the Forty-ninth Year of His present Majesty, or in any other Act relating to the Militia, as relate to the appointing and holding General and Subdivision Meetings of Lieutenancy, or to the making out Lists from which to ballot, or to the Mode of balloting, shall, as far as the same are applicable and can be applied to and for the Purposes of carrying this Act into Execution, and are not hereby altered, varied, or repealed, be used, exercised, applied, and put in force with respect to the Local Militia, in as full and ample a Manner as if the said Powers, Provisions, Rules, Regulations, Clauses, Matters, and Things were re-enacted and repeated in this Act.

Subdivision Clerk to give Notice of Meeting to Commanding Officers of Regiments.

XXII. And be it further enacted, That the respective Clerks of the Subdivision Meetings shall, as soon as conveniently may be after any 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, and also to the Commanding Officer of the Regiment, Battalion, or Corps, attached to such Subdivision, by Notice addressed to the Adjutant, and an Account of the several Days fixed for receiving Lists, and for balloting 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, in Manner aforesaid, a List, specifying the Names, Trades, and usual Places of Abode, of all such Local Militia Men as are inrolled.

Men to be balloted from Militia Lists.

XXIII. And be it further enacted, That the Men to be raised under this Act shall be balloted out of and from the Persons between the Ages of Eighteen and Thirty, returned in the Lists now existing, or which may hereafter be made and returned or amended and corrected for the raising of the Militia under any Acts relating to the Militia of *England*; and it shall be lawful for His Majesty, if He shall think fit, to order and direct the making out any new Lists, and in such Classes as to Age or otherwise, and in such Form as may be deemed expedient for the Purpose of carrying this Act into Execution.

Persons neglecting to appeal, subject to Penalty.

XXIV. And be it further enacted, That on making out or amending of any Lists after the passing of this Act, of Persons fit to serve in the Local Militia, every Person who shall wilfully neglect to appeal within the Time appointed for that Purpose, shall forfeit for every such Offence any Sum not exceeding Five Pounds, nor less than Twenty Shillings, at the Discretion

cretion of any Two or more Deputy Lieutenants or Juſtices of the Peace or Magiſtrates, and on Non-payment thereof be impriſoned, at the Diſcretion of any Two or more Deputy Lieutenants or Juſtices of the Peace or Magiſtrates as aforeſaid, for any Time not exceeding Fourteen Days.

No Perſon under 30 to be a ſpecial Conſtable.

XXV. And be it further enacted, That no Perſon ſhall be appointed or act as a Special Conſtable for the Purpoſe of aſſiſting in the making out any new Liſts, or otherwiſe in aiding in the Execution of this Act, who ſhall not be above the Age of Thirty Years.

Deputy Lieutenants may require the Attendance of Conſtables.

XXVI. And be it further enacted, That it ſhall be lawful for the Deputy Lieutenants within any Subdiviſion, or any Two or more of them, or for any One Deputy Lieutenant and One Juſtice of the Peace, from Time to Time to iſſue their Order or Warrant under their Hands and Seals, requiring the Attendance of the Conſtable, Tythingman, Headborough, or other Officer of any Pariſh, Tything, or Place within ſuch Subdiviſion, for the Purpoſes of this Act, at ſuch Time and Place as in ſuch Order or Warrant ſhall be expreſſed; and if any ſuch Conſtable, Tythingman, Headborough, 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 Hundred, Rape, Lathe, Wapentake, or other Diviſion, or any Conſtable, Tythingman, Headborough, or other Officer of any Pariſh, Tything, or Place, ſhall refuſe or neglect 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, or from any One Deputy Lieutenant and One Juſtice of the Peace in purſuance of this Act, or ſhall 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, or ſuch one Deputy Lieutenant and one Juſtice of the Peace, 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, not leſs than Forty Shillings.

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

XXVII. Provided always, and be it further enacted, That if any Chief or other Conſtable, Headborough, Tythingman, or Overſeer, 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 and Seals, 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 Juriſdictions 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, Headborough, Tythingman, or Overſeer (being One of the People called *Quakers*), ſhall be, and he is hereby diſcharged from the Performance of any Duty required of him by this Act, and from all Penalties incurred for Neglect thereof after the Time of ſuch Appointment.

Two or more Places and Liſts may be added together, and the Conſtables, &c ſhall act together as if they were the Officers of the ſame Pariſh, and ſhall meet in the Pariſh firſt named in the Order of the Deputy Lieutenants.

XXVIII. 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 Tythings, or to add any extra Parochial Place or Places to any Pariſh or Pariſhes, Tything or Tythings adjoining thereto, for the Purpoſes of this Act; and alſo to add together the Liſts of ſuch Pariſhes, Tythings, and Places aforeſaid, ſo as to make the Choice of Local Militia Men by Ballot within every ſuch Subdiviſion as equal and impartial as poſſible; and where any Pariſhes, Tythings, and Places ſo added together ſhall lie in different Hundreds, Rapes, Lathes, Wapentakes, or other Diviſions within the ſame County, Riding, or Place, to direct in what Hundred, Rape, Lathe, Wapentake, or other 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 for One Pariſh, or for the Pariſh to which any extra-parochial Place ſhall have been added as aforeſaid; and the Conſtables, Tythingmen, Headboroughs, or other Officers of Pariſhes, Tythings, 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 Tything; and all ſuch Conſtables, Tythingmen, Headboroughs, and Officers ſo as aforeſaid acting together by virtue of this Act, ſhall hold their Meetings under this Act in the Pariſh or Tything 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, Tything, or Place, or between the Officers of different Pariſhes or Tythings, 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.

Deputy Lieutenants to hear and determine Diſagreements between Pariſh Officers.

Act to extend to extra-parochial Places added to Pariſhes; and where no Conſtables or Overſeers.

XXIX. And be it further enacted, That the ſeveral Clauſes, Proviſions, Regulations, Penalties, Forfeitures, Matters, and Things in this Act contained, ſhall be conſtrued to extend to every extra-parochial Place added to any Pariſh or Tything for the Purpoſes of this Act, as fully as if the ſaid Directions and Proviſions had ſeverally and reſpectively been expreſsly applied to extra-parochial Places, and where there ſhall be any extra-parochial Place or other Place wherein no Conſtables, Tythingmen, Headboroughs, or Overſeers of the Poor have been or are appointed, or act, the reſpective Conſtables, Tythingmen, Headboroughs, or Overſeers of the Poor of the Pariſh or Pariſhes, or Tything or Tythings reſpectively, to which ſuch extra-parochial or other Place ſhall have been added by the Deputy Lieutenants as aforeſaid, may and ſhall act as Conſtables, Tythingmen, Headboroughs, or Overſeers of the Poor reſpectively for ſuch extra-parochial or other Place in the Execution of this Act, and may and ſhall do, perform, and execute all ſuch Acts, Matters, and Things therein, relating to the Execution of this Act, as fully and amply, and with all ſuch and

the like Powers in every Respect, as if such extra-parochial or other Place was within and made Part of such Parish or Tything: Provided always, that if any Rate or Rates shall be to be made for any Parish or Parishes, or Tything or Tythings, and any such extra-parochial or other Place jointly, such Rate or Rates shall be distinctly made for the Purpose of this Act, and for no other Purpose whatever: Provided also, that every such separate Rate shall and may be made, raised, and levied, as well in such extra-parochial or other Place, as in any such Parish or Tything aforesaid, in like Manner as any Rate made for the Relief of the Poor.

Clerks of Subdivision Meetings to transmit Copies of Rolls to Clerk of General Meeting under Penalty of 20l.

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, Riding, 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.

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

XXXI. And be it further enacted, That the Lieutenant or Vice Lieutenant of any County, Riding, or Place, together with any Three or more Deputy Lieutenants, or (on the Death or Removal, or in the Absence of any Lieutenant or Vice Lieutenant) any Five or more Deputy Lieutenants may, at any General Meeting, alter the appointed Subdivisions within such County, Riding, or Place, if they shall see Occasion, and also may alter the established Allotment of the Number of Men in each respective Hundred, Rape, Lathe, Wapentake, or other Division, to serve in the Local Militia, towards raising the Number of Local Militia Men by this Act directed to be raised for such County, Riding, or Place, according to the Numbers contained in the respective Certificates received from the several Subdivision Meetings; regard being had in such Allotments and Apportionments to the Number of effective Yeomanry and Volunteers serving in each such Hundred, Rape, Lathe, Wapentake, and other Division.

At the Second Subdivision Meeting, the Deputy Lieutenants shall appoint the Number of Men to serve for each Parish, &c. and shall order Notice to be given thereof and of the next Meeting, and shall cause the Number to be balloted, &c.

XXXII. And be it further enacted, That the Deputy Lieutenants assembled at their Second Meeting within any Subdivision shall appoint what Number of Men shall serve for each Parish, Tything, and Place, within such Subdivision, regard being had in such Appointment to the Number of effective Yeomanry and Volunteers serving in each such Parish, Tything, or Place in Proportion to the Number last appointed, in the Manner herein-before directed, at a General Meeting to serve for each Hundred, Rape, Lathe, Wapentake, 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 Hundreds, Rapes, Lathes, Wapentakes, or other Divisions, requiring them to give Notice to the Constable, Tythingman, Headborough, or other Officer of every Parish, Tything, or Place, within their respective Hundreds, Rapes, Lathes, Wapentakes, or other Divisions, of the Number of Men so appointed to serve for such Parish, Tything, 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, or any One Deputy Lieutenant, and One Justice of the Peace, 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 Perſons between the Ages of Eighteen and Thirty, returned in the Liſts now exiſting, or which may hereafter be made and returned, or amended or corrected, for the raiſing the Militia under any Acts relating to the Militia of *England*, and ſhall appoint another Meeting to be holden within Three Weeks in the ſame Subdiviſion, and ſhall iſſue out an Order to the Chief Conſtables or other Officers of the reſpective Hundreds, Rapes, Lathes, Wapentakes, or other Diviſions, to direct the Conſtable, Tythingman, Headborough, or other Officer of every Pariſh, Tything, or Place, to give Notice to every Man ſo choſen to ſerve in the Local 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 Conſtable, Tythingman, Headborough, 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 Local Militia of within *Great Britain*, for the Defence of the ſame, during the Time of Four Years, for which I am enrolled, unleſs I ſhall be ſooner diſcharged.'

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

Men before Enrolment ſhall be examined upon Oath as to their Reſidence, &c. and if they refuſe to be examined may be impriſoned; and if fit for Service ſhall nevertheleſs be enrolled.

XXXIII. And be it further enacted, That every Man enrolled to ſerve in the Local Militia, ſhall, before ſuch Enrolment, be examined upon Oath before the Deputy Lieutenants, as to his Reſidence, Age, and Family, and the Oath ſo adminiſtered to him ſhall be in the Words, and according to the Form and Effect in the Schedule to this Act annexed, marked (B.); and if any Perſon ſhall refuſe to be ſo examined, ſuch Perſon may, at the Diſcretion of any One or more Deputy Lieutenants or Juſtices of the Peace, be impriſoned for any Time not exceeding One Week, and ſhall notwithſtanding be liable to be enrolled to ſerve in the ſaid Local Militia, if he ſhall appear to the Deputy Lieutenants or Juſtices to be a fit and proper Perſon to be ſo enrolled.

Perſons inſuring ſubject to Penalty of 50l.

XXXIV. And be it further enacted, That from and after the paſſing of this Act, if any Perſon whatſoever ſhall inſure, or take or agree to take any Money for the Inſurance of, or be any ways concerned in any Company, Society, Partnerſhip, Club or Office, for the Inſurance of any Perſon or Perſons, or for the inſuring or indemnifying each other againſt or for the paying any Money for or towards the diſcharging of any Fine or Penalty, for any Perſon or Perſons who may be ballotted to ſerve in the Local Militia, or ſhall pay or engage to pay any Sum or Sums of Money to any Volunteer to ſerve in Diſcharge of any County, Diviſion, or Pariſh, beyond the Sum of Two Guineas to be paid to ſuch Volunteer as herein-after

after directed, every ſuch Perſon as aforeſaid ſhall forfeit for every ſuch Offence the Sum of Fifty Pounds.

No Perſon ballotted allowed to find a Subſtitute.

XXXV. And be it further enacted, That no Perſon ballotted to ſerve in the Local Militia ſhall be allowed to find or provide any Subſtitute to ſerve in his Stead; any Thing in this or any other Act to the contrary notwithſtanding.

Volunteers may be received with the Conſent of the Inhabitants of any Place, and a Rate eſtabliſhed for paying them Bounties not exceeding Two Guineas each.

XXXVI. And be it further enacted, That if the Churchwardens or Overſeers of the Poor of any Pariſh, Tything, or Place, ſhall, with the Conſent of the Inhabitants taken at a Veſtry, or at any other Meeting to be holden for that Purpoſe, for the calling of which Veſtry or Meeting Three Days publick Notice ſhall be given, ſpecifying the Cauſe of calling ſuch Veſtry or Meeting, provide and produce to the ſaid Deputy Lieutenants, or any Two or more of them, at any Subdiviſion Meeting for chooſing the Local Militia Men by Ballot, any Volunteer or Volunteers, being of the ſame County, Riding, or Place, or of ſome adjoining Pariſh or Place, who ſhall be examined and approved, as is herein-after mentioned, ſuch Volunteer or Volunteers ſo examined and approved ſhall be then and there ſworn in and enrolled to ſerve for ſuch Term, and on the ſame Conditions, as is herein-before provided in caſe of 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, Tything, or Place, as ſhall be then wanted to make up the whole Number to ſerve for ſuch Pariſh, Tything, or Place; and if any ſuch Churchwardens or Overſeers ſhall give to ſuch Volunteer or Volunteers any Sum or Sums of Money not exceeding Two Guineas each, to ſerve in the Local Militia for ſuch Pariſh, Tything, or Place, it ſhall be lawful for ſuch Churchwardens or Overſeers to make a Rate upon the Inhabitants of ſuch Pariſh, Tything, or Place, according to the Rate then made for the Relief of the Poor, which Rate (being approved by any Juſtice of the Peace) it ſhall be lawful for ſuch Churchwardens or Overſeers to collect, and to reimburſe themſelves ſuch Sum or Sums of Money as they ſhall have paid to ſuch Volunteer or Volunteers as aforeſaid, and the Overplus (if any) ſhall be applied as Part of the Poor's Rate; and if any Perſon ſhall refuſe to pay ſuch Rate, it ſhall be lawful for any Juſtice of the Peace, upon Complaint thereof made by any ſuch Churchwarden or Overſeer, by Warrant under his Hand and Seal, to levy the ſame by Diſtreſs and Sale of the Offender's Goods and Chattels, returning the Overplus (if any) after the ſaid Rate and the Charges of ſuch Diſtreſs and Sale ſhall be paid; but no Perſon who ſhall be then ſerving in the Local Militia, nor any Perſon ſerving either perſonally or by Subſtitute in the Regular Militia, ſhall be liable to pay any ſuch Rate: Provided always, that if any Perſon ſhall think himſelf aggrieved by any ſuch Rate as aforeſaid, ſuch Perſon may appeal to the next General or Quarter Seſſions, in like Manner as is provided in the Caſe of Appeals againſt Rates for the Relief of the Poor.

No Ballot ſhall take place where Perſons ſhall voluntarily enrol themſelves.

XXXVII. And be it further enacted, That in all Caſes in which a Ballot ſhall be directed under this Act for the Local Militia, and any Perſons between the Ages of Eighteen and Thirty-five Years, of the Height of Five Feet Two Inches and upwards, and fit for Military Service, and not having

more than Two Children under the Age of Fourteen Years, ſhall voluntarily enrol themſelves under this Act, to ſerve according to the Proviſions of this Act, if the Perſons ſo voluntarily enrolling themſelves ſhall amount to the Number to be enrolled by Ballot under any Apportionment in any ſuch Pariſh, then no Ballot ſhall take place in ſuch Pariſh; and if the Perſons ſo voluntarily enrolling themſelves as aforeſaid, ſhall not amount to the Number required to be enrolled by Ballot in any ſuch Pariſh, then the Number of Perſons ſo voluntarily enrolling themſelves ſhall be deducted from the Number required to be enrolled by Ballot, and the Remainder only ſhall be ballotted for in ſuch Pariſh; and all Perſons ſo voluntarily enrolling themſelves, ſhall take the Oath required by this Act to be taken by Perſons ballotted, and ſhall ſerve in the ſame Manner and under the ſame Regulations, and be ſubject to the ſame Proviſions, as if they had been ballotted for under this Act: Provided always, that no Seaman or Seafaring Man ſhall be enrolled in the Local Militia as a Volunteer.

Certain Perſons exempt from Service.

XXXVIII. And be it further enacted, That no Peer of this Realm, nor any Perſon being a commiſſioned Officer in the Regular Militia or 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 the Regular Militia or in any of His Majeſty's other Forces, nor any Perſon being an effective Member of any Corps of Yeomanry or Volunteers and duly returned as ſuch, nor any Perſon being a Reſident Member of either of the Univerſities, nor any Clergyman, nor any Teacher or Preacher in Holy Orders or pretended Holy Orders, or pretending to Holy Orders, (not carrying on any Trade or exerciſing any other Occupation for his Livelihood, except that of a Schoolmaſter), having taken the Oaths and made and ſubſcribed the Declaration required by Law from the Teachers or Preachers of Congregations of diſſenting Proteſtants, and being *bonâ fide* the Teacher of any Congregation whoſe Place of Meeting ſhall have been duly regiſtered at leaſt Twelve Months previous to the General Meeting appointed to meet in *October* for the Purpoſes of this Act; nor any Conſtable or other Peace Officer not being a ſpecial Conſtable; nor any Seaman or Seafaring Man, nor any Perſon muſtered, trained, or doing Duty, or employed in any of His Majeſty's Docks or Dock Yards for the Service thereof, or employed or muſtered in His Majeſty's Service in the Tower of *London*, *Woolwich Warren*, the ſeveral Gun Wharfs at *Portſmouth*, or at the ſeveral Powder Mills, Powder Magazines, or other Storehouſes belonging to His Majeſty, under the Direction of the Board of Ordnance, nor any Perſon being free of the Company of Watermen of the River *Thames*, nor any poor Man who has more than Two Children born in Wedlock, nor any Perſon receiving his Education on an eleemoſynary Foundation, ſhall be liable to ſerve in the Local Militia; and no Perſon having ſerved perſonally in the Regular Militia, or additional Force, or provided any Subſtitute, or for whom any Subſtitute has been provided or paid any Fine for not ſerving or finding a Subſtitute in the Regular Militia, or ſuch additional Force as aforeſaid, ſhall be liable to ſerve in the Local Militia until Four Years after the Expiration of his Period of Service, if he ſhall have ſerved in Perſon, or Six Years after the Period at which ſuch Subſtitute ſhall have been enrolled, or Four Years

after having paid any such Fine; and that no Person having paid any Fine or upon whom Distress has been made for any Fine for not serving in the Local Militia shall be liable to serve until the Expiration of Two Years from the Period of having paid such Fine or suffered such Distress.

Persons enrolled in the Local Militia exempt from Service in the Regular Militia for Two Years.

XXXIX. And be it further enacted, That every Officer, Non-commissioned Officer, Drummer, and Private Man enrolled and actually serving in the Local Militia at the Time of passing this Act, shall be entitled to and have Exemption from serving in the Regular Militia, and shall not be liable to be balloted to serve in the Regular Militia for Two Years from the Expiration of their present Period of Service in the said Local Militia: Provided always, that all Persons who may hereafter be enrolled to serve in the Local Militia, shall only be entitled to and have Exemption from Service in the Regular Militia, and shall not be liable to be balloted to serve in the Regular Militia for One Year from the Expiration of their Period of Service in the said Local Militia: Provided always, that no Person shall be entitled to claim any such Exemption under this Act, who shall not produce a Certificate signed by the Commanding Officer of the Regiment of Local Militia to which he shall belong, or in case of his Removal from the County in which he may have been originally enrolled, then by the Commanding Officer of the Regiment, Battalion, or Corps in which he may have been subsequently serving, that he attended at the last Period of annual Training and Exercise, or that he was prevented by Illness or bodily Infirmity, so certified to his Commanding Officer at the last Period of Annual Training and Exercise, or that he was absent by Permission of his Commanding Officer.

Persons exempt nevertheless liable to serve in the Regular Militia if they neglect to attend Training.

XL. And be it further enacted, That any Person enrolled and serving in the Local Militia who shall have claimed Exemption from Service in the Regular Militia, shall nevertheless be compellable to serve in the Regular Militia, in case he shall not afterwards attend the Periods appointed for the Training and Exercise of the Local Militia during the Time for which he may be enrolled to serve in such Local Militia (unless prevented by any Infirmity incapacitating him for Service); and the Commandant of the Regiment, Battalion, or Corps of Local Militia to which he may belong, shall certify such Absence from Training and Exercise to the Clerk of the Subdivision for which he shall have been before balloted to serve in the Regular Militia, who shall make the same known to the Deputy Lieutenants assembled at their next Subdivision Meeting, and such Man shall then and there be enrolled to serve in the Regular Militia; or if he shall not then appear, shall be liable to any Penalties imposed upon balloted Persons not appearing to be enrolled in the Regular Militia.

Members of Friendly Societies shall not forfeit their Benefits, nor be subject to Fine for Service in the Local Militia.

XLI. And be it further enacted, That no Member of any Friendly Society, serving or entering to serve under this Act, shall by such Service be excluded from such Society, or be subject to the Forfeiture of any Benefit to which he may be otherwise entitled under any Rules of such Society; or to any Fine or Penalty imposed by such Society for Non-attendance; any Thing in any such Rules to the contrary notwithstanding.

Allowances to Wives and Families.

XLII. And be it further enacted, That whenever any Corps of Local Militia shall be assembled for the Purpose of being trained and exercised,

or for the Suppreſſion of Riots, or for the Suppreſſion of Rebellion or Invaſion, all Perſons enrolled therein who ſhall join on ſuch aſſembling, and ſhall have Families unable to ſupport themſelves, ſhall, during the Period of their being ſo aſſembled as aforeſaid, be entitled to ſuch and the ſame Relief to their Wives and Families, and under ſuch and the like Circumſtances, and ſubject to the ſame Regulations and Proviſions, as the Wives and Families of Men ballotted to ſerve in the Regular Militia of *Great Britain* are entitled to, under an Act paſſed in the Forty-third Year of His preſent Majeſty, intituled *An Act for conſolidating and amending the ſeveral Laws for providing Relief for the Families of Militia Men of* England, *when called out into actual Service*; or any other Acts relating to the Relief of the Wives and Families of Men ſerving in the Regular Militia of *Great Britain*; and for that Purpoſe all the Rules, Regulations, and Proviſions, Powers, Authorities, Penalties, and Forfeitures in the laſt-mentioned Acts reſpectively contained, ſhall extend and be conſtrued to extend to the giving ſuch Relief as aforeſaid as fully and effectually as if the ſame were herein enacted: Provided always, that all Sums of Money which ſhall be advanced and paid to the Wives and Families of ſuch Men, ſhall, upon delivery of a quarterly Account of the Payment thereof, certified and ſigned by Two Juſtices of the Peace of the County in which ſuch Relief ſhall be given, be repaid to the Overſeer or Overſeers, or Pariſh Officer or Officers who ſhall have advanced the ſame, by the Receiver General of ſuch County, out of any public Money in his Hands, and ſhall be allowed in the Account of the ſaid Receiver General: Provided always, that whenever any Corps of Local Militia ſhall be aſſembled for Training and Exerciſe, all Perſons enrolled therein, having Families unable to ſupport themſelves as aforeſaid, ſhall be entitled to Relief for their Wives and Families, notwithſtanding ſuch Families may be reſident in the Place where the Regiment may be aſſembled.

