Anno ſecundo

Georgii III. Regis.

CAP. XX.

An Act to explain, amend, and reduce into One Act of Parliament, the ſeveral Laws, now in being, relating to the Raiſing and Training the Militia within that Part of *Great Britain* called *England*.



WHEREAS a well regulated Militia has been found to be of great Utility, and is of the utmoſt Importance to the internal Defence of this Country: And whereas the Laws now in Force for the training and regulating thereof, are in ſome Reſpects defective; be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, His Majeſty, His Heirs, and Succeſſors, may and ſhall iſſue forth Commiſſions of Lieu- Preamble.

The King to iſſue forth Commiſſions of Lieutenancy for the reſpective Counties;

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Lieutenancy, for the reſpective Counties, Ridings, and Places, herein after mentioned; and the reſpective Lieutenants thereby appointed ſhall have full Power and Authority, and they are hereby required to call together all ſuch Perſons, and to arm and array them at ſuch Times, and in ſuch Manner, as is herein after expreſſed; and ſuch reſpective Lieutenants ſhall, from time to time, conſtitute and appoint ſuch Perſons as they ſhall think fit, qualified as is herein after directed, and living within their reſpective Counties, Ridings, and Places, to be their Deputy Lieutenants; the Names of ſuch Perſons having been firſt preſented to, and approved by, His Majeſty, His Heirs, or Succeſſors; and ſhall, before the Times appointed for holding the Third Meetings of the Deputy Lieutenants and Juſtices of Peace within their reſpective Subdiviſions, for chooſing by Lot the Perſons to ſerve in the Militia as herein after mentioned, appoint a proper Number of Colonels, Lieutenant Colonels, Majors, and other Officers, alſo qualified as is herein after directed, to train and diſcipline the Perſons ſo to be armed and arrayed, according to the Rules, Orders, and Directions herein after provided, and ſhall certify to His Majeſty, His Heirs, or Succeſſors, the Names and Ranks of ſuch Officers, within One Month after they ſhall be ſo appointed; and in caſe His Majeſty, His Heirs, or Succeſſors, ſhall, within One Month after ſuch Certificate laid before His Majeſty, His Heirs, or Succeſſors, ſignify His or Their Diſapprobation of any Perſon to be ſuch Officer in the Militia, His Majeſty's Lieutenant ſhall not grant a Commiſſion to ſuch Perſon, but ſhall grant Commiſſions to ſuch Perſons ſo appointed, who ſhall not be diſapproved of by His Majeſty, His Heirs, or Succeſſors, as aforeſaid.

the Lord Lieutenants impowered thereupon to aſſemble and arm the Militia,

and appoint Deputy Lieutenants,

being firſt approved of by His Majeſty;

and grant Commiſſions to a proper Number of Officers, before the Third Meetings of the Dep. Lieutenants, for chooſing the Men by Lot:

Their Names to be certified to His Majeſty within a Month after;

and if He ſhall ſignify His Diſapprobation of any of them, no Commiſſion is to be granted to ſuch.

And be it enacted, That when the Lieutenant of a County, Riding, or Place, ſhall be abſent out of the Kingdom of Great Britain, it ſhall and may be lawful for His Majeſty, His Heirs, and Succeſſors, to authorize and appoint Three Deputy Lieutenants to grant Commiſſions to Officers ſerving or to ſerve in the Militia for ſuch County, Riding, or Place, upon any Vacancy that ſhall happen during the Abſence of the ſaid Lieutenants; which Commiſſions ſhall be good and valid in like Manner as if they had been granted by the Lieutenant himſelf.

The Ld. Lieutenant being abſent out of *Gr. Britain*,

the King may authorize the Dep. Lieutenants to fill up vacant Commiſſions.

Provided always, and be it enacted, That nothing herein contained, ſhall be conſtrued to vacate any Commiſſion of Lieutenancy already granted by His Majeſty, nor any Deputations granted to Deputy Lieutenants,

Commiſſions of Lieutenancy, Deputations, and other Commiſſions already granted, to ſtand good;

nor any Commissions granted to Officers; but that the same shall continue in full Force and Vigour, for the Purposes of this Act, so as the said Deputy Lieutenants and Officers be qualified as is herein after directed. if the Parties be duly qualified.

Provided also, and be it enacted, That no Deputation of any Deputy Lieutenant, nor any Commission of any Officer in the Militia, already granted or to be granted by any Lieutenant for any County, Riding, or Place respectively, shall be vacated by reason of the Revocation, Expiration, or Discontinuance, of the Commission by which such respective Lieutenants were or shall be appointed. Deputation of Dep. Lieutenants, and Officers Commissions, not vacated by the Revocation, &c. of the Commission of Lieutenancy.

And be it enacted, That His Majesty's Lieutenant of every County, Riding, or Place, shall have the Chief Command of the Militia thereof which shall be raised by virtue of this Act: And in every County, Riding, or Place, in England (except as is herein after excepted) there shall be appointed Twenty or more Deputy Lieutenants, if so many Persons qualified as is herein before and after expressed, can be therein found; and if Twenty Persons so qualified cannot be therein found, then there shall be appointed so many Persons as can be therein found: And each Person so to be appointed a Deputy Lieutenant or Colonel, shall be seised or possessed, either in Law or Equity, for his own Use and Benefit, in Possession of a Freehold, Copyhold, or Customary Estate for Life, or for some greater Estate, or of an Estate for some long Term of Years, determinable on One or more Life or Lives, in Manors, Messuages, Lands, Tenements, or Hereditaments, in England, Wales, or the Town of Berwick upon Tweed, of the yearly Value of Four hundred Pounds, or shall be Heir Apparent of some Person who shall be, in like Manner, seised or possessed of a like Estate as aforesaid, of the yearly Value of Eight hundred Pounds: And each Person so to be appointed a Lieutenant Colonel, or Major, shall be, in like Manner, seised or possessed of a like Estate as aforesaid, of the yearly Value of Three hundred Pounds; or shall be Heir Apparent of some Person who shall be, in like Manner, seised or possessed of a like Estate as aforesaid, of the yearly Value of Six hundred Pounds: And each Person so to be appointed a Captain, shall be, in like Manner, seised or possessed of a like Estate as aforesaid, of the yearly Value of Two hundred Pounds; or shall be Heir Apparent of some Person who shall be, in like Manner, seised or possessed of a like Estate as aforesaid, of the yearly Value of Four hundred Pounds; or shall be a younger Son of some Person who shall be, or, at the Ld. Lieutenant to have the Chief Command of the Militia of the County.

Twenty or more Deputy Lieutenants to be appointed for every County, if so many can be found qualified.

Qualification of a Deputy Lieutenant and Colonel, 400 *l. per Ann.*

of a Lieut. Colonel and Major, 300 *l. per Ann.*

of a Captain, 200 *l. per Ann.*

Time of his Death, was, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Six hundred Pounds: And that each Perſon ſo to be appointed a Lieutenant ſhall be, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of One hundred Pounds; or ſhall be Son of ſome Perſon who ſhall be, or, at the Time of his Death, was, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Two hundred Pounds: And each Perſon ſo to be appointed an Enſign, ſhall be, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Twenty Pounds; or ſhall be Son of ſome Perſon who ſhall be, or, at the Time of his Death, was, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Fifty Pounds: One Moiety of which ſaid Eſtates, required as Qualifications for each Deputy Lieutenant, Colonel, Lieutenant Colonel, Major, and Captain reſpectively, ſhall be ſituate or ariſing within ſuch reſpective County or Riding in which he ſhall be appointed to ſerve.

Lieutenant, 1000 *l. per Ann.*

and Enſign, 200 *l. per Ann.*

A Moiety of the Eſtates requiſite to their ſeveral Qualifications, except thoſe of the Subaltern Officers, to be within the County for which they ſerve.

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

What ſhall be deemed equal to an Eſtate of 1000 *l. per Ann.*

and ſo in proportion, requiſite to a Qualification.

A Leaſehold Eſtate originally granted for 20 Years, equal in annual Value to what is required for the Qualification of a Deputy Lieutenant and Commiſſion Officer, deemed a ſufficient Qualification.

And be it enacted, That a Perſon poſſeſſed either in Law or Equity, for his own Uſe and Benefit, in poſſeſſion of an Eſtate for a certain Term originally granted for Twenty Years, or more, of an annual Value, over and above all Rents and Charges payable out of or in reſpect of the ſame, equal to the annual Value of ſuch an Eſtate as is required for the Qualification of a Deputy Lieutenant, and Commiſſion Officer of the Militia reſpectively, and ſituate as aforeſaid; ſhall be, and is hereby deemed and declared to be, duly and ſufficiently qualified to act and ſerve under ſuch reſpective Commiſſion.

And

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And be it enacted, That in the ſeveral Counties of Cumberland, Huntingdon, Monmouth, Weſtmoreland, and Rutland, and of every County and Place in the Dominion of Wales reſpectively, there ſhall be Five or more Deputy Lieutenants appointed (if ſo many Perſons qualified as herein after expreſſed can be therein found) and the Eſtates requiſite for the Qualification of the reſpective Deputy Lieutenants and Officers of the Militia therein, ſhall be as follows; that is to ſay, A Deputy Lieutenant or Colonel ſhall be, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Three hundred Pounds; or ſhall be Heir Apparent of a Perſon who ſhall be, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Five hundred Pounds: A Lieutenant Colonel, or Major, ſhall be, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Two hundred Pounds; or ſhall be Heir Apparent of a Perſon who ſhall be, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Four hundred Pounds: A Captain ſhall be, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of One hundred and fifty Pounds; or ſhall be Son of a Perſon who ſhall be, or, at the Time of his Death, was, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Three hundred Pounds: A Lieutenant ſhall be, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Seventy Pounds; or ſhall be Son of a Perſon who ſhall be, or, at the Time of his Death, was, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Two hundred Pounds: An Enſign ſhall be, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Twenty Pounds; or ſhall be Son of a Perſon who ſhall be, or, at the Time of his Death, was, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Fifty Pounds: One Half of all which reſpective Eſtates, except thoſe for the Qualifications of Lieutenants and Enſigns, ſhall be ſituate or ariſing within ſuch reſpective County or Riding, in which ſuch Officers ſhall be reſpectively appointed to ſerve.

Five or more Dep. Lieutenants for the Counties of *Cumberland, Huntingdon, Monmouth, Weſtmoreland, Rutland*, and Principality of *Wales*.

Qualification of a Deputy Lieutenant or Colonel for thoſe Counties, 300 *l. per Ann.*

of a Lieut. Colonel, 200 *l. per Ann.*

Captain, 150 *l. per Ann.*

Lieutenant, 70 *l. per Ann.*

and Enſign, 20 *l. per Ann.*

A Moiety of the Eſtates requiſite to their ſeveral Qualifications, except for Lieutenants and Enſigns, to be within the County for which they ſerve.

Provided always, That in ſuch Counties where Twenty Perſons cannot be found qualified as aforeſaid, and willing to act as Deputy Lieutenants, it may and ſhall be lawful for His Majeſty's Lieutenant of any ſuch County, and he is hereby required, after having appointed ſo many Perſons as can be found qualified as aforeſaid, to appoint

In thoſe Counties where 20 Dep. Lieutenants cannot be found duly qualified, and willing to act, ſo many with a Qualification of 200 *l. per Ann.*

may be appointed, as will make up that Number.

point ſuch Number of Perſons to be Deputy Lieutenants as ſhall be requiſite to make up the Number Twenty, who ſhall reſpectively be ſeiſed or poſſeſſed of a like Eſtate of the yearly Value of Two hundred Pounds, and ſituate as aforeſaid: Provided, That the Perſons ſo appointed ſhall not make the whole Number of Deputy Lieutenants for the ſaid County to exceed the Number of Twenty; and every ſuch Perſon ſhall be, and is hereby deemed and declared to be, duly and ſufficiently qualified to act and ſerve under ſuch reſpective Commiſſion.

The whole Number for ſuch County not to exceed 20.

Qualification of Dep. Lieutenants and Officers for the Iſle of *Ely*, *viz.* of a Dep. Lieutenant, 200 *l. per Ann.*

And be it enacted, That the Eſtates requiſite for the Qualification of the Deputy Lieutenants and Officers of the Militia in the Iſle of Ely, in the County of Cambridge, ſhall be as follows; A Deputy Lieutenant ſhall be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Two hundred Pounds; or ſhall be Heir Apparent of ſome Perſon who ſhall be, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of

of a Captain, 100 *l. per Ann.*

the yearly Value of Four hundred Pounds: A Captain ſhall be, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of One hundred Pounds; or ſhall be Heir Apparent of a Perſon who ſhall be, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Two hundred Pounds; or ſhall be a younger Son of ſome Perſon who ſhall be, or, at the Time of his Death, was, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value

Lieutenant, 50 *l. per Ann.*

of Three hundred Pounds: A Lieutenant ſhall be, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Fifty Pounds; or ſhall be Son of ſome Perſon who ſhall be, or, at the Time of his Death, was, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of One hundred Pounds: An Enſign ſhall be, in like Manner,

and Enſign, 20 *l. per Ann.*

ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Twenty Pounds; or ſhall be Son of ſome Perſon who ſhall be, or, at the Time of his Death, was, in like Manner, ſeiſed and poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Fifty Pounds: One Half of all which Eſtates, except thoſe for the Qualifications of Lieutenants and Enſigns, ſhall be ſituate or ariſing within the ſaid Iſle of Ely, or ſome other Part of the County of Cambridge.

A Moiety of the Eſtates requiſite to their ſeveral Qualifications, except for Lieutenants and Enſigns, to be in the Iſle of *Ely*, or Com. *Cambridge*.

Five or more D. Lieutenants to be appointed for ſuch Cities and

And be it enacted, That in all Cities or Towns which are Counties within themſelves, and have heretofore been impowered, by Law or antient Uſage, to raiſe and train a ſeparate

a ſeparate Militia within their ſeveral Precincts and Liberties, and which are by this Act united with, and made Part of, any County or Counties for the Purpoſes of this Act only; His Majeſty's Lieutenants of ſuch Cities or Towns, or, where there is no Lieutenant appointed by His Majeſty, the Chief Magiſtrate of ſuch City or Town, ſhall appoint Five or more Deputy Lieutenants (if ſo many Perſons qualified as is herein after expreſſed can therein be found) and ſhall alſo appoint Officers of the Militia, whoſe Number and Rank ſhall be proportionable to the Number of Militia Men which ſuch City or Town ſhall raiſe, as their Quota, towards the Militia of the County to which ſuch City or Town is, by this Act, united for the Purpoſes aforeſaid; the Qualification of which Officers reſpectively ſhall be as is herein after-mentioned; and all Powers given, and Proviſions made, by this Act, with reſpect to Counties at large, and the Militia thereof, and the regiſtering the Qualifications of Deputy Lieutenants and Officers, ſhall take Place and be in Force with reſpect to the ſaid Cities and Towns, and the Militia thereof, and the regiſtering the ſaid Qualifications, except only as to the Particulars herein expreſſed and otherwiſe provided for; that is to ſay, After the Number of Perſons which ſuch City or Town is to furniſh to the Militia ſhall have been appointed, as is herein after directed, by His Majeſty's Lieutenant and the Deputy Lieutenants, or by the Deputy Lieutenants of the County at large of the Militia whereof the Militia of ſuch City or Town is, by this Act, made a Part; any Two or more of the Deputy Lieutenants, within ſuch City or Town, ſhall have and exerciſe all the Powers conferred by this Act on any Three Deputy Lieutenants, or any Two Deputy Lieutenants together with any One Juſtice of the Peace, or any One Deputy Lieutenant together with any Two Juſtices of the Peace of any County at large: And the Value of the reſpective Qualifications of the Deputy Lieutenants and Officers of the Militia of ſuch Cities or Towns, ſhall be as follows; Every Deputy Lieutenant and Field Officer ſhall reſpectively be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Three hundred Pounds; or ſhall be poſſeſſed of a Perſonal Eſtate alone, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together, to the Amount or Value of Five thouſand Pounds: And the Qualification of a Captain ſhall be a like Eſtate as aforeſaid, of the yearly Value of One hundred and fifty Pounds, in Manors, Meſſuages, Lands, Tenements, or Hereditaments, or Perſonal Eſtate alone,

Towns as are Counties within themſelves;

and Officers' proportionable to the *Quota* of Men.

All Powers and Proviſions in the Act reſpecting Counties at large, extended to the ſaid Cities and Towns;

except, that after the Number of Men they are to furniſh, is appointed,

Two Deputy Lieutenants may exerciſe all the Powers conferred by the Act on 3 D. Lieutenants, *&c.*

The Qualification for ſuch Cities and Towns, *viz.*

of a D. Lieutenant, and Field Officer, 300 *l. per Ann.*

of a Captain, 150 *l. per Ann.*

or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together, to the Amount or Value of Two thouſand five hundred Pounds: And the Qualification of a Lieutenant or Enſign ſhall be a like Eſtate as aforeſaid, of the yearly Value of Fifty Pounds, in Manors, Meſſuages, Lands, Tenements, or Hereditaments, or Perſonal Eſtate alone, to the Amount or Value of Seven hundred and fifty Pounds: One Half of all which Real Eſtates reſpectively (except thoſe for the Qualifications of Lieutenants and Enſigns) ſhall be ſituate or ariſing within ſuch City or Town, or within the County at large to which ſuch City or Town is, by this Act, united for the Purpoſes aforeſaid; and His Majeſty's Lieutenants and the Chief Magiſtrates of ſuch Cities or Towns, being Counties in themſelves, reſpectively, ſhall, and they are hereby required to put the Powers conferred by this Act, for raiſing and training the Militia within ſuch Cities or Towns, into Execution; but the Militia of ſuch Cities and Towns as aforeſaid being, by this Act, declared to be Part of the Militia of the Counties to which ſuch Cities and Towns are united for the Purpoſes aforeſaid, the Militia of ſuch Cities or Towns ſhall join the Militia of the County to which ſuch Cities or Towns are ſo united for the Purpoſes aforeſaid; and the whole Militia ſo joined together, ſhall be exerciſed together at the General Exercife, and ſhall then, and alſo when drawn out and embodied, be deemed the Militia of the County to which ſuch Cities or Towns are united for the Purpoſes aforeſaid.

Lieutenant or Enſign, 50*l. per Ann.*

A Moiety of the Eſtates requiſite to their ſeveral Qualifications, except for Lieutenants and Enſigns, to be within the ſame, or the County at large to which they are united;

and the Militia thereof to join that of the County,

and to be exerciſed together with them at the General Exerciſe;

and when drawn out and embodied, to be deemed Part thereof.

And be it enacted, That when any Regiment or Battalion of Militia ſhall be drawn out and embodied, His Majeſty's Lieutenant of the County, Riding, or Place, for which ſuch Regiment or Battalion ſhall ſerve, may, upon account of Military Merit ſhewn in Time of actual Invaſion or actual Rebellion, promote any Officer therein from a lower to a higher Commiſſion, incluſive of that of Lieutenant Colonel, notwithſtanding he ſhould not have the Qualifications requiſite for his firſt Admittance into ſuch higher Rank in ſuch Regiment or Battalion: Provided, That no Perſons not having the Qualification herein before directed for a Captain, ſhall be promoted to an higher Rank than that of Captain.

Officers may be promoted for their Military Merit in Time of actual Invaſion, or Rebellion, though they want a proper Qualification;

but none to be promoted higher than a Captain, who want a Qualification for that Rank.

And be it enacted, That the Qualifications above recited to enable any Perſon to be a Deputy Lieutenant, Lieutenant Colonel, Major, Captain, Lieutenant, or Enſign, ſhall not extend to ſuch Commiſſions as ſhall be granted by His Majeſty's Conſtable of the Tower, or Lieutenant of the Tower Hamlets.

Recited Qualifications not to extend to Commiſſions granted by the Conſtable of the Tower, or Lieut. of the Tower Hamlets.

And be it enacted, That his Majeſty, his Heirs, and Succeſſors, ſhall, from time to time, as He and They ſhall think fit, ſignify His and Their Pleaſure to his and Their Lieutenants of any County, Riding, or Place, to diſplace all or any ſuch Deputy Lieutenants and Officers; and thereupon his Majeſty's reſpective Lieutenants ſhall appoint others within the ſame County, Riding, or Place, under the like Qualifications, to ſerve in their Stead.

D. Lieuts. and Officers may be diſplaced at the King's Pleaſure;

and others to be appointed in their Room.

And be it enacted, That no Deputy Lieutenant or Commiſſion Officer in the Militia ſhall act as ſuch, until he ſhall have left with the Clerk of the Peace of the County, Riding, or Place, in and for which he ſhall be ſo appointed, his Qualification in Writing, ſigned by himſelf; and ſuch Clerk of the Peace is hereby required to enter the ſame upon a Roll to be kept for that Purpoſe: And every Deputy Lieutenant and Commiſſion Officer not having already taken and ſubſcribed the Oaths, and made, repeated, and ſubſcribed, the Declaration, as required by the ſaid former Acts relating to the Militia, ſhall, at ſome General Quarter Seſſions, or in One of his Majeſty's Courts of Record at Weſtminſter, within Six Months after he ſhall have accepted his Commiſſion, take the Oaths in and by an Act paſſed in the Firſt Year of the Reign of His Majeſty King George the Firſt, intituled, An Act for the further Security of His Majeſty's Perſon and Government, and the Succeſſion of the Crown in the Heirs of the late Princeſs *Sophia*, being Proteſtants, and for extinguiſhing the Hopes of the pretended Prince of *Wales*, and his open and ſecret Abettors, appointed to be taken, and ſhall alſo make, repeat, and ſubſcribe, the Declaration in the ſaid Act directed to be made, repeated, and ſubſcribed, by all Officers Civil and Military.

Qualifications to be ſigned, and left with the Clerk of the Peace to be inrolled, before they preſume to act;

and they are to take the Oaths appointed by Act 1 *Geo.* I,

and make and ſubſcribe the Declaration therein appointed.

And be it enacted, That if any Perſon ſhall execute any of the Powers hereby conferred on Deputy Lieutenants, Colonels, Lieutenant Colonels, or Majors (not being qualified as aforeſaid) or ſhall not deliver in ſuch Qualification, and take the Oaths, and make, repeat, and ſubſcribe, the Declaration aforeſaid, as is herein before required, every ſuch Perſon ſhall forfeit and pay the Sum of Two hundred Pounds: And if any Perſon ſhall execute any of the Powers hereby conferred on Captains, Lieutenants, or Enſigns (not being qualified as aforeſaid) and ſhall not deliver in ſuch Qualification, and take the Oaths, and make, repeat, and ſubſcribe, the Declation aforeſaid, as is herein before required, every ſuch Perſon ſhall forfeit and pay the Sum of One hundred Pounds: Such ſeveral Penalties to be recovered by Action

D. Lieuts. and other Field Officers, acting, not being qualified, or not complying with the above Regulations, forfeit 200 *l.*

and Captains and Subalterns 100 *l.*

to be recovered in any of the Courts at *Weſtminſter*;

Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at Weſtminſter; wherein no Eſſoin, Wager of Law, or Protection, or more than One Imparlance ſhall be allowed; One Moiety whereof ſhall go to the Uſe of the Perſon who ſhall ſue for the ſame, and the other Moiety to the Uſes herein after directed.

One Moiety thereof to go to the Proſecutor.

Proof of Qualification in all Suits to lie on the Defendant.

And be it enacted, That in every Action, Suit, or Information, brought againſt any Perſon for acting as a Deputy Lieutenant, Colonel, Lieutenant Colonel, Major, Captain, Lieutenant, or Enſign, not being qualified as herein before is directed, the Proof of his Qualification ſhall lie upon the Perſon againſt whom the ſame is brought.

