CAP. LXV.

An Act to consolidate and amend the Acts relating to the Volunteer Force in *Great Britain*. [21st *July* 1863.]

'WHEREAS it is expedient to consolidate and amend the Acts relating to the Volunteer Force in *Great Britain*:'

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:

1. This Act may be cited as The Volunteer Act, 1863. Short Title.

PART I.

Organization of Volunteer Force.

Acceptance of Service.

2. It shall be lawful for Her Majesty to accept the Services of any Persons desiring to be formed under this Act into a Volunteer Corps, and offering their Services to Her Majesty through the Lieutenant of a County. Power to the Crown to accept Services through Lieutenants of Counties.

On such Acceptance the proposed Corps shall be deemed lawfully formed under this Act as a Corps of that County.

Permanent Staff.

3. Her Majesty may from Time to Time constitute for any Volunteer Corps a Permanent Staff, consisting of an Adjutant commissioned by Her Majesty, and of so many Serjeant Instructors as may seem fit, engaged and attested (according to Regulations under this Act) for a Period not exceeding Five Years, or of such an Adjutant, or of such Serjeant Instructors, alone. Power to the Crown to form a Permanent Staff.

For the Purposes of this Act, all such Adjutants shall be deemed Officers of the respective Corps, and all such Serjeant Instructors shall be deemed to belong to the respective Corps, on the Permanent Staff whereof they serve, and shall be deemed respectively Officers and Non-commissioned Officers of the Volunteer Permanent Staff; but nothing in this Act shall be taken to exempt any Officer or Non-commissioned Officer of the Permanent Staff of a Volunteer Corps from being subject to the Orders of the Officers of the Corps according to their Rank and the Laws and Usages of Her Majesty's Forces.

If any Non-commissioned Officer of the Volunteer Permanant Staff enrols himself as a Volunteer or Substitute in the Militia, or is attested to serve on the Permanent Staff thereof, or enlists in Her Majesty's Army, he may be tried and punished as a Deserter; or, if he confesses his Desertion, One of Her Majesty's Principal Secretaries of State, instead of causing him to be tried and punished as a Deserter, may, if it seems fit, cause him, in any such Case, to be returned to his Service on the Volunteer Permanent Staff, and to be there put under Stoppages until he has repaid the Amount of any Bounty received by him, and the Expenses attending his Enrolment, Attestation, or Enlistment,—or, in case of Enlistment in Her Majesty's Army, may cause him to be held to his Service in Her Majesty's Army, with a Direction, if it seems fit, that his Time of Service therein shall not be reckoned for Pension until the Time when his Engagement on the Volunteer Permanent Staff would have expired.

Any Non-commissioned Officer of the Volunteer Permanent Staff so enrolling himself, being attested, or enlisting, shall, nevertheless, be liable to deliver up in good Order, fair Wear and Tear only excepted, all Arms, Clothing, and Appointments issued to him as a Non-commissioned Officer of the Volunteer Permanent Staff; and in case of his being either returned to his Service on the Volunteer Permanent Staff, or held to his Service in Her Majesty's Army, One of Her Majesty's Principal Secretaries of State may, if it seems fit, cause him to be put under Stoppages until he has repaid the Value of any such Arms, Clothing, or Appointments not so delivered up.

Officers

Officers and Volunteers.

Officers commissioned by Lieutenant of County.

4. Every Volunteer Corps shall (except as to the Officers of the Permanent Staff thereof) be officered by Persons appointed with Her Majesty's Approval and commissioned by the Lieutenant of the County to which the Corps belongs.

A Commission issued in any Case under this Act by the Lieutenant of a County shall not be deemed vacated by the Revocation, Expiration, or Discontinuance of the Commission by which such Lieutenant was appointed.

Rank of Officers.

5. Officers of the Volunteer Force shall rank with Officers of Her Majesty's Regular and Militia Forces as the youngest of their respective Ranks; and shall rank with Officers of the Yeomanry Force according to the Rank and Date of their respective Commissions in the respective Forces.

As to Command of Volunteer Officers over other Forces.

Officers of the Volunteer Force, when not on actual Military Service, shall not be entitled to exercise any Military Command over any of Her Majesty's other Forces, and when on actual Military Service shall not be entitled to exercise any such Command otherwise than as may be from Time to Time prescribed by the Mutiny Act or Articles of War.

As to Members of H.C. accepting Commissions.

The Acceptance of a Commission in the Volunteer Force by a Member of the Commons House of Parliament shall not render his Seat vacant.

Oath to be taken as in Schedule.

6. Every Officer shall, on receiving his Commission, and every Volunteer shall, on his Enrolment in the Muster Roll of his Corps, or in either Case as soon afterwards as may be, take the Oath set forth in the Schedule to this Act, to be administered by the Lieutenant of the County to which the Corps belongs, or by a Deputy Lieutenant or Justice of the Peace for the County, or by an Officer of the Corps who has taken such Oath.

Power for Volunteer to quit his Corps on Conditions herein stated.

7. Any Volunteer may, except when on actual Military Service, quit his Corps on complying with the following Conditions; namely,—

(1.) giving to the Commanding Officer of his Corps Fourteen Days Notice in Writing of his Intention to quit the Corps:

(2.) delivering up in good Order, fair Wear and Tear only excepted, all Arms, Clothing, and Appointments, being Public Property or Property of his Corps, issued to him:

(3.) paying all Money due or becoming due by him, under the Rules of his Corps, either before or at the Time or by reason of his quitting it:

and thereupon he shall be struck out of the Muster Roll of the Corps by the Commanding Officer.

If any Volunteer gives such Notice, and the Commanding Officer refuses to strike him out of the Muster Roll, and the Volunteer considers himself aggrieved thereby, the Volunteer may appeal to Two Justices of the Peace for the County to which the Corps belongs, usually acting within the Petty Sessional Division in which the Head Quarters of the Corps are situate, and not being Members of the Corps, who shall hear and determine the Appeal, and may, for the Purposes thereof, administer Oaths and examine any Person as a Witness; and if it appears to such Justices that the Arms, Clothing, and Appointments issued to the Volunteer, being Public Property or Property of his Corps, have been delivered up in good Order (fair Wear and Tear only excepted), or that he has paid or is ready to pay sufficient Compensation for any Damage that such Articles may have sustained, and that all Money due or becoming due by him under the Rules of his Corps, either before or at the Time or by reason of his quitting it, has been paid, such Justices may order the Commanding Officer forthwith to strike such Volunteer out of the Muster Roll of his Corps, and their Determination shall be binding on all Persons.

As to Discharge of Volunteer taking Service in Militia or Army.

8. If any Volunteer enrols himself as a Volunteer or Substitute in the Militia, or is attested to serve on the Permanent Staff thereof, or enlists in Her Majesty's Army, he shall be deemed discharged from the Volunteer Force, and the Commanding Officer of his Corps shall strike him out of the Muster Roll thereof.

He shall, nevertheless, be liable to deliver up in good Order, fair Wear and Tear only excepted, all Arms, Clothing, and Appointments, being Public Property or Property of his Corps, issued to him, and to pay all Money due or becoming due by him, under the Rules

of

of his Corps, either before or at the Time or by reason of his Discharge. If such Arms, Clothing, and Appointments are not so delivered up by him, or such Money is not paid by him, then, without Prejudice to any Proceeding or Remedy against him under this Act, he may, under an Order of One of Her Majesty's Principal Secretaries of State, if it seems fit, be put under Stoppages out of any Bounty or Pay receivable by him, or both, until the Value of such Arms, Clothing, or Appointments not so delivered up, or such Money (as the Case may be), is fully paid.

General Command.

Power to the Crown to put Volunteers under Command of General or Field Officers.

9. Whenever any Volunteers are on actual Military Service, or are undergoing Inspection, or are voluntarily doing any Military Duty, Her Majesty may put them and their Officers under the Command of such General or Field Officers of Her Majesty's Army, senior in Rank to every Officer of the Volunteer Force to be so put under their Command, as Her Majesty may appoint or designate; but so, nevertheless, that the Volunteers put under such Command shall be led by their own Officers under such Command.

