

ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

CAP. LXVIII.

An Act for amending the Laws relating to the Local Militia in *Scotland*. [20th *June* 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Amendment; and it is expedient that ſome of the Proviſions contained in the ſeveral Acts relating to the ſame ſhould be repealed, and others of them continued and amended, and that new Proviſions ſhould be made; and it would greatly tend to the better Execution thereof if the Whole of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And whereas it is neceſſary for the Purpoſes aforeſaid, that certain Acts and Parts of Acts now in force ſhould be repealed; be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this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 in* Scotland, *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 an Act, paſſed in the laſt Seſſion of Parliament, for enabling His Majeſty to eſtabliſh a permanent Local Militia Force in* Scotland, *under certain Reſtrictions, for the Defence of the Realm*; the other intituled *An Act to amend* 48 G. 3. c. 150. 49 G. 3. c. 42. 49 G. 3. c. 82.

several Acts passed in the last and present Sessions of Parliament, re-
49 G. 3. c. 129. *lating 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*
and also so much of 50 G. 3. c. 25. as relates to the Local Militia, repealed. *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:

Repeal of Acts not to affect Commissions. 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:

Local Militia now serving to continue to serve as if this Act had not been made. Provided also, that so many of the Serjeants, Corporals, Drummers, and private Local Militia Men as are now serving for the several Counties, Stewartries, and Places in *Scotland*, 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, Stewartry, 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.

Lieutenants shall appoint Officers. II. And be it further enacted, That the several Lieutenants of Counties and Stewartries, 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 hereinafter is directed, and living within their respective Counties, Stewartries, and Places, or within some adjacent Counties, Stewartries, 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

Rank of Officers. 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 or Stewartry.

Lieutenant Colonels Commandant to command Lieutenant Colonels.

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.

Rank in the Local Militia of such Officers who have served in Regular or Supplementary Militia.

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 or Stewartry, 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 according 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.

Commissions not revoked by the Revocation of the Power of the Grantor.

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.

Qualifications of Officers.

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

be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of Two hundred Pounds *Scots* of valued Rent; and every Perſon ſo to be appointed a Captain, ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of One hundred Pounds *Scots* of valued Rent, or ſhall be Heir Apparent of ſome Perſon who ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of One hundred Pounds *Scots* of valued Rent, or ſhall be 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 Two hundred Pounds *Scots* of valued Rent, or ſhall himſelf be poſſeſſed of Real or Perſonal Property to the Amount in the Whole of One thouſand Pounds Sterling; and every Perſon ſo to be appointed Lieutenant ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of Twenty Pounds *Scots* of valued Rent, or ſhall be poſſeſſed of a Perſonal Eſtate alone, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together to the Amount or Value of Five hundred Pounds, 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 Forty Pounds *Scots* of valued Rent, or who ſhall be or who at the Time of his Death was poſſeſſed of a Perſonal Eſtate alone, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together to the Amount or Value of One thouſand Pounds Sterling; and that every Perſon ſo to be appointed an Enſign, ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of Ten Pounds *Scots* of valued Rent, or ſhall be poſſeſſed of a Perſonal Eſtate alone, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together to the Amount or Value of Three 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 Twenty Pounds *Scots* of valued Rent, or who ſhall be or who at the Time of his Death was poſſeſſed of a Perſonal Eſtate alone, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together to the Amount or Value of Six hundred Pounds Sterling: 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 herein-before directed; any Thing in this Act to the contrary notwithſtanding.

Qualification of Officers of Local Militia within the City of Edinburgh.

VII. And be it further enacted, That all Perſons to be appointed Officers of the Local Militia in and for the City of *Edinburgh* and Liberties thereof, ſhall be qualified as follows; that is to ſay, every Perſon to be appointed a Lieutenant Colonel ſhall be ſeiſed or poſſeſſed of a Real Eſtate in Houſes or other Property within the ſaid City or Liberties of the yearly Value of Two hundred Pounds Sterling, or ſhall be poſſeſſed of a Perſonal Eſtate alone, or ſeiſed and poſſeſſed of Real and Perſonal Eſtate together to the Amount or Value of Three thouſand Pounds Sterling; and every Perſon to be appointed a Major, ſhall be ſeiſed or poſſeſſed of a like Real Eſtate in Houſes or other Property within the ſaid City or Liberties of the yearly Value of One hundred Pounds Sterling, or be poſſeſſed of a Perſonal Eſtate alone, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together to the Amount or Value of One thouſand five hundred Pounds; and every Perſon to be appointed a Captain ſhall be ſeiſed or poſſeſſed of a like Real Eſtate in Houſes or other Property within the

the ſaid City or Liberties of the yearly Value of Fifty Pounds Sterling, or be poſſeſſed of Perſonal Eſtate alone, or Real and Perſonal Eſtate together, to the Amount or Value of Seven hundred and fifty Pounds Sterling; and every Perſon to be appointed a Lieutenant ſhall be ſeiſed or poſſeſſed of a like Real Eſtate in Houſes or other Property within the ſaid City or Liberties of the yearly Value of Twenty Pounds Sterling, or be poſſeſſed of Perſonal Eſtate alone, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together, to the Amount of Three hundred and fifty Pounds Sterling; and every Perſon to be appointed an Enſign ſhall be ſeiſed or poſſeſſed of a like Real Eſtate in Houſes or other Property within the ſaid City or Liberties of the yearly Value of Fifteen Pounds Sterling, or be poſſeſſed of Perſonal Eſtate alone, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together, to the Amount of Two hundred and fifty Pounds Sterling.

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.

VIII. 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, Stewartry, 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, Stewartry, 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.

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.

IX. And be it further enacted, That the Clerk of the Peace of every County, Stewartry, and Place, ſhall, and he is hereby required to enter the Qualifications tranſmitted to him, according to the Directions of this Act, upon a Roll to be provided and kept for that Purpoſe, and to cauſe to be inſerted in *The London Gazette* the Dates of the Commiſſions, and Names and Rank of the Officers, together with the Names of the Officers in whoſe Room they are appointed, in like Manner as Commiſſions in the Army are publiſhed from the War Office; and he is hereby authorized to charge the Expence of ſuch Inſertion in the *Gazette* for each Commiſſion to the Collector of the County, Stewartry, 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 by this Act, ſhall, at ſome General Quarter Seſſion of the Peace, or in ſome Sheriff Court in *Scotland* 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.

X. And be it further enacted, That if any Perſon ſhall execute any of the Powers hereby directed to be executed by Lieutenant Colonels or Majors, not being qualified as aforeſaid, or without having delivered in ſuch ſpecifick Deſcription of his Qualification as is herein-before required, every ſuch Perſon ſhall forfeit and pay the Sum of 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 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, Stewartry, 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, Stewartry, or Place, for which he ſhall be appointed, any Qualification in Writing as aforeſaid.

His Majeſty may direct County Lieutenants to diſplace Officers.

XI. And be it further enacted, That His Majeſty, His Heirs and Succeſſors, may from Time to Time, as He and they ſhall think fit, ſignify His and their Pleaſure to His and their Lieutenant of any County, Stewartry, 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, Stewartry, or Place, with the like Qualifications, and under and ſubject to the like Proviſions and Reſtrictions, to ſerve in their Stead.

Numbers of Private Men to be as herein ſpecified.

