Incident affecting the Land so given shall upon such an Exchange be transferred to the said Glebe taken in exchange for the same Land; and the Glebe Land taken in exchange for any Copyhold or Customary Land shall be held of the Lord of the same Manor, under the same Rent, Custom, and Services as the said Copyhold or Customary Land previously was or ought to have been held, and without any new Admittance in respect thereof, but the Consent of the Lord of the same Manor shall be necessary to any Exchange in which any Land of Copyhold or Customary Tenure shall be included.

Formation of District within which extraordinary Charge in respect of Hop Grounds and Market Gardens shall be payable.

XLII. Whenever the Commissioners are requested in the Manner provided by the said recited Acts to charge an additional Rentcharge by way of extraordinary Charge upon any Hop Grounds or Market Gardens newly cultivated as such beyond the Limits of any District for which an extraordinary Charge for Hop Grounds or Market Gardens respectively shall have been already distinguished, the Commissioners may declare the Lands in the Parish in which such newly cultivated Hop Grounds or Market Gardens are situate a District within which the extraordinary Charge to be then fixed by them shall be thereafter payable.

Power to enter on Land.

XLIII. For the Purpose of ascertaining the Extent of the Land cultivated as Hop Grounds or Market Gardens, the Person to whom any extraordinary Charge upon such Land is or would be payable, his Agents or Servants, at all reasonable Times, may enter upon the said Land, and make an Admeasurement and Plan of the same, without being subject to any Action or Molestation for so doing.

Recited Acts and this to be as One.

XLIV. This Act shall be taken and construed as Part of the said first-recited Act, as amended and extended by the several Acts passed for the Amendment thereof, and by this Act.

The SCHEDULE to which this Act refers.

FORM OF CONVEYANCE BY COMMISSIONERS.

In the Matter of .

WE, the Tithe Commissioners for England and Wales, by virtue of an Act of Parliament passed in the Year of the Reign of Queen Victoria, intituled [*here insert the Title of this Act*], and in consideration of the Sum of paid into our Hands by , being the Purchase Money of the Hereditaments hereinafter described, do by these Presents convey unto his Heirs and Assigns, all that [*here describe the Premises*], with the Appurtenances, to hold the same unto the said his Heirs and Assigns [*here state the Uses, Trusts, or Purposes of the Conveyance, as the Case may require*].

In witness whereof we have hereunto set our Hands and affixed our Seal, this Day of .

CAP. XCIV.

An Act to amend the Laws relating to the Militia. [13th *August* 1860.]

'WHEREAS it is expedient to amend the Laws relating to the Militia as herein-after provided:' Be it therefore enacted by the Queen'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, as follows:

Power to unite Portions of Militias of Two

I. It shall be lawful for Her Majesty, by Order signified by One of the Principal Secretaries of State, and in *Ireland* for the Lord Lieutenant or other Chief Governor or Governors

Governors of *Ireland*, by Order signed by his or their Chief Secretary or Under Secretary, from Time to Time to direct the respective Lord Lieutenants to unite such Portions of the Militia of Two or more Counties, Ridings, Divisions, or Places in *Great Britain* as may be specified in such Order, and to form such united Portions into a Corps of Militia Artillery, and to direct what Number of Officers, and of what respective Ranks, shall be appointed to such united Corps, and what shall constitute the Staff thereof, and what Officers shall be appointed by the several Lord Lieutenants respectively, and to direct in which of the several Counties, Ridings, Divisions, or Places the Arms, Accoutrements, Clothing, and other Stores belonging to the united Corps shall be kept, and by the same or any other Order to determine (as regards *England*) the Number of Justices to be elected on behalf of each County, Riding, Division, or Place, for forming a Committee for providing and maintaining the Storehouse in which such Arms, Accoutrements, Clothing, and other Stores are to be kept.

or more Counties to form an Artillery Corps.

II. Where any such United Corps of Militia Artillery is formed in *England* the Justices of every County, Riding, Division, or Place from which such united Corps is formed shall, at the General or Quarter Sessions next after the said Order has been notified to them by the Lord Lieutenant, elect the Number of Justices mentioned in such Order, to be with the Justices elected in like Manner for every other such County, Riding, Division, or Place, a Committee for providing and maintaining such Storehouse as aforesaid:

In case any Member of any such Committee die, resign, or become incapable to act, the Justices for the County, Riding, Division, or Place for which he was elected, at any General or Quarter Sessions for such County, Riding, Division, or Place, shall elect some other Justice in his Place, but notwithstanding any Vacancy in any Committee the continuing Members may act as if no such Vacancy had occurred.