43 G. 3. c. 47.

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

XLIII. And be it further enacted, That if through the Neglect or Miſtake of any Chief Conſtables, 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, or any One Deputy Lieutenant, and One Juſtice of the Peace, 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 or Juſtice of the Peace to adminiſter the Oath herein-before required to be taken by Perſons to ſerve in the Local Militia, to any Perſon ballotted, or to any Perſon offering as a Volunteer under the Directions of this Act, ſuch ballotted Man or Volunteer having been duly examined and approved as is herein-after mentioned; and ſuch Deputy Lieutenant or Juſtice of the Peace is hereby authorized to direct and require the Clerk of the Subdiviſion for which every ſuch Perſon by whom the ſaid Oath has been before him taken is to ſerve, to enrol 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.

XLIV. And

XLIV. And be it further enacted, That if any Perſon ballotted to ſerve in the Local Militia under this Act, ſhall, after Notice given to him, or left at his uſual or laſt Place of Abode, of his having been ſo ballotted, refuſe or neglect to appear within ſuch Period and at ſuch Place as ſhall be appointed for that Purpoſe within the Subdiviſion for which he ſhall have been ſo ballotted, (which Times and Places ſhall be appointed by the Deputy Lieutenants in their reſpective Subdiviſions under any Order of the Lieutenant of the County, and Notice thereof given by the Conſtables of the ſeveral Pariſhes, by putting up the ſame on Churches, Chapels, or other conſpicuous Places), and be enrolled under this Act, and take the Oath to ſerve under this Act, ſuch Perſon ſhall forfeit the Sum of Thirty Pounds; or if a Perſon not having or receiving any annual Sum of Money, Profits, Gains, Allowances, or other Income whatſoever, amounting in the whole to Two hundred Pounds, clear of all Outgoings, Taxes, or Reprizes, the Sum of Twenty Pounds; and if not amounting in the whole to One hundred Pounds, clear of all Outgoings, Taxes, or Reprizes, the Sum of Ten Pounds; and every ſuch Fine ſhall be paid to the Clerk of the Subdiviſion Meetings, who ſhall on Receipt thereof give a Certificate, without Fee or Reward, of the ſame being paid, which Certificate ſhall be counterſigned by ſome Juſtice of the Peace or Deputy Lieutenant, and ſhall, within Twenty-one Days after the Receipt thereof, pay the ſame into the Bank of *England* to a ſeparate Account of the Agent General for the Local Militia, for the Purpoſes of the Local Militia of *Great Britain*, being furniſhed with a Receipt for the ſame, and the Payment of ſuch Fine ſhall exempt ſuch Perſon from being ballotted and enrolled under this Act for Two Years and no longer; and ſuch Perſon ſhall be liable to be ballotted and enrolled in the Year next but one after that in which he ſhall have been ſo ballotted as aforeſaid, and in like Manner to ſerve or pay ſuch Fine as aforeſaid, and ſo in each Second ſucceeding Year.

Perſons ballotted not appearing to be enrolled, ſhall be fined.

Fines to be paid to the Clerk of the Subdiviſion Meetings, and paid into the Bank to the Account of the Agent General.

Fines to exempt for Two Years only.

XLV. And be it further enacted, That any Perſon impriſoned for the Non-payment of any Fine for not appearing to be enrolled, or for refuſing to take the Oath, or for refuſing or neglecting to attend an annual Period of Training and Exerciſe, ſhall be compellable to ſerve for the full Period of Four Years after the Expiration of ſuch Impriſonment.

Perſons impriſoned compellable to ſerve Four Years.

XLVI. And be it further enacted, That every Perſon claiming to be exempted from Service under this Act, upon Payment of the Fine of Twenty Pounds, or Ten Pounds, inſtead of Thirty Pounds, ſhall ſign a Declaration that the Amount of his Income does not exceed Two hundred Pounds or One hundred Pounds as aforeſaid, as the Caſe may be, and ſhall deliver the ſame to the Deputy Lieutenants before whom he ſhall appear to claim ſuch Exemption, or produce a Certificate to the like Effect, allowed by any Commiſſioners under any Act relating to the Rates and Duties ariſing on Property, Profeſſions, Trades, and Offices, or to any Allowances made on any ſuch Rates and Duties, within Twelve Months previous to the Production of ſuch Certificate; and every Perſon who ſhall make any falſe Declaration in relation to any ſuch Claim, ſhall forfeit and pay for ſuch Offence the Sum of Fifty Pounds in Addition to ſuch Fine.

Perſons claiming Exemption on Payment of 20l. or 10l. to ſign a Declaration that their Income does not exceed a certain Sum.

Penalty of 50l. for making a falſe Declaration.

XLVII. Provided alſo, and be it further enacted, That every Perſon claiming to be exempted from Service under this Act upon Payment of Fine as aforeſaid, and every Perſon who ſhall be liable to the Payment of any

Such Perſons to ſign Declaration that they have not inſured.

Fine under this Act, for not appearing to be enrolled in the Local Militia, ſhall be ſummoned and required to appear before ſome Deputy Lieutenant or Juſtice of the Peace, and ſhall be required by the Deputy Lieutenant before whom he ſhall appear to claim ſuch Exemption, or by ſuch Deputy Lieutenant or Juſtice of the Peace before whom he ſhall be ſo ſummoned and required to appear as aforeſaid, to ſign a Declaration that he hath not directly or indirectly, by any Policy, Premium, or Promiſe of any Policy or Premium, or by any Engagement, inſured himſelf againſt ſuch Fine or any Part thereof, and that no Perſon or Perſons hath or have directly or indirectly, in Conſideration of any Sum of Money or Promiſe of any Sum of Money, or Gift or Reward, or for any valuable Conſideration whatever, undertaken, engaged, or promiſed in any Way to indemnify him therefrom, or from any Part thereof, or to repay to him, or to any Perſon or Perſons on his Behalf, or for his Uſe, Benefit, or Advantage, the ſaid Fine or any Part thereof; and in caſe any Perſon ſo claiming to be exempt, or ſo ſummoned or required to appear as aforeſaid, ſhall refuſe ſo to ſign ſuch Declaration, or ſo to appear according to ſuch Summons or Requiſition, or ſhall make any falſe Declaration in that Behalf, every ſuch Perſon ſhall, upon Conviction thereof before Two Juſtices of the Peace, forfeit Three Times the Amount of ſuch Fine; and in Default of Payment thereof, ſhall be confined in any Houſe of Correction or Common Gaol for ſuch County, for any Period not exceeding Three Months, or until Payment of ſuch Penalty; and ſhall be liable perſonally to ſerve in the ſaid Local Militia for the full Term of Four Years after the Expiration of ſuch Impriſonment, or the Payment of ſuch Penalty.

Penalty on Perſons refuſing to ſign or making a falſe Declaration.

Deputy Lieutenants may make new Apportionments in caſe the Quotas are found not to be in Proportion to the Numbers liable to ſerve.

XLVIII. And be it further enacted, That it ſhall be lawful for the Deputy Lieutenants of any County in any Caſe in which it ſhall appear to them to be neceſſary or proper, by Reaſon of any Quotas of Local Militia of any Diviſions of any County, or of any Pariſhes of any Diviſion, being found by any Returns now made or which may hereafter be made not to be in Proportion to the relative Numbers of Men liable to ſerve in the Local Militia in ſuch reſpective Diviſions or Pariſhes, or by Reaſon of any Alteration which may have taken place in the Number of the effective Yeomanry and Volunteers ſerving for ſuch Diviſion or Pariſh, to make any new Apportionments, and aſcertain and ſettle any Quotas of Local Militia, as to any Diviſions of any County, or as to any Pariſhes in any Diviſion, by any new Apportionment as to ſuch Diviſions, or as to the Pariſhes in any Diviſion, according to the relative Numbers of Men liable to ſerve in the Local Militia: Provided always, that all Quotas of Local Militia which ſhall have been ſettled and aſcertained for any Diviſions, or for any Pariſhes of any Diviſion, ſhall remain and be deemed to be the proper Quotas of ſuch Diviſions and Pariſhes reſpectively, unleſs and until the Deputy Lieutenants ſhall deem it neceſſary to alter and ſhall have altered the ſame, and ſettled any new Quotas under this Act.

New Liſts ſhall be made out if any are loſt.

XLIX. And be it further enacted, That, if the Liſt of any Pariſh, Tything 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, Tything, 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.

Quakers or United Brethren, on Production of certain Certificates, ſhall not be enrolled, but ſhall be adjudged to pay a Proportion of the Fines on Perſons balloted and not appearing.

L. And be it further enacted, That if any Perſon being one of the People called *Quakers*, or of the People called *Unitas Fratrum* or *United Brethren*, who ſhall be ballotted under this Act, ſhall produce before the Deputy Lieutenants of any Subdiviſion Meeting, or any Two Deputy Lieutenants or Juſtices of the Peace, a Certificate under the Hands of Two or more reſpectable Houſekeepers, being of the People called *Quakers*, or of the People called *Unitas Fratrum* or *United Brethren*, reſident within the County or Place of Reſidence of ſuch Perſon, and dated within Three Months immediately preceding the Day on which ſuch Certificate ſhall be produced as aforeſaid, acknowledging ſuch Perſon to be one of their Perſuaſion, ſuch Perſon ſhall not be enrolled; and it ſhall be lawful for any ſuch Deputy Lieutenants or Juſtices to adjudge any ſuch Perſon to pay ſuch Proportion of ſuch Fines as are by this Act impoſed on Perſons balloted and not appearing, as to ſuch Deputy Lieutenants or Juſtices may appear to be proper, according to the Situation in Life and Property of ſuch Perſon; and the Amount of Fine ſo adjudged by ſuch Deputy Lieutenants or Juſtices, may be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon, by Warrant under their Hands and Seals (the Overplus, if any, after deducting of reaſonable Charges, being rendered to the Party); and if no Goods or Chattels can be found whereby the Sum ſo impoſed upon ſuch Quaker or United Brother can be levied, and the Deputy Lieutenants or Juſtices ſhall nevertheleſs upon Inquiry be ſatisfied that ſuch Quaker or United Brother is of ſufficient Ability to pay ſuch Fine of Ten Pounds, then it ſhall be lawful for any Deputy Lieutenant or Juſtice of the Peace, if he ſhall think fit, to commit ſuch Quaker or United Brother to Priſon, there to remain for any Time not exceeding One Month, unleſs ſuch Sum ſhall be ſooner paid and ſatisfied: Provided always, that no Quaker or United Brother ſo committed as aforeſaid ſhall be confined among Felons.

Perſons having more than One Reſidence ſhall ſerve where their Names are firſt inſerted in the Liſt.

LI. And be it further enacted, That every Perſon liable to ſerve in the Local Militia, having more than One Place of Reſidence, ſhall ſerve for the County, Riding, 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 to ſerve in the Militia of the County in which the Pariſh Church is ſituate.

LII. And be it further enacted, That where any Pariſh ſhall lie in Two or more Counties or Ridings, the Inhabitants of ſuch Pariſh ſhall ſerve in the Local Militia of the County or Riding 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 Riding.

Juſtices may order Payment of Coſts for levying by Diſtreſs, where Quakers refuſe to pay the Rates for providing Volunteers.

LIII. And be it further enacted, That where any Rate ſhall have been made for the providing of Volunteers according to the Directions of this Act, and the Churchwardens and Overſeers ſhall make Complaint to a Juſtice of the Peace, that any Quaker or Quakers has refuſed to pay the Sum or Sums of Money he or they ſhall be rated at, ſuch Juſtice ſhall order ſuch Coſts and Charges to be paid for levying ſuch Diſtreſs as he ſhall think reaſonable, not exceeding Ten Shillings on each of the ſaid Quakers where there are no more

more than Two; and where there are a greater Number than Two, not exceeding Five Shillings on each of the ſaid Quakers: 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 being of the People called *Quakers*, reſident within the ſaid County, Riding, or Place, and dated within the Three Months immediately preceding the Day on which it ſhall be produced, as aforeſaid, acknowledging ſuch Man to be One of their Perſuaſion.

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

No Man to be enrolled until examined and approved by a Surgeon.

LIV. And be it further enacted, That no Man ſhall be approved or enrolled to ſerve in the Local Militia under this Act, either as a balloted Man 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, or any One Deputy Lieutenant and One Juſtice of the Peace, ſhall in all Caſes before they proceed to enrol any Man for the Local Militia, cauſe ſuch Examination to be carefully made; and it ſhall be lawful for the ſaid Deputy Lieutenants, or the ſaid Deputy Lieutenant and Juſtice of the Peace, and they are hereby empowered and directed to require the Attendance of any Surgeon of any Regiment, Battalion, or Corps of the Local Militia of the County, Riding, or Place for which any Man is to be enrolled, 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 One Guinea 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 other Allowances are directed to be made and paid to Subdiviſion Clerks under this Act.

Allowance to be made the Surgeon for his Attendance.

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

LV. And be it further enacted, That whenever it ſhall appear to any Two or more Deputy Lieutenants, or any One Deputy Lieutenant and One Juſtice of the Peace aſſembled at any Subdiviſion Meeting, that any Perſon choſen by Ballot to ſerve in the Local Militia is unable to ſerve from any permanent Illneſs, Debility, or bodily Infirmity, or is not of the full Height of Five Feet Two Inches, or is not approved upon Examination, by a Surgeon according to the Directions of this Act, ſuch Deputy Lieutenants or ſuch Deputy Lieutenant and Juſtice of the Peace 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 enrolled, and make out a Liſt in the Form in Schedule (C.) a Copy of which the Clerk of the Subdiviſion ſhall tranſmit to the Clerk to the

LVI. And be it further enacted, That the Deputy Lieutenants in their ſeveral Subdiviſions ſhall, as ſoon as they ſhall have enrolled the Number of Men required in their Subdiviſion, divide the Men ſo enrolled 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 having no Child or Children living; and in the Second Claſs, all the Men not having any Child or Children living under the Age of

Fourteen Years; and in the Third 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 (C.); 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.

General Meetings to be entered in a Book.

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

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

LVIII. 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 Local Militia, or enter or enliſt into His Majeſty's Regular Forces, Navy, or Marines, or as a Subſtitute or Volunteer in the Regular Militia, or be diſcharged in Manner aforeſaid, as unfit for Service, or diſmiſſed 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, Entering, Enliſtment, Diſcharge or Diſmiſſal, (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 Deputy Lieutenants ſhall immediately upon the Receipt of ſuch Certificate, cauſe ſuch Vacancy to be filled up by a freſh Ballot for a Local Militia Man to ſerve according to the Proviſions of this Act; except in ſuch Caſes as are in this Act excepted.

Vacancies occaſioned by Death, &c. to be filled up by a freſh Ballot.

LIX. Provided always, and be it further enacted, That it ſhall be lawful for the Lieutenant and Deputy Lieutenants at any General Meeting, and they are hereby required to aſcertain and fix by Ballot the Order in which the reſpective Subdiviſions, Hundreds, and Pariſhes in their reſpective Counties ſhall ſtand as to the ſupplying any Deficiencies or Vacancies that may exiſt or ariſe therein by reaſon of the Appointment of any Perſons ſerving

Meetings of Lieutenancy to fix by Ballot the Order in which Subdiviſions, &c. ſhall ſtand as to the ſupplying Deficiencies on Account of the Appointment aſ.

Persons to be Serjeants or Corporals.

ſerving in the Local Militia of any ſuch County to be Serjeants or Corporals, and ſhall immediately after the ſame ſhall be ſo aſcertained and fixed, cauſe ſuch Subdiviſions, Hundreds, and Pariſhes reſpectively, to be entered in ſuch Order, in a Liſt to be prepared for that Purpoſe; and ſuch Vacancies ſhall be ſupplied by ſuch Subdiviſions, Hundreds, and Pariſhes, in the Order in which they ſhall have been entered in ſuch Liſt as aforeſaid, and not by the Pariſhes for which the Men ſo promoted ſhall have ſerved.

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

LX. And be it further enacted, That whenever any private Local Militia Man ſhall be appointed a Non-commiſſioned Officer or Drummer in any Regiment, Battalion, or Corps of Local 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, ſo long as the Non-commiſſioned Officer or Drummer ſo reduced ſhall continue to ſerve in ſuch Regiment, Battalion, or Corps of Local Militia.

At Subdiviſion Meetings Men ſhall be ballotted for in Room of thoſe whoſe Terms of Service will expire before Nov. 29 next enſuing, and ſuch Men may be diſcharged and the others received.

LXI. And be it further enacted, That any Two or more of the Deputy Lieutenants, or any One Deputy Lieutenant and One Juſtice of the Peace, at their ſeveral Subdiviſion Meetings, ſhall and they are hereby required to ballot for Local Militia Men, in the Room of all Local Militia Men actually ſerving, whoſe Terms of Service will expire before the Twentieth Day of *November* 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 enrol the ſaid ballotted Men as aforeſaid; and the Commanding Officer of any Regiment, Battalion, or Corps, 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* next enſuing, and to receive any other Local Militia Man in his Room, who ſhall have taken the Oath, and been enrolled according to the Directions of this Act; and every ſuch Man ſo diſcharged ſhall be entitled to the ſame Immunity from further Service as if he had ſerved his full Term.

The Enrolment of Servants ſhall not vacate their Contracts with their Maſters unleſs the Local Militia ſhall be embodied, &c.

LXII. And be it further enacted, That if any Servant whatever, hired by the Year or otherwiſe, ſhall be enrolled as a Local Militia Man by virtue of this Act, ſuch Enrolment 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 Local Militia of the County, Riding, or Place for which ſuch Servant ſhall be enrolled, ſhall be embodied or called out by His Majeſty, or ordered to be ſo in purſuance of this Act, or unleſs ſuch Perſon ſo enrolled ſhall leave the Service of his Maſter, Miſtreſs, or Employer or Employers, for the Purpoſe of being trained and exerciſed, in purſuance of this Act, and ſhall not return again to the ſame Service at the End of ſuch Period of Training and Exerciſe, 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 a Juſtice 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

and if any Diſpute ſhall ariſe touching Wages under 20l. a Juſtice may ſettle it, and may grant Warrant for

formed before the Time of his Departure from Service, under the Conditions of the ſaid Enrolment, or by being called out to join the Local Militia in which he ſhall have been ſo enrolled, 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 Juſtice of the Peace for the County, Riding, City, Liberty, Town Corporate, or Place, where ſuch Maſter or Miſtreſs, or Employer or Employers ſhall inhabit, for ſuch Juſtice to hear and determine every ſuch 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, in Caſes where the Party ſhall diſagree, 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 Seven 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 Chattels 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.

Levying the Money by Diſtreſs if not paid.

LXIII. And be it further enacted, That if any Churchwardens or Overſeers of the Poor ſhall have engaged any Perſon to ſerve as a Volunteer as aforeſaid, and ſuch Churchwardens or Overſeers 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, and they and he are and is hereby required, after ſuch Volunteer has been examined by a Surgeon, and approved according to the Directions of this Act, and enrolled 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 Volunteer ſo engaged, to be immediately paid to him on ſuch Enrolment, in the Preſence of ſuch Deputy Lieutenants.

Two Deputy Lieutenants or a Juſtice may order the Money agreed to be given to a Volunteer, to be paid him on Enrolment.

LXIV. And be it further enacted, That it ſhall be lawful for any Perſon ballotted or enrolled to ſerve, or ſerving in the Local Militia under this Act, to enliſt or enter into His Majeſty's Army, Navy, or Marines, or as a Subſtitute or Volunteer in the Regular Militia of the ſame or ſome adjoining County, at any Time, except during ſuch Portion of the Period of being aſſembled for the Purpoſe of annual Training and Exerciſe under this Act, as His Majeſty ſhall by any Order made in that Behalf preſcribe; and the Enliſting or Entry of every ſuch Man ſhall be immediately certified by the Officer with whom ſuch Man ſhall have enliſted or entered, to the Officer commanding the Regiment, Battalion, or Corps of Local Militia, from which ſuch Man ſhall have enliſted or entered; and all Vacancies ariſing by any ſuch enliſting or entering as aforeſaid, ſhall be ſupplied in like Manner as any other Vacancies in the ſaid Local Militia: Provided always, that no Serjeant, Corporal, or Drummer of any Regiment of Local Militia, on permanent Pay as ſuch, ſhall be entitled to his Diſcharge, or be allowed to enliſt into the Army, Navy, or Marines, or Regular Militia, or to engage himſelf as a Subſtitute or Volunteer in the Regular Militia at any Time, whether the Regiment to which ſuch Non-commiſſioned Officer or Drummer ſhall belong, ſhall be aſſembled for

Local Militia permitted to enliſt.

Serjeant, &c. not permitted.

for the Purpoſe of annual Training and Exerciſe or not, unleſs with the Conſent in Writing of the Commanding Officer of his Regiment given for that Purpoſe.

Apprentices not permitted to enliſt without Maſters Conſent.

LXV. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend to authorize any Apprentice ballotted under this Act to enliſt in the Army, Navy, Marines, or to enter as a Subſtitute or Volunteer in the Regular Militia, or to enter as a Volunteer in the Local Militia, or being a Member of a Volunteer Corps to transfer himſelf into the Local Militia without the Conſent of his Maſter; provided alſo, that no Ballot, Enrolment, and Service under this Act, ſhall extend to make void or in any Manner to affect any Indenture of Apprenticeſhip or Contract of Service between any Maſter or Servant, notwithſtanding any Covenant or Agreement in any ſuch Indenture or Contract; and no Service under this Act of any Apprentice or Servant ſhall be deemed or conſtrued or taken to be an Abſence from Service, or a Breach of any Covenant or Agreement as to any Service or Abſence from Service, in any Indenture of Apprenticeſhip or Contract of Service; any Thing contained in any Act or Acts of Parliament, or Law or Laws, or Deed or Indenture of Apprenticeſhip, or Contract of Service to the contrary notwithſtanding.

Vacancies to be filled up notwithſtanding Suſpenſion of Ballot.

Volunteers allowed to enter until Local Militia be completed.

LXVI. Provided always, and be it further enacted, That all Vacancies ariſing in the Local Militia by ſuch enliſting as aforeſaid, or by Diſcharge, Abſence, Deſertion, Death, or Expiration of Service, ſhall be filled up according to the Proviſions of this Act: Provided always, that it ſhall be lawful at any Time before the Local Militia of any County ſhall be completed to the full Amount ſpecified in this Act as the Quota of ſuch County, and alſo at any Time thereafter when any Vacancies ſhall ariſe in ſuch Local Militia, for any Perſons between the Ages of Eighteen and Thirty-five, of the Height of Five Feet Two Inches, and not having more than Two Children under Fourteen Years of Age, who ſhall be approved of in the Manner herein-before directed, (as well Members of Volunteer Corps as others), voluntarily to enrol themſelves in the Local Militia of ſuch County, according to the Proviſions of this Act, until the full Number of Men required by virtue of this Act in ſuch County ſhall be completed.