Inspection.

Annual Inspection.

10. An annual Inspection of every Volunteer Corps shall be held by a General or Field Officer of Her Majesty's Army.

Efficiency.

Requisites of Efficiency to be declared by Order in Council.

11. Her Majesty in Council may from Time to Time declare what is requisite to entitle a Volunteer to be deemed an efficient Volunteer, by an Order in Council defining, for that Purpose, the Extent of Attendance at Drill to be given by the Volunteer, and the Course of Instruction to be gone through by him, and the Degree of Proficiency in Drill and Instruction to be attained by him and his Corps, such Proficiency to be judged of by the Inspecting Officer at the annual Inspection of the Corps, or otherwise, as by Order in Council is from Time to Time directed.

The Draft of any Scheme to be from Time to Time submitted to Her Majesty in Council for Approval under the present Section shall have been laid before both Houses of Parliament for One Lunar Month at least, either before or after or partly before and partly after the passing of this Act, during the present or for the like Period during any subsequent Session of Parliament, before such Scheme receives the Approval of Her Majesty in Council.

Disbanding of Corps.

Power to the Crown to disband Corps.

12. Her Majesty may disband or discontinue the Services of any Volunteer Corps, or any Part thereof, whenever it seems to Her Majesty expedient to do so.

Existing Corps.

Power to the Crown to continue Services of Corps already formed.

13. It shall be lawful for Her Majesty to continue the Services of all Volunteer Corps whose Services have been accepted before the passing of this Act; and the Services of every such Corps shall be deemed to be continued by Her Majesty unless and until Her Majesty thinks fit to exercise the Power of disbanding or discontinuing the Services of the Corps.

The Provisions of this Act shall apply to every such Corps, as if its Services were accepted under this Act, without Prejudice to anything already done in relation to or by any such Corps.

Administrative Organization.

Power to Crown to appoint a Permanent Staff on Formation of Administrative Regiments.

14. Where Two or more separate Volunteer Corps are formed by the Authority of One of Her Majesty's Principal Secretaries of State into a united Body for Military or Administrative Purposes, herein-after called an Administrative Regiment, Her Majesty may from Time to Time constitute for such Regiment a Permanent Staff consisting of an Adjutant commissioned by Her Majesty, and of so many Serjeant Instructors as may seem fit, engaged and attested (according to Regulations under this Act) for a Period not exceeding Five Years, or of such an Adjutant, or of such Serjeant Instructors, alone.

For the Purposes of this Act all such Adjutants shall be deemed Officers of the respective Administrative Regiments, and all such Serjeant Instructors shall be deemed to belong to the respective Administrative Regiments, on the Permanent Staff whereof they serve, but not

not to be Officers of or to belong to any of the separate Corps formed into those Regiments, and shall be deemed respectively Officers and Non-commissioned Officers of the Volunteer Permanent Staff; but nothing in this Act shall be taken to exempt any Officer or Non-commissioned Officer of the Permanent Staff of such a Regiment from being subject to the Orders of the Officers of the Regiment and of the separate Corps formed into the same, according to their Rank, the Laws and Usages of Her Majesty's Forces, and any Regulations under this Act.

Every such Regiment shall (except as to the Officers of the Permanent Staff thereof, and except as to the Officers of the separate Corps formed into such Regiment,) be officered by Persons appointed with Her Majesty's Approval, and commissioned as Officers of such Regiment by the Lieutenant of the County within whose Jurisdiction the Head Quarters of the Regiment are situate.

Notwithstanding the Formation of any such Regiment, the separate Corps formed into the same shall be severally deemed Volunteer Corps for all the Purposes of this Act.

Courts of Inquiry.

Lieutenant of County may assemble a Court of Inquiry, to report to the Lieutenant or the Commanding Officer.

15. The Lieutenant of the County to which a Volunteer Corps belongs, or within whose Jurisdiction the Head Quarters of an Administrative Regiment are situate, may at any Time assemble a Court of Inquiry to inquire into any Matter relative to the Corps or Regiment, or to any Officer or Volunteer or Non-commissioned Officer of the Permanent Staff belonging thereto, and to record the Facts and Circumstances ascertained on such Inquiry, and, if required, to report on the same, for the Information and Assistance of such Lieutenant; such Court, where the Inquiry is with reference to an Officer, to be composed of Officers of the Volunteer Force belonging to the County, and in other Cases to be composed either of Officers and Volunteers belonging to the Corps or Regiment, or of such Officers, or of such Volunteers.

The Commanding Officer of a Volunteer Corps or Administrative Regiment may at any Time assemble a Court of Inquiry, composed either of Officers and Volunteers belonging to the Corps or Regiment, or of such Officers, or of such Volunteers, to inquire into any Matter relative to the Corps or Regiment, or to any Volunteer or Non-commissioned Officer of the Permanent Staff belonging thereto, and to record the Facts and Circumstances ascertained on such Inquiry, and, if required, to report on the same, for the Information and Assistance of the Commanding Officer; but nothing herein shall authorize any Inquiry with reference to an Officer otherwise than by a Court assembled by Direction of such Lieutenant of the County as aforesaid, and composed exclusively of Officers of the Volunteer Force belonging to such County.

Regulations.

Power to Secretary of State to make Regulations for Government of Volunteer Force.

16. One of Her Majesty's Principal Secretaries of State may from Time to Time make Regulations respecting anything in this Act directed or authorized to be done or provided by Regulation, and also such Regulations as may seem fit (not being inconsistent with any of the Provisions of this Act) respecting—

the Appointment and Promotion of Officers; and

the assembling and Proceedings of Courts of Inquiry to inquire into and report on any Matter connected with the Government or Discipline of a Volunteer Corps or Administrative Regiment;

and for the full Execution of this Act, and the general Government and Discipline of the Volunteer Force, and may alter or repeal any such Regulations; and may call for such Returns as may from Time to Time seem requisite.

PART II.

Actual Military Service.

In case of Invasion, Power to the Crown to call out Volunteers for

17. In case of actual or apprehended Invasion of any Part of the United Kingdom (the Occasion being first communicated to both Houses of Parliament if Parliament is sitting, or declared in Council, and notified by Proclamation if Parliament is not sitting,) Her Majesty may direct the Lieutenants of Counties throughout *Great Britain*, or such of them as Her Majesty

Majesty may judge necessary, to call out the Volunteer Corps of their respective Counties, or any of them, for actual Military Service. actual Military Service.

Every Officer and Volunteer and every Non-commissioned Officer of the Permanent Staff belonging to every Corps so called out shall be bound to assemble as the Lieutenant of the County directs, and to march according to Orders, within *Great Britain*; and, from the Time of his Corps being so called out, shall, for the Purposes of this Act, be deemed on actual Military Service. If any such Officer, Volunteer, or Non-commissioned Officer, not incapacitated by Infirmity for Military Service, refuses or neglects to so assemble or march, he shall be deemed a Deserter.

18. Whenever a Volunteer Corps is called out for actual Military Service, the following Provisions shall take effect:— Allowances to Volunteer Corps so called out.

(1.) There shall be issued, in manner provided by Regulation, the Sum of Two Guineas for the Use of every Officer and Volunteer and Non-commissioned Officer of the Permanent Staff belonging to and assembling with the Corps (except such of them as do not desire to receive the Benefit thereof); and each such Sum, or so much thereof as the Commanding Officer of the Corps thinks fit, shall be laid out, under the Direction of the Commanding Officer, in providing Necessaries for each such Officer, Volunteer, and Non-commissioned Officer; and within One Month after Receipt thereof, an Account shall be settled with each such Officer, Volunteer, and Non-commissioned Officer, respecting the Application thereof, and any unapplied Residue thereof shall be paid to him:

(2.) Such Officers, Volunteers, and Non-commissioned Officers shall be entitled to receive Pay and to be billeted and quartered as the Officers, Non-commissioned Officers, and Soldiers of Her Majesty's Army, and to have Relief for their Wives and Families (being unable to support themselves) as the Officers, Non-commissioned Officers, and Men of the Militia of *England* and *Scotland* respectively, according as the Corps belongs to *England* or to *Scotland*:

(3.) On the Release of the Corps from actual Military Service there shall be paid, in manner provided by Regulation, One Guinea to every such Officer, Volunteer, and Non-commissioned Officer present with the Corps at the Time of such Release (except such of them as do not desire to receive the same), in addition to his Pay.