Peers, and Heirs Apparent of Peers, may be appointed D. Lieutenants or Commiſſion Officers for the County where they reſide;

Provided always, and be it enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to reſtrain his Majeſty's Lieutenant of any County, Riding, or Place, from appointing any Peer of this Realm, or Heir Apparent of any ſuch Peer, to be a Deputy Lieutenant, or Commiſſion Officer in the Militia, within the County, Riding, or Place, wherein ſuch Peer, or Heir Apparent of ſuch Peer, ſhall reſpectively have ſome Place of Reſidence; or to oblige any Peer of this Realm, or Heir Apparent of ſuch Peer (ſo appointed a Deputy Lieutenant or Commiſſion Officer reſpectively) to leave with the Clerk of the Peace for the County, Riding, or Place, for which he ſhall be appointed, any Qualification in Writing as aforeſaid; but it ſhall be lawful for every Peer of this Realm, or Heir Apparent of ſuch Peer, ſo appointed, and taking the Oaths, and making, repeating, and ſubſcribing, the Declaration aforeſaid, to act as a Deputy Lieutenant or Commiſſion Officer reſpectively, although he ſhall not be ſeiſed or poſſeſſed of any ſuch Eſtate, in Manors, Meſſuages, Lands, Tenements, or Hereditaments, as is required by this Act.

and their Qualification not neceſſary to be left with the Clerk of the Peace;

but on taking the Oaths, &c. they may act without being otherwiſe qualified.

Acceptance of a Commiſſion does not vacate a Seat in Parliament.

Provided alſo, and be it enacted, That the Acceptance of a Commiſſion in the Militia ſhall not vacate the Seat of any Member returned to ſerve in Parliament.

Where the Militia is not raiſed, the Ld. Lieut. is to advertiſe the Want of Officers, a Month before the Q. Seſſions at *Chriſtmas*, and *Midſummer*, reſpectively;

And be it further enacted by the Authority aforeſaid, That in every County where the Militia ſhall not be raiſed, the Lord Lieutenant of ſuch County ſhall, within One Month before the General Quarter Seſſions to be held at Chriſtmas, and within One Month before the General Quarter Seſſions to be held next after Midſummer, in every Year, cauſe Advertiſement to be publiſhed in the London Gazette, and the News Paper of ſuch County, ſignifying the Want of Officers; and all Perſons

ſons qualified to ſerve as Officers, and willing ſo to do, ſhall at any Time return their Names and Intention to the Lord Lieutenant, or, in his Abſence, to any General Quarter Seſſions for the County in which they propoſe to ſerve.

and Perſons qualified, and willing to ſerve, are thereupon to return their Names, &c.

And whereas in ſeveral Counties and Places the Militia have not been raiſed in ſuch Manner as was authorized by an Act made in the Thirtieth Year of the Reign of His late Majeſty King George the Second, and ſeveral ſubſequent Acts, relative to the Raiſing of the Militia Forces, by reaſon that a ſufficient Number of Perſons, qualified to act as Officers in the Militia, did not tender themſelves to accept Commiſſions in that Service; be it therefore enacted by the Authority aforeſaid, That in all Counties and Places where the Militia have not been raiſed by virtue and in purſuance of the ſaid former Acts, and where it ſhall not be raiſed by virtue and in purſuance of this Act, the Sum of Five Pounds ſhall be annually paid for and in lieu of every Private Militia Man herein mentioned to be raiſed within the ſame; and that His Majeſty's Lieutenant of every ſuch County and Place reſpectively, or any Three or more Deputy Lieutenants, at the Expiration of every Year in which the Militia for ſuch County and Place ſhall not have been raiſed from and after the paſſing of this Act, ſhall, from Year to Year, certify the ſame in Writing under his or their Hands, and alſo the whole Amount of the ſeveral Sums of Five Pounds per Man to be raiſed on ſuch County as aforeſaid, to the Juſtices of the Peace at their General or Quarter Seſſions next held after the full End and Accompliſhment of the ſaid Year for ſuch reſpective County or Place; and the Juſtices of the Peace, ſo aſſembled at ſuch General or Quarter Seſſions, where ſuch Certificate ſhall be produced, ſhall forthwith rate and aſſeſs on the ſaid County the Sum and Sums mentioned in ſuch Certificate: And ſuch Sum and Sums ſhall be rated and aſſeſſed in ſuch and the ſame Manner, and according to ſuch and the ſame Proportions, upon every Town, Pariſh, and Place within the ſaid County, and be collected, received, levied, and paid, and be accounted for by the Perſons making ſuch Collections, in ſuch Manner, and by ſuch Means, with ſuch Powers of Diſtreſs, and other Remedies for enforcing the Collection and Payment thereof, and for puniſhing all Perſons whoſe Duty it ſhall be to collect or account for the ſame, and ſhall make Default therein, as the County Rates have been uſually, or may, by an Act made in the Twelfth Year of the Reign of His late Majeſty, intituled,

Where the Militia has not been raiſed in purſuance of the Act of 30 *Geo.* II. and other ſubſequent Acts relating thereto, or ſhall not be raiſed in purſuance of this Act, 5 *l. per* Man, annually, is to be paid by every ſuch County, &c.

and Certificates thereof, and of the Sums thereupon due, are to be returned at the End of the next Year to the Q. Seſſions;

and the Juſtices are forthwith to rate and aſſeſs the Sums ſo certified, in like Manner as County Rates,

by Act 12 G. II. may be rated and aſſeſſed, &c.

tituled, An Act for the more eaſy aſſeſſing, collecting, and levying of County Rates, or by any other Act or Acts of Parliament, be aſſeſſed, collected, received, levied, paid, and accounted for, within the ſaid County: And ſuch Rates or Aſſeſſments, when received, ſhall be from time to time paid by the Treaſurer or Treaſurers of ſuch Counties to the Receivers General thereof; and the Receipt of ſuch Receiver General ſhall be a full and ſufficient Diſcharge to ſuch Treaſurer or Treaſurers for the Payment of ſuch Monies.

and the Treaſurer of the County is to pay over the ſame to the Receiver General.

The ſaid Rates to be made, levied, and paid, diſtinctly from all other County Rates.

Provided always, That the Rates or Aſſeſſments which ſhall be made by ſuch Juſtices of the Peace at the ſaid General or Quarter Seſſions in purſuance of this Act, ſhall be made, aſſeſſed, collected, received, levied, and paid, ſeparately and diſtinctly from all the other County Rates aſſeſſed and raiſed upon and within the ſaid County; any thing in the ſaid Act made in the Twelfth Year of His late Majeſty's Reign, or any other Act or Acts of Parliament, or any Cuſtom or Uſage, to the contrary notwithſtanding.

After Notice given of the Amount of the Rates, the Parochial Officers, &c. are to rate and levy the Monies by a diſtinct Rate and Aſſeſſment upon the reſpective Towns, Pariſhes, and Places;

and Tenants and Occupiers paying the ſame, are to be allowed what they ſhall ſo pay in their Rent.

And be it further enacted by the Authority aforeſaid, That the ſeveral and reſpective Parochial Officers, or other Perſons, who ſhall pay or be liable to pay the Rates or Aſſeſſments, which ſhall be made and rated for the Purpoſe of this Act, upon any Pariſh, Town, and Place; and alſo all ſuch Parochial Officers and Perſons, upon whom any ſuch Rate or Aſſeſſment ſhall be levied; ſhall and may, from time to time, after Notice ſhall be given of the Amount of the Rate or Aſſeſſment, upon ſuch Town, Pariſh, or Place, either before the Payment thereof by ſuch Parochial Officers or Perſons, or after the ſame ſhall have been actually paid by, or levied upon, ſuch Officers or Perſons, rate and levy ſuch Monies, by a ſeparate and diſtinct Rate and Aſſeſſment, upon every ſuch reſpective Town, Pariſh, or Place, in ſuch Manner and Proportion, and with ſuch Powers for Recovery thereof, as any other County Rate may be aſſeſſed or levied: And that every Tenant or Occupier of any Houſe, Land, Tythe, Tenement, or Hereditament, who ſhall pay any Rate or Aſſeſſment to be made in purſuance of this Act by ſuch reſpective Parochial Officers or Perſons, within any ſuch Town, Pariſh, or Place, or upon whom any ſuch Rate or Aſſeſſment ſhall be levied, ſhall and may deduct the ſame out of his or her Rent, and ſhall be acquitted and diſcharged for ſo much Money as ſuch Rates or Aſſeſſments ſhall, from time to time, amount unto, as fully and effectually as if ſuch Money had been actually paid to the Perſon or Perſons

to whom ſuch Rent is or ſhall be payable; and ſuch Perſon or Perſons is and are hereby required to allow, from time to time, ſuch Deductions, upon Receipt of the Reſidue of the Rent.

Agreement between Landlord and Tenant not vacated, where the Eſtate leaſed is not let at Rack Rent;

Provided always, That nothing herein before contained, ſhall vacate any Covenant or Agreement contained in any Leaſe between Landlord and Tenant, where the Eſtate leaſed is not let at Rack Rent; and that no Landlord of any Eſtate which ſhall not be let at Rack Rent, ſhall be obliged or compellable to allow to any Tenant any Money which he or ſhe ſhall pay towards any County Rate, which ſhall be made in purſuance of this Act, but in proportion only to the Rent ſuch Landlord ſhall receive from his Tenant.

and Landlord to allow only in proportion to the Rent he receives.

Where the Militia for any County, together with any City or Town being a County of itſelf, is not raiſed, the Sum of 5 *l.* *per* Man is to be apportioned between them, in ſuch Proportion as their reſpective *Quotas* to the Land Tax bear to each other;

Provided always, and be it enacted, That in all Caſes where a certain Number of Private Militia Men are directed to be raiſed for any County, together with any City or Town being a County of itſelf, and the Militia has not been, or ſhall not be, raiſed, for ſuch County, and City or Town, the Payment of the ſaid Sum of Five Pounds per Man, upon the whole Number of Private Militia Men ſo directed to be raiſed as aforeſaid, ſhall be divided and apportioned between ſuch County, and ſuch City or Town being a County of itſelf, in ſuch Proportion as the reſpective Quotas paid to the Land Tax by the ſaid County, and by the ſaid City and Town being a County of itſelf, bear to each other; unleſs an Apportionment of the ſaid Number of Private Militia Men ſhall actually have been made in purſuance of the Liſts directed to be returned by the ſaid former Acts, or by this preſent Act, in which Caſe the ſaid Sum of Five Pounds per Man ſhall be borne by ſuch County, and by ſuch City or Town being a County of itſelf, in ſuch Proportion as the reſpective Numbers of Men ſo apportioned to be raiſed by ſuch County, and by ſuch City or Town, bear to each other.

but if an Apportionment of the Men ſhall have been made, the ſaid Sum is to be borne by them in ſuch Proportion as the Numbers of Men to be raiſed by them reſpectively bear to each other.

Receiver General to pay over the ſaid County Rates, together with the Land Tax, into the Exchequer, diſtinguiſhing the Monies payable on this Act;

And be it further enacted by the Authority aforeſaid, That the Receiver General of the Land Tax for ſuch reſpective Counties or Places, to whom ſuch Money ſhall be paid by the Treaſurer or Treaſurers of ſuch Counties as aforeſaid, ſhall pay the ſame, together with the Monies ariſing from the Land Tax in ſuch County, into the Receipt of His Majeſty's Exchequer at Weſtminiſter, and diſtinguiſh upon every ſuch Payment the Monies received by virtue of this Act; and the Monies ſo paid into the Receipt of His Majeſty's Exchequer ſhall be kept ſeparate and apart from all other Monies, and ſhall be paid by the Lord High Treaſurer, or by the Commiſſioners for

the ſame to be kept ſeparately, and paid over by the Treaſury to the Treaſurers of ſuch Counties as ſhall have raiſed their Militia,

in proportion to their Number of Men, to be made Part of the County Stock.

for executing the Office of Lord High Treaſurer, or any Three or more of them, for the time being, to the Treaſurers of ſuch Counties as have raiſed or ſhall raiſe their Militia, in proportion to the Number of Men raiſed or to be raiſed by each County reſpectively, to be by them made Part of the County Stock; and the Lord High Treaſurer, or the Commiſſioners for executing the Office of Lord High Treaſurer for the time being, or any Three or more of them, are hereby impowered and required to apportion and iſſue the ſaid Money ſo received accordingly; and no Allowance or Deduction ſhall be made from or out of the ſaid Sums of Money ſo paid into the Exchequer on any Account whatſoever.

No Deduction to be made from the Monies ſo paid into the Exchequer.

Where the Militia of any County, &c. ſhall be raiſed as this Act directs, ſuch County is to be exonerated from Payment of the ſaid Sums.

Provided nevertheleſs, That if the Militia ſhall be raiſed in the Manner appointed by virtue of this Act, for all or any of the ſaid Counties or Places, ſuch reſpective Counties and Places ſhall, during the Time the Militia are ſo raiſed, be exonerated, freed, and diſcharged, from the Payment of the ſaid Sums, and the Aſſeſſments to be made in reſpect thereof ſhall, during ſuch Time, be ſuſpended; any thing herein contained to the contrary notwithſtanding.

Ld. Lieutenant may act as Colonel to any Regiment, &c. for which no Colonel is appointed,

but may not act to more than One at a Time;

and if the Command be a Battalion, he is to receive Pay as Lieut. Colonel only; and no other Perſon is to ſerve, or be intitled to Pay as Lieut. Colonel, while he ſerves as Colonel.

And be it enacted, That it ſhall be lawful for the Lieutenant of any County, Riding, or Place, to act as a Colonel of any Regiment or Battalion of Militia for ſuch County, Riding, or Place, for and during ſuch Time or Times as there ſhall not be any Colonel appointed for the Command of the ſame Regiment or Battalion; but no Lieutenant ſhall at any One Time act as a Colonel to more than One Regiment or Battalion.

And be it enacted, That where his Majeſty's Lieutenant of any County, Riding, or Place, ſhall, under the Powers given by this Act, ſerve as Colonel to any Body of Militia by this Act deemed a Battalion only, he ſhall not, when ſuch Battalion ſhall be embodied and in actual Service, be intitled to or receive any other Pay than that of a Lieutenant Colonel; and that no other Perſon whatſoever ſhall ſerve or be intitled to Pay as a Lieutenant Colonel in ſuch Battalion, during the Time that his Majeſty's ſaid Lieutenant ſhall ſerve therein as Colonel.

At the End of every 4 Years, One Field Officer of each Regiment, &c. and a Number of Officers of each inferior Rank, equal to the Num-

And be it enacted, That his Majeſty's Lieutenant together with any Three Deputy Lieutenants of any County, Riding, or Place, and on the Death or Removal, or in the Abſence of his Majeſty's Lieutenant, any Five Deputy Lieutenants, ſhall, at the End of every Four Years, at their Annual Meeting, in caſe the Militia of ſuch County, Riding, or Place, ſhall not be then

then embodied, diſcharge ſome One Field Officer of each Regiment or Battalion, and ſuch a Number of Officers of each inferior Rank as ſhall be equal to the Number of Perſons who ſhall have given Notice in Writing to His Majeſty's Lieutenant, One Month at leaſt before ſuch Meeting, that they are willing to ſerve as Field Officers, Captains, Lieutenants, or Enſigns, as the Caſe may require.

Number of Perſons who ſhall have been returned as willing to ſerve, are to be diſcharged.

Provided, That the Number of Vacancies to be made ſhall not exceed One Third of ſuch Officers, who ſhall have ſerved for the Space of Four Years in each Rank reſpectively.

The Number of ſuch Vacancies not to exceed One Third in each Rank.

Provided, That nothing herein contained ſhall prevent any Officer who has ſerved Four Years, from offering himſelf to ſerve in an higher Rank, if he be qualified as this Act requires to ſerve in ſuch higher Rank.

Officer who has ſerved 4 Years, may offer to ſerve in a higher Rank, if qualified.

And be it enacted, That His Majeſty, His Heirs, and Succeſſors, may and ſhall appoint One proper Perſon who ſhall have ſerved, or ſhall, at the Time of ſuch Appointment, actually ſerve in ſome of His Majeſty's other Forces, or in any Corps of Militia that has been drawn out and embodied, to be an Adjutant to each Regiment, Battalion, or Independent Company of Militia, in each County, Riding, or Place reſpectively; and ſuch Adjutant, if appointed out of His Majeſty's other Forces, ſhall, during his Service in the ſaid Militia, preſerve his Rank in the Army, in the ſame Manner as if he had continued in that Service: And it ſhall and may be lawful for His Majeſty's Lieutenant of any County, Riding, or Place, to grant unto the Adjutant to each Regiment, Battalion, or Independent Company, a Commiſſion of Lieutenant, or any inferior Commiſſion therein, although ſuch Adjutant ſhall not have an Eſtate to qualify him for ſuch Commiſſion as is required by this Act.

An Adjutant may be appointed by the King to each Regiment, &c. out of His Majeſty's other Forces, or embodied Militia;

and if appointed out of His Majeſty's other Forces, he is to keep his Rank therein,

and may hold a Subaltern Commiſſion without a Qualification.

And be it enacted, That no Perſon, during the Time he is acting as a Militia Officer, ſhall be obliged to ſerve the Office of Sheriff.

Militia Officer exempted from ſerving as Sheriff.

And be it enacted, That any Perſon who has quitted, or ſhall quit, his Half-pay, to ſerve as a Commiſſioned Officer in any Regiment, Battalion, or Independent Company of Militia, ſhall, upon his quitting the ſaid Regiment, Battalion, or Independent Company of Militia, or upon the unembodying thereof, be reſtored to his Half-pay; ſuch Half-pay to recommence from the laſt Quarter-day, or Day of Payment next preceding.

Officers quitting their Half-pay to ſerve in the Militia, upon quitting the Militia, or unimbodied, are to be reſtored to Half-pay again.

And be it enacted, That His Majeſty, His Heirs, and Succeſſors, may and ſhall appoint, according to the Proportion of One Serjeant to Twenty Private Men, Two

Serjeants may be appointed by the King out of His Majeſty's other Forces, or embodied Militia, in the Proportion of 1 Serjeant to 20 Private Men, 2 or more to every Company.

or more proper Perſons to be Serjeants to every Company in the ſaid Militia, out of and from his Majeſty's other Forces; ſuch Perſons having ſerved in the ſaid Forces for the Space of One Year next preceding their Appointment to be Serjeants; or may appoint ſuch other Perſons to be Serjeants, as have formerly ſerved for the Space of One Year in His Majeſty's ſaid Forces; or out of or from any Corps of Militia that has been drawn out and embodied; which Serjeants ſo appointed ſhall take the following Oath; that is to ſay,

Oath to be taken by Serjeants.

I *A. B.* do ſincerely promiſe and ſwear, That I will be faithful and bear true Allegiance to His Majeſty King *George*, His Heirs, and Succeſſors: And I do ſwear that I am a Proteſtant, and that I will faithfully ſerve as a Serjeant in the Militia, within the Kingdom of *Great Britain*, for the Defence of the ſame, until I ſhall be legally diſcharged.

Serjeants appointed out of His Majeſty's other Forces, are intitled to *Chelſea Hoſpital*; and Penſioners of the ſaid Hoſpital, made Serjeants, are to be re-admitted, on producing Certificates of good Behaviour.

And the Service in the Militia of ſuch Perſons ſo appointed out of His Majeſty's ſaid other Forces, ſhall intitle them to the Benefit of Chelſea Hoſpital, in the ſame Manner as if they had continued to ſerve in the ſaid Forces; and every Perſon appointed to be a Serjeant out of the Penſioners on the Eſtabliſhment of Chelſea Hoſpital, ſhall be intitled to be, and ſhall be, put again upon the ſaid Eſtabliſhment, after he ſhall be diſcharged from the Service of the Militia; provided he brings a Certificate of his good Behaviour, under the Hand of the Colonel, or Commanding Officer of the Regiment or Battalion in which he ſhall have ſerved: And His Majeſty's Lieutenant ſhall, from time to time, as Occaſion ſhall require, appoint a Clerk to each Regiment or Battalion; and the Colonel of the Regiment or Battalion, or, where there is no Colonel, the Lieutenant Colonel, or, where there is no Colonel or Lieutenant Colonel, the Major, ſhall appoint a Serjeant Major out of the Serjeants, and a Drum Major out of the Drummers.

Ld. Lieut. to appoint a Regimental Clerk,

and the Colonel, &c. a Serjeant Major, and Drum Major, to each Regiment.

Alehouſe-keepers diſqualified from being Serjeants.

And be it enacted, That no Perſon who ſhall keep any Houſe of Public Entertainment, or who ſhall ſell any Ale, Wine, Brandy, or other Spirituous Liquors by Retail, ſhall be capable of being appointed or continuing a Serjeant in the Militia.

Captain may appoint 2 Drummers or Fifers to his Company;

And be it enacted, That the Captain of every Company of Militia may and ſhall appoint Two Perſons to be Drummers or Fifers to his Company, who, when ſo appointed, and having received any Pay as ſuch, ſhall be deemed to be engaged, and ſhall be compellable to ſerve in the ſame Regiment or Battalion, until legally diſcharg-

ed; and may and ſhall appoint Corporals out of the Private Men of his Company, in the Proportion of One Corporal to Twenty Private Men; and may diſplace ſuch Drummers, Fifers, and Corporals reſpectively, for Miſbehaviour, and appoint others in their Room, from time to time, as he ſhall ſee Occaſion; and may and ſhall appoint, (with the Approbation of the Colonel, or, where there is no Colonel, the Lieutenant Colonel, or, where there is no Colonel or Lieutenant Colonel, the Major, of the Regiment or Battalion) Serjeants out of the Private Men of the Regiment or Battalion, to fill up ſuch Vacancies of Serjeants as may happen therein; which Serjeants ſo appointed, ſhall take the like Oath as is herein before required to be taken by Serjeants appointed by His Majeſty (which Oath any One Deputy Lieutenant, or in caſe the Regiment or Battalion then happening to be embodied ſhould be in any other County, Riding, or Place, any One Juſtice of the Peace thereof, are hereby reſpectively authorized to adminiſter) and that it ſhall be lawful for the Commanding Officer of any Regiment or Battalion of Militia, being a Field Officer, upon the Application of the Captain, to diſplace Serjeants.

and 1 Corporal to 20 Men;

and may diſplace them for Miſbehaviour;

He may alſo, with Leave of the Colonel, fill up Vacancies of Serjeants out of the Ranks.

Such Serjeants to take the Oath appointed.

They may be diſplaced upon Application of the Captain.

Provided always, and be it enacted, That any Perſon who is or ſhall be appointed out of or from any Company of His Majeſty's other Forces, to be a Serjeant in the Militia, and ſhall be for any Miſbehaviour reduced into the Ranks, and ſhall not in One Month's Time after ſuch Reduction be reſtored, he ſhall be returned to the Company from which he was taken in His Majeſty's other Forces, and ſhall there ſerve as a Private Man; and any Perſon who is or ſhall be appointed a Serjeant in the Militia, out of or from any Company of Militia, ſhall and may be reduced into the Ranks for Miſbehaviour, and ſhall ſerve in the Ranks of ſuch Company wherein he ſerved before ſuch Appointment, for ſuch further Time as ſhall compleat his Three Years Service as a Private Militia Man; and in caſe there be no Vacancy in ſuch Company, he ſhall ſerve in any other Company in the Regiment or Battalion.

Serjeants from the Army being reduced for Miſbehaviour, and not reſtored within a Month, are to be returned to the Corps from whence they were taken, and ſerve in the Ranks.

Serjeants made from the Militia may be reduced into the Ranks for Miſbehaviour.

And be it enacted, That if any Serjeant, Drummer, or Fifer, ſhall liſt in any of His Majeſty's other Forces, ſuch Liſting ſhall be, and is hereby declared to be, null and void.

The Liſting of a Serjeant, Drummer, or Fifer, into His Majeſty's other Forces, declared void.

And be it enacted, That the Number of Private Men to be raiſed by virtue of this Act, in that Part of Great Britain called England, the Dominion of Wales, and Town of Berwick upon Tweed (excluſive of the Places herein after excepted) ſhall be,

Number of Private Men to be raiſed in each County, &c.

