ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

CAP. CXX.

An Act for amending and reducing into One Act of Parliament the ſeveral Laws for raiſing and training the Militia of *Ireland*. [19th *June* 1809.]

WHEREAS it is expedient that the Laws now in force for raiſing and training the Militia of *Ireland* ſhould be repealed, and that new Proviſions ſhould be made for the ſame; be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the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of the ſame, That from and after the Commencement of this Act, the ſeveral Acts herein-after mentioned ſhall be repealed; that is to ſay, an Act made in the Parliament of *Ireland* in the Thirty-third Year of His preſent Majeſty's Reign, intituled, *An Act for amending and reducing into One Act of Parliament the Laws relating to the Militia of* Ireland; and alſo an Act made in the Parliament of *Ireland* in the Thirty-fifth Year of His preſent Majeſty's Reign, to explain and amend the ſaid recited Act of the Thirty-third Year aforeſaid; and alſo an Act made in the Parliament of *Ireland* in the Thirty-ſixth Year of His preſent Majeſty's Reign, further to explain and amend the ſaid recited Acts of the Thirty-third and Thirty-fifth Years aforeſaid; and alſo an Act made in the Parliament of *Ireland* in the Thirty-ſeventh Year of His preſent Majeſty's Reign, intituled, *An Act to explain*

Militia Iriſh Acts,

33 G. 3. c. 22.

35 G. 3. c. 8.

36 G. 3. c. 33.

37 G. 3. c. 19.

explain and amend the Laws now in force relating to the Militia of this Kingdom; and also an Act made in the Parliament of *Ireland* in the 38 G. 3. c. 62. Thirty-eighth Year of His present Majesty's Reign, intituled, *An Act to further explain and amend the Laws now in force relating to the Militia of this Kingdom*; and also an Act made in the Parliament of *Ireland* in the 40 G. 3. c. 1. Fortieth Year of His present Majesty's Reign, intituled, *An Act for enabling His Majesty to accept the Services of Volunteers from the Militia under certain Restrictions, and for amending the Law relative to the Militia of* Ireland, so far as the said Act is in force immediately before the passing of this Act; and also another Act made in the Parliament of *Ireland* in the 40 G. 3. c. 92. said Fortieth Year, for amending the said first recited Act of the Thirty-third Year aforesaid; and also an Act made in the Parliament of the United Kingdom in the Forty-first Year of His present Majesty's Reign, 41 G. 3. c. 6. intituled, *An Act for increasing the Number of Field Officers of the several Regiments of Militia in* Ireland; and also an Act made in the Forty-second 42 G. 3. c. 109. Year of His present Majesty's Reign, intituled, *An Act for authorizing and rendering valid the Discharge of certain Militia Men in* Ireland, *and for giving Indemnity to the several Counties and Places in* Ireland, *which may incur any Expence in consequence of the Discharge of certain Militia Men*, except only so much of the said last-mentioned Act as relates to Militia Men discharged before the passing of this present Act; and the said several Acts are hereby repealed, except as aforesaid; and also except so far as the said recited Acts or any of them repeal any former Act or Acts of Parliament, or any Clause, Matter, or Thing therein; and also save and except as to any Proceeding for the Punishment of any Person or Persons for or in respect of any Offence or Offences which shall before the Commencement of this Act have been committed against any of the said Acts, and save so far as may be otherwise provided by this Act; and also save and except that all and every Commissions, Deputations, Appointments, and Enrolments of any Officer, Non-commissioned Officer, Drummer, or Private, or of any Governor, Deputy Governor, or inferior Civil Officer, which shall have been made under the said Acts or any of them, before the Commencement of this Act, shall stand and remain in full Force and Effect; and all and every Officer, Non-commissioned Officer, Drummer, and Private, Governor, Deputy Governor, or other Civil Officer, duly appointed or enrolled under the said Acts or any of them, shall stand, remain, and continue in the same Plight, Capacity, and Situation respectively, and shall continue serving in the said Militia, in all Respects as if this Act had not passed; and that all Matters and Things whatsoever which shall have been done under and by virtue of the said recited Acts or any of them before the Commencement of this Act, shall be of the same Force, Validity, and Effect, in all Respects, as if this Act had not passed; any Thing herein contained to the contrary notwithstanding.

Recited Acts repealed, except as to Penalties, &c. and except as to Officers, &c. appointed under former Acts.

Number of Regiments and Battalions for each County and City.

II. And be it further enacted, That the several Regiments or Battalions of Militia in *Ireland* shall respectively be as follows; that is to say, there shall be for the County of *Cork* Two Regiments, each of Eight Companies; for each of the Counties of the Cities of *Cork* and *Dublin*, One Regiment of Eight Companies; for each of the Counties of *Tyrone*, *Galway*, *Londonderry*, *Tipperary*, *Donegal*, and *Wexford*, One Regiment of Ten Companies; for each of the Counties of *Antrim*, *Meath*, *Waterford*, County and County of City; *Kerry*, *Monaghan*, *Armagh*, *King's County*, *Limerick*, *Kilkenny*, County and County of City, and *Roscommon*, One

Regiment of Eight Companies; for the County of *Mayo* Two Battalions, each of Seven Companies; for each of the Counties of *Clare*, *Queen's County*, *Wicklow*, *Weſtmeath*, *Leitrim*, *Cavan*, *Sligo*, *Fermanagh*, *Dublin*, *Longford*, *Kildare*, and *Carlow*, One Battalion of Six Companies; for the County of the City of *Limerick*, One Battalion of Six Companies; for the County of *Louth* (including the County of the Town of *Drogheda*) One Regiment of Nine Companies; and for the County of *Down* Two Battalions of Six Companies.

Lord Lieutenant and Council may augment Regiments not having Ten Companies.

III. Provided always, and be it enacted, That it ſhall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, by and with the Advice of His Majeſty's Privy Council in *Ireland*, from Time to Time, taking into Conſideration the Number of Men fit and liable to ſerve in the ſaid Militia in any County or County of a City which by this Act is required to raiſe any Regiment or Battalion conſiſting of leſs than Ten Companies, and alſo taking into Conſideration the Proportion which ſuch Number of Men ſhall bear to the Numbers of ſuch Men in other Counties or Counties of Cities, to order that any Regiment or Battalion conſiſting of leſs than Ten Companies, ſhall be augmented by increaſing the Number of Companies therein reſpectively; ſo always that no Battalion conſiſting of Six Companies, nor any Regiment conſiſting of Eight Companies, ſhall be augmented by more than Two Companies; and that no Battalion of Seven Companies, nor any Regiment of Nine Companies, ſhall be augmented by more than One Company; and that every ſuch Company ſo to be added ſhall contain and conſiſt of the ſame Number of Officers, Non-commiſſioned Officers, Drummers, and Privates reſpectively, as the other Battalion Companies of the ſame Regiment or Battalion ſhall from Time to Time conſiſt of; and that the Men of ſuch Companies ſhall be raiſed in like Manner as the Men of the other Companies of ſuch Regiment or Battalion.

Appointment of Colonels by Lord Lieutenant to each Regiment, &c.

their Reſignation, &c.

IV. And be it further enacted, That it ſhall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, from Time to Time, as Occaſion ſhall require, to appoint a Colonel for every ſuch Regiment or Battalion of Militia in *Ireland*: Provided always, that no Perſon ſhall be Colonel of Two Regiments or Battalions of Militia, or of a Regiment and Battalion: Provided alſo, that it ſhall be lawful for the Colonel of any Regiment or Battalion of the ſaid Militia, to tender his Reſignation of his Commiſſion of Colonel of any ſuch Regiment or Battalion to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, and it ſhall be lawful for ſuch Lord Lieutenant or other Chief Governor or Governors to accept any ſuch Reſignation, and alſo to appoint ſuch fit and qualified Perſon or Perſons as he or they ſhall from Time to Time think proper, to be Colonel or Colonels in the Stead and Place of any Colonel or Colonels ſo reſigning as aforeſaid, and in the Stead and Place of any Colonel or Colonels who may happen to die or be removed, as the Caſe may be.

Other Officers of Regiments and Companies.

V. And be it further enacted, That the other Officers of the ſeveral Regiments and Battalions of Militia aforeſaid, according to the ordinary Eſtabliſhments hereafter mentioned, ſhall be as follows reſpectively; that is to ſay, One Lieutenant Colonel and One Major to each Regiment or Battalion, and One Captain, One Lieutenant, and One Enſign to each Battalion Company: Provided alſo, and it ſhall be lawful for every Battalion

Grenadiers and Light Infantry.

talion to have One Company of Grenadiers or Light Infantry, to which, inſtead of One Lieutenant and One Enſign, Two Lieutenants ſhall be appointed; and it ſhall be lawful for every Regiment to have One Company of Grenadiers, and alſo One Company of Light Infantry, to each of which Companies, inſtead of One Lieutenant and One Enſign, Two Lieutenants ſhall be appointed.

Ordinary Eſtabliſhment Sixty-five Privates, &c.

VI. And be it further enacted, That the ordinary Eſtabliſhment of each Company in the ſaid Militia ſhall be Sixty-five Privates, Four Serjeants, Five Corporals, and Two Drummers; and that in each Regiment or Battalion there ſhall be Two Staff Serjeants, that is to ſay, a Serjeant Major and a Quarter Maſter Serjeant; and alſo a Drum Major, and Two Fifers, over and above the ſaid Serjeants, Corporals, Drummers, and Privates directed for each Company; and that to each Regiment or Battalion there ſhall be One Adjutant, One Paymaſter, One Quarter Maſter, One Surgeon, and One Aſſiſtant Surgeon; and to each and every Regiment whoſe Eſtabliſhment ſhall be One thouſand Rank and File, or more, there ſhall be Two Aſſiſtant Surgeons.

Additional Drummers and Fifers.

VII. And be it further enacted, That in caſe the Colonel of any Regiment or Battalion of the ſaid Militia ſhall be deſirous of keeping up a greater Number of Drummers than Two *per* Company, to be employed as Fifers or Muſicians for the Uſe of the ſaid Regiment or Battalion, and ſhall be willing to defray the Expence of ſuch additional Drummers, it ſhall and may be lawful for ſuch Colonel to retain in ſuch Regiment or Battalion any Number of the Drummers who ſhall be employed as Fifers or Muſicians therein, over and above the Number of Two Drummers *per* Company eſtabliſhed by this Act, and at any Time hereafter to engage any additional Number of Drummers to act as Fifers or Muſicians accordingly; and all ſuch Drummers ſo retained, or in future engaged to ſerve in any ſuch Caſes as Fifers or Muſicians, ſhall be deemed Drummers of Militia to all Intents and Purpoſes whatſoever, and ſhall be ſubject to the ſame Orders, Regulations, Penalties, and Puniſhments, as other Drummers of Militia ſhall by Law from Time to Time be ſubject to, and ſhall continue to ſerve as Drummers ſo long as they ſhall receive the ſame Pay and Clothing as other Drummers have, or better Pay and Clothing in lieu thereof, and no longer.

Regiments augmented to One hundred per Company &c. under 44 G. 3. c. 33.

VIII. And whereas by an Act paſſed in the Forty-fourth Year of His Majeſty's Reign, intituled, *An Act for empowering His Majeſty to direct the Augmentation of His Militia Forces in* Ireland *to an Extent therein limited*, Power was given to the Lord Lieutenant of *Ireland* for the Time being, to iſſue his Orders to any Colonel of any Regiment or Battalion of the Militia of *Ireland*, to enrol and receive into the ſame ſuch Volunteers as ſhould offer to ſerve therein, provided that the whole Number ſhould not exceed One hundred Rank and File *per* Company, with the uſual Proportion of Commiſſioned and Non-commiſſioned Officers: And whereas in purſuance of the ſaid Act, Orders have been ſo iſſued for the Augmentation of the following Regiments or Battalions to the full Numbers allowed by the ſaid Act; that is to ſay, the *Antrim*, *Armagh*, *Carlow*, *Cavan*, *Cork*, *South Down*, *North Down*, *Dublin County*, *Dublin City*, *Galway*, *Kerry*, *Kilkenny*, *King's County*, *Leitrim*, *Limerick County*, *Limerick City*, *Londonderry*, *Louth*, *Mayo North*, *Mayo South*, *Meath*, *Monaghan*, *Queen's County*, *Roſcommon*, *Sligo*, *Tipperary*, *Tyrone*, *Weſtmeath*, *Wexford*, and *Wicklow*, which

which Augmentation, by the Terms of the said Act, was to continue only during the present War: Be it therefore enacted, That during the Continuance of the present War, the Establishment of the said Regiments shall be Five Serjeants and One Hundred Rank and File, including Five Corporals *per* Company; and that the Number of Officers shall, during such Augmentation and no longer, be as follows, that is to say; Two Lieutenant Colonels, and Two Majors to each Regiment, and One Lieutenant Colonel and Two Majors to each Battalion so augmented; and to every Company so augmented, whether in a Regiment or Battalion, One Captain, Two Lieutenants, and One Ensign; and every Grenadier and Light Infantry Company, consisting of the like Number of One Hundred Men each, shall have One Captain and Three Lieutenants.

Number of Officers.

IX. And be it further enacted, That it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to issue his Orders in like Manner for a similar Augmentation of any of the other Regiments or Battalions of the Militia of *Ireland*, which have not been so augmented, and that from thenceforth during the present War the Establishment of such Regiment or Battalion shall be such Number of Men *per* Company, not exceeding One Hundred Rank and File, as shall be specified in the Warrant directing such Augmentation, with the Proportion of Commissioned and Non-commissioned Officers aforesaid; and all the Clauses, Matters and Things in the said recited Act of the Forty-fourth Year of His present Majesty contained relative to such Augmentation, and to the advancing and raising the Sums necessary for effecting the same, shall stand and remain in full Force and Effect; any Thing herein-before contained to the contrary in anywise notwithstanding.

Lord Lieutenant may augment Regiments not yet augmented, under Provision of 44 Geo. 3. c. 33.

X. And be it further enacted, That it shall be lawful for every Colonel of the said Militia, when appointed, from Time to Time to appoint the Number aforesaid respectively of Lieutenant Colonels, Majors, Adjutants, Paymasters, Surgeons, Quarter Masters and Assistant Surgeons, and all other Officers for his Regiment or Battalion, qualified as herein-after directed; and every Colonel so appointing any such Officer shall certify to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, the Names and Ranks of all such Officers so appointed; and in case the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, shall, within Fourteen Days after such Certificate shall have been laid before him or them, signify his or their Disapprobation of any of the Persons so appointed, it shall not be lawful for the said Colonels or any of them, to grant a Commission to any Person so disapproved, but Commissions shall be granted to all such Persons so appointed, who shall not be so disapproved as aforesaid; and all Officers of the said Militia shall rank with the Officers of His Majesty's Forces as youngest of their Rank.

Colonels shall appoint Officers, subject to the Disapprobation of Lord Lieutenant within Fourteen Days.

XI. And be it further enacted, That no Commission of any Officer in the Militia shall be vacated by reason of the Revocation, Expiration, Resignation, or other Discontinuance of the Commission of the superior Officer by whom he was appointed.

Officers Commissions shall continue though Colonel's is revoked, &c.

Military Officers ſhall have chief Command of Regiments, and not Governors, &c.

XII. And be it further enacted, That the Commanding Officer for the Time being of each Regiment or Battalion of the Militia in *Ireland*, ſhall have the chief Command of ſuch Regiment or Battalion, notwithſtanding any Order, Direction, Matter, or Thing contained in any Commiſſion or Appointment of a Governor or Governors of any County in *Ireland*.

His Majeſty may ſignify His Pleaſure for diſplacing Officers,

XIII. And be it further enacted, That it ſhall and may be lawful for His Majeſty, His Heirs and Succeſſors, from Time to Time as he or they ſhall think fit, to ſignify His or their Pleaſure to the Colonel or other Commanding Officer of any ſuch Regiment or Battalion of Militia, to diſplace all or any Officers or Officer of Militia ſerving under him in ſuch Regiment or Battalion; and upon ſuch Signification of His or their Pleaſure, the ſame ſhall be diſplaced accordingly; and that it ſhall and may be lawful for the Colonel of any ſuch Regiment or Battalion to accept the Reſignation of any Officer of his Regiment or Battalion, and under all Caſes of Vacancy by Reſignation, Death, Removal, or otherwiſe, it ſhall and may be lawful for ſuch Colonel to appoint ſuch other fit and qualified Perſons as he ſhall think proper to fill up ſuch Vacancy, in like Manner and under like Reſtrictions as he is by this Act empowered originally to appoint any Officer or Officers.

In the Abſence of Colonel, his Powers ſhall veſt in the next in Command.

XIV. And be it further enacted, That when any Colonel of any Regiment or Battalion of Militia ſhall be abſent from the United Kingdom, all Powers which ſhall from Time to Time be given by Law to ſuch Colonel, whether in filling Vacancies in ſuch Regiment or Battalion, or in any other Way whatſoever, ſhall be veſted in and lawfully may be exerciſed by the next Officer in Command in ſuch Regiment or Battalion who ſhall be reſiding within the United Kingdom, until ſuch Colonel ſhall be returned to the United Kingdom, and ſhall have notified his Arrival to the Officer entitled to exerciſe the ſaid Powers during his Abſence; and all Acts, Matters, and Things done by ſuch Officer next in Command as aforeſaid, in exerciſing the Powers legally veſted in Colonels, ſhall be good and valid in the Law equally as if they had been done by the Colonel himſelf.

Qualification of Officers;

Colonel.

Lieut. Col.

Major.

Captain.

XV. And be it enacted, That every Perſon to be appointed a Colonel of the ſaid Militia, ſhall be ſeiſed of a Real or Freehold Eſtate of the Yearly Value of Two Thouſand Pounds, or ſhall be Heir Apparent of ſome Perſon who ſhall be ſeiſed of a like Eſtate as aforeſaid, of the Yearly Value of Three Thouſand Pounds; and every Perſon to be appointed a Lieutenant Colonel, ſhall be ſeiſed of a Real or Freehold Eſtate, or ſhall be poſſeſſed of a Term of Years whereof Fourteen Years ſhall be unexpired, of the Yearly Value of One thouſand two hundred Pounds, or ſhall be Heir Apparent of ſome Perſon who ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the Yearly Value of One thouſand eight hundred Pounds; and every Perſon to be appointed a Major, ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the Yearly Value of Three hundred Pounds, or ſhall be Heir Apparent of ſome Perſon who ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the Yearly Value of Six hundred Pounds; and every Perſon to be appointed a Captain, ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the Yearly Value

of

of Two hundred Pounds, or ſhall be Heir Apparent of ſome Perſon who ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the Yearly Value of Four hundred Pounds, or ſhall be a younger Son of ſome Perſon who ſhall in like Manner be ſeiſed or poſſeſſed, or who ſhall have been at the Time of his Death in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the Yearly Value of Four hundred Pounds; and every Perſon to be appointed a Lieutenant, ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the Yearly Value of Fifty Pounds, or ſhall be poſſeſſed of a Perſonal Eſtate alone, to the Amount of Five hundred Pounds, or ſhall be Son of ſome Perſon who ſhall be, or who ſhall have been at the Time of his or her Death, in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the Yearly Value of One hundred Pounds, or who ſhall be, or who ſhall have been at the Time of his or her Death, poſſeſſed of a Perſonal Eſtate alone, to the Amount of One thouſand Pounds; and that every Perſon who ſhall be appointed an Enſign, ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the Yearly Value of Twenty Pounds, or ſhall be poſſeſſed of a Perſonal Eſtate, or ſeiſed or poſſeſſed of a Real or Freehold Eſtate and Perſonal Eſtate together, to the Amount of Two hundred and fifty Pounds, or ſhall be Son of ſome Perſon who ſhall be, or who ſhall have been at his or her Death, in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the Yearly Value of Fifty Pounds, or who ſhall be, or who at the Time of his or her Death was poſſeſſed of a Perſonal Eſtate alone, to the Amount of Three hundred Pounds, ſave and except in the Caſes herein-after particularly mentioned: Provided always, that one Moiety at the leaſt of the Qualification of the Colonel and Lieutenant Colonel, ſhall be ſituated within the County to the Militia of which he ſhall be appointed Colonel or Lieutenant Colonel.

