ANNO TRICESIMO SEPTIMO

Georgii III. Regis.

CAP. XXIII.

An Act to explain and amend an Act, made in this preſent Seſſion of Parliament, intituled, *An Act for enabling His Majeſty to raiſe a proviſional Force of Cavalry, to be embodied, in caſe of Neceſſity, for the Defence of theſe Kingdoms.*

[30th *December* 1796.]

Preamble, reciting Act of the preſent Seſſion, Cap. 6.

WHEREAS it is expedient that an Act, paſſed in the preſent Seſſion of Parliament, intituled, *An Act for enabling His Majeſty to raiſe a proviſional Force of Cavalry, to be embodied, in caſe of Neceſſity, for the Defence of theſe Kingdoms*, ſhould be explained and amended, in the Particulars herein-after mentioned: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament

No articled Clerk or Apprentice exempt from Service, unleſs bound on or before *Oct.* 10, 1796, and ſerving when Exemption is claimed.

liament aſſembled, and by the Authority of the ſame, That no Perſon ſhall be exempt from the Service mentioned in the ſaid Act, by reaſon of his or her having been an articled Clerk or Apprentice, unleſs the Articles or Indentures under which ſuch Perſon ſhall be bound ſhall have been executed on or before the Twentieth Day of *October* One thouſand ſeven hundred and ninety-ſix, and unleſs ſuch Perſon ſhall be actually ſerving under ſuch Articles or Indentures at the Time of his or her claiming ſuch Exemption.

No licenſed Teacher of a ſeparate Congregation liable to Service, who is not charged to the Duties on Horſes for more than One.

II. And be it further enacted, That ſo much of the ſaid Act, paſſed in the preſent Seſſion, as exempts any Teacher of a private Congregation from the Service required by the ſaid Act, ſhall be and is hereby repealed: And that no licenſed Teacher to any ſeparate Congregation, ſhall be liable to the Service required by the ſaid Act, who ſhall not be charged to the ſaid Duties on Horſes for more than One Horſe, Mare, or Gelding.

Perſons not charged to the Duties on Horſes for more than Three, ſerving in the Cavalry raiſed under 34 *Geo.* III. Cap. 31, or who ſhall be accepted to ſerve by a limited Time, not to be claſſed under recited Act for ſuch Horſes; but if any ſuch Perſon charged for more than Three Horſes, &c. be appointed or choſen by Ballot to ſerve, he ſhall provide a Subſtitute;

III. And be it further enacted, That if any Perſon not charged to any of the Duties on Horſes for more than Three Horſes, Mares, or Geldings, ſhall have ſerved or been entered in any Volunteer Corps of Cavalry, raiſed by virtue of an Act, paſſed in the Thirty-fourth Year of the Reign of His preſent Majeſty, intituled, *An Act for encouraging and diſciplining ſuch Corps or Companies of Men as ſhall voluntarily enrol themſelves for the Defence of their Counties, Towns, or Coaſts, or for the general Defence of the Kingdom, during the preſent War*, or who ſhall enter or offer himſelf, and be accepted before the Fifteenth Day of *January* One thouſand ſeven hundred and ninety-ſeven, to ſerve in any ſuch Corps raiſed or to be raiſed by virtue of the ſaid Act, before the Fifteenth Day of *January* One thouſand ſeven hundred and ninety-ſeven, or ſuch other Day to which the Ballot, within any Subdiviſion of a County, Riding, or Diviſion, ſhall be poſtponed by His Majeſty's Privy Council, in the Manner herein-after directed; and if ſuch Perſon ſhall, at his own Expence, furniſh a Mare or Gelding for the ſaid Service, in ſuch Corps, then ſuch Perſon ſhall not be liable to be claſſed, or to provide any Man, or furniſh any Mare or Gelding, in purſuance of the ſaid Act of the preſent Seſſion, in reſpect of ſuch Horſes, Mares, or Geldings, not exceeding Three, for which he ſhall be ſo charged: Provided always, That if any ſuch Perſon as aforeſaid, being charged for more than Three ſuch Horſes, ſhall be appointed or choſen by Ballot to provide for the Service required by the ſaid Act of the preſent Seſſion of Parliament, ſuch Perſon ſhall be obliged to provide a proper Subſtitute or Subſtitutes, for the Service thereby required, although by reaſon of the Perſonal Service of ſuch Perſon in ſuch Volunteer Corps he cannot be enrolled under the ſaid Act of the preſent Seſſion of Parliament; and that any other Perſon who ſhall by virtue of the ſaid Act be appointed or choſen by Ballot to provide for the Service thereby required, and who ſhall be deemed unfit for Perſonal Service therein, for any Cauſe to be allowed by the Deputy Lieutenants, or One Deputy Lieutenant, and One Juſtice of the Peace, acting for the Subdiviſion, or who ſhall refuſe or neglect to take the Oath required to be taken under the ſaid Act, as amended by this Act, ſhall be obliged to provide a Subſtitute or Subſtitutes for the Service thereby required.

as alſo Perſons appointed or choſen by Ballot, deemed unfit for Service, or refuſing to be ſworn.

IV. And

Certain Perſons exempted.