19. After a Volunteer Corps has been called out for actual Military Service, the Corps shall be deemed released from actual Military Service only by an Order in Writing, signed by the Lieutenant of the County to which the Corps belongs, and addressed and delivered to the Commanding Officer of the Corps; which Order the Lieutenant of the County shall issue upon and as soon as may be after a Proclamation of Her Majesty declaring the Occasion to have passed, and not sooner or otherwise. As to Release of Corps from actual Military Service.

Before a Volunteer Corps is released from actual Military Service, the Corps shall be returned to the County to which it belongs.

20. An Officer of the Volunteer Force disabled on actual Military Service shall be entitled to Half Pay, according to his Rank; and the Widow of such an Officer killed on actual Military Service shall be entitled to the like Pension for Life as the Widow of an Officer of Her Majesty's Army. Provision for Officers and Men disabled, and for Widows of Officers killed.

A Volunteer or Non-commissioned Officer of the Volunteer Permanent Staff, disabled on actual Military Service, shall, according to his Rank, be entitled to the like Pension and other Benefits, if any, as a Soldier of Her Majesty's Army.

PART III.

DISCIPLINE.

Officers and Volunteers.

21. With respect to the Discipline of Officers (other than Officers of the Volunteer Permanent Staff) and Volunteers, the following Provisions shall take effect and be in force while they are not on actual Military Service:— As to Discipline of Volunteers while not on actual Military Service.

(1.) The Commanding Officer of a Volunteer Corps may discharge from the Corps any Volunteer, and strike him out of the Muster Roll, either for Disobedience

of Orders by him while doing any Military Duty with his Corps,—or for Neglect of Duty, or Misconduct by him, as a Member of the Corps,—or for other sufficient Cause,—the Existence and Sufficiency of such Causes respectively to be judged of by the Commanding Officer. The Volunteer so discharged shall, nevertheless, be liable to deliver up in good Order, fair Wear and Tear only excepted, all Arms, Clothing, and Appointments, being Public Property or Property of his Corps, issued to him, and to pay all Money due or becoming due by him, under the Rules of his Corps, either before or at the Time or by reason of his Discharge. But nothing herein shall prevent Her Majesty from signifying Her Pleasure in such Manner, and giving such Directions with respect to any such Case of Discharge, as to Her Majesty may appear just and proper:

(2.) If any such Officer as aforesaid or any Volunteer, while under Arms or on March or Duty with the Corps or Administrative Regiment to which he belongs, or any Portion thereof,—or while engaged in any Military Exercise or Drill with such Corps or Regiment, or any Portion thereof,—or while wearing the Clothing or Accoutrements of such Corps or Regiment, and going to or returning from any Place of Exercise or Assembly of such Corps or Regiment,—disobeys any lawful Order of any Officer under whose Command he then is, or is guilty of Misconduct,—the Officer then in Command of the Corps or Regiment, or any superior Officer under whose Command the Corps or Regiment then is, may order the Offender, if an Officer, into Arrest, and if not an Officer, into the Custody of any Volunteer belonging to the Corps or Regiment or of any Non-commissioned Officer of the Volunteer Permanent Staff,—but so that the Offender be not kept in such Arrest or Custody longer than during the Time of the Corps or Regiment, or such Portion thereof as aforesaid, then remaining under Arms, or on March or Duty, or assembled, or continuing engaged in any such Military Exercise or Drill, as aforesaid.

Permanent Staff.

As to Discipline of Permanent Staff while not on actual Military Service.

22. With respect to the Discipline of Officers and Non-commissioned Officers of the Volunteer Permanent Staff, the following Provisions shall take effect and be in force while they are not on actual Military Service:—

(1.) All the Provisions of the Mutiny Act (as far as they relate to *Great Britain*) shall extend to and apply to and in the Case of the Officers and Non-commissioned Officers of the Volunteer Permanent Staff, and those Officers and Non-commissioned Officers shall be subject to the Mutiny Act, and shall also be entitled to the Benefits thereof, in all respects as the Officers and Soldiers of Her Majesty's Army for the Time being are, and as if the Volunteer Permanent Staff belonged to and formed Part of Her Majesty's Army, subject only to the following Variations and Provisions:—

(i.) When the assembling of a Court-martial for the Trial of an Officer or Non-commissioned Officer of the Volunteer Permanent Staff becomes necessary, a General or District Court-martial (as the Case may require) shall be convened by One of Her Majesty's Principal Secretaries of State, authorized by Commission or Warrant under the Royal Sign Manual to convene Courts-martial under the present Section; and such Secretary of State shall in all Cases and for all Purposes be substituted for the convening Officer under the Mutiny Act, and shall cause every such Court-martial to assemble with all practicable Speed after it is convened; and a Court-martial shall not sit in any Case for the Trial of an Officer or Non-commissioned Officer of the Volunteer Permanent Staff without being so convened;

(ii.) Every such General Court-martial shall consist of not less than Nine Members, and every such District Court-martial shall consist of not less than Five Members; and every such Court-martial shall (except as to the President thereof) be composed of such Officers of the Volunteer Permanent Staff as the Secretary of State directs; and the President shall be a Field Officer of the Volunteer Force appointed by the Secretary of State;

(iii.) Sen-

(iii.) Sentences of District Courts-martial under the present Section shall not be put in execution until confirmed by One of Her Majesty's Principal Secretaries of State, authorized in that Behalf by Warrant under the Royal Sign Manual; and with respect to the Execution of the Sentence of any Court-martial under the present Section, One of Her Majesty's Principal Secretaries of State shall in all Cases have the like Powers as Her Majesty's Principal Secretary of State for the War Department, or the Officer confirming the Sentence of a Court-martial, has in certain Cases or Events, with respect to the Execution of the Sentences of Courts-martial under the Mutiny Act:

(2.) Whenever a Court-martial is ordered to assemble for the Trial of a Non-commissioned Officer of the Volunteer Permanent Staff, One of Her Majesty's Principal Secretaries of State may, if he thinks it expedient, issue his Warrant under his Hand for the Apprehension of such Non-commissioned Officer, and also his Warrant under his Hand for the Commitment of such Non-commissioned Officer for safe Custody to a Public Prison, Gaol, or House of Correction near the Place where the Court-martial is to sit, which Warrants respectively shall be in the Forms set forth in the Schedule to this Act, with such Variations as Circumstances require.

(3.) The Keeper of such Public Prison, Gaol, or House of Correction, or his Deputy, shall, on Production of any such Warrant of Commitment, receive the Non-commissioned Officer of the Volunteer Permanent Staff named therein into his Custody, and shall keep him in safe Custody in all respects as if he were committed by Warrant of Justices of the Peace on a Charge or Suspicion of Misdemeanor, or in *Scotland* of an Offence, but without Bail, until One of Her Majesty's Principal Secretaries of State orders the Discharge of such Non-commissioned Officer, or until he is otherwise delivered from such Custody by due Course of Law, or until he is delivered over to undergo any Punishment imposed by Sentence of a Court-martial; and such Keeper or Deputy shall, in the meantime, from Time to Time as Occasion requires, bring up such Non-commissioned Officer in Custody before a Court-martial sitting for his Trial:

(4.) If any Keeper of a Public Prison, Gaol, or House of Correction, or his Deputy, refuses or neglects to receive or keep any Non-commissioned Officer of the Volunteer Permanent Staff in manner herein-before prescribed, such Keeper or Deputy shall for every such Offence be liable to a Penalty not exceeding One hundred Pounds, to be recovered in *England* by Action in a Superior Court of Law at *Westminster*, in *Scotland* by Proceedings in the Court of Session, and in the *Isle of Man* by Proceedings in any Court of competent Jurisdiction, and to be applied to the Use of Her Majesty.