Lieutenant.

Enſign.

Moiety of Colonel's and Lieutenant Colonel's Qualification in the County.

XVI. And be it enacted, That every Colonel or Commanding Officer of the Militia of the ſaid Cities of *Dublin*, *Cork*, and *Limerick* reſpectively, ſhall be ſeiſed or poſſeſſed, either in Law or Equity, for his own Uſe and Benefit, in Poſſeſſion of a Real or Freehold Eſtate, or of a Term of Years whereof Fourteen Years ſhall be unexpired, of the Yearly Value of One thouſand Pounds, or ſhall be poſſeſſed of a Perſonal Eſtate alone, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together of the Value of Ten thouſand Pounds; and every Lieutenant Colonel of the Militia of the ſaid Cities ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate of the Yearly Value of Six hundred Pounds, or ſhall be poſſeſſed of a Perſonal Eſtate alone, or ſeiſed and poſſeſſed of a Real or Freehold and Perſonal Eſtate together, of the Value of Five thouſand Pounds; and every Major thereof ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate of the Yearly Value of One hundred and fifty Pounds, or ſhall be poſſeſſed of a Perſonal Eſtate, or ſeiſed and poſſeſſed of a Real or Freehold and Perſonal Eſtate together, of the Value of Three thouſand Pounds; and every Captain thereof ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate of the Yearly Value of One hundred Pounds, or ſhall be poſſeſſed of a Real or Freehold and Perſonal Eſtate together, of the Value of One thouſand five hundred Pounds; and every Lieutenant thereof ſhall in like Manner be ſeiſed or poſſeſſed of the like Eſtate of the Yearly Value of Twenty-five Pounds, or ſhall be poſſeſſed of a Perſonal Eſtate, or ſeiſed or poſſeſſed of a Real or Freehold and Perſonal Eſtate together, of the Value of Seven hundred and fifty Pounds; and every Enſign thereof ſhall

Dublin, Cork, and Limerick Cities; Colonel.

Lieut. Col.

Major.

Captain.

Lieutenant.

Enſign.

ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate of the Yearly Value of Ten Pounds, or ſhall be poſſeſſed of a Perſonal Eſtate, or ſeiſed and poſſeſſed of a Real or Freehold and Perſonal Eſtate together, of the Value of Four hundred Pounds.

Officers ſhall deliver their Qualifications to Clerk of the Peace.

XVII. And be it further enacted That no Perſon ſhall hereafter be appointed to any Commiſſion in the Militia, who ſhall require a Qualification in reſpect of Property by virtue of this Act, until he ſhall have delivered into the Clerk of the Peace of the County or City for which he ſhall be appointed, or in the Abſence of the Clerk of the Peace to his Deputy, a ſpecific Deſcription in Writing, ſigned by himſelf, of his Qualification, ſtating the County or Counties, Barony or Baronies, Pariſh or Pariſhes in which the Eſtate or Eſtates which form his Qualification is or are ſituate, with the Denominations of the Lands; and the Clerk of the Peace or his Deputy ſhall tranſmit to the Cuſtos Rotulorum, or Senior Governor of the County, or Chief Magiſtrate of the City, a Copy of ſuch Deſcription; and no Commiſſion to be granted by virtue of this Act 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 directed.

Clerk of the Peace ſhall regiſter Qualifications, inſert Commiſſions in the Gazette, &c.

XVIII. And be it further enacted, That the Clerk of the Peace of every County or City ſhall and he is hereby required from Time to Time, 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 *Dublin Gazette* the Dates of the Commiſſions, and the Names and Rank of the Officers hereafter to be appointed, in like Manner as Commiſſions in the Army are publiſhed in the War Office; and he is hereby authorized to charge the Expence of receiving and recording ſuch Certificates reſpectively, and of ſuch Inſertion in the Gazette, not exceeding the Sum of Ten Shillings for each Commiſſion, to the Collector of His Majeſty's Revenue of the County or Diſtrict, 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 the Secretary of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, a complete Account of the Qualifications ſo left with him; and ſuch Secretary receiving ſuch Accounts, ſhall cauſe Copies thereof to be annually laid before both Houſes or Parliament; and every Commiſſioned Officer ſhall, at ſome General Quarter Seſſions of the Peace, or in One of His Majeſty's Courts of Record at *Dublin*, within Three Months from and after the Date of their Commiſſions reſpectively, take ſuch Oath or Oaths, and make and ſign ſuch Declaration or Declarations, as is, are or ſhall be required to be taken, made, and ſigned by the Officers of His Majeſty's other Forces.

Officers ſhall take the Oaths.

Penalty on unqualified Perſons, Colonels, &c.

XIX. And be it further enacted, That if any Perſon ſhall execute any of the Powers hereby directed to be executed by Colonels, Lieutenant Colonels, or Majors, not being qualified as aforeſaid, or without having delivered in ſuch ſpecific Deſcription of his Qualifications as is herein-before required, ſave in the Caſes herein-after particularly mentioned, or ſhall omit to take the ſaid Oaths and make the ſaid Declaration within the Time hereby directed for thoſe Purpoſes, every ſuch Perſon ſhall forfeit and pay the Sum of Two hundred Pounds; and if any Perſon ſhall execute any of the

Captains, &c.

Powers hereby directed to be executed by Captains, Lieutenants, or Enſigns, not being qualified as aforeſaid, or without having delivered in ſuch ſpecific Deſcription of his Qualification as is herein-before required, or ſhall omit to take the ſaid Oaths, and declare as before directed, every ſuch Perſon ſhall forfeit and pay the Sum of One hundred Pounds, One Moiety of which Penalties ſhall go to the Uſe of the Perſon who ſhall ſue for the ſame; and in every Action, Suit, or Information brought againſt any Perſon for acting as Colonel, Lieutenant Colonel, Major, Captain, Lieutenant, or Enſign, not being qualified as herein-before directed, the Proof of his Qualification ſhall be upon the Perſon againſt whom the ſame ſhall be brought.

Exceptions as to Peers and their Sons.

XX. Provided always, That nothing in this Act contained, ſhall reſtrain or prevent any Peer of this Realm, or Heir Apparent of any ſuch Peer, from being appointed or acting as a Commiſſioned Officer in the Militia, within any County or City 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, nor 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 or City for which he ſhall be appointed any Qualification in Writing as aforeſaid.

Appointment of Adjutants.

XXI. And be it further enacted, That every Adjutant to be appointed as aforeſaid, ſhall be a Perſon who ſhall have actually ſerved in ſome of His Majeſty's Regular Forces for the Space of Three Years, or in the embodied Militia, for Five Years, or for ſuch Time in the embodied Militia, as together with his Service in the Regular Forces ſhall, in the Whole make Five Years; and if ſuch Adjutant ſhall be appointed out of His Majeſty's other Forces, he ſhall during his Service in the Militia preſerve his Rank in the Army in the ſame Manner as if he had continued in that Service; and it ſhall be lawful for the Colonel of any Regiment or Battalion of Militia to appoint the Adjutant of ſuch Regiment or Battalion to the Rank of Captain by Brevet, provided ſuch Adjutant has ſerved Five Years as Adjutant in the Militia, or in His Majeſty's other Forces, although ſuch Adjutant may not have the Qualifications required by Law for the Captains: Provided always, that no ſuch Appointment to the Rank of Captain ſhall be valid, unleſs in the Inſtrument granting the ſame it be ſpecified in what Regiment or Battalion, and whether of the Militia 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 Adjutants ſo appointed to the Rank of Captain ſhall, by the Date of ſuch Appointment as aforeſaid or otherwiſe, be entitled to rank above or to command any Captain of a Company in the Militia.

Surgeons ſhall be qualified as Army Surgeons.

XXII. And be it further enacted, That no Surgeon, or Aſſiſtant Surgeon, ſhall be capable of ſerving in the Militia, unleſs he ſhall have been certified by the Royal College of Surgeons in *Dublin*, *London*, or *Edinburgh*, after due Examination, to be properly qualified in like Manner as Surgeons in the Army are required to be certified; and that no Perſon who is or ſhall be Surgeon of a County Hoſpital or Infirmary eſtabliſhed by Act of Parliament, ſhall be capable of ſerving in the Militia, while he continues Surgeon of ſuch Hoſpital or Infirmary.

Adjutant, Paymaſter, &c. ſhall not hold any other Commiſſion.

XXIII. And be it further enacted, That no Perſon who at any Time after the Commencement of this Act, ſhall be appointed Adjutant, Paymaſter, Surgeon, Quartermaſter or Aſſiſtant Surgeon in the ſaid Militia, ſhall be capable of holding any Commiſſion in the ſaid Militia, ſave and except the Commiſſion of Adjutant, Paymaſter, Surgeon, Quarter Maſter, or Aſſiſtant Surgeon reſpectively; and that no Officer holding any Commiſſion in the ſaid Militia ſhall be capable of being appointed Adjutant, Paymaſter, Surgeon, Quartermaſter or Aſſiſtant Surgeon.

Appointment of Serjeants, &c.

XXIV. And be it further enacted, That all Staff Serjeants, Serjeants, Corporals, Drummers and Fifers, ſhall and may, from Time to Time, be appointed by the Colonel of the Regiment or Battalion; and that all Staff Serjeants, Serjeants, Corporals, Drummers and Fifers, may be diſcharged by ſuch Colonel from Time to Time; and that all Staff Serjeants, Serjeants, Corporals, Drummers and Fifers, who ſhall at any Time have received any Pay as ſuch from any Regiment or Battalion, ſhall be deemed to be engaged, and be compellable to ſerve in ſuch Regiment or Battalion, until they ſhall be diſcharged by the Colonel of the Regiment or Battalion to which they ſhall reſpectively belong.

Oath of Serjeants, &c.

XXV. And be it further enacted, That every Perſon who at any Time after the Commencement of this Act, ſhall be appointed to be a Serjeant, Corporal, or Drummer of the ſaid Militia, ſhall take the following Oath, that is to ſay,

'I *A. B.* do ſolemnly promiſe and ſwear, That I will be faithful and bear true Allegiance to His Majeſty King *George*, and that I will faithfully ſerve in the Militia of *Ireland*, until I ſhall be legally diſcharged.'

Serjeants Major and Drum Major.

XXVI. And be it further enacted, That the Colonel of any Regiment or Battalion of the ſaid Militia, may appoint the Serjeant Major and the Quartermaſter Serjeant out of the Serjeants, and the Drum Major out of the Drummers.

Adjutants, &c. ſhall be always ſubject to the Mutiny Act.

XXVII. And be it further enacted, That every Adjutant, Paymaſter, Surgeon, Serjeant Major, Quartermaſter Serjeant, Serjeant, Corporal, Drum Major, and Drummer of the ſaid Militia, ſhall be at all Times ſubject to any Act which ſhall be in force for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, and the Articles of War, under the Command of the Colonel of the Regiment or Battalion to which he belongs.

Rates of Pay to Adjutants, &c.

XXVIII. And be it further enacted, That during any ſuch Time as the Militia ſhall not be embodied and drawn out into actual Service, the daily Pay of every ſuch Adjutant, Paymaſter, and Surgeon reſpectively, ſhall be Six Shillings each; and the daily Pay of every Serjeant Major, Quartermaſter Serjeant, Serjeant, Corporal, and Drummer reſpectively, when not in actual Service, but reſident at the Head Quarters of the Regiment, Battalion, or Corps, ſhall be as follows; that is to ſay, One Shilling and Sixpence *per* Day for each Serjeant, with the Addition of Two Shillings and Sixpence *per* Week for each Serjeant Major and Quartermaſter Serjeant; One Shilling and Two-pence *per* Day for each Corporal; and One Shilling

ling *per* Day for each Drummer, with the Addition of Sixpence *per* Day for each Drum Major: Provided always, that where any Serjeant, Corporal, or Drummer, shall be absent on Furlough or Licence, such Serjeant, Corporal, or Drummer, shall during such Absence, receive the Rates of Pay following; that is to say, every Serjeant the Sum of One Shilling, every Corporal the Sum of Eight-pence, and every Drummer the Sum of Six-pence *per* Day, and no more.

Serjeants, &c. shall not keep Publick Houses. Militia Men shall not be Peace Officers, &c.

XXIX. Provided always, and be it enacted, That no Person who shall keep any House of publick Entertainment, or who shall sell any Ale, or Wine, or Spirituous Liquors by Retail, shall be capable of being appointed or serving as a Serjeant, Corporal, or Drummer in the Militia, nor shall any Serjeant, Corporal, Drummer, or Private of the Militia, while he shall continue such, be compelled to serve as a Peace Officer or a Parish Officer, or to serve in any of His Majesty's Sea Forces.

Courts Martial on Serjeants, &c. while Militia is not embodied.

XXX. And be it further enacted, That it shall be lawful for the Colonel of any Regiment or Battalion of the said Militia, or in his Absence the Officer actually in command of such Regiment or Battalion, to direct the holding of Courts Martial as herein-after directed, for the Trial of any Serjeant Major, Serjeant, Corporal, Drum Major, or Drummer of such Regiment or Battalion, by a Regimental Court Martial, for any Offence against this Act, or against the Articles of War, committed during the Time such Regiment or Battalion shall not be embodied, but so that no Punishment thereon shall extend to the Loss of Life or Limb; and it shall be lawful for the Colonel of the Regiment or Battalion to which the Person on whom such Court Martial is to be held shall belong, to order any Officers of the Militia of the County, County of a City, or Town, or Place to which such Regiment or Battalion 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, and Drummer, shall be put in Execution until it shall have been confirmed by such Colonel or Commanding Officer.

Serjeants, &c. may be reduced to the Ranks.

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

XXXII. And

Militia Officers ſhall not ſit on Court Martial of Regulars, &c.

XXXII. And be it further enacted, That no Officer ſerving in the Militia of *Ireland* ſhall ſit in any Court Martial upon the Trial of any Officer, Non-commiſſioned Officer or Soldier ſerving in any of His Majeſty's other Forces, nor ſhall any Officer ſerving in His Majeſty's other Forces ſit in any Court Martial upon the Trial of any Officer, Non-commiſſioned Officer, or Private Man ſerving in the ſaid Militia: Provided always, that any Colonel or Officer ſerving in the ſaid Militia, and at the ſame Time holding a Commiſſion in any other of His Majeſty's Forces, on the Half-pay thereof, may ſit upon any Court Martial upon the Trial of any Officer, Non-commiſſioned Officer, or Private, in His Majeſty's other Forces; any Thing herein-before contained to the contrary notwithſtanding.

Militia Commiſſion vacated by accepting one in the Regulars.

XXXIII. And be it further enacted, That the Acceptance by any Officer of the ſaid Militia, except the Colonel, of any Commiſſion in any of His Majeſty's Regular Forces, ſhall, from the Date of ſuch Commiſſion ſo accepted, abſolutely vacate any Commiſſion ſuch Officer may hold in the Militia of *Ireland*.

Militia Commiſſion ſhall not vacate Seat in Parliament.

XXXIV. And be it further enacted, That the Acceptance of any Commiſſion in any Regiment or Battalion of the ſaid Militia, ſhall not nor ſhall be conſtrued to vacate the Seat of any Member returned to ſerve in Parliament.

Officers ſerving in Militia not to forfeit Half-pay.

XXXV. And be it further enacted, That no Officer who is or ſhall be entitled to Half Pay, ſhall be deemed or taken to forfeit or quit ſuch Half Pay, during the Time he ſhall ſerve in any Regiment or Battalion of Militia, but that the ſame ſhall nevertheleſs continue; and inſtead of the Oath directed by any Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, to be taken by ſuch Officer, he ſhall take the following Oath;

Half-pay Officers Oath.

'I *A. B.* do ſwear, That I had not between the
'Place or Employment of Profit, Civil or Military, under His
'Majeſty, beſides my Allowance of Half Pay, as reduced
'late Regiment of ſave and except
'my Pay for ſerving in a Regiment of Militia.'

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

Penſioners ſerving in Militia ſhall receive the Allowance.

Serjeants, Corporals, and Drummers Twenty Years in the Militia, and diſcharged for Age or Infirmity, on

XXXVI. And be it further enacted, That any Perſon being a Serjeant, Letterman or other Penſioner, on the Eſtabliſhment of *Kilmainham* or *Chelſea* Hoſpitals, at the Allowance of ſuch Hoſpitals or either of them, and being appointed to ſerve in the Militia, ſhall and may receive the ſaid Hoſpital Allowance, together with his Pay from the ſaid Militia; and any Perſon who ſhall have faithfully ſerved as a Serjeant, or as a Corporal or Drummer in the ſaid Militia for Twenty Years, and who ſhall be diſcharged on account of Age or Infirmity, ſhall on the Recommendation of the Commanding Officer of the Regiment or Battalion to which he belongs, be entitled to Examination at the *Kilmainham* Board, and be capable to be placed on the Penſion of ſuch Hoſpital, if the ſaid Board ſhould judge him deſerving thereof: Provided always, that all Payments of any Penſion which

at any Time after the passing of an Act of the Thirty-fifth Year of His present Majesty's Reign, herein-before recited and repealed, and before the passing of this Act, shall have been made to any Serjeants, Lettermen or other Pensioners, shall be and the same are hereby declared to be good and valid to all Intents and Purposes whatsoever; and that all such Serjeants, Lettermen and other Pensioners, as at the Time of the passing of this Act are in the Receipt of any such Pensions shall continue in the Receipt of the same as heretofore; and that any Serjeant, Letterman or other Pensioner on the Establishment of *Chelsea* Hospital, who at any Time after the passing of this Act shall voluntarily enter into the Militia of *Ireland*, shall be placed on the Establishment of the Royal Hospital of *Kilmainham* from the Day of his having entered into such Militia, and shall from such Day and during his Continuance in the said Militia, receive such Pension, and no more, as a Pensioner of the like Class on the Establishment of *Kilmainham* Hospital shall be entitled to receive, as if he had been originally on that Establishment, and not on the Establishment of *Chelsea*.

being recommended as herein, may be placed on Kilmainham Pension.

Pension paid under 35 G. 3. c. 8. declared valid.

Chelsea Pensioner entering into Militia shall be entitled to Kilmainham Pension.

XXXVII. And be it further enacted, That all Muskets, Bayonets, Swords, Stores, and Accoutrements, delivered for the Service of the said Militia, shall be marked in some distinct Place with the Letter (M) and the Name of the County to which they belong.

Arms shall be marked.

XXXVIII. And be it further enacted, That the Arms, Accoutrements, Clothing, and other Stores, belonging to every Regiment or Battalion of the said Militia, when not embodied, shall be kept in such convenient Place within the County, County of a City, or Town, to which such Regiment or Battalion shall belong, as the Colonel or other Commandant of such Regiment or Battalion shall direct, with the Approbation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being; and that the Adjutant, and One Third at least in Number of the Serjeants, Corporals, and Drummers, in every Regiment or Battalion of the said Militia, shall be constantly resident within the City, Town, or Place where the Arms belonging to such Regiment or Battalion are so kept, and such Serjeants, Corporals, and Drummers, shall be under the Command of the Adjutant, who shall act in such Command under the Orders of the Colonel or other Commanding Officer of such Regiment or Battalion; and that the Adjutant, and in the Absence of the Adjutant, the Serjeant Major, shall have free Access to the Arms, Accoutrements, Clothing, and other Stores as aforesaid, and shall cause the same to be examined, cleaned, and preserved by the said Serjeants, Corporals, and Drummers, from Time to Time as the same shall be necessary, and shall make a Monthly Return of the true State of the Serjeants, Corporals, and Drummers, and of the said Arms, Accoutrements, Clothing, and other Stores, of the Regiment or Battalion respectively, to the Governor or Governors of the County, and to the Commanding Officer of the said Regiment or Battalion; and in case of any Default and Neglect therein, such Adjutant or Serjeant Major shall for every such Offence, Neglect, or Default, be subject to such Punishment as a Court Martial shall adjudge; and no such Serjeant, Corporal, or Drummer, shall be absent from such City, Town, or Place, without a regular Furlough from the Adjutant, or in his Absence from the Serjeant Major; and every such Serjeant, Corporal, and Drummer, who shall absent himself without such Furlough, shall be liable to be apprehended as a Deserter; and such Adjutant shall never absent himself

Adjutant and One-third of Non-commissioned Officers shall reside where the Arms are kept, and take Care thereof, and make Monthly Returns.

from such City, Town, or Place, without Leave of the Colonel or other Commanding Officer of such Regiment or Battalion: 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 Serjeant Major, or of some Serjeant who shall be appointed by the said Adjutant, with the Approbation of the said Colonel or other Commanding Officer, to act as Serjeant Major during the Absence of such Adjutant.