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

LXVII. 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, 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.

How the Regiments of Militia ſhall be formed and officered.

LXVIII. And be it further enacted, That the Local Militia of the ſeveral Counties, Ridings, and Places aforeſaid, ſhall be formed into Companies, which ſhall not conſiſt of more than One hundred and twenty, nor of leſs than Sixty Private Men, and that to each of ſuch Companies there ſhall be One Captain, and One Lieutenant, and One Enſign; and that where

where the Number of Men raiſed for any County, Riding, or Place, is ſufficient, the Local Militia thereof ſhall be formed into One or more Regiments, conſiſting of not more than Twelve nor of leſs than Eight ſuch Companies; and where the Number of Men raiſed in any County, Riding, or Place, is not ſufficient to form a Regiment, the Local Militia thereof ſhall be formed into a Battalion, conſiſting of not more than Seven nor of leſs than Four ſuch Companies; and where the Number of Men raiſed in any County, Riding, or Place, is not ſufficient to form a Battalion of Four ſuch Companies, the Local Militia thereof ſhall be formed into a Corps, conſiſting of not leſs than Three ſuch Companies; and that the Field Officers of ſuch Regiments, Battalions, and Corps reſpectively, ſhall in no Caſe exceed the reſpective Numbers and Ranks following; (that is to ſay), in every Regiment conſiſting of not leſs than Eight hundred private Men, One Lieutenant Colonel Commandant, One Lieutenant Colonel, and Two Majors; in every Regiment or Battalion conſiſting of not leſs than Four hundred and eighty private Men, One Lieutenant Colonel Commandant, One Lieutenant Colonel, and One Major; and in every Battalion conſiſting of leſs than Four hundred and eighty private Men, One Lieutenant Colonel and One Major; and in every Corps conſiſting of Three Companies, One Lieutenant Colonel or Major, and no other Field Officer: Provided always, that no Colonel or Field Officer in the Local Militia ſhall be a Captain of a Company: Provided alſo, that every Battalion conſiſting of Five Companies or upwards, 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 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 or upwards, there may be Two Lieutenants and One Enſign, or Three Lieutenants, as the Caſe may be.

His Majeſty may direct any Number of Officers, &c. ſerving in the Local Militia at the Time of the paſſing of this Act, to be retained, although the Number may exceed the Proportion preſcribed for any Regiment, &c.

LXIX. And be it further enacted, That it ſhall be lawful for His Majeſty, by any Order ſignified by His Majeſty's Secretary of State, to direct any Number of Officers, Non-commiſſioned Officers, and Corporals, actually ſerving in any Regiment, Battalion or Corps of Local Militia, at the Time of paſſing this Act, to be retained during the Continuance of the preſent War, or for ſo long a Time during the Continuance thereof as His Majeſty ſhall think fit, as Officers, Non-commiſſioned Officers, or Corporals reſpectively of ſuch Regiments, Battalions or Corps, although by reaſon thereof the Number of Officers, Non-commiſſioned Officers, and Corporals reſpectively of any ſuch Regiment, Battalion, or Corps, ſhall exceed the Proportion of Officers, Non-commiſſioned Officers and Corporals reſpectively preſcribed for any Regiment, Battalion, or Corps of Local Militia, by this Act; and all ſuch Officers, Non-commiſſioned Officers, and Corporals ſo retained as aforeſaid, ſhall be entitled to ſuch Pay, Emoluments, and Advantages as other Non-commiſſioned Officers and Corporals reſpectively are by Law entitled unto; any Thing in any Law or Act to the contrary thereof notwithſtanding.

Officers retained beyond the Proportions preſcribed, to ſucceed to Vacancies

LXX. Provided nevertheleſs, and be it enacted, That the Officers ſo retained who ſhall exceed the Proportion of Officers reſpectively preſcribed for any Regiment, Battalion, or Corps, ſhall ſucceed to Vacancies which

which may occur in such Regiment, Battalion, or Corps respectively, according to their respective Ranks, and beginning with the eldest Officer of each Rank respectively.

In Cases of Regiments being reduced, the Officers may be appointed to other Regiments.

LXXI. And be it further enacted, That where the Local Militia of any County shall, previously to the passing of this Act, have consisted of Two or more Regiments, Battalions, or Corps, and any One or more of such Regiments, Battalions, or Corps, shall (in consequence of the Reduction of the Quota of Local Militia for such County under this Act) be reduced, it shall in every such Case be lawful for His Majesty to order and direct that any Number of Field Officers, and Officers together with the Adjutant and Quarter Master, who were serving at the Time of passing this Act, shall and may be appointed by the Lieutenant of such County to act as Field Officers, Officers, Adjutant or Quarter Master respectively, in any other Regiment, Battalion, or Corps of Local Militia within the said County, and shall continue to serve in any such Regiment, Battalion, or Corps to which they may be so appointed, although by reason thereof the Number of Officers in such Regiment, Battalion, or Corps may exceed the Proportion of Officers prescribed for any Regiment, Battalion, or Corps of Local Militia under this Act; and all such Officers so appointed and retained as aforesaid shall be entitled to such Pay, Rank, Emolument, and Advantages, as other Officers of the Local Militia are entitled to, and shall succeed to Vacancies which may occur in such Regiment, Battalion, or Corps, according to their respective Ranks, beginning with the eldest Officer of each Rank respectively; any Thing in this Act to the contrary notwithstanding.

His Majesty may order Counties to be divided.

LXXII. And be it further enacted, That it shall be lawful for His Majesty, in any Case in which more than One Regiment, Battalion, or Corps of Local Militia is ordered to be raised in any County, to direct the Lieutenant, Vice Lieutenant, or Deputy Lieutenants of such County to divide such County, for the Purposes of this Act, into such Number of Divisions as there are Regiments, Battalions, or Corps to be raised in such County, Regard being had to the Number of Persons liable to serve and the Establishment of each Regiment, and all other Circumstances of local Convenience; and from and after such Division, each of such Divisions of such County shall supply all Vacancies arising in the Regiments, Battalions, or Corps respectively belonging to such Divisions; Provided always, that such Divisions and all Apportionments made in pursuance thereof may be from Time to Time varied or altered, as Occasion may require.

His Majesty, where no Provision is made by this Act, may order the Local Militia to be formed and regulated as to Him shall seem meet.

LXXIII. And be it further enacted, That it shall be lawful for His Majesty in every Case for which no special Provision is made by this Act, to cause the Local Militia of any County, Riding, or Place, to be formed and regulated in such Manner as to His Majesty shall seem meet, in regard to the Number of Regiments, Battalions, or Corps, conforming in every Case, as near as the Proportions of Men will admit, to the Establishment with respect to Regiments, Battalions, Corps, and Companies, in this Act particularly directed.

County Lieutenant may act as Commandant of the Local

LXXIV. And be it further enacted, That it shall be lawful for the Lieutenant of any County, Riding, or Place, to act as Commandant of any Regiment, Battalion, or Corps of Local Militia for such County, Riding, or

Place, for and during such Time as there shall not be any Commandant appointed to such Regiment, Battalion, or Corps; and where the Lieutenant of any County, Riding, or Place, shall take the Command of any Local Militia of the said County, Riding, or Place, such Lieutenant shall be entitled to the Rank of Colonel, but shall not receive any higher Pay than that of Lieutenant Colonel Commandant: Provided always, that no Lieutenant of any County, Riding, or Place, shall act as Commandant of more than One Regiment, Battalion, or Corps, at One Time, excepting in those Cases in which such Lieutenant may have transferred his Services to the Local Militia as Commandant of more than One Corps of Yeomanry or Volunteers.

Militia, when there shall not be any other appointed, and have the Rank of Colonel.

LXXV. And be it further enacted, That every Officer of any Local Militia Regiment, Battalion, or Corps, being duly qualified, who may have accepted or shall accept a Commission or Appointment of the same Rank in any other Local Militia Regiment, Battalion, or Corps, 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 Local Militia, so vacated as aforesaid.

Local Militia Officers accepting Commissions of the same Rank in any other Regiment, to rank in the Service according to the Dates of vacated Commissions.

LXXVI. And be it further enacted, That when any Colonel or other Commandant of any Regiment, Battalion, or Corps of Local 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 Peace of the County, Riding, or Place to which such Regiment, Battalion, or Corps, 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, Battalion, or Corps; 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, Battalion, or Corps, 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, Battalion, or Corps, 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 as 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, Battalion, or Corps, and until he shall return to *Great Britain*, and notify his Arrival as aforesaid, the Officer next in Command in such Regiment, Battalion, or Corps, who shall be residing in *Great Britain*, shall appoint the Quarter Master to such Regiment, Battalion, or Corps, in the same Manner as such Colonel or other

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

Commandant might have done: 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, 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, Riding, or Place, and alſo 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 for the Uſe of his Regiment, Battalion, or Corps, in due Courſe, or in purſuance of any Order by proper Authority, 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 for the Uſe of his Regiment, Battalion, or Corps, in due Courſe, or in purſuance of any Order by proper Authority, 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.

The Officer next in Command ſhall, within Seven Days after aſſuming the Command, notify the Abſence of the Commandant to the County Lieutenant, and to the Secretary at War.

Orders given by a 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.

LXXVII. 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 while embodied, for the Term of Five Years at the leaſt, to be an Adjutant to each Regiment, Battalion, and Corps of Local Militia; and ſuch Adjutant, if appointed out of His Majeſty's other Forces, ſhall, during his Service in the Local 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, Riding, or Place, on the Recommendation of the Colonel or other Commandant of any Regiment, Battalion, or Corps of Local Militia, raiſed within ſuch County, Riding, or Place, to appoint the Adjutant of ſuch Regiment, Battalion, or Corps, to ſerve with the Rank of Captain, provided ſuch Adjutant ſhall have ſerved Five Years as a Commiſſioned Officer in the Regular or Local Militia while embodied, or in His Majeſty's other Forces, or in the Volunteers, 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, Battalion, or Corps 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

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.

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 Local Militia: Provided alſo, that no ſuch Adjutant ſhall, by reaſon of any ſuch Appointment as aforeſaid, be entitled to receive any greater or other Pay or Allowances than thoſe of Adjutant.

No Adjutant ſo appointed to the Rank of Captain ſhall command a Captain of a Company, or be entitled to greater Pay than Adjutant.

LXXVIII. And be it further enacted, That, in every Regiment, Battalion, or Corps of Local Militia, conſiſting of not leſs than Two Companies, it ſhall be lawful for the Lieutenant of ſuch County, Riding, or Place, with the Approbation of His Majeſty, to appoint One fit and proper Perſon, who ſhall have paſſed an Examination at Surgeon's Hall, or at the College of Surgeons in *Edinburgh*, and received his Certificate accordingly, to be Surgeon of ſuch Regiment, Battalion, or Corps; and every ſuch Appointment ſhall recite the Certificate of the Perſon ſo appointed, and an atteſted Copy thereof ſhall be tranſmitted to and filed with the Clerk of the General Meetings; and every ſuch Surgeon ſhall, while the Local Militia to which he ſhall belong are diſembodied, receive Fifteen Shillings *per* Day for every Day of his Attendance during any Exerciſe of ſuch Local Militia under this Act, and One Guinea for every Day that he ſhall attend the Enrolments at the Subdiviſion Meetings; ſuch laſt mentioned Attendances being certified by any Deputy Lieutenant or Lieutenants of ſuch Subdiviſion Meeting to the Receiver General of the County, Riding, or Place, to which ſuch Local Militia ſhall belong; and every ſuch Surgeon ſo appointed as aforeſaid ſhall, during the Time of the Local 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 it ſhall be lawful for the Lieutenant of the County, Riding, or Place, to which ſuch Regiment or Battalion ſhall belong, on the Recommendation of the Colonel or other Commandant thereof, to give to ſuch Surgeon a Commiſſion as Lieutenant or Enſign in ſuch Regiment or Battalion; but no ſuch Surgeon ſhall be capable of receiving any Pay in reſpect of any ſuch Commiſſion in ſuch Local Militia, during the Time of his being ſuch Surgeon as aforeſaid.

To Corps of not leſs than Two Companies a Surgeon may be appointed, &c.

Surgeons, when the Militia is embodied, to receive the Pay and Allowance of Surgeons of Infantry, and hold Commiſſion as Subalterns.

LXXIX. And be it further enacted, That it ſhall be lawful for the Colonel or other Commandant of any Regiment, Battalion, or Corps of Local Militia, with the Approbation of His Majeſty, to appoint One fit and proper Perſon to be the Quarter Maſter of any ſuch Regiment, Battalion, or Corps reſpectively; and it ſhall be lawful for the Lieutenant of the County, Riding, or Place, for which ſuch Regiment, Battalion, or Corps ſhall belong, 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 Local Militia, during the Time of his being ſuch Quarter Maſter as aforeſaid.

Quarter Maſter may be appointed, &c.

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

No Adjutant, &c. to be appointed Captain of a Company, nor any Captain

of a Company to be appointed Adjutant, &c.

tain of a Company be capable of being appointed Adjutant, Surgeon, or Quarter Master of Local Militia.

Half Pay Officers serving may receive their Half Pay on taking the following

LXXXI. 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 Colonel, Lieutenant Colonel, Major, Captain, Lieutenant, Ensign, Adjutant, Quarter Master, or Surgeon in the Local 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:

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 [Colonel, Lieutenant 'Colonel, Major, Captain, Lieutenant, Ensign, Adjutant, Quarter Mas- 'ter, or Surgeon, *as the Case may be*], for serving in the Local Militia.'

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

The Proportions of Non-commission Officers and Drummers.

LXXXII. And be it further enacted, That Serjeants, Corporals, and Drummers shall be appointed to the Local Militia, in the following Proportions; (that is to say), there shall be One Serjeant and One Corporal to every Twenty private Men; and there shall be Two Drummers 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 all Serjeants, Corporals, and Drummers, not being retained on permanent Pay at Head Quarters in the Manner herein-after directed, shall take the Oath herein-before directed to be taken by Persons chosen by Ballot to serve in the Local Militia; and that all Serjeants, Corporals, and Drummers, who may have consented or been engaged to remain on permanent Pay at Head Quarters as herein-after directed, shall take the following Oath; (that is to say),

Oath to be taken by Non-commission Officers and Drummers on permanent Pay.

'I *A. B.* do sincerely promise and swear, That I will be true and faithful and bear true Allegiance to His Majesty King *George*, and that I will 'faithfully serve in the Local Militia within *Great Britain*, for the Defence 'of the same, until I shall be legally discharged.'

And all such Serjeants, Corporals, and Drummers, receiving permanent Pay as such from any Regiment, Battalion or Corps, shall be deemed to be engaged, and shall be compellable to serve in such Regiment, Battalion, or Corps, until they shall be legally discharged, and when not in actual Service shall be new clothed once in Two Years: And the Colonel or other Commandant of every Regiment, Battalion, or Corps, consisting of Two or more Companies, may appoint a Serjeant Major, and the Colonel or other Commandant of every Regiment, Battalion, or Corps, consisting of Three or more Companies, may appoint a Drum Major: 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

Serjeant Majors and Drum Majors may be appointed, but no Publican shall serve as a Serjeant, &c.

ceiving permanent Pay as an Adjutant, Quarter Maſter, Serjeant Major, Serjeant, Corporal, Drum Major, or Drummer in the Local Militia.

Commandants may diſcharge Serjeants, &c. and appoint others.

LXXXIII. And be it further enacted, That any Serjeant, Corporal, or Drummer, whether upon permanent Pay or otherwiſe, 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, be diſmiſſed, or 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.

LXXXIV. And be it further enacted, That in caſe His Majeſty's Lieutenant for any County, Riding, or Place, or the Colonel or other Commandant of any Regiment, Battalion, or Corps of Local 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, Battalion, or Corps, 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, Battalions, or Corps, 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, Battalions, or Corps; and all ſuch Drummers ſo retained or in future engaged to ſerve in any ſuch Corps as Fifers or Muſicians, ſhall be deemed Drummers of Local 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 Local 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.

Local Militia when embodied entitled to the ſame Pay, &c. as the Regular Militia.

LXXXV. And be it further enacted, That the ſaid Local Militia when drawn out and embodied ſhall be entitled to the ſame Pay and Allowances, for themſelves and Families, according to their reſpective Ranks, as His Majeſty's other Militia Forces when drawn out and embodied.

Local Militia entitled to Allowance for Neceſſaries.

LXXXVI. And be it further enacted, That every Perſon enrolled to ſerve in the Local Militia under this Act ſhall, upon being aſſembled for Training and Exerciſe under this Act, be entitled to a Sum not exceeding Ten Shillings and Sixpence for the Firſt Year of his Service, and Five Shillings and Three-pence for each ſucceeding Year of Service, to be paid to the Captain commanding the Company to which ſuch Man ſhall belong, for the Purpoſe of providing and keeping up ſuch Neceſſaries for ſuch Perſon as may be ſpecified in any Order from His Majeſty's Secretary of State to that Effect; and all ſuch Sums of Money ſhall, at the Concluſion of each Period of Exerciſe or Service as aforeſaid, be accounted for, by the Captain commanding each Company, to the Quarter Maſter of the Regiment, Battalion, or Corps to which ſuch Captain ſhall belong; and the Reſidue, if any, paid to ſuch Quarter Maſter, who ſhall account for the ſame, to the Secretary at War: Provided always, that no

Perſon ſhall be entitled to receive any Allowance for Neceſſaries, who ſhall not have been preſent during the whole of the Period of Annual Exercise.

His Majeſty may put the Local Militia under the Command of General Officers;

LXXXVII. And be it further enacted, That it ſhall be lawful for His Majeſty to put the Local Militia enrolled under this Act, when aſſembled for Training or Exerciſe in Time of War, or when embodied as herein-after mentioned in like Manner as the Regular Militia when embodied, under the Command of ſuch General Officers of His Regular Forces, as His Majeſty ſhall pleaſe to appoint; any Thing in this Act to the contrary notwithſtanding.

and may order it to be called out yearly to be trained.

LXXXVIII. And be it further enacted, That it ſhall be lawful for His Majeſty to order and direct that the Local Militia to be raiſed under this Act, ſhall be called out within their reſpective Counties in each Year, at ſuch Times, in ſuch Manner, and in ſuch Proportions and under ſuch Regulations as His Majeſty ſhall direct in that Behalf, for the Purpoſe of being trained and exerciſed, Regard being had to the local Circumſtances of each County, and to the Seaſons moſt important to the Courſe of Induſtry and Cultivation within the ſame; and the Periods and Places for ſuch Exerciſe ſhall be appointed by the Lieutenants or Deputy Lieutenants of the ſeveral Counties, with the Approbation of His Majeſty: Provided always, that no Local Militia Men under this Act ſhall be trained or exerciſed any greater Number of Days in the whole in each Year than Twenty-eight entire Days, excluſive of Days of arriving at and Departure from and marching to and from the Place appointed for Exerciſe (for which extra Days the Pay and Subſiſtence allowed to His Majeſty's Forces on March ſhall be allowed); and no ſuch Local Militia ſhall be ordered to march for ſuch Training and Exerciſe out of the County within which any ſuch Local Militia ſhall have been enrolled, unleſs as herein-after directed.

Men not to be trained for more than 28 Days in a Year, nor to be ordered to march from County in which enrolled.

Where Towns in the County do not afford Accommodation for quartering Local Militia, they may be marched into an adjoining County.

LXXXIX. And be it further enacted, That it ſhall be lawful for His Majeſty, by any Order notified by His Secretary of State, upon the Application of the Lieutenant of any County in which the principal Town or Towns of ſuch County ſhall not afford ſufficient Accommodation for the Quartering of the Local Militia of the County, during the Training and Exerciſing of ſuch Local Militia, or in any Caſe in which it may be more convenient with reſpect to the Reſidence of the Perſons enrolled in ſuch Local Militia, and to the Diſtance which ſuch Perſons may have to march for the Purpoſe of being trained and exerciſed, to authorize and allow, and to order the Local Militia of ſuch County, or any Regiments or Regiment thereof, or any Detachment or Company of any ſuch Regiment, to be marched into any adjoining County for the Purpoſe of training and exerciſing; any Thing in this Act to the contrary notwithſtanding.

His Majeſty may diſmiſs any Part of ſuch Militia Men, and diſcontinue the Training, &c.

XC. And be it further enacted, That when the Local Militia of any County ſhall have been ſo called out for the Purpoſe of being trained and exerciſed, it ſhall be lawful for His Majeſty by any Order of His principal Secretary of State at any Time that He may think fit, to order and direct any Part or Proportion of ſuch Local Militia to be diſmiſſed, and its Exerciſe to be diſcontinued; and from Time to Time again to direct the aſſembling of any ſuch Local Militia, or any Part or Proportion thereof, for the Purpoſe of being trained and exerciſed, as to His Majeſty may ſeem

ſeem neceſſary, according to the Rules and Proviſions in this Act contained.

Men may remove from One County to another;

XCI. And be it further enacted, That in caſe any Perſon enrolled to ſerve as a Private in the Local Militia under this Act, ſhall be deſirous of removing from One County to another County, at any Time or Times during the Period of his Service, it ſhall be lawful for him ſo to do upon giving Notice in Writing to his Commanding Officer, who ſhall certify the ſame to the Lieutenant or Deputy Lieutenants, or the Clerk of the Lieutenancy, of the County to which ſuch Local Militia Man intends to remove; and every ſuch Local Militia Man ſo removing, ſhall be received into the Local Militia of the County, if there be any Local Militia enrolled in ſuch County; and if not, into the Local Militia of ſome adjoining County to that to which he ſhall have removed, and ſhall continue to ſerve therein for the Remainder of the Term for which he ſhall have been enrolled; and every ſuch Local Militia Man who ſhall not preſent himſelf to the Deputy Lieutenants of ſome Subdiviſion in ſuch County or ſuch adjoining County as aforeſaid, for the Purpoſe of being enrolled in the Local Militia thereof, and who ſhall not tranſmit to the Commanding Officer of the Regiment, Battalion, or Corps, from which he ſhall have removed, within One Month after the Expiration of ſuch Annual Training, a Certificate of the Commanding Officer of the Regiment, Battalion, or Corps into which he may have been received, of his having been duly trained and exerciſed in ſuch Regiment, Battalion, or Corps, ſhall forfeit double the Sum which ſuch Perſon would have forfeited if he had not appeared to be trained and exerciſed in the Local Militia in which he was ballotted under this Act; and every Perſon who ſhall again remove, or who ſhall proceed to any other County, than that of which he ſhall have firſt given Notice, ſhall in like Manner again give Notice, and tranſmit Certificates as aforeſaid: Provided always, that it ſhall not be lawful for any Perſon enrolled to ſerve as a Local Militia Man to remove from one County to another County, during the Time that the Regiment to which he belongs ſhall be aſſembled, without having firſt obtained the Conſent of his Commanding Officer expreſſed in Writing.

but not during the Period of training.