Actual Military Service.

As to Discipline of Volunteer Force when on actual Military Service.

23. With respect to the Discipline of Officers of the Volunteer Force and Volunteers and Non-commissioned Officers of the Volunteer Permanent Staff, the following Provision shall take effect and be in force when they are on actual Military Service; namely,—All the Provisions of the Mutiny Act (as far as they relate to *Great Britain*) shall extend to and apply to and in the Case of all Officers of the Volunteer Force and Volunteers and Non-commissioned Officers of the Volunteer Permanent Staff, and those Officers, Volunteers, and Non-commissioned Officers shall be subject to the Mutiny Act, and shall also be entitled to the Benefits thereof, in all respects as the Officers and Soldiers of Her Majesty's Army for the Time being are, and as if the Volunteer Force, including the Volunteer Permanent Staff, belonged to and formed Part of Her Majesty's Army, subject only to this Variation, —that a Court-martial for the Trial of an Officer of the Volunteer Force or Volunteer or Non-commissioned Officer of the Volunteer Permanent Staff shall be composed of Officers of the Volunteer Force only.

PART IV.

Rules and Property of Corps.

Power for Corps to make Rules, subject to the Approval of the Crown.

24. The Officers and Volunteers belonging to a Volunteer Corps may from Time to Time make Rules for the Management of the Property, Finances, and Civil Affairs of the Corps, and may alter or repeal any such Rules; but any such Rules shall not have Effect unless and until the Commanding Officer of the Corps thinks fit to transmit the same to the Lieutenant of the County to which the Corps belongs, and such Lieutenant thinks fit to submit the same for Her Majesty's Approval, and such Approval, signified through One of Her Majesty's Principal Secretaries of State, is notified by such Lieutenant to the Commanding Officer of the Corps, to be by him forthwith communicated to the Corps; whereupon the Rules so approved shall be binding on all Persons.

A Copy of the Rules in Print or Writing, or partly in Print and partly in Writing, certified under the Hand of the Commanding Officer as a true Copy of the Rules whereof Her Majesty's Approval has been notified as aforesaid, shall be conclusive Evidence of the Rules of the Corps.

Vesting of Property of Corps in Commanding Officer ex officio.

25. All Money subscribed by or to or for the Use of a Volunteer Corps or Administrative Regiment, and all Effects belonging to any such Corps or Regiment, or lawfully used by it, not being the Property of any individual Officer or Volunteer or Non-commissioned Officer of the Volunteer Permanent Staff belonging to the Corps or Regiment, and the exclusive Right to sue for and recover current Subscriptions, Arrears of Subscriptions, and other Money due to the Corps or Regiment, and all Lands acquired by the Corps or Regiment, shall vest in the Commanding Officer of the Corps or Regiment for the Time being, and his Successors in Office, with Power for him and his Successors to sue, to make Contracts and Conveyances, and to do all other lawful Things relating thereto; and any Civil or Criminal Proceeding taken by virtue of the present Section by the Commanding Officer of a Corps or Regiment shall not be discontinued or abated by his Death, Resignation, or Removal from Office, but may be carried on by and in the Name of his Successor in Office.

Appointment of Storehouses for Arms.

26. The Commanding Officer of a Volunteer Corps or Administrative Regiment, receiving any Arms, Ammunition, or other Stores supplied at the Public Expense or by Subscription, shall, subject to the Approval of the Lieutenant of the County to which the Corps belongs, or in which the Head Quarters of the Administrative Regiment are situate (as the Case may be), appoint a proper Storehouse for the depositing and safe keeping of such Arms, Ammunition, or Stores. Every such Storehouse shall be free from all County, Parochial, or other local Rates and Assessments. All Exemptions contained in The Gunpowder Act, 1860, or any Act amending the same, relative to Storehouses, Magazines, or Places belonging to or held for the Service of the Crown, shall extend to any Storehouse appointed under the present Section with the Approval of the Lieutenant of a County, if also approved of by One of Her Majesty's Principal Secretaries of State, as a fit Place for the storing of Ammunition, but not otherwise.

As to Exemptions in 23 & 24 Vict. c. 139.

Recovery of Subscriptions or Fines.

27. If any Person belonging or having belonged to a Volunteer Corps or Administrative Regiment neglects or refuses to pay any Money subscribed or undertaken to be paid by him towards any of the Funds or Expenses of such Corps or Regiment, or due under the Rules of such Corps, and actually payable by him, or to pay any Fine incurred by him under the Rules of such Corps,—such Money or Fine shall (without Prejudice to any other Remedy) be recoverable from him, with Costs, at any Time within Twelve Months after the same becomes due and payable, as a Penalty under this Act is recoverable, and when recovered shall be applied as Part of the general Fund of the Corps or Regiment.

Wrongful Sale, Non-delivery, &c. of Public or Corps Property.

28. If any Person designedly makes away with, sells, pawns, wrongfully destroys, wrongfully damages, or negligently loses, any Thing issued to him as a Volunteer,—or wrongfully refuses or wrongfully neglects to deliver up, on Demand, any Thing issued to him as a Volunteer,—the Value thereof shall be recoverable from him, with Costs, as a Penalty under this Act is recoverable; and he shall also for every such Offence of designedly making away with, selling, pawning, or wrongfully destroying as aforesaid, be liable, on the Prosecution

Prosecution of the Commanding Officer of the Corps or Administrative Regiment issuing the Thing made away with, sold, pawned, or destroyed, to a Penalty not exceeding Five Pounds.

Wrongful buying of Arms, &c. from Volunteers.

29. If any Person knowingly buys or takes in exchange from any Volunteer or any Person acting on his Behalf,—or solicits or entices any Volunteer to sell,—or knowingly assists or acts for any Volunteer in selling,—or has in his Possession or Keeping, without satisfactorily accounting for,—any Arms, Clothing, or Appointments being Public Property or Property of any Volunteer Corps or Administrative Regiment, or any Public Stores or Ammunition issued for the Use of any such Corps or Regiment,—he shall, on the First Commission by him of any such Offence, be liable to a Penalty not exceeding Twenty Pounds, and shall, on a Second and every other subsequent Commission by him of any such Offence, and on being convicted thereof in the like Course of Proceeding as that in which any such Penalty is recoverable, be liable to a Penalty not exceeding Twenty Pounds or less than Five Pounds, with or without Imprisonment for any Term not exceeding Six Months, with or without Hard Labour.

The Justices before whom any Person is convicted of any Offence under the present Section shall transmit the Conviction to the next Court of General or Quarter Sessions held for the County or Place where the Conviction is had, there to be kept by the proper Officer among the Records of the Court; and on the Prosecution of any Person for any subsequent Offence under the present Section, a Copy of such Conviction, certified by the proper Officer of the Court, or proved to be a true Copy, shall be sufficient Evidence to prove a Conviction for the former Offence, and such Conviction shall be presumed not to have been quashed on Appeal until the contrary is shown.

As to wilful Injury to Butts or Targets.

30. If any Person wilfully commits any Damage to any Butt or Target belonging to or lawfully used by any Volunteer Corps or Administrative Regiment, or, without the Leave of the Commanding Officer of the Corps or Regiment, searches for Bullets in or otherwise disturbs the Soil forming such Butt or Target, he shall for every such Offence be liable, on the Prosecution of the Commanding Officer, to a Penalty not exceeding Five Pounds.

PART V.

Acquisition of Land for Ranges.

Power to Corps to purchase Land with Consent of Secretary of State.