XII. 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

bers 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 *Edinburgh* One thouſand three hundred and thirty-two; for the City of *Edinburgh* One thouſand two hundred and forty; for the County of *Linlithgow* Three hundred and ſeventy-ſix; for the County of *Haddington* Six hundred and ſixteen; for the County of *Berwick* Six hundred and twenty; for the County of *Peebles* One hundred and eighty; for the County of *Selkirk* One hundred; for the County of *Roxburgh* Seven hundred and twelve; for the Stewartry of *Kirkcudbright* Six hundred and four; for the County of *Wigton* Four hundred and ſeventy-ſix; for the County of *Ayr* One thouſand ſeven hundred and forty-four; for the County of *Renfrew* One thouſand ſix hundred and ſixteen; for the County of *Lanark* Three thouſand and four; for the County of *Stirling* One thouſand and fifty-two; for the County of *Kinroſs* One hundred and forty; for the County of *Fife* One thouſand nine hundred and thirty-ſix; for the County of *Dumbarton* Four hundred and twenty-eight; for the County of *Bute* Two hundred and forty-four; for the County of *Argyle* One thouſand four hundred and fifty-ſix; for the County of *Inverneſs* One thouſand five hundred and thirty-ſix; for the County of *Perth* Two thouſand ſix hundred and twelve; for the County of *Forfar* Two thouſand and forty-four; for the County of *Kincardine* Five hundred and forty-four; for the County of *Aberdeen* Two thouſand five hundred and ſixty; for the County of *Banff* Seven hundred and ſixteen; for the County of *Elgin* Five hundred and fifty-two; for the County of *Nairn* One hundred and ſeventy-two; for the County of *Cromarty* Sixty-four; for the County of *Roſs* One thouſand and eighty; for the County of *Sutherland* Four hundred; for the County of *Caithneſs* Four hundred and eighty-four; for the County of *Dumfries* One thouſand one hundred and thirty-ſix; for the County of *Clackmannan* Two hundred and twenty-four.

XIII. Provided always, and be it further enacted, That where the Number of Local Militia ſo fixed and ſettled for any County, Stewartry, or Place as aforeſaid, ſhall be leſs than the Number actually ſerving for ſuch County, Stewartry, 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, Stewartries, and Places, 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, Stewartry, or Place, ſhall be ſupplied until the Number of Men ſerving in ſuch County, Stewartry, or Place, ſhall be reduced below the Number ſo fixed as aforeſaid, as the Quota of ſuch County, Stewartry, or Place.

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.

XIV. And be it further enacted, That when the Number of Local Militia Men ſo fixed as aforeſaid for any County, Stewartry, or Place, ſhall be greater than the Number actually ſerving for ſuch County, Stewartry, or Place, at the Time of paſſing this Act, no further Enrolments of Men for the Local Militia of ſuch County, Stewarty, or Place, ſhall take place, beyond what may be neceſſary to keep the ſeveral Regiments

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 Vo-

Volunteers together equal six Times the Militia.

ments complete to their Eſtabliſhments, ſo long as the Number of Men ſerving in ſuch County, Stewartry, or Place ſhall, in Addition to and together with and including the effective Yeomanry and Volunteers ſerving in ſuch County, Stewartry, or Place, (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, Stewartry, or Place, fixed under an Act paſſed in the Forty-ſecond Year of His preſent Majeſty, relating to the Militia of *Scotland*: Provided always, that when and ſo often as the Number of effective Yeomanry and Volunteers in any ſuch County, Stewartry, or Place as aforeſaid, ſhall be reduced by the diſbanding or diſcontinuing the Services of any Corps of Yeomanry or 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, Stewartry, or Place, ſhall be equal to the Number fixed as aforeſaid for the Quota of ſuch County, Stewartry, or Place, 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.

XV. 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, Stewartry, or Place, ſhall be greater than the Number actually ſerving for ſuch County, Stewartry, or Place, 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, Stewartry, or Place 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 actually ſerving in 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.

XVI. 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.

XVII. And

Bounties to such Volunteers to be certified, &c.

XVII. And be it further enacted, That whenever 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.

XVIII. 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 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, Stewartry, or Place 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, Stewartry, or Place to which such Yeomanry Corps shall be attached.

Powers of certain Acts applicable to the Local Militia, extended to this Act.

XIX. 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 Clerks to give Notice of Meeting to Commanding Officers of Regiments.

XX. 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 ballotting and for inrolling the Militia Men within such Subdivision; and shall, as soon as the Militia Men are inrolled, likewise transmit to the Colonel or other Commandant, or to the Commanding Officer as aforesaid, 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 ballotted from Militia Lists.

XXI. And be it further enacted, That the Men to be raised under this Act shall be ballotted 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 *Scotland*; 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.

XXII. 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 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.

XXIII. 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.

XXIV. 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, requiring the Attendance of the Schoolmaster, Constable, or other Officer of any Parish 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 Schoolmaster, Constable, or other Officer, shall refuse or neglect to appear according to such Order or Warrant, or if any Constable or other Officer of any Division, or any Schoolmaster, Constable, or other Officer of any Parish 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 for the Space of One Month, or, at their Discretion, to fine such Person in any Sum not exceeding Twenty Pounds, nor less than Forty Shillings.

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

XXV. Provided always, and be it further enacted, That if any Constable or Officer 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 Judgment render it expedient and neceſſary for the due Execution of the Proviſions of this Act, by their Order under their Hands to appoint a fit and proper Perſon to be Deputy to ſuch Quaker, for the Purpoſe only of carrying this Act into Execution; and every Perſon ſo appointed Deputy as aforeſaid ſhall have and exerciſe all the Powers, Authorities, and 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 Conſtable or Officer (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.

XXVI. And be it further enacted, That it ſhall be lawful for the Deputy Lieutenants, at their Subdiviſion Meetings, to add together, whenever they ſhall think it neceſſary, any Two or more Pariſhes or Places, or to add any extra-parochial Place or Places to any Pariſh or Pariſhes adjoining thereto, for the Purpoſes of this Act; and alſo to add together the Liſts of ſuch Pariſhes and Places aforeſaid, ſo as to make the Choice of Local Militia Men by Ballot within every ſuch Subdiviſion as equal and impartial as poſſible; and where any Pariſhes and Places ſo added together ſhall lie in different Wards or other Diviſions within the ſame County, Stewartry, or Place, to direct in what Ward 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 Schoolmaſters, Conſtables, or other Officers of Pariſhes and Places ſo added together, ſhall act together in the Execution of this Act, as if they were reſpectively Officers of One and the ſame Pariſh or Place; and all ſuch Schoolmaſters, Conſtables, and Officers ſo as aforeſaid acting together by virtue of this Act ſhall hold their Meetings under this Act in the Pariſh or Place which ſhall be named firſt in ſuch Order of Deputy Lieutenants; and if any Difference or Diſagreement ſhall ariſe between the Officers of any Pariſh or Place, or between the Officers of different Pariſhes or Places, touching the Execution of this Act, the Deputy Lieutenants acting in and for the Subdiviſion where ſuch Difference or Diſagreement ſhall happen, ſhall at any Subdiviſion Meeting, and they are hereby authorized to hear and determine the ſame, and make ſuch Order therein for the better Execution of this Act, as to them ſhall ſeem meet; and ſuch Orders ſhall be final and concluſive to all Intents and Purpoſes, without being ſubject to any Siſt or Review whatſoever.

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 Schoolmaſters.

XXVII. 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 Place 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 Schoolmaſters or Conſtables have been or

are

are appointed, or act, the reſpective Conſtables and Schoolmaſters of the Pariſhes or Places, to which ſuch extra-parochial or other Place ſhall have been added by the Deputy Lieutenants as aforeſaid, may and ſhall act as Schoolmaſters or Conſtables, 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 Place.

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

XXVIII. And be it further enacted, That the Clerks of all Subdiviſion Meetings ſhall, within Fourteen Days after every ſuch Subdiviſion Meeting, tranſmit to the Clerk of the General Meetings of the County, Stewartry, 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.

XXIX. And be it further enacted, That the Lieutenant or Vice Lieutenant of any County, Stewartry, 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, Stewartry, or Place, if they ſhall ſee Occaſion, and alſo may alter the eſtabliſhed Allotment of the Number of Men in each reſpective Ward 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, Stewartry, 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 Ward 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.