Lord Lieutenant, &c. may call out the Local Militia for the Suppreſſion of Riots, and Men not appearing ſubject to Penalty.

XCII. Provided always, and be it further enacted, That it ſhall be lawful for the Lord Lieutenant or for the Vice Lieutenant of any County, or for the Sheriff of any County, or, in the Abſence of the Lord Lieutenant and Vice Lieutenant and Sheriff of any County, for any Two Juſtices of the Peace, and One Deputy Lieutenant, to call out and aſſemble the Local Militia, or any Part of the Local Militia, of ſuch County for the Suppreſſion of any Riot or Tumults in ſuch County, or in any adjoining County; and every Perſon then inrolled in the Local Militia ſo called out as aforeſaid, who ſhall not appear and join his Regiment within ſuch Time and at ſuch Place as ſhall be ſpecified in any Notice or Notices put upon Churches, Chapels, or other conſpicuous Places, or otherwiſe publickly given, ſhall be ſubject to the ſame Penalties and Forfeitures as are contained in this Act, for not appearing when the Local Militia ſhall be aſſembled for Training and Exerciſe: Provided always, that it ſhall be lawful for any Juſtice or Deputy Lieutenant to remit the Whole or any Part of any Fine or Penalty incurred for not appearing, upon Proof that the Perſon not appearing was prevented by Abſence, or any unavoidable

When ſo called out, to be deemed aſſembled for Training, and the ſame to be notified to His Majeſty's Principal Secretary of State; but not to be kept ſo aſſembled more than 28 Days in One Year.

Cauſe from receiving ſuch Notice, or appearing as aforeſaid; and all ſuch Local Militia, when ſo called out and aſſembled on ſuch Service as aforeſaid, ſhall be deemed to be aſſembled for Training and Exercife under this Act; and all Proviſions relating to the Local Militia when aſſembled for Training and Exerciſe ſhall apply to the Local Militia called out upon ſuch Service as aforeſaid, and all Days of ſuch Service ſhall be deemed Part of the Days of Training and Exerciſe under this Act: Provided always, that when any Local Militia ſhall be ſo called out as aforeſaid, the ſame ſhall be immediately notified to One of His Majeſty's Principal Secretaries of State, for His Majeſty's Approbation thereof: Provided alſo, that no ſuch Local Militia ſhall be liable to be kept aſſembled upon any ſuch Service for any longer Period than Twenty-eight Days in any One Year; and if any ſuch Service ſhall ariſe after any ſuch Local Militia ſhall have been trained and exerciſed for the full Period of Twenty-eight Days in ſuch Year, then and in ſuch Caſe the Days of ſuch Service ſhall be deemed Part of the Days of Training and Exerciſing of the ſucceeding Year.

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

Serjeants, &c. having ſerved in the Local Militia 20 Years may receive the Chelſea Penſion.

XCIII. And be it further enacted, That any Perſon able and fit to ſerve, being a Serjeant on the Eſtabliſhment of *Chelſea* Hoſpital, or being an Out Penſioner on the Eſtabliſhment of the ſaid Hoſpital, and being appointed to ſerve as a Serjeant in the Local Militia, may and ſhall receive the Allowance to which he is entitled on the Eſtabliſhment of the ſaid Hoſpital, together with his Pay from the ſaid Local Militia; and any Perſon who ſhall have faithfully ſerved on Permanent Pay as a Serjeant, Corporal, or Drummer, in the Local Militia for Twenty Years, or any Perſon who having previouſly ſerved as a Serjeant, Corporal, Drummer, or Private Man in the Regular Army, or as a Serjeant, Corporal or Drummer in the Regular Militia, ſhall by Service in the Local Militia make up on the whole ſuch Period of Twenty Years Service in the Army, Militia, and Local Militia taken together, and who ſhall be diſcharged on Account of Age or Infirmity, ſhall, on the Recommendation of the Colonel or other Commandant of the Regiment, Battalion, or Corps to which he belongs, and the Lieutenant, or Two or more Deputy Lieutenants of the County, Riding, or Place to which the ſaid Regiment, Battalion, or Corps 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, Riding, 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.

During the Time of Exerciſe, the Mutiny Act and Articles of War ſhall be in force with reſpect to ſuch Local Militia, but not to extend to Life or Limb.

XCIV. And be it further enacted, That, during ſuch Time as any Local Militia ſhall be aſſembled for the Purpoſe of being trained and exerciſed, or for the Suppreſſion of any Riot or Tumult as aforeſaid, 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 Local 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

ful for the Officer commanding and present with any Detachment or Division of Local 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, Corporal, Drummer, 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, Battalion, or Corps of Local Militia, to which any such Detachment or Division of Local 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, Battalion, or Corps to which such Detachment or Division shall belong, or (in his Absence from the County, Riding, 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: Provided always, that every such Court Martial which may have been assembled for the Trial of any Offender as aforesaid, during the Period of any Regiment, Battalion, or Corps, being assembled for Training and Exercise, or for the Suppression of Riots or Tumults, may continue to sit, notwithstanding the Dismissal of the Regiment, Battalion, or Corps, to which the Members composing the Court Martial may belong.

Officer commanding any Division of Local Militia called out to exercise, not being under the Rank of 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.

XCV. And be it further enacted, That every Officer, Non-commissioned Officer, and Private Man of the Local Militia, who shall, during the Period of the Regiment, Battalion or Corps to which he shall belong being embodied or assembled for Training and Exercise, or for the Suppression of Riots and Tumults, have been guilty of any Offence against any Act of Parliament in force for the Punishment of Mutiny and Desertion, or any Articles of War made in pursuance of any such Act, and shall have been put under Arrest for, or shall have been reported to any Officer of his Regiment, Battalion or Corps, to have committed such Offence before the Disembodying or Dismissal of the Regiment, Battalion, or Corps, may be tried by any General or Regimental Court Martial consisting of Officers of the Militia or Local Militia, and if found guilty may be punished for such Offence, although the Regiment, Battalion or Corps to which such Officer, Non-commissioned Officer or Private Man shall belong, shall not then be embodied or assembled, in like Manner as any Officer, Serjeant, Corporal, or Drummer, or Private Man of the Local Militia may be tried during the Period of the Local Militia being embodied.

Offences committed during Training may be tried afterwards.

XCVI. And be it further enacted, That Notices of the Times and Places of Exercise of the Local Militia Men to be raised by virtue of this Act shall, by Order of the Lieutenant or Vice Lieutenant, or (in the Absence of the Lieutenant or Vice Lieutenant) of any Three Deputy Lieutenants, be sent by the Clerk of the General Meetings to the Clerks of the several Subdivision Meetings in the respective Counties, Ridings, and Places; and shall be advertised by the Clerk of the General Meetings Three Times in the County Paper, or if any County shall have no Paper, then in the Paper of some adjoining

Notices of Times and Places of Exercise to be sent to the Subdivision Meetings, who shall issue Orders for calling out the Men; Notices shall be advertised and affixed on the Church Doors, which shall be sufficient.

adjoining County, and the 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 Hundreds, Rapes, Lathes, Wapentakes, or other Diviſions reſpectively, with Directions to forward the ſame to the Conſtables, Tythingmen, Headboroughs, and other Officers within their reſpective Hundreds, Rapes, Lathes, Wapentakes, or other Diviſions, which Conſtables, Tythingmen, Headboroughs, 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, Tythings, 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, Tything, or Place thereunto adjoining, which Notice ſo advertiſed or affixed as aforeſaid, ſhall be deemed a ſufficient Notice to every Perſon enrolled by virtue of this Act, notwithſtanding any Omiſſion in the Delivery of written Notices in Manner herein-after directed; and ſuch Conſtables, Tythingmen, Headboroughs, and other Officers, are hereby required alſo to give Notice in Writing to the ſeveral Local 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 Local Militia Men ſhall duly attend at the Time and Place of Exerciſe according to ſuch Notices reſpectively.

Conſtables to give written Notices to the Men to attend.

Clerks of Subdiviſion Meetings to ſend Liſts of the Men enrolled, and the Time and Place of Exerciſe, to the Commanding Officers, &c.

XCVII. And be it further enacted, That the Clerks of the ſeveral Subdiviſion Meetings in every County, Riding, or Place ſhall, within the Space of Ten Days after the Receipt of ſuch Notices as aforeſaid, from the Clerk of the General Meetings, cauſe a full and true Liſt, ſpecifying the Name and Date of the Enrolment of all the Perſons enrolled (within each Subdiviſion reſpectively) to ſerve in ſuch Local Militia, and the Time and Place of Exerciſe to be tranſmitted to the Commanding Officer of the Regiment, Battalion, or Corps of Local Militia, for which ſuch Perſons have been enrolled 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, Battalion, or Corps.

Pay of Men called out to Exerciſe, to commence on their joining.

XCVIII. And be it further enacted, That the Pay of every Perſon enrolled to ſerve in the Local Militia of any County, Riding, or Place, when not embodied and called out into actual Service, and who ſhall be called out for the Purpoſe of being trained and exerciſed as aforeſaid, ſhall commence upon the Day on which ſuch Perſon ſhall join the Regiment, Battalion, Corps, Detachment, or Diviſion to which he ſhall belong, and not before.

Local Militia Man falling ſick on the March may be relieved by Warrant of a Juſtice, and the Expence ſhall be reimburſed.

XCIX. And be it further enacted, That, in caſe any Local 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, Riding, or Place, or any Mayor or Chief Magiſtrate of any City, Town, or Place where ſuch Man ſhall then be, by Warrant under his Hand and Seal, to order him ſuch Relief as ſuch Juſtice, Mayor, or Chief Magiſtrate, ſhall think reaſonable, and the ſame ſhall be given by the Officers of the Pariſh, Tything, or Place where

where ſuch Local Militia Man ſhall then be; and the Officers giving ſuch Relief ſhall, upon producing an Account of the Expences thereof to the Quarter Maſter of the Regiment, Battalion, or Corps to which ſuch Local Militia Man ſhall belong (ſuch Account being firſt allowed under the Hand of a Juſtice of the Peace), be reimburſed ſuch Expences by ſuch Quarter Maſter, who ſhall be allowed the ſame in ſuch Accounts.

Magiſtrates may billet the Local Militia when called out to annual Exerciſe, and when not embodied may order Lodgings, &c. for the Non-commiſſioned Officers and Drummers.

C. And be it further enacted, That it ſhall be lawful for all Mayors, Bailiffs, and other Chief Magiſtrates, and for all Conſtables, Tythingmen, Headboroughs, and other Peace Officers of Cities, Towns, Pariſhes, Tythings, and Places, and (in their Default or Abſence) for any One Juſtice of the Peace inhabiting within or near any City, Town, Pariſh, Tything, or Place, but for no others, and they and he are and is reſpectively hereby required to quarter and billet the Officers, Non-commiſſioned Officers, Drummers, and private Men ſerving in the Local Militia at the Times when they ſhall be called out to annual Exerciſe, in Inns, Livery Stables, Ale-Houſes, Victualling Houſes, and all Houſes of Perſons ſelling Brandy, Strong Waters, Cyder, Wine, or Metheglin, by Retail, upon Application made to any ſuch Mayors, Bailiffs, or other Chief Magiſtrates, or for any Conſtables, Tythingmen, Headboroughs, or other Peace Officers, by His Majeſty's Lieutenant, or by the Colonel or other Commanding Officer of the Local Militia, of the County, Riding, or Place where they ſhall be ſo called out to exerciſe as aforeſaid; and when the Local Militia is not embodied, nor called out to Exerciſe as aforeſaid, all Mayors and other Chief Magiſtrates and Officers aforeſaid, or (in their Default or Abſence) any One Juſtice of the Peace as aforeſaid, may, and they and he are and is hereby reſpectively required to order and provide convenient Lodging with Fire and Candle in ſuch Houſes as aforeſaid, for the Serjeants, Corporals, and Drummers of the Local Militia on permanent Pay.

Juſtices to grant Warrants for impreſſing Carriages for the Local Militia on its March.

CI. And be it further enacted, That when the Local Militia ſhall be called out to be trained and exerciſed, or for the Suppreſſion of Riots or Tumults, any Juſtice of the Peace of any County, Riding, or Place, being thereunto required by an Order from the Lieutenant, or from any Deputy Lieutenant of ſuch County, Riding, or Place, or from the Colonel or other Commanding Officer of any Regiment, Battalion, Corps, Detachment, or Diviſion of Local Militia, being within ſuch County, Riding, or Place, may and ſhall iſſue his Warrant to the Chief Conſtables of Hundreds, Rapes, Lathes, Wapentakes, or Diviſions, or to the Conſtables, Tythingmen, Headboroughs, or other Officers of the ſeveral Pariſhes, Tythings, or Places, from, through, near, or to which any ſuch Regiment, Battalion, Corps, Detachment, or Diviſion of Local Militia, ſhall be ordered to march, requiring them to provide ſuch ſufficient Carriages to convey the Arms, Cloaths, Accoutrements, Ammunition, and other Stores, with able Men to drive ſuch Carriages, as ſhall be mentioned in the ſaid Order; and in caſe ſuch ſufficient Carriages and Men cannot be provided within any ſuch County, Riding, Hundred, Rape, Lathe, Wapentake, Diviſion, Pariſh, Tything, or Place, then any Juſtice of the Peace for any adjoining County, Riding, or Place, may and ſhall, upon ſuch Order as aforeſaid being ſhewn unto him, iſſue his Warrant to the Chief Conſtables, Conſtables, Tythingmen, Headboroughs, or other Officers of any Hundred, Rape, Lathe, Wapentake, Diviſion, Pariſh, Tything, or Place within ſuch adjoining County, Riding, or

Rates to be paid for Carriages.

Place, for the Purpoſes aforeſaid, to make up ſuch Deficiency of Carriages and Men; and ſuch Lieutenant, Deputy Lieutenant, or Colonel, or other Commanding Officer, requiring ſuch Carriages and Men to be provided as aforeſaid, ſhall at the ſame Time pay to every ſuch Chief Conſtable, Tythingmen, Headborough, or other Officer, for the Uſe of the Perſon or Perſons who ſhall provide ſuch Carriages and Men, the Sum of One Shilling for every Mile any Waggon with Five Horſes, and any Wain with Six Oxen, or with Four Oxen and Two Horſes, ſhall reſpectively travel; and the Sum of Nine-pence for every Mile any ſuch Cart with Four Horſes ſhall travel, and ſo in Proportion for any Carriages drawn by any leſs Number of Horſes or Oxen; for which reſpective Sums every Chief Conſtable, Conſtable, Tythingmen, Headborough, or other Officer receiving the ſame, is hereby required to give a Receipt to the Perſon paying the ſame; and every ſuch Chief Conſtable, Conſtable, Tythingman, Headborough, or other Officer, ſhall order and appoint ſuch Perſon or Perſons having Carriages, within their reſpective Hundreds, Rapes, Lathes, Wapentakes, Diviſions, Pariſhes, Tythings, or Places, as they ſhall think proper, to provide and furniſh ſuch Carriages and Men, according to the Warrant aforeſaid; and every Perſon ſo ordered, is hereby required to provide and furniſh the ſame accordingly for One Day's Journey, and no more; and in caſe any ſuch Chief Conſtables, Conſtables, Tythingmen, Headboroughs, or other Officers, ſhall be at any Charges for ſuch Carriages, over and above the Money which ſhall be ſo received by them as aforeſaid, ſuch Overplus ſhall be borne by every County, Riding, or Place, where ſuch additional Expence ſhall be incurred, and be repaid to them without Fee or Reward by the Treaſurer of every ſuch County, Riding, or Place, out of the publick Stock.

If the Expence exceed the Rates the Overplus ſhall be repaid by the County Treaſurer.

Local Militia Men when called out to Exerciſe may be put under Stoppages for providing them with Linen, &c.

CII. And be it further enacted, That, when any Regiment, Battalion, or Corps of Local 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 Local Militia Men of his Company under Stoppages, not exceeding Four-pence *per* Day, for the Purpoſe of providing them with Linen, and alſo with ſuch other Neceſſaries, as ſhall be ſpecified in any Order from the Secretary of State to that Effect, and for defraying the Expence of repairing any Arms which ſhall have been broken or damaged by any ſuch Local Militia Man's Neglect: Provided always, that every ſuch Captain or Commanding Officer ſhall account with each Local Militia Man for ſuch Stoppage, 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 Local Militia Man, to whom the ſame belongs, before ſuch Local Militia Man ſhall be diſmiſſed from ſuch Training and Exerciſe.

Returns of the Local Militia when called out to be exerciſed, to be made by the Colonel, &c. to the County Lieutenant, &c.

CIII. And be it further enacted, That the Colonel or other Commanding Officer of every Regiment, Battalion, and Corps of Local Militia, as often as his Regiment, Battalion, or Corps 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, Riding, or Place to which the ſame belongs, a true State of ſuch Regiment, Battalion, or Corps, and a Duplicate thereof to the Clerk to the

General Meetings, to be filed; and all such Lists shall state the Numbers actually present, adding thereto the Names of those that have been absent without Leave of the Commandant, or without transmitting Certificates of ill Health; and where the Local Militia of any County, Riding, or Place, 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 Local Militia exercised by him or under his Command to the Colonel or Commanding Officer of the Regiment, Battalion, or Corps, to which the Local Militia so exercised shall belong, on Pain of forfeiting Twenty Pounds for every such Omission; and the Colonel or Commanding Officer receiving such Return shall, within Fourteen Days after all the Returns of Men belonging to his Regiment, Battalion, or Corps, who shall have been so assembled, shall have been received by him, transmit a General Return to the Lieutenant of the County, Riding, or Place, to which such Local Militia shall belong, and a Duplicate thereof to the Clerk of the General Meetings, to be filed; and in case any Officer shall refuse or neglect, for Three Months after the Time herein appointed for making such Returns, so to do, shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds.

Penalty for Neglect.

CIV. And be it further enacted, That the Captain or Commanding Officer of every Company of Local 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 (D.), 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, Battalion or Corps, or, where there shall be no Adjutant, to the Commanding Officer of the Local Militia of the County, Riding, or Place, 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, Riding, or Place, to the Local Militia of which he shall belong, Extracts of such Return, containing the State of the Classes of Men belonging to their respective Subdivisions, and such Subdivision Clerks shall forthwith correct the Books of Enrolment 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 Return 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 in the Schedule marked (E.), to this Act annexed; and every Person so required as aforesaid to make any such Return, who shall wilfully 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.

Captains of Companies to make out a Return 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 Meeting, and necessary Extracts to the Clerks of Subdivisions, who shall correct their Books of Enrolments therefrom.

Clerk to the General Meeting within a certain Period to transmit to the Secretary of State, an Abstract of Returns.

Penalty for neglecting to make Returns.

Men not appearing at the Time and Place of Exercise, or absenting themselves during that Time, if not taken till after, shall forfeit 20l. or shall be committed.

CV. And be it further enacted, That every Local 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 Twenty Pounds; and also every Local Militia Man, who, having joined the Regiment, Battalion, or Corps 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 Twenty Pounds; and if such Penalty shall not be immediately paid, the Justice of the Peace before whom any Local Militia Man shall be convicted of any such Offence, shall commit such Local Militia Man to the House of Correction to hard Labour, or to the Common Gaol, there to remain, without Bail or Mainprize, for any Space not exceeding Three Months, and not less than Fourteen Days, or until he shall have paid the said Penalty.

If Men absent themselves, and do not return, or are not taken within Three Months, others are to be balloted for.

CVI. And be it further enacted, That in case any Local 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, Battalion, or Corps 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, Battalion, or Corps to which he belonged, to the Deputy Lieutenants, at any of their Meetings for the Subdivision for which such Local Militia Man was enrolled, such Deputy Lieutenants, or any Two or more of them, or any One Deputy Lieutenant and One Justice of the Peace are hereby required to hold a Subdivision Meeting, and to proceed to ballot for another Person to serve and be returned to such Regiment, Battalion, or Corps, in the Room of such Local Militia Man; and in case such Local 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, as if no Person had been so chosen in his Room.

Whenever such Men return or are taken, they shall be compelled to serve.

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 3l. or shall be committed for not exceeding Three Months.

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

Penalty for buying Local Militia Arms, &c.

CVIII. And be it further enacted, That if any Person shall knowingly and wilfully buy, take in Exchange, conceal, or otherwise improperly receive any

Local Militia Arms, Cloaths, or Accoutrements, or any such Articles belonging to any Local Militia Man as are generally deemed Regimental Necessaries, or may have been specified as such in any Order from His Majesty's Secretary of State to that Effect, being provided for the Soldier, and paid for by the Money allowed under this Act for providing Necessaries, or by Deductions out of his Pay, or any publick Stores or Ammunition whatever delivered for the Local 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 Chattels 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, or 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; and it shall be lawful for the Justice before whom any such Offender shall be convicted, to order him to be detained in Custody until a Return shall be made to the Warrant of Distress.

When the Local Militia is not embodied, Adjutants, &c. may be tried by a Court Martial for Offences, and Serjeants, &c. for Desertion while the Regiment was embodied and not taken till after it was disembodied.

CIX. And be it further enacted, That every Adjutant, Quarter Master, Serjeant Major, Serjeant, Corporal, Drum Major, and Drummer of the Local Militia retained on permanent Pay at Head Quarters as herein-after directed, 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, Battalion, or Corps to which he belongs; and it shall be lawful for the Colonel or other Commandant of any Regiment, Battalion, or Corps of Local Militia, to direct the holding of Courts Martial as herein-after directed, for the Trial of any such Serjeant Major, Serjeant, Corporal, Drum Major, or Drummer of such Regiment, Battalion, or Corps, 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, Battalion, or Corps shall not be embodied, or assembled for the purpose of Training and Exercise, and for the Trial of any Serjeant, Corporal, Drummer, or private Man of such Regiment, Battalion, or Corps, who shall have deserted while the said Regiment, Battalion, or Corps 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 Corps to which the Offender shall belong, may order any Officers of the Local Militia of the County, resident where the Trial is to be, or within 15 Miles, to assist as Members of the Court Martial, but they shall not be entitled to Pay. Sentence not to be put in Execution until con-

CX. 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, Battalion, or Corps to which the Person on whom such Court Martial is to be held, shall belong, to order any Officers of the Local Militia of the County, Riding, or Place to which such Regiment, Battalion, or Corps shall belong, actually resident within the Town where such Serjeant Major, Serjeant, Corporal, Drum Major, or Drummer is to be tried, or within Fifteen 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

firmed by the Colonel, etc.

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.

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.