Militia shall be called out in their Counties for annual Exercise when not embodied.

XXXIX. And be it further enacted, That when the said Militia shall not be drawn out into actual Service, the several Regiments and Battalions thereof shall, unless the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for the Time being, shall order the contrary, be respectively trained and exercised in their respective Counties Once in every Year, for Twenty-eight Days together, in the Manner herein-after directed, at such Time and Place as shall be the least inconvenient to the Publick; such Time and Place to be appointed by the Governor, or where there are more Governors than One of any County, then by the Governors of each County respectively, at a General Meeting to be holden at their usual Place of Meeting respectively within such County, upon the *Tuesday* that shall happen next before the Twenty-fourth Day of *October* in every Year, or at such other Place therein, and at such Time as shall be appointed by such Governor or Governors, or in Default of any such Meeting or Appointment, then at such Time and Place as shall be appointed by Three or more Deputy Governors of such County; and during such Time as the several Regiments or Battalions of the said Militia shall be assembled respectively for the Purpose of being trained and exercised, all the Clauses, Provisions, Matters, and Things, contained in any Act of Parliament which shall be then in force for the punishing Mutiny and Desertion, shall be in force with respect to the said Militia, and all the Officers and private Men of the same, in all Cases whatsoever, but so that no Punishment shall extend to Loss of Life or Limb.

Notice of Time and Place of Exercising shall be sent by Clerk of General Meeting to Chief Constable of Barony, and by him to Constables of Parishes.

XL. And be it further enacted, That Notice of the Time and Place of the Exercise of the Militia Men of each Parish shall be sent by the Clerk of the General Meetings to the Chief or High Constable or other Officers of the several Baronies or other Divisions, with Directions to forward the same to the Constables or other Officers within their respective Baronies or other Divisions; which Constables or other Officers shall cause such Notice as aforesaid to be affixed on the Outside of the Doors of the Church belonging to their respective Parishes or Places; or if any Place has no Church belonging thereto, on the Outside of the Doors of the Church of some adjoining Parish or Place; and all such Militia Men shall duly attend at the Time and Place of Exercise according to such Notice.

Subdivision Clerks shall send Lists of Persons enrolled to Colonels, &c.

XLI. And be it further enacted, That the Clerks of the several Subdivision Meetings in every County, shall, Ten Days at least before the Time so appointed for the annual Exercise, cause a full and true List, specifying the Names and Dates of the Enrolment of all the Persons enrolled within each Subdivision respectively, to serve in such Regiment or Battalion, to be transmitted to the Commanding Officer of such Regiment or Battalion, 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 ſuch Regiment or Battalion.

Penalty on Militia Men not appearing, or deſerting, &c.

XLII. And be it further enacted, That every Militia Man not labouring under any Infirmity incapacitating him, who ſhall not appear at the Time and Place appointed for annual Exerciſe according to the Directions of this Act, Notice having been publiſhed as this Act requires, ſhall be deemed a Deſerter, and if not taken until after the Time of ſuch Exerciſe, ſhall forfeit and pay the Sum of Ten Pounds; and alſo every Militia Man who, having joined the Regiment or Battalion to which he belongs, ſhall deſert or abſent himſelf during the Time of annual Exerciſe, and ſhall not be taken till after the Time of ſuch Exerciſe, ſhall forfeit and pay the Sum of Ten Pounds; and if in either Caſe ſuch Penalty ſhall not be immediately paid, the Juſtice of the Peace before whom any ſuch Militia Man ſhall be convicted of any ſuch Offence ſhall commit ſuch Militia Man to the Common Gaol, there to remain without Bail or Mainprize for the Space of Six Months, or until he ſhall have paid the Penalty.

Penalty on harbouring Deſerters.

XLIII. And be it further enacted, That if any Perſon ſhall harbour, conceal, or aſſiſt any ſuch Deſerter, knowing him to be ſuch, the Perſon ſo offending ſhall forfeit for every ſuch Offence a Sum not exceeding Twenty Pounds and not leſs than Five Pounds.

Penalty on ſelling Arms.

XLIV. And be it further enacted, That in caſe any Militia Man ſhall ſell, pawn, or loſe any of his Arms, Clothes, or Accoutrements, or neglect or refuſe to return the ſame in good Order to his Captain, or to the Perſon appointed to receive the ſame, every ſuch Militia Man ſhall for every ſuch Offence, forfeit and pay a Sum not exceeding Five Pounds.

Penalty on buying Arms.

XLV. And be it further enacted, That if any Perſon ſhall knowingly and willingly buy, take in Exchange, conceal, or otherwiſe receive any Arms, Clothes, Stores, or Accoutrements belonging to any Militia Man, upon any Account or Pretence whatſoever, contrary to the true Intent and Meaning of this Act, the Perſon ſo offending, upon Conviction thereof before any Juſtice of the Peace, ſhall forfeit and pay for every ſuch Offence the Sum of Five Pounds; and if ſuch Offender ſhall not immediately pay ſuch Penalty, and ſhall not have ſufficient Goods and Chattels whereon to levy ſuch Penalty, the Juſtice before whom he ſhall be convicted ſhall commit him to the Common Gaol, there to remain without Bail or Mainprize for the Space of Three Months, or ſhall cauſe ſuch Offender to be publickly whipped, at the Diſcretion of ſuch Juſtice.

Colonel ſhall return to Chief Secretary the State of the Regiment when called out to Exerciſe.

XLVI. And be it further enacted, That the Colonel or other Commanding Officer of every Regiment or Battalion of the ſaid Militia ſhall and he is hereby required, as often as the Regiment or Battalion ſhall be ſo called out to annual Exerciſe, to return to the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, a true State of ſuch Regiment or Battalion; and in caſe any ſuch Colonel or Commanding Officer ſhall refuſe or neglect for One Month after the ſaid annual Exerciſe ſo to do, he ſhall for every ſuch Offence forfeit and pay the Sum of One hundred Pounds.

XLVII. And

Militia Men when aſſembled for training may be put under Stoppages for certain Purpoſes.

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

Billeting Militia when called out to Exerciſe, and Serjeants, Corporals, &c.

XLVIII. And be it further enacted, That it ſhall be lawful for all Mayors, Sovereigns, Bailiffs, Burgomaſters, Seneſchals, Conſtables, and the Chief and other Magiſtrates and Officers of Cities, Towns, Pariſhes and Places, and (in their Default or Abſence) for any Juſtice of the Peace inhabiting within or near any ſuch City, Town, Pariſh, or Place, and they and he are and is hereby required to quarter and billet the Officers, Non-commiſſioned Officers, and Private Men ſerving in the ſaid Militia, at the Times when they ſhall be called out to any Exerciſe, as by Law they may billet His Majeſty's other Military Forces; and when the ſaid Militia is not called out for Exerciſe, or embodied, all Mayors, and other Chief and other 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 required to billet as aforeſaid all Serjeants, Corporals, and Drummers of the Militia.

Providing Carriages, &c.

XLIX. And be it further enacted, That when the ſaid Militia ſhall be called out to be trained and exerciſed, any Juſtice of the Peace of any County, (being thereunto required by an Order from the Governor or Governors, or any of them, or from any Deputy Governors of ſuch County, or from the Colonel or other Commanding Officer of the Regiment or Battalion of Militia of ſuch County, or any Detachment thereof, being within ſuch County) ſhall iſſue his Warrant to the Chief or High Conſtables of Baronies, or to Conſtables or other Officers of the ſeveral Pariſhes or Places from, through, or near to which any ſuch Regiment, Battalion or Detachment of Militia ſhall be ordered to march, requiring them to provide ſuch ſufficient Horſes and Carriages to convey the Arms, Clothes, Accoutrements, and Stores, with able Men to drive the ſaid Horſes and Carriages, as ſhall be mentioned in ſuch Order; and in caſe ſuch ſufficient Horſes, Carriages, and Men cannot be provided within any ſuch County, Barony, Pariſh, or Place, then any Juſtice of the Peace for the ſame or any adjoining County ſhall, upon ſuch Order as aforeſaid being ſhewn unto him, iſſue his Warrant to the Chief or High Conſtable or Conſtables, or other ſuch Officers of any Barony or Place within the ſame County or within ſuch adjoining County or Place, for the Purpoſes aforeſaid, to make up ſuch Deficiency of Horſes, Carriages, and Men; and ſuch Governor, Deputy Governor, or Colonel, or other Commanding Officer requiring ſuch Carriages and Men to be provided as aforeſaid, ſhall, at the ſame

Time, pay to every ſuch Chief or High Conſtable or other Officer, for the Uſe of the Perſon or Perſons who ſhall provide ſuch Carriages and Men, ſuch reſpective Rates and Sums as ſhall be payable for Carriages and Men in like Caſes, under any Act which ſhall be in force for the Puniſhment of Mutiny and Deſertion, and the better Payment of the Army and their Quarters, for which reſpective Sums every Chief or High Conſtable or other Officer receiving the ſame, is hereby required to give a Receipt to the Perſon paying the ſame; and every ſuch Chief or High Conſtable, Conſtables, or other Officers, ſhall order and appoint ſuch Perſon or Perſons having Horſes and Carriages within their reſpective Baronies or Places as they ſhall think proper, to provide and furniſh ſuch Horſes, Carriages, and Men, according to the Warrant aforeſaid; and every Perſon ſo ordered is hereby required to provide and furniſh the ſame accordingly for One Day's Journey, and no more. Rates for Carriages.

L. And be it further enacted, That if any Militia Man ſhall not join the Regiment or Battalion to which he belongs at 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 Adjutant of ſuch Regiment or Battalion, or the Commanding Officer of the Company to which ſuch Offender belongs, ſhall receive Information of the Place where he ſhall be or reſide, any ſuch Commanding Officer or Adjutant may, by Writing under his Hand, deſcribe the Perſon of ſuch Offender, and alſo certify that he did not join the Regiment or Battalion at the Time of annual Exerciſe, or that he deſerted during the Time of annual Exerciſe (as the Caſe may be) and ſend the ſame by a Serjeant, Corporal, or Drummer of ſuch Regiment or Battalion, to the Adjutant or Serjeant Major of the Regiment or Battalion in the County wherein ſuch Offender is ſuppoſed to be or reſide; and the Adjutant or Serjeant Major to whom ſuch Certificate ſhall be ſent, ſhall direct a Party of the Serjeants, Corporals, or Drummers of the Regiment or Battalion to which he belongs, to aſſiſt in apprehending ſuch Offender, and conveying him before a Juſtice of the Peace of the County 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 or Serjeant Major ſhall order a Party of the Serjeants, Corporals, or Drummers, under his Command, to convey ſuch Offender to the Head Quarters of the Regiment or Battalion of Militia of the next County, in the Way to the County to which ſuch Offender belongs, and deliver him into the Cuſtody of the Adjutant or Serjeant Major of ſuch Regiment or Battalion, who ſhall cauſe him to be conveyed in like Manner to the Adjutant or Serjeant Major of the Regiment or Battalion of Militia of the next County, and ſo in like Manner until ſuch Offender ſhall be delivered into the Cuſtody of the Adjutant or Serjeant Major of the Regiment or Battalion to which he belongs, who ſhall take him before a Juſtice of the Peace, to be dealt with as herein directed in Caſes of Militia Men deſerting or abſenting themſelves from their Duty. Apprehenſion of Deſerters from annual Exerciſe.

LI. And be it further enacted, If any Serjeant, Corporal, or Drummer, ſhall deſert from the Regiment or Battalion to which he belongs, it ſhall be lawful for any Conſtable or other Officer of the Town or Place where any Perſon, who may be reaſonably ſuſpected to be ſuch Deſerter, ſhall be found, to cauſe ſuch Perſon to be apprehended, and taken before Apprehenſion of Serjeants, &c. being Deſerters.

any Juſtice of the Peace, being in and near to ſuch Town and Place, who is hereby empowered to examine ſuch ſuſpected Perſon; and if by his Confeſſion, or the Teſtimony of any Witneſs or Witneſſes upon Oath, or by the Knowledge of ſuch Juſtice, it ſhall appear or be found that ſuch ſuſpected Perſon is ſuch Deſerter, ſuch Juſtice ſhall forthwith cauſe him to be conveyed to the Common Gaol of the County or Place where he ſhall be found, or to the Houſe of Correction, or other public 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 by this Act is directed, and ſhall tranſmit an Account thereof to the Clerk of the General Meeting of the County to which ſuch Deſerter belongs, and the Keeper of ſuch Gaol or Houſe of Correction ſhall receive the full Subſiſtence of ſuch Deſerter, for the Maintenance of ſuch Deſerter 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 other Commanding Officer of the Regiment or Battalion of the County, and alſo to the Adjutant or other Officer commanding the Serjeants, Corporals, and Drummers of ſuch Regiment or Battalion; and where there are more Regiments or Battalions than one, ſuch Clerk ſhall ſend ſuch Copy to all the Colonels or other Commanding Officers of Regiments or Battalions, and alſo to all the Adjutants or Officers commanding Serjeants, Corporals, and Drummers, within his County; and the Colonel or Commanding Officer of the Regiment or Battalion to which ſuch Deſerter ſhall be found to belong, or the Adjutant or Officer commanding the Serjeants, Corporals, and Drummers of ſuch Regiment or Battalion, ſhall and he is hereby required, immediately on receiving ſuch Copy as aforeſaid, to ſend from among the Serjeants, Corporals, or Drummers of the Regiment or Battalion under his Command, a ſufficient Perſon or Number of Perſons to the Place where ſuch Deſerter ſhall be confined; and ſhall alſo ſend by ſuch Serjeant, Corporal or Drummer, or the Serjeant commanding the ſaid Party of Serjeants, Corporals or Drummers, an Order under his Hand and Seal to the Keeper of the ſaid Gaol, Houſe of Correction or Priſon, requiring him to deliver ſuch Deſerter to the Perſon or Perſons therein named, which he is hereby required to do; and the Serjeant, Corporal or Drummer to whom ſuch Deſerter ſhall be ſo ordered to be delivered, in caſe One only ſhall be ſent on ſuch Duty, ſhall apply to the Adjutant or Serjeant Major of the Regiment or Battalion of the County where ſuch Deſerter ſhall be ſo confined as aforeſaid, and ſuch Adjutant or Serjeant Major 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 or Battalion to which he belongs, in the ſame Manner as before directed, with reſpect to the conveying of private Militia Men to the Adjutant or Serjeant Major of the Regiment or Battalion to which they ſhall belong; and ſuch Adjutant or Serjeant Major ſhall take ſuch Deſerter before a Juſtice of the Peace of the County to which he belongs, who ſhall forthwith cauſe him to be conveyed to the Common Gaol or Houſe of Correction, or other public Priſon of ſuch County, where he ſhall remain without Bail or Mainprize, until the Regiment or Battalion to which he belongs ſhall be embodied for annual Exerciſe, or for actual Service, which ſhall firſt happen; and the Colonel or other Commanding Officer of ſuch Regiment or Battalion ſhall then iſſue an Order under his Hand and Seal to the Keeper of the Gaol, Houſe of Correction,

rection, or Prison where such Deserter shall be confined, requiring him to deliver such Deserter to the Person or Persons therein named, which he is required to do; and such Colonel and other Commanding Officer is hereby empowered and required to summon and hold a Court Martial for the Trial of such Deserter, in such Manner and with the same Power and Authority, as shall be given and directed by any Act of Parliament which shall then be in force for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters; and if upon any such Trial such Deserter shall be found guilty, it shall be lawful to punish such Deserter in such Manner as such Court Martial shall in their Discretion think fit, according to the Powers and Provisions of such Act, and of the Articles of War, but so that no such Punishment shall extend to the Loss of Life or Limb.

Penalty on Gaolers refusing to receive Deserters.

LII. And be it further enacted, That all Gaolers and Keepers of Prisons shall, if required so to do by any Serjeant, Corporal, or Drummer employed in conveying any Offender or Deserter as aforesaid to the Regiment or Battalion to which he belongs, receive into their Custody, and confine such Offender for such Time as they shall be respectively so required as aforesaid, not exceeding Twenty-four Hours; and any Gaoler and Keeper of any Prison who shall refuse so to do, shall forfeit the Sum of Five Pounds.

Billetting Serjeants, &c. conveying Deserters.

LIII. And be it further enacted, That all Serjeants, Corporals, and Drummers, while they are employed in executing such Duty as aforesaid in the apprehending and conveying Deserters, 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.

When a Militia Man shall be disabled by Sickness, any Justice, &c. may order him Relief.

LIV. And be it further enacted, That in case any Militia Man shall, on his March, or at any Place where he shall be called out to annual Exercise, be disabled by Sickness or otherwise, it shall be lawful for any One Justice of the Peace of the County or Place, or any Mayor or Chief Magistrate of any City, Town, or Place, where such Man shall then be, by Warrant under his Hand and Seal, to order him such Relief as such Justice, Mayor, or Chief Magistrate, shall think reasonable; and the same shall be given by the Collector of His Majesty's Excise of the Place where such Militia Man shall then be; and the Collector giving such Relief shall, upon producing an Account of the Expences thereof, be allowed the same in his Accounts, such Account being first allowed under the Hands of Two Justices of the Peace.

In case of Invasion, Rebellion, &c. Militia shall be embodied.

LV. And be it further enacted, That in all Cases of actual Invasion, Rebellion, or Insurrection, or upon immediate Danger thereof, to be signified by Proclamation from the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to order and direct that the Militia of the said several Counties herein-before appointed to be raised and trained, or such Parts of them as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being shall in his or their Wisdom judge necessary, shall be drawn out and embodied, and that in such Manner as shall be best adapted to the

Circumſtances of the Danger, and to put the ſaid Forces under the Command of ſuch General Officers as the ſaid Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for the Time being, ſhall be pleaſed to appoint, and to direct the ſaid Forces by their reſpective Officers into any Parts of *Ireland*, for the repelling and Prevention of any ſuch Invaſion, and for the Suppreſſion of any Rebellion or Inſurrection therein; and the Officers, Non-commiſſioned Officers, Drummers, and Private Men, of the ſeveral Regiments and Battalions of the ſaid Militia, ſhall, from the Time of their being drawn out and embodied as aforeſaid, and until they ſhall be returned again to their reſpective Pariſhes or Places of Abode, remain under the Command of ſuch General Officers; and during ſuch Time as aforeſaid, all the Proviſions contained in any Act of Parliament which ſhall then be in Force for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, ſhall be in Force with reſpect to the ſaid Militia, and ſhall extend to all the Officers, Non-commiſſioned Officers, Drummers, and Private Men of the ſaid Militia, in all Caſes whatever.

