ANNO TRICESIMO SEPTIMO

Georgii III. Regis.

CAP. III.

An Act for providing an Augmentation to the Militia, to be trained and exerciſed in the Manner therein directed; and for enabling His Majeſty to cauſe the ſame to be embodied, in caſe of Neceſſity, for the Defence of theſe Kingdoms.

[11th *November* 1796.]

Preamb'e.

WHEREAS, by an Act paſſed in the Twenty-ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act for amending and reducing into One Act of Parliament, the Laws relating to the Militia in that Part of* Great Britain *called* England, a certain Number of Men are directed to be raiſed in the ſeveral Counties, Ridings, and Places in *England*, to ſerve in the Militia; and by another Act, paſſed in the Thirty-fourth Year of the Reign of His ſaid Majeſty, intituled, *An Act for augmenting the Militia*, the ſeveral Regiments, Battalions, and Companies of Militia, have been augmented by ſuch Numbers of Volunteers as His Majeſty hath, under the Authority of the ſaid laſt-mentioned Act, thought proper from Time to Time to add thereto: And whereas, in order to prevent or repel any Attempt which the Enemies of the Country may make to effect a Deſcent upon this Kingdom, it is expedient to augment the Militia Forces in ſuch Manner, and to provide that ſuch Augmentation may be trained, and exerciſed to Arms, without Delay, and embodied in caſe of Emergency: May it therefore pleaſe Your

26 *Geo* III, Cap. 107.

34 *Geo.* III, Cap. 16.

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 aſſembled, and by the Authority of the ſame, That His Majeſty's Lieutenants, conſtituted and appointed by virtue of the ſaid Act of the Twenty-ſixth Year aforeſaid, for the Counties, Ridings, and Places herein-after mentioned, ſhall reſpectively have full Power and Authority, and are hereby required to call together, arm, array, and cauſe to be trained and exerciſed, ſuch Perſons, and in ſuch Manner, as is herein-after directed; and the ſaid Lieutenants ſhall alſo have, and are hereby veſted with full Power and Authority, to carry this Act into Execution, and to appoint a proper Number of Officers acting with the Regiment, Battalion, or Company, raiſed by virtue of either of the ſaid Acts of the Twenty-ſixth and Thirty-fourth Years aforeſaid, for ſuch County or Riding, or ſuch other proper Perſons as are duly qualified and approved of, according to the Directions of the ſaid former Acts, or this Act, or ſuch other Perſons as are herein-after deſcribed, to be Officers of Militia, to train, diſcipline, and command the Perſons ſo to be armed and arrayed, according to the Rules, Orders, and Directions herein-after mentioned, and to do all other Acts, Matters, and Things neceſſary for carrying this Act into Execution, in like Manner, and as fully and effectually, as they are authorized to carry into Execution the ſaid former Acts, or any of them; and that in the Abſence of any Lieutenant, or where there ſhall be no Lieutenant, the Deputy Lieutenants, duly authorized by His Majeſty, may act in all Things touching the Execution of this Act, as they might do in the Execution of the ſaid former Acts.

Lieutenants of Counties appointed by virtue of the Firſt recited Act to carry this into Execution:

In their Abſence Deputy Lieutenants may act.

II. Provided always, and be it further enacted, That if a ſufficient Number of Officers acting with the Regiment, Battalion, or Company, raiſed by virtue of the ſaid former Acts, for the County, Riding, or Place, or of Perſons qualified as aforeſaid, cannot be found to accept of Commiſſions in the Supplementary Militia to be raiſed by virtue of this Act, it ſhall be lawful for the ſaid Lieutenants and Deputy Lieutenants reſpectively, to appoint for that Service, ſuch a Number of the Officers in the Army, whether on Full or on Half Pay, or of Perſons who have had Commiſſions in any of His Majeſty's Forces, or in the Militia, and have retired therefrom, as His Majeſty ſhall approve, although not duly qualified as aforeſaid; ſuch Officers not to be appointed, on their firſt Appointment, to any higher Rank in the ſaid Supplementary Militia, than they reſpectively have, or have had, in His Majeſty's other Forces or in the Militia.

If a ſufficient Number of qualified Perſons cannot be found, Officers in the Army, or who have retired from the Army or Militia, may be appointed, though not qualified.