XXX. 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 and Place, within ſuch Subdiviſion, regard being had in ſuch Appointment to the Number of effective Yeomanry and Volunteers ſerving in each ſuch Pariſh or Place in Proportion to the Number laſt appointed, in the Manner hereinbefore directed, at a General Meeting to ſerve for each Pariſh or other Diviſion; and ſhall appoint another Meeting to be holden within Three Weeks from the Day on which ſuch Meeting was holden within the ſame Subdiviſion, and ſhall iſſue out an Order to the Schoolmaſter or Conſtable or other Officer of every Pariſh or Place, within their reſpective Subdiviſions, of the Number of Men ſo appointed to ſerve for ſuch Pariſh or Place, and of the Time and Place of the next Subdiviſion Meeting; and the ſaid Deputy Lieutenants, or any Two or more of them, 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

the raiſing the Militia under any Acts relating to the Militia of *Scotland*, and ſhall appoint another Meeting to be holden within Three Weeks in the ſame Subdiviſion, and ſhall iſſue out an Order directing the Schoolmaſter or Conſtable, or other Officer of every Pariſh 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 Schoolmaſter, Conſtable, or other Officer, ſhall attend ſuch Meeting, and make ſuch Return upon Oath of the Days when ſuch Notice was ſerved; and every Perſon ſo choſen by Ballot ſhall upon ſuch Notice appear at ſuch Meeting, and if on Examination found able and fit for the Service, and approved of in Manner herein-after directed, ſhall then and there take the following Oath; (that is to ſay,)

Perſons choſen by Ballot to take the following Oath.

'I *A. B.* do ſincerely promiſe and ſwear, That I will be faithful and bear true Allegiance to His Majeſty King *George*; and that I will faithfully ſerve in the 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, Stewartry, or Place, as a private Local Militia Man, for the Space of Four Years.

XXXI. 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.

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.

XXXII. 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, Stewartry, or Place, beyond the Sum of Two Guineas to be paid to ſuch Volunteer as herein-after directed, every ſuch Perſon as aforeſaid ſhall forfeit for every ſuch Offence the Sum of Fifty Pounds.

Perſons inſuring ſubject to Penalty of 50l.

XXXIII. 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.

No Perſon ballotted allowed to find a Subſtitute.

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.

XXXIV. And be it further enacted, That if the Heriotors of any Parish shall, with the Consent of a Majority of the Heriters of such Parish in Value, according to their valued Rent, given at a Meeting called for that Purpose, 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, Stewartry, 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 Lists returned for such Parish or Place, as shall be then wanted to make up the whole Number to serve for such Parish or Place; and if any such Majority of Heritors in Value as aforesaid, shall agree to give and 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 or Place, it shall be lawful for the Heritors of such Parish, being Proprietors of Lands within the Parish to the Extent of at least One hundred Pounds *Scots* of valued Rent, appearing in the Land Tax Books of the County or Stewartry within which such Parish or Place is situated, at any Meeting to be held for that Purpose to be called by any Two or more of such Heritors, upon Notice to that Effect given from the Pulpit on any *Sunday*, at least Five Days previous to such Meeting, to assess Sums equal to all such Bounties upon the Heritors within such Parish, in proportion to the valued Rent of every Heritor within the Parish, and One Half of every Sum so assessed shall be paid by the Tenant or Tenants of the Land upon which the same shall be assessed.

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

XXXV. 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.

XXXVI. 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

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 Profeſſor nor any Perſon being a Reſident Member of any of the Univerſities, nor any licenſed Clergyman, nor any Teacher licenſed within the County, Stewartry, or Place, to preach or teach in ſome ſeparate Congregation, (not carrying on any Trade, nor 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 Pariſh Schoolmaſter, 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 Caſtles or Forts; nor any Man who has more than Two Children born in Wedlock, and who is not poſſeſſed of an Eſtate in Lands, Goods, or Money, of the clear Value of Fifty Pounds Sterling, and who ſhall make Oath that he is not ſeiſed or poſſeſſed of ſuch Eſtate, 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 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, 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 ſerved perſonally according to the Directions of any former Act or Acts relating to the Local Militia, or under this Act, ſhall be obliged to ſerve again until the Expiration of Two Years; 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.

XXXVII. 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 ballotted 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 have Exemption from Service in the Regular Militia, and ſhall not be liable to be ballotted 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, Stewartry, or Place in which he may have been originally

Perſons hereafter enrolled only exempted for One Year.

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.

XXXVIII. 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 Exercife to the Clerk of the Subdiviſion for which he ſhall have been before ballotted 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 ballotted 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.

XXXIX. 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.

XL. 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-ninth Year of His preſent Majeſty, intituled *An Act for providing Relief for the Wives and Families of the Militia Men of* Scotland, *when called into actual Service*; and for that Purpoſe all the Rules, Regulations, and Proviſions, Powers, Authorities, Penalties, and Forfeitures in the laſt-mentioned Act contained, ſhall extend and be conſtrued to extend to the giving or refuſing ſuch Relief as aforeſaid as fully and effectually as if the ſame were herein enacted: Provided always, that no Aſſeſſment ſhall be made to make good the Amount of any Sums paid for ſuch Relief to ſuch Wives and Families under this Act in the Manner directed by ſuch laſt-mentioned Act to make good the Sums paid to the Wives and Families of Militia Men purſuant thereto: Provided alſo, that whenever any Corps of Local Militia ſhall be aſſembled for Training and Exerciſe, all Perſons enrolled therein, having

49 G. 3. c. 90.

ing Families who would be entitled to Relief if they were reſident in ſome other Place than that in which the Regiment ſhall be aſſembled, ſhall be entitled to Relief for their Wives and Families, notwithſtanding ſuch Wives and Families may be reſident in the Place where the Regiment may be aſſembled.

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

XLI. And be it further enacted, That if through the Neglect or Miſtake of any Conſtables, Schoolmaſters, or other Officers, or from any other Cauſe, the full Number of Men appointed for any Subdiviſions 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 the 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.

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

XLII. 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, Stewartry, or Place, and Notice thereof given by the Schoolmaſters or Conſtables of the ſeveral Pariſhes, by putting up the ſame on the Doors of the ſeveral Pariſh Churches in ſuch County, Stewartry, or Place), and be enrolled under this Act, and take the Oath to ſerve under this Act, ſuch Perſon ſhall forfeit the Sum of Thirty Pounds: Provided always, that if ſuch Perſon ſhall not have or be in the Receipt of 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, ſuch Perſon ſhall forfeit only the Sum of Twenty Pounds; and if his Income ſhall not amount in the whole to One hundred Pounds, clear of all Outgoings, Taxes, or Reprizes, he ſhall forfeit only 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 Ten Days after the Receipt thereof, tranſmit the ſame to the Collector of the Ceſs, who ſhall within Twenty-one Days after

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

after the Receipt thereof remit the ſame to the Receiver General of *Scotland*, who 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.

Liſt of Fines to be tranſmitted to Secretary at War.

XLIII. And be it enacted, That a Liſt of all ſuch Fines ſhall once in each Year, or oftener if required, be tranſmitted to the Secretary at War by the Deputy Lieutenants of the County, Stewartry, City, or Place where the ſame ſhall be impoſed, according to the Form of the Schedule marked (H.) hereunto annexed; and a Duplicate of ſuch Liſt ſhall at the ſame Time be tranſmitted to the Solicitor for Taxes in *Scotland*.

Perſons impriſoned compellable to ſerve Four Years.

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

XLV. 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.

Penalty of 50l. for making a falſe Declaration.

Such Perſons to ſign Declaration that they have not inſured.

XLVI. 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 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 Sum-

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

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mons 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, Stewartry, or Place, 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.

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

XLVII. And be it further enacted, That it ſhall be lawful for the Deputy Lieutenants of any County, Stewartry, or Place, 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, Stewartry, or Place, or of any Pariſhes of any Ward or 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 Wards, 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 Ward, Diviſion, or Pariſh, to make any new Apportionments, and aſcertain and ſettle any Quotas of Local Militia, as to any Wards or Diviſions of any County, Stewartry, or Place, or as to any Pariſhes in any Ward or Diviſion, by any new Apportionment as to ſuch Wards or Diviſions, or as to the Pariſhes in any Ward or 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 Wards or Diviſions, or for any Pariſhes of any Ward or Diviſion, ſhall remain and be deemed to be the proper Quotas of ſuch Wards, 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.

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

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.

XLIX. 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*, 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 bal-

lotted 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 Effects of such Person, by Warrant under their Hands (the Overplus, if any, after deducting of reasonable Charges, being rendered to the Party); and if no Goods or Effects 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 Culprits.

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

L. 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, Stewartry, 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.