IV. And be it further enacted, That no inferior Officer of His Majeſty's Duties of Cuſtoms, nor any Surveyor, Riding Officer, or other inferior Officer of the Duties on Salt, who ſhall not be reſpectively charged to the ſaid Duties on Horſes for more than One Horſe, Mare, or Gelding, and who ſhall make it appear to the Deputy Lieutenants, or any Two or more of them, or to one Deputy Lieutenant and One Juſtice of the Peace, at any Subdiviſion Meeting to be held as aforeſaid, that he is obliged by the Regulations or Orders of his ſuperior Officers to keep ſuch Horſe, Mare, or Gelding, for the neceſſary Performance of his Duty, as ſuch Officer, ſhall be liable to provide any Man, or any Mare, or Gelding, for His Majeſty's Service, in purſuance of the ſaid Act of the preſent Seſſion of Parliament.

No Horſe of 14 Hands or upwards to be rejected on account of its Height.

V. And be it further enacted, That no Mare, or Gelding, provided by any Perſon by virtue of the ſaid Act, and being of the Height of Fourteen Hands or upwards, ſhall be deemed unfit for Service, or rejected at any Muſter held under the ſaid Act of the preſent Seſſion, by reaſon that ſuch Mare or Gelding may be under the Height required by the ſaid Act.

No Perſon to be required to ſwear he is a Proteſtant, and in adminiſtering the Oath, certain Words to be omitted.

VI. And be it further enacted, That ſo much of the ſaid Act of the preſent Seſſion as requires every Perſon previouſly to his being inrolled, or permitted to ſerve in the Cavalry of any County, Riding, or Place, to ſwear that he is a Proteſtant, ſhall be, and it is hereby repealed; and that it ſhall be lawful for the Perſon or Perſons authorized to adminiſter the Oath preſcribed by the ſaid Act of the preſent Seſſion of Parliament, and he and they is and are hereby required in every Caſe in adminiſtering the ſame, to omit the following Words, *videlicet:* 'And I do ſwear that I am a Proteſtant.'

Where Deputy Lieutenants, &c. have omitted to meet to execute the recited Act, they may meet for that Purpoſe, and are required as ſoon after paſſing this Act as convenient, to meet to execute the ſame.

VII. And be it further enacted, That in all Caſes where the ſaid Deputy Lieutenants, or One Deputy Lieutenant and One Juſtice of the Peace, have already omitted, or ſhall at any Time or Times hereafter omit, to meet or execute any of the Powers of the ſaid Act of the preſent Seſſion of Parliament, at the Time or Times, or according to the Manner preſcribed by the ſaid Act, it ſhall and may be lawful for the Deputy Lieutenants, or any Two or more of them, or One Deputy Lieutenant and One Juſtice of the Peace, acting for any Subdiviſion of any County, Riding, or Diviſion, to meet and execute the ſaid Powers, or any of them, at any other Time or Times, and from Time to Time as there ſhall be Occaſion; and they are hereby authorized and required, as ſoon after the paſſing of this Act as ſhall be convenient, to meet at ſuch Time or Times as they ſhall think fit, and execute the ſame at any Meeting or Meetings, to be held in purſuance of Seven Days previous Notice, to be given in the Manner directed by the ſaid Act, or by Adjournment, as the Caſe may require, ſo as the ſaid Act may be fully executed; and all Meetings and Acts of the ſaid Deputy Lieutenants, or any Two or more of them, or One Deputy Lieutenant and One Juſtice of the Peace in any ſuch Subdiviſion, which have been already had purſuant (in all other Reſpects) to the Directions of the ſaid Act, or which ſhall hereafter be had under the Authority given by this Act, ſhall be deemed and are

hereby declared to be good and valid to all Intents and Purpoſes, notwithſtanding ſuch former Omiſſion or Defect.

Mode of appealing.

VIII. And be it further enacted, That if any Perſon whoſe Name ſhall be inſerted in any Liſt or Claſs made out in purſuance of the ſaid Act, ſhall think himſelf or herſelf aggrieved thereby, and ſhall claim to be exempted from the Service mentioned therein, it ſhall be lawful for ſuch Perſon, and he or ſhe is hereby required, in every Caſe where no Ballot ſhall have taken place, to appeal to the Subdiviſion Meeting appointed to be held for the Purpoſe of taking the Ballot to be made for ſuch Claſs, and before ſuch Ballot ſhall take place, and that where ſuch Ballot ſhall have taken place before the paſſing of this Act, then to appeal to the next Subdiviſion Meeting for hearing ſuch Appeals to be held by the Appointment of Two or more of the ſaid Deputy Lieutenants, or of One Deputy Lieutenant and One Juſtice of the Peace, or by Adjournment, which Meetings the ſaid Deputy Lieutenants and Juſtices reſpectively are hereby authorized and required, whenever there ſhall be Occaſion, to appoint, at any Time after the Eighth Day of *January* One thouſand ſeven hundred and ninety-ſeven, and within Twenty-one Days after the paſſing of this Act, unleſs a Meeting ſhall be held by Adjournment on a convenient Day within the Time before limited; and any Two or more of the ſaid Deputy Lieutenants, or One Deputy Lieutenant and One Juſtice of the Peace, are hereby empowered and required to hear and determine all ſuch Appeals; and the Determination of the ſaid Deputy Lieutenants, or any Two or more of them there aſſembled, or the major Part of them, or One Deputy Lieutenant and One Juſtice of the Peace there aſſembled, ſhall be final to all Intents and Purpoſes; and the ſaid Deputy Lieutenants and Juſtices of the Peace reſpectively ſhall, after hearing any ſuch Appeal, direct, as the Caſe ſhall require, the Liſts, and alſo the Claſſes in all Caſes where any Exemption ſhall be allowed in any Claſs, to be amended; and if there ſhall be Occaſion, a freſh Ballot to be taken; and ſhall and may from Time to Time adjourn their Meetings, or appoint other Meetings, and repeat the amending of the Liſts and making the new Claſſes, and taking a freſh Ballot, as often as may be neceſſary for carrying the Purpoſes of the ſaid Act of the preſent Seſſion into Execution.