Governors of Counties ſhall iſſue Orders to Chief Conſtables, and they to Conſtables, to give Notice to Militia Men to aſſemble;

LVI. And be it further enacted, That the Governor or Governors of every County in *Ireland*, or any of them, or on the Death or Removal of ſuch Governor or Governors, or during his or their Abſence from the County, any Three or more Deputy Governors to whom any ſuch Order from the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, for embodying the Militia as aforeſaid, ſhall be directed, ſhall iſſue his or their Order to the Chief or High Conſtables or other Officers of the ſeveral Baronies or other Diviſions within their reſpective Counties, with Directions to forward the ſame immediately to the Conſtables or other Officers of the ſeveral Pariſhes and Places within their reſpective Baronies; and ſuch Conſtables and other Officers are hereby required, upon Receipt thereof, forthwith to cauſe Notice in Writing to be given to the ſeveral Militia Men, or left at their ſeveral Places of Abode within their reſpective Pariſhes or Places, to attend at the Time and Place mentioned in ſuch Order; and if any Militia Man ſo ordered to be drawn out and embodied as aforeſaid (not labouring under any Infirmity incapacitating him from ſerving as a Militia Man) ſhall not appear and march in purſuance of ſuch Order, every ſuch Militia Man ſhall be liable to be apprehended and puniſhed as a Deſerter, according to the Proviſions of any Acts which ſhall be then in force for puniſhing Mutiny and Deſertion; and if any Perſon ſhall harbour or conceal any ſuch Militia Man when ordered out into actual Service, knowing him to be a Militia Man, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Five Pounds.

Militia Men not attending ſhall be Deſerters, as under Mutiny Act; Penalty on harbouring ſuch.

Militia when called out, ſhall have Pay of Regulars (except as under 46 G. 3. c. 140.)

LVII. And be it further enacted, That from the Date of the Warrant of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, for drawing the Militia out into actual Service, the Officers, Non-commiſſioned Officers, and Private Men of the Militia ſhall be entitled to the ſame Pay as the Officers and Private Men of His Majeſty's other Regiments of Foot receive, and no other; ſubject nevertheleſs to the Proviſions contained in an Act made in the Forty-ſixth Year of His preſent Majeſty's Reign, intituled, *An Act to amend Two Acts paſſed in the Forty-ſecond Year of His preſent Majeſty, relating to the Militia of* England *and* Scotland *reſpectively, as to the Pay of the Officers and Men of the ſaid Militia*;

Militia; and if any Non-commiſſioned Officer, Drummer, or Private Man of the Militia ſhall be maimed or wounded in actual Service, he ſhall be equally entitled to the Benefit of *Kilmainham* or *Chelſea* Hoſpitals with any Non commiſſioned Officer, Drummer, or Private Man belonging to any of His Majeſty's other Forces.

When Militia is embodied, Colonels may appoint Agents.

LVIII. And be it further enacted, That when any Regiment or Battalion of Militia ſhall be drawn out into actual Service, and during the Time they ſhall continue in actual Service, the Colonel thereof ſhall and may appoint an Agent to ſuch Regiment or Battalion, and ſhall take Security from ſuch Agent.

Collector of Exciſe ſhall pay to Order of the Colonel of any Regiment ordered into actual Service, One Guinea per Man.

Money ſhall be laid out and accounted for;

Remainder to Militia Men.

LIX. And be it further enacted, That when the Militia of any County ſhall be ordered out into actual Service, the Collector of His Majeſty's Exciſe of ſuch County or Place ſhall, and he is hereby required forthwith to pay to the Order of the Colonel of the Regiment or Battalion of Militia ſo ordered out, the Sum of One Guinea for the Uſe of every private Militia Man belonging to his Regiment or Battalion; and the ſaid Collector ſhall alſo pay to the Order of ſuch Colonel 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 ſuch Collectors ſhall be allowed them in their Accounts); and all Money ſo received, or ſo much thereof as ſuch Colonel ſhall think proper, ſhall be laid out in the Manner he ſhall think moſt advantageous for the reſpective Militia Men; and before any Militia Man ſhall receive his Diſcharge, an Account ſhall be rendered to ſuch Militia Man how the ſaid Sum of One Guinea hath been applied and diſpoſed of, and the Remainder of the ſaid Money, if any, ſhall be paid to ſuch Militia Man.

Diſembodying Militia.

LX. And be it further enacted, That when the ſaid Militia, or any Part thereof, having been drawn out into actual Service as aforeſaid, ſhall be again duly diſembodied, and the Officers and Private 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, except as herein-after mentioned.

Militia Men having ſerved may exerciſe Trades.

LXI. And be it further enacted, That every Perſon having ſerved in the Militia, when drawn out into actual Service, being a married Man, may ſet up and exerciſe any Trade in any Town or Place in *Ireland*, without any Let, Suit or Moleſtation, of or from any Perſon or Perſons whatſoever, for or by Reaſon of exerciſing or uſing ſuch Trade, as freely and with the ſame Proviſion, and under the ſame Regulations, as any Inhabitants of ſuch Places might or could do.

Leave of Abſence to vote at Elections of Members of Parliament.

LXII. Provided always, and be it enacted, That any Officer or Non-commiſſioned Officer of the Militia, or private Militia Man, having Voice or Vote at any Election to be held in *Ireland* for any Member or Members to ſerve in Parliament ſhall, if he or they ſhall require, have Leave for a reaſonable Time, to be expreſſed in ſuch Leave, to go to, and return from ſuch Election; and no ſuch Officer, Non-commiſſioned Officer, or Private ſhall be

liable to any Penalty or Puniſhment for or on account of his Abſence during the Time expreſſed in ſuch Leave.

Militia Men not to enliſt into Regular Forces.

LXIII. And be it further enacted, That in caſe any Officer, Serjeant or other Perſon, ſhall at any Time wilfully and knowingly enliſt any Man to ſerve in His Majeſty's Regular Forces, who at the Time of ſuch enliſting ſhall be enrolled, or ballotted, or engaged to ſerve in the Militia, except under the Proviſions of any Act in Force at the Time of ſuch enliſting, and eſpecially authorizing ſuch enliſting into His Majeſty's Regular Forces, every ſuch enliſting ſhall be deemed null and void; and in caſe any Militia Man, at the Time of offering to enliſt as aforeſaid, ſhall deny to the Officer, Serjeant, or other Perſon recruiting for Men to enliſt and ſerve in His Majeſty's other Forces, that he is (at the Time of his offering to inliſt) a Militia Man then actually enrolled and engaged to ſerve (which the ſaid Officer, Serjeant, or other Perſon is hereby required to aſk every Man offering to enliſt in His Majeſty's other Forces) or ſhall offer himſelf to be enliſted and ſerve in any other Regiment or Battalion of Militia, any Militia Man ſo offending ſhall, on Conviction thereof upon the Oath of One Witneſs before any One Juſtice of the Peace, be committed to the Common Gaol or Houſe of Correction, there to remain without Bail or Mainprize for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Puniſhment to which ſuch Perſon ſo offending is or ſhall be otherwiſe liable; and every Perſon ſo offending ſhall, from the Day on which his Engagement to ſerve in the Militia ſhall end, and no ſooner, belong as a Soldier to ſuch Corps of His Majeſty's other Forces into which he ſhall have ſo enliſted, to ſerve therein from ſuch Day for the full Period of Service for which he ſhall have originally engaged, and which Service ſhall commence upon the Day on which he may be diſcharged from the Militia, and not before; and if any Officer, Serjeant, or other Perſon ſhall enliſt any Man belonging to the Militia, to ſerve in His Majeſty's Forces, knowing him to belong to the Militia, or without aſking him if he belongs to the Militia (except under the ſpecial Proviſions of any ſuch Act in force as aforeſaid) every ſuch Officer, Serjeant, or other Perſon, ſhall for every ſuch Offence forfeit and pay the Sum of Twenty Pounds; and if any Perſon actually ſerving in any of His Majeſty's other Forces ſhall offer himſelf to ſerve, and be enrolled as a Subſtitute in the Militia, every Perſon ſo offending ſhall forfeit and pay to the Perſon informing of ſuch Offence, the Sum of Ten Pounds, or be committed to the Common Gaol or Houſe of Correction for any Time not exceeding Three Months.

Penalty on Men enliſting, Six Months Impriſonment, &c.

Penalty on Serjeants enliſting Militia Men.

Penalty on Soldier offering himſelf as a Militia Man.

Militia ſhall not ſerve out of Ireland, unleſs by their own Deſire.

LXIV. And be it enacted, That neither the Whole nor any Part of the Militia of *Ireland*, ſhall on any account be carried or ordered to go out of *Ireland*, unleſs by and with the Deſire and Conſent of each and every Officer, Non-commiſſioned Officer, Drummer, and Private, who ſhall be ſo carried or go, and then only within the United Kingdom: Provided always, that nothing in this Act contained ſhall repeal, or be extended or conſtrued to repeal an Act made in the Forty-fourth Year of His Majeſty's Reign, intituled, *An Act for empowering His Majeſty, for a Time and to an Extent therein limited, to accept the Services of ſuch Parts of His Militia Forces in* Ireland, *as may voluntarily offer themſelves to be employed in* Great Britain, or any Act for continuing the ſame in force immediately before the paſſing of this Act.

LXV. And

Governors of Counties may appoint Deputy Governors of Counties.

LXV. And be it enacted, That for the more effectually carrying into Execution the Purpoſes of this Act, it ſhall be lawful for the Governors of the ſeveral Counties and Counties of Cities in *Ireland*, or the Majority of Governors where there ſhall be more than One appointed for any County or County of a City from Time to Time, to appoint ſo many and ſuch Perſons duly qualified as herein-after mentioned, and living within their reſpective Counties, as he or they ſhall think fit, to be Deputy Governors for every County or County of a City in *Ireland*, having a Regiment or Battalion of Militia; the Names of ſuch Perſons having been firſt preſented to, and not diſapproved of by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being.

If Governors neglect, Lord Lieutenant may appoint.

LXVI. Provided always, That if the Governor or the Majority of the Governors of any County ſhall decline, refuſe, or omit to appoint and return the Names of Perſons to be Deputy Governors of any County or County of a City, that then and in ſuch Caſe it ſhall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for the Time being, to appoint ſuch Perſons (duly qualified as herein-after mentioned) as he or they ſhall think fit, to be Deputy Governors for every ſuch County or County of a City whereof the Governor or Governors, or the Majority of them, ſhall have declined, refuſed, or omitted to appoint Deputy Governors as aforeſaid.

Twenty Deputy Governors in each County, if ſo many qualified; their Commiſſion ſhall not determine with the Authority of the Perſon appointing them.

LXVII. And be it enacted, That there ſhall be Twenty Deputy Governors at the leaſt within every County, if ſo many can be found qualified as herein-after directed, but if ſuch Number of proper and diſcreet Perſons ſo qualified cannot be found within any ſuch County, then as many ſuch Perſons qualified as can be found within ſuch County ſhall be appointed to be Deputy Governors for the Purpoſes of this Act; and no Commiſſion of any Deputy Governor ſhall be vacated by reaſon of the Vacation, Expiration, or Diſcontinuance of the Commiſſion or Authority of the Perſon or Perſons by whom any ſuch Deputy Governor has been or may be appointed.

Removal of Deputy Governors.

LXVIII. And be it further enacted, That it ſhall and may be lawful for His Majeſty, His Heirs and Succeſſors, or for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, from Time to Time as he or they ſhall think fit, to ſignify His or their Pleaſure to the Governor or Governors of any County or County of a City, to diſplace all or any Deputy Governor or Deputy Governors thereof, and upon ſuch Signification of his or their Pleaſure, ſuch Deputy Governor or Deputy Governors ſhall be diſplaced accordingly.

Qualifications of Deputy Governors, 200l. per Annum, or Heir to 400l. per Annum in the County.

LXIX. And be it further enacted, That all Perſons being appointed Deputy Governors in purſuance of this Act, except within Counties of Cities, ſhall be qualified as follows; that is to ſay, every Perſon ſo to be appointed a Deputy Governor, ſhall be ſeiſed or poſſeſſed, either in Law or Equity, for his own Uſe and Benefit, in Poſſeſſion of a Real or Freehold Eſtate, for his own Life, or for the Life of his Wife, ſhe having a Real or Freehold Eſtate for her Life, or for ſome greater Term; or ſhall be poſſeſſed of a Term of Years, whereof Fourteen Years ſhall be unexpired, in Manors, Meſſuages, Lands, Tenements, or Hereditaments in *Ireland*, of the yearly Value of Two hundred Pounds, or ſhall be Heir Apparent

of

of ſome Perſon who ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Four hundred Pounds: Provided always, that the Qualification of every Deputy Governor ſhall be ſituated within the County whereof he ſhall be appointed Deputy Governor.

Chief Magiſtrate of Dublin, Cork, or Limerick, and Drogheda, ſhall be Governors.

LXX. And be it further enacted, That with reſpect to the Counties of the Cities of *Dublin*, *Cork*, and *Limerick*, and the County of the Town of *Drogheda*, the Chief Magiſtrate of each of the ſaid Cities and Town reſpectively for the Time being, and the Colonels of the Militia of the ſaid Counties of Cities, and of the County of *Louth*, ſhall be Governors of the ſaid Cities and Town, and of the Precincts and Liberties thereof reſpectively, for the Purpoſes of this Act, and ſhall reſpectively have all the Powers and Authorities hereby given to Governors of Counties, and all Powers and Proviſions made by this Act with reſpect to Counties at large, and the Militia thereof, and the regiſtering herein directed of the Qualifications of the Deputy Governors, ſhall take place and be in force with reſpect to the ſaid Cities, and the Militia thereof, and the regiſtering of ſuch Qualifications; and the reſpective Value of ſuch Qualifications ſhall be as follows, that is to ſay; every Deputy Governor ſhall be ſeiſed or poſſeſſed, either in Law or Equity, for his own Uſe and Benefit, in Poſſeſſion of a Real or Freehold Eſtate for his own Life or for the Life of his Wife, ſhe having a Real or Freehold Eſtate for her Life, or for ſome greater Term; or ſhall be poſſeſſed of a Term of Years whereof Fourteen ſhall be unexpired, of the Yearly Value of One hundred and fifty Pounds at the leaſt, or ſhall be poſſeſſed of a Perſonal Eſtate alone, or ſeiſed and poſſeſſed of a Real and Perſonal Eſtate together, of the Value of Three thouſand Pounds.

Qualifications of Deputy Governors.

Deputy Governors ſhall deliver their Qualifications to Clerks of the Peace.

LXXI. And be it further enacted, That no Perſon ſhall hereafter be appointed to be a Deputy Governor of any County or City, until he ſhall have delivered in to the Clerk of the Peace of the County or City for which he ſhall be appointed, or, in the Abſence of the Clerk of the Peace, to his Deputy, a ſpecific Deſcription in Writing, ſigned by himſelf, of his Qualification, ſtating the County or Counties, Pariſh or Pariſhes, in which the Eſtate or Eſtates which form his Qualification is or are ſituate, with the Denominations of the Land; and the Clerk of the Peace or his Deputy ſhall tranſmit to the Cuſtos Rotulorum, or Senior Governor of the County, or Chief Magiſtrate of the City, a Copy of ſuch Deſcription.

Clerks of Peace ſhall regiſter Qualifications, &c.

LXXII. And be it further enacted, That the Clerk of the Peace of every ſuch County or City ſhall and is hereby required, from Time to Time, 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 the ſaid Clerk of the Peace or his Deputy ſhall, in the Month of *January* in every Year, tranſmit to the Secretary of the Lord Lieutenant, or other Chief Governor or Governors for the Time being, a complete Account of the Qualifications ſo left with him; and ſuch Secretary receiving ſuch Accounts, ſhall cauſe Copies thereof to be annually laid before both Houſes of Parliament; and every Deputy Governor ſhall, at ſome Quarter Seſſions of the Peace, or in One of His Majeſty's Courts of Record at *Dublin*, within Three Months from and after the Date of his Commiſſion, take ſuch Oaths or Oath, and make and ſign ſuch Declaration or Declarations as is or ſhall be required to be taken, made, and ſigned, by any Officer of His Majeſty's Forces in *Ireland*,

Oaths of Deputy Governors.

LXXIII. And

LXXIII. And be it further enacted, That if any Person shall execute any of the Powers hereby directed to be executed by Deputy Governors, not being qualified as aforesaid, or not having delivered in such specific Description of his Qualifications as is herein-before required, save in the Cases hereinafter particularly mentioned, or not having taken the said Oaths and made the said Declarations within the Time herein directed for those Purposes, every such Person shall forfeit and pay the Sum of Two hundred Pounds, one Moiety whereof shall go to the Use of the Person or Persons who shall sue for the same; and in every Action, Suit or Information, brought against any Person for acting as Deputy Governor, not being qualified as herein before directed, the Proof of his Qualification shall be upon the Person against whom the same is brought: Provided always, that nothing in this Act contained, shall restrain or prevent any Peer of this Realm, or Heir Apparent of any such Peer, from being appointed, or acting as a Deputy Governor within any County or City, wherein such Peer, or Heir Apparent of such Peer, shall have some Place of Residence, although he may not have the Qualifications herein-before required, or to oblige any Peer of this Realm, or Heir Apparent of such Peer, who shall be appointed a Deputy Governor as aforesaid, to leave with the Clerk of the Peace for the County or City for which he shall be so appointed, any Qualifications in Writing as aforesaid.

Penalty on Deputy Governors acting without Qualification, &c.

Proviso for Peers and their Heirs.

LXXIV. And be it further enacted, That the Governor or Governors of any County, or County of a City or Town, or the Majority of them, shall from Time to Time appoint a Clerk of the General Meetings to be holden as herein-after directed, and may displace such Clerk, if such Governor, or the Majority of Governors, where there is or shall be more than One, shall think fit, and appoint another in his Room; and the Deputy Governors within the respective Subdivisions, or the major Part of those resident in any Subdivision, shall also, from Time to Time, appoint a Clerk for their respective Subdivisions, and may displace such Clerk, if they or the major Part of them shall think fit, and appoint another in his Room: Provided always, that no Clerk of the General Meetings shall be appointed to be a Clerk of any Subdivision, and that no Subdivisional Clerk shall be appointed to be Clerk of the General Meetings.

Appointment of Clerks of General Meetings.

Subdivision Clerk.

LXXV. And be it further enacted, That a Book shall be kept by the Clerk of every Subdivision, in which Book all Proceedings to be had under this Act or any Act relating to the said Militia, at every Subdivision Meeting, shall be duly and fully entered; and in the said Book the Names of the Governors and Deputy Governors present at every such Subdivision Meeting respectively shall be set down and specified, and at the Foot of every Day's Proceedings such Subdivision Clerk shall sign his Name, and every Subdivision Clerk shall from Time to Time, together with the amended Lists of Names herein-after mentioned, transmit to the Clerk of the Peace a List of the Names, Ages, and Residence of all such Persons as shall at any and every such Meeting have been excused from serving in the said Militia, together with the Cause for which they were so excused; and such Subdivision Clerk shall also once in the Year, at least Ten Days previous to the annual General Meeting in *October*, transmit to the Clerk of the General Meetings of the County, a Copy of the Proceedings of all the Subdivisional Meetings in the preceding Year, signed and attested as a true Copy by such Clerk of such Subdivision.

Clerks of Subdivisions shall enter Proceedings in Books, &c.

Payment of such Clerks for their Attendance.

LXXVI. And be it further enacted, That the Collector of His Majesty's Revenue for any County shall pay to the Clerk of the General Meetings the Sum of Five Pounds Thirteen Shillings and Nine-pence for each Meeting, and shall also pay to the Clerks of the several Subdivision Meetings the Sum of One Pound Two Shillings and Nine-pence for each Subdivision Meeting, on such Clerk respectively producing to such Collector an Order from the Governor or Governors, Deputy Governor or Deputy Governors, present at such Meeting, or any Two of them; and such Payments shall be allowed in every such Collector's Accounts: Provided always, that no Clerk of any General Meeting shall be entitled to receive in any One Year more than Thirty Guineas, nor any Clerk of any Subdivisional Meeting more than Twenty Guineas, from the Collectors of His Majesty's Revenue, for his Attendance at such Meeting respectively, any Law to the contrary notwithstanding: Provided also, that every Clerk of a General or Subdivisional Meeting shall, before he be entitled to receive any Payment as aforesaid, severally enter into Recognizance before a Justice of the Peace, which Recognizance every Justice is hereby empowered to take, the Clerk of the General Meeting in the Sum of Fifty Pounds, and the Clerk of a Subdivisional Meeting in the Sum of Thirty Pounds, conditioned that he shall duly and diligently attend his Duty as Clerk for One Year from the Date thereof; and that in every Order to the Collector of His Majesty's Revenue for Payment to any Clerk, his having entered into such Recognizance shall be certified, or such Order shall be void and of no Effect.