For

For the County of Bedford, Four hundred.
For the County of Berks, Five hundred and ſixty.
For the County of Bucks, Five hundred and ſixty.
For the County of Cambridge, Four hundred and eighty.
For the County of Cheſter, with the City and County of the City of Cheſter, Five hundred and ſixty.
For the County of Cornwall, Six hundred and forty.
For the County of Cumberland, Three hundred and twenty.
For the County of Derby, Five hundred and ſixty.
For the County of Devon, with the City and County of the City of Exeter, One thouſand ſix hundred.
For the County of Dorſet, with the Town and County of the Town of Pool, Six hundred and forty.
For the County of Durham, Four hundred.
For the County of Eſſex, Nine hundred and ſixty.
For the County of Glouceſter, with the City and County of the City of Glouceſter, and the City and County of the City of Briſtol, Nine hundred and ſixty.
For the County of Hereford, Four hundred and eighty.
For the County of Hertford, Five hundred and ſixty.
For the County of Huntingdon, Three hundred and twenty.
For the County of Kent, with the City and County of the City of Canterbury, Nine hundred and ſixty.
For the County of Lancaſter, Eight hundred.
For the County of Leiceſter, Five hundred and ſixty.
For the County of Lincoln, with the City and County of the City of Lincoln, One thouſand two hundred.
For the County of Middleſex, excluſive of the Tower Diviſion, commonly called The Tower Hamlets, One thouſand ſix hundred.
For the County of Monmouth, Two hundred and forty.
For the County of Norfolk, with the City and County of the City of Norwich, Nine hundred and ſixty.
For the County of Northampton, Six hundred and forty.
For the County of Northumberland, with the Town and County of the Town of Newcaſtle upon Tyne, and the Town of Berwick, Five hundred and ſixty.
For the County of Nottingham, with the Town and County of the Town of Nottingham, Four hundred and eighty.

For the County of Oxford, Five hundred and ſixty.
For the County of Rutland, One hundred and twenty.
For the County of Salop, Six hundred and forty.
For the County of Somerſet, Eight hundred and forty.
For the County of Southampton, with the Town and County of the Town of Southampton, Nine hundred and ſixty.
For the County of Stafford, with the City and County of the City of Litchfield, Five hundred and ſixty.
For the County of Suffolk, Nine hundred and ſixty.
For the County of Surrey, Eight hundred.
For the County of Suſſex, Eight hundred.
For the County of Warwick, with the City and County of the City of Coventry, Six hundred and forty.
For the County of Weſtmoreland, Two hundred and forty.
For the County of Worceſter, with the City and County of the City of Worceſter, Five hundred and ſixty.
For the County of Wilts, Eight hundred.
For the Weſt Riding of the County of York, with the City and County of the City of York, One thouſand two hundred and forty:
For the North Riding of the ſaid County, Seven hundred and twenty:
And for the Eaſt Riding of the ſaid County, with the Town and County of the Town of Kingſton upon Hull, Four hundred.
For the County of Angleſea, Eighty.
For the County of Brecknock, One hundred and ſixty.
For the County of Cardigan, One hundred and twenty.
For the County of Carmarthen, with the County Borough of Carmarthen, Two hundred.
For the County of Carnarvon, Eighty.
For the County of Denbigh, Two hundred and eighty.
For the County of Flint, One hundred and twenty.
For the County of Glamorgan, Three hundred and ſixty.
For the County of Merioneth, Eighty.
For the County of Montgomery, Two hundred and forty.
For the County of Pembroke, with the Town and County of the Town of Haverford Weſt, One hundred and ſixty.
For the County of Radnor, One hundred and twenty.

Where the Militia has not been raiſed, a General Meeting is to be held by the Ld. Lieut. and 2 Deputies; or, in the Ld. Lieutenant's Abſence, by 3 Deputies, on the Second *Tueſday* in *May* annually;

and on Failure of meeting, then a Meeting is to be held by Summons and Advertiſement.

And be it enacted, That in all Counties, Ridings, and Places, where the Militia has not been raiſed, His Majeſty's Lieutenant for every ſuch County, Riding, and Place, together with any Two or more Deputy Lieutenants, and, on the Death or Removal, or, in the Abſence of His Majeſty's Lieutenant, any Three or more Deputy Lieutenants, ſhall meet at ſome City or Principal Town of the County, Riding, or Place, for which they ſhall be commiſſioned, on the Second Tueſday in May in every Year; and if there ſhould happen to be no ſuch Meeting on that Day, then His Majeſty's ſaid Lieutenant, or, on his Death or Removal, or, in his Abſence, any Three or more Deputy Lieutenants, ſhall ſummon, or cauſe to be ſummoned, another Meeting to be holden at the ſame City or Principal Town, on a Day to be fixed by ſuch Summons; of which Day and Place Notice ſhall be given in the London Gazette, and alſo in any Weekly Paper uſually circulated (if any ſuch there be) within the ſame County or Riding, Fourteen Days at leaſt before the holding of ſuch Meeting: And His Majeſty's ſaid Lieutenant, or, on his Death or Removal, or, in his Abſence, any Three or more Deputy Lieutenants, ſhall, at their Firſt General Meeting, appoint Subdiviſions of the Deputy Lieutenants within their reſpective Counties, Ridings, and Places, and the Times and Places for their Firſt Meetings within the ſaid Subdiviſions reſpectively; and the Time and Place for a Second General Meeting; and ſhall iſſue out their Orders to the Chief Conſtable, and, where there is no Chief Conſtable, to ſome other Officer of the ſeveral Hundreds, Rapes, Laths, Wapentakes, or other Diviſions, within their reſpective Counties, Ridings, and Places, to require, by Orders under their Hands, the Conſtable, Tythingman, Headborough, or other Officer of each Pariſh, Tything, or Place, within their reſpective Hundreds, Rapes, Laths, Wapentakes, or other Diviſions, to return to the Deputy Lieutenants within their reſpective Subdiviſions, at the Place and on the Day appointed at the ſaid Firſt General Meeting, fair and true Liſts, in Writing, of the Names of all the Men uſually, and, at that Time, dwelling within their reſpective Pariſhes, Tythings, and Places, between the Ages of Eighteen and Forty five Years, diſtinguiſhing their reſpective Ranks and Occupations; and where the true Names of ſuch Perſons cannot be procured, the common Appellation of ſuch Perſons ſhall be ſufficient; and which of the Perſons ſo returned labour under any Infirmities, incapacitating them from ſerving

At their Firſt General Meeting, the Subdiviſions of the D. Lieuts. and the Times and Places for their Firſt Meetings therein, are to be ſettled; and alſo a Second General Meeting appointed.

Orders to be then iſſued to the Conſtables, to return Liſts of all Perſons within their Diſtricts, between the Ages of 18 and 45 Years;

diſtinguiſhing their reſpective Ranks and Occupations, &c.

ſerving as Militia Men; having firſt affixed a true Copy of ſuch Liſt on the Door of the Church or Chapel belonging to ſuch Pariſh, Tything, or Place, and if any Place ſhall have no Church or Chapel belonging thereto, on the Door of the Church or Chapel of ſome Pariſh or Place thereto adjoining, on ſome Sunday Morning before they ſhall make ſuch Return, which Sunday ſhall be Three Days at the leaſt before the ſaid Meeting; and alſo Notice in Writing, at the Bottom of ſuch Liſt, of the Day and Place of ſuch Meeting, and that all Perſons who ſhall think themſelves aggrieved, may then appeal, and that no Appeal will be afterwards received: And on the Day and at the Place ſo reſpectively appointed as aforeſaid, for the Returns of the Liſts, the Conſtables, Tythingmen, Headboroughs, or other Officers reſpectively, ſhall attend and verify the ſaid Return upon Oath; and the ſaid Deputy Lieutenants, or any Three or more of them, or any Two Deputy Lieutenants together with any One Juſtice of the Peace, or any One Deputy Lieutenant together with any Two Juſtices of the Peace, ſo aſſembled in their Subdiviſions, ſhall (after hearing any Perſon who ſhall think himſelf aggrieved by having his Name inſerted in ſuch Liſts, or by any others being omitted) direct ſuch Liſts to be amended as the Caſe ſhall require, and alſo the Names of all Perſons by this Act reſpectively excepted, to be ſtruck out of the ſaid Liſts, and ſhall appoint the Times and Places for their Second Meetings within their reſpective Subdiviſions, and ſhall return to the Second General Meeting all the Liſts for the ſeveral Pariſhes, Tythings, and Places, ſo amended: At which ſaid Second General Meeting His Majeſty's Lieutenant together with any Two or more Deputy Lieutenants, and on the Death or Removal, or in the Abſence, of His Majeſty's Lieutenant, any Three or more Deputy Lieutenants, ſhall order Copies to be made of all the ſaid Liſts, and ſuch Copies to be returned to the Deputy Lieutenants at their Second Meetings within their Subdiviſions, wherein the Pariſhes, Tythings, and Places, for which ſuch Liſts are made and returned, are reſpectively ſituate; and ſhall appoint what Number of Men in each reſpective Hundred, Rape, Lath, Wapentake, or other Diviſion, ſhall ſerve in the ſaid Militia, towards raiſing the Number of Militia Men by this Act directed to be raiſed for ſuch reſpective County, Riding, or Place, in proportion to the whole Number contained in ſuch Liſts: And the ſaid Deputy Lieutenants, or any Three or more of them, or any Two Deputy Lieutenants

Copy of the Liſt to be affixed on the Door of the Church, on ſome *Sunday*, 3 Days before the Return is made,

with Notice of the Day and Place of Meeting; that Perſons aggrieved may then appeal; after which no Appeal will be received.

Conſtables to attend the Returns, and verify the ſame on Oath.

After the Appeals are heard and ſettled, and Perſons excepted by the Act ſtruck out, the D. Lieuts. are to direct the Liſts to be amended; and appoint the Times and Places for their 2d Subdiviſion Meetings; and return the amended Liſts to the 2d General Meeting;

at which, Copies of the Liſts are to be made out, to be returned to the D. Lieuts. at their 2d Subdiviſion Meetings; and the Number of Men which ſhall ſerve out of the reſpective Hundreds, &c. is to be then appointed.

D. Lieuts. at their 2d Subdiviſion Meetings, are to

appoint the Number of Men that ſhall ſerve in each Pariſh, &c. in proportion to the Number appointed for each Hundred, &c.

together with any One Juſtice of the Peace, or any One Deputy Lieutenant together with any Two Juſtices of the Peace, aſſembled at their ſaid Second Meetings within the ſaid Subdiviſions, ſhall appoint what Number of Men ſhall ſerve for each Pariſh, Tything, and Place, or Pariſhes, Tythings, and Places, in proportion to the Number appointed at the Second General Meeting to ſerve for each Hundred, Rape, Lath, Wapentake, or other Diviſion; and, if a proper Number of Officers be then appointed, ſhall appoint another Meeting to be held within Three Weeks in the ſame Subdiviſion, and ſhall iſſue out an Order to the Chief Conſtable, or other Officer of the reſpective Hundreds, Rapes, Laths, Wapentakes, or other Diviſions, requiring them to give Notice to the Conſtable, Tythingman, Headborough, or other Officer of each Pariſh, Tything, or Place, or Pariſhes, Tythings, or Places, within their reſpective Hundreds, Rapes, Laths, Wapentakes, or other Diviſions, of the Number of Men ſo appointed to ſerve for ſuch reſpective Pariſh, Tything, or Place, or Pariſhes, Tythings, or Places, and of the Time and Place of the next Subdiviſion Meeting; and the ſaid Deputy Lieutenants, or any Three or more of them, or any Two Deputy Lieutenants together with any One Juſtice of the Peace, or any One Deputy Lieutenant together with any Two Juſtices of the Peace, aſſembled in purſuance of ſuch Appointment, ſhall cauſe the Number of Men appointed to ſerve as aforeſaid, except as herein after excepted, to be choſen by Lot out of the Liſt or Liſts returned for ſuch Pariſh, Tything, or Place, or Pariſhes, Tythings, or Places; and ſhall appoint another Meeting to be held within Three Weeks in the ſame Subdiviſion; and ſhall iſſue out an Order to the Chief Conſtable, or other Officers of the reſpective Hundreds, Rapes, Laths, Wapentakes, or other Diviſions, to direct the Conſtable, Tythingman, Headborough, or other Officer of each Pariſh, Tything, or Place, to give Notice to every Man ſo choſen to ſerve in the Militia, to appear at ſuch Meeting; which Notice ſhall be given or left at his Place of Abode, at leaſt Seven Days before ſuch Meeting; and ſuch Conſtable, Tythingman, Headborough, or other Officer, ſhall attend ſuch Meeting, and make a Return upon Oath of the Days when ſuch Notice was ſerved; and every Perſon ſo choſen by Lot ſhall, upon ſuch Notice, appear at ſuch Meeting, and there take the following Oath; that is to ſay,

and if a proper Number of Officers be then appointed, another Meeting is to be held within 3 Weeks; and Orders iſſued, for Notice to be given to the Conſtables of the Number of Men appointed to ſerve,

and of the Time and Place of the next Subdiviſion Meeting;

at which the Men are to be choſen by Lot out of the Liſts;

and another Meeting is to be appointed,

and Orders iſſued for giving timely Notice to the Perſons choſen, then to appear;

and the Conſtables are to attend to avouch the Notices;

and the Men to take the Oath following.

I *A. B.* do ſincerely promiſe and ſwear, That I will be faithful and bear true Allegiance to His Majeſty King *George*, His Heirs, and Succeſſors: And I do ſwear that I am a Proteſtant, and that I will faithfully ſerve in the Militia within the Kingdom of *Great Britain*, for the Defence of the ſame, during the Time for which I am inrolled, unleſs I ſhall be ſooner diſcharged.

(Which Oath any One Deputy Lieutenant is hereby authorized to adminiſter) and ſhall be inrolled to ſerve in the Militia of ſuch reſpective County, Riding, or Place, as a Private Militia Man, for the Space of Three Years, in a Roll to be then and there prepared for that Purpoſe; or ſhall provide a fit Perſon, to be approved by the ſaid Deputy Lieutenants, or any Three or more of them, or by any Two Deputy Lieutenants together with any One Juſtice of the Peace, or by any One Deputy Lieutenant together with any Two Juſtices of the Peace, then met, to ſerve as his Subſtitute; which Subſtitute ſo provided and approved, ſhall take the ſaid Oath, and ſign on the ſaid Roll his Conſent to ſerve as his Subſtitute during the ſaid Term: And if any Perſon ſo choſen by Lot to ſerve in the Militia (not being One of the People called Quakers) ſhall refuſe or neglect to appear and take the ſaid Oath, and ſerve in the Militia, or to provide a Subſtitute to be approved as aforeſaid, who ſhall take the ſaid Oath, and ſign his Conſent to ſerve as his Subſtitute, every ſuch Perſon ſo refuſing or neglecting ſhall forfeit and pay the Sum of Ten Pounds, and at the Expiration of Three Years be liable to ſerve again, or provide a Subſtitute.

and to be inrolled for 3 Years,

or provide fit Subſtitutes,

who ſhall take the ſaid Oath, and ſign their Conſent to ſerve for the ſaid Term.

Thoſe who refuſe to attend and be inrolled, or to provide fit Subſtitutes, not being *Quakers*, forfeit 10 *l.* and at the End of 3 Years are liable to ſerve again, or provide a Subſtitute.

And be it enacted, That no Peer of this Realm, nor any Perſon who ſhall ſerve as a Commiſſion Officer in any Regiment, Troop, or Company, in His Majeſty's other Forces, or in any One of His Majeſty's Caſtles or Forts; nor any Non-commiſſion Officer or Private Man ſerving in any of His Majeſty's other Forces; nor any Commiſſion Officer ſerving, or who has ſerved, Four Years in the Militia; nor any Perſon being a Member of either of the Univerſities; nor any Clergyman; nor any licenſed Teacher of any ſeparate Congregation; nor any Conſtable, or other ſuch Peace Officer; nor any articled Clerk, Apprentice, Seaman, or Seafaring Man; nor any Perſon muſtered, trained, and doing Duty, in any of His Majeſty's Docks, for the Service thereof; nor any Perſon being free of the Company of Watermen of the River Thames; nor any Poor Man who

Specification of Perſons exempted from Service in the Militia by themſelves or Subſtitutes.

has Three Children born in Wedlock; ſhall be compelled to ſerve perſonally, or provide a Subſtitute to ſerve in the Militia.

The Liſts for 2 or more Pariſhes may be united by the Dep. Lieutenants, and proceeded upon as if originally returned for One Pariſh.

And be it enacted, That it may and ſhall be lawful for any Three or more Deputy Lieutenants, or any Two Deputy Lieutenants together with any One Juſtice of the Peace, or any One Deputy Lieutenant together with any Two Juſtices of the Peace, within their reſpective Subdiviſions, to add together, whenſoever they ſhall think neceſſary, the Liſts for Two or more Pariſhes, Tythings, or Places, and proceed upon ſuch Liſts, added together, in like Manner as if they had been originally returned for One Pariſh, Tything, or Place, ſo as to make the Choice of Militia Men by Lot, within ſuch Subdiviſion, as equal and impartial as poſſible.

Churchwardens, &c. with Conſent of the Veſtry, may provide and tender Voluntiers;

and ſuch of them as ſhall be approved, ſhall be then ſworn in, and inrolled;

and ſo many Perſons only ſhall be choſen out of the Liſts, as ſhall be then wanted to compleat the Number to ſerve for ſuch Pariſh.

Money paid to Voluntiers for ſerving, to be reimburſed the Churchwardens by a Parochial Rate:

And be it enacted, That if the Churchwardens or Overſeers, or Churchwarden or Overſeer, of any Pariſh, Tything, or Place, or of Two or more Pariſhes, Tythings, or Places, ſo added together as aforeſaid, ſhall, with the Conſent of the Inhabitants of the Pariſh or Pariſhes, Townſhip or Townſhips, Hamlet or Place, taken at a Veſtry, or at any other Meeting for ſuch Pariſh, Townſhip, Hamlet, or Place, to be holden for that Purpoſe, provide and produce to the ſaid Deputy Lieutenants, or any Three or more of them, or to any Two Deputy Lieutenants together with any One Juſtice of the Peace, or to any One Deputy Lieutenant together with any Two Juſtices of the Peace, at their Meetings within their reſpective Subdiviſions for chooſing the Militia Men by Lot, any Voluntier or Voluntiers, and ſuch Voluntier or Voluntiers ſhall be approved by the ſaid Deputy Lieutenants and Juſtices ſo met as aforeſaid, they, or ſuch of them as ſhall be approved, ſhall be then and there ſworn in and inrolled; and the ſaid Deputy Lieutenants and Juſtices, within their reſpective Subdiviſions, ſhall cauſe only ſuch a Number of Perſons to be choſen by Lot out of the Liſt or Liſts returned for ſuch Pariſh, Tything, or Place, or Pariſhes, Tythings, or Places, as aforeſaid, as ſhall be then wanted to make up the whole Number to ſerve for ſuch Pariſh, Tything, or Place, or Pariſhes, Tythings, or Places, as aforeſaid: And if ſuch Churchwarden or Overſeer, or Churchwardens or Overſeers, ſhall give to ſuch Voluntier or Voluntiers any Sum or Sums of Money to ſerve in the Militia for ſuch Pariſh, Tything, or Place, or Pariſhes, Tythings, or Places, it may and ſhall be lawful for ſuch Churchwarden or Overſeer, or Churchwardens or Overſeers, to make a Rate

a Rate upon the Inhabitants of ſuch Pariſh, Tything, or Place, or Pariſhes, Tythings, or Places, by the Rate they now uſe in making the Rates for the Relief of the Poor; which Rate being approved by Two Juſtices of the Peace, it may and ſhall be lawful for ſuch Churchwarden or Overſeer, or Churchwardens or Overſeers, to collect ſuch Rate, and reimburſe themſelves ſuch Sum and Sums of Money as they ſhall have paid with the Conſent of the Inhabitants of ſuch Pariſh or Pariſhes, Townſhips or Places, aſſembled as aforeſaid, to ſuch Voluntier or Voluntiers as aforeſaid; and the Overplus, if any, ſhall be applied as Part of the Poors Rate: And if any Perſon ſhall refuſe to pay the Sum of Money he ſhall be ſo rated, it may and ſhall be lawful for any One Juſtice of the Peace, upon Complaint thereof made by ſuch Churchwarden or Overſeer, or Churchwardens or Overſeers, by Warrant under his Hand and Seal, to levy the ſame by Diſtreſs and Sale of the Offender's Goods and Chattles, rendering the Overplus, if any, after the ſaid Rate, and the Charges of ſuch Diſtreſs and Sale, ſhall be paid; but no balloted Perſon who ſhall have ſerved himſelf, or by Subſtitute, Three Years, or who ſhall be then ſerving himſelf, or by Subſtitute, in the Militia, ſhall be liable to pay to ſuch Rates.

Overplus of the Rate to be applied to the Poors Rate.

The ſaid Rate may be levied by Diſtreſs and Sale;

but balloted Perſons who have ſerved, or ſhall be ſerving, by themſelves or by Subſtitutes, are exempted from paying thereto.

Provided always, That it ſhall be lawful for any Perſon who ſhall think himſelf or herſelf aggrieved by any ſuch Rate as aforeſaid, to appeal to the next General Quarter Seſſions, in like Manner as is provided in the Caſe of Appeals againſt Rates for the Relief the Poor.

Perſons aggrieved by ſuch Rates may appeal.

Provided always, and be it enacted by the Authority aforeſaid, That in caſe any Perſon ſhall be choſen by Lot to ſerve in the Militia for any Pariſh, Tything, or Place, or Pariſhes, Tythings, or Places, and ſuch Perſon ſhall be ſworn and inrolled, or ſhall provide a fit Perſon to ſerve as his Subſtitute who ſhall be ſworn and inrolled, the Churchwarden or Overſeer, or Churchwardens or Overſeers, of ſuch Pariſh, Tything, or Place, or Pariſhes, Tythings, or Places, ſhall, within One Month after the Time of ſuch Swearing or Inrolling of the Man ſo choſen by Lot, or of the Subſtitute reſpectively, pay to every ſuch Perſon ſo choſen by Lot, if the Regiment or Battalion in which he, or his Subſtitute, ſhall ſerve, ſhall be then embodied, any ſuch Sum of Money not exceeding Five Pounds, as Three Deputy Lieutenants, or Two Deputy Lieutenants and One Juſtice, or One Deputy Lieutenant and Two Juſtices, in whoſe Preſence ſuch Perſon ſhall be choſen by Lot, ſhall adjudge to be, as near as may be, One Half of the current Price then paid for

The Churchwardens are to pay within a Month to the Perſons who ſhall be choſen by Lot and inrolled, or ſhall provide fit Subſtitutes,

(if the Regiment be then embodied) ſuch Sum not exceeding 5*l.*

as ſhall be adjudged One Half of the current Price paid for a Voluntier;

for a Voluntier in the County or Riding where ſuch Perſon ſhall be ſo choſen by Lot; which ſaid Sum of Money ſhall be taken out of the Rate to be made as aforeſaid for providing and producing Voluntiers; or, in caſe no Voluntiers ſhall be provided or produced by the Churchwardens or Overſeers, or Churchwarden or Overſeer, of any Pariſh, Tything, or Place, or Pariſhes, Tythings, or Places, then out of a Rate to be made by the Rule aforeſaid.

the Money to be paid out of the Voluntier Rate, or a Rate made for that Purpoſe.

Provided nevertheleſs, That if ſuch Man ſo choſen by Lot, and ſerving for himſelf, ſhall within One Month after his Inrolment, be diſapproved of and diſcharged by the Officer commanding the Regiment or Battalion, no ſuch Sum ſhall be paid to the Perſon ſo choſen by Lot, but ſhall be paid, in Manner aboveſaid, to the next Perſon choſen by Lot in his Stead; and if the Subſtitute he ſhall have found be diſapproved in Manner aboveſaid, then no ſuch Sum to be paid to the Man ſo choſen by Lot, in Manner aboveſaid, unleſs he ſhall ſerve himſelf, or ſhall find another Subſtitute.

If the Perſon choſen by Lot and inrolled, ſhall be diſapproved of, and diſcharged within the Month, the Money ſhall not be paid to him, but to the next Perſon choſen in his Stead; and the ſame Rule is to be obſerved in the Caſe of Subſtitutes; and no Money is to be paid on that Head, but by an Order of the Dep. Lieutenants before whom the Perſons were choſen.

Provided always, That no Perſon ſo choſen by Lot as aforeſaid, ſhall be intitled to One half of the ſaid current Price of a Voluntier, without the Order of the Perſons aforeſaid, before whom the ſaid Perſon choſen by Lot, expreſſed under their Hands.

Hired Servants ſerving in the Militia, upon Application to a Juſtice, ſhall recover the Wages then due to them.