CXI. And be it further enacted, That any Serjeant, Corporal, or Drummer of the Local Militia, may, by Sentence of a Court Martial, be reduced to the Condition of a private Local Militia Man, to serve as such during any Time not exceeding Fifteen Months, in case the Regiment, Battalion, or Corps to which he belongs, shall not then be embodied or called out into actual Service; and in case the Regiment, Battalion, or Corps 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, Battalion, or Corps, 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: Provided always, that in case any Serjeant, Corporal, or Drummer serving on permanent Pay shall have been reduced by Sentence of a Court Martial to serve as a Private Man, for any Period not exceeding Fifteen Months, such Serjeant, Corporal, or Drummer shall not by such Reduction be released from his Engagement, as a Serjeant, Corporal, or Drummer, but shall at the Expiration of the Period of his Reduction be again liable to serve as such until legally discharged; nor shall any such Serjeant, Corporal, or Drummer, during the Period of such Reduction, be at Liberty to enlist or enter into His Majesty's Regular Forces, Navy, Marines, or Regular Militia, unless with the Consent of his Commanding Officer specified in Writing.

Courts Martial may sentence to Service in the Local or Regular Militia;

CXII. And be it further enacted, That it shall be lawful for any General Court Martial assembled for the Trial of any Serjeant, Corporal, Drummer, or Private Man of the Local Militia, to sentence any such Serjeant, Corporal, Drummer, or Private Man to serve in the Local Militia, for any Period, not exceeding Four Years, over and above the Period for which he may be already enrolled; or to sentence any such Serjeant, Corporal, Drummer, or Private Man to serve for any Period not exceeding Three Years, in the Regular Militia of the County; and such Man shall thereupon be enrolled to serve for any such Periods, and shall be, to all Intents and Purposes, considered a Militia Man during such Period;

or to Imprisonment.

and it shall also be lawful for any General or Regimental Court Martial, by whom any such Serjeant, Corporal, Drummer, or Private Man may have been sentenced to Imprisonment, to adjudge any such Serjeant, Corporal, Drummer, or Private Man, to be imprisoned in any House of Correction, Common Gaol, or publick Prison of the County, for any Period not exceeding Twelve Months.

Gaolers to receive Prisoners when required by President of a Court Martial.

CXIII. And be it further enacted, That all Gaolers and Keepers of Prisons, shall if required so to do by any President of a General or Regimental Court Martial assembled for the Trial of any Serjeant, Corporal, Drummer, or Private Man of the Local Militia, receive into their Custody, and confine for such Time as they shall be respectively required so to do, any such Serjeant, Corporal, Drummer, or Private Man who may have been sentenced to Imprisonment by any such General or Regimental Court Martial; and every Gaoler and Keeper of a Prison who shall refuse to

receive, and to confine, any such Serjeant, Corporal, Drummer, or Private Man, shall forfeit for every such Offence the Sum of Five Pounds: Provided always, that during the Continuance of any such Imprisonment, the Gaoler or Keeper of such Gaol shall receive the full Subsistence of such Serjeant, Corporal, Drummer, or Private Man at the Rate of Sixpence *per* Day for his Maintenance, during the Time that such Serjeant, Corporal, Drummer, or Private Man, shall continue in Custody; which Sum of Sixpence *per* Day shall be paid by the Quarter Master of the Regiment, Battalion or Corps to which any such Serjeant, Corporal, Drummer or Private Man may belong, and shall be charged and allowed in his Accounts.

Commanding Officers may imprison Men previous to Court Martial.

CXIV. And be it further enacted, That in all Cases in which the Commanding Officer of any Regiment, Battalion, Corps or Detachment of Local Militia shall deem it necessary to confine any Serjeant, Corporal, Drummer, or Private Man of the Regiment under his Command, in order to his being brought to Trial before a Court Martial, it shall be lawful for such Commanding Officer, by Warrant under his Hand, to commit such Serjeant, Corporal, Drummer or Private Man to the Custody of the Gaoler or Keeper of any Prison, Gaol, or House of Correction, who shall receive into his Custody and confine such Serjeant, Corporal, Drummer, or Private Man accordingly, such Gaoler receiving the full Pay of such Serjeant, Corporal, Drummer, or Private Man, for his Maintenance during the Time he may continue in such Confinement: Provided always, that no such Serjeant, Corporal, Drummer, or Private Man shall continue in Confinement, in order to his Trial by Court Martial more than Eight Days, or until a Court Martial can conveniently be assembled.

Arms, &c. when the Local Militia is not embodied to be kept in a Place appointed by the Commandant with the Approbation of the County Lieutenant, to be under the care of the Quarter Master.

CXV. And be it further enacted, That the Arms, Accoutrements, Clothing, and other Stores, belonging to every Regiment, Battalion, or Corps of Militia, when not embodied, shall be kept in such convenient Place as the Colonel or other Commandant shall direct, with the Approbation of the Lieutenant of the County, Riding, or Place; and that the Quarter Master to such Regiment, Battalion, or Corps of Local Militia, shall have the Charge and Care of such Arms, Accoutrements, Clothing, and other Stores, under the Superintendence of the Colonel or other Commandant; and it shall be lawful for the General Meeting of Lieutenancy for any County, Riding, or Place, to order and direct a convenient and proper Place for the Purpose of keeping such Arms, Accoutrements, Clothing and other Stores to be provided or built, if no such convenient and proper Place can be found, the Hire or Cost of which Place shall be paid for by the Treasurer of such County, Riding, or Place, out of the County Rates.

His Majesty may order a Proportion of Serjeants, &c. not exceeding One Half to remain on permanent Pay.

CXVI. And be it further enacted, That it shall be lawful for His Majesty to order and direct that such Proportion of Serjeants, Corporals, and Drummers, not exceeding One Half of each Rank, together with the Adjutant, Quarter Master, and Staff Serjeants, of each Regiment, Battalion, or Corps, shall remain on permanent Pay, at the Head Quarters of each Regiment, Battalion, or Corps, as His Majesty shall order and direct.

Commandant of Corps may agree with Non-commiſſioned Officers, &c. to ſerve on reduced Pay, who ſhall take the following

CXVII. And be it further enacted, That in every Caſe in which His Majeſty, by His Secretary of State or otherwiſe, ſhall have ordered and directed, or ſhall hereafter order and direct, that the Serjeants, Corporals, and Drummers of the Local Militia allowed to remain on permanent Pay, ſhall be reduced in any Proportion below One Half of each Rank as hereinafter ſpecified reſpectively, it ſhall be lawful for the Commanding Officer of any Regiment, Battalion, or Corps, with the Approbation of the Lieutenant or Vice Lieutenant, or Deputy Lieutenant acting for the Lieutenant, in caſe the Lieutenant ſhall be abſent, and of His Majeſty's Secretary of State, to agree with the Serjeants, Corporals, or Drummers of his Regiment, Battalion, or Corps, or any of them, or with any other Perſons willing to engage to ſerve as ſuch, notwithſtanding the Number ſo willing to engage may exceed the Half of each Rank, to ſerve as Serjeants, Corporals, and Drummers upon any reduced Pay, during the Periods of the Regiment, Battalion, or Corps not being embodied or aſſembled for Exerciſe, in ſuch Manner as to the Number of Days' Pay to be allowed, or the Reduction of any Proportion of the Pay *per Diem*, as ſhall be authorized by the Secretary of State in that Behalf; and every Serjeant, Corporal, and Drummer, agreeing to ſerve as ſuch upon any ſuch reduced Pay as aforeſaid, ſhall take the following Oath before ſome Deputy Lieutenant or Juſtice of the Peace of the County, or Magiſtrate of the Place to the Local Militia of which he ſhall belong; which Oath every ſuch Deputy Lieutenant, Juſtice of the Peace, or Magiſtrate, is hereby authorized to adminiſter; (that is to ſay),

Oath.

'I *A. B.* do engage to ſerve as a [Serjeant, Corporal, or Drummer, *as the Caſe may be*] in the Local Militia of until I ſhall be duly diſcharged, upon the Terms of receiving during ſuch Periods as ſuch Local Militia ſhall not be embodied or aſſembled for Exerciſe.'

And every ſuch Oath ſhall be reduced to Writing, and ſigned and atteſted by the Deputy Lieutenant, Juſtice of the Peace, or Magiſtrate adminiſtering the ſame, and delivered to the Commanding Officer of the Regiment, Battalion, or Corps, to which the Serjeant, Corporal, or Drummer ſhall belong, and a Duplicate thereof ſhall, if required, be given to the ſaid Serjeant, Corporal, or Drummer; and every Serjeant, Corporal, and Drummer ſo engaging to ſerve on ſuch reduced Pay as aforeſaid ſhall be compellable to ſerve in the Local Militia for the full Period of his Service, in the ſame Manner as if he had received the full Pay of his Rank therein, and ſhall be ſubject to the Proviſions contained in any Act of Parliament which ſhall be then in force for the Puniſhment of Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, and the Articles of War made in purſuance thereof; and it ſhall be lawful for any Commanding Officer of Local Militia who ſhall engage any Serjeants, Corporals, and Drummers to ſerve upon ſuch reduced Pay, to retain ſuch Number of Serjeants, Corporals, or Drummers as ſhall be allowed by His Majeſty's Secretary of State in that Behalf, ſo as that the whole Amount of ſuch reduced Pay ſhall not exceed the Amount of the full Pay of the Number allowed in any ſuch Order of Reduction as aforeſaid; any Thing in any Act or Acts of Parliament to the contrary notwithſtanding.

Non-commiſſion Officers and Drummers to reſide within a certain Diſtance

CXVIII. And be it further enacted, That the Quarter Maſter, and all the Serjeants, Corporals, and Drummers, on permanent Pay in every Regiment, Battalion, and Corps of Local Militia, ſhall conſtantly be reſident within

within the City, Town, or Place, where the Arms belonging to such Regiment, Battalion, or Corps are kept, or within One Mile thereof, excepting when on Furlough as herein-after directed, or when ordered to be absent on Military Duty, under this Act, or for the Purpose of raising or enlisting Men for the Regular Militia or His Majesty's Regular Forces, (which Absence shall in no Case be for more than Three Months in any One Year, nor shall any greater Number than One Fourth Part of such Serjeants, Corporals, and Drummers be absent at any one Time) and such Serjeants, Corporals, and Drummers shall be under the Command of the Adjutant, who shall be constantly resident within the said City, Town, or Place, or within Two Miles thereof, (unless as herein-after provided), and shall act in such Command under the Orders of the Colonel or other Commandant of such Regiment, Battalion, or Corps; 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, Battalion, or Corps 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, Battalion, or Corps, 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, 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, Battalion, or Corps, nor for more than Three Calendar Months in One Year except in Cases of Sickness: Provided nevertheless, that whenever such Adjutant shall be absent with such Leave as aforesaid, then such Serjeants, Corporals, and Drummers, shall be under the Command of the Quarter Master or 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.

of the Place 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, &c. to the Secretary of State, the County Lieutenant, and the Commandant of the Corps.

Serjeant, &c. if absent without Leave to forfeit their Pay, and be deemed Deserters.

Adjutant not to be absent without Leave, nor for more than 3 Months in the Year, except in Sickness; and when absent, the Serjeants, &c. to be under the Command of the Quarter Master, Serjeant Major, &c.

CXIX. And be it further enacted, That it shall be lawful for His Majesty at any Time to order and direct that the Serjeants, Corporals, and Drummers of the Local Militia retained on permanent Pay at Head Quarters as aforesaid, should be employed within their respective Counties under the Command of the Adjutant in raising Volunteers for His Majesty's Regular Forces or for the Militia: Provided always, that no such Serjeant, Corporal, or Drummer, who shall have consented to receive any reduced Rate of Pay during the Period of the Regiment to which he belongs not being embodied or assembled for Exercise, shall be compellable to be employed on such Service in any other Town or Place than that in which the Arms belonging to such Regiment are kept, without his Consent specified in Writing.

Serjeants, &c. may be ordered to raise Volunteers for the Regular Forces or the Militia.

CXX. And be it further enacted, That if any Local Militia Man shall not join the Regiment, Battalion, or Corps, Detachment, or Division to which he belongs, at the Time of annual Exercise, or shall desert during the Time of

Method of proceeding when Information is received of the Residence of a

Local Militia Man who ſhall not join at the annual Exerciſe, or ſhall deſert during it, and not be apprehended.

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, Battalion, or Corps, 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, Battalion, Corps, 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, Battalion, or Corps, to the Adjutant or Serjeant Major of the Regiment, Battalion, or Corps, or to the Senior Serjeant when there is no Adjutant or Serjeant Major of the Corps, of the County, Riding, 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, Battalion, or Corps to which he belongs, to aſſiſt in apprehending ſuch Offender, and in conveying him before ſome Juſtice of the Peace of the County, Riding, 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, or Drummers under his Command, to convey ſuch Offender to the Head Quarters of the Regiment, Battalion, or Corps of Local Militia of the next County, Riding, or Place in the Way to the County, Riding, or Place, to which ſuch Offender belongs, and deliver him into the Cuſtody of the Adjutant or Serjeant Major of ſuch Regiment, Battalion, or Corps, or Senior Serjeant as aforeſaid, who ſhall cauſe him to be conveyed in like Manner to the Adjutant or Serjeant Major of the Regiment, Battalion, or Corps, or Senior Serjeant of the Corps of the next County, Riding, 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, Battalion, or Corps, 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 Local 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 is brought before ſuch Juſtice of the Peace as aforeſaid, ſuch Offender ſhall be ſubſiſted at the Rate of Sixpence *per* Day from the Stock of the County, Riding, or Place to which ſuch Regiment, Battalion, or Corps belongs, for which Subſiſtence ſuch Juſtice is hereby required to make ſuch Order upon the Treaſurer of the County, Riding, or Place; and if any Serjeant, Corporal or Drummer, retained upon permanent Pay, ſhall deſert from the Regiment, Battalion, or Corps to which he belongs, it ſhall be lawful for any Headborough, 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

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

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, Riding, 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, Battalion, or Corps of his County, Riding, or Place; and alſo to the Adjutant or other Officer commanding the Serjeants, Corporals, and Drummers of ſuch Regiment, Battalion, or Corps retained on permanent Pay at the Head Quarters; and where there are more than One Regiment, Battalion, or Corps in any County, Riding, or Place, ſuch Clerk ſhall ſend ſuch Copy to each of the Colonels or other Commandants or Commanding Officers of ſuch Regiments, Battalions, and Corps, and alſo to each of the Adjutants or Officers commanding Serjeants, Corporals, and Drummers, retained on permanent Pay at their reſpective Head Quarters, within his County, Riding, or Place; and the Colonel or Commanding Officer of the Regiment, Battalion, or Corps to which ſuch Deſerter ſhall be found to belong, or the Adjutant or Officer commanding ſuch Serjeants, Corporals, and Drummers of ſuch Regiment, Battalion, or Corps, 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, Battalion, or Corps, 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, Battalion, or Corps, or to the Senior Serjeant of the Corps of the County, Riding, 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, to aſſiſt in conveying ſuch Deſerter, and he ſhall be conveyed to the Adjutant or Serjeant Major of the Regiment, Battalion, or Corps, or Senior Serjeant of the Corps to which he belongs, in the ſame Manner as before directed with reſpect to the conveying of Private Local Militia Men to the Adjutant or Serjeant Major of the Regiment, Battalion, or Corps, 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, Riding, 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, Riding, or Place, where he ſhall remain, without Bail or Mainprize, until a Court Martial can and ſhall be ſummoned,

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

and held for the Trial of such Deserter, 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 and Seal 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, Corporal, or Drummer, employed in conveying any such Local Militia Man or Serjeant, Corporal, or Drummer so offending to the Regiment, Battalion, or Corps 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 Forty-eight Hours; and every such Gaoler or Keeper of any Prison who shall refuse so to do, shall forfeit the Sum of Forty 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 Local Militia while on any March, or employed on 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 40s.

Serjeants, &c. conveying Deserters, or on any March, to be billetted.

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

CXXI. And be it further enacted, That the Justice of the Peace before whom any Deserter shall be brought, shall and may, upon Proof of the Conviction of any such Deserter either before a Justice of the Peace, or by Sentence of a Court Martial, issue his Warrant to the Quarter Master of the Regiment, Battalion, or Corps to which such Deserter shall belong, or to the Commanding Officer, requiring such Quarter Master or such Commanding Officer to pay out of the Contingent Fund of such Regiment, Battalion, or Corps, the Sum of Twenty Shillings to the Person who shall have apprehended such Deserter; and such Quarter Master or Commanding Officer is hereby authorized and required to pay the same accordingly on Demand.

Persons concealing or assisting Deserters to forfeit 5l.

CXXII. 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.

His Majesty may order the Local Militia to be embodied in Cases of Invasion, &c. and direct them to be marched into any Part of Great Britain; and while so embodied, shall be subject to the Mutiny Act and Articles of War.

CXXIII. And be it further enacted, That in all Cases of actual Invasion of any Part of the United Kingdom, or of the Appearance of an Enemy in force upon the Coast of any Part of the United Kingdom, and in all Cases of Rebellion and Insurrection, it shall be lawful for His Majesty, by any Order in Council or Proclamation, to draw out and embody such Local Militia, or any Part or Proportion thereof, and to direct all or any of such Local Militia Men to be marched to any Part of *Great Britain* for the Prevention and repelling of any such Invasion, or for the Suppression of any Rebellion or Insurrection, and to keep and continue such Local Militia so embodied for any Period His Majesty may deem requisite, not exceeding Six Weeks after the Enemy shall have been prevented or repelled, or driven from the Coast, or after such Rebellion or Insurrection shall have been suppressed; and from the Time of any Regiment, Battalion, or Corps of Militia being called out and embodied as aforesaid, until the same shall be returned again to its own County, Riding, or Place, and disembodied by His Majesty's Order, the Officers, Non-commissioned Officers, Drummers, and private Men of every such Regiment, Battalion, or Corps,

ſhall be ſubject to all the Proviſions contained in any Act of Parliament which ſhall be then in force for 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 Articles of War, ſhall be in force with reſpect to the Local Militia, and ſhall extend to all the Officers, Non-commiſſioned Officers, Drummers, and private Men of the Local Militia, while embodied as aforeſaid, in all Caſes whatſoever.

Local Militia not to be ordered out of Great Britain.

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

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

CXXV. And be it further enacted, That whenever His Majeſty ſhall cauſe the Local 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 the Local Militia is ordered to be drawn out, the County Lieutenants ſhall iſſue Orders accordingly, and the Conſtables ſhall cauſe Notice to be given to the Men to attend.

CXXVI. And be it further enacted, That the Lieutenant of every County, Riding, and Place, or (on the Death or Removal of any ſuch Lieutenant, or in his Abſence from his County, Riding, or Place) any Three or more Deputy Lieutenants, to whom any Order from His Majeſty for drawing out and embodying the Whole of the Local Militia of ſuch County, Riding, or Place, ſhall be directed, ſhall forthwith iſſue his or their Order to the Chief Conſtables, or other Officers of the ſeveral Hundreds, Rapes, Lathes, Wapentakes, or other Diviſions within their reſpective Counties, Ridings, and Places, with Directions to forward the ſame immediately to the Conſtables, Tythingmen, Headboroughs, or other Officers of the ſeveral Pariſhes, Tythings, and Places within their reſpective Hundreds, Rapes, Lathes, Wapentakes, and Diviſions; and ſuch Conſtables, Tythingmen, Headboroughs, or other Officers, are hereby required, upon Receipt thereof, forthwith to cauſe Notice in Writing to be given to the ſeveral Local Militia Men, or left at their uſual Places of Abode, within their reſpective Pariſhes, Tythings, or Places, to attend at the Time and Place mentioned in ſuch Order.

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

CXXVII. And be it further enacted, That no Officer ſerving in the Local Militia ſhall ſit in any Court-martial upon the Trial of any Officer or Soldier ſerving in any of His Majeſty's other Forces, or in the Regular Militia; 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 Local Militia: Provided always, that nothing in this Act ſhall be conſtrued to prevent any Officer of the Regular Militia from ſitting in a Court-martial upon the Trial of any Officer or Soldier ſerving in the Local Militia.

CXXVIII. And

If Local Militia Men shall not march in pursuance of Order, they shall be deemed Deserters, and Persons harbouring them shall forfeit 100l.

CXXVIII. And be it further enacted, That if any Person of the said Local Militia, ordered to be drawn out and embodied as aforesaid (not labouring under any Infirmity incapacitating him to serve as a Local Militia Man), shall not appear and march in pursuance of such Order, every such Local 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 Local Militia Man, when ordered to be drawn out and embodied as aforesaid, knowing him to be such Local Militia Man, every such Person shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds.

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

CXXIX. And be it further enacted, That, from the Date of His Majesty's Order in Council or Proclamation as aforesaid, for drawing out the Local Militia of any County, Riding, or Place, into actual Service, the Officers and Men of the Local Militia of such County, Riding, or Place, shall be entitled to the same Pay as the Officers and Men of His Majesty's Regular Militia, and no other; and if any Non-commissioned Officer, Drummer, or Private Man of the Local Militia, shall be maimed or wounded in such 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 the Officers and Men who shall not join on the Day appointed, unless prevented by Necessity, shall commence only from the Day of joining.

CXXX. 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, Battalion, or Corps of Local Militia, on the Day appointed for that Purpose, shall commence only from the Day of his joining such Regiment, Battalion, or Corps, 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, Battalion, or Corps; in which Case 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 Order in Council or Proclamation as aforesaid.

Pay of Men inrolled after the Local Militia is embodied to commence from the Day of joining, but an Allowance may be made them at Time of Enrolment to enable them to march, to be paid by the Clerk of the Subdivision, who shall be repaid by the Receiver General of the Land Tax.

CXXXI. And be it further enacted, That the Pay of every Person enrolled to serve in the Local Militia of any County, Riding, or Place, after such Local Militia shall have been embodied and called out into actual Service, shall commence upon the Day on which such Person shall join the Regiment, Battalion, or Corps 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 enrolled, to order and direct an Allowance to be made to such Person, for the Purpose of enabling him to proceed to and join the Regiment, Battalion, or Corps 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 enrolled to the Place where the said Regiment, Battalion, or Corps may be stationed, to be calculated at the Rate of not less than Ten Miles *per* Day, with the usual Number of halting Days; and the said Allowance of Pay shall be advanced to such Person at the Time of his Enrolment by the Clerk of the Subdivision Meeting, under the Order of the Deputy Lieutenants

tenants or Juſtices aforeſaid, or One of them, and ſhall be repaid to the ſaid Subdiviſion Clerk by the Receiver General of the Land Tax, on the Production of a Certificate to that Effect, ſigned by the ſaid Deputy Lieutenants or Juſtices or One of them; and the ſaid Receiver General ſhall be allowed for the ſame in his Accounts accordingly.

When the Local Militia is ordered out, the Receiver General of Taxes 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.

CXXXII. And be it further enacted, That when the Local Militia of any County, Riding, or Place, ſhall be ordered out into actual Service, the Receiver General of the Rates and Duties under the Management of the Commiſſioners for the Affairs of Taxes for ſuch County, Riding, or Place, ſhall and is hereby required forthwith to pay to the Captain or other Commanding Officer of every Company of Local Militia ſo ordered out, the Sum of One Guinea for the Uſe of every Private Local Militia Man belonging to his Company; and the ſaid Receiver General 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 Receiver General 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 Commanding Officer ſhall think proper, ſhall be laid out by him, agreeably to the Orders which he may receive from the Colonel or other Commandant, in the Manner ſuch Colonel or other Commandant ſhall think moſt advantageous for the reſpective Local 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 Local 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 Local Militia Man.