31. Subject to the Provisions of this Part of this Act, any Volunteer Corps may, with the Assent of One of Her Majesty's Principal Secretaries of State, purchase, take on Lease, or otherwise acquire any Land or Easement in Land for Rifle or Artillery Practice, and for the Erection of Butts, Targets, Batteries, and other Accommodations for the Use of the Corps when practising with Rifles or Artillery.

Before giving his Assent, the Secretary of State shall send an Inspector to the Land for the Purpose of ascertaining its Capabilities for being converted into a Rifle or Artillery Practice Ground with due Regard to the Safety and Convenience of the Public, and shall give or withhold his Assent accordingly.

Part of 8 & 9 Vict. c. 18. and 8 & 9 Vict. c. 19. incorporated.

32. So much of the Lands Clauses Consolidation Act, 1845, and of the Lands Clauses Consolidation (*Scotland*) Act, 1845, and of any Act amending the said Acts, as relates to the Purchase of Land by Agreement, shall be incorporated with this Part of this Act.

Construction of Terms, &c. of this Part of Act.

In the Construction of this Part of this Act with the said incorporated Provisions, this Part of this Act shall be deemed the Special Act; and the Volunteer Corps desirous of purchasing Land shall be deemed the Promoters of the Undertaking; and under the Term Land a permanent Right of Shooting and Drilling or any other Interest or Easement in Land shall be included, and may be alone conveyed, while the Fee Simple or other Interest in such Land is reserved.

Power for Landowner to give Land to be used for Purposes of

33. Any Person seised or entitled in Fee Tail or for Life of or to any Manor or Lands of Freehold, Copyhold, or Customary Tenure, and having the beneficial Interest therein, or in *Scotland* being the Proprietor under Entail, and in possession for the Time being, may, by way of Gift, grant, convey, or enfranchise in Fee Simple or for a Term of Years any Quantity

this Part of Act.

Quantity not exceeding Four Acres of such Land, or any limited Right over Land to any Extent not exceeding Twenty Acres, to any Volunteer Corps, to be used by the Corps for the Purposes of this Part of this Act; but so that any such Grant, Conveyance, or Enfranchisement made by any Person seised or entitled for Life only of or to any such Manor or Lands shall not be valid beyond his own Life, unless the Person next entitled in Remainder, in Fee Simple, or Fee Tail (if legally competent) is a Party to and joins in such Grant, Conveyance, or Enfranchisement:

Provided, that in the event of any Land granted, conveyed, or enfranchised as aforesaid ceasing to be used for the Purposes of this Part of this Act, the same shall thereupon immediately revert to and become a Portion of the Estate of which it formed Part before the Grant, Conveyance, or Enfranchisement was made.

Power to Commissioner of Works to grant Right of shooting in Royal Parks, &c.

34. The Chief Commissioner of Her Majesty's Works and Public Buildings may grant to any Volunteer Corps the Right to Use for the Purpose of Rifle Practice or Drill any Portion of such Royal Parks, Gardens, and Possessions as are under his Management, upon such Terms, for such Time, not exceeding Twenty-one Years, and subject to such other Conditions, as he thinks fit; but any such Grant shall be at all Times revocable by Her Majesty.

Power to certain Authorities to grant Licences to use Lands.

35. A Licence to use, for the Purposes of this Part of this Act, any Portion not exceeding Four Acres of the Lands herein-after mentioned, may be granted to any Volunteer Corps as follows:

(1.) In the Case of Lands belonging to the Crown—
By the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, on behalf of Her Majesty, with the Consent of the Commissioners of Her Majesty's Treasury:

(2.) In the Case of Lands forming Part of the Possessions of the Duchy of *Lancaster*—
By the Chancellor and Council of the Duchy by Deed under the Hand and Seal of the Chancellor, attested by the Clerk of the Council:

(3.) In the Case of Lands forming Part of the Possessions of the Duchy of *Cornwall*—
By the Duke of *Cornwall* or other the Persons for the Time being having Power to dispose of Lands belonging to the Duchy:

Provided—

First. That no such Licence shall be granted for a longer Term than Twenty-one Years; but any Licence, when granted, may be renewed by the same Authority that would have Power to grant the same:

Secondly. That in the event of any Land to which any such Licence relates ceasing to be used for the Purposes of this Part of this Act, that Licence shall thereupon cease absolutely.

Power to Corporations, Justices, Trustees, &c. to grant Licence to use Land.

36. Any Corporation, Ecclesiastical or Lay, Sole or Aggregate, any Officer, Justices of the Peace, Trustees, or Commissioners holding Land for Public, Ecclesiastical, or Parochial Purposes, may grant and from Time to Time renew any Licence for the Use, during any Term not exceeding Twenty-one Years, by any Volunteer Corps, for the Purposes of this Part of this Act, of any Land not exceeding Four Acres vested in such Corporation, Officers, Justices, Trustees, or Commissioners, subject to the following Provisions:

(1.) That an Ecclesiastical Corporation Sole below the Dignity of a Bishop shall not make such a Grant without the Consent in Writing of the Bishop to whose Jurisdiction he is subject, and of the Patron of the Preferment to which the Land belongs, or the Guardians or Trustees of such Patron:

(2.) That such a Licence shall not be granted in respect of Parochial Property without the Consent of the Majority of the Ratepayers and Owners of Property in the Parish to which the same belongs, assembled at a Meeting convened according to the Mode pointed out by the Act of the Session of the Fifth and Sixth Years of King *William* the Fourth (Chapter Sixty-nine), "to facilitate the Conveyance "of Workhouses and other Property of Parishes, and of Incorporations or "Unions of Parishes, in *England* and *Wales*," and of the Poor Law Commissioners, testified by their Seal being affixed to the Deed of Grant, and of the Guardians

5 & 6 W. 4. c. 69.

Guardians of the Poor of the Union within which the Parish is comprised, or of the Guardians of the Poor of the Parish where the Administration of the Relief of the Poor therein is subject to a Board of Guardians, testified by such Guardians being the Parties to make the Grant:

(3.) That where any Officers, Trustees, or Commissioners other than Parochial Trustees make any such Grant, it shall be sufficient if a Majority or Quorum authorized to act of such Officers, Trustees, or Commissioners assembled at a Meeting duly convened assent to such Grant and execute the Deed of Grant, although they do not constitute a Majority of the actual Body of such Officers, Trustees, or Commissioners:

(4.) That the Justices of the Peace may give their Consent to the making of any such Grant in respect of Land belonging to any County, Riding, or Division by Vote at their General Quarter Sessions, and may direct the same to be made in the Manner directed to be pursued on the Sale of the Sites of Gaols by the Act of the Seventh Year of King *George* the Fourth (Chapter Eighteen), "to authorize the "Disposal of unnecessary Prisons in *England*:" 7 G. 4. c. 18.

(5.) That, in the event of any Land to which any such Licence relates ceasing to be used for the Purposes of this Part of this Act, that Licence shall thereupon cease absolutely.

Power to Justices to stop up or divert Footpaths for Purposes of this Part of Act.

37. Where a Footpath crosses or runs inconveniently or dangerously near to any Land purchased or acquired, or in respect of which any Licence is granted, for the Purposes of this Part of this Act, such Footpath may, with the Consent of the Vestry of the Parish in which the same is situate, and upon the Certificate of Two Justices that the Footpath to be substituted is convenient for the Public, be stopped up or diverted. All Proceedings to obtain such Certificate, and to stop up or divert such Footpath, shall be taken in the Manner in which Proceedings are directed to be taken by the Act of the Session of the Fifth and Sixth Years of King *William* the Fourth (Chapter Fifty), "to consolidate and "amend the Laws relating to Highways in that Part of *Great Britain* called *England*," in Cases where a Person other than the Inhabitants in Vestry is desirous of stopping up, diverting, or turning a Highway, or as near thereto as Circumstances admit; with this Exception, that the Certificate of the Justices shall be conclusive in Cases where it states the Fact of their having viewed the Footpath to be stopped up or diverted, and that the proposed new Footpath is convenient for the Public.