LI. And be it further enacted, That where any Parish shall lie in Two or more Counties, Stewartries, or Places, the Inhabitants of such Parish shall serve in the Local Militia of the County, Stewartry, or Place 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, Stewartry, or Place.

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

LII. 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 ballotted 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, Stewartry, 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

Allowance to be made the Surgeon for his Attendance.

ſhall be paid to him in like Manner as other Allowances are directed to be made and paid to Subdiviſion Clerks under this Act.

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

LIII. 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 balloted, 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 General Meetings to be entered in a Book.

LIV. 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.

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

LV. 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, Stewartry, or Place to which ſuch Regiment, Battalion, or Corps belongs, if the ſaid Regiment, Battalion, or Corps ſhall then be within the ſaid County, Stewartry 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, Stewartry, 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, Stewartry, or Place as aforeſaid.

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

LVI. 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.

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 of Perſons to be Serjeants or Corporals.

LVII. 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, and Pariſhes in their reſpective Counties, Stewartries and Places 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 in the Local Militia of any ſuch County, Stewartry, or Place, to be Serjeants or Corporals, and ſhall immediately after the ſame ſhall be ſo aſcertained and fixed, cauſe ſuch Subdiviſions 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, 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.

LVIII. 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. 20 next enſuing, and ſuch Men may be diſcharged and the others received.

LIX. 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

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.

LX. 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, Stewartry, 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 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, Stewartry, 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 Effects of ſuch Maſter or Miſtreſs, or Employer or Employers, rendering the Overplus to the Owner or Owners, after Payment of the Charges of ſuch Diſtreſs and Sale.

And if any Diſpute ſhall ariſe touching Wages under 20l. a Juſtice may ſettle it, and may grant Warrant for levying the Money by Diſtreſs if not paid.

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

LXI. And be it further enacted, That if any Heritors of any Pariſh ſhall have engaged any Perſon to ſerve as a Volunteer as aforeſaid, and ſuch Heritors 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

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.

Local Militia permitted to enlist.

LXII. 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, Stewartry or Place 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 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.

Serjeant, &c. not permitted.

Apprentices not permitted to enlist without Masters Consent.

LXIII. 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, notwithstanding any Covenant or Agreement in any such Indenture; and no Service under this Act of any Apprentice 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; any Thing contained in any Act or Acts of Parliament, or Law or Laws, or Deed or Indenture of Apprenticeship to the contrary notwithstanding.

Vacancies to be filled up notwithstanding Suspension of Ballot.

Volunteers allowed to enter until Local Militia be completed.

LXIV. 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, Stewartry or Place, shall be completed to the full Amount specified in this Act as the Quota of such County, Stewartry or Place, 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 hereinbefore directed, (as well Members of Volunteer Corps as others), voluntarily to enrol themſelves in the Local Militia of ſuch County, Stewartry or Place, according to the Proviſions of this Act, until the full Number of Men required by virtue of this Act in ſuch County, Stewartry or Place, ſhall be completed.

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

LXV. 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 Stewartry, 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.

LXVI. And be it further enacted, That the Local Militia of the ſeveral Counties, Stewartries, 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, One Lieutenant, and One Enſign; and that where the Number of Men raiſed for any County, Stewartry 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, Stewartry 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, Stewartry 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.

LXVII. 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.

LXVIII. 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 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.

LXIX. And be it further enacted, That where the Local Militia of any County, Stewartry or Place, 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, Stewartry or Place 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, Stewartry or Place, 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, Stewartry or Place, 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.

LXX. And

LXX. 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 or Stewartry, to direct the Lieutenant, Vice Lieutenant, or Deputy Lieutenants of such County or Stewartry, to divide such County or Stewartry 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 or Stewartry 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 may order Counties to be divided.

LXXI. And be it further enacted, That where the Local Militia of any County or Stewartry shall not be sufficient to form Four Companies, it shall and may be lawful for His Majesty to direct the Local Militia of such County or Stewartry to be joined to the Local Militia of any other County or Stewartry, in order to form a Battalion, and to be trained and exercised in any one of such Counties or Stewartries as His Majesty shall be pleased to direct; and the different Field Officers to be hereafter appointed to any such Battalion shall be appointed as follows: Where Three or more Counties, Stewartries, Cities or Places shall be joined together to form a Battalion, the Lieutenant Colonel Commandant shall be appointed by the Lieutenant of the County, Stewartry, City or Place, furnishing the greatest Number of private Men; the Lieutenant Colonel shall be appointed by the Lieutenant of the County, Stewartry, City or Place, furnishing the next greatest Number; and the Major shall be appointed by the Lieutenant of the County, Stewartry, City or Place, furnishing the Third greatest Number; and where Two Counties, Stewartries, Cities or Places only shall be joined together to form a Battalion, then and in such Case the Lieutenant Colonel Commandant and the Major shall be appointed by the Lieutenant of the County, Stewartry, City or Place furnishing the greatest Number, and the Lieutenant Colonel shall be appointed by the Lieutenant of the County, Stewartry, City or Place, furnishing the smallest Number: Provided always, that where any County, Stewartry, City or Place, shall not furnish Men sufficient to form a Company, the Lieutenant of such County, Stewartry, City or Place shall not appoint any of the Field Officers.

Local Militia of Two or more Counties may be joined together to form a Battalion.

LXXII. 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, Stewartry 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.

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 the Lieutenant of any County, Stewartry or Place, to act as Commandant of any Regiment, Battalion, or Corps of Local Militia for such County, Stewartry or Place, for and during such Time as there shall not be any Commandant appointed

County Lieutenant may act as Commandant of the Local Militia, when there shall not be any other

appointed, and have the Rank of Colonel.

appointed to such Regiment, Battalion, or Corps; and where the Lieutenant of any County, Stewartry, or Place shall take the Command of any Local Militia of the said County, Stewartry, 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, Stewartry, 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.

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.

LXXIV. 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.

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.

LXXV. 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, Stewartry, 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 Commandant might have done: Provided always, that such Officer

ficer 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, Stewartry, 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.

LXXVI. 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, Stewartry, or Place, on the Recommendation of the Colonel or other Commandant of any Regiment, Battalion, or Corps of Local Militia, raiſed within ſuch County, Stewartry, 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 as an Adjutant 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 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

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.

No Adjutant ſo appointed to the Rank of Captain ſhall command a Captain of a Company,

or be entitled to greater Pay than Adjutant.

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.

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

LXXVII. 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, Stewartry, or Place, with the Approbation of His Majeſty, to appoint One fit and proper Perſon, who ſhall have paſſed an Examination at Surgeons 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 kept by 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 Collector of the County, Stewartry, 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, Stewartry, 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.

Surgeons, when the Militia is embodied, to receive the Pay and Allowance of Surgeons of Infantry, but not to hold any other Commiſſion.

Quarter Maſter may be appointed, but ſhall not hold any other Commiſſion.

LXXVIII. 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, Stewartry, 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.

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

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

LXXX. And

LXXX. 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:

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

'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 Master, or Surgeon, *as the Case may be*], for serving in the Local Militia.'

Oath.

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

LXXXI. 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),

The Proportions of Non-commission Officers and Drummers.

'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.'

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

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

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

LXXXII. And

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

LXXXII. 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.

LXXXIII. And be it further enacted, That in case His Majesty's Lieutenant for any County, Stewartry, 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.

LXXXIV. 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.

LXXXV. 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;

LXXXVI. 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.

LXXXVII. 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 or Stewartries 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 Stewartry, 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 and Stewartries, 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 or Stewartry 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.

LXXXVIII. 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 or Stewartry in which the principal Town or Towns of such County or Stewartry shall not afford sufficient Accommodation for the Quartering of the Local Militia of the County or Stewartry, 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 Stewartry, or any Regiments or Regiment thereof, or any Detachment or Company of any such Regiment, to be marched into any adjoining County or Stewartry, 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.