Captains to account with the Men for the ſame.

When a Regiment is out of its County, a Liſt of Men whoſe Time ſhall be within Four Months of expiring and who ſhall be willing to continue in the Service, and for what Price, ſhall at certain Periods be tranſmitted by the Commanding Officer to the Clerk of the General Meetings.

CXXXIII. And be it further enacted, That, whenever any Regiment, Battalion, or Corps of Local Militia, ſhall be embodied, and abſent from the County, Riding, or Place to which it belongs, the Commanding Officer of ſuch Regiment, Battalion, or Corps of Local Militia, ſhall apply to every Man whoſe Time ſhall be within Four Months of expiring, and who in his Judgement, and after an Examination by the Surgeon of the Regiment, Battalion, or Corps, ſhall ſtill be fit to ſerve as a Local Militia Man, and inquire 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, not in any Caſe exceeding Two Guineas, 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, Riding, or Place to which his Regiment, Battalion, or Corps of Local Militia, belongs, a Liſt of all ſuch Men in ſuch Regiment, Battalion, or Corps of Local Militia as he ſhall find willing to continue in the Service, on ſuch Terms as aforeſaid, and which Liſt ſhall be ſigned by every ſuch Local Militia Man as aforeſaid, and ſhall be made in the Form in the Schedule marked (F.); and that the ſigning of the ſaid Liſt ſhall be binding upon the Perſons ſigning the ſame, to all Intents and Purpoſes whatſoever.

Signing the Liſt ſhall be binding.

When a Regiment of Local Militia is aſſembled for Training, Commanding Officer ſhall make out a Liſt of Men who are willing to continue their Services.

CXXXIV. And be it further enacted, That whenever any Regiment, Battalion, or Corps of Local Militia, ſhall be aſſembled for the Purpoſe of annual Training and Exerciſe, the Commanding Officer of ſuch Regiment, Battalion, or Corps, ſhall apply to every Man ſerving in ſuch Regiment, Battalion, or Corps, whoſe Time will expire in the Courſe of the enſuing Year, who may be of the Height ſpecified in this Act, and between the Ages of Eighteen and Thirty, and who in his Judgement, and after an Examination by the Surgeon of the Regiment, ſhall be fit to ſerve as a Local Militia Man, and who ſhall not have more than Two Children under Fourteen Years, and enquire if he is willing to continue his Service for ſuch Term, as any Man who ſhould be then ballotted to ſerve would be ſubject to, and for what Price or Sum (not in any Caſe exceeding Two Guineas) he will ſo continue, and ſuch Commanding Officer ſhall as ſoon after as conveniently may be, tranſmit to the Clerk of the General Meetings of the County, Riding, or Place, to which his Regiment, Battalion, or Corps belongs, a Liſt of all ſuch Men in ſuch Regiment, Battalion, or Corps; which Liſt ſhall be ſigned by every ſuch Local Militia Man as aforeſaid, and ſhall be made in the Form in the Schedule marked (F.); and the ſigning of ſuch Liſt ſhall be binding on the Perſons ſigning the ſame, to all Intents and Purpoſes whatever.

Clerk of the General Meetings ſhall tranſmit to the Clerk of the Subdiviſions Extracts of the Returns, and the Deputy Lieutenants may cauſe the Men willing to continue to be enrolled as Volunteers, and require the Pariſh Officers to remit their Bounties to the Paymaſter.

CXXXV. And be it further enacted, That the Clerk of the General Meetings of every County, Riding, or Place aforeſaid, ſhall, as ſoon after the Receipt of ſuch Notices as the ſame can be done, tranſmit to 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 enrolled for the Subdiviſion to which the Clerk, to whom any ſuch Extract is ſent, ſhall belong; and thereupon in caſe the Regiment, Battalion, or Corps ſhall not be embodied 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 enrolled as Volunteers for the particular and reſpective Pariſhes or Places for which they ſhall have been originally enrolled to ſerve, and in every ſuch Caſe to direct and require the Churchwardens or Overſeers of the Poor of ſuch Pariſh or Place, to pay ſuch Bounty or Bounties to be given to ſuch Men ſo engaged, immediately upon their Enrolment; and in caſe ſuch Regiment, Battalion, or Corps ſhould then be embodied, then to cauſe ſuch Men to be enrolled as Volunteers in ſuch Manner as aforeſaid, and to order and direct the Churchwardens or Overſeers as aforeſaid to remit ſuch Bounty or Bounties to be given to ſuch Men to the Paymaſter of the Regiment, Battalion, or Corps, in which ſuch Men ſhall be then ſerving, who ſhall forthwith pay or account to the ſaid Men reſpectively for the ſame.

Allowance to be paid to Men whoſe Term of Service is prolonged.

CXXXVI. And be it further enacted, That any Perſon who ſhall have been enrolled to ſerve in the Local Militia, and whoſe Term of Service ſhall be prolonged in the Manner herein directed beyond the Term of Four Years, ſhall be entitled to the ſame Allowance for Neceſſaries, and all other Allowances which are by this Act directed to be allowed during the Firſt Year of their Service to Perſons inrolled in the Local Militia, and ſhall in like Manner be entitled to ſuch Allowances, ſo often as the

Term

Term of Service of any Perſon ſo enrolled to ſerve in the Local Militia ſhall be prolonged as aforeſaid.

If any Man enrolled ſhall not join, or if any of them, or 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.

CXXXVII. And be it further enacted, That if any Perſon ſworn and enrolled in the ſaid Local Militia, (not labouring under any Infirmity incapacitating him to ſerve as a Local Militia Man), ſhall not with due Diligence join the Regiment, Battalion, or Corps of Militia of the County, Riding, or Place, for which he ſhall be ſo ſworn and enrolled, (in caſe ſuch Regiment, Battalion, or Company 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, Battalion, or Corps, or by any other Perſon authorized to give ſuch Order; or if any Perſon ſerving in any embodied Local Militia, or any Serjeant, Corporal, or Drummer, ſhall deſert or abſent himſelf from his Duty; every ſuch Serjeant, Corporal, Drummer, or private Local 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 Local or Regular 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 Local 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 Soldier, to ſerve in ſuch Regiment or Corps of His Majeſty's other Forces as ſhall be directed in ſuch Order, and to be forthwith conveyed either to the Head Quarters of the Regiment or Corps in which he ſhall be ſo entered; or to ſuch other Place as ſhall be directed in ſuch Order; and 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.

If His Majeſty ſhall order the Local Militia, or a Proportion thereof, to be embodied, the County Lieutenant, &c. 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

CXXXVIII. And whereas it may be expedient that only ſuch a Proportion of the Local Militia, and in ſuch of the Counties, Ridings, 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 is 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, Riding, or Place, or (in caſe of Vacancy or in the Abſence of the Lieutenant from his County, Riding, or Place) any Three or more Deputy Lieutenants, to whom any Order of His Majeſty for the Purpoſe of embodying the ſaid Local Militia, or ſuch Part or Proportion thereof as His Majeſty

Lieutenants, and another transmitted to the Clerk of the General Meetings;

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, Riding, or Place, to prepare and make out a full and true Liſt, containing the Names of all Perſons enrolled to ſerve in the ſaid Local 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, Riding, or Place, or the Deputy Lieutenants who ſhall have iſſued ſuch Order as aforeſaid.

alſo iſſue Orders for aſſembling the Men within their reſpective Subdiviſions; and in ſuch Proportions as ſhall appear moſt expedient; and the Conſtables ſhall cauſe a written Notice to be given the Men to attend, and Notices of the Time and Place to be advertiſed and affixed upon the Church Doors.

CXXXIX. 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, direct the Clerk of the General Meetings to advertiſe the Time and Place of aſſembling the Local Militia in the County Paper, or if any County ſhall have no Paper, then in the Paper of ſome adjoining County, and ſhall alſo iſſue his or their Order for aſſembling all the Men of the ſaid Local Militia within their reſpective Subdiviſions, or at ſuch Place or Places within their reſpective Counties, Ridings, 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 Conſtable or other Officers of the ſeveral Hundreds, Rapes, Lathes, Wapentakes, or other Diviſions within ſuch County, Riding, or Place, with Directions immediately to iſſue Precepts conformable thereto to the Conſtables, Tythingmen, Headboroughs, or other Officers of the ſeveral Pariſhes, Tythings, and Places within the ſaid Hundreds, Rapes, Lathes, Wapentakes, and Diviſions reſpectively; and ſuch Conſtables, Tythingmen, Headboroughs, 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 Local Militia, or left at their uſual Places of Abode, within their reſpective Pariſhes, Tythings, or Places, to attend within their reſpective Subdiviſions or Diſtricts, at the Time and Place mentioned in ſuch Order, and ſhall alſo cauſe ſuch Notice as aforeſaid to be affixed on the Doors of the Churches or Chapels belonging to their reſpective Pariſhes, Tythings, 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, Tything, or Place thereunto adjoining, which Notice ſo advertiſed or affixed as aforeſaid, ſhall be deemed a ſufficient Notice to every Perſon enrolled by virtue of this Act, notwithſtanding any Omiſſion in the Delivery of written Notices in Manner herein directed; and all ſuch Local Militia Men ſhall duly attend at the Time and Place appointed in ſuch Notices reſpectively.

Men not appearing, or not abiding the Orders of the Deputy Lieutenants, to be deemed Defer-

CXL. And be it further enacted, That if any Perſon of the ſaid Local Militia not labouring under any Infirmity incapacitating him to ſerve as a Local 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.

ters, and if not taken before the Ballot is completed, shall forfeit 10l. and be liable to be embodied.

CXLI. And be it further enacted, That the said Lieutenant or Deputy Lieutenants as aforesaid of every County, Riding, 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, Riding, 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 Local Militia, in 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, Ridings, or Places, in order to their being embodied; of which several Appointments the respective Deputy Lieutenants shall have Notice; and all the Men enrolled 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 enrolled 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 Local 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, Riding, or Place for which such Persons are enrolled, 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.

County Lieutenant, &c. to appoint the First Subdivision Meeting for balloting, and the Time and Place for assembling the Men chosen, of which the Deputy Lieutenant shall give Notice, and shall cause a Proportion of the Men to be balloted 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, &c. and the Time and Place of their being to be embodied declared, and the Men not chosen shall be discharged from further Attendance.

Deputy Lieutenants may correct Claſſes.

CXLII. Provided always, and be it further 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.

When His Majeſty ſhall order only a Part of any 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 balloted 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.

CXLIII. And be it further enacted, That whenever His Majeſty ſhall think fit to draw out and embody a Part or Proportion only of the Local Militia of any County, Riding, 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 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 ſupplying of any further Part or Proportion of Local 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 Local 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 Local Militia, ſhall have been choſen for that Purpoſe.

If any Perſon enrolled in any Subdiviſion of a County, the Local 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.

CXLIV. And be it further enacted, That whenever the Local Militia, or any Part or Proportion of the Local Militia, of any County, Riding, or Place, ſhall have been ordered to be drawn out and embodied in purſuance of this Act, in caſe any of the Perſons enrolled in any Subdiviſion of ſuch County, Riding, or Place, the Local 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 enrolled, next

after the Receipt of the Certificate of such Default, Desertion, or Absence, under the Hands of the Officer commanding the Regiment, Battalion, or Corps, 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 14, may be accepted as a Volunteer.

CXLV. And be it further enacted, That if any Person enrolled 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, 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.

Men attending at the Ballot and not being chosen, shall be paid by the Clerk 1s. per Diem while from Home, which the Receiver General of County shall reimburse.

CXLVI. And be it further enacted, That every Man of the said Local 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 enrolled; 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 One such Justice of the Peace as aforesaid, the Receiver General of such County, Riding, 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.

Clerks may draw upon the Receivers General, by Order of the Deputy Lieutenants, &c. for Money to pay Allowances.

CXLVII. 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 Receiver General of the Land Tax for the County, Riding, or Place, for such Sum or Sums of Money as such Deputy Lieutenants and Justices of the Peace respectively, or where no Deputy Lieutenant shall attend, then as One Justice 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 Receiver General of the Land Tax a sufficient Discharge for the Payment of such Sum or Sums of Money, and be allowed in his Account.

Clerks, when required, to make out Accounts of Monies received and paid, to be examined and allowed.

CXLVIII. 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 One Justice 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

and Acquittal of ſuch Clerk for the Application and Diſpoſal of ſuch Money.

His Majeſty may order the Remainder of the Local Militia to be embodied.

CXLIX. And be it further enacted, That nothing herein contained ſhall be conſtrued to debar His Majeſty from ordering the Remainder of the ſaid Local Militia, or ſo many of the Remainder of the ſaid Local Militia of any County, Riding, 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.

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

CL. And be it further enacted, That whenever His Majeſty ſhall think fit to draw out and embody any further Proportion of the Local Militia of any County, Riding, or Place, it ſhall be lawful for the Lieutenant of ſuch County, Riding, 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 hereinbefore preſcribed for drawing out and embodying the Firſt Proportion thereof.

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

CLI. And be it further enacted, That, if during ſuch Time as any Part of the Local Militia which ſhall have been drawn out and embodied for Service, ſhall continue embodied, His Majeſty ſhall deem it expedient that the Local Militia of any County, Riding, 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, Ridings, or Places, to cauſe the ſaid Local 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 Local Militia; and the ſame ſhall be muſtered, trained, and exerciſed accordingly.

When the whole Local Militia of any County, &c. 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 directed by His Majeſty, who ſhall regulate the Numbers and Duties of thoſe remaining in the County, &c. for muſtering, &c. the Remainder of the Privates.

CLII. And be it further enacted, That, whenever the Whole of the Local Militia of any County, Riding, or Place, is ordered to be embodied, all the Officers, Non-commiſſioned Officers, and Drummers of every Regiment, Battalion, or Corps of the Local Militia of ſuch County, Riding, or Place, ſhall immediately join the Regiment, Battalion, or Corps to which they reſpectively belong, at the Time and Place appointed for the embodying ſuch Local Militia; and whenever the Local Militia of any County, Riding, 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, Riding, or Place, for the muſtering, training, and exerciſing of the Remainder of the private Local Militia Men thereof, as the Service may require, and to His Majeſty may ſeem moſt fit and convenient.

His Majeſty may diſembody the Local Militia, and embody them, as to Him ſhall ſeem neceſſary, according to the Proviſions of this Act.

CLIII. 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 Local Militia of any County, Riding, or Place, embodied under this Act, and from Time to Time again to draw out and embody any ſuch Local 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.

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

CLIV. And be it further enacted, That when the Local 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.

In caſe of Invaſion or Rebellion, His Majeſty may, by Proclamation, increaſe the Local Militia, not exceeding Six Times the Quota of the Regular Militia, 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.

CLV. And whereas it may be expedient that, in all Caſes of actual Invaſion, or of imminent Danger thereof, and in caſe of Rebellion, His Majeſty ſhould be empowered to increaſe, without Delay, the Number of Local 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 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, 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, Ridings, and Places herein mentioned, there ſhall be forthwith raiſed and enrolled in the ſaid ſeveral Counties, Ridings, and Places, any Number of Men as will, in Addition to and together with and including the effective Yeomanry and Volunteers ſerving in ſuch County or ſuch Diviſion, or Part of ſuch County, together with the Local Militia raiſed for ſuch County under the Proviſions of this Act, make the whole Force of ſuch County equal to Six Times the original Quota of ſuch County, under an Act paſſed in the Forty-ſecond Year of His preſent Majeſty: Provided always, that ſuch effective Yeomanry and Volunteers ſhall be excluſive of Supernumeraries ſerving without Pay above the Eſtabliſhment of ſuch Corps who ſhall have been enrolled after the Firſt Day of *April* One thouſand eight hundred and eight; and the Lieutenants and Deputy Lieutenants reſpectively of the ſaid Counties, Ridings, 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, Ridings, and Places, among the ſeveral Hundreds, Rapes, Lathes, Wapentakes, or other Diviſions, and alſo among the ſeveral Pariſhes, Tythings, or Places, therein reſpectively; and ſhall thereafter proceed to raiſe and enrol ſuch Men, at ſuch Time or Times as ſhall be ſpecified for that Purpoſe in ſuch Proclamation;

mation; and all the Powers, Provisions, Regulations, Rules, Penalties, Forfeitures, Bounties, Allowances, Clauses, Matters and Things in this Act contained, relative to the Local 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, such additional Number of Local Militia as aforesaid so ordered and directed to be raised and enrolled, 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 Local Militia had been included in the Number of Men required and directed to be raised by virtue of this Act.

When such additional Number of Local Militia is raised, His Majesty shall issue a Proclamation for the Meeting of Parliament within 14 Days.

CLVI. And be it further enacted, That whenever His Majesty shall cause such additional Number of Local Militia as aforesaid to be raised and enrolled, 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 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 such additional Number of Local Militia, and the Privates so disembodied or those enrolled and not embodied, shall remain liable to serve for the Periods for which enrolled, and shall supply Vacancies; 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.

CLVII. 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 such additional Number of Local Militia as aforesaid, by His Royal Proclamation to declare such Reduction accordingly; and in case such additional Number of Local Militia as aforesaid or any Part thereof, shall be then embodied) to disembody the same, or any Number of private Local Militia Men equal thereto, without regard to whether such Men were raised and inrolled in pursuance of any Proclamation for raising such additional Number of Local Militia as aforesaid, or were enrolled 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 Local 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 Local 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 from 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

ing 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.

The Powers given with reſpect to Northumberland to extend to Berwick-upon-Tweed; and if Perſons can be found there with the requiſite Qualifications, the Chief Magiſtrate ſhall appoint a proportionate Number of Officers to the Men, and they ſhall join Local Militia of Northumberland.

CLVIII. And be it further enacted, That all the Powers given and Proviſions made by this Act, with reſpect to the County of *Northumberland* and the Local Militia thereof, ſhall extend to the Town of *Berwick-upon-Tweed* and the Liberties thereof (except only in ſuch Caſes where by this Act it is otherwiſe expreſsly provided for); and that out of the Perſons returned in the Liſts for the ſaid Town of *Berwick-upon-Tweed*, a Number of private Local Militia Men ſhall be choſen by Ballot to ſerve for the ſaid Town, in the ſame Proportion with the private Local Militia Men appointed to ſerve for the other Hundreds, Wards, and other Diviſions within the ſaid County of *Northumberland*; and if Perſons can be found within the ſaid Town and Liberties thereof with ſuch Qualifications as are required for Officers, the Chief Magiſtrate of the ſaid Town of *Berwick-upon-Tweed* ſhall appoint ſuch Number of Officers of the Local Militia as ſhall be proportional to the Number of Local Militia Men which the ſaid Town ſhall raiſe as their Quota towards the Local Militia of the County of *Northumberland*; and the Lieutenant of the ſaid County, and Deputy Lieutenants, and all other Officers and Perſons acting in the Execution of this Act, for raiſing and training the Local Militia within the ſaid County, are hereby authorized and required to put this Act into Execution within the ſaid Town and the Liberties thereof, but ſubject nevertheleſs to ſuch Penalties as are inflicted upon Deputy Lieutenants and other Officers of the Local Militia for acting not being duly qualified; and that the Local Militia Men to be choſen for the ſaid Town ſhall join the Local Militia of the County of *Northumberland*, and be exerciſed together, and ſhall then, and alſo in Time of actual Service, be deemed Part of the Local Militia of the County of *Northumberland*.

Governor of the Iſle of Wight to appoint the Officers, &c. of their Local Militia.

CLIX. And whereas the ordering the Militia of the Iſle of *Wight* has always been in the Governor or Lieutenant Governor of the ſaid Iſland; be it therefore enacted, That after the Number of Perſons which the ſaid Iſland is to furniſh to the Local Militia of the County of *Southampton* ſhall have been appointed, as by this Act is directed, by His Majeſty's Lieutenant and the Deputy Lieutenants, or by the Deputy Lieutenants of the ſaid County at large, the Governor of the ſaid Iſland ſhall appoint the Officers of the Local Militia to be raiſed in the ſaid Iſland, which Officers of the Local Militia ſhall be qualified in the ſame Manner, and are hereby empowered and required to act in the Execution of this Act, in the ſame Manner and under the ſame Directions, Proviſions, and Penalties, as Officers of the Local Militia in the ſeveral Counties are by this Act ſubject to; and the Local Militia of the ſaid Iſland ſhall be raiſed in the ſame Manner as the Local Militia of the County of *Southampton*, and ſhall be deemed a Part of the Local Militia of the ſaid County.

The Local Militia of the Iſle to be raiſed as and deemed Part of the Militia of the County of Southampton.

Craike to be deemed Part of the North Riding of Yorkſhire; the Part of Maker lying in Cornwall to be deemed Part of that

CLX. And be it further enacted, That, for the ſeveral Purpoſes of this Act, the Conſtablery of *Craike*, which is a Parcel of the County of *Durham*, ſurrounded by Part of the North Riding of the County of *York*, ſhall be deemed to be ſituate within and Part of the ſaid North Riding; and that Part of the Pariſh of *Maker*, which lies in the County of *Cornwall*, ſhall be

County; Wokingham Part of Berks; Coleshill Part of Bucks; St. Thomas Chapel Part of Berks; Filey of the East Riding of Yorkshire; Threapwood of Flintshire; and Stamford Baron of Lincolnshire;

be deemed to be situate within and Part of the County of *Cornwall;* and that the Town and Parish of *Wokingham* shall be deemed to be situate within and Part of the County of *Berks;* and that the Hamlet of *Coleshill* shall be deemed to be situate within and Part of the County of *Bucks*; and that the Hamlet of *Saint Thomas's Chaple* shall be deemed to be situate within and Part of the County of *Berks*; and that the Township of *Filey* shall be deemed to be situate within and Part of the East Riding of the County of *York;* and that *Threapwood* shall be deemed to be situate within and Part of the Parish of *Worthenbury*, in the County of *Flint;* and that the Parish of *Saint Martin*, called *Stamford Baron*, in the Suburbs of the Borough and Town of *Stamford*, on the South Side of the Waters called *Welland*, shall be deemed to be situate within and Part of the County of *Lincoln.*

and shall be subject to the Authority, &c. of the Lieutenants of those Counties.

CLXI. And be it further enacted, That the several Towns and Places herein-before mentioned, and deemed to be situate within and Part of the several Counties, Ridings, and Places aforesaid, for the Purposes of this Act, shall be subject to the Jurisdiction and Authority of the Lieutenants, Deputy Lieutenants, Justices of the Peace, and other Officers of the respective Counties, Ridings, and Places, within which such Towns and Places are hereby deemed to be situate; any Law, Usage, or Custom to the contrary notwithstanding.

The Number of Local Militia to be balloted and enrolled within the Cinque Ports, &c.

CLXII. And be it further enacted, That the Number of Private Men to be balloted and enrolled for the Local Militia under this Act, within the Cinque Ports, Two ancient Towns and their Members, shall not exceed One thousand Men.

Warden of the Cinque Ports, &c. shall put this Act in Execution.