Proceedings to be taken as directed by 5 & 6 W. 4. c. 50.

Power to Secretary of State to make Byelaws.

38. One of Her Majesty's Principal Secretaries of State, with a view to the Safety and Convenience of the Public, may make Byelaws for the Regulation of Shooting on Grounds purchased, acquired, or used by any Volunteer Corps under this Part of this Act, and for the Prevention of Intrusion thereon during the Times of Shooting. Any such Byelaws may impose a reasonable pecuniary Penalty, not exceeding Five Pounds, for any Breach of a Byelaw, so that the Byelaw be so framed as to admit of Part only of the maximum Penalty being ordered to be paid; such Penalties to be recoverable and applicable as Penalties imposed by this Act are recoverable and applicable.

Proof of Cesser of Land being used for Purposes of this Part of Act.

39. Any Land purchased or acquired, or in respect of which any Licence is granted under this Part of this Act, shall be deemed to have ceased to be used for the Purposes of this Part of this Act where there has not been any such Use by the Corps by which the Land was purchased or acquired, or to or for which the Licence was granted, for a Period of One Year, and a Certificate of the Fact of such Non-user is given by One of Her Majesty's Principal Secretaries of State; and such Certificate shall be conclusive Evidence of such Fact as against all Persons and in all Courts of Justice.

Exception of Isle of Man.

40. This Part of this Act shall not extend to the *Isle of Man*, except that the Power of granting Licences, given in this Part of this Act to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, shall extend to any Allotment that may be made to, and any Land that may be purchased on behalf of Her Majesty, under the Provisions of an Act of Tynwald, intituled "The *Isle of Man* disafforesting Act, 1860."

PART

PART VI.

EXEMPTIONS.

Service in Militia.

41. Every Officer of the Volunteer Force, and every efficient Volunteer, and every Non-commissioned Officer of the Volunteer Permanent Staff, shall be exempt from Liability to serve personally or to provide a Substitute in the Militia of *England* or of *Scotland*.

In the Case of a Volunteer, such Exemption shall cease on his ceasing to be enrolled in the Corps in connexion with which he becomes entitled to be deemed efficient, unless he quits such Corps on account of his changing his Place of Residence, in which Case the Exemption shall revive if within Ten Days after quitting such Corps he is enrolled in another Volunteer Corps.

The Certificate of the Commanding Officer of a Volunteer Corps (in the Form set forth in the Schedule to this Act, with such Variations as Circumstances may require) certifying that the Person named therein is a Volunteer enrolled in that Corps, and is exempt as aforesaid, shall be conclusive Evidence thereof.

Horse Duty.

42. Horse Duty shall not be payable for any Horse used Six Days or upwards within the Period of Twelve Months, ending on the Fifth Day of *April* preceding the Year of Assessment, as follows; namely,—

(1.) used on Duty by any Officer of the Volunteer Force or Volunteer or Non-commissioned Officer of the Volunteer Permanent Staff required to use a Horse on Duty:

(2.) used for conveying any Gun, or any Waggon or other Military Carriage, in the Service of the Volunteer Force:

such Horse, in every such Case, being either the Property of such Officer, Volunteer, or Non-commissioned Officer or of a Volunteer Corps or Administrative Regiment, or gratuitously furnished for such Use.

A Certificate, signed by the Commanding Officer of a Volunteer Corps or Administrative Regiment, certifying that the Horse therein specified has been used as aforesaid for the said Number of Days, shall be Evidence thereof.

Penalty for giving false Certificate.

43. If any Commanding Officer of a Volunteer Corps or Administrative Regiment knowingly gives any false Certificate under this Act, he shall for every such Offence be liable to a Penalty not exceeding Two hundred Pounds, to be recovered in *England* by Action in a Superior Court of Law at *Westminster*, in *Scotland* by Proceedings in the Court of Session, and in the *Isle of Man* by Proceedings in any Court of competent Jurisdiction, and to be applied to the Use of Her Majesty.

Volunteers not to lose Interest in Friendly or Benefit Societies.

44. Notwithstanding anything in the Rules of any Friendly or Benefit Society, any Person shall not lose any Interest in the Society by reason of his Enrolment or Service in a Volunteer Corps, or his Engagement or Service on the Volunteer Permanent Staff; and any Dispute arising between such Society and Person by reason of such Enrolment, Engagement, or Service shall be deemed a Dispute directed by the Rules of the Society to be decided by Justices of the Peace, according to the Acts for the Time being in force relative to Friendly or Benefit Societies.

Tolls.

45. Any Duty or Toll leviable, under any Act of Parliament passed or to be passed, at any Pier, Wharf, Quay, Landing Place, or Bridge, or at any Turnpike Gate or Bar, or at any other Gate or Bar on a public Road, shall not be demanded or taken for—

(1.) Any Officer of the Volunteer Force, or any Volunteer, or any Non-commissioned Officer of the Volunteer Permanent Staff, being on March or Duty, or going to or returning from the Place appointed for, and on the Day for, Exercise, Inspection, Review, or other public Duty, and being in Uniform:

(2.) Any Horse ridden or used by any Officer, Volunteer, or Non-commissioned Officer as aforesaid, being on March or Duty, or going or returning as aforesaid, and being in Uniform:

(3.) Any Cart, Waggon, or Carriage, public or private, employed only in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying, any Officer, Volunteer, or Non-commissioned Officer

Officer as aforesaid, being on March or Duty, or going or returning as aforesaid, and being in Uniform, with or without any Conductor or Driver of such Cart, Waggon, or Carriage, or domestic Servant of such Officer or Volunteer:

(4.) Any Cart, Waggon, or Carriage, public or private, employed only in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying, any Arms or Baggage of any Officer, Volunteer, or Non-commissioned Officer as aforesaid, being on March or Duty, or going to or returning from the Place appointed for Exercise, Inspection, Review, or other public Duty, or any Military Stores belonging to or for the Use of, or any Gun belonging to or used by, the Volunteer Force:

(5.) Any Horse or other Beast drawing any such Cart, Waggon, or Carriage as aforesaid.

If any Person demands or takes any Duty or Toll in contravention of the present Section, —or if any Person makes any false Representation respecting himself or any other Person, or any Animal or Thing, with Intent to obtain for himself or otherwise, or fraudulently obtains for himself or otherwise, any Exemption under the present Section,—he shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

PART VII.

Miscellaneous Provisions.

Lieutenant of County may require Returns to be made to him.

46. The Lieutenant of the County to which a Volunteer Corps belongs, or within whose Jurisdiction the Head Quarters of an Administrative Regiment are situate, may require the Commanding Officer of that Corps or Regiment to make to him from Time to Time such Returns of the Strength and Efficiency of the Corps or Regiment as may seem requisite.

Allowances in Schedule to Clerks of General Meetings of Lieutenancy.

47. The several Clerks of General Meetings of Lieutenancy in *Great Britain* shall be entitled to receive the Sums specified in the Schedule to this Act for their Pains and Trouble in and about the Execution of the Provisions of this Act. The said Clerks shall send to the Secretary of State such Accounts, Returns, and Statements as he from Time to Time requires.

Pecuniary Penalties to be recovered summarily:

48. Any pecuniary Penalty under this Act, the Mode of Recovery of which is not otherwise expressly provided for by this Act,—and any Money or Fine by this Act made recoverable as a Penalty under this Act is recoverable,—may be recovered as follows:—

In England under 11 & 12 Vict. c. 43.

In *England*, in a summary Way before Two or more Justices of the Peace having Jurisdiction where the Offence is committed or where the Offender happens to be, in manner directed by the Act of the Session of the Eleventh and Twelfth Years of Her Majesty (Chapter Forty-three), "to facilitate the Performance of "the Duties of Justices of the Peace out of Sessions, within *England* and *Wales*, "with respect to Summary Convictions and Orders;" or in case of Proceedings in the City of *London*, or in the Metropolitan Police District, in manner directed by the respective Enactments for the Time being in force relative to summary Proceedings there:

In Scotland under 8 & 9 Vict. c. 33.