And be it enacted, That if any Servant hired by the Year, or otherwiſe, ſhall ſerve in the Militia, it ſhall and may be lawful for One Juſtice of the Peace, upon Complaint made to him on Oath by ſuch Servant, to order ſo much of his Wages, as ſhall appear to ſuch Juſtice to be due to ſuch Servant, to be immediately paid him by his Maſter or Employer, in proportion to the Service he has performed, under the Contract or Agreement made between them at the Time ſuch Servant was hired; and the ſaid Juſtice ſhall proceed therein in the ſame Manner as is directed by an Act paſſed in the Twentieth Year of the Reign of His late Majeſty, intituled, An Act for the better adjuſting and more eaſy Recovery of the Wages of certain Servants; and for the better Regulation of ſuch Servants, and of certain Apprentices.

Juſtice to proceed therein as directed by Act 20 *Geo.* II.

None but Churchwardens and Overſeers may make any pecuniary Contract to indemnify or inſure Perſons from ſerving in the Militia,

Provided always, and it is hereby enacted, That from and after the paſſing of this Act, it ſhall not be lawful for any Perſon or Perſons whatſoever (other than ſuch Churchwardens and Overſeers as aforeſaid, for the Purpoſes aforeſaid) to contract, undertake, or agree, with any Perſon or Perſons, for any Sum or Sums of Money, or any other Conſideration or Reward, to indemnify or inſure any Perſon or

Persons liable to serve in the Militia, against serving therein, or in like Manner to contract, undertake, or agree, to provide a Substitute or Substitutes for any Person or Persons who may be chosen by Lot to serve in the Militia, or to pay the Penalty of Ten Pounds by this Act laid upon any Person chosen by Lot to serve in the Militia, and who shall refuse or neglect to appear, and take the Oath, and serve in the Militia, or to provide a Substitute; and if any Person shall offend herein, every such Person shall, for every such Contract, Undertaking, or Agreement, forfeit and pay the Sum of One hundred Pounds, to be recovered in any of His Majesty's Courts of Record, by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, Wager of Law, or more than One Imparlance, shall be allowed; One Moiety of which Penalty shall be applied to the Use of the Prosecutor, and the other Moiety to the Use of the Poor of the Parish wherein the Offence shall be committed; and every such Contract, Undertaking, or Agreement, is hereby declared to be absolutely null and void, to all Intents and Purposes whatsoever.

or to provide Substitutes, or pay the 10*l.* in lieu thereof;

on Penalty of forfeiting 100*l.*

One Moiety thereof to go to the Prosecutor, and the other to the Poor of the Parish, and the Contract to be void.

Provided, That nothing herein before contained, shall extend to prevent any Person who shall have been actually chosen by Lot to serve in the Militia, from procuring, by himself or others, a proper Person to serve as his Substitute.

The above Clause not to prevent Persons chosen by Lot from procuring Substitutes for themselves;

Provided also, That nothing in this Act shall extend to prevent Persons of the same Parish, Township, Tything, or Place, or of Two or more Parishes, Tythings, or Places, added, or which may be added together, for the Purposes of this Act, from entering into Subscriptions amongst themselves, for paying jointly for any Substitute or Substitutes who may be provided for any One or more of the subscribing Persons, on whom the Lot may fall.

nor Persons of the same, or neighbouring Parishes, from subscribing towards paying jointly for Substitutes, in the room of such of them as shall be chosen by Lot.

And be it enacted, That if any Person sworn and inrolled to serve in the Militia as Voluntier or Substitute, shall have received any Sum of Money from any Person whatsoever for such Service, and shall be inlisted to serve in his Majesty's other Forces, such Inlisting shall be, and the same is hereby declared to be, null and void, until the said Militia Man, or the Officer with whom he shall inlist, shall have paid to the Overseer or Overseers of the Parish or Place, Parishes or Places, for which the said Militia Man served, the full Sum he received for such his Service; which Sum shall be laid out by such Overseer or Overseers, in or towards the

Hired Voluntier or Substitute inlisting in the Army,

such Inlisting is declared void, unless the Money be returned to the Overseers of the Parish,

providing another fit Person to serve in the Militia, for the Space of Three Years, in the Place of the Militia Man so inlisted into His Majesty's other Forces: And in case the Money so received shall not be sufficient to provide another fit Person to serve as aforesaid, such Overseer or Overseers shall be reimbursed such further Sum of Money as he shall pay for providing such other fit Person, in the same Manner as is directed by this Act upon the providing of Volunteers: And in case the Money so received shall exceed the Sum expended in providing such fit Person as aforesaid, the Surplus shall be accounted for by such Overseer or Overseers, as so much Money in his or their Hands for the Purposes of providing Volunteers for such Parish or Parishes, Place or Places: And in case such Militia Man shall not, at the Time of his Inlisting, inform the Officer with whom he inlists, that he is a Militia Man, and for what Parish, Tything, or Place, or Parishes, Tythings, or Places, he serves, and shall be thereof convicted upon Oath, before any One Justice of the Peace, it may and shall be lawful for such Justice, and he is hereby required, by Warrant under his Hand and Seal, to commit such Militia Man to the House of Correction for any Time not exceeding Three Months.

which is to be laid out by them in providing another fit Person;

and if the Sum be insufficient, they are to be reimbursed the additional Expence by a Rate,

and account for the Surplus;

and such hired Volunteer or Substitute so inlisting, not informing the Officer of his being in the Militia,

is to be committed to the House of Correction not exceeding 3 Months.

And be it enacted, That if any Serjeant, Drummer, or Fifer, serving in the Militia, shall, in any City, Town, or Place, beat up for Volunteers to serve in the Militia, the Person who shall give such Serjeant, Drummer, or Fifer, Orders for so doing, shall, upon Proof of such Beating up and such Orders given, upon Oath, before any Justice of the Peace, forfeit and pay the Sum of Twenty Pounds; One Moiety whereof shall be applied to the Use of the Person who shall make Information thereof before any Justice of the Peace of such Beating up for Volunteers, and the other Moiety shall be applied as Part of the Stock belonging to the Regiment or Battalion to which such Serjeant, Drummer, or Fifer, shall belong: And if such Serjeant, Drummer, or Fifer, shall refuse to declare, upon Oath, before such Justice, from whom he received such Orders, it may and shall be lawful for such Justice, and he is hereby required, by Warrant under his Hand and Seal, to commit such Serjeant, Drummer, or Fifer, to the House of Correction, for any Time not exceeding Three Months.

Serjeant, Drummer, or Fifer, beating up for Volunteers for the Militia, the Person who gave the Orders forfeits 20 *l.*

One Moiety to the Informer, and the other to the Regimental Stock;

and the Serjeant, &c. not declaring who gave such Orders,

is to be committed to the House of Correction not exceeding 3 Months.

And be it further enacted and declared, That no Officer or Non-commission Officer in the Militia shall, during the Time the Regiment, Battalion, or Independent Company, in which he serves, shall be out of the County,

While the Militia is out of its proper County, no Person may be engaged to serve therein,

ty, Riding, or Place, to which they belong, engage any Perſon to ſerve as a Militia Man in ſuch Regiment, Battalion, or Independent Company, unleſs ſuch Perſon ſo engaged ſhall be a Native of the County to which the ſaid Regiment, Battalion, or Independent Company belongs. who is not of the County to which ſuch Regiment belongs.

And be it enacted, That in the ſeveral Counties, Ridings, and Places, where the Militia has been or ſhall be raiſed, His Majeſty's Lieutenant of every ſuch County, Riding, and Place, together with any Two or more Deputy Lieutenants, and on the Death or Removal, or in the Abſence, of His Majeſty's Lieutenant, any Three or more Deputy Lieutenants, ſhall meet annually on the laſt Tueſday in May, or on the laſt Tueſday in October, as they ſhall think moſt convenient for the due Execution of this Act; and ſhall appoint the Times and Places for holding Four or more Subdiviſion Meetings of Deputy Lieutenants and Juſtices of the Peace in every Year; and ſhall cauſe new Liſts in the ſeveral Pariſhes, Tythings, and Places, to be made and returned to the Deputy Lieutenants and Juſtices of the Peace at the Firſt of the ſaid Subdiviſion Meetings, in the ſame Manner as Liſts are herein before directed to be made and returned in Counties, Ridings, and Places, where the Militia has not been raiſed. A General Meeting of the Ld. Lieut. and Deputies, to be held annually on the laſt *Tueſday* in *May*, or *October*, as ſhall be judged moſt convenient; and the Times and Places to be then appointed for holding 4 or more Subdiviſion Meetings, and for the Returns of new Liſts to the Firſt of thoſe Meetings.

And be it enacted, That if the Liſt of any Pariſh, Tything, or Place, ſhall be loſt or deſtroyed, it may and ſhall be lawful for any Three Deputy Lieutenants, or any Two Deputy Lieutenants together with any One Juſtice of the Peace, or any One Deputy Lieutenant together with any Two Juſtices of the Peace, in their Subdiviſions, to cauſe a new Liſt in ſuch Pariſh, Tything, or Place, to be made, and returned to them at their next Subdiviſion Meeting, in the ſame Manner as the Liſt loſt or deſtroyed was cauſed to be made and returned to them by Direction of the General Meeting of Lieutenants and Deputy Lieutenants. Where any Liſt ſhall be loſt or deſtroyed, the Dep. Lieutenants are to order new ones to be made, and returned to their next Subdiviſion Meeting.

And be it enacted, That the ſaid Deputy Lieutenants, or any Three or more of them, or any Two Deputy Lieutenants together with any One Juſtice of the Peace, or any One Deputy Lieutenant together with any Two Juſtices of the Peace, ſhall meet in their ſeveral Subdiviſions at the Times appointed at the General Meetings of His Majeſty's Lieutenant and Deputy Lieutenants: And if any Private Militia Man ſhall ſhew juſt Cauſe for his Diſcharge, and, being embodied, ſhall likewiſe produce a regular Diſcharge from his Commanding Officer, the ſaid Deputy Lieutenants, or any Three Dep. Lieutenants are to hold their Subdiviſion Meetings purſuant to the Appointment at the General Meetings; and Militia Man appearing thereat, and ſhewing Cauſe for his Diſcharge, and

or

producing, if embodied, a Discharge from his Commanding Officer,

they are to discharge him, and fill up all Vacancies occasioned thereby, or otherwise,

or more of them, or any Two Deputy Lieutenants together with any One Justice of the Peace, or any One Deputy Lieutenant together with any Two Justices of the Peace, shall and may, at such Subdivision Meetings, discharge such Person from serving in the Militia; and in the Stead of the Persons so discharged, and also if there should be any other Vacancy by Death or otherwise, such Deputy Lieutenants, or any Three or more of them, or any Two Deputy Lieutenants together with any One Justice of the Peace, or any One Deputy Lieutenant together with any Two Justices of the Peace,

after having amended the Lists,

shall, after having amended the Lists in the same Manner as the Deputy Lieutenants and Justices, in their Subdivisions, are to amend the Lists in the several Counties where the Militia has not been raised, cause a

by proceeding to draw the Lots,

like Number of other Persons to be chosen by Lot out the Lists of such Parishes, Tythings, or Places, where

unless the Number wanted shall be otherwise provided;

such Vacancies shall happen, unless such Number of Persons shall be otherwise provided as is by this Act directed; which Persons so chosen, or their Substitutes provided and approved as aforesaid, shall take the Oath

and the Persons so chosen, or their Substitutes, are to be inrolled for 3 Years.

required by this Act to be taken: And every Person so chosen shall be inrolled, and every Substitute so provided shall subscribe his Consent to serve, and shall serve in the said Militia for the Space of Three Years, subject to the Directions, Provisions, and Penalties in this Act contained.

A Subdivision Meeting may be held, on 7 Days Notice, for filling up Vacancies by Death, or otherwise.

Provided nevertheless, That it shall and may be lawful for any Three Deputy Lieutenants, or any Two Deputy Lieutenants together with any One Justice of the Peace, or any One Deputy Lieutenant together with any Two Justices of the Peace, upon any Vacancy or Vacancies in the Militia, by Death or otherwise, to appoint a Subdivision Meeting for the filling up such Vacancy or Vacancies, giving Seven Days Notice thereof.

Vacancies occasioned by the Death, Promotion to a Halberd, or Discharge of a Substitute,

And be it enacted, That when any Substitute shall, after having been approved by any Three Deputy Lieutenants, or by any Two Deputy Lieutenants together with any One Justice of the Peace, or by any One Deputy Lieutenant together with any Two Justices of the Peace, and before the Expiration of the Term for which he was to serve, die, or be appointed a Serjeant in the

to be filled up as in Cases of Death, or Discharge of Persons serving for themselves.

Militia, or be legally discharged, the Person for whom he served as Substitute shall not be obliged to serve himself, or to find another Substitute; but such Vacancy shall be filled up in like Manner as is directed by this

Act, in caſe of Vacancies occaſioned by the Death or Diſcharge of Perſons ſerving for themſelves.

Subſtitute may be ſworn in and inrolled before a Dep. Lieutenant in his Subdiviſion,

And be it enacted, That for the Purpoſe of ſwearing and inrolling Men to ſerve in the Militia, it ſhall and may be lawful for any One Deputy Lieutenant, at any Place in the Subdiviſion he uſually acts in, to ſwear and inrol any Subſtitute to ſerve for any Place in ſuch his Subdiviſion; provided ſuch Subſtitute ſhall produce to ſuch Deputy Lieutenant a Certificate under the Hands and Seals of any Two other Deputy Lieutenants, or of any One Juſtice of the Peace together with any One Deputy Lieutenant, or of any Two Juſtices of the Peace acting in the ſame Subdiviſion, or reſiding near the ſame, certifying they have ſeen, and do approve of, ſuch Subſtitute as a proper Perſon to ſerve in the Militia, and ſuch Perſon ſhall and may be ſworn and inrolled by ſuch Deputy Lieutenant only: Provided nevertheleſs, that the Clerk belonging to ſuch Subdiviſion ſhall and do attend with the Roll at ſuch Swearing and Inrolling.

on producing a Certificate of his having been ſeen and approved of by 2 Dep. Lieutenants, &c.

and the Clerk of the Subdiviſion Meeting attending with the Roll at the Time.

Provided always, and be it further enacted, That if any Militia Man ſhall, during the Time that the Regiment or Battalion in which he ſerves ſhall be embodied, be diſcharged by the Officer commanding ſuch Regiment or Battalion, ſuch Diſcharge ſhall be ſufficient to prevent ſuch Man from being liable to be apprehended as a Deſerter, but ſhall not extend to cauſe another Man to be choſen to ſerve for the Pariſh, Tything, or Place, or Pariſhes, Tythings, or Places, for which ſuch Man ſo diſcharged did ſerve, unleſs he be likewiſe regularly diſcharged by the Deputy Lieutenant or Deputy Lieutenants and Juſtices of the Peace as aforeſaid.

Militia Man embodied, and diſcharged by the Commanding Officer,

is not liable to be apprehended as a Deſerter;

nor ſhall another be choſen in his Room, unleſs he be diſcharged alſo by the D. Lieuts.

And be it further enacted, That all ſuch Militia Men whoſe Time of Service in the Militia ſhall be near expiring, during the Time the Regiment, Battalion, or Independent Company, in which they ſerved, ſhall be abſent from the County, Riding, or Place, to which they belong, ſhall be returned by the Commanding Officer of ſuch Regiment, Battalion, or Independent Company, to the County, Riding, or Place, for which they ſerved, ſo as that they may reach the ſaid County by the Expiration of their Term.

Militia Men, whoſe Time of Service ſhall be near expiring, are to be returned to their proper County,

ſo as they may reach the ſame by the Expiration of their Term.

And be it further enacted, That it ſhall and may be lawful for His Majeſty's Lieutenant together with any Two or more Deputy Lieutenants, and on the Death or Removal, or, in the Abſence of His Majeſty's Lieutenant, for any Three or more Deputy Lieutenants, at a General Meeting to be held after reaſonable Notice

Subdiviſion Meetings may be alter'd at a General Meeting, held after reaſonable Notice;

thereof given, to change or alter any Subdiviſion Meeting or Meetings, whenever they ſhall find it convenient ſo to do.

but the Subdiviſion Meetings already appointed are to remain until they ſhall be by a General Meeting alter'd.

And be it further enacted, That, in order to ſave the Trouble of appointing Subdiviſion Meetings every Year in the ſeveral Counties, Ridings, and Places aforeſaid, the ſeveral Subdiviſion Meetings therein now appointed, ſhall remain and continue until the ſame ſhall be altered by his Majeſty's Lieutenant together with any Two or more Deputy Lieutenants, or, on the Death or Removal, or, in the Abſence of his Majeſty's Lieutenant, by any Three or more Deputy Lieutenants, at ſome General Meeting.

Removal of a Private Man into another Pariſh, &c. the Militia whereof ſerves in the ſame Regiment, does not alter his Service,

nor occaſion a Vacancy in his former Pariſh;

but if the Removal be into another County, &c. the Militia whereof ſerves in different Regiments,

he ſhall ſerve his Time out in the Regiment of that Place, upon the Firſt Vacancy;

and he is to give previous Notice of his Removal to the D. Lieutenants,

and receive a Certificate of his Service;

and if given by 1 D. Lieut. is to be certified to the next Subdiviſion Meeting;

and the Certificate itſelf to be produced at the Subdi-

And be it enacted, That every Militia Man ſhall, if he changes the Place of his Abode from one Pariſh, Tything, or Place, to another Pariſh, Tything, or Place, the Militia whereof ſhall ſerve in the ſame Regiment or Battalion, ſuch Militia Man ſhall continue to ſerve in ſuch Regiment or Battalion for the Place from whence he removed, and ſhall not occaſion a Vacancy for ſuch Pariſh, Tything, or Place, but ſhall be trained, exerciſed, and paid, by the Officer of the Company to which the Militia of ſuch Pariſh, Tything, or Place, to which he removed, ſhall belong; and that every Militia Man, who ſhall change the Place of his Abode from one County to another County, or from one Pariſh, Tything, or Place, to another Pariſh, Tything, or Place, the Militia whereof ſhall ſerve in different Regiments or Battalions, ſuch Perſon ſhall ſerve, upon the Firſt Vacancy that ſhall happen, in ſuch Regiment or Battalion, until his Service ſhall be compleated: And every ſuch Militia Man ſhall, before he changes the Place of his Abode, give Notice thereof to any Three or more Deputy Lieutenants, or to any Two Deputy Lieutenants together with any One Juſtice of the Peace, or to any One Deputy Lieutenant together with any Two Juſtices of the Peace, at ſome Subdiviſion Meeting, or to One Deputy Lieutenant, who ſhall give to ſuch Militia Man a Certificate of the Time he ſhall have ſerved in the Militia for the reſpective Pariſh, Tything, or Place, from his Inrolment to ſerve in the ſame; and if ſuch Certificate ſhall have been given by One Deputy Lieutenant only, ſuch Deputy Lieutenant ſhall certify the ſame to the Deputy Lieutenants and Juſtices of the Peace at their next Meeting within ſuch Subdiviſion, and ſuch Militia Man ſhall produce the ſaid Certificate to the Deputy Lieutenants and Juſtices at the next Meeting for the Subdiviſion wherein

wherein he ſhall then dwell, or to One Deputy Lieutenant reſiding near the Pariſh, Tything, or Place, to which he ſhall remove, who ſhall certify the ſame to the Deputy Lieutenants and Juſtices of the Peace, at their next Subdiviſion Meeting: And if any Militia Man ſo changing the Place of his Abode ſhall not give Notice, and produce his Certificate as aforeſaid, ſuch Militia Man ſo neglecting, and thereof convicted on Oath before One or more Juſtice or Juſtices of the Peace, ſhall forfeit and pay the Sum of Twenty Shillings; and if ſuch Offender ſhall not immediately pay ſuch Penalty, the ſame ſhall be levied by Diſtreſs and Sale of his Goods and Chattles, by Warrant under the Hand and Seal, or Hands and Seals, of ſuch Juſtice or Juſtices, rendering the Overplus (if any) on Demand, after deducting the Charges of ſuch Diſtreſs and Sale, to ſuch Offender upon whom ſuch Diſtreſs ſhall have been made, as aforeſaid; and for want of ſufficient Diſtreſs, ſuch Juſtice or Juſtices ſhall commit ſuch Offender to the Houſe of Correction for any Time not exceeding One Month.

viſion Meeting for the Place to which he ſhall remove.

On Neglect of giving ſuch Notice, and producing Certificate, he forfeits 20s.

to be levied by Diſtreſs and Sale;

and for want of Diſtreſs, he is to be committed not exceeding 1 Month.

And be it enacted, That the Clerk to the Subdiviſion Meeting ſhall, upon Notice given by any Militia Man of the Changing of his Place of Abode, and of a Certificate granted him as aforeſaid, forthwith give Notice thereof to the Clerk of the Meeting for the Subdiviſion to which the Pariſh, Tything, or Place, where he then reſides ſhall belong.

Clerk of the Subdiviſion Meeting is to give Notice of ſuch Militia Man's Change of Abode, &c. to the Clerk for the Diviſion to which he ſhall remove.

Provided always, That no Militia Man having ſerved as a Subſtitute, ſhall, by ſuch Service, be excuſed from ſerving for himſelf when he ſhall be choſen by Lot.

No Subſtitute is to be excuſed from ſerving for himſelf when choſen.

And be it enacted, That the Clerks of the Subdiviſion Meetings ſhall, within Fourteen Days after each Subdiviſion Meeting, tranſmit to his Majeſty's Lieutenant of the County, Riding, or Place, fair and true Copies of the Rolls ſigned at the ſaid Meetings.

Copies of the Rolls ſigned at the Subdiviſion Meetings to be tranſmitted to the Ld. Lieutenant in 14 Days after each Meeting.

And be it enacted, That if any Chief Conſtable or other Officer of any Hundred, Rape, Lath, Wapentake, or other Diviſion, or any Conſtable, Tythingman, Headborough, or other Officer of any Pariſh, Tything, or Place, ſhall refuſe or neglect to return ſuch Liſts, from time to time, in Manner aforeſaid, or to comply with ſuch Orders and Directions as he ſhall, from time to time, receive from His Majeſty's Lieutenant, and the ſaid Deputy Lieutenants, or any Three or more of them, or any Two Deputy Lieutenants together with any One Juſtice of the Peace, or any One Deputy Lieutenant together with any Two Juſtices of the Peace, in purſuance of

Conſtables or other Officers neglecting to return the Liſts, or comply with their Orders,

or being guilty of Fraud or Partiality in their Returns,

this Act, or shall, in making such Return, be guilty of any Fraud or wilful Partiality; any Three or more Deputy Lieutenants, or any Two Deputy Lieutenants together with any One Justice of the Peace, or any One Deputy Lieutenant together with any Two Justices of the Peace, are hereby impowered and required to imprison,

to be imprisoned for One Month,

in the Common Gaol of the respective County, Riding, or Place, such Chief Constable or other Officer of any Hundred, Rape, Lath, Wapentake, or other Division, or such Constable, Tythingman, Headborough, or other Officer of any Parish, Tything, or Place, there to be kept, without Bail or Mainprize, for the Space of One Month, or,

or fined not exceeding 5 *l.* nor less than 40 *s.* to be levied by Distress and Sale.

at their Discretion, to fine such Officer in any Sum not exceeding Five Pounds, nor under Forty Shillings; such Fine to be levied by Distress and Sale of the Offender's Goods and Chattles, by Warrant under the Hands and Seals of any Three or more Deputy Lieutenants, or of any Two Deputy Lieutenants together with any One Justice of the Peace, or of any One Deputy Lieutenant together with any Two Justices of the Peace; rendering the Overplus (if any) on Demand, after deducting the Charges of such Distress and Sale, to such Officer upon whom such Distress shall have been made as aforesaid: And it may and shall be lawful for the

Dep. Lieutenants may issue their Order, commanding the occasional Attendance of the Constable, or other Parish Officer;

Deputy Lieutenants, or any Three or more of them, or any Two Deputy Lieutenants together with any One Justice of the Peace, or any One Deputy Lieutenant together with any Two Justices of the Peace, within their respective Subdivisions, from time to time, to issue out their Order or Warrant, under their Hands and Seals, commanding the Attendance of the Constable, Tythingman, Headborough, or other Officer of any Parish, Tything, or Place, within their several Subdivisions, at such Times and Places as in such Order or Warrant shall be expressed; and if such Constable, Tythingman, Headborough, or other Officer, shall refuse or neglect to appear according to such Order or Warrant, such Constable, Tythingman, Headborough, or other Officer, shall suffer the Pains and Penalties aforesaid.

and on his disobeying such Order, may fine or imprison him.