Meetings for hearing Appeals to be appointed when neceſſary.

Determination at ſuch Meetings to be final.

Liſts, &c. may be amended and a freſh Ballot taken.

Claſſes not to be amended but in certain Caſes;

IX. Provided always, and be it further enacted, That no Amendment ſhall be made in any Claſs, unleſs the Name of ſome Perſon or Perſons inſerted therein ſhall have been ſtruck out, or the Number of Horſes, Mares, or Geldings, inſerted therein ſhall have been altered by the Order of Two Deputy Lieutenants, or One Deputy Lieutenant and One Juſtice of the Peace; and that no freſh Ballot ſhall take place until ſuch Claſs ſhall be amended by the Inſertion of the Name or Names of ſome other Perſon or Perſons therein, and ſo as to make up the due Number of Horſes, Mares, and Geldings required to be inſerted therein: Provided alſo, That in order to fill up any Claſs or Claſſes from which the Name or Names of any Perſon or Perſons ſhall have been ſtruck out, it ſhall be lawful for Two or more of the ſaid Deputy Lieutenants, or One Deputy Lieutenant and One Juſtice of the Peace, at any Subdiviſion Meeting, whenever the Name of any Perſon charged to the ſaid Duties on Horſes who ought to be claſſed ſhall have been omitted, to cauſe the ſame to be inſerted in any

nor any freſh Ballot to take place.

Subdiviſion Meetings may compleat Claſſes from which Names ſhall have been ſtruck out, by inſerting Names omitted, &c.

ſuch defective Claſs, in order to compleat ſuch Claſs, or if it ſhall be expedient, then to diſtribute the Perſons compoſing any entire Claſs or Claſſes amongſt the ſaid defective Claſſes, in ſuch Manner as to compleat the ſame, and ſo from Time to Time to alter, vary, or amend ſuch Claſſes, as often as ſhall be neceſſary, until all ſuch Claſſes ſhall be compleated, according to the Intent and Meaning of the ſaid Act of the preſent Seſſion of Parliament; and it ſhall be lawful for the Lieutenant and Two Deputy Lieutenants, or for Three Deputy Lieutenants, at any General Meeting of Lieutenancy for any County, Riding, or Diviſion, where a Ballot ſhall have taken place before the paſſing of this Act, if they reſpectively ſhall ſee Occaſion, to amend the Claſſes in various Inſtances, to direct the Formation of the Claſſes throughout any Subdiviſion of ſuch County, Riding, or Diviſion, where ſuch Inſtances occur, anew, and to proceed to Ballot thereupon as if no ſuch former Ballot had been made.

General Meetings may, where a Ballot has taken place before paſſing this Act, direct new Claſſes to be formed and a freſh Ballot to be made.

X. Provided alſo, and be it further enacted, That nothing herein-before contained ſhall be conſtrued to authoriſe or require the reſpective Deputy Lieutenants or Juſtices of the Peace, or any of them, to annul or ſet aſide any of their Proceedings reſpecting any Claſs or Claſſes of Perſons already made, or any Appointment or Appointments, or Ballot, already had, unleſs in their Judgement the ſame ſhall appear to be neceſſary and expedient, for the Purpoſe of completing ſuch of the ſaid Claſſes from which any Names of Perſons, or any Enumeration of Mares or Geldings, have been ſtruck out upon Appeal as aforeſaid, or otherwiſe, in purſuance of the Directions of this Act.

Deputy Lieutenants, &c. not to annul Proceedings reſpecting Claſſes already made, &c. unleſs for completing ſuch as have been altered on Appeal, &c.