LXXXIX. And be it further enacted, That when the Local Militia of any County, Stewartry, City, or Place, 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 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, Stewartry, or Place, to another County, Stewartry, or Place, 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, Stewartry, or Place 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, Stewartry, or Place, if there be any Local Militia enrolled in such County, Stewartry, or Place; and if not, into the Local Militia of some adjoining County, Stewartry, or Place 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, Stewartry, or Place, or such adjoining County, Stewartry, or Place, 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 balloted under this Act; and every Person who shall again remove, or who shall proceed to any other County, Stewartry, or Place, 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, Stewartry, or Place, to another County, Stewartry, or Place, 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, Stewartry, or Place, or for the Sheriff of any County, or Stewart of any Stewartry, or, in the Absence of the Lord Lieutenant and Vice Lieutenant and Sheriff of any County, Stewartry, or Place, 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, Stewartry, or Place, for the Suppression of any Riot or Tumults in such County, Stewartry, or Place, or in any adjoining County, Stewartry, or Place; and every Person then enrolled 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 the Door of his Parish Church, 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 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 Exerciſe 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.

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.

XCII. 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, Stewartry, 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, Stewartry, 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.

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, 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

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.

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.

no Punishment shall extend to Life or Limb; and that it shall be lawful for the Officer commanding and present with any Detachment or Division of 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, Stewartry, 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.

Offences committed during Training may be tried afterwards.

XCIV. 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.

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

XCV. 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, Stewartries, and Places; and shall be advertised Three Times in the County or Stewartry Paper, or if

if any County or Stewartry ſhall have no Paper, then in ſome Newſpaper publiſhed in *Edinburgh*; and the ſaid Deputy Lieutenants, at ſome Sub-diviſion Meeting to be held for carrying this Act into Execution, after the Receipt of the ſaid Notices, ſhall cauſe the Men ſerving for ſuch Sub-diviſion 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 directing the Schoolmaſters, Conſtables, and other Officers within their reſpective Diviſions and Pariſhes, which Schoolmaſters, Conſtables, and other Officers ſhall cauſe ſuch Notice as aforeſaid to be affixed on the Door of the Churches or Chapels belonging to their reſpective Pariſhes or Places, or (if any Place ſhall have no Church or Chapel belonging thereto) on the Door of the Church or Chapel of ſome Pariſh or Place thereunto adjoining, which Notice 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 hereinafter directed; and ſuch Schoolmaſters, Conſtables, 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.

on the Church Doors, which ſhall be ſufficient.

Conſtables to give written Notices to the Men to attend.

XCVI. And be it further enacted, That the Clerks of the ſeveral Subdiviſion Meetings in every County, Stewartry, 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.

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 Pay of every Perſon enrolled to ſerve in the Local Militia of any County, Stewartry, 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.

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

XCVIII. 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 Exercoiſe, be diſabled by Sickneſs or otherwiſe, it ſhall be lawful for any One Juſtice of the Peace of the County, Stewartry, or Place, or any Provoſt or Chief Magiſtrate of any City, Burgh, or Place where ſuch Man ſhall then be, by Warrant under his Hand, to order him ſuch Relief as ſuch Juſtice, Provoſt, or Chief Magiſtrate, ſhall think reaſonable, and the ſame ſhall be given by the Kirk Seſſion of the Pariſh or Place where ſuch Local Militia Man ſhall then be; and the Kirk Seſſion giving ſuch Relief ſhall, upon producing an Account of the Expences thereof to the

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

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.

XCIX. And be it further enacted, That it ſhall be lawful for all Provoſts, Bailiffs, and other Chief Magiſtrates, and for all Conſtables, and other Peace Officers of Cities, Burghs, Pariſhes, and Places, and (in their Default or Abſence) for any One Juſtice of the Peace inhabiting within or near any City, Burgh, Pariſh, 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 Provoſts, Bailiffs, or other Chief Magiſtrates, or for any Conſtables, or other Peace Officers of His Majeſty's Lieutenant, or by the Colonel or other Commanding Officer of the Local Militia, of the County, Stewartry, 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 Provoſts 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.

C. 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, Stewartry, or Place, being thereunto required by an Order from the Lieutenant or from any Deputy Lieutenant of ſuch County, Stewartry, 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, Stewartry, or Place, may and ſhall iſſue his Warrant, ſpecifying the Carriages neceſſary to convey the Arms, Cloaths, Accoutrements, Ammunition, and other Stores of any ſuch Regiment, Battalion, Corps, Detachment, or Diviſion of Local Militia, and the Perſon or Perſons by whom the ſame ſhall be furniſhed, with the Number of Men who ſhall be required to drive the ſame; and in caſe ſuch Carriages and Men cannot be provided within any ſuch County, Stewartry, Pariſh, or Place, then any Juſtice of the Peace for any adjoining County, Stewartry, Pariſh, or Place, may and ſhall, upon ſuch Order as aforeſaid being ſhewn to him, iſſue his Warrant for ſuch Carriages and Men as ſhall be neceſſary to make up the Deficiency; and the Colonel or other Commanding Officer of the Regiment, Battalion, Corps, Detachment, or Diviſion of Local Militia for which ſuch Carriages and Men ſhall be required to be provided as aforeſaid, ſhall pay to the Perſon or Perſons who ſhall provide ſuch Carriages, ſuch Rate *per* Mile as ſhall be fixed by ſuch Juſtice, and ſpecified in ſuch Warrant, not exceeding Fourpence for every Mile any Cart with one Horſe ſhall travel, and ſo in proportion for any Number of Carriages drawn by any greater Number of Horſes; and every Perſon ſo ordered to provide ſuch

Carriages

Carriages and Men is hereby required to provide and furniſh the ſame accordingly, for One Day's Journey, and no more.

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

CI. 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, or for the Suppreſſion of Riots or Tumults, 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, or ſuch Aſſembly.

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

CII. 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, Stewartry, 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 kept by him; 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 Health; and where the Local Militia of any County, Stewartry, 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, Stewartry, or Place, to which ſuch Local Militia ſhall belong, and a Duplicate thereof to the Clerk of the General Meetings, to be kept by him; 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.

Captains of Companies to make out a Return for the Adjutant, or where

CIII. 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 Re-

turn

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.

turn 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, Stewartry, 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, Stewartry, 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.

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.

CIV. 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, 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.

CV. 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 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 chosen in his Room.

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

CVI. 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, Stewartry, 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, or to the Common Gaol for any Time not exceeding Three Months, or until he shall have paid such Penalty.

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 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 Effects whereon to levy such Penalty, the Justice before whom he or she shall be convicted shall commit him or her to the Common Gaol, there to remain without Bail 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.

Penalty, for buying Local Militia Arms, &c.

CVIII. 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

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.

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.

CIX. 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, Stewartry, 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 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.

Sentence not to be put in Execution until confirmed by the Colonel, etc.

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.

CX. 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 be then 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 such Reduction be again liable to serve as such until legally discharged; nor shall any such Serjeant, Corporal, or Drummer,

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;

CXI. 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, Stewartry and Place; 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; 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, Stewartry, and Place, for any Period not exceeding Twelve Months,

or to Imprisonment.

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

CXII. 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.

CXIII. 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,

ment, 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.

CXIV. 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, Stewartry, 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 Clerks of the General Meetings of Lieutenancy, at the Desire of the Colonel or other Commandant, to draw upon the Collector of the Cess of each County, Stewartry, and Place respectively, for any Sum necessary for the Purpose of providing a proper Place for keeping such Arms, Accoutrements, Clothing and Stores, not exceeding the Proportion of Ten Pounds Sterling for each Six hundred Men in any one Year; and which Sum shall be paid to the Colonel or other Commandant, requiring such Clerk to draw for the same, and shall be applied by him in providing such Depot, and shall be regularly accounted for by the Production of Receipts for the Money expended in providing such Depot, which Receipts shall be delivered to the Collector of the Cess, and shall be a Discharge to him in his Accounts, and shall be delivered by him as Cash to the Receiver General of the Cess or Land Tax in *Scotland*; and it shall be lawful for the General Meeting of Lieutenancy for any County or Stewartry to order and direct a fit, proper, and convenient Place for the Purpose of keeping the Arms, Accoutrements, Clothing, and Stores of each Regiment, Battalion, or Corps, to be provided or built, if no such fit, proper, and convenient Place can be found, the Hire or Cost of which Place shall be certified by the General Meeting of Lieutenancy to the Clerk or Clerks of Supply of the County or Stewartry, Counties or Stewartries, wherein or for which such Place of Depot ought to have been provided; and such Clerk or Clerks of Supply shall thereupon summon a Meeting of the Commissioners of Supply to be held within Twenty-one Days after the Receipt of such Certificate, and the Commissioners of Supply shall at such Meeting make an Assessment for such Expense, in the Manner and to be levied as is herein directed in the Case of Deficiencies in the Quotas of Local Militia to be raised in any County or Stewartry: Provided always, that in all Cases in which any such fit, proper, and convenient Place shall be so ordered by the General Meeting of Lieutenancy to be provided or built, the Sum herein-before directed to be allowed to the Colonel or other Commandant of each Regiment for providing the same, shall be paid to such Colonel or other Commandant and shall be by him applied in Diminution of the Sum to be levied upon such County or Stewartry, for the Purpose of defraying the Hire or Cost of such Depot.