In *Scotland*, in manner directed by the Railways Clauses Consolidation (*Scotland*) Act, 1845, with respect to Penalties imposed by that Act, the Recovery of which is not otherwise provided for:

In the Isle of Man.

In the *Isle of Man*, by Proceedings in any Court of competent Jurisdiction, and in the Manner in which Penalties of like Amount are recoverable by the Laws of the *Isle of Man*, or as near thereto as Circumstances admit.

In *England*, where the Sum adjudged to be paid on a summary Conviction or Adjudication, inclusive of any Costs, exceeds Five Pounds, or the Imprisonment awarded exceeds One Month, and the Person who is convicted, or against whom the Adjudication is made, thinks

thinks himself aggrieved by the Conviction or Adjudication, the following Provisions shall take effect:—

(1.) Such Person may appeal to the next Court of General or Quarter Sessions held not less than Twelve Days after the Day of such Conviction or Adjudication for the County or Place where the Conviction or Adjudication is had:

(2.) The Appellant shall, within Three Days after the Day of the Conviction, and Seven clear Days at least before the Sessions to which the Appeal is to be made, give to the Complainant a Notice in Writing of the Appeal and of the Ground thereof:

(3.) The Appellant may enter into a Recognizance with Two sufficient Sureties before a Justice of the Peace, conditioned to appear personally at the Sessions and try the Appeal, and abide the Judgment of the Court thereon, and pay any Costs awarded by the Court; or where the Appeal is against a Conviction imposing only a pecuniary Penalty, or against an Adjudication for the Payment of Money, the Appellant may deposit with the Clerk of the convicting Justices such Sum of Money as those Justices deem sufficient to cover the Amount of the Penalty, or Money adjudged to be paid, together with the Costs of the Conviction or Adjudication, and of the Appeal:

(4.) On such Notice being given, and such Recognizance being entered into, or such Deposit being made, the Appellant shall be liberated if in Custody:

(5.) The Court of General or Quarter Sessions shall hear and determine the Appeal, and shall make such Order therein, with or without Costs to either Party, as to the Court seems fit, and in case of Affirmance of the Conviction or Dismissal of the Appeal, shall adjudge the Appellant to be punished according to the Conviction, or to pay Money according to the Adjudication, and to pay such Costs as are awarded, and shall, if necessary, issue Process for enforcing such Judgment:

(6.) Where any such Deposit as aforesaid is made, and the Conviction or Adjudication is affirmed, or the Appeal is dismissed, the Court may order the Amount of the Penalty or other Money adjudged to be paid, together with the Costs of the Conviction or Adjudication and of the Appeal, to be paid out of the Deposit, and the Residue thereof, if any, to be returned to the Appellant, and in any other Case shall order the Deposit to be returned to the Appellant:

(7.) Where on Appeal a Conviction is quashed, the proper Officer shall forthwith indorse on the Conviction a Memorandum that it has been so quashed; and whenever any Copy or Certificate of such Conviction is made, a Copy of the Memorandum shall be added thereto, which shall be sufficient Evidence of the Conviction having been quashed in all Cases where a Copy or Certificate would be sufficient Evidence of the Conviction.

But nothing in the present Section respecting Appeals shall affect any Enactments relative to Appeals in Cases of summary Convictions or Adjudications in the City of *London* or the Metropolitan Police District.

In *Scotland*, and the *Isle of Man*, in like Cases as in *England*, an Appeal shall lie, in manner in that Behalf provided by the Law of *Scotland* and of the *Isle of Man* respectively.

A summary Conviction or Adjudication under this Act in *England*, or an Adjudication made on Appeal therefrom, shall not be quashed for Want of Form or be removed by Certiorari; and a Warrant of Commitment on any such Conviction shall not be held void by reason of any Defect therein, if it is therein alleged that the Person therein named has been convicted, and there is a good Conviction to sustain the same.

Application of certain Penalties.

Any pecuniary Penalty recovered summarily under this Act on the Prosecution of the Commanding Officer of a Volunteer Corps or Administrative Regiment shall (notwithstanding anything in any Act relating to Municipal Corporations or to the Metropolitan Police or in any other Act contained) be paid to the Commanding Officer, and be applied as Part of the general Fund of the Corps or Regiment.

49. In

Interpretation of Terms.

49. In this Act—

The Term "Lieutenant" of a County includes Vice-Lieutenant, and, as to the City of *London*, the Commissioners of Lieutenancy for the same:

The Term "Volunteer" means a Non-commissioned Officer or Private belonging to a Volunteer Corps, exclusive of the Permanent Staff thereof:

The Term "Person" includes (where the Case requires) a Body of Persons, corporate or unincorporate:

The Term "Mutiny Act" means the Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, for the Time being in force, and includes the Articles of War made under the Authority of that Act for the Time being in force:

The Term "Appointments" includes Accoutrements and Equipments of every Kind other than Clothing.

Application of Provisions of this Act to Adjutants, Serjeant Instructors, and Administrative Regiments.

If at any Time Her Majesty thinks fit to appoint on the Permanent Staff of a Volunteer Corps or Administrative Regiment a Quartermaster and a Paymaster, or either of such Officers, commissioned by Her Majesty,—or if at any Time any Non-commissioned Officer or Man, engaged and attested (according to Regulations under this Act) for a Period not exceeding Five Years, is appointed on the Permanent Staff of a Volunteer Corps or Administrative Regiment to serve in any other Capacity than that of Serjeant Instructor,—then and in such Cases all the Provisions of this Act relating to Adjutants and Serjeant Instructors and to Officers and Non-commissioned Officers of the Volunteer Permanent Staff shall apply to such Quartermasters and Paymasters, and to such other Non-commissioned Officers and such Men, respectively.

All the Provisions of this Act relating to an Administrative Regiment shall apply to any united Body formed of Two or more separate Volunteer Corps for Military or Administrative Purposes by the Authority of One of Her Majesty's Principal Secretaries of State, whether the Corps so united are formed into a Regiment or a Brigade or a Battalion, or any other Body.

Application of this Act to Isle of Wight, Cinque Ports Isle of Man, and other Places.

50. For the Purposes of this Act the *Isle of Wight* shall be deemed to be a County of itself, and the Governor thereof, or the Person for the Time being performing the Duties of Governor, shall be deemed to be the Lieutenant of such County;—the Cinque Ports, Two Ancient Towns, and their Members, shall be deemed to be a County of themselves, and the Warden thereof, or in his Absence his Lieutenant or Lieutenants, shall be deemed to be the Lieutenant of such County;—every Riding, Stewartry, City, or Place for which Her Majesty constitutes a Lieutenant shall be deemed to be a County of itself, and the Lieutenant appointed for the same shall be deemed to be the Lieutenant of such County;—and the *Isle of Man* shall be deemed to be a County of *England*, and the Lieutenant Governor thereof, or the Person for the Time being performing the Duties of Lieutenant Governor, shall be deemed to be the Lieutenant of such County.

Repeal of Enactments as in Schedule.

51. The Enactments described in the Schedule to this Act shall be repealed to the Extent therein specified; but this Repeal shall not affect the past Operation of any such Enactment, or anything already done, or any Right, Title, Obligation, or Liability already accrued thereunder, or any Remedy or Proceeding respecting the same.

Not to apply to London Artillery Company.

52. Nothing in this Act shall apply to the Honourable Artillery Company of *London*.

Extent of Act.

53. This Act shall not extend to *Ireland*.

SCHEDULE.

(i.) *Oath of Officer and Volunteer.*

I *A.B.* do sincerely promise and swear, that I will be faithful and bear true Allegiance to Her Majesty Queen Victoria, and that I will faithfully serve Her Majesty in Great Britain for the Defence of the same against all Her Enemies and Opposers whatsoever, according to the Conditions of my Service.