XI. And be it further enacted, That the Number of Horſes, Mares, or Geldings, included in any Aſſeſſment or Aſſeſſments made after the Fifth Day of *April* One thouſand ſeven hundred and ninety-ſix, or to be made, to any of the Duties granted by the Acts of the Twenty-fourth, Twenty-ninth, and Thirty-fourth Years of the Reign of His preſent Majeſty, or any of them, in the ſaid Act of the preſent Seſſion of Parliament mentioned, ſhall be inſerted in the Schedule directed by the ſaid Act to be laid before the General Meetings of Lieutenancy in their reſpective Counties, Ridings, and Places in the ſaid Act deſcribed; and that from Time to Time new Schedules ſhall be prepared of any other Horſes, Mares, or Geldings, which ſhall be aſſeſſed to the ſaid Duties, or any of them, to be laid before ſuch General Meetings, which laſt-mentioned Horſes, Mares, or Geldings, ſhall from Time to Time be enumerated or claſſed in the Manner herein directed, until the Service required by the ſaid Act ſhall be completed: Provided always, That if any Perſon ſhall have *bona fide* ceaſed to keep or uſe any Horſe, Mare, or Gelding, or any Number of Horſes, Mares, or Geldings, for which he or ſhe is charged in any ſuch Aſſeſſment, at all Times ſince the Twentieth Day of *October* One thouſand ſeven hundred and ninety-ſix, and ſhall have remained during the whole Interval without any Horſe, Mare, or Gelding, liable to any of the ſaid Duties, in lieu of the former Horſe, Mare, or Gelding, Horſes, Mares, or Geldings, it ſhall be lawful for the Deputy Lieutenants, or any Two or more of them, or One Deputy Lieutenant and One Juſtice of the Peace, acting for any Subdiviſion before whom any Appeal for that Cauſe ſhall be brought in purſuance of this Act, to diſcharge ſuch

The Number of Horſes in any Aſſeſſment made after *April* 5, 1796, or to be made, to the Duties granted by certain Acts, to be inſerted in the Schedules to be laid before the General Meetings; and new Schedules, from Time to Time, of other Horſes aſſeſſed to thoſe Duties, to be laid before them, until the Service required be completed.

Perſons ceaſing to keep Horſes for which they are aſſeſſed, ſince *Oct.* 20, 1796, may on Appeal, have them ſtruck out of the Schedule.

ſuch Horſe, Mare, or Gelding, or ſuch Horſes, Mares, or Geldings, which ſuch Perſon ſhall have ceaſed to keep or uſe as aforeſaid, from the Copy of the Schedule whereon the ſame reſpectively ſhall appear to have been ſo charged; and ſuch Perſon ſhall not be liable to provide for the Service required by the ſaid Act in reſpect of any Horſe, Mare, or Gelding ſtruck out of ſuch Copy, in the Manner and for the Cauſe herein directed.

Perſons charged for other Duties under the Management of the Commiſſioners for Taxes, in a different Place than for Horſes, may elect, in which they ſhall be returned, &c.

XII. And be it further enacted, That it ſhall and may be lawful for any Perſon liable to the Service required by the ſaid Act of the preſent Seſſion, who ſhall be charged to any other Duties under the Management of the Commiſſioners for the Affairs of Taxes, in any Place different from the Place or Places where he or ſhe ſhall be charged to the ſaid Duties on Horſes, to elect in which of the ſaid Places he or ſhe ſhall be returned as liable to the ſaid Service, giving ſuch Notices thereof and procuring ſuch Certificates as are required to be made and procured by the ſaid Act in other Caſes where ſuch Election may be made; and in caſe ſuch Perſon ſhall elect to ſerve in the Place where he or ſhe ſhall be charged to any other aſſeſſed Duties than the ſaid Duties on Horſes, then the Number of Horſes, Mares, or Geldings, for which he ſhall be ſo charged, ſhall be indorſed or written upon the Aſſeſſment made after the Fifth Day of *April* One thouſand ſeven hundred and ninety-ſix, in reſpect of ſuch other Duties upon ſuch Perſon in the Place where he or ſhe ſhall make ſuch Election to ſerve in purſuance of ſuch Certificates; and all Fines and Penalties which ſuch Perſon may incur, and all other Payments to which ſuch Perſon may become liable, in purſuance of the ſaid Act, ſhall and may from Time to Time be added to the ſaid Aſſeſſment upon which the Number of Horſes, Mares, or Geldings, for which he or ſhe ſhall be ſo charged, ſhall be endorſed or written in purſuance of ſuch Certificates, and ſhall be levied and accounted for, together with the Duties therein reſpectively contained, ſubject to ſuch Application as is provided by the ſaid Act in reſpect of Fines, Penalties, and other Payments aforeſaid.

The Perſon on whom the Lot ſhall fall, ſhall provide an approved Man, and no Allowance ſhall be made in reſpect thereof beyond the Sum ſettled by the General Meeting, unleſs the Perſon be deemed unfit for Service.

XIII. And be it further enacted, That in every Claſs of Perſons made out or to be made out in purſuance of the ſaid Act of the preſent Seſſion, the Perſon on whom the Lot ſhall fall ſhall be bound to provide a Man, who ſhall be approved in the Manner directed by the ſaid Act; and that no Allowance ſhall be made to ſuch Perſon in reſpect thereof beyond ſuch Sum as ſhall be ſettled by the General Meeting of Lieutenancy of the ſame County, Riding, or Diviſion, where ſuch Perſon ſhall be choſen, to be a fair Compenſation in reſpect of the Cloathing to be provided; unleſs ſuch Perſon ſhall be deemed unfit for the ſaid Service, in which Caſe an Allowance ſhall be made, in reſpect thereof, of ſuch Sum of Money as ſhall be ſettled at a Subdiviſion Meeting of Lieutenancy in the Diviſion of the ſame County, Riding, or Place, where ſuch Perſon ſhall ſerve, to be a fair Compenſation for the ſame, and which Compenſation ſhall be apportioned, aſſeſſed, collected, and paid in the Manner directed by the ſaid Act.