CLXIII. And be it further enacted, That the Warden of the Cinque Ports, Two ancient Towns and their Members, and in his Absence his Lieutenant or Lieutenants, shall within their respective Jurisdictions put into Execution this Act, and use and exercise all the Powers and Authorities contained in this Act, for the Purpose of carrying the same into Execution, and raising the Men to be provided and raised within their respective Jurisdictions under this Act, and all the Powers, Provisions, Authorities, Penalties, and Forfeitures contained in any Act or Acts of Parliament, and hereby made applicable to the raising the said Local Militia, or in this Act, shall be in full Force for the Purpose of raising the Local Militia within the Cinque Ports; any Thing in any Act or Acts of Parliament contained to the contrary notwithstanding.

Warden, &c. to appoint the Number of Men to be raised for each of the Ports, &c.

CLXIV. Provided also, That it shall be lawful for the said Warden, and the said Mayors, Jurats, Magistrates, or Deputy Lieutenants, at a General Meeting to be holden as soon as may be after any Ballot shall have been directed for the raising of any Local Militia within the Cinque Ports, and Lists shall have been returned for that Purpose, to appoint the Number of Men to be raised in pursuance of this Act for each of the said Ports, Two ancient Towns and their Liberties, and the several Members thereof respectively; and the Number of Men so apportioned shall be raised, balloted for, and sworn in, pursuant to the Provisions of this Act.

Mayors, &c. of the Cinque Ports, &c.

CLXV. And be it further enacted, That the Mayors, Jurats, or other Magistrates for the Time being, of each of the Cinque Ports, Two ancient

Towns and their Liberties, and the ſeveral Members thereof, ſhall and may act as Deputy Lieutenants for the Purpoſes of this Act; and that it ſhall be lawful for the Warden of the ſaid Cinque Ports, Two ancient Towns and their Members, to appoint any other Perſons qualified in the Manner directed by an Act made in the Forty-ſecond Year of His preſent Majeſty's Reign, intituled *An Act for amending the Laws relating to the Militia in* England, *and for augmenting the Militia*, to act in like Manner as Deputy Lieutenants within the ſame: Provided always, that the ſaid Warden may, with the Concurrence of any Meeting of Deputy Lieutenants, authorize the ſaid Mayors, Jurats, and Magiſtrates, or Deputy Lieutenants, within ſuch Ports, Towns, Liberties, and Members, to iſſue their Orders to the reſpective Conſtables within the ſame, to return within a limited Time Liſts of all Perſons liable to ſerve in the Local Militia for ſuch Port, Town, Liberty, and Member reſpectively, in the Manner required by this Act, and by the ſaid Act of the Forty-ſecond Year of the Reign of His preſent Majeſty, or any Act relating to the Militia of *England*, and may appoint ſuch Times as may appear to him to be neceſſary and proper for the Returns and Notices to be made and given, conformably to the Directions of the ſaid recited Act and this Act; and for the holding other Meetings, and doing all Acts, Matters, and Things, which may be neceſſary for carrying this Act into Execution within the Cinque Ports.

may act as Deputy Lieutenants, and the Warden may appoint other qualified Perſons to act, &c.

CLXVI. And be it further enacted, That it ſhall be lawful for His Majeſty to order and direct a Local Militia to be ballotted and enrolled from among the Tinners or Miners of the Counties of *Devon* and *Cornwall*, not exceeding Eight hundred and twenty-five private Men.

A Local Militia ſhall be ballotted from among the Miners of Cornwall and Devon.

CLXVII. And be it further enacted, That the Warden of the Stannaries in *Great Britain* ſhall reſpectively, in Obedience to His Majeſty's Orders to be iſſued for that Purpoſe, which His Majeſty is hereby empowered to iſſue, procure all Matters to be done touching the Tinners of the Counties of *Devon* and *Cornwall*, according to the Cuſtoms of the Stannaries and Privileges of the Working Tinners, as are hereby or by any Act or Acts relating to the Tinners or Miners of *Cornwall*, or to the Militia, required to be done by the Lieutenants and Deputy Lieutenants aforeſaid, touching other Perſons reſiding in the ſaid Counties of *Devon* and *Cornwall* not entitled to the Benefit of ſuch Privileges; and ſuch Warden, Special Deputy Warden, and other Officers of the Stannaries, ſhall have ſuch and the like Powers and Authorities to do and execute all and every the Matters and Things which ſhall be ſo required to be done as aforeſaid, as the Lieutenants and Deputy Lieutenants of the ſeveral Counties have for ſo doing the ſeveral Matters and Things hereby required to be done by them reſpectively.

Warden of Stannaries, by Order of His Majeſty, to procure all Matters to be done touching the Tinners.

CLXVIII. And be it further enacted, That all and every the Clauſes, Proviſions, Powers, Authorities, Matters, and Things contained in an Act paſſed in the Forty-ſecond Year of His preſent Majeſty, intituled *An Act for repealing an Act made in the Thirty-eighth Year of the Reign of His preſent Majeſty, intituled* '*An Act for raiſing a Body of Miners in the Counties of* Cornwall *and* Devon, *for the Defence of the Kingdom, during the preſent War, and for the more effectually raiſing and regulating a Body of Miners for the Defence of* Great Britain,' relative to raiſing and regulating a Body of Miners within the Stannaries, in the Counties of *Devon* and *Cornwall*, ſhall in all Caſes in which other Proviſions are not made

Powers of 42 G. 3. c. 72. to extend to this Act.

by this Act, be applied, practiſed, and put in force, in all Reſpects, for raiſing the Local Militia Men to be raiſed out of the Tinners and Miners within the ſaid Stannaries under this Act, as fully and effectually as if the ſaid Act and this Act were conſolidated into one Act.

The Number of Local Militia to be ballotted and enrolled in the Tower Hamlets.

CLXIX. And be it further enacted, That it ſhall be lawful for His Majeſty to order and direct a permanent Local Militia to be ballotted and enrolled under this Act in the Tower Hamlets and Liberties of the Tower, not exceeding Four thouſand four hundred and eighty private Men, and ſuch Local Militia ſhall be ballotted and enrolled at ſuch Period as His Majeſty ſhall by any ſuch Warrant as aforeſaid, direct; and all and every the Clauſes, Proviſions, Powers, Authorities, Matters, and Things, contained in Two Acts made in the Thirty-ſeventh Year of the Reign of His preſent Majeſty, or in any other Act or Acts relative to raiſing the Militia of the Tower Hamlets and Liberty of the Tower, together with all Clauſes, Powers, Proviſions, and Authorities contained in an Act made in the Forty-third Year of His preſent Majeſty, intituled *An Act to enable His Majeſty more effectually to raiſe and aſſemble in* England *an additional Military Force for the better Defence and Security of the United Kingdom, and for the more vigorous Proſecution of the War*, for raiſing the Men to be raiſed therein under that Act, ſhall be applied, practiſed, and put in force in all reſpects, for raiſing the Men to be raiſed therein under this Act, as fully and effectually as if the ſaid Acts and this Act were conſolidated into one Act.

Powers of 37G. 3. c. 25, and 75. &c. to extend to this Act.

Act not to repeal any Proviſions of 37G. 3. c. 25. and 75. except as to new Fines, &c.

CLXX. Provided always, That nothing in this Act contained ſhall be conſtrued to extend to repeal any of the Proviſions of the ſaid Two recited Acts of the Thirty-ſeventh Year aforeſaid, other than as any new and additional Fines, Penalties, and Powers in this Act contained may be applicable and neceſſary for the raiſing the Men by this Act directed to be raiſed in the Tower Hamlets.

Churchwardens and Overſeers in Suſſex and Kent to have the ſame Powers as Conſtables in other Places.

CLXXI. And whereas for the different Rapes in the Counties of *Suſſex* and Eaſt *Kent*, there are no Peace Officers who can act officially for ſuch Rapes: And whereas the Rapes in the ſaid Counties are the moſt convenient Diſtricts to be appointed as the Subdiviſions for the Deputy Lieutenants to execute the ſeveral Purpoſes directed by this Act, and do contain within their Boundaries ſeveral Hundreds, to each of which there is a Peace Officer belonging: And whereas the Boroughs and Tythings over which there are Headboroughs, Tythingmen, or other Peace Officers, are uncertain in their Boundaries, and often include Parts of various Pariſhes, from which great Inconveniencies ariſe both in ballotting for the Men to be drawn by Lot for the Service of the ſaid Militia, and alſo in the Payment of the Money directed to be paid by the Pariſhes to thoſe who may be allotted to ſerve: And whereas it would be more expedient that the ballotting for Men to ſerve in the ſaid Militia for the Counties of *Suſſex* and *Kent* ſhould be by the Diviſion of Pariſhes, to which Diviſion there are no Peace Officers; be it therefore enacted, That the Churchwardens and Overſeers of the Poor of the ſeveral Pariſhes in the ſaid Counties ſhall for the Purpoſes of this Act, be deemed the Officers of ſuch Pariſh, and ſhall be inveſted with the ſame Powers and Authorities, and be liable to the ſame Pains, Penalties, and Forfeitures, as the Conſtable, Tythingman,

Headborough, or other Officer of any Pariſh, Tything, or Place, is invested with, or ſubject and liable to by virtue of this Act.

Counties, &c. ſubject to a Fine of 15l. for each Man deficient at a certain Period;

CLXXII. And be it further enacted, That every County, Hundred, or Pariſh for which the full Number of Men required by any Order of His Majeſty under this Act ſhall not have been ballotted and enrolled before the Fourteenth Day of *February* ſucceeding ſuch Order, if given Three Months before ſuch Fourteenth Day of *February*, or in which any Deficiencies or Vacancies ariſing in ſuch Local Militia ſhall not be filled up before the Fourteenth Day of *February* after the ſame ſhall have ariſen, if the ſame ſhall have ariſen Three Months before ſuch Fourteenth Day of *February*, ſhall be ſubject to a Fine of Fifteen Pounds for every Man remaining deficient.

but ſhall be entitled to a Return of Part for every Man enrolled within certain Periods.

CLXXIII. Provided always, and be it further enacted, That every Pariſh or Place in which ſuch Fine ſhall have ariſen and in which ſuch Deficiency ſhall be thereafter ſupplied, ſhall be entitled to deduct or have a Return of Two-third Parts of any ſuch Fine of Fifteen Pounds for every Man enrolled before the Fourteenth Day of *March*, and One-third Part of every ſuch Fine of Fifteen Pounds for every Man enrolled before the Firſt Day of *April*, after any ſuch Fine ſhall have ſo ariſen as aforeſaid.

Conſtables to make Returns, and aſcertain Deficiencies to be ſupplied.

CLXXIV. And be it further enacted, That the Conſtables and other Officers of all Pariſhes and Places for which any Local Militia Man ſhall be ſerving, ſhall make diligent Enquiry as to all Men enrolled in the Local Militia, for the Pariſhes or Places for which they ſhall reſpectively be Conſtables, and ſhall, before the Fourteenth Day of *November* in each Year, return to the Clerk of the Subdiviſion within which ſuch Pariſhes or Places ſhall be, a true Account of all Perſons ſerving for ſuch Pariſh or Place in the Local Militia, ſpecifying ſuch as ſhall have died or left their Reſidence, and whether the Perſons not then reſiding in ſuch Pariſh or Place ſhall have wholly left ſuch Pariſh or Place, or ſhall ſtill retain any Houſe, Reſidence, or Lodging, in ſuch Pariſh or Place, and alſo the Place to which ſuch Perſons ſhall have gone as have changed their Reſidences, if the ſame can be aſcertained; and every Conſtable who ſhall neglect or refuſe to make any ſuch Return, or ſhall wilfully make any falſe Return, ſhall forfeit for every ſuch Offence the Sum of Five Pounds.

Commandants of Regiments ſhall tranſmit to the Quarter Seſſions Certificates of the Number of Deficiencies.

CLXXV. And be it further enacted, That the reſpective Commandants of the Regiments of Local Militia in *England* ſhall, within Fourteen Days after the Fourteenth Day of *February* in each Year, tranſmit to the Clerk of the Peace to be laid before Juſtices of the Peace or Magiſtrates aſſembled at the ſeveral General Quarter Seſſions of the Peace next after the Firſt Day of *March* in each Year, Certificates of the Number of Men then remaining deficient in their reſpective Regiments, diſtinguiſhing the Period for which ſuch Deficiencies or Vacancies have exiſted, by what Cauſe occaſioned, and for what Diſtrict, Diviſion, or Pariſh.

Juſtices upon Receipt of Certificate ſhall make Aſſeſſment.

CLXXVI. And be it further enacted, That the Juſtices of the Peace and Magiſtrates of every ſuch County, Riding, and Place aſſembled at the General or Quarter Seſſions of the Peace to be held next after the Firſt Day of *March* in each Year ſhall, upon the Receipt of the aforeſaid Certificate of the Commandant, which Certificate he is hereby required to

to tranſmit to the Clerk of the Peace for ſuch County, Riding, or Place, in order to be laid before the ſaid Juſtices and Magiſtrates reſpectively at ſuch Seſſions, rate and aſſeſs the ſaid Sum of Fifteen Pounds *per* Man as aforeſaid upon every ſuch County, Riding, or Place.

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

CLXXVII. And be it further enacted, That the Juſtices and Magiſtrates aforeſaid, in making any ſuch Rate and Aſſeſſment upon the Whole of any County, Riding, or Place, ſhall apportion the Sums ſo to be aſſeſſed as aforeſaid, and rate and aſſeſs the ſame upon the ſeveral Pariſhes and Tythings in ſuch County, Riding, or Place, in the ſame Proportions in which the Men for the Local Militia are required to be raiſed by ſuch Pariſhes and Tythings 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 Tything.

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

CLXXVIII. And be it further enacted, That when in any County, Riding, or Place, ſuch Deficiency of Men ſhall ariſe from the Default of any particular Pariſh or Tything, or Pariſhes or Tythings, in ſuch County, Riding, or Place, in not raiſing the Proportion or reſpective Proportions of Men required to be raiſed by any ſuch Pariſh or Tything, or Pariſhes or Tythings, then and in ſuch Caſes the ſaid Juſtices and Magiſtrates, in making ſuch Rate and Aſſeſſment as aforeſaid, ſhall rate and aſſeſs all and every ſuch Sum and Sums of Money upon ſuch Pariſh or Tything, or Pariſhes or Tythings, that ſhall have ſo made Default as aforeſaid, in Proportion to the Number of Men by which each of ſuch Pariſhes or Tythings ſhall fall ſhort of the Number of Men required to be raiſed therein.

Juſtices to tranſmit the Amount of the Sums aſſeſſed to the Subdiviſion Clerk, who ſhall give Notice to the Overſeers of the Poor, who ſhall pay the Money out of the Poor Rates.

CLXXIX. And be it further enacted, That the Juſtices and Magiſtrates of the ſeveral Counties, Ridings, and Places, where any ſuch Rate and Aſſeſſment ſhall be made as aforeſaid, ſhall, immediately after the Firſt Day of *April* next ſucceeding 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 Tythings, to the reſpective Clerks of the Subdiviſion to which Pariſhes or Tythings reſpectively belong, and alſo a Duplicate thereof to the Secretary at War; and ſuch Clerks of Subdiviſion ſhall within Ten Days after the Receipt thereof, cauſe Notice thereof to be given to the reſpective Overſeers of the Poor of the ſeveral Pariſhes and Tythings upon which any ſuch Rate or Aſſeſſment ſhall have been made as aforeſaid; and ſuch Overſeers ſhall, within Fourteen Days after ſuch Notice as aforeſaid of ſuch Rate or Aſſeſſment, pay the Amount of the Rate or Aſſeſſment made upon their reſpective Pariſhes or Tythings, out of any Money in their or any of their Hands, of the Rates for the Relief of the Poor; and if they or any of them ſhall not have ſufficient of ſuch Money for that Purpoſe, then ſuch Overſeers ſhall and they are hereby required to make a Rate ſufficient to ſatisfy ſuch Rate and Aſſeſſment; and it ſhall be lawful for the ſaid Overſeers to levy and collect the ſame in ſuch Manner as Rates made for the Relief of the Poor, or any other Rates made for the Purpoſes of this Act, may be levied and collected.

Overſeers may deduct for Men raiſed within certain Periods.

CLXXX. Provided always, and be it further enacted, That whenever any Sum ſhall have been ſo aſſeſſed upon any Pariſh or Place for Men

certified to be deficient upon the Fourteenth Day of *February*, it ſhall nevertheleſs be lawful for any Deputy Lieutenant acting for the Subdiviſion in which ſuch Pariſh may be ſituated, in all Caſes in which any Man ſhall have been ſubſequently enrolled to ſupply ſuch Deficiency, to certify to the Clerk of ſuch Subdiviſion the Date of ſuch Enrolments reſpectively; and if it ſhall appear from that Certificate that ſuch Men were enrolled before the Fourteenth Day of *March* or the Firſt Day of *April*, it ſhall be lawful for the Clerk of ſuch Subdiviſion and he is hereby required to remit to every ſuch Pariſh ſuch Two-third or One-third Part of ſuch Fine reſpectively as is hereinbefore directed to be returned to ſuch Pariſh for every Man enrolled before the Fourteenth Day of *March* or the Firſt Day of *April* reſpectively; and the Overſeers of the Poor of ſuch Pariſh are hereby authorized to make a Deduction of Two-thirds or One-third Part of ſuch Fine (as the Caſe may be) from the Amount of the Aſſeſſment made upon ſuch Pariſh for every Man ſo certified to have been enrolled before the Fourteenth Day of *March* or the Firſt Day of *April* reſpectively.

Clerk of Subdiviſion on receiving ſuch Money ſhall remit the ſame to the Agent General, who ſhall pay thereout Bounties to Volunteers raiſed within a certain Period.

CLXXXI. And be it further enacted, That the Clerk or Clerks of Subdiviſion receiving any ſuch Sum or Sums of Money, ſhall within Ten Days after the Receipt thereof, remit the Amount thereof to the Bank of *England*, to be placed to the Account of the Agent General for the Local Militia; and during the Period of Three Months from ſuch Firſt Day of *April* next ſucceeding the making of any ſuch Rate and Aſſeſſment as aforeſaid, it ſhall be lawful for any Deputy Lieutenant of the Subdiviſion of the ſaid County, Riding, or Place, within which ſuch Pariſh, Tything, or Place ſhall be ſituate, to raiſe any Volunteer or Volunteers for ſuch Local 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 Two Guineas; and the Deputy Lieutenant before whom any ſuch Volunteer ſhall be duly examined, approved, ſworn, and enrolled to ſerve in the Local Militia, ſhall tranſmit a Certificate of ſuch Inrolment to the Agent General, and upon the Production to the ſaid Agent General of ſuch a Certificate under the Hands of ſuch Deputy Lieutenants as aforeſaid, of any ſuch Volunteer having been duly examined, approved, ſworn, and enrolled to ſerve in the Local Militia, and of a Certificate under the Hands of the Commanding Officer of any Regiment, Battalion, or Corps of Militia of ſuch County, Riding, or Place, of ſuch Man having joined his Regiment, Battalion, or Corps, the ſaid Agent General ſhall, and he is hereby required under the Direction of the Secretary at War to pay out of ſuch Money in his Hands as aforeſaid, any Sum of Money not exceeding the ſaid Sum of Two Guineas for each of ſuch Volunteers as aforeſaid.

In Places where there are no County Rates, the Aſſeſſments ſhall be raiſed as the Poor's Rates are, and paid by the Overſeers to the Clerk of the Subdiviſion with which they are united.

CLXXXII. And whereas there are ſeveral Cities, Towns, and Places which do not contribute to the Payment of the ſaid Rate called *The County Rate*, and Doubts may ariſe whether ſuch Cities, Towns, and Places, can be legally rated or aſſeſſed towards the Payment of the Rate or Aſſeſſment to be laid in purſuance of this Act; be it therefore enacted, That in all Caſes where the Local Militia ſhall not be raiſed within any City, Town, or Place, not rated to the County Rate, the Proportion of the ſaid Sum of Fifteen Pounds *per* Man, to be borne by ſuch City, Town, or Place, ſhall be raiſed, levied, and collected within ſuch City, Town, or Place, by a ſeparate Rate or Aſſeſſment, in like Manner, by the Overſeers of the Poor, and by ſuch and the like Ways and Means as the Rates for the Relief of the Poor can or may be raiſed, levied, and collected; and ſuch

Overſeers of the Poor ſhall from Time to Time pay over the ſame to the Clerk of the Subdiviſion with which ſuch City, Town, or Place ſhall be joined or united, for the Purpoſe of raiſing the Local Militia.

Where a Towne lies in Two Counties the Aſſeſſments ſhall be paid to the Clerk of Subdiviſion of that wherein the Church ſtands.

CLXXXIII. And whereas there are ſome Towns which lie in Two Counties or Ridings, and Doubts may ariſe whether ſuch Towns are obliged to pay to both Counties or Ridings towards raiſing the ſaid Money; be it therefore further enacted, That where any Town lies in Two Counties or Ridings, or Part thereof in a County, and Part in a Riding, the Proportion of the ſaid Money to be paid for ſuch Town, in lieu of raiſing the Local Militia as aforeſaid, ſhall be paid to the Clerk of the Subdiviſion of the County or Riding wherein the Church of ſuch Town is ſituate.

If the Aſſeſſment for a Place where there are no County Rates be not paid to the Clerk of the Subdiviſion before June 1, yearly, it may be levied by the next Quarter Seſſions on the Overſeers.

CLXXXIV. And be it further enacted, That if any Sum of Money which ought to be paid by any City, Town, or Place, not rated to the County Rate as aforeſaid, ſhall not be paid to the Clerk of the Subdiviſion as aforeſaid, before the Firſt Day of *June* in every Year, the Juſtices of the Peace for ſuch County, Riding, or Place, ſhall, at their next *Midſummer* Quarter Seſſions, and they are hereby required (by their Warrant, directed to any Conſtable or Tythingman of every ſuch Pariſh and Diviſion) to cauſe the Sum due from ſuch Pariſh under this Act, by reaſon of ſuch Men not being raiſed as aforeſaid, to be levied by Diſtreſs and Sale of the Goods and Chattels of the reſpective Overſeers of the Poor of every ſuch Pariſh and Diviſion, rendering the Overplus (if any) to the Owners of ſuch Goods and Chattels, after ſuch Money, and the reaſonable Charges attending ſuch Diſtreſs and Sale, ſhall be fully paid and ſatisfied; and all ſuch Overſeers of the Poor ſhall be reimburſed the Money ſo levied on them reſpectively, by the ſame Ways and Means as Overſeers of the Poor are reimburſed the Money by them expended for the Relief of the Poor by the Laws now in being, and may make a Rate for that Purpoſe if neceſſary.

When the Aſſeſſment upon any Place is paid to the Agent General, it ſhall be indemnified for not raiſing its Quota.