Persons tampering with the Constables to make false Returns, or to erase, &c. the Name of any Person out of the Lists, forfeit 50 *l.*

And be it enacted, That any Person who shall, by Gratuity, Gift, or Reward, or by Promise thereof, or of any Indemnification, or by Menaces, endeavour to prevail on any Chief Constable, or any Constable, Tythingman, Headborough, or other Officer, of any Parish, Tything, or Place, to make a false Return of any List for any Parish, Tything, or Place, or to erase or leave out of any such List the Name of any such Person as ought to be returned, every such Person shall, for every such Offence, forfeit

forfeit and pay the Sum of Fifty Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at Weſtminſter, wherein no Eſſoin, Wager of Law, or Protection, or more than One Imparlance, ſhall be allowed; all which Penalties ſhall go to the Uſe of the Perſon or Perſons who ſhall ſue for the ſame: And if any Perſon ſhall refuſe to tell his Chriſtian and Sirname, or the Chriſtian and Sirname of any Man lodging or reſiding within his or her Houſe, to any Conſtable, Tythingman, or other Officer, authorized by this Act to demand the ſame, every ſuch Perſon ſhall forfeit and pay the Sum of Ten Pounds.

to the Proſecutor;

and Perſons refuſing to declare their own Names, or thoſe of their Lodgers, &c. forfeit 10*l.*

And be it enacted, That if any Three or more Deputy Lieutenants, or any Two Deputy Lieutenants together with any One Juſtice of the Peace, or any One Deputy Lieutenant together with any Two Juſtices of the Peace, ſhall, at any of their Subdiviſion Meetings, receive Information, or ſhall ſuſpect, that any Perſon inſerted in any Liſt, deſcribed as an Apprentice, has been fraudulently bound Apprentice in order to avoid ſerving in the Militia, it may and ſhall be lawful for any Three or more Deputy Lieutenants, or any Two Deputy Lieutenants together with any One Juſtice of the Peace, or any One Deputy Lieutenant together with any Two Juſtices of the Peace, to make Inquiry into the Binding out ſuch Perſon Apprentice, and to ſummon ſuch Perſons as they ſhall think neceſſary to appear before them, at ſuch Time and Place as they ſhall appoint, and to examine ſuch Perſons, upon Oath, touching the Matter in Queſtion: And in caſe any ſuch Fraud ſhall appear in the Binding out ſuch Perſon Apprentice, it may and ſhall be lawful for ſuch Deputy Lieutenants, or Deputy Lieutenants and Juſtice, or Deputy Lieutenant and Juſtices, to appoint ſuch Perſon, ſo bound Apprentice, to ſerve immediately in the Militia for the Pariſh, Tything, or Place, for which ſuch Liſt ſhall have been returned, if there ſhall be a Vacancy; and if there ſhall be no Vacancy at that Time, then upon the firſt Vacancy that ſhall happen therein: And the Perſon to whom ſuch Apprentice ſhall be ſo bound, ſhall forfeit and pay the Sum of Ten Pounds; which Penalty, in caſe the ſame ſhall not be forthwith paid, ſhall be levied by Diſtreſs and Sale of the Offender's Goods and Chattles, by Warrant under the Hands and Seals of ſuch Deputy Lieutenants, or Deputy Lieutenants and Juſtice, or Deputy Lieutenant and Juſtices, or any Three or more of them, returning the Overplus, if any, after all Charges paid, to the Perſon whoſe Goods and Chattles ſhall be ſo diſtrained; One Moiety whereof ſhall be applied to the

Dep. Lieutenants being informed of, or ſuſpecting, the fraudulent Binding-out of Perſons returned in the Liſt as Apprentices, in order to avoid ſerving,

may ſummon and examine Witneſſes upon Oath touching the ſame;

and if any Fraud ſhall appear,

they are to appoint ſuch Perſon to ſerve immediately,

or upon the firſt Vacancy that ſhall happen;

and the Maſter to whom ſuch Perſon was ſo bound ſhall forfeit 10*l.* to be levied by Diſtreſs and Sale:

One Moiety thereof to go to the Informer, if any.

Use of the Informer, if any; and the other Moiety, or if there shall be no Informer, then the Whole of such Penalty, shall be applied in Manner herein after-mentioned.

Ld. Lieutenant is to transmit, from time to time, to the Privy Council, a State of the Numbers of Persons in the County fit to serve;

And be it enacted, That His Majesty's Lieutenant of every County, Riding, and Place, shall, and he is hereby required to transmit to His Majesty's Privy Council, from time to time, a true State of the Numbers of Persons fit to serve in the Militia for the County, Riding, or Place, of which he is Lieutenant; and that after all the said Numbers shall be transmitted to His Majesty's Privy Council, according to the Directions aforesaid, it may and shall be lawful for the said Council, and they are hereby required to fix and settle, as near as may be, the Number of Private Militia Men who shall for the future serve for each County, Riding, or Place, within the Part of Great Britain aforesaid, by the Proportion which the Numbers returned for each County, Riding, or Place, bear to the whole Number of Private Militia Men by this Act directed to be raised within the Part of Great Britain aforesaid, and forthwith to transmit Accounts of the Numbers so fixed and settled, to all His Majesty's Lieutenants of Counties, Ridings, and Places, within the Part of Great Britain aforesaid, respectively; and where the Number of Private Militia Men so fixed and settled as aforesaid, shall be respectively greater than the Number of Private Militia Men who shall be by virtue of this Act appointed to serve for any County, Riding, or Place, then, and in such Case, His Majesty's Lieutenant together with any Two or more Deputy Lieutenants, and on the Death or Removal, or in the Absence of His Majesty's Lieutenant, any Three or more Deputy Lieutenants, shall, at a General Meeting to be held for that Purpose, appoint what Number of Private Militia Men shall serve for each respective Hundred, Rape, Lath, Wapentake, or other Division, within the County, Riding, or Place, to which they belong; and the additional Number of Private Militia Men to make up the whole Number so fixed and settled as aforesaid, shall be provided or chosen in the same Manner as all other Private Militia Men are by this Act directed to be provided or chosen: And all the additional Men so provided or chosen, or their Substitutes (to be appointed as Substitutes are required to be by this Act) and Volunteers, shall take the Oath by this Act required to be taken, and shall respectively be inrolled, or sign their Consent to serve in the Militia, in the same Manner as is directed, and shall be subject,

and the Privy Council is thereupon to settle the Quota of Men to serve, by the Proportion the Returns for each County bear to the whole Number to be raised within the Kingdom; and are forthwith to transmit Accounts of the Numbers so settled to the Ld. Lieutenants: And where the Number shall be greater than is appointed by the Act, a General Meeting is to be held by the Ld. Lieut. and Deputies,

and the additional Men are to be then provided or chosen in like Manner as is directed in other Cases; and where the Number settled shall be less than is appointed by the Act,

in

in caſe of Refuſal, to the ſame Penalties as are in like Caſes inflicted by this Act: And where the Number of Private Militia Men ſo fixed and ſettled as aforeſaid, ſhall be reſpectively leſs than the Number of Private Militia Men who ſhall be, by virtue of this Act, appointed to ſerve for any County, Riding, or Place, then, and in ſuch Caſe, His Majeſty's Lieutenant together with any Two or more Deputy Lieutenants, and on the Death or Removal, or in the Abſence of His Majeſty's Lieutenant, any Three or more Deputy Lieutenants, ſhall, at a General Meeting to be held for that Purpoſe, diſcharge by Lot proportionably out of each reſpective Hundred, Rape, Lath, Wapentake, or other Diviſion, ſo many Private Militia Men as ſhall exceed the Number ſo fixed and ſettled as aforeſaid.

the Supernumeraries ſhall be diſcharged by Lot.

And be it enacted, That in caſe it ſhall at any Time appear to His Majeſty's Lieutenant and any Two or more Deputy Lieutenants, or on the Death or Removal, or in the Abſence of His Majeſty's Lieutenant, to any Three or more Deputy Lieutenants, of any County, Riding, or Place, at their General Meeting, that the Diſtribution by them made of the whole Number of Militia Men charged upon ſuch County, Riding, or Place, among the ſeveral Hundreds, Rapes, Laths, Wapentakes, or other Diviſions, was either unequally and erroneouſly made, or, from any ſubſequent Alteration of Circumſtances, is become unequal and diſproportionable, it may and ſhall be lawful for His Majeſty's ſaid Lieutenant and any Two or more Deputy Lieutenants, or on the Death or Removal, or in the Abſence, of His Majeſty's Lieutenant, for any Three or more Deputy Lieutenants, to make a new and more equal Diſtribution of ſuch Number as aforeſaid among the ſaid ſeveral Hundreds, Rapes, Laths, Wapentakes, or other Diviſions, according to the Method preſcribed by this Act for making the original Diſtribution, and to cauſe ſuch additional Number of Men to be provided or choſen, or ſuch Number to be diſcharged out of thoſe before provided or choſen for each reſpective Hundred, Rape, Lath, Wapentake, or other Diviſion, as ſhall become neceſſary in conſequence of ſuch new Diſtribution, in like Manner as is by this Act preſcribed to be done, where the ſame ſhall become neceſſary in conſequence of the Accounts tranſmitted from His Majeſty's Privy Council.

Where the Numbers to be raiſed ſhall appear at a General Meeting to have been unequally or erroneouſly apportioned amongſt the ſeveral Hundreds or Diviſions of the County;

or that by Alteration of Circumſtances the ſame is become unequal, &c.

the Ld. Lieutenant and Deputies may make a new and more equal Diſtribution;

and raiſe and diſcharge Men conformable thereto.

And be it enacted, That no Serjeant or Private Man ſerving in the Militia ſhall, during the Time of ſuch Service, be liable to do perſonally any Highway Duty, com-

Serjeant and Militia Man exempted from Statute-work and Pariſh Offices;

monly called Statute-work, or be appointed to ſerve as a Peace Officer or Pariſh Officer, or be liable to ſerve in any of his Majeſty's Land or Sea Forces, unleſs he ſhall conſent thereto.

and from being obliged to ſerve in His Majeſty's Land or Sea Forces.

Militia Man falling ſick on a March, or at the Place of Annual Exerciſe, is to be provided for by an Order from the Magiſtrate, or Juſtice of the Place;

and the Expence is to be reimburſed by his proper Pariſh.

And be it enacted, That in caſe any Private Man ſerving in the Militia, ſhall on the March, or at the Place where he ſhall be called out to Annual Exerciſe, be diſabled by Sickneſs, it ſhall and may be lawful for any One Juſtice of the Peace of the County, or any Mayor or Chief Magiſtrate of any City, Town, or Place, where ſuch Man ſhall then be, to order him ſuch Relief as he ſhall think reaſonable, by Warrant under his Hand and Seal; and the Officers of the Pariſh, Tything, or Place, for which ſuch Man ſhall ſerve as a Militia Man, ſhall reimburſe the ſame to the Officers of the Pariſh where ſuch Militia Man ſhall then receive ſuch Relief, which ſhall be allowed in their Accounts, upon producing the above Order.

No Perſon having ſerved 3 Years, is liable to ſerve again but in Rotation.

And be it enacted, That no Perſon having ſerved perſonally or by Subſtitute Three Years in the Militia, ſhall be obliged to ſerve again, until by Rotation it comes to his Turn.

The ſame Liberty is granted to Militia Men being married and embodied, to ſet up Trades within *Great Britain* or *Ireland*,

as by Act 22 *Geo.* II. is granted to Mariners or Soldiers.

And be it enacted, That every Man having ſerved in the Militia when drawn out and embodied, being a married Man, may ſet up and exerciſe any ſuch Trade as he is apt and able for, in any Town or Place within the Kingdoms of Great Britain and Ireland, without any Let, Suit, or Moleſtation, of any Perſon or Perſons whatſoever, for or by reaſon of the uſing ſuch Trade, as freely, and with the ſame Proviſions, and under the ſame Regulations, and with the like Exception in reſpect to the Two Univerſities of that Part of Great Britain called England, as any Mariner or Soldier may do by an Act paſſed in the Twenty ſecond Year of his late Majeſty's Reign, intituled, An Act to enable ſuch Officers, Mariners, and Soldiers, as have been in His Majeſty's Service ſince His Acceſſion to the Throne, to exerciſe Trades.

Militia Man, if unembodied, is not intitled to his Clothes, till he has ſerved 3 Years;

but if embodied, they are to be applied to his Uſe at the End of 1 Year.

And be it enacted, That no Private Militia Man ſhall be intitled to his Clothes for his own Uſe, until he ſhall have ſerved for the Space of Three Years, if the Regiment or Battalion in which he ſerves ſhall be unembodied; but if ſuch Regiment or Battalion in which he ſerves ſhall be drawn out and embodied, the Clothes ſhall, at the End of One Year, be applied in ſuch Manner as the Colonel or Commanding Officer of his Regiment or Battalion ſhall judge beſt for the Uſe of ſuch Militia Man.

And be it enacted, That if any Militia Man who ſhall have been accepted and inrolled as a Subſtitute, hired Man, or Voluntier, before the Twenty ſecond Day of May, One thouſand ſeven hundred and ſixty, or if any Militia Man who ſhall have been choſen by Lot, whether before or after the Twenty ſecond Day of May, One thouſand ſeven hundred and ſixty, ſhall, when embodied, and called out into actual Service, and ordered to march, leave a Family unable to ſupport themſelves, the Overſeer or Overſeers of the Poor of the Pariſh, Tything, or Townſhip, where the Family of ſuch Militia Man ſhall dwell, ſhall, by Order of ſome One Juſtice of the Peace, out of the Rates for the Relief of the Poor of ſuch Pariſh, Tything, or Townſhip, pay to ſuch Family a Weekly Allowance, according to the uſual and ordinary Price of Labour in Huſbandry within the ſaid County, Riding, Diviſion, Diſtrict, or Place, where ſuch Family ſhall dwell, by the following Rule; that is to ſay, For One Child under the Age of Ten Years, any Sum not exceeding the Price of One Day's Labour; for Two Children under the Age aforeſaid, any Sum not exceeding the Price of Two Days Labour; for Three or Four Children under the Age aforeſaid, any Sum not exceeding the Price of Three Days Labour; for Five or more Children under the Age aforeſaid, any Sum not exceeding the Price of Four Days Labour; and for the Wife of ſuch Militia Man, any Sum not exceeding the Price of One Day's Labour; and in every Pariſh, Tything, or Townſhip, where the Money ariſing by ſuch Rates ſhall not be ſufficient for the Purpoſe aforeſaid, a new Rate or Rates ſhall be made for raiſing a Sum ſufficient for that Purpoſe: And every ſuch Weekly Allowance ſhall be forthwith reimburſed to the Overſeer or Overſeers of ſuch Pariſh, Tything, or Townſhip, by the Treaſurer of the County, Riding, or Place, where ſuch Pariſh, Tything, or Townſhip ſhall be ſituate, out of the publick Stock of ſuch County, Riding, or Place.

Overſeers are to pay out of the Poor Rates, by Order of ſome Juſtice, a Weekly Allowance to the diſtreſs'd Families of ſuch Men embodied and called out, as ſhall have been choſen by Lot, and of ſuch Subſtitutes, hired Men, and Voluntiers, as were inrolled before 22 *May*, 1760, according to the uſual Price of Labour in Huſbandry within the County, and the Number and Age of the Children: *Viz.* for 1 Child under 10 Years, 1 Day's Labour; 2 *ditto*, 2 Days Labour; 3 or 4 *ditto*, 3 Day's Labour; 5 or more *ditto*, 4 Day's Labour: For the Wife, 1 Day's Labour: And where the ſaid Rates ſhall be inſufficent, a new Rate is to be made; and the Overſeers are to be reimburſed forthwith out of the County Stock.

And be it enacted, That the Treaſurer of every County, Riding, Diviſion, and Place, ſhall and is hereby required to keep exact and diſtinct Accounts of all the Monies that ſhall have been ſo by him reimburſed, to ſuch Overſeer or Overſeers as aforeſaid, in purſuance of the Directions of this Act; and ſhall at the End of Seven Calendar Months from the paſſing of this Act, and afterwards at the End of every Six Calendar Months, return the ſaid Accounts, together with the Accounts which he ſhall have received from the ſeveral Treaſurers

Treaſurer of the County is to keep an Account of the Monies ſo reimburſed to the Overſeers, and return half-yearly the ſaid Accounts with thoſe received from the City Treaſurer, *&c.* into the Exchequer.

of the Cities, Towns, Liberties, or Places, to the Office of the Treasurer's Remembrancer of the Court of Exchequer.

Where any City or Place shall not be liable by Act 12 *Geo.* II. to contribute to County Rates,

the Justices may appoint a Treasurer,

and assess each Parish, proportionate to their usual Poors Rate,

in a Sum sufficient to reimburse the Overseers the Weekly Allowances paid by them;

and such Treasurer is to reimburse the said Overseers, and keep an Account of the Monies paid by him, and transmit the same half-yearly to the County Treasurer.

Provided always, and be it enacted, That in all Cities, Towns, Liberties, Divisions, and Places, which are not liable to contribute to County Rates by virtue of an Act made in the Twelfth Year of his late Majesty's Reign, intituled, An Act for the more easy assessing, collecting, and levying of County Rates, the Justices of the Peace for every such City, Town, Liberty, Division, and Place, at any Sessions or Meeting, or the major Part of them then and there assembled, may and shall appoint a Treasurer, and shall assess upon every Parish, Tything, Townships, Hamlet, or Vill, within the Limits of their respective Jurisdictions, in such Proportions as the Rates heretofore made for the Relief of the Poor have been usually assessed; and shall cause to be paid out of the Money collected and levied for the Relief of the Poor of every such Parish, Tything, Township, Hamlet, or Vill, into the Hands of such Treasurer, such Sum or Sums of Money as they in their Discretion shall think sufficient for reimbursing to the Overseer or Overseers of the several Parishes, Tythings, Townships, Hamlets, or Vills, within the Limits of their respective Jurisdictions, the Amount of the Weekly Allowances paid by such Overseer or Overseers to the Families of the Militia Men residing within their respective Jurisdictions as aforesaid; and every such Treasurer shall forthwith reimburse the same to every such Overseer or Overseers accordingly: And such Treasurer is hereby required to keep exact and distinct Accounts of all the Monies that shall have been so paid into his Hands, and so by him reimbursed to such Overseer or Overseers as aforesaid; and shall, at the End of every Six Calendar Months, transmit the said Accounts to the Treasurer of the County or Riding which such City, Town, Liberty, Division, and Place, is, by this Act, united with and made Part of for the Purposes of this Act: Provided that the Treasurer of the City of Lincoln and County of the said City, shall transmit his Accounts to the Treasurer of the Division of Linsey, within the County of Lincoln.

Treasurer of the City, &c. of *Lincoln* is to transmit his Accounts to the Treasurer of *Linsey* Division.

Allowances made within the City and County of the City of *Exeter*, are to be paid by the Treasurer of the Guardians of the Poor,

Provided always, and be it enacted, That within the City and County of the City of Exeter, all Allowances to be made by virtue of this Act to the Families of Persons serving in the Militia, shall be paid by the Treasurer or Treasurers of the Corporation of the Governor, Deputy Governor, Assistants, and Guardians, of the Poor of the City and County of Exeter; and that the same shall

ſhall be aſcertained, aſſeſſed, raiſed, collected, and levied, by ſuch and the ſame Ways and Means as the Money raiſed for the Relief of the Poor within the ſaid City and County is, by virtue of Two Acts of Parliament, the One of them made in the Ninth and Tenth Years of King William the Third, and the other of them in the Thirty firſt Year of His late Majeſty King George the Second, directed to be raiſed: And it ſhall and may be lawful for the ſeveral Perſons authorized to put the ſaid Acts in Execution, to cauſe to be raiſed and levied ſuch Sum or Sums as ſhall be neceſſary for that Purpoſe, over and above what they are already authorized to raiſe for the Relief of the Poor of the ſaid City and County; and all and every Perſon and Perſons who are by the ſaid Acts, or either of them, required to do any Act, Matter, or Thing, for the aſcertaining, aſſeſſing, confirming, or altering of Aſſeſſments, collecting and levying the Sums thereby directed to be raiſed for the Relief of the Poor, are hereby required and authorized to do all ſuch and the like Acts, Matters, and Things, for the aſcertaining, aſſeſſing, confirming, or altering Aſſeſſments, collecting and levying the Money hereby directed to be raiſed, and ſhall be ſubject to all ſuch Forfeitures and Penalties, in caſe of their Neglect or Refuſal to perform the ſame, as are impoſed upon Offences of the like Nature by the above mentioned Acts, or either of them; and alſo in the ſame Manner, and by the ſame Ways and Means, to raiſe and levy, or cauſe to be raiſed and levied, ſuch further Sum and Sums of Money as ſhall have been advanced and paid by the Treaſurer of the Corporation of the Poor for the Maintenance of ſuch Wives and Families, and ſhall cauſe the ſame to be repaid to the Treaſurer of the ſaid Corporation.

and to be aſſeſſed and levied as their Poors Rate is by Acts 9 *Will.* III. and 31 *Geo.* II. directed;

and to be additional to what they are authorized to raiſe for their Poor Rate;

and to be raiſed and levied under like Penalties;

and the Money already advanced and paid by the ſaid Treaſurer towards the ſaid Allowances is to be raiſed and levied in like Manner.

Provided alſo, and be it enacted, That all Monies to be levied by Pariſh Rates to be made within the City and County of the City of Briſtol, by virtue of this Act, ſhall be paid, aſcertained, aſſeſſed, raiſed, collected, levied, and repaid, in ſuch Manner, and by ſuch and the ſame Ways and Means, as are preſcribed to be obſerved in raiſing Money for the Relief of the Poor within the ſaid City and County of the City of Briſtol, by virtue of any Act or Acts of Parliament relating thereto; and that it ſhall and may be lawful for the ſeveral Perſons authorized to put the ſaid Acts in Execution, to cauſe to be raiſed and levied ſuch Sum or Sums, over and above what they are already authorized to raiſe for the Relief of the Poor of the ſaid City and County, and alſo in the ſame Manner, and by the ſame Ways and Means,

Monies to be levied by this Act, by Pariſh Rates in *Briſtol*, are to be raiſed and paid, *&c.* as the Poor Rate there;

and to be additional to what is already authorized to be raiſed there;

And the Money already advanced by the Treaſurer of the Corporation of the Poor is to be aſſeſſed and repaid him;

and all Acts requiſite thereto, are to be done, under like Penalties, as are preſcribed with reſpect to Officers neglecting their Duty in Execution of the Poor Laws there.

to raiſe and levy, or cauſe to be raiſed and levied, ſuch further Sum and Sums of Money as ſhall have been advanced and paid by the Treaſurer of the Corporation of the Poor, and ſhall cauſe the ſame to be repaid to the Treaſurer of the ſaid Corporation; and that all and every Perſon and Perſons, who are by the ſaid Acts, any or either of them, required to do any Act, Matter, or Thing, for the aſcertaining, aſſeſſing, confirming, or altering of Aſſeſſments, collecting and levying the Sums thereby directed to be raiſed for the Relief of the Poor, are hereby required and authorized to do all ſuch and the like Acts, Matters, and Things, for the aſcertaining, aſſeſſing, confirming, or altering Aſſeſſments, collecting and levying the Money hereby directed to be raiſed, and ſhall be ſubject to all ſuch Forfeitures and Penalties, in caſe of their Neglect or Refuſal to perform the ſame, as are impoſed upon Officers of the like Nature by the above mentioned Acts, any or either of them.

Where Treaſurers ſhall reimburſe to Overſeers any Money, on account of the Weekly Allowance to the Families of Militia Men ſerving in any County, other than that wherein ſuch Families dwell,

they are to tranſmit an Account thereof, ſigned by a Juſtice, to the Treaſurer of the County wherein ſuch Men ſerve,

who is to reimburſe them the ſame.