No Allowance to be made to the Perſon on whom the Lot

XIV. And be it further enacted, That no Allowance ſhall be made to any Perſon on whom the Lot ſhall fall, in any Claſs, to provide a Mare or

or Gelding for the ſaid Service, beyond ſuch Sum as ſhall be ſettled at a General Meeting of Lieutenancy, to be allowed for any extra Expences to be incurred in providing Furniture, and in maintaining and keeping ſuch Mare or Gelding, unleſs ſuch Perſon, at the Time of ſuch Ballot being had, ſhall not be actually poſſeſſed of any Mare or Gelding, which ſhall be approved in purſuance of the Directions contained in the ſaid Act; in which Caſe ſuch Allowance ſhall be made, as ſhall be ſettled at ſuch Subdiviſion Meeting of Lieutenancy as aforeſaid to be a fair Compenſation for the ſame, and which ſhall be apportioned, aſſeſſed, collected, and paid, in the Manner directed by the ſaid Act.

ſhall fall to provide a Horſe, beyond the Sum ſettled at a General Meeting, unleſs at the Ballot he ſhall not be poſſeſſed of an approved Horſe.

XV. And be it further enacted, That ſo much of the ſaid Act made in the preſent Seſſion of Parliament, as directs an Allowance to be made to the Perſon who ſhall provide a Subſtitute in Caſes where in any Claſs there ſhall not be a Perſon fit for Military Service, ſhall be, and the ſame is hereby repealed.

Such Part of recited Act, as directs Allowance in certain Caſes for Subſtitutes, repealed.

XVI. And be it further enacted, That whenever any Mare or Gelding which ſhall have been approved at a Muſter made in purſuance of the ſaid Act of the preſent Seſſion, ſhall die, or become unfit for Service, the Perſon before appointed or choſen by Ballot to provide ſuch Mare or Gelding ſhall be obliged to provide another Mare or Gelding, which ſhall be approved in like Manner; and that whenever any Subſtitute ſhall die, or ſhall be diſcharged in purſuance of the ſaid Act, the Perſon who ſhall have provided ſuch Subſtitute ſhall be obliged to provide another Man to the ſaid Service in the Room of the Subſtitute ſo dying or diſcharged; and in every ſuch Caſe the Perſon ſo providing ſuch other Man, or ſuch other Mare or Gelding, ſhall receive a Compenſation, to be ſettled at a Subdiviſion Meeting of Lieutenancy in the Manner before directed: Provided always, That where ſuch Allowance ſhall be made in reſpect of any Mare or Gelding provided under this Act, ſuch Mare or Gelding ſhall remain under and ſubject to all the Conditions, Reſtrictions, and Regulations, for returning the ſame, as are contained in the ſaid Act, in the like Caſes where Allowances are directed to be made by the ſaid Act.

Whenever any Horſe ſhall die or become unfit for Service, or any Subſtitute die or be diſcharged, the Perſon who provided him ſhall provide another, for which he ſhall receive Compenſation.

Where ſuch Allowance ſhall be made for a Horſe, it ſhall be ſubject to the Conditions of the recited Act.

XVII. And be it further enacted, That all the Perſons charged or to be charged to the ſaid Duties on Horſes, in any County, Riding, or Diviſion, at any Time during the Continuance of the ſaid Act of the preſent Seſſion, until the Men ſerving in purſuance of the ſaid Act ſhall be called out and embodied according to the Directions therein contained, although ſuch Perſons may not be included in any Claſs or Claſſes, and although ſuch Perſons reſpectively may ſerve, or may have provided for the ſaid Service, in the Manner directed by the ſaid Act, ſhall be liable to be aſſeſſed according to the general Eſtimate to be made in ſuch County, Riding, or Diviſion, towards the Allowances to be made in purſuance of the ſaid Act and of this Act, in Proportion to the Number of Horſes, Mares, or Geldings, for which he or ſhe are or ſhall be charged to the ſaid Duties.

All Perſons charged to the Duties on Horſes, until the Men ſerving under the recited Act ſhall be embodied, ſhall be liable to be aſſeſſed towards Allowances.

XVIII. And be it further enacted, That it ſhall be lawful for any Perſon appointed or choſen by Ballot, and enrolled to ſerve by virtue of the ſaid

Perſons enrolled may, before their Corps are or-

dered to be drawn out, produce Substitutes.

Act of the present Session, at any Time before the Corps in which he shall be enrolled shall be ordered to be drawn out or embodied, to give Notice in Writing of his Intention to resign to any One or more of the Deputy Lieutenants or Justices of the Peace acting for the Subdivision for which he shall serve, and to produce a Substitute at the next Meeting to be holden for such Subdivision after such Notice, who, being approved, shall be enrolled and sworn in the Manner directed by the said Act, and thereupon the Person so resigning shall be entitled to his Discharge, to be made out in Writing under the Hands of any Two or more Deputy Lieutenants, or One Deputy Lieutenant and One Justice of the Peace acting as aforesaid.