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

CXV. 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

CXVI. 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

CXVII. 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

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.

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 or Stewartry, 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, 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.

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.

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

CXVIII. 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 or Stewartries 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.

Method of proceeding when Information is received of the

CXIX. 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 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, Stewartry, 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 conveying him before some Justice of the Peace of the County, Stewartry, or Place, 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, Stewartry, or Place in the Way to the County, Stewartry, 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, Stewartry, or Place, and so in like Manner until such Offender shall be delivered into the Custody of the Adjutant or Senior 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, to be paid by the Collector 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 such Collector, which, with the Receipt taken upon Payment, shall be received as Cash by the Receiver General of *Scotland* from such Collector; 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

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

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

neſſes upon Oath, or by the Knowledge of ſuch Juſtice, it ſhall appear or be found that ſuch ſuſpected Perſon is ſuch Deſerter, ſuch Juſtice ſhall forthwith cauſe him to be conveyed to the Common Gaol of the County, Stewartry, or Place where he ſhall be found, or the Houſe of Correction or other publick Priſon in the Town or Place in or near to which ſuch Deſerter ſhall be apprehended, there to remain until he ſhall be demanded by ſome Perſon or Perſons authorized to receive him as herein-after directed, and ſhall tranſmit an Account thereof to the Clerk of the General Meetings of the County, Stewartry, 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, Stewartry, 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, Stewartry, 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, Stewartry, 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, Stewartry, 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, Stewartry, or Place to which he belongs, who ſhall forthwith cauſe him to be conveyed to the Common Gaol, Houſe of Correction, or other publick

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

Priſon of ſuch County, Stewartry, or Place, where he ſhall remain, without Bail, until a Court Martial can and ſhall be ſummoned, 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 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.

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

CXXI. 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.

Perſons concealing or aſſiſting Deſerters to forfeit 5l.

CXXII. 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, Stewartry, or Place, and diſembodied

His Majeſty may order the Local Militia to be embodied in Caſes of Invaſion, &c. and put under the Command of General Officers, and led by their reſpective Officers, into any Part of Great Britain; and while ſo embodied, ſhall be ſubject to the Mutiny Act and Articles of War.

bodied 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.

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

CXXIV. 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.

CXXV. And be it further enacted, That the Lieutenant of every County, Stewartry, and Place, or (on the Death or Removal of any such Lieutenant, or in his Absence from his County, Stewartry, 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, Stewartry, or Place, shall be directed, shall forthwith issue his or their Order to the Constables, Schoolmasters, or other Officers of the several Parishes and Places within their respective Counties, Stewartries, or Places; and such Constables, Schoolmasters, 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.

CXXVI. 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.

If Local Militia Men shall not march in pursuance of Order, they shall be

CXXVII. 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

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.

Deemed Deserters, and Persons harbouring them shall forfeit 100l.

CXXVIII. 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, Stewartry, or Place, into actual Service, the Officers and Men of the Local Militia of such County, Stewartry, 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.

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. 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 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. And be it further enacted, That the Pay of every Person enrolled to serve in the Local Militia of any County, Stewartry, 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 or Justices aforesaid, or One of them, and shall be repaid to the said Subdivision Clerk by the Collector of the County, Stewartry, or Place, on the Production of a Certificate to that Effect, signed by the said Deputy Lieutenants or Justices, or One of them;

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 Collector of the County, &c.

and the said Collector shall be allowed for the same in his Accounts accordingly.

When the Local Militia is ordered out, the Collector 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.

CXXXI. And be it further enacted, That when the Local Militia of any County, Stewartry, or Place, shall be ordered out into actual Service, the Collector of such County, Stewartry, 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 Collector shall also pay to every Captain or other Commanding Officer of a Company as aforesaid, the Sum of One Guinea for every Recruit as early as may be after such Recruit shall have joined his Company, while out in actual Service as aforesaid, (all which Money so paid by the said Collector shall be allowed him in his Accounts); and the Money so received by any Captain or other Commanding Officer, or so much thereof as such Captain or 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.

CXXXII. And be it further enacted, That, whenever any Regiment, Battalion, or Corps of Local Militia, shall be embodied, and absent from the County, Stewartry, 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 balloted 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, Stewartry, 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

CXXXIII. 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

ſuing 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, Stewartry, 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.

Men willing to continue their Services.

CXXXIV. And be it further enacted, That the Clerk of the General Meetings of every County, Stewartry, 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 Heritors 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 Heritors 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; and it ſhall and may be lawful for the Heritors of ſuch Pariſh to make an Aſſeſſment for the Amount of all ſuch Sums ſo paid or remitted for Bounties, in the Manner in which an Aſſeſſment is herein directed to be made by ſuch Heritors for Bounties to Volunteers, provided and produced to Deputy Lieutenants by Heritors of Pariſhes or Places.

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

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

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.

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

CXXXVII. And whereas it may be expedient that only such a Proportion of the Local Militia, and in such of the Counties, Stewartries, 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, Stewartry, or Place, or (in case of Vacancy or in the Absence of the Lieutenant from his County, Stewartry, 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 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

ings in ſuch County, Stewartry, 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, Stewartry, or Place, or the Deputy Lieutenants who ſhall have iſſued ſuch Order as aforeſaid.

CXXXVIII. 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 Place and Time of aſſembling the Local Militia in the County or Stewartry Paper, or if any County or Stewartry ſhall have no Paper, then in ſome Newſpaper publiſhed in the City of *Edinburgh*, and 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, Stewartries, 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 Conſtables, Schoolmaſters or other Officers of the ſeveral Pariſhes and Places within the ſaid Counties and Stewartries reſpectively; and ſuch Schoolmaſters, Conſtables, or other Officers, are hereby required upon Receipt thereof forthwith to cauſe Notice in Writing to be given to the ſeveral Men of the ſaid Local Militia, or left at their uſual Places of Abode, within their reſpective Pariſhes, or Places, to attend within their reſpective Subdiviſions or Diſtricts, at the Time and Place mentioned in ſuch Order, and ſhall alſo cauſe ſuch Notice as aforeſaid to be affixed on the Doors of the Churches or Chapels belonging to their reſpective Pariſhes or Places, or (if any Place ſhall have no Church or Chapel belonging thereto) on the Door of the Church or Chapel of ſome Pariſh or Place thereunto adjoining, which Notice 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.

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 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

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

herein contained, over and above the Number to be chosen by Ballot 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.

CXL. And be it further enacted, That the said Lieutenant or Deputy Lieutenants as aforesaid of every County, Stewartry, or Place, or any Three or more of them, shall appoint the First Meeting to be holden by the several Deputy Lieutenants of the same County, Stewartry, 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, Stewartries 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 balloted 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, Stewartry, 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.

Deputy Lieutenants may correct Classes.

CXLI. 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.

CXLII. 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, Stewartry, 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.

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 ballotted 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 the Local Militia, or any Part or Proportion of the Local Militia of any County, Stewartry, 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, Stewartry, 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.

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 if any Perſon enrolled by virtue of this Act, and not choſen or ballotted as aforeſaid, who ſhall not have

Any Perſon enrolled and not choſen, not having a Child

Under 14, may be accepted as Volunteer.

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.