CLXXXV. And be it further enacted, That the Agent General into whoſe Hands or to whoſe Account 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, Riding, or Place as aforeſaid, ſhall be paid into the Hands of the Agent General, or to his Account at the Bank, in purſuance of this Act, ſuch Payment ſhall be a full Diſcharge and Indemnification to ſuch County, Riding, or Place, for the Failure or Neglect in raiſing and training the Number of Men in the Local Militia for the Year in reſpect whereof ſuch Payment ſhall be made; and the Money ſo paid into the Hands of the ſaid Agent General, or to his Account at the Bank, ſhall be applied to the Purpoſes of the Local Militia, and ſhall be accounted for yearly to Parliament.

Clerks of Subdiviſion may detain 1d. per Pound of the Money they receive, and ſhall make a like Allowance to High Conſtables, &c. out of ſuch Sums as they

CLXXXVI. Provided always, and be it further enacted, That every Clerk of Subdiviſion to whom any ſuch Money ſhall be paid, 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 Clerk of Subdiviſion is hereby authorized to detain in his Hands out of the Money ſo received by him, before Payment made to the Agent General as aforeſaid; and every High Conſtable,

Petty

Petty Conſtable, Churchwarden, and Overſeer of the Poor, who ſhall act in the raiſing and collecting of the ſaid Money, ſhall reſpectively be allowed and paid by ſuch Clerk of Subdiviſion, as a Recompence for their Trouble therein, the Sum of One Penny in the Pound of all ſuch Money, in the raiſing and collecting whereof they ſhall reſpectively act as aforeſaid; and ſuch Clerk of Subdiviſion is hereby authorized and required to deduct the ſame out of the Money ſo received by him as aforeſaid, and to pay the reſpective Proportions thereof to ſuch High Conſtables or other Officers aforeſaid.

ſhall be concerned in collecting.

CLXXXVII. And be it further enacted, That the Clerk of the Peace for every County, Riding, or Place, ſhall and he is hereby required, within Fourteen Days next after the General Quarter Seſſion of the Peace to be held next after the Twenty-fifth Day of *December*, yearly, to tranſmit to the Secretary at War a Copy ſigned by ſuch Clerk of the Peace, of every Certificate which he ſhall have received from the Commandants of the ſeveral Regiments of Local Militia in ſuch County, Riding, or Place as aforeſaid; and where ſuch Certificate ſhall be omitted to be delivered, the Clerk of the Peace ſhall certify ſuch Omiſſion to the Secretary at War, and that ſuch Clerk of the Peace hath certified the ſame to the Juſtices at ſuch General Quarter Seſſion, and required ſuch Juſtices to proceed according to the Directions of this Act, and ſuch Clerk of the Peace ſhall alſo certify what Proceedings have been had at ſuch General Quarter Seſſions, in relation to the aſſeſſing and raiſing of the ſaid Money, where the Local Militia ſhall not have been raiſed; and in caſe ſuch Juſtices ſhall omit, neglect, or refuſe to proceed to raiſe the ſaid Money, according to the Directions of this Act, then the Clerk of the Peace of ſuch County, Riding, or Place, ſhall, and is hereby required within Fourteen Days next after ſuch General Quarter Seſſion of the Peace, to certify to the Secretary at War, ſuch Omiſſion, Neglect, or Refuſal of ſuch Juſtices, and the Names of the Juſtices who ſhall be preſent at ſuch Seſſion; and the Secretary at War is hereby empowered and required, on Receipt of ſuch Certificate, forthwith to give Directions to the Solicitor of the Treaſury to proceed by all ſuch legal Ways and Means as ſhall be moſt effectual and expeditious, to compel ſuch Juſtices to pay due obedience to this Act, and to cauſe the ſaid Money to be raiſed, collected, and paid.

Clerks of the Peace to tranſmit annually Copies of Certificates received from the Commandants of Regiments, and where not delivered, to certify ſuch Omiſſion to the Secretary at War, and to certify Omiſſions of Juſtices in proceeding to raiſe Money to the Secretary at War, who ſhall compel them to do ſo.

CLXXXVIII. And be it further enacted, That if the ſaid Sum of Fifteen Pounds *per* Man, to be raiſed and paid in any ſuch County, Riding, or Place as aforeſaid, ſhall not be levied, collected, and paid into the Hands of the Agent General, or to his Account at the Bank, in Manner hereinbefore directed, the Solicitor of the Treaſury 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 Hands of the Agent General, or to his Account at the Bank, as aforeſaid.

If 15l. per Man be not raiſed in any Place, and paid to the Agent General, the Solicitor of the Treaſury to compel its being done.

CLXXXIX. And be it further enacted, That if any Clerk of the Peace ſhall refuſe or wilfully neglect to receive, deliver, file, make, record, or tranſmit any ſuch Certificates as aforeſaid, according to the Directions and true Meaning of this Act, every ſuch Clerk of the Peace ſo offending ſhall for every ſuch Offence forfeit and pay the Sum of One hundred

Penalty for Neglect of Duty in Clerks of the Peace, &c.

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 Clerk of Subdiviſion, 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 or neglect or refuſe to act or aſſiſt therein, according to the Direction and true Meaning of this Act, every ſuch Clerk of Subdiviſion 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 Solicitor of the Treaſury ſhall, and he is hereby required, when directed ſo to do by the Secretary at War as aforeſaid, with all due Diligence, to proſecute with Effect all ſuch Juſtices of the Peace, Clerks of Subdiviſion, 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 the Solicitor of the Treaſury ſhall wilfully omit or delay to proceed againſt any ſuch Juſtices of the Peace, Clerks of Subdiviſion, or other Officers aforeſaid, he ſhall for every ſuch Offence forfeit and pay the Sum of Five hundred Pounds.

Solicitor of the Treaſury to proſecute Juſtices, &c. for Neglect, on Penalty of 500l.

Perſons ſerving under this Act ſhall be exempt in Whole or in Part from Rates made for the Payment of Fines.

CXC. And be it further enacted, That every Perſon who ſhall ſerve under this Act, whoſe Aſſeſſment in any Rate to be made or levied for the Purpoſe of the Payment of any Fines under this Act, ſhall be made on any Property not exceeding in annual Value, according to the Valuation on which ſuch Rate ſhall be made, the Sum of Twenty Pounds, ſhall be wholly exempt from ſuch Rate; and every ſuch Perſon whoſe Aſſeſſment ſhall be made on any ſuch Property, exceeding in annual Value as aforeſaid ſuch Sum of Twenty Pounds, ſhall by reaſon of ſuch Service be exempt as to ſuch Property to the Amount of ſuch Sum of Twenty Pounds, and be rated in ſuch Rate only to the Amount by which ſuch Property ſhall exceed ſuch annual Sum of Twenty Pounds as aforeſaid; and if any Perſon ſhall think himſelf or herſelf aggrieved by any ſuch Rate as aforeſaid, ſuch Perſon may appeal to the next General or Quarter Seſſions in ſuch Manner as is provided in Caſes of Appeal againſt Rates for the Relief of the Poor.

Perſons aggrieved may appeal to Quarter Seſſions.

Subdiviſion Clerks, if required, to give Bond.

CXCI. And be it further enacted, That every Clerk of Subdiviſion Meeting ſhall, if required ſo to do by the Deputy Lieutenants aſſembled at any General or Subdiviſion Meeting, give Security by Bond to His Majeſty, with Two ſufficient Sureties, in ſuch Sums as the Deputy Lieutenants ſhall fix, for duly accounting for and remitting all Monies paid into his Hands under the Proviſions of this Act.

Subdiviſion Clerks to keep an Account of Fines, &c. and tranſmit the ſame to the Secretary at War.

CXCII. And be it further enacted, That every Clerk of Subdiviſion Meetings ſhall keep an Account, in the Form to this Act annexed, marked (H.) or in ſuch other Form as may from Time to Time be directed for that Purpoſe by the Secretary at War, of all Fines, Penalties, and Forfeitures from Time to Time received by him, and alſo of all Sums allowed to any Individuals, Counties, Hundreds or Pariſhes, by reaſon of any Fines or Penalties, or Parts of any Fines or Penalties, being remitted under the Proviſions of this Act; and the Deputy Lieutenants or Juſtices attending at the Time

of any ſuch Fine, Penalty or Forfeiture being impoſed or remitted, or any Two of them, ſhall and they are hereby required to certify the ſame to be correct, and the Clerk of Subdiviſion Meetings ſhall verify the ſame upon Oath, which Oath any One Deputy Lieutenant or Juſtice of the Peace is authorized to adminiſter, and ſhall tranſmit to the Secretary at War ſuch Account made up to the Twenty-fourth Day of *December* in each Year, or to ſuch other Period as the Secretary at War ſhall direct.

Subdiviſion Clerks to tranſmit to Secretary at War Accounts of Money remitted to the Agent General, verified on Oath.

CXCIII. And be it further enacted, That every Clerk of Subdiviſion Meetings ſhall and is hereby required within Seven Days after the Twenty-fourth Day of *March*, *June*, *September*, and *December*, reſpectively in each Year, or oftener if required, to tranſmit an Account to the Secretary at War for the Time being, of all Sums received by him and remitted to the Bank of *England*, to the Account of the ſaid Agent General, for the Purpoſes of this Act, verified upon Oath before One Deputy Lieutenant or Juſtice of the Peace, which Oath any ſuch Deputy Lieutenant or Juſtice of the Peace is hereby authorized to adminiſter, and made in the Form of the Schedule to this Act annexed marked (I.) or ſuch other Form as may from Time to Time be preſcribed in that Behalf by the Secretary at War.

Penalty on Perſons neglecting to make Returns and to give Notices, &c.

CXCIV. Provided alſo, and be it further enacted, That in all Caſes in which it is in this Act directed and required that any Return or Liſt ſhould be made, or any Notice given, or any Fine, Penalty, Forfeiture, or other Money remitted by any Clerk of the Peace, or by any Clerk of General or Subdiviſion Meetings, or by any Overſeer, or by any Colonel Commandant or other Officer of Local Militia, every ſuch Clerk of the Peace or other Perſon as aforeſaid, who ſhall omit, neglect, or refuſe, or wilfully delay making any ſuch Return or Liſt, or giving any ſuch Notice, or remitting any ſuch Fine, Penalty, Forfeiture, or other Money as aforeſaid, in the Manner directed by this Act, ſhall for every ſuch Offence forfeit and pay the Sum of Twenty Pounds: Provided always, that nothing herein ſhall be conſtrued to extend to any Caſe in which any Fine, Penalty, or Forfeiture may already be impoſed for any ſuch Offence by the Proviſions of this Act.

Commiſſions in Local Militia not to vacate Seats in Parliament.

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

Voters going to Elections of Members not puniſhable for Abſence.

CXCVI. And be it further enacted, That no Officer, Non-commiſſioned Officer, Drummer, or private Man of the Local 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.

Non-commiſſioned Officers, Drummers, and Men, not liable to ſerve as Peace Officers.

CXCVII. And be it further enacted, That no Serjeant, Corporal, or Drummer of the Local Militia, or any private Man, from the Time of his Inrolment until he ſhall be regularly diſcharged from the Local Militia, ſhall be compelled to ſerve as a Peace Officer or Pariſh Officer.

Married Local Militia Men may ſet up in any Place in Great

CXCVIII. And be it further enacted, That every Perſon having ſerved in the Local Militia when drawn out into actual Service, being a married Man, may

Britain as Soldiers may under 24 G. 3. c. 44.

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, and with the like Exception in reſpect to the Two Univerſities, 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 Local Militia Man ſhall be liable to be removed out of any ſuch Town or Place, until he is become chargeable to the Pariſh.

No Stamp Duty on Commiſſions in Local Militia.

CXCIX. And be it further enacted, That no Commiſſion granted before the paſſing of this Act, or which ſhall be granted after the paſſing of this Act, to any Officer in the Local Militia, ſhall be ſubject to any Stamp Duty.

Bills for Pay and Allowance to and for remitting Money on Account of Local Militia, to be drawn on unſtamped Paper.

CC. And be it further enacted, That all Bills, Drafts, and Orders drawn for the Pay or Allowance of the Local Militia, and alſo all Bills, Drafts, and Orders, by which any Sums of Money or Fines are remitted to the Bank of *England*, or the Agent General, or any Perſon or Perſons authorized by the Secretary at War to receive Money on Account of the Local Militia, may and ſhall be drawn upon unſtamped Paper; and no ſuch Bill, Draft, or Order, ſhall be void by reaſon of not being ſo drawn or written on ſtamped Paper; any Thing in any Act or Acts of Parliament to the contrary notwithſtanding.

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

CCI. And be it further enacted, That all Fines, Penalties, and Forfeitures by this Act impoſed, which ſhall exceed the Sum of Twenty Pounds, ſhall be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, or the Courts of Great Seſſion in the Principality of *Wales*, or the Courts of the Counties Palatine of *Cheſter*, *Lancaſter*, and *Durham* (as the Caſe ſhall require), 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, which ſhall not exceed the Sum of Twenty Pounds, ſhall, on Proof of the Offence either by voluntary Confeſſion of the Party, or by the Oath of One or more credible Witneſſes, before any Juſtice of the Peace of the County, Riding, or Place where the Offence ſhall be committed, be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of ſuch Juſtice, rendering the Overplus (if any) on Demand, after deducting the Charges of ſuch Diſtreſs and Sale, to the Perſon whoſe Goods and Chattels ſhall have been ſo diſtrained and ſold; and for Want of ſufficient Diſtreſs ſuch Juſtice is 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, Riding, 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 remitted to the Agent General for Local Militia, or to the Bank of *England*, to be placed to his Account, and to be by him

him applied and accounted for in the Manner herein-before directed, with reſpect to Fines aſſeſſed upon the Pariſhes for Deficiencies.

Certificate of the Amount of certain Penalties to be tranſmitted to the Secretary at War.

CCII. And be it further enacted, That in all Caſes in which it is by this Act directed that any Fine, Penalty, or Forfeiture ſhall be remitted to any Subdiviſion Clerk, or to the Agent General, or to the Bank of *England*, to be placed to the Account of the ſaid Agent General, it ſhall be lawful for any One or more Deputy Lieutenants, Juſtices, or Magiſtrates by whom any ſuch Fine, Penalty, or Forfeiture may have been impoſed, for any Offence committed againſt this Act, and he or they is or are hereby directed and required within Ten Days after ſuch Fine, Penalty, or Forfeiture may have been impoſed to tranſmit to the Secretary at War a Certificate of the Amount of ſuch Fine, Penalty, or Forfeiture, in the Form of the Schedule to this Act annexed, marked (G.)

Witneſſes not attending, liable to Penalty.

CCIII. And be it further enacted, That if any Perſon or Perſons ſhall be ſummoned as a Witneſs or Witneſſes to give Evidence before ſuch Juſtices touching any of the Matters relative to this Act, either on the Part of the Proſecutor, or Perſons accuſed, and ſhall neglect or refuſe to appear at the Time and Place to be for that Purpoſe appointed, without reaſonable Excuſe for ſuch his, her, or their Neglect or Refuſal, to be allowed of by ſuch Juſtices before whom the Proſecution ſhall be depending, that then every ſuch Perſon ſhall forfeit for every ſuch Offence any Sum not exceeding Five Pounds, to be levied and paid in ſuch Manner and by ſuch Means as is directed as to the other Penalties.

Convictions to be made out in the following Form.

CCIV. And be it further enacted, That the Juſtice or Juſtices before whom any Offender ſhall be convicted as aforeſaid, ſhall cauſe the ſaid Conviction to be made out in the Manner and Form following, or in any other Form of Words to the ſame Effect, *mutatis mutandis*; (that is to ſay),

'BE it remembered, That on the Day of in the Year of Our Lord in the County of *A. B.* of was convicted before me *C. D.* or before us, *C. D.* and *E. F.* Two of His Majeſty's Juſtices of the Peace for the ſaid County, reſiding near the Place where the Offence was committed: For that the ſaid *A. B.* on the Day of now laſt paſt, did, contrary to the Form of the Statute in that Caſe made and provided [*here ſtate the Offence againſt the Act:*] And I or we do declare and adjudge, that the ſaid *A. B.* hath forfeited the Sum of

No Order to be removed or ſuperſeded by Certiorari.

CCV. And be it further enacted, That no Order of Conviction made by any Lieutenant of any County, Riding, 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 *Certiorari* out of the County, Riding, Diviſion, City, Town, or Place wherein ſuch Order or Conviction ſhall have been made, into any Court whatſoever; and that no Writ of *Certiorari* ſhall ſuperſede Execution or other Proceedings upon any ſuch Order or Conviction ſo made in purſuance of this Act; but that Execution and other Proceedings ſhall be had and made thereupon, any ſuch Writ or Writs, or Allowance thereof notwithſtanding.

Limitation of Actions.

CCVI. 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, Riding, or Place where the Cauſe of Complaint did ariſe, and not elſewhere; 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 at any Trial to be had thereupon; and if the Jury ſhall find for the Defendant or Defendants in any ſuch Action or Suit, or if the Plaintiff or Plaintiffs ſhall be nonſuit, 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 Law.

General Iſſue.

Treble Coſts.

Proviſions relating to Counties to extend to Ridings, and relating to Hundreds to extend to Rapes, &c.

CCVII. And be it further enacted, That all Proviſions, Directions, Clauſes, Matters, and Things whatever in this Act contained, relating to Counties, ſhall extend and be conſtrued to extend to all Ridings, Shires, Diviſions, Cities, and Places; and all Proviſions, Directions, Clauſes, Matters, and Things in this Act contained, relating to Hundreds, ſhall extend and be conſtrued to extend to all Rapes, Lathes, Wapentakes, and other Diviſions in or of any ſuch County, Riding, Diviſion, Shire, City, or Place; and all Proviſions, Directions, Clauſes, Matters, and Things in this Act contained relating to Pariſhes, ſhall extend, and be conſtrued to extend to all Townſhips, Tythings, and Places, and to all Extra-parochial Places united therewith, for the Purpoſes of any Act relating to the Militia; and all Powers by this Act given to any Conſtable ſhall extend to all Tythingmen, Headboroughs, Peace Officers, and other Perſons acting as Conſtables in any Counties, Hundreds, Pariſhes, and Places in which there ſhall be no Conſtable, as fully and amply as if they were ſeverally and reſpectively repeated in every ſuch Proviſion, Direction, and Clauſe, and with relation to every ſuch Matter or Thing.

Powers given to Conſtables to extend to Tythingmen, &c.

Perſons taking a falſe Oath guilty of Perjury.

CCVIII. And be it further enacted, That any Perſon taking a falſe Oath in any Caſe when an Oath is required to be taken by this Act, ſhall be deemed guilty of wilful and corrupt Perjury, and, being thereof duly convicted, be liable to ſuch Pains and Penalties as by any Laws now in force any Perſons convicted of wilful and corrupt Perjury are ſubject and liable to.

Act may be altered or repealed this Seſſion.

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

SCHEDULES to which this Act refers.

Schedule (A.)

I . Clerk of the Peace for the County of do hereby certify, That the Officers below ſpecified, ſerving in the Battalion of Local Militia, have left with me their Qualifications as directed in the Eleventh Section of the Act for amending the Laws relating to the Local Militia.

Colonel.
Lieutenant Colonel.
Major.
} Captains.
} Lieutenants.
} Enſigns.

Schedule (B.)

FORM OF OATH.

I do make Oath, That I am by my Trade a and have been uſually reſident in the Pariſh of in the County of that I am unmarried [*or*, have a Wife living, *as the Caſe may be*]; and that I have no Children, [*or*, not more than Two Children, born in Wedlock]; and that I have no Rupture, nor ever was troubled with Fits, and am no ways diſabled by Lameneſs or otherwiſe, but have the perfect Uſe of my Limbs; and that I am not a Seaman or Seafaring Man. As witneſs my Hand at the Day of One thouſand eight hundred and .

Sworn before me at this Day of One thouſand eight hundred and .

Witneſs preſent.

Schedule (C.)

SUBDIVISION of in the County of
RETURN of Inrolment, dated the Day of

Parishes.	NAMES OF MEN.		Date of Inrolment.	Age.	CLASSES.			
	Ballotted.	Volunteers.			1ſt.	2d.	3d.	Laſt.
A.	S. Jones.	—	June 1ſt	22	⋈			
B.		Tho. Gray.	3d	26			⋈	
Totals								

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

Schedule (D.)

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

Hundred or Diviſion.	Pariſh.	NAMES OF MEN SERVING.		Age.	CLASSES.			
		Ballotted.	Volunteers.		1ſt.	2d.	3d.	Laſt.
H.	*B.*	S. Jones.	—	32		⋈		
M.	*C.*	—	T. Gray.	24	⋈			
Totals.								

Signed *A. B.* Captain of Company.

Schedule (E.)

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

Deſcription of Men.	No. of each.	Years of Service unexpired.				No. in each Claſs.			
		1.	2.	3.	4.	1.	2.	3.	Laſt.
Ballotted -									
Volunteers -									
Totals.									

A. B. Clerk to General Meetings.

Schedule (F.)

Dated the Day of

Name of the County.	Names of the Men.	Of the Pariſh of	Of the Hundred or other Diviſion of	Time of Service expires on	Sum for which they are willing to ſerve.	Signature of Conſent.
	A. B.	*P.*	*H.*			*A. B.*
	C. D.	*Q.*	*I.*			*C. D.*

Schedule (G.)

THIS is to certify, That I [*or*, we, *as the Caſe may be*] *A. B.* One [*or more*] of His Majeſty's Juſtices of the Peace [*or*, Deputy Lieutenants, *as the Caſe may be*] did, on the Day of laſt paſt, levy upon *C. D.* the Sum of Pounds, being the Amount of Fine impoſed [*here ſpecify the Offence*] under the Act for amending the Laws relating to the Local Militia of England. Dated this Day of

(Signed) *A. B.* Juſtice.

Schedule (H.)

ACCOUNT of PENALTIES imposed and remitted by the LIEUTENANCY.

Date when imposed.	Name of Person.	Penalty of £30 for Persons worth more than £200. per Annum.	Penalty of £20. for Persons worth more than £100. per Annum and not exceeding £200.	Penalty of £10. for Persons worth less than £100. per Annum.	Remittance of Fines, &c. allowed by the Lieutenancy.	Net Sum imposed.	Remarks.

Deficiency in the Subdivision of in the County of as per Return herewith annexed, signed by the Commandant, dated the being Men at £ per Man £ paid to the Clerk of Subdivision Meetings for on the

We do certify, that the above Account is truly and justly stated to the best of our Knowledge and Belief

——— Deputy Lieutenant.
——— Magistrate.

Schedule (I.)

QUARTERLY ACCOUNT of the CLERK of SUBDIVISION MEETINGS,

Date when received.	Name of Person fined.	Penalty of £30 for Persons worth more than £200 per Annum.	Penalty of £20 for Persons worth more than £100 and not exceeding £200.	Penalty of £10 for Persons worth less than £100 per Annum.	Amount of each Penalty.	Date when remitted.		Amount of each Remittance.
							By Remittance to the Bank of England	
							By Remittance to the Agent General	

Sworn before me
Day of 181

——— Deputy Lieutenant or Justice.

I hereby certify upon Oath, that the above is a just and true Account of all Sums received by me as Clerk of the Subdivision Meetings of the County of between the Day of and the Day of to the best of my Knowledge and Belief.

——— Signature.
Clerk of the Subdivision of the County of

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