Not exceeding certain Sums.

Such Clerks shall give Security for performing their Duty.

Presentments by Juries for Allowances to Clerks of Peace and Subdivision Clerks.

LXXVII. And, in order to make Compensation to the Clerk of the Peace and the Clerk of the Subdivisional Meetings for the Trouble imposed on them by this Act; be it therefore enacted, That it shall be lawful for all Grand Juries at Assizes, and for the Grand Juries of the County and County of the City of *Dublin*, at presenting Terms, to present to be raised off the County at large, and paid to the Clerk of the Peace for his Trouble in the Execution of the Militia Laws, any Sum not exceeding Twenty Pounds a Year, over and above all other Sums which by Law they are now empowered to present to be paid to him, and to present to be raised in like Manner, and paid to such Clerk of a Subdivisional Meeting, a Sum after the Rate of Six Shillings for every One Hundred Names of Persons contained in the amended and other Lists made under the Provisions of this Act, for the Subdivisions of which he shall be Clerk.

Clerk neglecting Dut, no Presentment to be made.

LXXVIII. Provided always, and be it further enacted, That if any Clerk of the Peace or Clerk of the Subdivision Meeting shall, in any County or County of a City, neglect or omit to do any Act which by this Act he is required to do, no Presentment shall be made or fiated at any Assizes in such County or County of a City, or at any Term if in the County or City of *Dublin* for any Money to be paid to him.

General Meetings of Governors and Deputy Governors.

LXXIX. And be it further enacted, That General Meetings of the Governor or Governors, and Deputy Governors of every County or County of a City or Town, shall be holden in some Town of every such County, and such General Meetings shall consist of the Governor or Governors, or any of them, together with One Deputy Governor at least, or on the Death or Removal, or in the Absence of the Governor or Governors, or all of them, then of Three Deputy Governors at the least of every County or County of a City or Town respectively;

respectively; and such General Meetings shall be holden within every County, and within each of the said Counties of the Cities of *Dublin*, *Cork*, and *Limerick*, and of the Town of *Drogheda*, by or under the Orders of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, in Manner hereinafter mentioned; and such General Meetings shall also be held annually upon the *Tuesday* that shall happen next before the Twenty-fourth Day of *October* in every Year, and when and as often as any Governor, or any Two Deputy Governors as aforesaid, shall find it necessary for carrying the Purposes of this Act duly and fully into Execution; and that such Governor or Deputy Governors shall and may, by Notice in Writing to the Clerk of the General Meeting, summon or cause to be summoned such General Meetings, on any Days to be fixed by such Summonses, of which Places of holding such Meetings respectively, Notice shall be given by the Clerk of the General Meetings in any Newspaper, if any there shall be published in such County or County of a City, Fourteen Days at the least before the Day appointed for holding such Meeting respectively.

First Annual General Meeting in October.

Other General Meetings.

LXXX. And be it further enacted, That such Governors and Deputy Governors, or a competent Number thereof, appointed at any General Meeting, shall or may divide every such County into such Subdivisions as they shall think most expedient for the Purposes of this Act, and shall or may change the same from Time to Time as they shall think proper: Provided always, that the Subdivisions heretofore made and established, or which before the Commencement of this Act shall be duly made and established, shall remain and continue until the same shall be duly altered, as if this Act had not been made: Provided also, that it shall not be lawful for any Governors or Deputy Governors to divide any County into any greater Number of Subdivisions than shall be equal to Four Times the Number of Baronies contained in such County, without the express Approbation and Consent of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being in that Behalf obtained.

Dividing of Counties into Subdivisions.

LXXXI. And be it further enacted, That Subdivisional Meetings of the Governor or Governors and Deputy Governors within the said Subdivisions of the respective Counties or Counties of Cities, or Towns, shall be holden from Time to Time, and every such Subdivisional Meeting shall consist of Two Members at the least, and shall and may be held at such Times and Places within the said Subdivisions respectively as shall be directed at any General Meeting duly convened, or as shall be appointed by Notice in Writing to the Clerk of such Subdivision by any Governor, or by any Deputy Governor resident within such Subdivision; and that every Deputy Governor of any County shall, if he thinks fit, attend all Subdivision Meetings of such County, and act and vote therein as if he was resident in such Subdivision.

Subdivisional Meetings.

LXXXII. And be it further enacted, That all General and Subdivision Meetings, to be from Time to Time holden under this Act, shall and may adjourn as they shall find expedient for the Execution of this Act; and in case the Number of Governors or Deputy Governors required to form any General Meeting or Subdivisional Meeting shall not attend at the several Times and Places respectively appointed for such General or Subdivisional Meetings respectively, then and in every such Case the Clerk of

Adjournments of General Meetings and Subdivisional Meetings.

such General or Subdivisional Meeting, as the Case may be, shall adjourn such General or Subdivisional Meeting respectively to some subsequent Time, not exceeding the Distance of Seven Days to be holden at the same Place.

Notice of Subdivisional Meetings.

LXXXIII. And be it further enacted, That the respective Clerks of the Subdivision Meetings shall forthwith, or 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, and of the Purpose for which the same is to be held, to the Governor and Governors, and also to such of the Deputy Governors who shall be resident within such Subdivisions respectively.

Regulations for summoning General Meetings, and obtaining Lists for a Ballot for Men to form any Regiment, or to supply Vacancies.

LXXXIV. And be it further enacted, That whenever either for the forming any Regiment or Battalion of Militia in *Ireland*, or for filling up any Vacancies therein by Death, Desertion, or lawful Discharge, the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, shall order that the necessary Number of Men shall be raised by Ballot, and that new Lists shall be returned for the several Districts, Parishes, and Places within the County, County of a City, or Town, or District to which such Regiment or Battalion belongs, and such Order shall be notified by Proclamation in the *Dublin Gazette*, or by the Letter of the Chief Secretary for the Time being, to any Governor or Governors of the County or County of a City to which such Regiment or Battalion shall belong, then and in every such Case the Governor or Governors of such County or County of a City, or any of them, shall forthwith summon a General Meeting to be held therein, within Ten Days from the Date of such Proclamation or the Receipt of such Letter; and the Governor or Governors and Deputy Governors, or a competent Number thereof assembled at such General Meeting, shall appoint a convenient Place and Time, not more distant than Twenty Days, or sooner than Eight Days, for a Meeting in every Subdivision within the County, County of a City, or District to which such Regiment or Battalion belongs; and they shall also issue their Commands in Writing to the several High or Chief Constables, or where there shall not be a High or Chief Constable, to some other Peace Officer, or to the Collector of the Public Cess in each Barony of such County or District, or in such County of a City, requiring each of them to issue an Order under his Hand to all Constables or other Officers of every Parish or Place within his District, to make out fair and true Lists of all Male Persons usually or at the Time resident or dwelling within such Parish or Place, within the Ages of Sixteen and Forty-five Years, distinguishing the Profession, Trade, or Occupation of each, according to the Form in Schedule (A) annexed to this Act; and when the true Name of any such Person cannot be procured, setting down his common Appellation, which will be sufficient, and also distinguishing such as labour under any Infirmity likely to incapacitate them from serving as Militia Men, and to return the same to the Meeting appointed as aforesaid to be held in the Subdivision where such Parish or Place is situated respectively, verifying upon Oath at the Foot thereof, that he has formed the said List or Lists fairly, honestly, and impartially, without Favour, Affection, or Malice towards any Person; and that he had used his best Endeavours to discover the Names of all the Male Inhabitants of the Parish or District for which he has made a Return;

turn; and that the Name of every Perſon whom he diſcovered to be dwelling or reſident within ſuch Pariſh or Place, and who is liable and required by Law to be inſerted therein, is inſerted therein.

Governors of Counties may divide Counties on failure of General Meetings.

LXXXV. Provided always, and be it enacted, That if in any County or County of a City or Town ſuch General Meeting ſhall not be held within the Time aforeſaid, it ſhall and may be lawful for any one Governor of ſuch County or County of a City or Town, within Six Days after the Expiration of the Time for holding ſuch Meeting, to make Diviſions of ſuch County, County of a City or Town as aforeſaid, if not already divided, appoint Times and Places for Subdiviſional Meetings, and iſſue Orders for making out and returning Liſts in Manner aforeſaid; and every ſuch Diviſion, Appointment, or Order, ſhall be as valid to all Intents and Purpoſes as if the ſame had been made at a General Meeting as aforeſaid.

Appointment of Special Conſtables.

LXXXVI. Provided alſo, and be it enacted, That if in any Pariſh or Place there ſhall be no Conſtable or other Officer, or ſuch Conſtable or other Officer ſhall refuſe to receive the Order which ſhall be given to him as aforeſaid to make out the Liſts, the Chief or High Conſtable or other Peace Officer or Collector, receiving the Command as aforeſaid, ſhall appoint a fit and proper Perſon to act as Conſtable therein for the Purpoſe of executing this Act, and no other.

Quakers ſhall not be Conſtables.

LXXXVII. And be it further enacted, That no Perſon being one of the People called *Quakers*, ſhall be appointed Chief, High, or Petty Conſtable or other Officer, for the Purpoſe of carrying any of the Regulations of this Act into Execution: Provided always, that if any Perſon ſhall be appointed to any ſuch Office, and ſhall refuſe to accept thereof by reaſon of his being one of the People called *Quakers*, and ſhall produce a Certificate under the Hands of Two or more reputable Houſekeepers, being of the People called *Quakers*, dated within the Three Months immediately preceding the Day on which it ſhall be produced, acknowledging ſuch Perſon to be one of their Perſuaſion, thereupon ſome other fit and proper Perſon ſhall be appointed Chief, High or Petty Conſtable, or other Officer, in the Room of ſuch *Quaker*, in order to carry this Act into perfect Execution.

Penalty on Conſtables not returning Liſts.

LXXXVIII. And be it further enacted, That if any Conſtable or other Officer ſhall neglect or refuſe to make or return the Liſt or Liſts which by this Act he ſhall be required to do, and be thereof convicted by his own Confeſſion, or on the Oath of one credible Witneſs before any Juſtice of the Peace, he ſhall forfeit the Sum of Ten Pounds, to be levied on his Goods and Chattels under the Warrant of ſuch Juſtice, or in Default thereof, he ſhall be committed to Gaol, there to remain for the Space of Six Months, or until ſuch Sum ſhall be paid.

Allowances to Conſtables for their Attendance.

LXXXIX. And whereas the frequent Attendance of the ſeveral High and Petty or Pariſh Conſtables is required to carry this Act into Execution; be it enacted, That from and after the paſſing of this Act, the Collector of His Majeſty's Revenue for every County ſhall pay to every High Conſtable the Sum of Eleven Shillings and Four-pence Half-penny, and to every Petty or Pariſh Conſtable the Sum of Five Shillings and Five-pence,

for each and every Day the ſaid High, Petty, or Pariſh Conſtables ſhall be certified, under the Hands of the Perſons preſiding at any General or Subdiviſional Meeting, to have been actually in Attendance or on Duty in carrying this Act into Execution; provided that the Whole Sum to any High Conſtable ſhall not exceed Twenty Pounds in any One Year, and that the whole Sum to any ſuch Petty or Pariſh Conſtable in any One Year ſhall not exceed the Sum of Twelve Pounds; and ſuch Payments ſhall be allowed in every Collector's Accounts.

Governors and Deputy Governors may iſſue Orders to Conſtables, and commit them for Diſobedience.

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

Penalty on inducing Conſtables to make falſe Liſts.

XCI. And be it further enacted, That any Perſon who ſhall, by Gratuity, Gift, or Reward, or by Promiſe thereof, or of any Indemnification, or by Menaces or otherwiſe, endeavour to prevail on any Chief or High Conſtable or other Officer to make a falſe Return of any Liſt for any Pariſh or Place, or to eraſe or leave out of any ſuch Liſt the Name of any Man who ought to be returned therein to ſerve as a Militia Man, every ſuch Perſon for every ſuch Offence ſhall forfeit and pay the Sum of Fifty Pounds; and if any Man ſhall refuſe to tell his Chriſtian or Surname, or ſhall falſely tell a Chriſtian or Surname, or if any Perſon ſhall refuſe to tell the Chriſtian or Surname of any Man lodging or reſiding within his or her Houſe, or ſhall knowingly tell any falſe Name, pretending it to be the true Name of any ſuch Man, to any Conſtable or other Officer authorized by this Act to demand the ſame, ſuch Perſon ſhall forfeit and pay the Sum of Ten Pounds.

Pariſh being in two or more Counties, ſhall be conſidered as ſeparate Pariſhes in the reſpective Counties.

XCII. And be it further enacted, That whenever any Pariſh in *Ireland*, or any Pariſhes epiſcopally or perpetually united, or any Part thereof reſpectively, ſhall be ſituate in two or more Counties, the reſpective Governor or Governors and Deputy Governors of the ſeveral and reſpective Counties within which any Part or Parts of ſuch Pariſh or united Pariſhes ſo divided ſhall be ſituate, ſhall comprize ſuch Part of any Pariſh or united Pariſh ſo divided as is ſituated within their own County, in ſuch Diſtrict or Subdiviſion of ſuch County as ſhall be moſt convenient for the

Purpoſes

Purpoſes of carrying this Act into Execution, as if ſuch Part of a Pariſh or united Pariſhes were a diſtinct Pariſh within ſuch County; and the Conſtable or Conſtables of ſuch Diſtrict or Subdiviſion ſhall from Time to Time return the Names of the Inhabitants of ſuch Part of every ſuch Pariſh or united Pariſh as live within ſuch County and Subdiviſion, to the beſt of their Knowledge and Ability, to the Subdiviſional Meeting, in order that the Ballot may be made in ſuch County from Liſts made accordingly.

Liſts of Pariſhes may be united for the Ballot.

XCIII. And be it further enacted, That it ſhall be lawful for the ſaid Governor or Governors, or Deputy Governors, within their reſpective Diviſions, to add together, whenſoever they ſhall think it neceſſary, the Liſts for two or more Pariſhes or Places, or Parts of Pariſhes or Places, and proceed upon ſuch Liſts added together in like Manner as if they had been originally returned for one Pariſh or Place, ſo as to make the Choice of Militia Men by Ballot within every ſuch Subdiviſion as equal and impartial as poſſible.

New Liſts in the Room of Liſts loſt, &c.

XCIV. 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 Governor or Governors, or Deputy Governors within any ſuch Subdiviſion, or any Two or more of them, to cauſe a new Liſt as aforeſaid in any 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 the Direction of the General Meeting.

Settling Liſts of Names at Subdiviſion Meetings.

XCV. And be it further enacted, That the Governors and Deputy Governors at each Subdiviſional Meeting appointed as aforeſaid, ſhall immediately proceed thereat to inquire into the Fitneſs for Service of all Perſons named in the Liſts returned to them, and ſelect their Names, and hear ſuch Objections as ſhall be made on the Part of ſuch as they ſhall ſo ſelect; and in making ſuch Enquiry and Selection, it ſhall be lawful to and for ſuch Governors and Deputy Governors to examine upon Oath, which Oaths, as alſo the Oath to be taken by the Perſon making the Return, they or any of them, are hereby required and empowered to adminiſter; and when ſuch Liſts ſhall be ſo prepared by ſuch Inquiry and Selection, they ſhall appoint a Day and Place for the next Meeting, to be held at a Day not more diſtant than Ten, or ſooner than Six Days, and the Clerk of the Meeting ſhall forthwith deliver Copies of the Liſts ſo made reſpectively, to the ſeveral Conſtables or other Perſons who reſpectively returned the general Liſts, to be by them affixed, without Delay, on the Outſide of the Door of every Church and other Place of Divine Worſhip in the Pariſh or Place to which ſaid Liſt was made, or at the uſual Place or Places therein for poſting Notices within ſuch Pariſh or Diſtrict, ſpecifying at the Foot thereof the Day and Place appointed for the next Meeting; and that all Perſons who think themſelves aggrieved by the Inſertion of their Names, or by the Omiſſion of the Names of others in ſuch Liſts, may then appeal; and that no Appeal will be afterwards received.

Perſons exempted from ſerving in the Militia.

XCVI. Provided always, and be it further enacted, That no Peer of this Realm, nor any Perſon who ſhall act as a Commiſſioned Officer in any Regiment, Troop, or Company in His Majeſty's other Forces, or in any

of

of His Majesty's Castles or Forts, nor any Non-commissioned Officer or Private Man serving in any of His Majesty's Forces, nor any Commissioned Officer serving or who has served Four Years in the Militia, nor any Person enrolled in any Troop or Company of Yeomanry, who shall produce a Certificate from the Commanding Officer of such Troop or Company, that he has punctually attended the Exercise of the Troop or Company to which he belongs, for Three Months, immediately preceding the Day on which he shall have been balloted to serve in the Militia, according to the Provisions of an Act made in the Forty-second Year of His present Majesty's Reign, intituled, *An Act to enable His Majesty to accept and continue the Services of certain Troops or Companies of Yeomanry in* Ireland, nor any Person being a Member of the University, nor any Clergyman or Licensed Teacher of any separate Congregation, nor any Justice of Peace, Constable, or other Peace Officer, nor any articled Clerk, Apprentice, Seaman, or Seafaring Man, nor any Person doing Duty in His Majesty's Ordnance for the Service thereof, or at any Magazine or other Store-house belonging to His Majesty or under the Directions of the Board of Ordnance, nor any poor Man not worth Ten Pounds in Goods or Chattels, or who does not pay Five Pounds a Year Rent in the Whole for Lands, Tenements, and Cottake or Crophold, for the Crop or by the Year, who has more than Three Children born in Wedlock, living and under the Age of Fourteen, shall be liable to serve personally or provide a Substitute, according to the Directions of this Act; and no Person having served personally or by Substitute in any Regiment or Battalion of Militia, shall be obliged to serve again until by Rotation it shall come to his Turn; but no Person who has served only as a Substitute shall, by such Service, be exempted from serving again if he shall be chosen by Ballot.

Hearing of Appeals and correcting Lists.

XCVII. And be it further enacted, That at every Subdivision Meeting for hearing Appeals, the Persons presiding shall enquire upon Oath into the Allegation of every Person who shall appear personally to support his Appeal, or on whose Behalf, if he shall be sick or absent, an Appeal shall be brought, which Oath they or any of them are hereby empowered to administer; and they shall strike out of the List every Person who shall appear to them to be unfit to serve, or to be legally exempted from serving; and they shall likewise insert in such List the Name of any Person who it shall appear to them ought to be inserted therein, and shall have been omitted; and they shall forthwith return to the Clerk of the General Meeting a Certificate under their Hands of the Number of Men contained in the List of every Parish or Place after such Amendment thereof, for the Use of the General Meeting; and they shall likewise send to the Clerk of the Peace a full and accurate Copy of every such amended List, under their Hands and Seals, countersigned by the Clerk of the Meeting, to be by him filed and kept among the Records of the County, which Copy shall be of equal Authenticity for every lawful Purpose respecting the Militia, and of all Proceedings and Acts to be done under this or any Act for raising, embodying, or regulating, or otherwise respecting the Militia, as the Original, in case the Original shall be lost, effaced, or mislaid.

Annual Return of Lists to Privy Council.

XCVIII. And be it further enacted, That the Custos Rotulorum, or Senior Governor in case of the Absence of the Custos Rotulorum, of every

County, shall and he is hereby required to transmit to His Majesty's Privy Council annually, as soon after the Returns of Men shall have been made to the General Meetings as the same can be done, an Account in Writing of the true State of the Number of Persons fit and liable to serve in the Militia for such County, in the Form of Schedule (B.) to this Act annexed.

General Meeting for apportioning Numbers on Parishes.