Appointment of Committee for providing Storehouse for united Militia Artillery Corps in England.

III. Every such Committee shall within One Month after their Election assemble at some convenient Place to be named in a Notice to be given by Two or more of the Members thereof to the several Members so elected, such Notice to be given to each Member personally or left at his Place of Abode, or transmitted through the Post Office Seven Days at least before the Time appointed for such Meeting, and the said Committee may adjourn the said Meeting from Time to Time and from Place to Place and meet when and so often as they think necessary, and they shall at their First Meeting elect One of their Members to be their Chairman, who shall preside at all Meetings at which he is present, and in case of his Absence from any Meeting the Members present shall elect One of their Number to be Chairman for the Meeting, who shall preside at the Meeting:

To constitute a Meeting of the Committee there shall not be less than Three Members, except for Adjournment, which may be made by less than Three, and every Question shall be determined by a Majority of Votes, the Chairman (whether permanent or temporary) having a Vote, and, in the event of Equality of Votes, having a Second or Casting Vote.

Meetings of Committee.

IV. The said Committee or any Three of them shall have all the Powers for providing, repairing, enlarging, altering, and improving such Storehouse as aforesaid as are or may be given to the Justices of a County for providing, enlarging, altering, and improving any Storehouse for keeping the Arms and other Stores belonging to any Regiment of Militia of their County; and all the Provisions of such Act auxiliary to any such Powers, and in relation to any such Storehouse, shall extend and apply to and in the Case of the Powers conferred by this Enactment, and any Storehouse to be provided, altered, enlarged, or improved thereunder; and any Lands to be purchased for the Purposes of this Act shall be conveyed to such Persons, being not less than Five in Number, and in such Manner as the Committee purchasing the same may direct, in trust for the Purposes of this Act, and any Conveyance to be so made shall have the like Force and Effect as a Conveyance made under Section Eighty-one of "The Lands Clauses Consolidation Act, 1845."

Powers of Committee.

Lands purchased for Purposes of this Act to be conveyed to Trustees.

V. When and so often as any Land purchased under this Act shall be vested in less than Three Trustees, or there shall not be any Trustee thereof living, it shall be lawful for the said Committee or any Three or more of them, by an Instrument in Writing under their Hands, to appoint such Number of new Trustees of such Land as may be thought fit, and such Appointment shall be deposited and kept among the Records of such One of the

Power for the Appointment of new Trustees in case of Death, &c.

Counties, Ridings, Divisions, or Places interested therein as the Committee may think fit and all the Estate and Interest in such Land which at the Time of such Appointment may be vested in any Trustee or Trustees in trust for the Purposes aforesaid, or in any other Person as Heir or Devisee, or otherwise subject to such Trust, shall, by virtue of such Appointment, vest in the Trustees so appointed, either alone, or if there be any continuing Trustees or Trustee jointly with such continuing Trustees or Trustee, as the Case may require, without any Conveyance or Assurance for that Purpose.

As to Payment of Expenses incurred by Committee.

VI. The said Committee shall from Time to Time certify to the Treasurer of each County, Riding, Division, or Place for the Payment of the Amount to be contributed by such County, Riding, Division, or Place towards the Expenses incurred by such Committee, according to and in proportion to the Number of Men ordered to be contributed by such County, Riding, Division, or Place to the united Corps of Artillery; and every Treasurer to whom such Amount is so certified shall raise such Amount out of the same Funds and in the same Manner as Sums required for the Expenses of the Storehouse for the Militia of such County, Riding, Division, or Place, and pay the same in manner directed by the Certificate of the said Committee, and every such Certificate shall be signed by the said Committee or Three or more of them.

Storehouse how to be provided in Scotland.

VII. Where any such united Corps of Militia Artillery is formed in *Scotland*, the Commissioners of Supply of the County in which the Stores thereof are directed to be kept shall, forthwith after the Order shall have been notified to them by the Lord Lieutenant, provide a secure and suitable Storehouse for keeping the Arms, Accoutrements, Clothing, and other Stores of the Corps; and all the Provisions and Powers applicable to the providing a Storehouse for the Militia of such County, and the Expenses incidental to the Use and Maintenance thereof, shall extend and be applicable to the providing a Storehouse for such united Corps, and the Expenses incidental to the Use and Maintenance thereof; and the Sums required as aforesaid shall be certified, contributed, and paid as now by Law provided, in the Cases where several Counties in *Scotland* contribute to the Expenses of a Place for the safe Custody of the Arms and Stores belonging to a united Corps of Militia.

Provision for Storehouses for united Militias.