Provided always, and be it enacted, That the Treaſurer of any County, Riding, City, Town, Liberty, Diviſion, or Place, within the Part of Great Britain aforeſaid, who ſhall, after the paſſing of this Act, reimburſe to any Overſeer or Overſeers of the Poor of any Pariſh, Tything, Townſhip, Hamlet, or Vill, any Sum or Sums of Money, in purſuance of the Directions of this Act, on account of the Weekly Allowance to the Family of any Militia Man, ſerving in the Militia of any County, Riding, City, Town, Liberty, Diviſion, or Place, other than the County, Riding, City, Town, Liberty, Diviſion, or Place, where ſuch Family ſhall dwell, ſhall deliver or tranſmit an Account of ſuch Money as he ſhall have ſo reimburſed as aforeſaid, ſigned by One or more Juſtice or Juſtices of the Peace for the County, Riding, City, Town, Liberty, Diviſion, or Place, where ſuch Family ſhall dwell, to the Treaſurer of the County, Riding, City, Town, Liberty, Diviſion, or Place, in the Militia whereof ſuch Militia Man ſhall ſerve; and thereupon the Treaſurer, to whom ſuch Account ſhall have been delivered or tranſmitted as aforeſaid, ſhall, and is hereby required to pay to the Treaſurer who ſhall have ſo delivered or tranſmitted ſuch Account, the Sum or Sums ſo by him reimburſed to ſuch Overſeer or Overſeers, and ſhall be allowed the ſame in his Accounts.

If a Quaker be choſen, and refuſe to ſerve, or provide a Subſtitute,

And be it enacted, That if any Perſon, being One of the People called Quakers, ſhall be choſen by Lot to ſerve in the Militia, and ſhall refuſe or neglect to appear, and to take the Oath, and ſerve in the Militia, or to provide

a Subſtitute, to be approved as aforeſaid, who ſhall take the ſaid Oath, and ſubſcribe his Conſent to ſerve as the Subſtitute of ſuch Quaker; then, and in every ſuch Caſe, any Three Deputy Lieutenants, or any Two Deputy Lieutenants together with any One Juſtice of the Peace, or any One Deputy Lieutenant together with any Two Juſtices of the Peace, ſhall, if they think proper, upon as reaſonable Terms as may be, provide and hire a fit Perſon, who ſhall take the ſaid Oath, and ſubſcribe his Conſent to ſerve in the ſaid Militia for the Space of Three Years, as the Subſtitute of ſuch Quaker; and any Three Deputy Lieutenants, or any Two Deputy Lieutenants together with any One Juſtice of the Peace, or any One Deputy Lieutenant together with any Two Juſtices of the Peace, are hereby impowered and required to levy by Diſtreſs and Sale of the Goods and Chattles of ſuch Quaker, by Warrant under their Hands and Seals, ſuch Sum or Sums as ſhall be neceſſary to defray the Expence of providing and hiring ſuch Perſon to ſerve in the Militia, for the Space of Three Years, as the Subſtitute of ſuch Quaker, ſo refuſing or neglecting, as aforeſaid; rendering the Overplus, if any, after deducting the Charges of ſuch Diſtreſs and Sale, to ſuch Quaker, upon whom ſuch Diſtreſs ſhall have been made as aforeſaid: And in caſe any Meaſures ſhall be uſed in making Diſtreſs as aforeſaid, which may be by any ſuch Quaker thought oppreſſive, it ſhall be lawful for ſuch Quaker to complain thereof to the Deputy Lieutenants and Juſtices of the Peace, at their next Meeting, who are hereby impowered and required to hear and finally determine the ſame.

the Dep. Lieutenants may provide one, and levy the Expence by Diſtreſs and Sale;

but if any oppreſſive Meaſures be uſed in making ſuch Diſtreſs, he is to be redreſs'd, upon Complaint made by him:

Provided always, and be it further enacted by the Authority aforeſaid, That in every Pariſh, Tything, or Place, or Two or more Pariſhes, Tythings, or Places, ſo added together as aforeſaid, in which any ſuch Rate ſhall be made, where the Churchwardens or Overſeers ſhall make Complaint to a Juſtice of the Peace, that a Quaker or Quakers refuſe to pay the Sum or Sums of Money he or they ſhall be rated at, ſuch Juſtice may and ſhall order ſuch Coſt and Charges, for levying ſuch Diſtreſs, as he ſhall think reaſonable, not exceeding the Sum of Ten Shillings on each of the ſaid Quakers where there are no more than Two of them, and, where there are a greater Number, not exceeding Five Shillings on each of the ſaid Quakers.

And where any Quakers ſhall refuſe to pay to the Rates authorized by this Act to be made,

the Juſtices, upon Complaint of the Churchwardens, may order reaſonable Coſt and Charges for levying the Diſtreſs, in proportion to the Sums here allowed.

Dep. Lieutenants and Juſtices may act in any and every Subdiviſion of the County for which they are commiſſion'd.

And be it enacted and declared, That it may and ſhall be lawful for any Deputy Lieutenant or Juſtice of the Peace to act in the Execution of this Act, in any and every Subdiviſion within the County, Riding, or Place, for which he is or ſhall be commiſſioned; and that each and every ſuch Deputy Lieutenant and Juſtice of the Peace hath and ſhall have the ſame Power and Authority therein, as is by this Act given to any Deputy Lieutenant or Juſtice of the Peace, within the Subdiviſion to which he is or ſhall be particularly appointed.

A Clerk for the General Meetings is to be appointed by the Ld. Lieut.

and Clerks for the Subdiviſion Meetings by the D. Lieuts.

And be it enacted, That His Majeſty's Lieutenant for any County, Riding, or Place, may and ſhall appoint a Clerk for the General Meetings within ſuch County, Riding, or Place, and may diſplace ſuch Clerk if he ſhall think fit, and appoint another in his Room; and the Deputy Lieutenants within their reſpective Subdiviſions, or the major Part of them preſent, may and ſhall appoint a Clerk for their Subdiviſion, and may diſplace ſuch Clerk, if they or the major Part of them preſent ſhall think fit, and appoint another in his Room.

2 D. Lieuts. and 1 Juſtice, or 1 Deputy and 2 Juſtices, may exerciſe the ſame Powers in the Counties of *Cumberland*, *Huntingdon*, *Monmouth*, *Weſtmorland*, *Rutland*, and *Wales*, as are conferred on 3 D. Lieuts. of any other County.

And be it enacted, That any Two Deputy Lieutenants together with any One Juſtice of the Peace, or any One Deputy Lieutenant together with any Two Juſtices of Peace, within the Counties of Cumberland, Huntingdon, Monmouth, Weſtmorland, and Rutland, and within all the ſeveral Counties and Places within the ſaid Dominion of Wales reſpectively, ſhall have and exerciſe all and every the Powers conferred by this Act on any Three Deputy Lieutenants of any County, Riding, or Place, within that Part of Great Britain called England; any thing herein contained to the contrary notwithſtanding.

Where a ſufficient Number to act ſhall not appear at any Subdiviſion Meeting, the Clerk is to give 5 Days Notice of another Meeting to be held within 14 Days after the former Meeting.

And be it enacted, That if it ſhall happen that there ſhall not appear at any Subdiviſion Meeting, a ſufficient Number of Deputy Lieutenants and Juſtices of the Peace to act, the Clerk of ſuch Meeting ſhall, by Notice given in Writing to all the Deputy Lieutenants within ſuch Subdiviſion, or left at their reſpective Places of Abode, appoint another Meeting to be held within Fourteen Days at the ſame Place where ſuch Meeting had been before appointed to be held, giving at leaſt Five Days Notice thereof.

Fines for not ſerving are to be applied in providing Subſtitutes;

And be it enacted, That all Sums of Money ariſing by Forfeitures paid by, or levied upon, Perſons refuſing to ſerve in the Militia perſonally or by Subſtitute, ſhall be applied, in the firſt Place, by any Three Deputy Lieutenants, or by any Two Deputy Lieutenants together with any One Juſtice of the Peace, or by any

One Deputy Lieutenant together with any Two Juſtices of the Peace, within their reſpective Subdiviſions, in providing a Subſtitute for the Perſon who ſhall have paid ſuch Penalty; and if any Part of ſuch Penalty ſhall remain after ſuch Subſtitute ſhall be provided, the ſame ſhall be paid to the Colonel or Commanding Officer of the Regiment or Battalion, and be applied as Part of the Regimental Stock.

and the Surplus, if any, to be applied as Part of the Regimental Stock.

And be it enacted, That every Perſon liable to ſerve in the Militia, having more than One Place of Reſidence, ſhall be deemed to reſide only and ſhall ſerve as a Militia Man, within the County, Riding, or Place, where his Name ſhall have been firſt inſerted in a Liſt, and returned as herein directed, ſubjecting him to ſuch Service; and the Clerk to the Subdiviſion Meeting to which ſuch Liſt ſhall be returned, ſhall, if any ſuch Perſon require the ſame, grant a Certificate gratis, under his Hand, that ſuch Perſon's Name was inſerted in ſuch Liſt, ſpecifying the Times when ſuch Liſt was made and returned.

Perſons liable to ſerve, having more than One Place of Reſidence, ſhall be deemed to reſide in, and ſhall ſerve only in, the County where firſt returned in the Liſt; and Certificates, if required, ſhall be granted *gratis* of ſuch Returns.

And be it enacted, That within One Month after the ſaid Rolls are ſo returned from the Deputy Lieutenants and Juſtices of the Peace as aforeſaid, His Majeſty's Lieutenant together with any Two or more Deputy Lieutenants, and on the Death or Removal, or in the Abſence of His Majeſty's Lieutenant, any Three or more Deputy Lieutenants, ſhall meet together, and form and diſpoſe the Militia for their reſpective Counties, Ridings, or Places (where the ſame has not already been formed and ordered) into Regiments, conſiſting, where the Number of Militia Men will admit the ſame, of Twelve, but in no Caſe of leſs than Eight, Companies of Eighty Men at the moſt, and Sixty Men at the leaſt, of Perſons living as near to each other as conveniently can be; and ſhall poſt to each Company proper Officers commiſſioned and qualified aforeſaid; (that is to ſay) The Field Officers of a Regiment ſhall be, One Colonel, One Lieutenant Colonel, and One Major; and where the Number of Private Men ſhall amount to Five Companies, or to any Number under Eight Companies, ſuch Militia ſhall be formed into a Battalion, with One Lieutenant Colonel, and One Major, and no other Field Officer; and where the Number of Private Men ſhall amount to Three Companies, or to any Number under Five Companies, ſuch Militia ſhall alſo be formed into a Battalion, with One Lieutenant Colonel or Major, and no other Field Officer: And in each Regiment or Battalion of Militia, a Number of Captains, Lieutenants,

A General Meeting is to be held of the L. Lieut. and Deputies, *&c.* within a Month after the Return of the Rolls from the D. Lieuts. to form the Men, (if not already) into Regiments of 12 but not leſs than 8 Companies of 80 Men at the moſt, and 60 Men at the leaſt,

and poſt the Officers, *viz.*

1 Colonel, 1 Lt. Colonel, and 1 Major, to each Regiment;

and where the Number of Men ſhall make 5 or more Companies, but leſs than 8, they are to be formed into Battalions, with 1 Lieut. Colonel, and 1 Major;

and to a Battalion of 3 Companies, or leſs than 5,

1 Lieut. Colonel or Major; and 1 Capt. Lieut. and Enſign to each Company.

Grenadier Companies excepted, wherein are to be 1 Capt. and 2 Lieuts.

nants, and Enſigns, equal to the Number of Companies in ſuch Regiment or Battalion, Grenadier Companies excepted, wherein there ſhall be One Captain and Two Lieutenants.

Where the Militia has been already formed and ordered, they are, within 2 Months after being diſembodied, &c. to be re-formed, according to the Rules preſcribed for the firſt Forming and Ordering them.

And be it enacted, That where the Militia of any County, Riding, or Place, has been already formed and ordered, His Majeſty's Lieutenant together with any Two Deputy Lieutenants of ſuch County, Riding, or Place, ſhall, if the ſaid Militia ſhall be then diſembodied, within Two Months after the paſſing this Act, re-form the ſame, according to the Rules by this Act preſcribed for the firſt Forming and Ordering the Militia; and if the ſame ſhall be embodied, then within Two Months after it ſhall be diſembodied and returned to the reſpective Counties.

Where the Number of Men ſhall not be ſufficient to compoſe a Regiment or Battalion, they are to be formed into Independent Companies from 60 to 80 Men each, with 1 Capt. 1 Lieut. and 1 Enſign; and they may be joined, and formed into Battalions, or be incorporated with ſome Regiment or Battalion, ſo as the Number of Companies therein does not exceed, or fall ſhort of, the Number a Regiment or Battalion ought to conſiſt of.

And be it enacted, That in every County, Riding, and Place, and in every City and Town being a County, within the Part of Great Britain aforeſaid, where the Number of Private Militia Men ſhall not be ſufficient to form a Regiment or Battalion, according to the Intent and Meaning of this Act, the following Eſtabliſhment ſhall take Place therein; (that is to ſay) The Militia of ſuch Counties, Ridings, Places, Cities, and Towns, ſhall be formed into Independent Companies, each Company to conſiſt of Eighty Private Men at the moſt, and Sixty Private Men at the leaſt, with One Captain, One Lieutenant, and One Enſign, to each Company; and it ſhall be lawful for His Majeſty, His Heirs, and Succeſſors, to join together any Number of ſuch Independent Companies, and therewith to form a Battalion or Battalions, or to incorporate them with any Regiment or Battalion, Regiments or Battalions of Militia, but ſo as the Number of Companies in any ſuch Regiment or Battalion do not exceed, or fall ſhort of, the Number of Companies of which a Regiment or Battalion of Militia is herein before reſpectively allowed to conſiſt.

When a Regiment or Battalion ſhall be unembodied, the Commanding Officer may appoint a Regimental Clerk thereto.

And be it enacted by the Authority aforeſaid, That when any Regiment or Battalion of Militia ſhall be unembodied, the Colonel, or, where there is no Colonel, the Commanding Officer, ſhall and may appoint a Regimental Clerk to ſuch Regiment or Battalion.

The Militia is to be trained and exerciſed, by Regiment or Battalion, Twice a Year, 14 Days each Time, or Once a Year, for 28 Days together,

And be it enacted, That the Militia ſhall be trained and exerciſed in the Manner following; (that is to ſay) By Regiment or Battalion Twice in a Year Fourteen Days at each Time, or Once in a Year for Twenty eight Days together, as ſhall be directed by His Majeſty's Lieutenant and any Two or more Deputy Lieutenants, and on

the Death or Removal, or in the Abſence, of his Majeſty's Lieutenant, by any Three or more Deputy Lieutenants, at ſuch Time and Place, or Times and Places, as ſhall be leaſt inconvenient to the Public, to be by them appointed at a General Meeting; and that, during ſuch Time as the Militia ſhall be ſo trained and exerciſed, all the Proviſions contained in any Act of Parliament which ſhall be then in Force for the puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, ſhall extend to, and take place in reſpect of, the Officers and Private Militia Men of every Regiment or Battalion, but not to extend to Life or Limb.

at the moſt convenient Times and Places; during which Time all the Proviſions in the Act for puniſhing Mutiny and Deſertion, not extending to Life or Limb, are to take place for the Officers and Men;

And be it enacted, That it ſhall and may be lawful for the Mayors, Bailiffs, Conſtables, Tythingmen, Headboroughs, and other Chief Magiſtrates and Officers, of Cities, Towns, Pariſhes, Tythings, Villages, and other Places, within that Part of Great Britain called England, Dominion of Wales, and Town of Berwick upon Tweed, and in their Default or Abſence, for any One Juſtice of the Peace inhabiting within or near any ſuch City, Town, Pariſh, Tything, Village, or Place, and for no others, and they are hereby required, to quarter and billet the Officers and Private Men ſerving in the Militia, at the Times when they ſhall be called out to Annual Exerciſe, in Inns, Livery Stables, Ale-houſes, Victualling-houſes, and all Houſes of Perſons ſelling Brandy, Strong Waters, Cyder, Wine, or Metheglin, by Retail, upon Application to them made by the Lord Lieutenant, or by the Colonel or Commanding Officer of the Militia of the County, Riding, or Place.

who are to be quarter'd and billeted by the Civil Magiſtrate, in Inns, Livery Stables, and Publick Houſes, Application for that Purpoſe being made by the Commanding Officer;

And be it enacted, That it ſhall and may be lawful for the Mayors, Bailiffs, Conſtables, Tythingmen, Headboroughs, and other Chief Magiſtrates and Officers of Cities, Towns, Pariſhes, Tythings, Villages, and other Places, within that Part of Great Britain called England, the Dominion of Wales, and the Town of Berwick upon Tweed, and in their Default or Abſence, for any One Juſtice of the Peace inhabiting in or near any ſuch City, Town, Pariſh, Tything, Village, or Place, and for no others, and they are hereby required to quarter and billet Serjeants, Drummers, and Fifers, ſerving in the Militia, in Inns, Livery Stables, Ale-houſes, Victualling-houſes, and all Houſes of Perſons ſelling Wine, Brandy, Strong Waters, Cyder, or Metheglin, by Retail, the Occupiers whereof are hereby required to provide for ſuch Serjeants, Drummers, and Fifers, at ſuch Times for which no Proviſion has by

Serjeants, Drummers, and Fifers, are to be quarter'd and billeted in like Manner;

but are to be provided with convenient Lodgings only, at ſuch Times as no Proviſion has by Law been made for that Purpoſe.

Law been made for that Purpoſe, convenient Lodgings only.

A Return is to be made to the Ld. Lieutenant of the State of the Regiment, &c. while unembodied, when called out to Exerciſe.

And be it enacted, That the Colonel or Commanding Officer of every Regiment or Battalion of unembodied Militia ſhall, and he is hereby required, as often as the Regiment or Battalion ſhall be called out to Exerciſe, to return to His Majeſty's Lieutenant of the County, Riding, or Place, for which ſuch Regiment or Battalion ſhall ſerve, a true State of ſuch Regiment or Battalion.

Notice of the Times and Places of Exerciſe to be ſent to the Chief Conſtables, to be forwarded by them to the Pariſh, &c.

and to be affixed on the Church Doors of the reſpective Pariſhes;

And be it enacted, That Notice of the Time and Place, or Times and Places, of Exerciſe to which the Militia Men of each Pariſh, Tything, or Place, are to reſort, ſhall be ſent by the Clerk of the General Meeting to the Chief Conſtables or other Officers of the ſeveral Hundreds, Rapes, Laths, Wapentakes, or other Diviſion, with Directions to forward the ſame to the Conſtables, Tythingmen, Headboroughs, or other Officers of the ſeveral Pariſhes, Tythings, or Places, within their reſpective Hundreds, Rapes, Lathes, Wapentakes, or other Diviſions; which Conſtables, Tythingmen, Headboroughs, or other Pariſh Officers, ſhall cauſe ſuch Notice to be fixed on the Doors of the Churches or Chapels belonging to their reſpective Pariſhes, Tythings, or Places, or if any Place, being Extraparochial, ſhall have no Church or Chapel belonging thereto, on the Door of the Church or Chapel of ſome Pariſh, Tything, or Place, thereunto adjoining; and all ſuch Militia Men ſhall duly attend at the Times and Places of Exerciſe ſo to be appointed:

and if any Militia Man (not being diſabled) neglect to appear according to ſuch Notice,

he forfeits 20*l.*

and on Non-payment, is to be committed for 6 Months,

or until he ſhall have paid the Penalty.

And if any Militia Man (not labouring under any Infirmity intapacitating him) ſhall not appear at ſuch Time and Place, or Times and Places, ſo appointed in ſuch Notice as aforeſaid, every ſuch Militia Man being convicted thereof, upon Oath, before One Juſtice of the Peace, ſhall forfeit and pay the Sum of Twenty Pounds; and if ſuch Militia Man ſhall not immediately pay ſuch Penalty, the Juſtice of the Peace, before whom ſuch Militia Man ſhall be ſo convicted, ſhall, by Warrant, commit ſuch Militia Man to the Common Gaol of the County, Riding, or Place, where he ſhall have been ſo convicted, there to remain without Bail or Mainprize for the Space of Six Months, or until he ſhall have paid the Penalty aforeſaid.

The Captain is to have the Charge of the Arms, Clothes, and Accoutrements of his Company;

And be it enacted, That the Captain of each Company of Militia ſhall keep in his own Cuſtody, or leave and depoſit with the ſeveral Serjeants belonging to his Company, or with ſuch Perſon or Perſons as the ſaid Captain ſhall appoint for that Purpoſe, the Arms, Clothes, and Accoutrements, provided for his Company of Militia;

litia; and the Churchwardens of every Pariſh or Place where the ſaid Arms, Clothes, and Accoutrements, are ſo depoſited, or One of them, is and are hereby required to provide, at the Expence of ſuch Pariſh or Place, a Cheſt, in which ſuch Captain, Serjeant, or other Perſon ſo appointed as aforeſaid, ſhall keep the ſaid Arms in ſome dry Part of his Houſe or Dwelling, under Lock and Key, and another Cheſt in which he ſhall keep, under Lock and Key, the ſaid Clothes and Accoutrements; and the Serjeant, or ſuch other Perſon as ſhall be appointed to train and diſcipline the Men, is hereby required to take Care that, after Exerciſe, every Militia Man cleans and returns his Arms, Clothes, and Accoutrements, to his Captain, or to ſuch Perſon or Perſons as ſhall be appointed as aforeſaid to receive the ſame.

and the Churchwardens are to provide Cheſts for the ſafe keeping thereof;

and Care is to be taken that the Men return them in good Order after Exerciſe.

And be it enacted, That His Majeſty's Lieutenant of any County, Riding, or Place, or, in the Abſence of his Majeſty's Lieutenant, any Three or more Deputy Lieutenants, is and are hereby authorized, by Warrant under his Hand and Seal, or their Hands and Seals, to employ ſuch Perſon or Perſons as he or they ſhall think fit, to ſeize and remove the Arms, Clothes, and Accoutrements, belonging to the Militia, whenever his Majeſty's ſaid Lieutenant or Deputy Lieutenants ſhall adjudge it neceſſary to the Peace of the Kingdom, and to deliver the ſaid Arms, Clothes, and Accoutrements, into the Cuſtody of ſuch Perſon or Perſons as his Majeſty's ſaid Lieutenant or Deputy Lieutenants ſhall appoint to receive the ſame, for the Purpoſes of this Act.

The Ld. Lieut. or Deputies in his Abſence, may ſeize and remove the Arms, &c. when neceſſary to the Publick Peace;

and lodge them with other Perſons.

And be it enacted, That if any Serjeant, or any other Perſon intruſted by the Captain with the Cuſtody of any Arms, Clothes, or Accoutrements belonging to the Militia, ſhall deliver out any ſuch Arms, Clothes, or Accoutrements, unleſs for exerciſing the Men, or by the Command of his Superior Officer, it may and ſhall be lawful for any Two or more Juſtices of the Peace to commit ſuch Offender to the Common Gaol of the County, Riding, or Place, where the Offence ſhall be committed, there to remain without Bail or Mainprize for any Time not exceeding Six Months.

Perſons intruſted with the Cuſtody of the Arms, &c. delivering out the ſame, unleſs for Exerciſe, or by proper Command, may be committed for 6 Months.

And be it further enacted by the Authority aforeſaid, That no Pay, Arms, Accoutrements, or Clothing, ſhall be iſſued, and that no Adjutant or Serjeant ſhall be appointed, for the Militia of any County, Riding, or Place, until it ſhall appear by a Return ſigned by His Majeſty's Lieutenant, or on the Death or Removal, or in the Abſence,

No Pay, Arms, or Clothing, are to be iſſued, nor Adjutant or Serjeants appointed, till 3 Fifths of the Men and Officers have

been inrolled, and taken out their Commiſſions.

ſence, of His Majeſty's Lieutenant, by any Three Deputy Lieutenants, that Three Fifths of the Militia Men of the ſaid County, Riding, or Place, have been inrolled, and that Three Fifths of the Officers have taken out their Commiſſions.

Muskets for the Militia are to be marked with an (M) and the Name of the County, &c.

And be it enacted, That all Muskets delivered for the Service of the Militia ſhall be marked diſtinctly in ſome viſible Place with the Letter M, and the Name of the County, Riding, or Place to which they belong.