XCIX. And be it further enacted, That a General Meeting of the Governors and Deputy Governors of every County respectively, shall be summoned by the Clerk of the General Meetings immediately on his receiving such Certificates or any of them, to be held within Seven Days thereafter, and not sooner than Four Days, for the Purpose of apportioning the Number of Militia Men to be raised on the several Subdivisions, Parishes, or Places; and the Persons who shall preside at such General or other Meeting, shall appoint what Number of Men shall be the Quota or Proportion for each Parish or Place to furnish or keep supplied to the Militia of the County, County of a City, or District, apportioning the Whole Number of the Militia, Non-commissioned Officers, and Drummers included, as nearly as may be, to the Numbers contained in the certified Lists of each Parish or Place, and the Clerk of such Meeting shall forthwith give Notice thereof to the several Subdivisional Clerks, who shall enter and file the same for the Use of their respective Subdivisions, and he shall also give a Copy thereof, signed by himself, to the Clerk of the Peace, to be by him filed and kept among the Records of such County; and such General Meeting shall appoint Meetings to be held in the several Subdivisions for the Purpose of choosing by Ballot the Number of Persons to be furnished from each Subdivision to the Militia.

Apportionment may be altered.

C. And be it enacted, That the Governor or Governors with the Deputy Governors of any County, or a competent Number of them assembled at any General Meeting, may alter the Allotment of the Number of Men to be raised in each respective Barony, Parish, or other Division to serve in the Militia, whenever it shall appear to them that any such Allotment is injurious to any Barony, Parish, or other Division.

Notice of Time for Appeal or providing Substitutes.

CI. And be it further enacted, That at every Subdivisional Meeting so to be held for balloting, whether the same be for forming any Regiment or Battalion, or for supplying any Deficiency of Men, or filling up any Vacancy or Vacancies therein, the Person or Persons presiding at such Divisional Meeting shall forthwith cause the Number of Men which each Parish or Place ought then to furnish, to be forthwith chosen by Ballot, in Manner following; that is to say, the Names of all Persons contained in the aforesaid List for such Parish or Place shall be fairly written on distinct Pieces of Paper, being as near as may be of equal Size, and rolled up in the same Manner, and put into a Box, Case, or Bag, by the Clerk, and thereout the Names shall be impartially drawn by One of the Persons presiding, or some indifferent Person, until the whole Number which such Parish or Place ought then to furnish shall be drawn; and the Person or Persons presiding at such Subdivisional Meeting shall appoint another Meeting of the Subdivision, to be held within Seven and not sooner than Four Days, and shall cause Notice thereof to be given to each Person drawn by the Ballot, requiring him to appear at such other Meeting, and shew cause,

if any he can, why he ſhould be excuſed, or there to enrol himſelf or produce a ſufficient Subſtitute, who ſhall be approved of or enrolled, ſuch Notice to be left at his Place of Abode Two Days at the leaſt before the Day of his Appearance, or in caſe he ſhall have no Place of Abode, or the ſame cannot be diſcovered, ſuch Notice to be affixed on the Door of the Church and other Places of Divine Worſhip, and in all Places where Notices are uſually poſted in ſuch Diſtrict or Pariſh, Two Days at leaſt before the Day for his Appearance; and if he ſhall not appear, and Proof ſhall be made upon Oath of ſuch Notice having been given or affixed, and no ſufficient Cauſe on Oath ſhall be given for his not appearing, or if he ſhall not be excuſed when he ſhall ſo appear, or produce a Subſtitute as aforeſaid, he ſhall be adjudged liable to ſerve, and ſerve accordingly.

Sureties for Appearance of ballotted Perſons.

CII. And be it further enacted, That if it ſhall appear to any Juſtice of the Peace, Governor or Deputy Governor, that any Perſon drawn by a Ballot is not a Leſſee of any Land or Lands, or Houſe, in the Subdiviſion, in which he ſhall be drawn, for Years or for Life or Lives, it ſhall be lawful for him to iſſue his Warrant for bringing ſuch Perſon before him, and to bind him, together with One ſufficient Surety, in the Sum of Twenty Pounds, for his Appearance at the next Subdiviſional Meeting, and from Meeting to Meeting, until he ſhall be diſcharged or enrolled; and if he ſhall refuſe to be ſo bound, or ſhall neglect to find ſuch Surety, ſuch Juſtice is hereby required to order the Clerk of the Subdiviſion to enrol his Name, and he ſhall be delivered over without Delay to the proper Officer of the Militia, to ſerve for ſuch Term as a Man drawn by Ballot ſhall be bound to ſerve: Provided always, that nothing herein contained ſhall extend to prevent any ſuch Perſon from having or taking the Benefit of any Exemption or Appeal to which he may by Law be entitled.

Oath of ballotted Militia Man.

CIII. And be it further enacted, That every Perſon ſo choſen by Ballot who ſhall ſo appear at ſuch Meeting, and ſhall not be excuſed or provide a Subſtitute, ſhall there take the following Oath; that is to ſay,

'I *A. B.* do ſolemnly promiſe and ſwear, That I will be faithful and bear true Allegiance to His Majeſty King *George*; and I do ſwear, that I will faithfully ſerve in the Militia of *Ireland* in the Regiment [*or* Battalion] during the Term of Five Years, unleſs I ſhall be ſooner diſcharged.'

And that every Subſtitute and every Volunteer, and every Man who ſhall be raiſed by any Pariſh Aſſeſſment in Manner directed by this Act, who ſhall ſo appear at ſuch Meeting, or who may be at any Time enliſted to ſerve in ſuch Militia, ſhall take the following Oath; that is to ſay,

Oath of Subſtitute or Volunteer.

'I *A. B.* do ſolemnly promiſe and ſwear, That I will be faithful and bear true Allegiance to His Majeſty King *George*, and I do ſwear, that I will faithfully ſerve in the Militia of *Ireland*, in the Regiment [*or* Battalion] during the Term of Five Years; and alſo for ſuch further Time as the ſaid Regiment [*or* Battalion] ſhall remain embodied for Service, if at the Expiration of Five Years the ſaid Regiment [*or* Battalion] ſhall be ſo embodied, unleſs I ſhall be ſooner diſcharged.'

And

And every ſuch Perſon ſhall be enrolled in a Roll to be then and there prepared for that Purpoſe, to ſerve in the Militia of ſaid County or City as a Militia Man accordingly; and that in the Certificate of ſuch Atteſtation the Day of the Month when ſuch Oath was adminiſtered ſhall be ſpecified in Words, and not in Figures, and that if any ſuch Atteſtation ſhall be antedated, the Perſon knowingly antedating the ſame ſhall, if an Officer, be caſhiered, and if a Magiſtrate or Deputy Governor ſhall become liable to and incur the Penalty of Fifty Pounds on Conviction thereof.

Providing Subſtitutes, who ſhall take the Oath before required.

CIV. Provided always, and be it further enacted, That if any Perſon ſo choſen by Ballot ſhall procure and produce for his Subſtitute a Man able and fit for Service, and who ſhall be approved of by the ſaid Governor or Governors or Deputy Governors, or any Three or more of them, ſuch Subſtitute ſo produced and approved ſhall be enrolled to ſerve in the Militia of ſuch County or City as a private Militia Man for the Space of Five Years, and alſo for ſuch further Time as the Militia ſhall remain embodied, if at the Expiration of the ſaid Term of Five Years, the Regiment or Battalion to which ſuch Man ſhall belong ſhall be on Service out of ſuch County or City, and ſuch Subſtitute ſhall take the Oath herein-before appointed to be taken by a Subſtitute or Volunteer; and any Perſon ſo choſen by Ballot for whom ſuch Subſtitute ſhall have been ſo produced, enrolled, and ſworn as aforeſaid, ſhall be exempted from Service in the Militia, in the ſame Manner as if he himſelf had ſerved according to the Directions of this Act: Provided that no Perſon who ſhall be hereafter enrolled in the ſaid Militia, whether as a ballotted Man or Subſtitute or Volunteer, ſhall be deemed to be fully approved of, ſo as to exonerate the Perſon or Perſons, Diſtrict or Diſtricts bound to provide ſuch Man, or to entitle ſuch Man to receive the Second Inſtalment of his Bounty if a Volunteer, unleſs and until ſuch Approbation ſhall be expreſſed by the Commanding Officer of the Regiment or Battalion, or ſome proper Officer by him appointed; and alſo by ſome Perſon or Perſons duly appointed or authorized by or under the Army Medical Board to hold a medical Inſpection on ſcuh Perſon.

Men enrolled ſhall not be deemed Militia Men till approved by the Colonel, &c. and Surgeons.

Diſcharging of Perſons infirm, &c. although ballotted.

CV. Provided alſo, and be it enacted, That when it ſhall appear to the Governor or Governors and Deputy Governors, or any of them, who ſhall be aſſembled and competent to preſide at any Subdiviſion Meeting, that any Perſon choſen by Ballot to ſerve in the Militia is unable by any Infirmity, or not being of the Heighth of Five Feet Two Inches, or is otherwiſe unfit for Service, it ſhall be lawful for the Governor or Governors or Deputy Governors ſo aſſembled, and they are hereby required to diſcharge ſuch Perſon, and immediately to amend the Liſt for the Place for which ſuch Perſon ſhall have been ballotted, by ſtriking his Name out of the ſame, and cauſe another Perſon to be choſen in his Stead by Ballot, according to the Directions of this Act.

Returns to Clerks of Peace by Commanding Officer of the State of the Regiment.

CVI. And, for the aſcertaining what Numbers may be actually ſerving for any particular Pariſh or Place in Caſes where a Ballot is to be held for filling up Vacancies, or in any other Caſes; be it enacted, That every Commanding Officer of a Regiment or Battalion of Militia ſhall, within Seven Days after the Firſt Day of *October* in each and every Year, and as often as he ſhall be required ſo to do by the Governors or Deputy Governors at any General Meeting, ſend to the Clerk of the General

Meeting of the County or County of a City, to which his Regiment or Battalion belongs, a full and accurate Account of the Names of all Non-commiſſioned Officers, Drummers, and Privates, ſerving at the Time in his Regiment or Battalion, ſpecifying the ſeveral Pariſhes or Places for which each Man ſerves, or is ſet down to ſerve, as far as it has come to his Knowledge; which Liſt ſhall, by the Clerk of the General Meetings, be filed and preſerved for the Uſe of the Governor or Deputy Governors,

How Men ſhall be ſet down to Credit of each Pariſh, &c.

CVII. And be it further enacted, That the Perſons who ſhall preſide at any General or other Meeting which ſhall be held by virtue of this Act, for the Purpoſe of apportioning the Militia, ſhall ſet down to the Credit of each Pariſh or Place all ſuch Men in the ſaid Account, as by ſuch Account or by other ſufficient Documents ſhall appear to be ſerving for the ſame; and that the remaining Men ſhall be divided by Lot among the ſeveral Pariſhes and Places aforeſaid, within the County, or County of a City or Town, in Manner following; that is to ſay, the Perſon preſiding at ſuch Meeting ſhall cauſe the Names of all the Men ſo remaining in the ſaid Liſt, after all ſuch Credit being given, to be fairly written on diſtinct Pieces of Paper, being as near as may be all of equal Size, and rolled in the ſame Manner, to be put into a Box; and they ſhall alſo cauſe the Names of the ſeveral Pariſhes or Places on which any Appointment ſhall have been made, of the Number of Men to be furniſhed to the Militia, fairly written on diſtinct Pieces of Parchment or Paper, being as near as may be all of equal Size, and rolled up in the ſame Manner, to be put into another Box, and they or he, as the Caſe may be, ſhall cauſe One indifferent Perſon, publicly and fairly to draw a Roll out of one Box, and one other indifferent Perſon to draw in like Manner a Roll out of the other Box, and the Name of the Perſon ſo drawn out of the one Box ſhall be immediately ſet down to the Credit of the Pariſh or Place ſo drawn out of the other Box, and the Roll containing the Name of ſuch Pariſh or Place ſhall again be returned into its Box, rolled up in like Manner as before, and ſo the ſaid drawing of the Rolls ſhall be continued by drawing one out of each Box at a Time, always ſhaking each Box before each Drawing, until all the Names contained in the Firſt Box ſhall be completely drawn, and ſet down to the Credit of the Pariſh or Place reſpectively with which they ſhall be drawn: Provided always, that ſo ſoon during ſuch Drawing as there ſhall be ſet down to the Credit altogether of any Pariſh or Place the full Number of the Quota it is to furniſh its Name ſhall not be again put into the Box until the Whole of the Drawing ſhall be over.

Apportionment of Men by Ballot.

Notice of Quotas and Ballots to Subdiviſional Clerks.

CVIII And be it further enacted, That as ſoon as the Number of Men to be raiſed from each particular Pariſh or Place ſhall be aſcertained as aforeſaid, the Clerk of the General Meetings ſhall ſend Notice to every Subdiviſional Clerk of the Quota or Proportion of Men which each Pariſh or Place in his Subdiviſion is to furniſh to the Militia; and ſhall ſend a Copy of the Names of the ſeveral Men ſet down to the Credit of each ſuch Pariſh or Place, ſpecifying oppoſite to each Name the diſtinct Cauſe of ſuch Credit; and every Subdiviſional Clerk ſhall reſpectively lay ſuch Copy before the Subdiviſional Meeting which ſhall next meet for the Purpoſe of taking a Ballot.

CIX. And

CIX. And be it further enacted, That whenever any Vacancy or Vacancies shall happen in the Regiment or Battalion of Militia for any County or County of a City, or Town, by Death, Desertion, or lawful Discharge, and it shall not be provided by Law, or directed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, that the same shall be filled by enrolling Volunteers, the Clerk of the Peace shall, within Seven Days after he shall receive an Account thereof under the Hand of the Officer commanding the Regiment or Battalion, give Notice thereof to the Clerk of the Subdivision in which the Parish or Place where the Person or Persons who has or have occasioned such Vacancy or Vacancies shall have been respectively set down to serve for is situated, and such Clerk shall summon a Subdivisional Meeting to be held within Seven Days, to provide a Man or Men to serve in his or their Room, and a Man or Men shall at every such Meeting be chosen by Ballot, to be held in Manner herein-before prescribed; and in case any Deserter shall at any Time return to his Regiment or Battalion, or be taken, he shall, notwithstanding any Person shall so have been chosen in his Room, be compelled to serve in the same Manner and for the said Term as if no Person had been so chosen in his Room. Vacancies shall be supplied out of existing Lists.

CX. And be it further enacted, That if through the Neglect or Mistake of any Chief or High Constable, Constable, or other Person, or from any other Cause, the full Number of Men appointed for any Subdivision should not be duly enrolled at any Meeting appointed for that Purpose, then the Governor or Governors, and Deputy Governors, or any Two or more of them, may and are hereby required immediately to cause the List to be amended, and to proceed to a fresh Ballot, and to adjourn their Meeting or appoint other Meetings, and repeat the amending of the Lists as often 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 Governor or Deputy Governor to administer the Oath herein-before required to be taken by Persons to serve in the Militia, to any Person ballotted for under the Directions of this Act, or to any Person who being qualified as this Act requires, shall offer to serve as a Substitute or Volunteer; and such Governor or Deputy Governor is hereby authorized to direct and require the Clerks of the Subdivision for which every such Person by whom the said Oath has been taken before him is to serve, to enrol the Name of every such Person, together with the Date of the Day on which the said Oath was so administered to him, in the Roll of such Subdivision. Amendment of Lists, and further Ballot. Administering Oath to Militia Man, and enrolling him.

CXI. And be it further enacted, That the respective Clerks of the Subdivisional Meetings shall, as soon as the Militia Men are enrolled, transmit to the Clerk of the General Meetings, and to the Colonel or Commanding Officer, a List, specifying the Names and Trades and Places of Abode of all such Militia Men as are enrolled; and where there are Substitutes, the Names, Trades, and Places of Abode of the Persons in the Room of whom they were enrolled as Substitutes, in the Form in Schedule C. to this Act annexed. Subdivision Clerks shall transmit Lists of all Men enrolled.

CXII. And be it further enacted, That every Person chosen by Ballot to serve in the Militia shall be liable to such Service, although he may have removed from the Place where his Name was inserted in the List, provided Persons removing, &c. shall serve for Places where they are drawn.

provided he was residing in such Place at the Time when the List was according to the Directions of this Act prepared; and every Person liable to serve in the Militia having more than one Place of Residence, shall serve for the County or Place where his Name shall be first drawn, as aforesaid.

Where balloted Man does not appear, another shall be chosen.

CXIII. And, to prevent the Militia Service from suffering by ballotted Men not appearing pursuant to Notice as aforesaid, be it enacted, That on the Non-appearance of any Person drawn by Ballot as aforesaid, Notice having been given or affixed as aforesaid, and no Substitute as aforesaid being produced, the Person or Persons presiding shall immediately proceed to choose another to serve in his Place, and so from Time to Time on every Day appointed for the Appearance of the Person so drawn not appearing until a sufficient Man shall be enrolled.

Ballotted Man not appearing shall be held a Deserter.

CXIV. Provided always, and be it enacted, That every Person chosen at any Time by Ballot as aforesaid, who shall not by virtue of this Act be excused from serving or produce a Substitute, which Substitute shall be approved of and enrolled, who shall not immediately enrol himself and join the Regiment or Battalion, shall be liable to serve, notwithstanding another Person may have been chosen in his Room; and it shall be lawful for any Magistrate to issue his Warrant for apprehending him in the Manner and with like Authority as for apprehending a Deserter; and upon Conviction upon Oath before any Magistrate that such Person was ballotted to serve in the Militia, and not excused, he shall be fined in the Sum of Five Pounds, and in case of Non-payment thereof, the same may be levied by Distress of his Goods and Chattels, by Warrant under the Hand and Seal of such Magistrate, or he may be committed to the Common Gaol of the County if he shall be apprehended, there to remain for the Space of Six Months, or until the Commanding Officer shall desire that he may be sent to the Regiment or Battalion, and the like Reward shall be paid for apprehending him as for apprehending a Deserter, and he shall be deemed a Deserter, and suffer as such.

Ballotted Man failing at first to appear, may give Surety to serve on next Vacancy.

CXV. Provided also, and be it enacted, That if any Person so drawn by Ballot, and failing to appear, shall afterwards voluntarily appear at a Time when the Militia is complete, he shall be immediately enrolled, and shall be bound in the Sum of Twenty Pounds, and shall find a sufficient Surety to be bound in the Sum of Ten Pounds for his Appearance, and joining the Militia whenever there shall be a Vacancy, or he shall be required by the Commanding Officer or Clerk of the Subdivision to join, and his Time of Service shall commence from the Day of his joining; and if he shall so fail to bind himself, or to find such Surety, he shall be committed by any Magistrate, Governor, or Deputy Governor to the Common Gaol of the County, there to remain until he shall be sent to the Regiment or Battalion to serve therein as aforesaid.

Substitutes not appearing shall repay Money received, with Twenty Shillings Penalty.

CXVI. And be it further enacted, That if any Person shall receive Money from any other Person to serve as a Volunteer or Substitute in the Militia as aforesaid, and shall neglect to appear at the usual Meeting appointed for swearing the Militia Men, or before some Governor or Deputy Governor, in order to be sworn according to the Directions of this Act, every such Person so neglecting to appear and be sworn, being convicted thereof

before any Governor or Deputy Governor, shall be obliged to return the Money to the Person or Persons from whom he received it, and shall also forfeit and pay to such Person or Persons any Sum not exceeding Twenty Shillings, at the Discretion of such Governor or Deputy Governor before whom he shall be so convicted; and if such Offender shall not immediately return the Money so by him received as aforesaid, and likewise pay the said Penalty, he shall be committed to the Common Gaol or House of Correction for the Space of Three Months, or until the same Sum shall be paid.

Penalty on Persons refusing to pay their Substitutes.