Whenever the Men are called out, the Deputy Lieutenants, &c. may direct the County Receiver General to pay not exceeding 10*l.* in respect of each Substitute, &c.

XIX. And be it further enacted, That whenever the Men serving under the said Act of the present Session shall be called out and embodied as aforesaid, it shall and may be lawful for the Deputy Lieutenants, or any Two or more of them, or One Deputy Lieutenant and One Justice of the Peace, acting for any Subdivision of a County, Riding, or Division, by an Order in Writing under their Hands and Seals, to direct the Receiver General of the same County, Riding, or Division, to pay to the Commanding Officer of such Men, or other Person appointed provisionally to the Command of such Men, in respect of each and every Person serving for the respective Subdivisions as a Substitute, any Sum not exceeding Ten Pounds, as the Person for whom such Substitute shall serve shall have contracted to give to such Substitute, such Contract being registered with the Clerk of the Subdivision where such Substitute shall serve, within One Month after the Time of his Enrolment in the said Service; and such Receiver General shall forthwith pay the same accordingly out of any Monies in his Hands of the Monies raised by virtue of the said Act, or if he shall not have sufficient of the said Money, then to pay the same out of any Monies in his Hands, or which shall be paid to him of or for any of the Duties under the Management of the Commissioners for the Affairs of Taxes, all which Sums so paid shall be allowed to such Receiver General in his Accounts.

Volunteers raised under 34 *Geo.* III, Cap. 31, before *Jan* 15, 1797, if approved and their Horses, may be registered; and if they amount to 3-4ths of the Men to be raised in the Subdivision under the recited Act of the present Session, the further Execution of that Act may, in certain Particulars, be suspended.

XX. And be it further enacted, That if in any Subdivision of any County, Riding, or Division, any Number of Volunteers who shall be formed or raised under the Authority of the said Act passed in the Thirty-fourth Year of the Reign of His present Majesty, at any Time after the passing of this Act, and before the Fifteenth Day of *January* One thousand seven hundred and ninety-seven, shall be produced before the Deputy Lieutenants, or before One Deputy Lieutenant and One Justice of the Peace, at any Meeting held for such Subdivision within the Time before limited; and if each of such Volunteers shall be respectively cloathed, and shall be provided with a Mare or Gelding fit for Military Service, and shall be, together with their respective Mares or Geldings, approved by such Deputy Lieutenants or Justices, in the Manner directed by the said Act of the present Session, it shall and may be lawful for such Deputy Lieutenants, or any Two or more of them, or such Deputy Lieutenant and Justice of the Peace as aforesaid, to cause their Names and Places of Abode to be registered in Books to be prepared for that Purpose, and kept by the Clerk of such Subdivision Meetings; and if the Number of Volunteers to be registered in any Subdivision within the Time before limited

limited ſhall amount to or exceed Three Fourth Parts of the whole Number of Men to be raiſed within ſuch Subdiviſion by virtue of the ſaid Act of the preſent Seſſion, the Deputy Lieutenants, or any Two or more of them, or One Deputy Lieutenant and One Juſtice of the Peace there attending, may ſuſpend the further Execution of the ſaid Act of the preſent Seſſion within ſuch Subdiviſion, ſo far as reſpects the making of Appointments, and the taking of Ballots of Perſons to provide Men, and to furniſh Mares and Geldings for His Majeſty's Service, and for enforcing their Attendance at Muſter; and every Volunteer ſo regiſtered ſhall, in all Caſes where ſuch Suſpenſion ſhall take place, be entitled to receive, and ſhall be allowed, the like Compenſation for extra Expences in reſpect of Cloathing to be provided, or for maintaining and keeping their reſpective Mares or Geldings fit for Military Service, as by the ſaid Act of the preſent Seſſion of Parliament and this Act is directed to be allowed to Perſons choſen by Ballot to provide for His Majeſty's Service under the ſaid Act of the preſent Seſſion; which Allowances ſhall be ſettled by the General Meetings of Lieutenancy in the ſame County, Riding, or Diviſion, and ſhall be aſſeſſed in the Manner directed by the ſaid Act; and the Monies ſo payable ſhall be received by the Deputy Lieutenants, and paid over to the Commanding Officer of ſuch Volunteers, for the Uſe of ſuch Volunteers, in the Manner therein directed; and that all Rules and Methods for making and collecting Aſſeſſments under the ſaid Act of the preſent Seſſion ſhall be applied and extended to the making and collecting the Aſſeſſments to be paid to the Uſe of the ſaid Volunteers, as fully and effectually as if the ſame had been hereby expreſsly applied and extended thereto.

Volunteers ſo regiſtered to be entitled to the like Compenſations as Perſons choſen by Ballot, &c.