VIII. Where the Militia of any County, Riding, Division, or Place in *England* is united with the Militia of any adjoining County, Riding, Division, or Place, the Enactments herein-before contained for providing for the keeping of the Arms, Accoutrements, Clothing, and Stores belonging to a united Corps of Militia Artillery, and concerning the Expenses of providing a Storehouse for such united Corps, and incidental to the Use and Maintenance thereof, shall be applicable in the Case of the Militia united as aforesaid, save that the Expenses shall be defrayed in proportion to the Quotas fixed for the respective Counties, Ridings, or Places of which the Militias are united.

Expenses of Storehouses in Ireland.

IX. Where any united Corps of Militia Artillery is formed in *Ireland*, or where the Militia of any County or County of a City in *Ireland* is united with the Militia of any adjoining County or County of a City, the Costs of providing, in such Place as the Lord Lieutenant or Chief Governor or Governors shall direct, the Storehouses for keeping the Arms, Accoutrements, Clothing, and other Stores of the united Corps of Militia Artillery, or of the Militias united as aforesaid, shall be defrayed by the several Counties, or Counties of Cities, from the Militias of which the Corps of Militia Artillery is formed, or of which the Militias are united (as the Case may be) according to and in proportion to the Number of Men contributed by each County or County of a City to the united Corps of Artillery, or in proportion to the Quotas fixed for each such County or County of a City of which the Militias are united, and the necessary Sums to be contributed by each County or County of a City for this Purpose, including any Arrears in respect of such Costs before the Transmission of the Certificate thereof, shall be raised by the Presentment of the Grand Jury of each such County, and as to the Cities of *Dublin*, *Cork*, and *Limerick*, by the Town Councils of the Boroughs of *Dublin*, *Cork*, and *Limerick* respectively, on a Certificate of the Sum required, signed and transmitted in like Manner as provided in relation to the Cost of providing any House or Place for the keeping of the Arms, Accoutrements, Clothing, or other Stores of the Militia in such County or County of a City, by the Act of

of the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter One hundred and seven, and all the Provisions of the said Act applicable to and in respect of such Costs shall be applicable to and in respect of the Sums to be contributed and raised in *Ireland* under this Act.

Payments to Counties in respect of Expenses of providing Quarters for Permanent Staff.

X. If the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall deem it expedient that the whole or any Number of the Permanent Staff of the Militia of any County or County of a City, or of the united Militia of any Counties, or of any united Artillery Corps, should be provided with Quarters in the Storehouse of such Militia, united Militia, or united Artillery Corps, it shall be lawful for the Grand Jury of such County or Counties, or for the Town Council of the Borough of *Dublin*, *Cork*, or *Limerick*, as the Case may be, to provide by Presentment the Cost of such Quarters; and in every such Case, and also where, in *England*, in any County, Riding, Division, or Place, the Justices in General or Quarter Sessions, or any Committee appointed under this Act, or in *Scotland* the Commissioners of Supply, add to the Buildings provided or to be provided for keeping the Arms and Stores of the Militia Quarters for such Number of the Permanent Staff as the Secretary of State shall deem expedient to be quartered as a Guard for the Arms and Stores, it shall be lawful for the Secretary of State from Time to Time, out of Monies to be provided by Parliament for this Purpose, to cause to be paid to the Treasurer of such County, Riding, Division, or Place, or such Commissioners of Supply, such Yearly Sum as the Secretary of State may have agreed so to pay before such Quarters are provided, to be applied in aid of the Rates or Assessments out of which or of Monies raised on the Security of which the Expenses of providing such Quarters have been defrayed, and where such Expenses have been incurred on account of any united Corps of Militia or united Militias, such Sum shall be apportioned by the Secretary of State between or among the Counties, Ridings, Divisions, or Places which may have contributed to such Expenses in proportion to its Contribution thereto, and be paid to the Treasurers of the respective Counties, Ridings, Divisions, or Place, or the Commissioners of Supply of the respective Counties accordingly.

Provision in respect of Counties who have already provided Accommodation for Permanent Staff.

XI. Where before the passing of this Act any Quarters shall have been provided for the Permanent Staff of the Militia by any County, Riding, or Place, it shall be lawful for the Secretary of State, upon being satisfied of the Sufficiency of such Quarters, to approve thereof in the same Manner as if the same had been erected with his Sanction subsequent to the passing of this Act, and it shall thereupon be lawful for the Secretary of State to cause to be paid to the Treasurer of such County, Riding, or Place such yearly Sum as he may think fit, in the same Manner and to be applied for the same Purposes as if under the Provision herein-before contained such Sum had been agreed to be paid by him before such Quarters had been provided.

Treasurers of Counties to be accountable for Payments by Secretary of State.