III. And be it further enacted, That the Number of Private Men to be raiſed by virtue of this Act ſhall be as follows; (that is to ſay),

Number of private Men to be as follows.

For the County of *Bedford*, Two hundred and fifty-four.
For the County of *Berks*, Seven hundred and forty-nine.
For the County of *Bucks*, Six hundred and ſixty-two.
For the County of *Cambridge*, Six hundred and forty-ſix.
For the County of *Cheſter*, with the City and County of the City of *Cheſter*, One thouſand four hundred and ſixty.
For the County of *Cornwall*, Eight hundred and twenty-eight.
For the County of *Cumberland*, One thouſand one hundred and eighty.

For the County of *Derby*, One thouſand ſix hundred and ſixty-ſix.
For the County of *Devon*, with the City and County of the City of *Exeter*, One thouſand ſix hundred and ninety-four.
For the County of *Dorſet*, with the Town and County of the Town of *Poole*, One hundred and eighty-five.
For the County of *Durham*, Eight hundred.
For the County of *Eſſex*, One thouſand ſeven hundred and fifty-ſix.
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*, One thouſand ſeven hundred and fifty-ſeven.
For the County of *Hereford*, Six hundred and ſixty-two.
For the County of *Hertford*, Five hundred.
For the County of *Huntingdon*, None.
For the County of *Kent*, with the City and County of the City of *Canterbury*, One thouſand eight hundred and ſeventy-three.
For the County of *Lancaſter*, Five thouſand one hundred and ſixty.
For the County of *Leiceſter*, Nine hundred and twenty-eight.
For the County of *Lincoln*, with the City and County of the City of *Lincoln*, Two thouſand one hundred and forty.
For the County of *Middleſex* (excluſive of the *Tower* Diviſion, commonly called *The Tower Hamlets*), Five thouſand eight hundred and twenty.
For the County of *Monmouth*, Three hundred and ſixty.
For the County of *Norfolk*, with the City and County of the City of *Norwich*, One thouſand nine hundred and ninety-two.
For the County of *Northampton*, One thouſand one hundred and twenty-eight.
For the County of *Northumberland*, with the Town and County of the Town of *Newcaſtle upon Tyne*, and the Town of *Berwick upon Tweed*, Eight hundred and twenty-four.
For the County of *Nottingham*, with the Town and County of the Town of *Nottingham*, Eight hundred and ninety-ſix.
For the County of *Oxford*, Eight hundred and fifty-two.
For the County of *Rutland*, Eighty.
For the County of *Salop*, One thouſand five hundred and fifty-eight.
For the County of *Somerſet*, Two thouſand nine hundred and ſixty.
For the County of *Southampton*, with the Town and County of the Town of *Southampton*, Eight hundred and forty-ſeven.
For the County of *Stafford*, with the City and County of the City of *Litchfield*, Two thouſand and ninety-five.
For the County of *Suffolk*, One thouſand four hundred and ſeventy.
For the County of *Surrey*, Two thouſand four hundred and ſixty.
For the County of *Suſſex*, One thouſand one hundred and ſixty.
For the County of *Warwick*, with the City and County of the City of *Coventry*, (but excluſive of *Birmingham*), Nine hundred.
For the County of *Weſtmorland*, Three hundred and fifty.
For the County of *Worceſter*, with the City and County of the City of *Worceſter*, Eight hundred and twenty-five.
For the County of *Wilts*, One thouſand and forty-nine.
For the Weſt Riding of the County of *York*, with the City and County of the City of *York*, Four thouſand ſix hundred and ninety-four.
For the North Riding of the ſaid County, One thouſand three hundred and ſixty.

For the East Riding of the said County, with the Town and County of the Town of *Kingston upon Hull*, Eight hundred and sixty-one.
For the County of *Anglesea*, Three hundred and twenty.
For the County of *Brecon*, Three hundred and forty.
For the County of *Cardigan*, Four hundred and seventy-four.
For the County of *Carmarthen*, with the County Borough of *Carmarthen*, Seven hundred and ninety.
For the County of *Carnarvon*, One hundred and seventy-six.
For the County of *Denbigh*, Four hundred and twenty.
For the County of *Flint*, Three hundred and eleven.
For the County of *Glamorgan*, Six hundred and twenty-two.
For the County of *Merioneth*, One hundred and seventy-four.
For the County of *Montgomery*, Two hundred and fifty-nine.
For the County of *Pembroke*, with the Town and County of the Town of *Haverford West*, Three hundred and thirty-one.
And for the County of *Radnor*, Two hundred and twenty.