[*The Name of the Successor of Her Majesty Queen Victoria for the Time being, with proper Words of Reference thereto, to be substituted as Occasion requires.*]

(ii.) *Warrant of Secretary of State for Apprehension of Non-commissioned Officer of Volunteer Permanent Staff ordered to be tried by Court-martial.*

County of } VICTORIA, &c.
To Our Sheriff of Our County of , to the High Constable of the Hundred of in the same County, to the Constables of the Town of in the same County, to Our Bailiffs and Ministers, and to the Constables and Peace Officers, in the same County, as well within Liberties as without, greeting.

Whereas the Right Honourable *A.B.*, One of Our Principal Secretaries of State, has, in pursuance of The Volunteer Act, 1863, ordered a Court-martial to assemble for the Trial of *L.M.*, being a Non-commissioned Officer of the Volunteer Permanent Staff: We therefore command you, jointly and severally, forthwith to apprehend the said *L.M.*, and bring him in Custody to Our [Gaol] at in Our County of , and there deliver him into the Custody of the Keeper of Our said [Gaol] or of his Deputy.

Witness, the Right Honourable *A.B.*, One of Our Principal Secretaries of State, at , the Day of 18 .

A.B.

(iii.) *Warrant of Secretary of State for Commitment in same Case.*

County of } VICTORIA, &c.
To the Keeper of Our [Gaol] at in Our County of , or to his Deputy, greeting.

Whereas the Right Honourable *A.B.*, One of Our Principal Secretaries of State, has, in pursuance of The Volunteer Act, 1863, ordered a Court-martial to assemble for the Trial of *L.M.*, being a Non-commissioned Officer of the Volunteer Permanent Staff: We therefore command you and each of you, that you or One of you do receive him the said *L.M.* into your Custody in Our [Gaol], and him there safely keep in such Manner as if he had been committed to your Custody there by Warrant of some of the Justices assigned to keep Our Peace in Our said County on a Charge or Suspicion of Misdemeanor [*or in Scotland* of an Offence], but without Bail, until he be delivered from your Custody there in pursuance of the said Act.

Witness, the Right Honourable *A.B.*, One of Our Principal Secretaries of State, at , the Day of 18 .

A.B.

(iv.) *Certificate for Exemption from Militia.*

I *A.B.*, Commanding Officer of the Volunteer Corps, hereby certify that *C.D.* is a Volunteer enrolled in that Corps, and is by virtue of The Volunteer Act, 1863, exempt from Liability to serve personally or to provide a Substitute in the Militia of [*England*].

Given under my Hand at this Day of One thousand eight hundred and [*sixty-four*].

A.B.,
[*Lieutenant-Colonel Commanding.*]

(v.) *Allowances to Clerks of General Meetings of Lieutenancy.*

	£	s.	d.
For Trouble in executing the Duty required of them, including Copyings, Correspondence, and Stationery:			
In Counties where the Force does not exceed 200 - - -	7	10	0
In Counties where the Force is above 200 and not exceeding 400 -	10	0	0

	£	s.	d.
In Counties where the Force is above 400 and not exceeding 500 -	12	10	0
In Counties where the Force exceeds 500, the following Additions for every 100 or fractional Part of 100:			
Above 500 and not exceeding 1,000 - - - -	2	0	0
„ 1,000 „ 2,000 - - - -	1	10	0
„ 2,000 „ 3,000 - - - -	1	0	0
„ 3,000 „ 4,000 - - - -	0	15	0
„ 4,000 - - - - - - -	0	10	0
For convening and attending any General Meeting summoned by the distinct Order of the Secretary of State - - - -	1	1	0
For printing, advertising, and Postage, the actual Expense.			

(vi.) *Enactments repealed.*

Session and Chapter.	Title or Short Title.	Extent of Repeal.
44 Geo. 3. c. 54. -	An Act to consolidate and amend the Provisions of the several Acts relating to Corps of Yeomanry and Volunteers in Great Britain; and to make further Regulations relating thereto.	So far as the Act relates to Volunteers in Great Britain.
44 Geo. 3. c. 94. -	An Act to explain an Act of the present Session of Parliament, for consolidating and amending the Provisions of the several Acts relating to Corps of Yeomanry and Volunteers in Great Britain, so far as respects the accounting for Monies received by Volunteer Officers.	So far as the Act relates to Volunteers in Great Britain.
46 Geo. 3. c. 125. -	An Act for regulating the Rank of Officers in Yeomanry and Volunteer Corps.	So far as the Act relates to Volunteers in Great Britain.
46 Geo. 3. c. 140. -	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.	So far as the Act relates to Volunteers in Great Britain.
50 Geo. 3. c. 25. -	An Act to amend several Acts relating to the Local Militia of Great Britain.	Section Three.
53 Geo. 3. c. 81. -	An Act to amend several Acts relating to the Militia, and to enlisting of the Militia into His Majesty's Regular Forces.	Section Four.
56 Geo. 3. c. 39. -	An Act to reduce the Number of Days of Muster or Exercise of Yeomanry and Volunteer Cavalry.	So far as the Act relates to Volunteers in Great Britain.
57 Geo. 3. c. 44. -	An Act to allow Corps of Yeomanry or Volunteer Cavalry, when assembled for the Suppression of Riots or Tumults, to be quartered and billeted, and Officers on Half Pay to hold certain Commissions in such Corps, and to exempt Members in such Corps from serving the Office of Constable.	So far as the Act relates to Volunteers in Great Britain.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
7 Geo. 4. c. 58. -	An Act to amend the Laws relating to Corps of Yeomanry Cavalry and Volunteers in Great Britain.	So far as the Act relates to Volunteers in Great Britain, including the Provisions thereof relative to the Remuneration of the Clerks of Meetings therein mentioned, so far as that Remuneration has reference to the Execution of the Provisions of any Act relating to Volunteers in Great Britain.
23 & 24 Vict. c. 13.	An Act to prevent the Members of Benefit Societies from forfeiting their Interest therein by being enrolled in Yeomanry or Volunteer Corps.	So far as the Act relates to Volunteers in Great Britain.
23 & 24 Vict. c. 140.	The Rifle Volunteer Grounds Act, 1860 -	The whole.
24 & 25 Vict. c. 126.	An Act to exempt the Volunteer Forces of Great Britain from the Payment of Tolls.	The whole.
25 & 26 Vict. c. 41.	An Act for amending "The Rifle Volunteer Grounds Act, 1860."	The whole.

CAP. LXVI.

An Act to amend the Law relating to Prisons in *Ireland*. [21st *July* 1863.]

19 & 20 Vict. c. 68.

'WHEREAS by the Nineteenth Section of an Act passed in the Nineteenth and Twentieth Years of the Reign of Her Majesty, Chapter Sixty-eight, intituled *An Act to further amend the Laws relating to Prisons in* Ireland, it is amongst other things enacted, that the Appointment by any Board of Superintendence, under the Provisions of the said Act, of any Officer of any such Prison other than the Chaplains or Medical Officer shall be probationary only, and shall not be or become absolute until the same shall be confirmed at a Meeting of the Board of Superintendence duly summoned and held for that Purpose, not sooner than Three Months after the Meeting at which such probationary Appointment shall have been made, and that no such Confirmation of the Appointment of any Officer of any such Prison, save as aforesaid, shall be made at such last-mentioned Meeting unless Two Thirds of the Members of such Board and the Majority of the Members present shall concur in such Ratification or Confirmation: And whereas it has been found inconvenient to require the Presence of Two Thirds of the Members of such Boards of Superintendence at Meetings summoned and held to confirm such probationary Appointments made by a former Board:' Be it 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:

Commencement of Act.

1. This Act shall commence and take effect from and after the First Day of *October* next after the passing of this Act.

This and recited Act to be as One.

2. This Act and the said recited Act shall be incorporated and construed together as One Act.

3. So