XII. The Treasurer of every County, Riding, Division, or Place receiving any such Payment from the Secretary of State shall be accountable in respect thereof to the Treasurer of every Borough which may have contributed to the Expenses of providing the Quarters in proportion to its Contribution to such Expenses.

Borough Justices may administer Oaths to Militia Volunteers.

XIII. The Oath which under the Act of the Session holden in the Fifteenth and Sixteenth Years of Her Majesty, Chapter Fifty, is to be taken by every Volunteer raised as in the said Act mentioned, may be administered by any Justice of the Peace for any City or Borough, County, Riding, or Place where such Volunteer may happen to be.

Militia Volunteers may be drilled in addition to other Times of Training.

XIV. It shall be lawful for Her Majesty, by Order or Regulations signified by the Secretary of State, to direct that any Militia Volunteer, upon or at any Time after his Enrolment, be drilled, trained, or exercised by way of preliminary Instruction, at the Head Quarters of the Regiment, Battalion, or Corps in which he is enrolled, or at any other convenient Place, for any Time not exceeding Twenty-eight Days, although the Regiment, Battalion, or Corps, or any Part thereof, be not then called out for Training and Exercise, and during the Period of preliminary Instruction under this Provision the Volunteer shall be subject to the same Articles of War and to the same Laws in all respects as if he were

a Militiaman lawfully called out for Training and Exercise; but such Period shall not be reckoned in lieu or in diminution of the Time in the same Year during which he might have been called out for Training and Exercise with all or any Part of the same Corps independently of this Enactment.

So much of Sect. 12. of 22 & 23 Vict. c. 38. as provide the Modes in which Deserters shall be tried repealed.

XV. 'And whereas by Section Twelve of the Act of the Session holden in the Twenty-'second and Twenty-third Years of Her Majesty, Chapter Thirty-eight, after providing 'that every Deserter from the Militia, and every Person who in respect of any Offence 'against the Militia Laws is deemed a Deserter, may be tried by a Regimental Court-'martial, or may be tried summarily by any Justice or Justices of the Peace as therein 'mentioned, it is enacted, that it shall be lawful for the Secretary-at-War to direct in which 'of the aforesaid Modes any such Deserter shall be tried:' So much of the said Section as provides that it shall be lawful for the Secretary-at-War to direct in which of the aforesaid Modes any such Deserter shall be tried shall be repealed; and every such Deserter, and every such Person who in respect of any Offence against the Militia Laws is deemed a Deserter, shall be tried summarily by any Justice or Justices of the Peace having Jurisdiction under the said Section, unless it be shown to such Justice or Justices that the Secretary-at-War has ordered such Deserter or Person to be tried by a Regimental Court-martial under the Provision herein-after contained; and it shall be lawful for such Secretary-at-War, by any general or special Directions or Regulations, to order any such Deserter or Person, or any Class or Description of such Offenders, with reference to the Time or Circumstances of their being apprehended or otherwise, to be tried by Regimental Court-martial according to the Provisions in the said Section mentioned for such Trial, and every such Deserter or Person to whom such Desertion or Regulation is applicable shall thereupon be tried and dealt with accordingly.

Deserters, &c. may be tried summarily by Justices unless Secretary-at-War shall order otherwise.

Term of Service of Deserters from Embodied Militia extended.

XVI. Every Deserter from any Regiment, Battalion, or Corps of Militia of any Part of the United Kingdom which is embodied at the Time of such Desertion or afterwards, shall, whether he shall or shall not have been punished for his Offence, be liable to serve for an additional Period equal to the Time which may have elapsed between the Time of his Desertion and the Time when he is apprehended or voluntarily returns to his Regiment, Battalion, or Corps; the Period of such additional Service to commence from the Expiration of the Period for which he was enrolled, or from the Time of his Apprehension or Return, which may last happen.

Provision as to Enlistment of Militia Volunteers in the Regular Forces.

XVII. It shall be lawful for the Colonel or Commanding Officer of any Regiment, Battalion, or Corps of Militia, pursuant to any Regulations or Directions of the Secretary-at-War, to authorize any Militia Volunteer or Volunteers belonging to such Regiment, Battalion, or Corps to enlist in Her Majesty's Regular Forces, and to give to any such Volunteer a conditional Discharge from the Militia, to become absolute on his being enlisted into, attested, and finally approved for Her Majesty's Regular Forces within a Time limited by such Colonel or Commanding Officer, in pursuance of such Regulations or Directions; and in case such Volunteer be so enlisted, attested, and finally approved within the Time so limited, his Enlistment shall be valid; but otherwise such Discharge shall be void.