XXI. And be it further enacted, That although the Number of Volunteers to be ſo regiſtered within any ſuch Subdiviſion, within the Time herein limited, ſhall not amount to Three Fourth Parts of the whole Number of Men to be raiſed within ſuch Subdiviſion under the Authority of the ſaid Act of the preſent Seſſion, nevertheleſs it ſhall and may be lawful for ſuch of the ſaid Volunteers who ſhall be cloathed and equipped as aforeſaid, and who ſhall be approved, to enter themſelves on the Behalf of particular Perſons and Claſſes required to provide for the ſaid Military Service under the ſaid Act, and to nominate the Perſons and Claſſes for which they are reſpectively willing to ſerve; and the ſaid Deputy Lieutenants and Juſtices of the Peace there attending, ſhall cauſe the ſame to be regiſtered in ſuch Books as aforeſaid; and it ſhall be lawful for the ſaid Deputy Lieutenants and Juſtices of the Peace reſpectively to cauſe the further Execution of the ſaid Act of the preſent Seſſion to be ſuſpended within ſuch Subdiviſion, ſo far as reſpects the making of Appointments, and the taking of Ballots of the Perſons and Claſſes on the Behalf of which ſuch Volunteers ſhall enter themſelves, and for enforcing the Attendance at Muſter either of the Perſons enrolled in the ſaid Service by virtue of any Appointments or Ballots taken of ſuch Perſons and Claſſes reſpectively, or of the Volunteers who ſhall enter themſelves on the Behalf of ſuch Perſons and Claſſes reſpectively; and every Volunteer ſo entered ſhall be entitled to receive, and ſhall be allowed, the like Compenſation for Extra Expences as is herein-before directed to be allowed to Volunteers to be regiſtered under the Authority of this Act; and that in every Caſe where Volunteers ſhall be entered on the Behalf

If the Number of Volunteers ſo regiſtered ſhall not amount to ſuch 3-4th Parts, they who ſhall be approved may enter themſelves for particular Perſons or Claſſes, reſpecting whom the further Execution of the recited Act ſhall be ſuſpended, &c.;

and in such Cases the Subdivision Meeting shall proceed to execute the Act with respect to such Classes or Persons on whose Behalf no Volunteers shall have entered.

An Account of such Volunteers to be transmitted to the County Lieutenant, to be transmitted to the Privy Council, who may allow a further Time for comp'eting the Quota, &c.

of any Persons or Classes as aforesaid, the Deputy Lieutenants, or any Two or more of them, or any One Deputy Lieutenant and One Justice of the Peace, at any Meeting of such Subdivision, shall, within a reasonable Time, proceed within such Subdivision to appoint such Persons, and to choose Persons by Ballots from such Classes only, and to enforce the Enrolment or Attendance at Muster of such Persons only on whose Behalf no Volunteers shall have so entered themselves, unless in the meantime such Suspension thereof as is herein-after mentioned shall be directed; and the said Deputy Lieutenants and Justices of the Peace respectively shall forthwith transmit an Account of the Number of Volunteers so entering themselves to the Lieutenant of the same County, Riding, or Division, who shall transmit the same, without Delay, to His Majesty's Privy Council; and it shall and may be lawful for His Majesty's Privy Council to direct a Suspension of the further Execution of the said Act within any such Subdivision, for such Time as shall be thought expedient, in order to give a reasonable Opportunity to complete the Quota of such Subdivision by the raising and entering of Volunteers for the remaining Persons and Classes in such Subdivision; and in such Case it shall be lawful for the Deputy Lieutenants and Justices of the Peace respectively acting for such Subdivision, within the Time allowed by His Majesty's Privy Council, to enter any further Number of Volunteers on the Behalf of the remaining Persons and Classes in such Subdivision, and at the End of the Time so allowed to make such Appointments of the remaining Persons, and choose such Persons by Ballot out of the remaining Classes, or to enrol and enforce the Attendance at Muster of Persons before appointed or chosen by Ballot, on whose Behalf no Volunteers shall then have entered, as shall be requisite: Provided always, That if at the End of the Time so allowed, the Number of Volunteers so entered shall amount to or exceed Three Fourth Parts of the whole Number of Men to be raised within such Subdivision, then and in such Case no Appointment or Ballot, nor any Enrolment or Muster of Persons appointed or ballotted, or their respective Substitutes, shall take place within or for such Subdivision, under the said Act passed in the present Session of Parliament.

If at the End of the Time allowed, the Volunteers amount to 3-4ths of the Whole to be raised, no Appointment or Ballot, &c. shall take place in the Subdivision.

Volunteers so registered to be subject to the Provisions of the recited Act of the 34th *Geo.* III, and entitled to the like Exemptions as Volunteers entered before passing this or the recited Act of the present Session;

but not liable to the Regulations, except such as relate to Allowances.

XXII. Provided always, and be it further enacted, That every Volunteer so to be registered or entering himself on the Behalf of any other Person or Class as aforesaid, shall continue to be and shall be understood to serve under and subject to the Provisions and Regulations of the said Act of the Thirty-fourth Year of the Reign of His present Majesty, and shall be entitled to all and every the Exemptions which any Volunteer entered into any such Corps, at any Time before the passing of this Act, or the said Act of the present Session, may be entitled to, by any Act or Acts passed in the present Session of Parliament, but shall not be considered as liable to the Regulations of the said Act passed in the present Session, either as to his Attendance at Muster, or to his being drawn out and embodied in pursuance of the said Act, or to any Penalty or Forfeiture for Non-attendance at such Muster, or Non-compliance with any of the said Regulations, except as to such Regulations as are herein-before provided with respect to the Allowances to be made to such Volunteers under the Authority of the said Act of the present Session, or of this Act.