CXVII. And be it further enacted, That if any Person chosen by Ballot to serve in the Militia, shall have engaged any other Person to serve as his Substitute, and the Person so chosen by Ballot shall have agreed to pay to the Person so engaged a certain Sum for such Services, and shall after such Substitute has been enrolled refuse to pay him the full Sum agreed on, it shall and may be lawful for any Governor or Deputy Governor, or Justice of the Peace, on Application made to him, and such Governor, Deputy Governor, or Justice is hereby required to order such Sum of Money as shall appear to him to be due to the Person so engaged, to be immediately paid to him by the Person or Persons by or for whom he shall be engaged to serve as aforesaid; and in case of his refusing or neglecting so to do, to forfeit the Sum of Five Pounds, and also the Sum engaged to be paid to the Substitute, the same to be levied by Warrant under the Hand and Seal of any Governor or Deputy Governor, or Justice of the Peace, off the Goods and Chattels of such Person so engaging such Substitute.

Substitutes deserting shall, if retaken, serve their full Period.

CXVIII. And be it further enacted, That if any Person being sworn and enrolled to serve as a ballotted Man, Substitute, or Volunteer in the Militia, shall afterwards desert or absent himself from the Regiment or Battalion to which he belongs, every such Person shall be liable to, and shall serve as a Militia Man in such Regiment or Battalion for and during the full Term for which he shall be enrolled, to be computed from the Day on which he shall be apprehended, and shall also be subject to such other Penalty or Punishment as shall be inflicted upon him for such Offence by virtue of this Act; and the Commanding Officer of such Regiment or Battalion shall cause Notice to be given to the Clerk of the Subdivision for which such Person was enrolled, of the Day on which he was apprehended; and such Clerk shall make an Entry on the Roll of the Militia of the Name of such Person, and also of the Time of his being so apprehended.

Substitutes to be provided for Quakers;

CXIX. And be it further enacted, That if any Person, being one of the Persuasion called *Quakers*, shall be chosen by Ballot to serve in the Militia, and shall refuse or neglect to appear and take the Oath and serve in the Militia, or provide a Substitute to be approved of as aforesaid, who shall take the Oath and subscribe his Consent to serve as the Substitute of such Quaker, then and in every such Case, any Two or more Governors or Deputy Governors shall, if they shall think proper, upon as reasonable Terms as may be, provide and hire a fit Person to serve as a Substitute for such Quaker, and such Substitute shall take the Oath herein prescribed for a Substitute, and subscribe his Consent to serve in the Militia for the same

Term,

Term, and on the ſame Conditions as are herein-before directed in the Caſe of Subſtitutes produced by Perſons choſen by Ballot; and any Three or more Governors or Deputy Governors may and are hereby authorized by Warrant under their Hands and Seals, to levy, by Diſtreſs and Sale of the Goods and Chattels of ſuch Quaker, ſuch Sum of Money as ſhall be neceſſary to defray the Expence of providing and hiring ſuch Subſtitute, rendering to ſuch Quaker the Overplus (if any) after deducting the Charges of ſuch Diſtreſs and Sale; and if no Goods or Chattels belonging to ſuch Quaker can be found ſufficient to levy ſuch Diſtreſs, and it ſhall nevertheleſs appear ſatisfactorily to ſuch Governor or Governors or Deputy Governors, that ſuch Quaker is of ſufficient Ability to pay the Sum of Ten Ponnds, then it ſhall be lawful for ſuch Governor or Governors or Deputy Governors to commit ſuch Quaker to the Common Gaol, there to remain without Bail or Mainprize for the Space of Three Months, or until he ſhall have paid ſuch Sum of Money as ſuch Governor or Governors, or Deputy Governors, ſhall have agreed to pay to ſuch Subſtitute as aforeſaid; and in caſe any Meaſure ſhall be uſed in making Diſtreſs as aforeſaid which may be by any ſuch Quaker thought oppreſſive, it ſhall be lawful for ſuch Quaker to complain to the Governor or Governors or Deputy Governors, at their next Meeting, who are hereby empowered and required finally to hear and determine the ſame.

levying the Expence on Quaker's Goods, &c.

Appeals by Quakers to Governors.

Demands on Quakers under this Act ſhall be made ſeparately from other Demands.

CXX. And be it further enacted, That in all Caſes where under this Act any Perſon, being one of the Perſuaſion of the People called *Quakers*, ſhall be required to pay any Sum of Money to be applied to the Purpoſes of this Act, either by the Warrant of any Governor or Deputy Governor as aforeſaid, or by the Warrant of the Treaſurer of any County, City, or Town, in conſequence of any Preſentment of any Grand Jury, or otherwiſe, the Demand for ſuch Sum of Money to be applied to the Purpoſes of this Act ſhall be made upon ſuch Quaker (if required ſo to be by ſuch Quaker) ſeparate and diſtinct from any other Demand to which ſuch Quaker may be liable, and ſhall and may be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Quaker, ſeparately and diſtinctly from any other Sum or Sums of Money to the Payment of which ſuch Quaker may be liable under or by virtue of any other Act or Acts in force in *Ireland*.

Fraudulent Apprentices compellable to ſerve.

CXXI. Provided always, and be it further enacted, That if the Governor or Governors, or Deputy Governors, ſhall at any of their Subdiviſion Meetings receive Information, or ſhall ſuſpect that any Perſon whoſe Name is inſerted in any Liſt, and deſcribed as an Apprentice, has been fraudulently bound Apprentice in order to avoid ſerving in the Militia, it ſhall be lawful for them to make Inquiry thereof, and to ſummon ſuch Perſons as they ſhall think neceſſary to appear before them at ſuch Time and Place as they ſhall appoint, and examine ſuch Perſons upon Oath; and in caſe it ſhall appear that ſuch Binding was fraudulent, in order to avoid ſerving in the Militia, it ſhall be lawful for ſuch Governor or Governors, or Deputy Governors, to appoint ſuch Perſon ſo fraudulently bound Apprentice to ſerve as a Militia Man for the Pariſh or Place for which ſuch Liſt ſhall have been returned, if there ſhall be a Vacancy, and if there ſhall be no Vacancy at that Time, ſuch Perſon ſhall be immediately enrolled, and ſhall be bound in the Sum of Twenty Pounds, and ſhall find a ſufficient Surety to be bound in the Sum of Ten Pounds for his Appearance, and

joining

joining the said Militia whenever there shall be a Vacancy, or whenever he shall be required by the Commanding Officer or Clerk of the Subdivision to join; and his Time of Service shall commence from the Day of his joining; and if he shall fail to bind himself, or to find such Surety, he shall be committed by any Magistrate, Governor or Deputy Governor, to the Common Gaol of the County, there to remain until he shall be sent to the Regiment or Battalion to serve therein; and the Person to whom such Apprentice shall have been so bound shall for such Offence forfeit and pay the Sum of Ten Pounds.

Justice of Peace may settle Recompence to Masters in case of Servants enrolling into Militia.

CXXII. And be it further enacted, That if any Servant whatsoever hired by the Year or otherwise shall be enrolled as a Militia Man, and any Dispute shall arise between his Master and Mistress, Employer or Employers, and such Servant, touching any Sum or Sums of Money due to such Servant, for or on account of his Service performed before the Time of such Swearing or Enrolment, or to such Time as under the Conditions of the said Swearing and Enrolling he shall be obliged to quit the Service of his said Master or Mistress, by being called out to join the Militia in which he shall have been sworn and enrolled, it shall and may be lawful, on the Complaint made thereof within Three Months from the Time of quitting the said Service to any Justice of the Peace for the County, City, Liberty, Town, or Place where such Master, Mistress, 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 such Wages to such Servant, in Proportion to the Service he has performed, as to such Justice shall seem just and reasonable, provided the Sum in question does not exceed the Sum of Twenty Pounds; and in case of Refusal or Omission to pay any Sums so ordered by the Space of Twenty-one Days next after such Determination, such Justice shall and may issue forth his or their Warrant to levy the same by Distress and Sale of the Goods and Chattels of such Master or Mistress, Employer or Employers, rendering the Overplus to the Owner or Owners, after Payment of the Charges of such Distress and Sale.

Discharging Men from Regiments when unfit for Service.

CXXIII. And be it further enacted, That whenever any Militia Man, after having been sworn and enrolled, shall become unfit for Service, it shall be lawful for the Colonel or Commanding Officer of any Regiment or Battalion to which such Militia Man shall belong, together with Two or more Deputy Governors of the County to which such Regiment or Battalion shall belong, if the said Regiment or Battalion shall be then within the said County, or for the said Commanding Officer alone, by the Order of the Officer commanding His Majesty's Forces in *Ireland*, if the said Regiment or Battalion shall be absent from such County or County of a City, to discharge any such Militia Man from such Regiment or Battalion: Provided always, that no Man shall be balloted for to supply the Vacancy caused by any Man being so discharged, until such Discharge shall be approved by the Deputy Governors, at a Meeting for the Subdivision for which such Man so discharged was enrolled; and such Approbation shall be entered and recorded in the Proceedings of such Subdivision Meeting.

Lord Lieutenant may authorize Vestry

CXXIV. And whereas it may be more eligible that the necessary Number of Men for any Parish or Place, either at forming any Regiment or Bat-

Aſſeſſments for raiſing Men.

talion, or for ſupplying any Vacancy or Vacancies therein, ſhould be raiſed by Means of Aſſeſſment than by Ballot; be it therefore enacted, That it ſhall be lawful for the Inhabitants of any Pariſh in *Ireland*, having one or more Churchwarden or Churchwardens, with the Conſent and Approbation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, ſignified by his or their Chief Secretary, at a Veſtry Meeting to be held for that Purpoſe, of which Seven Days Public Notice ſhall be given, ſpecifying the Cauſe of calling ſuch Meeting, and which Meeting every Churchwarden of ſuch Pariſh is hereby ſeverally required to ſummon, to order to be levied by Aſſeſſment upon the Pariſh ſuch Sums as they ſhall think proper, not exceeding in the Whole the Amount of the Average Price of a Subſtitute (ſuch Average Price to be fixed in Manner herein-after mentioned) for every Man directed to to be raiſed as the Quota of ſuch Pariſh, and to apply the ſame as they ſhall think fit for providing a ſufficient Number of Men to ſerve as Subſtitutes or Volunteers for ſuch Pariſh, according to the Quota ſo to be raiſed in ſuch Pariſh as aforeſaid; and it ſhall be lawful for the ſaid Inhabitants at the ſaid Veſtry Meeting, to appoint one or more Perſon or Perſons to direct and ſuperintend the Application of ſuch Sum for ſuch Purpoſes, purſuant to the Order of ſuch Veſtry; and all ſuch Sums ſhall be forthwith raiſed and levied in like Manner, and by all ſuch Means, Powers, Authorities, and Perſons, and with all ſuch Remedies, in caſe of any Refuſal or Omiſſion to pay the ſame, as any Pariſh Ceſs may by Law be raiſed and levied in *Ireland*, the Overplus (if any) or ſuch Part as may from any Reaſon remain undiſpoſed of to be applied to any ſuch parochial Purpoſes to which a Pariſh Ceſs may by Law be applied, as the Veſtry of ſuch Pariſh ſhall at any future Meeting to be called for that Purpoſe direct.

Fixing Price for Subſtitutes,

CXXV. And be it further enacted, That the Governor or Governors, or Deputy Governors of each County or City, or ſuch of them as ſhall duly preſide at any General Meeting to be holden as herein-before directed for the Purpoſes of this Act, ſhall, whenever they ſhall think proper ſo to do, fix and declare what in their Judgement ſhall appear to them to be a fair and reaſonable Sum to be paid as the average Price of a Subſtitute or Volunteer in the ſaid Militia; and ſuch Sum ſo fixed and declared ſhall be and continue to be the average Price of ſuch Subſtitutes for ſuch County or City, until the ſame ſhall be otherwiſe ordered at any ſubſequent Meeting: Provided always, that it ſhall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, whenever he or they ſhall think proper ſo to do, to fix and aſcertain, either generally or for any particular County, or County of a City or Town, any Sum or Sums as a Limit or Limits above which reſpectively ſuch Average ſhall not be made.

according to Limitation by Lord Lieutenant.

Volunteer Subſtitutes procured ſhall be enrolled.

CXXVI. And be it further enacted, That the Churchwardens or any Inhabitant of ſuch Pariſh ſhall and may produce ſuch Subſtitutes or Volunteers ſo provided as aforeſaid, before any Deputy Governor of the Subdiviſion, at any Time on or previous to the Day appointed for chooſing the Men by Ballot in ſuch Subdiviſion in purſuance of this Act, and that it ſhall and may be lawful for any Perſons to provide Volunteers to ſerve for any Subdiviſion, or any of the Diſtricts therein, and to produce ſuch Volunteers, or for any Perſons willing to ſerve to offer themſelves to ſerve for any ſuch Diviſion, and to appear before any ſuch Deputy Governor within ſuch Time

Time and at ſuch Place as aforeſaid; and every Perſon ſo produced or appearing, who ſhall be approved of by the ſaid Deputy Governors as aforeſaid, ſhall and may be enrolled to ſerve as one of the Quota of ſuch Pariſh or Diviſion; and ſuch Deputy Governor before whom any ſuch Volunteer ſhall be entrolled, ſhall cauſe the Clerks of the Meetings for the reſpective Subdiviſions to enrol the Names of all ſuch Volunteers as ſhall be ſo entered within the reſpective Subdiviſions, before the Time appointed for ballotting the Men within the ſame; provided however, that if the full Quota then required to be raiſed ſhall not be raiſed by the Ways aforeſaid, or by any of them, in or for any ſuch Pariſh or Subdiviſion, by or before the Time appointed for ballotting for ſuch Pariſh or Diviſion, the Men that ſhall have been ſo raiſed (if any) ſhall be deemed and taken as Part of the Quota of ſuch Pariſh or Diviſion, and the Ballot ſhall proceed for the Reſidue of ſuch Quota.

Aſſeſſments for ſuch Purpoſes in extra Parochial Places, &c.

CXXVII. And whereas by reaſon of certain Diſtricts in the County of *Dublin* being Extra-parochial, and alſo becauſe certain Parts of the ſaid County have been put under the Regulations and Aſſeſſments of the Paving Board, and are thereby exonerated from paying Grand Jury Ceſs for the Repair of the Highways in the ſaid County, ſuch Aſſeſſments cannot be made therein in Manner aforeſaid for the raiſing the Number of Men allotted to ſuch Diſtricts and Places to ſerve as Subſtitutes in the Militia of the ſaid County: And whereas ſimilar Difficulties occur in different Places and Pariſhes in *Ireland*, by reaſon of ſuch Places being Extra-parochial, or ſuch Pariſhes not having any Churchwardens or regular Veſtry therein, or otherwiſe; be it therefore enacted, That in every ſuch Caſe the Treaſurer of the County or County of a City ſhall make out and deliver to any reſident Inhabitant or Inhabitants of ſuch Town, Pariſh, or Place reſpectively, his Warrants for raiſing from the Inhabitants thereof reſpectively the Sums neceſſary for procuring the Number of Subſtitutes required of ſuch Diſtricts or Places reſpectively, at the ſaid average Price thereof; and thereupon it ſhall and may be lawful for the ſaid reſiding Inhabitant or Inhabitants or any of them, within Three Days of the Time of ſerving the ſaid Warrant, to cauſe to be poſted on the Door of the Church of ſuch Pariſh or of any Pariſh adjoining to ſuch Place, a Notice, requiring at a Time and Place to be therein mentioned, not more than Five nor leſs than Three Days from the poſting of ſuch Notice, a Meeting of ſuch Perſons within ſuch Diſtrict, Place, or Pariſh, who would be entitled to compoſe a Veſtry, if any ſuch there were, or if ſuch Veſtry were to meet therein, and to direct them to appoint Applotters to applot on the Whole of ſuch Place or Pariſh (whether under the Regulations of the Paving Board if in the County of *Dublin* or not) the Sum ſo required to be levied by ſaid Warrant, ſuch Applotment to be levied in the Manner in which Pariſh Ceſſes are applotted, and alſo to appoint any Perſon or Perſons to ſuperintend the Application of the Sums ſo to be raiſed, and to return the ſaid Applotment within Ten Days from the Date of the ſaid Notice to the ſaid Treaſurer; and in caſe ſuch Applotment ſhall not be made and delivered to the ſaid Treaſurer, or in caſe ſuch Perſon or Perſons ſhall not be ſo nominated to ſuperintend the Application of the Sums ſo to be raiſed, within the aforeſaid Time, then and in either of ſuch Caſes it ſhall and may be lawful for the ſaid Treaſurer to direct and authorize any Perſon whom he ſhall think proper to make ſuch Applotment himſelf, in like Manner as aforeſaid, and to verify the ſame by Oath before any Magiſ-

trate of ſaid County, that the ſame was made to the beſt of his Skill and Knowledge; and it ſhall alſo be lawful for the ſaid Treaſurer to appoint ſuch Perſon or Perſons as he ſhall think proper to ſuperintend the Application of the Sums to be levied; and it ſhall and may be lawful for any Perſon duly authorized by the ſaid Treaſurer to levy the ſame, by Diſtreſs and Sale of the Goods and Chattels of the Perſons liable to pay the ſaid Aſſeſſments, whether the Applotment ſhall have been made by the Perſon appointed at ſuch Meeting or by any Perſon appointed by the ſaid Treaſurer as aforeſaid; and in caſe any Part of any Sum ſo raiſed ſhall by any Means remain unapplied to the ſaid Purpoſes, the ſame ſhall be placed by the ſaid Treaſurer to the Credit of ſuch Place, as an Advance on Account of any future public Ceſs; and in caſe any of the ſaid Perſons reſpectively ſhall refuſe or neglect to perform all and every Matter required hereby, each of them ſo offending ſhall be ſubject to a Penalty of One hundred Pounds, to be recovered in any of His Majeſty's ſuperior Courts of Record in *Dublin*.

Applotment of ſuch Aſſeſſments.

CXXVIII. Provided always, and be it enacted, That if it ſhall appear fitting to the Governors and Deputy Governors of any ſuch County at a General Meeting duly aſſembled, they may by Writing under the Hands of any Three or more of them, direct the ſaid Treaſurer to divide the Sum ſo applotted to be levied at Two diſtinct Periods within the Year, ſuch Periods to be regulated according to the Times that the County Ceſs is uſually collected and levied; and in Caſes where Houſes or Buildings have been erected on the Whole or any Part of the ſeveral Pariſhes, Diſtricts, or Places in the County of *Dublin*, which have been laid out for the building of Streets, Squares, Lanes, Alleys, or Public Paſſages, the Applotters or the Perſon ſo appointed by the Treaſurer, as the Caſe may be, are hereby required to applot a proportionable Part of the Sum to be collected for the ſaid Purpoſe on the ſaid Houſes and Buildings, at a Rate not exceeding Two Shillings for every Five Pounds that they may eſtimate the ſaid Houſes or Buildings to be worth annually.

Copies of Aſſeſſments.

CXXIX. And be it further enacted, That the Clerks of all Subdiviſional Meetings ſhall, within Eight Days after every Subdiviſion Meeting, tranſmit to the Clerk of the General Meeting of the County, fair and true Copies of ſuch Rolls as ſhall be ſigned at ſuch Meeting, and the other Proceedings thereof.

Lord Lieutenant may allow Militia to be raiſed or ſupplied by Volunteers.

CXXX. Provided always, and be it further enacted, That whenever it ſhall be neceſſary to raiſe Men for the ſaid Militia, or for any of the ſaid Regiments or Battalions thereof, not exceeding the original Numbers required by this Act, either at the forming thereof, or to fill any Vacancy or Vacancies, it ſhall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to direct and appoint by any Order or Proclamation to be iſſued for that Purpoſe, that the neceſſary Number of Men, either for the Whole or any Regiment or Battalion of the ſaid Militia, ſhall be raiſed by the enrolling and receiving Volunteers; and every ſuch Order or Proclamation, if not extending to the Whole of the ſaid Militia, ſhall ſpecify the ſeveral Regiments or Battalions for which ſuch Men ſhall be ſo raiſed, by the enrolling and receiving Volunteers.