Militia Man who ſhall ſell, pawn, or loſe, his Arms, Clothes, or Accoutrements, forfeits 3 *l.* and on Non-payment, is to be committed to the Houſe of Correction for 1 Month, and until Satisfaction be made; and if not of Ability to pay, he is to be committed for 3 Months; and if he neglect to return them in good Order when demanded, he forfeits 10 *s.*

And be it enacted, That if any Militia Man ſhall ſell, pawn, or loſe, any of his Arms, Clothes, or Accoutrements, and ſhall be thereof convicted upon Oath before any One Juſtice of the Peace, ſuch Militia Man ſhall forfeit and pay a Sum not exceeding Three Pounds; and if ſuch Militia Man ſhall not immediately pay ſuch Penalty, the Juſtice of the Peace before whom ſuch Militia Man ſhall be ſo convicted as aforeſaid, ſhall, by Warrant, commit ſuch Militia Man to the Houſe of Correction for the Space of One Month, and until Satisfaction be made for the ſame; and if he ſhall not be of Ability to make ſuch Satisfaction, then for the Space of Three Months: And if any Militia Man ſhall refuſe or neglect to return his Arms, Clothes, and Accoutrements, in good Order to his Captain, or to ſuch Perſon as ſhall be appointed as aforeſaid to receive the ſame, whenever demanded, ſuch Militia Man, being thereof convicted as aforeſaid, ſhall, for every ſuch Offence, forfeit and pay the Sum of Ten Shillings; and if ſuch Militia Man ſhall not immediately pay ſuch Penalty, the Juſtice of the Peace before whom ſuch Militia Man ſhall be ſo convicted as aforeſaid, ſhall, by Warrant, commit ſuch Militia Man to the Houſe of Correction for any Time not exceeding Fourteen Days.

and on Non-payment, is to be committed for any Time not exceeding 14 Days.

If any Perſon ſhall knowingly and unlawfully buy, exchange, conceal, or receive any of the ſaid Arms, Clothes, or Accoutrements, he forfeits 5 *l.* for every ſuch Offence,

to be levied by Diſtreſs and Sale;

And be it enacted, That if any Perſon ſhall knowingly and willingly buy, take in Exchange, conceal, or otherwiſe receive, contrary to the true Intent and Meaning of this Act, any Arms, Clothes, or Accoutrements belonging to the Militia, upon any Account or Pretence whatſoever, the Perſon ſo offending, being convicted thereof, upon Oath, before One or more Juſtice or Juſtices of the Peace, ſhall forfeit and pay, for every ſuch Offence, the Sum of Five Pounds: And if ſuch Offender ſhall not immediately pay ſuch Penalty, the Juſtice or Juſtices of the Peace before whom ſuch Offender ſhall be ſo convicted as aforeſaid, ſhall, by Warrant under the Hand and Seal, or Hands and Seals, of ſuch Juſtice or Juſtices, levy the ſame by Diſtreſs and Sale of the Offender's Goods and Chattles, rendering the Overplus (if any) on Demand, after deducting

deducting the Charges of ſuch Diſtreſs and Sale, to ſuch Offender, upon whom ſuch Diſtreſs ſhall have been made as aforeſaid; and for want of ſuch Diſtreſs, ſhall commit ſuch Offender to the Common Gaol of the County, Riding, or Place, where the Offence ſhall have been committed, there to remain without Bail or Mainprize, for the Space of Three Months, or ſhall cauſe ſuch Offender to be publickly whipped, at the Diſcretion of ſuch Juſtice or Juſtices.

and for want of Diſtreſs, he may be committed for 3 Months, or be publickly whipt, at the Diſcretion of the Juſtice.

Provided always, and be it enacted, That no Officer of the Militia, or Private Militia Man, ſhall be liable to any Penalty or Puniſhment, for or on account of his Abſence during the Time he ſhall be going to vote at any Election of a Member to ſerve in Parliament, or during the Time he ſhall be returning from ſuch Election.

None are liable to Penalty for Abſence, during the Time of going to vote for a Member of Parliament, or returning.

And be it enacted, That if the Serjeant, or other Perſon, appointed by any Captain of the Militia to receive and keep in his Cuſtody the Arms, Clothes, and Accoutrements thereto belonging, ſhall not complain, within Three Days, to ſome neighbouring Juſtice of the Peace, of any Militia Man's not having returned his Arms, Clothes, and Accoutrements as before directed, ſuch Serjeant or other Perſon appointed as aforeſaid, being thereof convicted on Oath before One of his Majeſty's Juſtices of the Peace, ſhall forfeit and pay the Sum of Twenty Shillings; which Penalty, if the Offender ſhall not immediately pay the ſame, ſhall be levied by Diſtreſs and Sale of the Offender's Goods and Chattles, by Warrant under the Hand and Seal of the Juſtice of the Peace before whom ſuch Offender ſhall be ſo convicted as aforeſaid, rendering the Overplus (if any) on Demand, after deducting the Charges of ſuch Diſtreſs and Sale, to ſuch Offender, upon whom ſuch Diſtreſs ſhall have been made as aforeſaid.

If the Perſon intruſted with the Care of the Arms, &c. ſhall not within 3 Days complain to any Juſtice of any Militia Man not having duly returned the ſame,

he forfeits 20s.

to be levied by Diſtreſs and Sale.

And be it enacted, That the ſeveral Serjeants ſhall receive all their Military Orders, with reſpect to the Training the Militia Men under their Care, from the Adjutant and their Superior Officers; and are hereby required to report, from time to time, all Crimes and Misdemeanors of the ſeveral Militia Men under their Command, to their Adjutant or Superior Officers, or to any Two or more Deputy Lieutenants, or to ſome Civil Magiſtrate, as the Caſe ſhall require.

The Serjeants are to receive their Military Orders from the Adjutant, and Superior Officers; and are to report to them, or to 2 Dep. Lieutenants, or a Civil Magiſtrate, the Crimes and Miſdemeanors of the Men.

And be it enacted, That if any Non-commiſſion Officer ſhall be negligent in his Duty, or inſolent or diſobedient to the Orders of the Adjutant, or other his Superior Officer, and be thereof convicted as aforeſaid, upon the Oath of the Adjutant, or other Superior Officer, before One or more Juſtice or Juſtices of the Peace, ſuch Non-commiſ-

Non-Commiſſion Officer being negligent in his Duty, or inſolent, or diſobedient to his Superior Officer,

forfeits any Sum not exceeding 30ſ. and on Non-payment, may be committed for 14 Days;

ſion Officer ſhall forfeit and pay any Sum not exceeding Thirty Shillings, at the Diſcretion of ſuch Juſtice or Juſtices; and if ſuch Non-commiſſion Officer ſhall not immediately pay ſuch Penalty, the Juſtice or Juſtices of the Peace before whom ſuch Non-commiſſion Officer ſhall be ſo convicted as aforeſaid, ſhall, by Warrant, commit ſuch Non-commiſſion Officer to the Houſe of Correction for the Space of Fourteen Days; and his Majeſty's Lieutenant, or the Colonel or Commanding Officer of the Regiment or Battalion, may diſcharge ſuch Non-commiſſion Officer, if he ſhall think fit.

and is liable to be diſcharged.

Chief Conſtables and others are required to be aiding and aſſiſting to the Ld. Lieutenants, Deputies, and Juſtices, &c. in the Execution of this Act.

And be it enacted, That all Chief Conſtables, Petty Conſtables, Tythingmen, Headboroughs, and other Officers, of Hundreds, Rapes, Laths, Wapentakes, Pariſhes, Tythings, and Places, within that Part of Great Britain called England, and the Dominion of Wales, ſhall, and they are hereby required to be aiding and aſſiſting to His Majeſty's ſaid reſpective Lieutenants, and their Deputy Lieutenants, and to the Juſtices of the Peace, and to any of them, and to all to whom any Power or Authority is by this Act given, in the Execution thereof.

In caſe of actual Invaſion, or imminent Danger thereof, or of Rebellion, the King, having firſt communicated the Occaſion to Parliament, if ſitting, and if not, to the Council, and notified the ſame by Proclamation, may order the Militia to be drawn out and embodied;

or ſo many of them as He ſhall judge neceſſary;

and put them under Command of General Officers; and direct them to be led into any Parts of the Kingdom for the Suppreſſion of Invaſions and Rebellions;

and they are to receive Pay as the King's other Regiments of Foot,

And be it enacted, That in caſe of actual Invaſion, or upon imminent Danger thereof, or in caſe of Rebellion, it may and ſhall be lawful for His Majeſty, His Heirs, and Succeſſors (the Occaſion being firſt communicated to Parliament if the Parliament ſhall be then ſitting, or declared in Council, and notified by Proclamation, if no Parliament ſhall be then ſitting or in being) to order and direct His or Their Lieutenants, and on their Death or Removal, or in their Abſence from their reſpective Counties, Ridings, or Places, any Three or more Deputy Lieutenants, with all convenient Speed, to draw out and embody all the Regiments and Battalions of Militia of their reſpective Counties, Ridings, or Places, already raiſed, and not yet embodied, or herein appointed to be raiſed and trained, or ſo many of them as His Majeſty, His Heirs, and Succeſſors, ſhall, in His or Their great Wisdom, judge neceſſary, in ſuch Manner as ſhall be beſt adapted to the Circumſtances of the Danger; and to put the ſaid Forces under the Command of ſuch General Officers as His Majeſty, His Heirs, or Succeſſors, ſhall be pleaſed to appoint over them; and to direct them to be led by their reſpective Officers into any Parts of this Kingdom for the Suppreſſion of ſuch Invaſions and Rebellions: And the Officers of the Militia and Private Militia Men of the Regiments, Battalions, and Independent Companies, already embodied, or hereafter to be embodied, ſhall, from the Time of

till they ſhall be returned again;

of their being drawn out and embodied as aforeſaid, and until they ſhall be returned again, by Order of their Commanding Officers, to their reſpective Pariſhes or Places of Abode, remain under the Command of ſuch General Officers, and ſhall be intitled to the ſame Pay as the Officers and Private Men in His Majeſty's other Regiments of Foot receive, and no other; and the Officers of the Militia ſhall, during ſuch Time as aforeſaid, rank with the Officers of His Majeſty's other Forces of equal Degree with them, as the youngeſt of their Rank; and, during ſuch Time, all the Proviſions contained in any Act of Parliament which now is or ſhall be then in Force for the puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, ſhall extend to, and take place in reſpect of, the Officers and Private Militia Men of every ſuch Regiment, Battalion, or Independent Company of Militia reſpectively (excepting only as to ſuch Particulars as are or ſhall be otherwiſe eſpecially provided for by this or any Act or Acts of Parliament, hereafter to be made, for regulating the Militia Forces within the Part of Great Britain aforeſaid) and when they ſhall be returned again to their reſpective Pariſhes or Places of Abode, they ſhall be under the ſame Orders and Directions only, as they were before they were drawn out and embodied as aforeſaid; and if any Non-commiſſion Officer of the Militia or Private Militia Man ſhall be maimed or wounded in actual Service, he ſhall be equally intitled to the Benefit of Chelſea Hoſpital with any Non-commiſſion Officer or Private Soldier belonging to His Majeſty's other Forces; and His Majeſty's Lieutenant of every ſuch County, Riding, or Place, and on the Death or Removal, or in the Abſence of His Majeſty's Lieutenant from his County, Riding, or Place, any Three or more Deputy Lieutenants, ſhall iſſue his or their Order to the Chief Conſtables or other Officers of the reſpective Hundreds, Rapes, Laths, Wapentakes, or other Diviſions, with Directions to forward the ſame immediately to the Conſtables, Tythingmen, Headboroughs, or other Officers of the ſeveral Pariſhes, Tythings, and Places, within their reſpective Diviſions; and ſuch Conſtables, Tythingmen, Headboroughs, or other Officers, are hereby required, upon Receipt thereof, forthwith to give or leave in Writing, Notice, or cauſe ſuch Notice to be given to the ſeveral Militia Men, or left at the uſual Places of their reſpective Abodes within their reſpective Pariſhes, Tythings, or Places, to attend at the Time and Place mentioned in ſuch Order; And if any Militia Man ſo ordered

and the Officers are to rank with thoſe of equal Degree in His Majeſty's other Forces, as the youngeſt of their Rank;

and are to be under all the Proviſions of the Mutiny Act;

excepting where it is otherwiſe ſpecially provided for;

and when returned to their own Pariſhes, they are to be under the ſame Orders and Directions only, as before they were drawn out and embodied:

And any Non-commiſſioned Officer or Private Man being maimed or wounded in the Service, are equally intitled, with thoſe of His Majeſty's other Forces, to *Chelſea Hoſpital.*

The Ld. Lieut. or Deputies are to iſſue Orders of the Embodying to the Chief Conſtables, to be forwarded to the Petty Conſtables, who are thereupon to give Notice to the Men to attend;

and any Man, not being diſabled, refuſing to appear and march, forfeits 40 *l.*

to be drawn out and embodied as aforeſaid (not labouring under any Infirmity incapacitating him to ſerve as a Militia Man) ſhall not appear and march in purſuance of ſuch Order, every ſuch Militia Man being convicted thereof, upon Oath, before Two or more Juſtices of the Peace, ſhall forfeit and pay the Sum of Forty Pounds; and if ſuch Militia Man ſhall not immediately pay ſuch Penalty, the Juſtices of the Peace, before whom ſuch Militia Man ſhall be ſo convicted, ſhall, by Warrant, commit ſuch Militia Man to the Common Gaol of the County, Riding, or Place, where he ſhall have been ſo convicted, there to remain without Bail or Mainprize for the Space of Twelve Months, or until he ſhall have paid the Penalty aforeſaid: And if any Perſon ſhall harbour or conceal any Militia Man, not attending when ordered out into actual Service, knowing him to be a Militia Man, and ſhall be thereof convicted upon Oath, before any Juſtice of the Peace, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Five Pounds, to be levied by Diſtreſs and Sale of the Offender's Goods and Chattles, by Warrant under the Hand and Seal of ſuch Juſtice, rendering the Overplus, if any, after deducting the ſaid Penalty, and the Charge of ſuch Diſtreſs and Sale, to the Party whoſe Goods and Chattles ſhall be ſo diſtrained and ſold; and for want of ſufficient Diſtreſs, it may and ſhall be lawful for ſuch Juſtice, and he is hereby required, to commit ſuch Offender to the Houſe of Correction for the Space of Two Months, or to cauſe ſuch Offender to be publickly whipped, at the Diſcretion of ſuch Juſtice.

and on Non-payment, is to be committed for 12 Months, or until Payment of the Penalty:

And any Perſon knowingly harbouring or concealing any Militia Man, abſconding when called out into actual Service, forfeits 5 *l.* to be levied by Diſtreſs and Sale;

and for want of Diſtreſs, he may be committed for 2 Months,

or be publickly whipped.

And be it enacted, That if at any Time (in caſe of actual Invaſion, or upon imminent Danger thereof, or in caſe of Rebellion) the Parliament ſhall happen to be ſeparated by ſuch Adjournment or Prorogation as will not expire within Fourteen Days, it ſhall be lawful for His Majeſty, His Heirs, and Succeſſors, to iſſue a Proclamation for the Meeting of the Parliament upon ſuch Day as He or They ſhall thereby appoint, giving Fourteen Days Notice of ſuch Appointment; and the Parliament ſhall accordingly meet upon ſuch Day, and continue to ſit and act in like Manner to all Intents and Purpoſes, as if it had ſtood adjourned or prorogued to the ſame Day.

In caſe of Invaſion, or imminent Danger thereof, or of Rebellion, the Parliament if adjourned, or prorogued, above 14 Days, is to be ſummoned to meet;

and are to ſit and act as if adjourned, or prorogued, to the Day of ſuch Meeting.

And be it enacted, That the Officers of the Militia and Private Militia Men, who ſhall be drawn out and embodied, ſhall be intitled to Pay from the Day of the Date of His Majeſty's Warrant for that Purpoſe.

Officers and Men are intitled to Pay, from the Date of the King's Warrant for their being embodied.

And be it enacted, That when any Regiment or Battalion of Militia ſhall be drawn out and embodied, and during the Time they ſhall continue embodied, the Colonel, or, where there is no Colonel, the Commanding Officer of ſuch Regiment or Battalion, ſhall and may appoint an Agent to ſuch Regiment or Battalion; and ſuch Colonel, and, where there is no Colonel, the Commanding Officer, ſhall be and is hereby made ſubject and liable to make good all Deficiencies that may happen upon account of the Pay, Clothing, or publick Stock of ſuch Regiment or Battalion: And ſuch Colonel, and, where there is no Colonel, the Commanding Officer, ſhall take Security from the Agent ſo appointed.

When a Regiment, &c. is drawn out and embodied, the Commanding Officer is to appoint an Agent thereto, taking Security;

and is liable to make good any Deficiencies of Pay, Clothing, or Regimental Stock.

And be it enacted, That when the Militia of any County, Riding, or Place, ſhall be ordered out into actual Service, it ſhall and may be lawful for the Captain of any Company of Militia to augment his Company, by incorporating, with the Conſent of His Majeſty's Lieutenant, or, in the Abſence of His Majeſty's Lieutenant, with the Conſent of Two or more of the Deputy Lieutenants, any Number of Perſons who ſhall offer themſelves as Voluntiers, and who ſhall appear to him to be ſufficiently trained and diſciplined, and provided with proper Clothes, Arms, and Accoutrements, and who ſhall take the Oath appointed to be taken by this Act, and ſign their Conſent to ſerve in the Militia for the Time of ſuch actual Service, and to ſubmit to the ſame Rules and Articles of War as Militia Men are by this Act liable to during the Time of their continuing in actual Service.

A Captain may, with Leave, augment his Company, when order'd out into actual Service, with Voluntiers, if properly diſciplined, and provided,

and who will take the Oath appointed, and ſign the Rolls, and be ſubject to the Articles of War.

And be it enacted, That no Officer ſerving in the Militia ſhall ſit in any Court Martial upon the Trial of any Officer or Soldier ſerving in any of His Majeſty's other Forces; nor ſhall any Officer ſerving in any of His Majeſty's other Forces, ſit in any Court Martial upon the Trial of any Officer or Private Man ſerving in the Militia.

Officers of the Militia and His Majeſty's other Forces are not to ſit indiſcriminately on Trials for Offences committed by the different Corps.

And be it enacted, That when the Militia of any County, Riding, or Place, ſhall be ordered out into actual Service, or ſhall be out in actual Service, the Receiver or Receivers General of the Land Tax for ſuch County, Riding, or Place, ſhall, and he or they is and are hereby required to pay, or cauſe to be paid, to the Captain or other Commanding Officer of each Company of Militia ſo ordered out, or being out in Service for ſuch County, Riding, or Place, One Guinea for each Private Militia Man belonging to his Company, whether ſuch Militia Man marched with the Company when firſt drawn

Receivers General of the Land Tax are to pay to the Captain or Commanding Officer of ſuch Company when order'd out into actual Service, 1 Guinea *per* Man for each Private Man belonging thereto, whether ſuch Man marched with the Company when

firſt drawn out, or was afterwards ordered to join it;

drawn out, or was ordered out afterwards to join ſuch Company, to be paid over by ſuch Captain or other Officer to every ſuch Private Militia Man who belonged to his Company at the Time ſuch Militia was ordered out into actual Service, on or before the Day appointed for Marching; and to ſuch Militia Man, who ſhall be afterwards ordered out, when he ſhall join his Company; and ſuch Receiver or Receivers General ſhall be allowed the ſame in his or their Accounts.

to be paid over by the Captain to the Men before they march;

and to ſuch as ſhall be afterwards order'd out, when they ſhall join the Companies.

When the Militia ſhall be called out to be trained, the Juſtices of the Peace, upon an Order from the Ld. Lieut. or Deputy, or Commanding Officer, are to iſſue Warrants for providing ſuch Carriages for the Uſe of the Troops, as are order'd, with able Men to drive them;

And be it enacted, That when the Militia ſhall be called out to be trained and exerciſed, it may and ſhall be lawful for any Juſtice of the Peace of any County, Riding, or Place, being duly thereunto required by an Order from his Majeſty's Lieutenant, or from any Deputy Lieutenant of the County, Riding, or Place, or from the Colonel or other Chief Commiſſion Officer upon the Place of any Regiment, Company, or Detachment of Militia, to iſſue out his Warrant, under his Hand, to the Chief Conſtables of Hundreds, Rapes, Laths, Wapentakes, or Diviſions, or to the Conſtables, Tythingmen, Headboroughs, or other Officers of the Pariſhes, Tythings, or Places, from, through, near, or to which any ſuch Regiment or Company of Militia Men, or any Detachment thereof, ſhall be ordered to march, requiring them to make ſuch Proviſion for Carriages of the Arms, Clothes, Accoutrements, Powder, Match, Bullets, or other Warlike Materials, with able Men to drive ſuch Carriages, as is and are mentioned in the ſaid Order; but in caſe ſuch ſufficient Carriages and Men cannot be provided within any ſuch County, Riding, Hundred, Rape, Lath, Wapentake, Diviſion, Pariſh, Tything, or Place, then the next Juſtice or Juſtices of the Peace ſhall, upon ſuch Order as aforeſaid being ſhewn unto him or them, iſſue his or their Warrant to the Chief Conſtables, Conſtables, Tythingmen, Headboroughs, or other ſuch Officers of the next County, Riding, Hundred, Rape, Lath, Wapentake, Diviſion, Pariſh, Tything, or Place, for the Purpoſes aforeſaid, to make up ſuch Deficiency of Carriages: And ſuch Lieutenant, Deputy Lieutenant, Colonel, or other Chief Commiſſion Officer upon the Place, who, by virtue of the aforeſaid Warrant from the ſaid Juſtice of the Peace, ſhall demand ſuch Carriages of ſuch Chief Conſtable, Conſtable, Tythingman, Headborough, or other Officer, is and are hereby required, at the ſame Time, to pay down in Hand to the Chief Conſtable, Conſtable, Tythingman, Headborough, or other Officer, for the Uſe of the Perſon who ſhall provide ſuch Carriages and Men, the Sum of One Shilling for every

and where a ſufficient Number cannot be provided within the County, &c.

the neighbouring Juſtices are to iſſue Warrants for furniſhing what ſhall be ſo wanted.

Officer is to pay down to the Conſtable the following Rates for the Uſe of ſuch Carriages,

every Mile any Waggon with Five Horſes ſhall travel; and the Sum of One Shilling for every Mile any Wain with Six Oxen, or with Four Oxen and Two Horſes, ſhall travel; and the Sum of Nine Pence for every Mile any Cart with Four Horſes ſhall travel; and ſo in proportion for Carriages drawn by a leſs Number of Horſes or Oxen; for which reſpective Sums ſo received, the ſaid Chief Conſtable, Conſtable, Tythingman, Headborough, or other Officer, is hereby required to give a Receipt in Writing to the Perſon or Perſons paying the ſame; and ſuch Chief Conſtable, Conſtable, Tythingman, Headborough, or other Officer, ſhall order and appoint ſuch Perſon or Perſons having Carriages within their reſpective Hundreds, Rapes, Laths, Wapentakes, Pariſhes, Tythings, or Places, as they ſhall think proper, to provide and furniſh ſuch Carriages and Men according to the Warrant aforeſaid; which Perſons ſo ordered are hereby required to provide and furniſh the ſame accordingly for One Day's Journey, and no more: And in caſe the Chief Conſtables, Conſtables, Tythingmen, Headboroughs, or other Officers, ſhall be at any Charges for ſuch Carriages, over and above what is ſo received by them of His Majeſty's ſaid Lieutenant, the ſaid Deputy Lieutenant, Colonel, or other Chief Officer, as aforeſaid, ſuch Overplus ſhall be borne by each County, Riding, or Place, where ſuch additional Expence ſhall be incurred, and be repaid to them without Fee or Reward by the Treaſurer of each reſpective County, Riding, or Place, out of the publick Stock.

1 *s.* for every Mile a Waggon with 5 Horſes, or a Wain with 6 Oxen, or 4 Oxen and 2 Horſes; 9 *d.* for every Cart with 4 Horſes; and ſo in proportion;

for which a Receipt is to be given him;

and the Conſtables are to order Carriages to be furniſhed accordingly;

the ſame to be for One Day's Journey only;

and any additional Expences incurred thereby, are to be repaid out of the County Stock.