XXIII. And

XXIII. And be it further enacted, That whenever the Number of Volunteers regiſtered for any Subdiviſion ſhall amount to the Proportion hereinbefore ſpecified, all and every the Appointments already made, and Ballots already taken or had, in purſuance of the ſaid Act for ſuch Subdiviſion, ſhall be, and are hereby declared to be void.

When the Volunteers regiſtered for any Subdiviſion ſhall amount to the Proportion hereinbefore ſpecified, the Appointments made, and Ballots taken for it, ſhall be void.

XXIV. And be it further enacted, That it ſhall and may be lawful for the Deputy Lieutenants, or One Deputy Lieutenant and One Juſtice of the Peace acting for any Subdiviſion, where the Appointments and Ballots to be made by virtue of the ſaid Act ſhall not have already taken place, to ſuſpend the making ſuch Appointments, and taking ſuch Ballots, until the Fifteenth Day of *January* One thouſand ſeven hundred and ninety-ſeven, or ſuch other Day to which the ſame ſhall be poſtponed by His Majeſty's Privy Council, in order that the Proviſions of this Act, with reſpect to the raiſing of Volunteers, may have their due Effect.

Where the Appointments and Ballots ſhall not have taken place, they may be ſuſpended.

XXV. And be it further enacted, That the Officers who ſhall be proviſionally appointed by the Lieutenant or General Meeting of Lieutenancy of any County, Riding, or Diviſion, with the Approbation of His Majeſty, to the Command of Men enrolled by virtue of this Act, whenever they ſhall be formed into a Regiment, Battalion, or Troop, in purſuance of the ſaid Act, ſhall attend the Muſters which ſhall be directed to be made of Men ſo enrolled in their reſpective Subdiviſions, until ſuch Men ſhall be ordered to be drawn out and embodied, and ſhall have full Power and Authority to execute the ſaid Act of the preſent Seſſion of Parliament, in all Things which may lawfully be done by Officers appointed to muſter ſuch Men.

Officers to attend Muſters of Men enrolled, when formed, until embodied, &c.

XXVI. And be it further enacted, That if any Perſon being of the People called *Quakers*, ſhall at any Time on or before the Fifteenth Day of *January* One thouſand ſeven hundred and ninety-ſeven, or at the Firſt Subdiviſion Meeting which ſhall be held after the Tenth Day of *January* One thouſand ſeven hundred and ninety-ſeven, produce, or cauſe to be produced, before the Deputy Lieutenants, or One Deputy Lieutenant and One Juſtice of the Peace acting for the Subdiviſion where ſuch Perſon ſhall be liable to the Service required by the ſaid Act, a Certificate under the Hands of Two or more reputable Houſekeepers being of the People called *Quakers*, acknowledging ſuch Perſon to be of their Perſuaſion, it ſhall and may be lawful for the ſaid Deputy Lieutenants, or any Two or more of them, or One Deputy Lieutenant, and One Juſtice of the Peace, to cauſe the Name of ſuch Perſon to be ſtruck out of any Liſt or Claſs then made, whether a Ballot ſhall have taken place for ſuch Subdiviſion or not, and thereupon ſuch Lieutenants and Juſtices of the Peace reſpectively, are required to fine ſuch Perſon in the Sum of Twenty Shillings for each and every Horſe, Mare, or Gelding, for which ſuch Perſon ſhall be charged to the ſaid Duties, which Sum ſhall be added to the laſt Aſſeſſment of ſuch Perſon to the ſaid Duties on Horſes, and ſhall be levied at the next ſubſequent Payment to be made of any of the ſaid Duties, and applied in ſuch Manner as is directed by the ſaid Act with reſpect to any Fines thereby impoſed.

Quakers on producing a Certificate thereof, ſhall have their Names ſtruck out of Liſts, and be fined 20*s.* for each Horſe for which they are charged with Duty.

No Order, &c. to be removed by *Certiorari*, &c.

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

Proviſions of this and of the recited Act of this Seſſion, ſhall be applied in the Execution of either.

XXVIII. And be it further enacted, That all and every the Proviſions of this Act ſhall, in the Execution of the ſaid Act paſſed in the preſent Seſſion of Parliament be uſed and applied, and conſtrued, in like Manner as if the ſame Proviſions were ſpecially enacted in the ſaid Act; and all and every the Proviſions of the ſaid Act ſhall, in the Execution of this Act, be uſed, applied, extended, and conſtrued, in like Manner as if the ſame Proviſions were ſpecially enacted in this Act.

Act may be altered or repealed this Seſſion.

XXIX. Provided always, and be it further enacted, That this Act may be altered, varied, or repealed, by any Act or Acts to be made in this preſent Seſſion of Parliament.

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