CXXXI. And

CXXXI. And in order to carry such Order or Proclamation into Effect, be it enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to issue his Orders to all or any of the several Colonels and other Commanding Officers of the respective Regiments or Battalions of Militia in *Ireland*, or such of them as shall be included in such Proclamation or Order, requiring him or them, without Delay, to proceed to enrol a certain Number of Volunteers, not exceeding in any Case the Establishments of their respective Regiments or Battalions at the Time of such Order; and for that Purpose it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to issue his Orders to the Lords Commissioners of the Treasury of *Ireland*, requiring them to advance from Time to Time to such Colonels or other Commanding Officer or Officers of the different Regiments or Battalions of Militia in *Ireland*, such Sum or Sums of Money as may be directed by such Order, not exceeding such Sum as shall at such Time be fixed and declared as the average Price of a Substitute, in Manner herein-before mentioned.

Lord Lieutenant may order Commanders of Regiments to receive Volunteers.

CXXXII. And be it further enacted, That upon such Order being issued as aforesaid, the several Colonels or Commanding Officer or Officers of the said Regiments to whom the same shall extend, shall immediately proceed to enlist and enrol within their respective Counties or Counties of Cities such Volunteers being able-bodied Men, not less than Five Feet Four Inches in Height, and not more than Forty-five Years of Age, as can be procured, giving to each Man by way of Bounty, any Sum not exceeding the Price of a Substitute as aforesaid, One Half of such Bounty to be paid to every such Volunteer at the Time of his enrolling himself in any such Regiment or Battalion of Militia, and the Residue thereof to be paid to every such Volunteer on his first Appearance at the Time and Place to be appointed for the assembling or exercising of the Regiment or Battalion in which such Volunteer shall be enrolled, which Sum the said Colonels or Officers are hereby authorized to advance and pay to such Volunteers in manner aforesaid; and it is hereby declared, that the said Sum to be paid to every Man so enrolled and enlisted is over and above and altogether distinct from the Marching Guinea to which such Man may be or become entitled.

Commanders shall proceed to raise Volunteers on Bounty.

CXXXIII. And be it further enacted, That whenever any such Orders shall be issued for enrolling Volunteers, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to issue his or their Order or Orders to the Lords Commissioners of the Treasury of *Ireland*, requiring them to advance to the several Colonels or Commanding Officers of the different Regiments or Battalions of Militia in *Ireland*, for defraying the necessary Expence of procuring and enrolling such Volunteers, any further Sum or Sums of Money which may be directed in any such Order, not exceeding the Rate of One Pound One Shilling for every private Man who may be from Time to Time so enrolled, over and above the Bounty and the Marching Guinea to which such Volunteer may be entitled: Provided always, that no such Volunteer shall be entitled to or receive any Part of such further Sum, nor any greater or higher Bounty than as aforesaid.

Lord Lieutenant may require Treasury to advance the Money for Bounty.

No greater Bounty shall be given.

CXXXIV. Provided always, and be it enacted, That it shall not be lawful to or for any Colonel or other Commanding Officer or Officers of any Regiment or Battalion of Militia, or to or for any other Person or Persons whatsoever in his or their Behalf, to advance or to engage to advance, or give any greater or larger Sum of Money than as aforesaid, or to give or promise, or undertake to give any other or larger Bounty or Reward than the several Sums aforesaid, for the purpose of inducing any Man to enrol himself as a Volunteer.

Volunteers shall be sworn as Militia Men.

CXXXV. And be it further enacted, That every Man so enrolled shall, in the Presence of some one Governor, Deputy Governor, Justice of the Peace, or Magistrate acting for the County or City to which the Regiment or Battalion in which he shall be enrolled shall belong, take and subscribe the same Oath as is herein-before directed to be taken by a Substitute or Volunteer in any Regiment or Battalion of the said Militia.

Colonels shall transmit Lists of Volunteers to Chief Secretary's Office.

CXXXVI. And be it further enacted, That the several Colonels or other Commanding Officer or Officers shall keep or cause to be kept true and regular Entries of the Names, Additions, Places of Residence, Parish and other Descriptions of the Persons they shall enrol as aforesaid, and the several Sums which shall have been advanced and paid to such Persons respectively, and shall transmit regular Copies of such Entries, certified by them respectively, as well as by the Adjutant and Paymaster of the Regiment or Battalion respectively, to the Office of the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*.

Chief Secretary shall transmit such Lists to Treasurers of Counties, to be by them laid before Grand Juries, and Presentments of the Amount of Bounty advanced shall be made accordingly.

CXXXVII. And be it further enacted, That the said Chief Secretary shall cause Copies of the Returns of the Men thus enrolled, and the Sums advanced to such Men respectively, to be transmitted to the several and respective Treasurers for the several Counties and Counties of Cities and Towns in *Ireland*, Ten Days at least previous to the then next ensuing General Assizes, which shall not commence within such Ten Days; or if to the Treasurer of the County and City of *Dublin*, within Fourteen Days previous to the then next presenting Term, which shall not commence within such Fourteen Days; and the said several Treasurers shall, and they are hereby respectively required to lay the said Returns before the Judges of Assize on the Commission Day of such Assizes, or in the County and City of *Dublin* before the Court of King's Bench, on the First Day of such Term, and before the respective Grand Juries for such Counties or Counties of Cities and Towns shall be sworn; and the said Judges or the said Court, as the Case may be, shall and they are hereby required to give the same, except as herein-after excepted, in charge to the said Grand Juries, in order that the Sums thus expended may be presented and raised off the said Counties or Counties of Cities or Towns, or any Barony or Baronies, Parish or Parishes therein respectively as such Grand Juries respectively shall think proper, which said Presentments the said respective Grand Juries are hereby respectively authorized and required to make, unless the Amount of the Sum thus to be raised shall appear to the said respective Grand Juries too large to be raised at one Assizes, or at one presenting Term, within the respective Counties or Counties of Cities or Towns, in which Case it shall and may be lawful for the said several Grand Juries, by and with the Concurrence of the Judges of the said Assizes, or the said Court, to present any Part of such Sum, not less than one Moiety thereof,

at ſuch Aſſizes or Terms, and the Reſidue ſhall in like Manner be given in charge and preſented by the Grand Jury of ſuch County or County of a City or Town, or Grand Juries of ſuch reſpective Counties or Counties of Cities or Towns, as the Caſe may be, at the then next enſuing Aſſizes or preſenting Term; and in caſe the Grand Jury of any County or County of a City or Town ſhall, after the Judges of the Court ſhall have given the ſame in charge to them, omit, neglect, or refuſe to preſent the ſame, then and in every ſuch Caſe it ſhall and may be lawful for the ſaid Judges of Aſſize, or the Court of King's Bench reſpectively, and they are hereby reſpectively required to order and direct the Treaſurer of ſuch County or County of a City, to include the whole of ſuch Sum, and return the ſame among the Preſentments of the County, ſo that the ſame ſhall be raiſed and levied forthwith; and it ſhall not be lawful to traverſe any ſuch Preſentment: Provided always, that within every County of a City and County of a Town all Sums ſo preſented ſhall and may be raiſed by an Aſſeſſment on Houſes and Land, according to a Valuation of the ſame reſpectively, in ſuch Manner as ſuch Grand Jury ſhall from Time to Time order and direct.

Levying of Sums to be preſented.

CXXXVIII. And be it further enacted, That the ſeveral Treaſurers of the reſpective Counties and Counties of Cities and Towns as aforeſaid, ſhall collect and receive the ſaid ſeveral Sums, and ſhall forthwith pay the ſame to the Collector of Exciſe for ſuch County or County of a City or Town, ; or in caſe there ſhall be in any County Two or more Diſtricts, with Two or more Collectors reſpectively, or Parts of ſuch Diſtricts, then to the Collector of that Part of ſuch County in which the County Town is ſituate; and every ſuch Collector ſhall, and he is hereby required to give a Receipt for all Sums of Money that ſhall be ſo paid to him as aforeſaid, and ſuch Receipt ſhall be lodged among the Records of ſuch County, and ſhall be a Diſcharge and Acquittance to ſuch County for all ſuch Men as ſhall be ſo raiſed, for the Time for which they ſhall be ſo enrolled to ſerve as aforeſaid, unleſs Vacancies ſhall occur by Death, Deſertion, or lawful Diſcharge.

Vacancies in augmented Regiments ſhall be filled up by Volunteers, and Seven Tenths of the Expence ſhall be levied by Preſentment on the Counties.

CXXXIX. And whereas ſeveral Regiments and Battalions of Militia have been augmented in Manner herein-before-mentioned, to the Eſtabliſhment of One Hundred Rank and File *per* Company, with the uſual Proportion of Commiſſioned and Non-commiſſioned Officers, and the Reſidue of the ſaid Regiments and Battalions, or any of them, may hereafter be ſo augmented; be it enacted, That whenever any Vacancy or Vacancies ſhall occur by Death, Deſertion, or lawful Diſcharge, in any Regiment or Battalion which ſhall have been or ſhall be ſo augmented during the Continuance of ſuch Augmentation, ſuch Vacancies ſhall from Time to Time be filled up by enrolling Volunteers, and not by ballotting, and for that Purpoſe it ſhall and may be lawful for the ſeveral Colonels or Commanding Officers of ſuch Regiments to procure and enrol Volunteers to fill up ſuch Vacancies, and to make Returns in Manner herein-before directed, which Returns ſhall be ſent and given in Charge to the ſeveral Grand Juries reſpectively in Manner aforeſaid, and the ſeveral Grand Juries of the Counties or Counties of Cities, at the reſpective enſuing Aſſizes or preſenting Term, ſhall thereupon preſent ſuch Sum of Money as ſhall be ſufficient to reimburſe and repay Seven Tenth Parts of the Money ſo advanced, at the Rate aforeſaid, under the Order of the Lord Lieutenant or other Chief Governor or Governors.

of *Ireland* for the Time being, for the procuring and enrolling such Volunteers to supply such Vacancies, or in Default of such Presentment the Judge of Assize or the Court shall order and direct the Treasurer of the County, or County of the City, to include such Sum, and return the same among the Presentments thereof, so that the same shall be raised and levied forthwith; and every such Sum shall be levied, collected, and received by the Treasurers of the Counties or Counties of Cities, and paid by them to the Collectors of Excise, in like Manner as is herein-before directed with respect to the other Sums directed to be presented, levied, collected, and paid, under the Authority of this Act: Provided always, that in any County, County of a City or Town, where the Militia Men serving shall have been or shall be apportioned in Manner herein-before directed, among the several Parishes and Districts, it shall and may be lawful to proceed from Time to Time by Ballot, for the filling up of Vacancies for the original Quota of such County, County of a City or Town; and that all Vacancies arising in the augmented Numbers shall be filled up by the Volunteers, in such Manner as is directed by the said recited Act of the Forty-fourth Year, intituled, *An Act for empowering His Majesty to direct the Augmentation of His Militia Forces in* Ireland, *to an Extent therein limited*; any Thing herein-before contained to the contrary notwithstanding.

The embodying of any Militia may be suspended, &c.

CXL. Provided always, and be it further enacted, That if it shall be deemed inexpedient by His Majesty, or the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, in Council, to raise, embody, or continue any Regiment or Battalion of Militia in any County or City in *Ireland*, it shall be lawful for His Majesty, or for the said Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, by and with the Advice of the Privy Council of *Ireland*, to forbid the raising or embodying of such Regiment or Battalion, and to stay all Proceedings therein for such Time as shall be deemed expedient, or to order that all or any of the said Regiments or Battalions shall be disembodied and wholly cease and determine; any Thing in this Act to the contrary in anywise notwithstanding.

Fine of 10l. per Annum for every Man deficient.

CXLI. And be it further enacted, That if it shall happen in any Case that the Number of Militia Men duly appointed or to be appointed to be raised for any Regiment or Battalion of Militia of *Ireland*, shall not be raised within Three Calendar Months from and after the Time when the same ought to be raised by Ballot as aforesaid, or within Four Months from the Date of the Order for raising the same by enrolling Volunteers, then and in every such Case the County or County of a City or Town in which such Number of Militia Men ought to be raised, shall be charged with the Payment of the yearly Sum of Ten Pounds for and in lieu of every private Militia Man so deficient; and upon Proof on Oath first laid by any Governor or Deputy Governor of such Deficiency before the Judges of Assize, or in the County or City of *Dublin* before the Court of King's Bench, it shall be lawful for such Judge of Assize and such Court, and they are hereby respectively required to fine the County or County of a City or Town, or such District, Baronies or Barony, or Parish or Parishes thereof in which such Neglect shall happen, in a Sum after the Rate of Ten Pounds for any Private Man so deficient, and to repeat the said Fine annually so long as the said Deficiency shall continue,

tinue, which Fine or Fines ſhall be eſtreated into His Majeſty's Exchequer and iſſued in Proceſs, and ſhall be duly levied by the Sheriff or other Officers reſpectively to whom ſuch Proceſs ſhall be directed reſpectively; and it ſhall not be lawful for the Barons of the Exchequer or Commiſſioners of Reducement, on any Account, to take off, releaſe or reduce ſuch Fine or Fines, or any Parts thereof.

Fines ſhall be paid into the Treaſury.

CXLII. And be it further enacted, That all ſuch Fines, and all other Fines hereby impoſed, when not otherwiſe exprcſsly directed, ſhall, when levied, be paid into His Majeſty's Treaſury, and ſhall be kept ſeparate and apart from all other Money, and ſhall be accounted for Yearly to Parliament; and no Fee or Gratuity whatſoever ſhall be given or paid to any Officer of the Exchequer for or on Account of receiving or iſſuing any ſuch Money: Provided always, that ſuch Money, or any Part thereof, may be applied by or under the Orders of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, if he or they ſhall think proper, in providing Subſtitutes or Volunteers to ſerve in the Militia for the Counties, Counties of Cities, or Diſtrict, from which ſuch Fines reſpectively ſhall have accrued, by applying the ſame reſpectively, or in Eaſe and Diminution thereof, either in Addition to the Bounties herein-before mentioned reſpectively, or partly in the One Way and partly in the other, in ſuch Manner as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being ſhall direct.

Fines may be applied under Order of Lord Lieutenant in providing Subſtitutes.

Fines exceeding 20l. recoverable in a Court of Record; not exceeding 20l. before a Juſtice.

CXLIII. And be it further enacted, That in all Caſes where any other Mode of Proceeding is not hereby provided, all Fines, Penalties, and Forfeitures, by this Act impoſed, which ſhall exceed the Sum of Twenty Pounds, ſhall be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's ſuperior Courts of Record at *Dublin*, wherein no Eſſoign, Privilege or Protection, Wager of Law or more than One Imparlance ſhall be allowed; and that all Fines, Penalties, and Forfeitures, by this Act impoſed, which ſhall not exceed the Sum of Twenty Pounds, ſhall, upon due Proof of the Offence before any Juſtice of the Peace of the County where the Offence ſhall be committed, be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of ſuch Juſtice, rendering the Overplus (if any) on Demand, after deducting the Charge of ſuch Diſtreſs and Sale, to the Perſon whoſe Goods and Chattels ſhall have been ſo diſtrained and ſold; and for Want of ſuch Diſtreſs ſuch Juſtice is hereby required, in all Caſes where no particular Time of Commitment is herein-before directed, to commit ſuch Offender to the Common Gaol of the County 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 directed by this Act, ſhall be paid to the Collectors of Exciſe, and accounted for and paid over by them as all other Monies received by them reſpectively.

Penalty on Treaſurers, Clerks, &c. for Neglect.

CXLIV. And be it further enacted, That if any Treaſurer of any County, any Clerk of the Peace, or any Collector of His Majeſty's Revenue, or of any County or County of a City, Barony or Half Barony, ſhall refuſe or knowingly neglect to do any Matter or Thing required by this Act to be done by him, or ſhall wilfully omit to carry any of the Proviſions in this Act reſpecting himſelf or his Office into Execution, and ſhall be

thereof convicted by Information or Indictment at the Aſſizes or King's Bench in the County or County of the City of *Dublin*, he ſhall be fined any Sum not exceeding One Hundred Pounds, at the Diſcretion of the Court.

CXLV. And be it further enacted, That all Convictions made by any Governor, or Deputy Governor, or Juſtice of the Peace, under this Act, ſhall be in the Form here following, or in ſome other Form to that or the like Effect; that is to ſay,

Form of Conviction.

'BE it remembered, That on the Day of
' in the Year at
' in the County [*or*, County of a City or Town] of *A. B.* of
' was convicted before me *E. F.* the Governor, [*or*, One of
' of the Governors, *or*, One of the Deputy Governors, *or*, of the Juſtice
' of the Peace] of the ſaid County [*or* County of a City] for that on
' the Day of
' at in the ſaid
' where the ſaid *A. B.* did [*here ſtate the Offence*]. In Witneſs whereof,
' I the ſaid *E. F.* have hereunto ſet my Hand and Seal, this
' Day of in the Year of our Lord

Which Conviction, or any other Form of Conviction to that or the like Effect, ſhall be good, valid, and effectual in Law, without ſetting out the Evidence, or ſtating any other Matter more particularly or otherwiſe than as aforeſaid.

Convictions ſhall not be removed by Certiorari.

CXLVI. And be it further enacted, That no Order or Conviction made by any Governor or Governors, or by any Juſtice or Juſtices of the Peace, under or by virtue of this Act, ſhall be removed by *Certiorari* or other Writ or Proceſs, out of the County, City, or Place wherein ſuch Order or Conviction was made, into any of His Majeſty's ſuperior Courts of Record in *Dublin*; and that no Writ of *Certiorari* or other Writ ſhall ſuperſede any Execution or other Proceedings upon any ſuch Order or Conviction ſo made in purſuance of this Act, but that the Execution ſhall be made thereupon; any ſuch Writ or Writs, or Allowance thereof notwithſtanding.

Limitation of Actions, &c.

CXLVII. And be it further enacted, That if any Action ſhall be brought againſt any Perſon or Perſons for any Thing done in purſuance of this Act, ſuch Action or Suit ſhall be commenced within Six Months next after the Fact committed, and not afterwards, and ſhall be laid in the County or Place where the Cauſe of Complaint did ariſe, and not elſewhere; and the Defendant or Defendants in every ſuch Action or Suit may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon; and in any ſuch Action or Suit, if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his or their Action or Suit after the Defendant or Defendants ſhall have appeared, Judgement ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Treble Coſts, and have the like Remedy for the ſame as any Defendant hath in other Caſes to recover Coſts by Law.

Penalty of Perjury on falſe Oaths.

CXLVIII. 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 exa-

mined into, upon the Oath or Affirmation of any Witneſs or Witneſſes, before any Governor of any County, or any Deputy Governor or Governors, or Juſtice or Juſtices of the Peace, they and every of them is and are hereby reſpectively authorized to adminiſter ſuch Oath or Affirmation to any Witneſs or Witneſſes; and that all other Oaths or Affirmations to be taken in purſuance of this Act ſhall and may be reſpectively adminiſtered by any Governor or Deputy Governor; and every Perſon who ſhall knowingly or willingly take any falſe Oath or Affirmation in any Matter required by this Act, and be thereof convicted, ſhall ſuffer the Penalties of wilful and corrupt Perjury.

CXLIX. And be it enacted, That this Act, and the ſeveral Clauſes, Proviſions, Matters, and Things therein contained, ſhall commence, take effect, and be of force from and after the Expiration of one Calendar Month after the paſſing thereof, and not ſooner. Commencement of Act.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

RETURN of all Male Perſons reſiding within the Pariſh of County of between the Age of Sixteen and Forty-five Years.

Names or Common Appellation.	Reputed Age.	Street and Place of Abode.	Trade or Occupation.	Exemption, if any, and what.	If Married, N° of Children under 14 Years of Age.	Obſervations.

SCHEDULE (B.)

County of

RETURN of Perſons fit or liable to ſerve in the Militia for the County of

Names of Pariſhes.	Number fit.	

SCHEDULE (C.)

County of

RETURN of Men enrolled to ferve for the Militia for the Subdiviſion of Pariſh of

Names of Men.			Date of Enrolment.	Where reſiding.	Trade.	Age.	Size.	Obſervations.
Principals.	Subſtitutes.	Volunteers.						

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