CXLV. 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 Collector of ſuch County, Stewartry, 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 Collector, by Order of the Deputy Lieutenants, &c. for Money to pay Allowances.

CXLVI. And be it further enacted, That the reſpective Clerks of the Subdiviſion or other Meetings ſhall be and they are hereby authorized and empowered to draw on the Collector of the Land Tax for the County, Stewartry, 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 Collector of the Land Tax a ſufficient Diſcharge for the Payment of ſuch Sum or Sums of Money, and be allowed in his Account.

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

CXLVII. 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 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.

CXLVIII. 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, Stewartry, 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.

CXLIX. And

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.

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

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

CL. 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, Stewartry, or Place, or any Part thereof, which shall not at such Time be actually embodied for Service, should be drawn out in order to be mustered, trained, and exercised, for a limited Time, instead of being so embodied for Service, according to the Provisions of this Act, it shall be lawful for His Majesty to direct the Lieutenants or Deputy Lieutenants of all or any of the said Counties, Stewartries, 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.

CLI. And be it further enacted, That, whenever the Whole of the Local Militia of any County, Stewartry, 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, Stewartry, 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, Stewartry, or Place, is called out and embodied by Detachments or Divisions, under any Order of His Majesty for that Purpose, pursuant to the Provisions of this Act, it shall be lawful for His Majesty to order and direct the Proportion and Description of Officers, Non-commissioned Officers, and Drummers, who shall accompany such Detachments or Divisions of Men, and the respective Establishments of such Detachments or Divisions, and also to regulate the Numbers and Duties of all such Officers, Serjeants, Corporals, and Drummers, as shall remain within any such County, Stewartry, 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.

CLII. 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, Stewartry, 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,

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.

CLIII. 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.

CLIV. 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, Stewartries, and Places herein mentioned, there ſhall be forthwith raiſed and enrolled in the ſaid ſeveral Counties, Stewartries, 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, Stewartry, or Place, or Part of ſuch County, Stewartry, or Place, together with the Local Militia raiſed for ſuch County, Stewartry, or Place, under the Proviſions of this Act, make the whole Force of ſuch County, Stewartry, or Place equal to Six Times the original Quota of ſuch County, Stewartry, or Place, 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, Stewartries, and Places ſhall, immediately on the iſſuing of any ſuch Proclamation, aſſemble and forthwith proceed to apportion the Number of Men required to be raiſed in their reſpective Counties, Stewartries, and Places, among the ſeveral Pariſhes 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; 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 Ma-

CLV. 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.

jeſty ſhall iſſue a Proclamation for the Meeting of Parliament within 14 Days.

CLVI. 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 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.

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 every County, Stewartry, Place, 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.

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

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

CLVIII. 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.

CLIX. 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 or Officers, 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, and alſo to the Colonel or other Commandant of any Regiment of Local Militia in which Men ſhall be ſerving for ſuch Pariſhes or Places, 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 or other Officer 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 Clerk of Supply Certificates of the Number of Deficiencies.

CLX. And be it further enacted, That the reſpective Commandants of the Regiments of Local Militia in *Scotland* ſhall, within Fourteen Days after the Fourteenth Day of *February* in each Year, tranſmit to the Clerk of Supply, to be laid before the Commiſſioners aſſembled at the ſeveral Meetings to aſſeſs the Land Tax, 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.

Commiſſioners of Supply upon Receipt of Certificate ſhall make Aſſeſſment.

CLXI. And be it further enacted, That the Commiſſioners of Supply of every ſuch County, Stewartry, and Place, aſſembled at the Meetings for aſſeſſing the Land Tax, 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 tranſmit to the Clerk of Supply of ſuch County, Stewartry, or Place, in order to be laid before the ſaid Commiſſioners of Supply reſpectively at ſuch Meetings, rate and aſſeſs the ſaid Sum of Fifteen Pounds *per* Man as aforeſaid upon every ſuch County, Stewartry, or Place, in the Manner directed by the aforeſaid Act, paſſed in the Forty-ninth Year of the Reign of His preſent Majeſty, intituled *An Act for providing Relief for the Wives and Families of the Militia Men in* Scotland, *when called into actual Service*; and the Clerk of Supply of every ſuch County, Stewartry, or Place ſhall, within Fourteen Days after every ſuch Aſſeſſment ſhall have been made, tranſmit to the Receiver General of *Scotland* an Account, ſpecifying the Amount of the Aſſeſſment in each Pariſh, and the Subdiviſion to which ſuch Pariſh belongs.

CLXII. And

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

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

CLXIII. And be it further enacted, That when in any County, Stewartry, or Place, ſuch Deficiency of Men ſhall ariſe from the Default of any particular Pariſh or Pariſhes in ſuch County, Stewartry, or Place, in not raiſing the Proportion or reſpective Proportions of Men required to be raiſed by any ſuch Pariſh or Pariſhes, then and in ſuch Caſes the ſaid Commiſſioners of Supply, 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 Pariſhes that ſhall have ſo made Default as aforeſaid, in Proportion to the Number of Men by which each of ſuch Pariſhes ſhall fall ſhort of the Number of Men required to be raiſed therein.

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

CLXIV. And be it further enacted, That the Commiſſioners of Supply of the ſeveral Counties, Stewartries, and Places, where any ſuch Rate and Aſſeſſment ſhall be made as aforeſaid, ſhall, immediately after the making of any ſuch Rate and Aſſeſſment as aforeſaid, tranſmit or cauſe to be tranſmitted the ſeveral Amounts of the Sums ſo aſſeſſed upon the ſeveral Pariſhes to the reſpective Clerks of the Subdiviſion to which ſuch Pariſhes 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 Collectors of the Ceſs of the County, Stewartry, City, or Place, wherein the ſeveral Pariſhes upon which any ſuch Rate or Aſſeſſment ſhall have been made as aforeſaid, ſhall be ſituated; and ſuch Collectors ſhall proceed to levy the ſame within Fourteen Days after ſuch Notice as aforeſaid of ſuch Rate or Aſſeſſment.

Commiſſioners of Supply to tranſmit the Amount of the Sums aſſeſſed to the Subdiviſion Clerk, who ſhall give Notice to the Collector.

CLXV. 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 the 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-thirds 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 Collectors 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.

Collectors may deduct for Men raiſed within certain Periods.

CLXVI. And

Collectors on receiving such Money shall remit the same to the Agent General, who shall pay thereout Bounties to Volunteers.

CLXVI. And be it further enacted, That the said Collectors, levying any such Sum or Sums of Money, shall within Ten Days after the Receipt thereof, remit the Amount thereof to the Receiver General of *Scotland*, who shall, within Ten Days after the Receipt thereof, remit the same 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 any such Rate and Assessment as aforesaid, it shall be lawful for any Deputy Lieutenant of the Subdivision of the said County, Stewartry, or Place, within which such Parish 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, Stewartry, 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.

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

CLXVII. 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, Stewartry, 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, Stewartry, 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 shall be concerned in collecting.

CLXVIII. 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 Receiver General as aforesaid; and every Collector, 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 Collectors as aforeſaid.

Clerks of Supply to tranſmit annually Copies of Certificates received from the County Lieutenants, and where not delivered, to certify ſuch Omiſſion to the Secretary at War, and to certify Omiſſions of Commiſſioners.