Stoppage of Pay of Militiaman fraudulently enlisting in Her Majesty's Forces, &c., or entering the Navy.

XVIII. Except as herein-before provided, any Militiaman who enlists in Her Majesty's Regular Forces, or Her Majesty's *Indian* Forces, or Royal Marine Forces, or who enters Her Majesty's Navy, during the Continuance of his Engagement in the Militia, shall, if retained to serve in the Forces in which he has so enlisted or in the Navy, as the Case may be (in lieu of the Stoppages, if any, to which he may now by Law be liable), be subjected to a Stoppage of One Penny a Day of his Pay for Eighteen Calendar Months, to be applied as the Secretary of State shall direct; but no such Militiaman so enlisting or entering shall be released from his Engagement as a Militiaman, or be relieved from any Liability consequent on his wrongful Enlistment or Entry, save by or in pursuance of the Order of the Secretary of State, and which Order when the said Militiaman shall be within the United Kingdom shall be given only with the Consent of the Commanding Officer of the Regiment, Battalion, or Corps to which such Militiaman belongs, and his Service under such wrongful Enlistment

Enlistment or Entry shall not be reckoned for Pension until the Day on which his Engagement for the Militia would have expired.

Allowances for Travelling Expenses of Officers attending Courts-martial.

XIX. So much of the Act of the Fifty-fifth Year of King *George* the Third, Chapter One hundred and sixty-eight, Sections Three and Four, and of the Act of the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter One hundred and six, Sections Fifty-five and Fifty-six, as provides that Officers attending to form Courts-martial shall be entitled to Two Shillings for every Mile for going to such Court-martial, at the Commencement thereof, and returning after the Conclusion of the Proceedings of the Court shall be repealed; and all Officers attending to form such Courts as in the said Sections mentioned shall be entitled to such Allowances for their Travelling Expenses in going to such Court-martial and returning therefrom, as the Secretary-at-War by Regulations may from Time to Time direct.

In case of Invasion or imminent Danger thereof, Her Majesty may raise the Militia in Scotland to 15,000 Men.

XX. It shall be lawful for Her Majesty, in case of actual Invasion or imminent Danger thereof, the Reason being first communicated to Parliament if Parliament be then sitting, or declared in Council and notified by Proclamation if Parliament be not sitting or in being, to order and direct by Her Royal Proclamation that, in addition to the Number of Private Militiamen authorized to be raised and kept up for the Militia in *Scotland* by the Act passed in the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter One hundred and six, there shall be forthwith raised and enrolled for the Militia in *Scotland* such Number of Men as to Her Majesty may seem fit, so as the whole Number of Men for the Time being raised for the Militia in *Scotland* shall not exceed Fifteen thousand Private Militiamen, and the Lieutenants and Deputy Lieutenants of the several Counties in *Scotland* shall forthwith proceed to raise and enrol such additional Men, at such Time or Times as shall be specified for that Purpose in such Proclamation; and all the Provisions applicable to the Militia raised in *Scotland* shall extend and be applicable to and for the raising, enrolling, training, and exercising, and the drawing out and embodying of the additional Men so ordered and directed to be raised and enrolled, and to the additional Men so raised: Provided always, that it shall be lawful for Her Majesty, whenever She may deem it expedient so to do, to reduce the whole or any Part of such additional Number of Men, and by Royal Proclamation to declare such Reduction accordingly.

Militia of Ireland may be increased in like Cases to 45,000.

XXI. It shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, in case of actual Invasion or imminent Danger thereof, to be signified by Proclamation from such Lord Lieutenant or Chief Governor or Governors, to order and direct by Proclamation that, in addition to the Number of Private Militiamen authorized to be raised and kept up in *Ireland* by the Act passed in the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter One hundred and seven, there shall be forthwith raised and enrolled for the Militia in *Ireland*, such Number of Men as to such Lord Lieutenant or Chief Governor or Governors may seem fit, so as the whole Number of Men for the Time being raised for the Militia in *Ireland* shall not exceed Forty-five thousand Private Militiamen, and the Lieutenants and Deputy Lieutenants of the several Counties and Places in *Ireland* shall forthwith proceed to raise and enrol such additional Men, at such Time or Times as shall be specified for that Purpose in such Proclamation; and all the Provisions applicable to the Militia raised in *Ireland* shall extend and be applicable to and for the raising, enrolling, training, and exercising, and the drawing out and embodying of the additional Men so ordered and directed to be raised and enrolled, and to the additional Men so raised: Provided always, that it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, whenever he or they may deem it expedient so to do, to reduce the whole or any Part of such additional Number of Men, and by Proclamation to declare such Reduction accordingly.