And be it enacted, That if any ſuch Chief Conſtable, Conſtable, Tythingman, Headborough, or other Officer, ſhall wilfully neglect or refuſe to execute any ſuch Warrant of any Juſtice of the Peace; or if any Perſon appointed by ſuch Chief Conſtable, Conſtable, Tythingman, Headborough, or other Officer, to provide or furniſh any ſuch Carriage and Man, ſhall wilfully neglect or refuſe to provide the ſame; every ſuch Offender ſhall forfeit a Sum not exceeding Forty Shillings, nor leſs than Twenty Shillings, to the Uſe of the Poor of the Pariſh, Tything, or Place, where ſuch Offence ſhall be committed: And every ſuch Offence ſhall and may be heard and determined by Two Juſtices of the Peace within the County, Riding, or Place, where ſuch Offence ſhall be committed; which Juſtices ſhall, by Warrant under their Hands and Seals, cauſe the ſaid Penalty to be levied by Diſtreſs and Sale of the Offender's Goods and Chattles, rendering the Overplus (if any) on Demand, after deducting the Charges of ſuch Diſtreſs and

Conſtables, &c. neglecting their Duty in furniſhing ſuch Carriages,

forfeit not leſs than 20 *s.* nor more than 40 *s.* to the Uſe of the Poor;

to be levied by Diſtreſs and Sale.

and Sale to ſuch Offender, upon whom ſuch Diſtreſs ſhall have been made as aforeſaid.

No Part of the Militia may be tranſported out of *Great Britain*.

Provided always, and be it enacted, That neither the Militia of this Kingdom, nor any Corps, Detachment, or Draught thereof, ſhall, on any Account, be tranſported or carried out of the Iſland of Great Britain.

Proviſions, &c. in the Act reſpecting *Com. Northumberland*, are to take place with reſpect to *Berwick upon Tweed*, except wherein it is otherwiſe provided for; and the Number of Men to ſerve for the ſaid Town, is to be in proportion to the Number appointed for the other Hundreds, &c. within the County;

and the Chief Magiſtrate is to appoint 5 D. Lieuts. if ſo many ſhall be found qualified, and Officers proportionable to the Quota of Men; who are to carry the Act into Execution; ſubject however to the Penalties of Non-qualification;

and the Men are to join, and be exerciſed with the Militia of the County, and be deemed Part thereof.

And be it enacted, That all the Powers given, and Proviſions made by this Act, with reſpect to the County of Northumberland, and the Militia thereof, ſhall in like Manner take place, and be in force, with reſpect to the Town of Berwick upon Tweed, except only as to the Particulars herein expreſſed, and otherwiſe provided for; and that out of the Perſons returned in the Liſts for the ſaid Town, a Number of Private Militia Men ſhall be provided or choſen by Lot to ſerve for the ſaid Town, in the ſame Proportion with the Private Militia Men appointed to ſerve for the other reſpective Hundreds, Wards, and other Diviſions, within the ſaid County of Northumberland; and if Perſons can be found within the ſaid Town and Liberties thereof, with ſuch Qualifications as are required for Deputy Lieutenants, and Officers, within Cities and Towns which are Counties of themſelves, the Chief Magiſtrate of the ſaid Town of Berwick upon Tweed ſhall appoint Five Deputy Lieutenants, and ſuch Number of Officers of the Militia as ſhall be proportionable to the Number of Militia Men which the ſaid Town ſhall raiſe, as their Quota, towards the Militia of the County of Northumberland; and the ſaid Lieutenants and Officers are hereby required to put the Powers conferred by this Act, for raiſing and training the Militia, into Execution, within the ſaid Town and Liberties, ſubject to ſuch Penalties as are inflicted upon Deputy Lieutenants and Officers of the Militia for acting, not being duly qualified according to the Directions of this Act; and that the ſaid Militia ſhall join the Militia of the County of Northumberland, and be exerciſed together, and ſhall then, and alſo in Time of actual Service, be deemed Part of the Militia of the County of Northumberland, for the Purpoſe aforeſaid.

When the Number of Men is ſettled that the *Iſle of Wight* is to furniſh, the Governor of the Iſland is to appoint the Officers;

And whereas the ordering the Militia in the Iſle of Wight, has always been in the Governor or Lieutenant Governor of the ſaid Iſland: And whereas, from the Length of Time ſince the Militia thereof was raiſed, the raiſing the ſame in Manner heretofore accuſtomed may be attended with many Difficulties; be it enacted, That after the Number of Perſons which the ſaid Iſland is to furniſh to the Militia of the County of Southampton ſhall have been appointed, as by this Act is directed, by

by his Majeſty's Lieutenant and the Deputy Lieutenants, or by the Deputy Lieutenants of the ſaid County at large, the Governor of the ſaid Iſland ſhall appoint the Officers of the Militia to be raiſed in the ſaid Iſland, and ſhall and is hereby impowered and required to act in the Execution of this Act, in the ſame Manner as his Majeſty's Lieutenants of Counties are hereby impowered and required to act, and ſhall appoint Five or more Deputies to act with him, in and for the ſaid Iſland; which Deputies and Officers of the Militia ſhall be qualified in the ſame Manner, and are hereby impowered and required to act in the Execution of this Act in the ſame Manner, and under the ſame Directions, Proviſions, and Penalties, as Deputy Lieutenants and Officers of the Militia, in the ſeveral Counties within the Dominion of Wales, are by this Act ſubject to; and the Militia of the ſaid Iſland ſhall be raiſed in the ſame Manner as the Militia of the County of Southampton, and ſhall be deemed a Part of the Militia of the ſaid County: And after the ſame ſhall be ſo raiſed, the ſaid Governor, Lieutenant Governor, and Deputies, ſhall order and direct the Training and Exerciſing the ſaid Militia within the ſaid Iſland, in the ſame Manner as his Majeſty's Lieutenants and the Deputy Lieutenants are by this Act authorized and directed to do in any County within that Part of Great Britain called England; and the Militia ſo raiſed within the ſaid Iſland, ſhall be continued and remain within the ſaid Iſland as an internal Defence thereof.

and he is to act as Lords Lieuts. of Counties are impowered and required;

and is to appoint 5 or more Deputies;

who are ſeverally to be qualified, and act, as is preſcribed with reſpect to D. Lieuts. and Officers for *Wales*;

and the Militia is to be raiſed as in *Com. Southampton*, and deemed Part thereof;

and they are to be trained and exerciſed in the Iſland,

and to be continued there, for the internal Defence thereof.

And be it enacted, That all Fines, Penalties, and Forfeitures, by this Act impoſed, the Manner of Recovery whereof is not in this Act particularly provided for, ſhall, on Proof upon Oath of the Offence before any Juſtice of the Peace of the County, Riding, or Place, where the Offence ſhall be committed, be levied by Diſtreſs and Sale of the Offender's Goods and Chattles, by Warrant under the Hand and Seal of ſuch Juſtice, rendering the Overplus (if any) on Demand, after deducting the Charges of ſuch Diſtreſs and Sale, to the Offender upon whom ſuch Diſtreſs ſhall have been made; and where the Goods and Chattles of ſuch Offender ſhall not be ſufficient to anſwer ſuch Diſtreſs, ſuch Juſtice is hereby required to commit ſuch Offender to the Common Gaol of the County, Riding, or Place, where the Offence ſhall have been committed, for any Time not exceeding Three Months: And all Fines, Penalties, and Forfeitures, by this Act impoſed, the Application whereof is not otherwiſe particularly provided for, ſhall be paid to the Clerk of the Regiment or Battalion, and ſhall be

All Fines, Penalties, and Forfeitures, where not otherwiſe directed, are to be recovered, on Proof upon Oath of the Offence before a Juſtice for the County, &c. by Diſtreſs and Sale;

and where ſufficient Diſtreſs cannot be had, the Offender is to be committed for 3 Months;

and where not otherwiſe directed, they are to be paid to the Regimental Clerk,

and made a Common Stock, and be accounted for by him to the Colonel or Commanding Officer of the Regiment; and are to be applied in erecting Butts, providing Powder and Ball,

made a Common Stock; and the ſaid Clerk ſhall give a particular Account thereof, as it ſhall ariſe, to the Colonel or Commanding Officer of the Regiment or Battalion, who ſhall cauſe Butts to be erected in ſome convenient Place or Places, and ſhall direct the Clerk of the Regiment or Battalion to buy and provide, with ſome Part of the Money ſo ariſing, a proper Quantity of Gunpowder and Ball, to be uſed at proper Times by the Militia Men in ſhooting at Marks, and to apply and diſpoſe of ſuch other Part of the Money aforeſaid, as he ſhall think reaſonable, in ſome Prize or Prizes to be given to ſuch Militia Man or Men as ſhall, by the Commanding Officer then preſent, be adjudged to be the beſt Markſman or Markſmen, and to apply the Reſidue thereof to other Contingencies relating to the Regiment or Battalion.

and in Prizes to the beſt Markſmen,

and to other Contingencies of the Regiment.

Where any Perſon ſhall be committed to the Houſe of Correction, he is to be kept to hard Labour there.

And be it enacted, That in all Caſes when any Perſon ſhall be committed to the Houſe of Correction by virtue of this Act, he ſhall, during the Time of ſuch Commitment, be kept to hard Labour in ſuch Houſe of Correction.

Lord Lieuts. Deputies, and Juſtices, in all Matters to be tried before them, impowered to examine the Witneſſes upon Oath;

And be it enacted, That in all Caſes where his Majeſty's Lieutenants, or the reſpective Deputy Lieutenants by them appointed, or his Majeſty's Juſtices of the Peace, are, by this Act, required to examine, hear, and determine, all Witneſſes ſhall be examined upon Oath; which Oath ſuch Lieutenants, Deputy Lieutenants, and Juſtices, or any One of them, is and are hereby impowered to adminiſter.

and no Order, or Conviction which ſhall be made by them,

ſhall be removed, or ſuperſeded, by Writ of *Certiorari*.

And be it enacted, That no Order or Conviction made by any of his Majeſty's Lieutenants, or by any Three or more Deputy Lieutenants, or by any Two Deputy Lieutenants together with any One Juſtice of the Peace, or by any One Deputy Lieutenant together with any Two Juſtices of the Peace, or by any Juſtice or Juſtices of the Peace, by virtue of this Act, ſhall be removed by Certiorari out of the County, Riding, Diviſion, Place, City, or Town, wherein ſuch Order was made, into any Court, and that no Writ or Writs of Certiorari ſhall ſuperſede Execution, or other Proceedings, upon any ſuch Order ſo made in purſuance of this Act; but that Execution, and other Proceedings, ſhall and may be had and made thereupon, any ſuch Writ or Writs, or Allowance thereof, notwithſtanding.

Where a Pariſh ſhall be in more Counties or Ridings than One, the Men ſhall ſerve in the Militia of the County, &c.

Provided always, and be it further enacted by the Authority aforeſaid, That where any Pariſh ſhall lie in more Counties or Ridings than One, the Inhabitants of ſuch Pariſh ſhall ſerve in the Militia of that County or Riding

Riding wherein the Church belonging to ſuch Pariſh is ſituated; and that ſuch Pariſh ſhall be deemed as Part of that County, and ſhall be ſubject to the Juriſdiction and Authority of the Deputy Lieutenants, Juſtices of the Peace, and other Officers of that County or Riding, to all the Intents and Purpoſes of this Act. wherein the Pariſh Church ſtands, and be ſubject to the ſame Juriſdiction.

And be it enacted, That the Inhabitants of the Conſtablery of Craike, a Parcel of the County of Durham, ſurrounded by the North Riding of the County of York, ſhall ſerve in the Militia for the ſaid North Riding; and the Deputy Lieutenants and Juſtices of the Peace for the ſaid North Riding, ſhall and are hereby impowered to act in the ſaid Conſtablery. The Inhabitants of *Craike* ſhall ſerve in the Militia for the North Riding of *York*, and be ſubject to the ſame Juriſdiction.

And be it enacted, That the Inhabitants of that Part of the Pariſh of Maker, that lies in the County of Cornwall, ſhall ſerve in, and be trained and exerciſed with, the Militia of the County of Cornwall, and ſhall, to all Intents and Purpoſes, be deemed, taken, and accepted, as Part thereof. The Inhabitants of *Maker* Pariſh ſhall ſerve and be trained with the Militia of *Cornwall*, and be deemed Part thereof;

And be it enacted, That the Inhabitants of the Town and Pariſh of Wokingham ſhall ſerve in, and be trained and exerciſed with, the Militia of the County of Berks. and thoſe of *Wokingham*, with the Militia of *Com. Berks*;

And be it enacted, That the Inhabitants of the Townſhip of Filey ſhall ſerve in the Militia of the Eaſt Riding of the County of York. of *Filey*, to ſerve in that of the Eaſt Riding of *York*;

And be it enacted, That the Inhabitants of Threapwood ſhall ſerve in the Militia of the County of Flint, and ſhall be trained and exerciſed with the Militia of the Pariſh of Worthenbury, within the ſaid County. of *Threapwood*, in that of *Flint*; and to be exerciſed with that of *Worthenbury*;

And be it enacted, That the Inhabitants of and in the Pariſh of Saint Martin, called Stamford Baron, in the Suburbs of the Borough and Town of Stamford, on the South Side of the Waters there, called Welland, ſhall ſerve in the Militia of the County of Lincoln. and of *Saint Martin*, called *Stamford Baron*, in that of *Lincoln*.

And be it enacted, That nothing in this Act contained ſhall extend to the Tinners in the Counties of Devon and Cornwall; but the Lord Warden of the Stannaries for the time being, in purſuance of His Majeſty's Commiſſion in that Behalf, and ſuch as he ſhall commiſſionate and authorize under him, may and ſhall have and uſe the like Powers, and array, aſſeſs, arm, muſter, and exerciſe, the ſaid Tinners within the ſaid Counties, and either of them, as hath been heretofore uſed, and according to the ancient Privileges and Cuſtoms of the ſaid Stannaries. The Tinners in *Devon* and *Cornwall* are to be under the Lord Warden of the Stannaries.

And be it enacted, That His Majeſty's Lieutenants who are or ſhall be commiſſioned for the Militia of the City of London, may and ſhall continue to liſt and levy the Train Bands Lieutenants for *London* are to liſt and levy the Train Bands, as heretofore.

Bands and Auxiliaries of the ſaid City, in Manner as heretofore.

And whereas the Militia of the Tower Diviſion in the County of Middleſex, commonly known by the Name of The Tower Hamlets, is, and always has been, under the Command of his Majeſty's Conſtable of the Tower, or Lieutenant of the Tower Hamlets, for the Service and Preſervation of that Royal Fort; be it therefore enacted,

The Conſtable of the Tower is to appoint D. Lieuts. and Officers, to train and diſcipline the Militia of the *Tower Hamlets*, purſuant to Act 13 and 14 *Car.* II.

That it ſhall be lawful for his Majeſty's ſaid Conſtable, or Lieutenant, for the time being, from time to time to appoint his Deputy Lieutenants, and to give Commiſſions to a proper Number of Officers to train and diſcipline the Militia to be raiſed within and for the ſaid Diviſion or Hamlets, purſuant to an Act of the Thirteenth and Fourteenth Years of the Reign of King Charles the Second, intituled, An Act for Ordering the Forces of the ſeveral Counties of this Kingdom, and to form the ſame into Two Regiments of Eight Companies each, in ſuch Manner as the ſaid Conſtable, or Lieutenant, hath uſed to do; and alſo for defraying the neceſſary Charges of Trophies, and other incident Expences of the Militia of the ſame Diviſion or Hamlets, it ſhall be lawful for his Majeſty's ſaid Conſtable, or Lieutenant, to continue to

which are to be formed into 2 Regiments of 8 Companies each;

and he is to raiſe Trophy Money annually, to defray the incident Charges thereof,

raiſe, in every Year, the Proportion of a Fourth Part of One Month's Aſſeſſment of Trophy Money within the ſaid Diviſion or Hamlets, in ſuch Manner as he hath uſed to do by virtue and in purſuance of the ſaid Act of the Thirteenth and Fourteenth Years of the Reign of King Charles the Second.

and appoint a Treaſurer,

And be it further enacted, That his Majeſty's ſaid Conſtable of the Tower, or Lieutenant of the Tower Hamlets, ſhall appoint a Treaſurer of the ſaid Trophy Money, for receiving and paying ſuch Monies as ſhall be levied by virtue of the ſaid Act of the Thirteenth and Fourteenth Years of the Reign of King Charles the Second; which ſaid Treaſurer ſhall yearly account in Writing, and upon Oath, for the ſame, to the ſaid Lieutenant, or his Deputy Lieutenants, or any Three or more of them; which Oath they ſhall have Power to adminiſter; and which Accounts for the ſame ſhall be certified to the Juſtices of the Peace for the ſaid Diviſion at their next General or Quarter Seſſions; and that the ſaid Conſtable, or Lieutenant, ſhall not iſſue out Warrants for raiſing any Trophy Money, until the Juſtices of the Peace, or the major Part of them, at ſuch Seſſions, ſhall have examined, ſtated, and allowed, the Accounts of the Trophy Money raiſed, levied, and collected, for the preceding Year, and certified the ſame under the Hands and

who is to render upon Oath an Account yearly,

which is to be certified to the Quarter Seſſions;

and no Money may be raiſed till the Accounts of the preceding Years are paſſed by the Juſtices;

Seals of Four or more of ſuch Juſtices, unleſs in caſe where it ſhall appear to ſuch Juſtices, that, by reaſon of the Death of ſuch Treaſurer, or otherwiſe, ſuch Accounts cannot be paſſed. unleſs by the Death of the Treaſurer, ſuch Accounts cannot be paſſed.

And be it enacted, That the Lord Warden of the Cinque Ports, Two ancient Towns and their Members, and in his Abſence, his Lieutenant or Lieutenants, may and ſhall put in Execution within the ſaid Ports, Towns, and Members, all the Powers and Authorities given and granted by any former Act or Acts, and may and ſhall execute and perform all and every the Things therein contained, in like Manner as his Majeſty's reſpective Lieutenants of Counties, and their Deputy Lieutenants, may do; and may keep up and continue the uſual Number of Soldiers in the ſaid Ports, Towns, and Members, unleſs he or they find Cauſe to leſſen the ſame; and the Militia of the ſaid Ports, Towns, and Members, ſhall remain ſeparate from the Militia of the ſeveral Counties within which the ſaid Ports, Towns, and Members, are ſituate; any thing herein contained to the contrary notwithſtanding: And that it ſhall and may be lawful for the Lord Warden, or his Lieutenant or Lieutenants, in purſuance of Orders from His Majeſty, His Heirs, and Succeſſors, and in the Manner preſcribed by an Act made in the Thirteenth and Fourteenth Years of the Reign of King Charles the Second, intituled, An Act for Ordering the Forces in the ſeveral Counties of this Kingdom, notwithſtanding One or more Months Pay advanced be not reimburſed, to raiſe and draw out the Soldiers into actual Service, and to cauſe the Perſons charged as by the ſaid Act, to provide their Soldiers with Pay in Hand, not exceeding One Month's Pay, in ſuch Manner, as if all the Pay advanced and provided had been reimburſed; and to uſe the like Powers, and to array, aſſeſs, and arm, muſter, and exerciſe the ſaid Soldiers, and to make Aſſeſſments, and iſſue Warrants for the Aſſeſſments made or to be made for raiſing any Trophy Money, and for defraying the neceſſary Charges of Trophies, and other incident Expences of the Militia of the ſaid Ports, Towns, and Members, as hath been heretofore uſed, and according to their ancient Privileges and Cuſtoms; any thing in the ſaid Act to the contrary notwithſtanding.

The Ld. Warden of the Cinque Ports, and his Lieuts. are to execute therein the Powers granted them by former Acts, in like Manner as the Lds. Lieuts. and Deputies of Counties may do; and may continue the uſual Number of Soldiers therein; and the Militia thereof is to remain ſeparate from that of the Counties wherein they are ſituate; and they may raiſe and draw out, in purſuance of Orders from the King, conformable to the Act of 13 & 14 *Car.* II. the Militia thereof, notwithſtanding the Pay advanced be not reimburſed; and provide the Soldiers with a Month's Pay in Hand; and may exerciſe the uſual Powers for arraying, aſſeſſing, arming, and exerciſing, *&c.* the Men, and raiſing Trophy Money, *&c.*

And be it enacted, That all former Acts relating to the Raiſing of the Militia within that Part of Great Britain called England, and the Dominions of Wales, ſhall, from and after the paſſing of this Act, be, and are hereby repealed, All former Militia Acts are repealed.

except in Caſes ſubject-ed to Proviſions in the ſaid Acts;

pealed, except in ſuch Caſes as are herein ſpecially directed to be ſubject to the Proviſions of the ſaid former Acts, or any of them; and the Militia raiſed by virtue of the ſaid former Acts, ſhall be ſubject to all the ſame Proviſions and Regulations as the Militia directed to be raiſed by virtue of this Act are ſubjected to.

and nothing in this Act is to vacate any Thing done in purſuance of the former Acts; or prevent any Proceedings commenced in purſuance thereof.

And be it enacted, That nothing in this Act contained ſhall in any wiſe extend to annul or make void any Thing already done in purſuance of the former Acts relating to the Militia Forces, or any of them, or to prevent the compleating any Proceedings already commenced in purſuance of the ſaid Acts.

Where, in purſuance of the former Acts, the Militia has been raiſed, and Precepts iſſued for returning Liſts, and Proceedings had thereon; the D. Lieuts. and Juſtices are to proceed, as thoſe Acts direct, in Execution of all Matters and Things ſubſequent to ſuch Precepts, and the Liſts returned or to be returned thereon;

and levy the Fines and Penalties incurred, on that Account, as thoſe Laws direct.

And whereas in the ſeveral Counties, Ridings, or Places, where the Militia has been already raiſed, ſeveral Precepts have iſſued for the returning Liſts of the Names of ſeveral Perſons liable to ſerve in the Militia, many of which Liſts have been returned, and ſeveral Proceedings had thereon, in purſuance of the Laws for the better Ordering of the Militia Forces of that Part of Great Britain called England: And whereas it is neceſſary that ſome Proviſion ſhould be made to empower the Deputy Lieutenants and Juſtices of the Peace in their reſpective Subdiviſions, and the Juſtices of the Peace in the ſaid ſeveral Counties, Ridings, and Diviſions, in that Part of Great Britain called England, to proceed on ſuch Liſts, and other Matters relative thereto; be it therefore enacted, That the ſaid Deputy Lieutenants and Juſtices of the Peace may and ſhall continue to act and put in force the ſeveral Acts of Parliament made in the Thirtieth, Thirty firſt, Thirty ſecond, and Thirty third, Years of the Reign of His late Majeſty, and in the Firſt Year of the Reign of His preſent Majeſty, relating to the better Ordering of the Militia Forces, and the Pay thereof, in that Part of Great Britain called England, in all Matters and Things ſubſequent to the Precepts ſo iſſued, and the Liſts returned or to be returned thereon; and that the Juſtices of the Peace of the ſaid ſeveral Counties, Ridings, and Places, may and ſhall cauſe to be levied the Fines, Penalties, and Forfeitures, already incurred, or which may be incurred, in purſuance of the ſaid Militia Laws, as are in and by the ſaid Laws directed; any thing in this Act to the contrary notwithſtanding.

Limitation of Actions.

Provided always, and be it enacted, That if any Suit or Suits, Action or Actions, ſhall be brought or commenced againſt any Perſon or Perſons for any thing done in purſuance of this Act, the Action or Actions, Suit or Suits, ſhall be commenced within Six Calendar Months after the

the Fact committed, and not afterwards; and ſhall be laid in the County where ſuch Action or Actions, Suit or Suits, did ariſe, and not elſewhere; and the Defendant or Defendants in ſuch Suit or Suits, Action or Actions, to be brought, may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence: And if the Jury ſhall find for the Defendant or Defendants in ſuch Suit or Suits, Action or Actions; or if the Plaintiff or Plaintiffs ſhall be Nonſuited, or diſcontinue his or their Suit or Suits, Action or Actions, after the Defendant or Defendants ſhall have appeared; or if, upon Demurrer, Judgement ſhall be given againſt the Plaintiff or Plaintiffs; the Defendant or Defendants ſhall have Treble Coſts, and have the like Remedy for the ſame as any Defendant or Defendants hath or have in other Caſes to recover Coſts by Law. General Iſſue. Treble Coſts.

Provided always, and be it enacted by the Authority aforeſaid, That this Act ſhall continue and be in force for the Space of Seven Years, and from thence to the End of the then next Seſſion of Parliament, and no longer. This Act to be in Force for 7 Years.

FINIS.