CLXIX. And be it further enacted, That the Clerk of Supply for every County, Stewartry, or Place, ſhall and he is hereby required, within Fourteen Days next after the Meeting to be held for aſſeſſing the Land Tax, yearly, to tranſmit to the Secretary at War a Copy ſigned by ſuch Clerk of Supply, of every Certificate which he ſhall have received from the Commandants of the ſeveral Regiments of Local Militia in ſuch County, Stewartry, or Place as aforeſaid; and where ſuch Certificate ſhall be omitted to be delivered, the Clerk of Supply ſhall certify ſuch Omiſſion to the Secretary at War, and that ſuch Clerk of Supply hath certified the ſame to the Commiſſioners of Supply aſſembled at their Annual Meeting to aſſeſs the Land Tax, and required ſuch Commiſſioners of Supply to proceed according to the Directions of this Act, and ſuch Clerk of Supply ſhall alſo certify what Proceedings have been had at ſuch Annual Meetings, in relation to the aſſeſſing and raiſing of the ſaid Money, where the Local Militia ſhall not have been raiſed; and in caſe ſuch Commiſſioners of Supply ſhall omit, neglect, or refuſe to proceed to raiſe the ſaid Money, according to the Directions of this Act, then the Clerk of Supply of ſuch County, Stewartry, or Place, ſhall, and is hereby required within Fourteen Days next after ſuch Annual Meeting, to certify to the Secretary at War, ſuch Omiſſion, Neglect, or Refuſal of ſuch Commiſſioners of Supply, and the Names of the Commiſſioners of Supply who ſhall be preſent at ſuch Meeting; and the Secretary at War is hereby empowered and required, on Receipt of ſuch Certificate, forthwith to give Directions to the Solicitor for Taxes in *Scotland*, to proceed by all ſuch legal Ways and Means as ſhall be moſt effectual and expeditious, to compel ſuch Commiſſioners of Supply to pay due Obedience to this Act, and to cauſe the ſaid Money to be raiſed, collected, and paid.

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

CLXX. And be it further enacted, That if the ſaid Sum of Fifteen Pounds *per* Man, to be raiſed and paid in any ſuch County, Stewartry, 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 for Taxes in *Scotland* is hereby required, forthwith upon Knowledge or Information thereof, to proceed, by all ſuch legal Ways and Means as ſhall be moſt effectual and expeditious, to compel the levying and collecting of ſuch Money and the Payment thereof into the Hands of the Agent General, or to his Account at the Bank, as aforeſaid.

Penalty for Neglect of Duty in Clerks of Supply, &c.

CLXXI. And be it further enacted, That if any Clerk of Supply ſhall refuſe or wilfully neglect to receive, deliver, preſerve, make, record, or tranſmit any ſuch Certificates as aforeſaid, or any Account of Aſſeſſments hereby directed to be tranſmitted to the Receiver General of *Scotland*, according to the Directions and true Meaning of this Act, every ſuch Clerk of Supply ſo offending ſhall for every ſuch Offence forfeit and pay the Sum of One hundred Pounds, and ſhall alſo forfeit his Office, and be rendered incapable of having, receiving, or holding any Office of Truſt, Civil or Military, under the Crown; and if any Clerk of Subdiviſion, Collector, 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 Collector or other Officer ſo offending ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds; and the Solicitor for Taxes in *Scotland* 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 Commiſſioners of Supply, 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 for Taxes in *Scotland* ſhall wilfully omit or delay to proceed againſt any ſuch Commiſſioners of Supply, Clerks of Subdiviſion, or other Officers aforeſaid, he ſhall for every ſuch Offence forfeit and pay the Sum of Five hundred Pounds.

Solicitor for Taxes to proſecute Commiſſioners, &c. for Neglect, on Penalty of 500l.

Subdiviſion Clerks, if required, to give Bond.

CLXXII. 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.

Account to be kept by Clerk of Subdiviſion Meetings.

CLXXIII. And be it further enacted, That every Clerk of Subdiviſion Meetings ſhall keep an Account, in the Form to this Act annexed, marked (I.) 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, Stewartries, 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.

Account to be tranſmitted by Clerk of Subdiviſion Meetings to the Secretary at War.

CLXXIV. 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 paid to the Collector of the Ceſs, 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 make in the Form in the Schedule to this Act annexed marked (K.) 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.

CLXXV. 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 Supply, or by any Clerk of General or Subdiviſion Meetings, or by any Collector, or by any Colonel Commandant or other Officer of Local Militia, every ſuch Clerk of Supply 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.

CLXXVI. 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.

CLXXVII. 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.

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

CLXXIX. 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 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 in *England*, 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.

CLXXX. 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

CLXXXI. 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

Local Militia, to be drawn on unſtamped Paper.

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.

CLXXXII. And be it further enacted, That all Fines, Penalties, and Forfeitures by this Act impoſed, which ſhall exceed the Sum of Twenty Pounds, ſhall, unleſs herein-before otherwiſe directed, be recovered by Action of Debt in the Court of Seſſion in *Scotland*; and that all Fines, Penalties, and Forfeitures, by this Act impoſed, which ſhall not exceed the Sum of Twenty Pounds, ſhall, unleſs herein-before otherwiſe directed, on Proof of the Offence either by voluntary Confeſſion of the Party, or by the Oath of One or more credible Witneſſes, before the Sheriff or Stewart Depute or Subſtitute, or any Juſtice of the Peace of the County, Stewartry, or Place where the Offence ſhall be committed, be levied by Diſtreſs and Sale of the Offender's Goods and Effects, by Warrant under the Hand of ſuch Sheriff, Stewart, or Juſtice, rendering the Overplus (if any) on Demand, after deducting the Charges of ſuch Diſtreſs and Sale, to the Perſon whoſe Goods and Effects ſhall have been ſo diſtrained and ſold; and for Want of ſufficient Diſtreſs ſuch Sheriff, Stewart, or 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, Stewartry, 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 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.

CLXXXIII. 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 impoſed by this Act, 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.) and a Duplicate of every ſuch Certificate ſhall at the ſame Time be tranſmitted to the Solicitor for Taxes in *Scotland*.

Witneſſes not attending, liable to Penalty.

CLXXXIV. And be it further enacted, That if any Perſon or Perſons ſhall be ſummoned as a Witneſs or Witneſſes to give Evidence 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 the Judges or 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.

CLXXXV. And

CLXXXV. And be it further enacted, That the Sheriff, Stewart, or Juſtice, 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), Convictions to be made out in the following Form.

'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.* Sheriff [*or*, Sheriff Depute, *or* Subſtitute, 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, *as the Caſe may be*]: 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

CLXXXVI. And be it further enacted, That no Order of Conviction made by any Lieutenant of any County, Stewartry, 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 Advocation or Suſpenſion out of the County, Stewartry, or Place wherein ſuch Order or Conviction ſhall have been made, into any Court whatſoever; and that no Bill of Advocation or Suſpenſion 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 Bill or Allowance thereof notwithſtanding. No Order to be removed or ſuperſeded by Advocation.

CLXXXVII. 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 the Defender or Defenders in every ſuch Action or Suit may plead generally, and give this Act and the Special Matter in Evidence in any ſuch Action or Suit; and if the Defender or Defenders ſhall be aſſoilzied, or if the Purſuer or Purſuers ſhall diſcontinue his, her, or their Action or Suit after the Defender or Defenders ſhall have appeared, or if, upon Objection to the Relevancy, Judgment ſhall be given againſt the Purſuer or Purſuers, the Defender or Defenders ſhall have Treble Coſts or Expenſes, and have the like Remedy for the ſame as any Defender or Defenders hath in other Caſes to recover Coſts or Expenſes by Law. Limitation of Actions. General Iſſue. Treble Coſts.

CLXXXVIII. 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. Perſons taking a falſe Oath guilty of Perjury.

CLXXXIX. 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. Act may be altered or repealed this Seſſion.

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 Ninth 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

Pariſh.	NAMES OF MEN SERVING.		Age.	CLASSES.			
	Ballotted.	Volunteers.		1ſt.	2d.	3d.	Laſt.
B.	S. Jones.	—	32		⋈		
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	Time of Service expires on	Sum for which they are willing to ſerve.	Signature of Conſent.
	A. B.	*P.*			*A. B.*
	C. D.	*Q.*			*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 Scotland. Dated this Day of

(Signed) *A. B.* Justice.

Schedule (H.)

LIST of FINES imposed on Persons ballotted, and not appearing, pursuant to an Act passed in the Fifty-second Year of the Reign of His present Majesty, intituled [*insert the Title of this Act.*]

County.	Subdivision.	Parish.	Persons fined.	Amount of Fines.

Schedule (I.)

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, the above Account is truly and juſtly ſtated to the beſt of our Knowledge and Belief

——— Deputy Lieutenant.
——— Magiſtrate.

Schedule (K.)

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 paid to the Collector of the Ceſs.		Amount of each Payment.
							By Payment to the Collector of Ceſs	

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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