At Meetings in pursuance of the First recited Act the County Lieutenants, &c. to carry this into Execution as that Act, except where hereby altered.

IV. And be it further enacted, That at the several Meetings of the Lieutenants and Deputy Lieutenants of every County, Riding, and Place, which shall be holden in pursuance of the said Act of the Twenty-sixth Year aforesaid, at any Time after the passing of this Act, or at any Special Meetings to be held for the Purpose, if necessary, the Lieutenants and Deputy Lieutenants there respectively attending, and also the Justices of the Peace of the same County, Riding, or Place, shall carry this Act into Execution, in like Manner as they are directed to carry into Execution the said Act, except where any Alteration is made by this Act; and that at the First Sub-division Meeting of Deputy Lieutenants, held within their respective Sub-divisions, after the passing of this Act, at which a Return of the Lists of Men liable to be balloted into the Militia, by virtue of the said former Acts, shall have been, or shall be then made, the Deputy Lieutenants there attending, shall cause a Duplicate of such Lists to be made out, and after hearing Appeals against the same, shall direct the Duplicate of such Lists to be amended as the Case shall require, and in such Manner that the Names of all Persons liable to be balloted for by virtue of this Act to serve in the Supplementary Militia, hereby directed to be raised, shall be inserted therein, and shall also direct the Names of all Persons by this Act respectively excepted from so serving, to be struck out of the Duplicate of the said List; and shall appoint the Times and Places for their Second Meetings, within their respective Sub-divisions; and shall return to the Clerk of the General Meetings, for the Use of the said General Meetings, Certificates, under their Hands, of the Number of Men in each Parish, Tything, or Place, specified in the Duplicate of the List so amended, and the same shall be filed by the Clerk for the Use of the General Meetings, and which General Meetings are empowered to alter the same, in like Manner as they may do under the said Act of the Twenty-sixth Year aforesaid.

At the First Subdivision Meeting at which a Return of Men liable to be balloted by virtue of the former Acts shall be made, a Duplicate of the List shall be made, in which the Names of Persons liable to be balloted for under this Act, shall be inserted, &c.

A General Meeting of Lieutenancy to be held as soon as may be after the First Sub-division Meeting, at which the

V. And be it further enacted, That a General Meeting of Lieutenancy shall be held in each County, Riding, or Place, as soon after such First Sub-division Meeting as may be, and before the Time appointed for the Second Sub-division Meeting; and at such General Meeting the Lieutenant and Deputy Lieutenants, or such of them as shall be present at such Meeting, shall appoint the Number of Men to serve in pursuance of this

Act

Act for each Hundred, Rape, Lath, Wapentake, or other Diviſion, within ſuch County, Riding, or Place, according to the Numbers contained in the Certificates received from the ſeveral Sub diviſion Meetings, in ſuch Manner as they are authoriſed to do by the ſaid Act of the Twenty-ſixth Year aforeſaid,

Number of Men to ſerve for the County in purſuance of this Act ſhall be appointed.

VI. And be it further enacted, That the Deputy Lieutenants, aſſembled at their ſaid Second Meeting held after the paſſing of this Act, within any Sub-diviſion as aforeſaid, ſhall appoint what Number of Men ſhall ſerve for each Pariſh, Tything, and Place, within ſuch Sub-diviſion, in Proportion to the Number appointed to ſerve for each Hundred, Rape, Lath, Wapentake, or other Diviſion; and ſhall appoint another Meeting to be holden as ſoon as conveniently may be, and within Three Weeks from the Day on which ſuch Meeting was holden, within the ſame Sub-diviſion; and ſhall iſſue out an Order to the Chief Conſtables, or other Officers of the reſpective Hundreds, Rapes, Laths, Wapentakes, or other Diviſions, requiring them to give Notice to the Conſtable, Tythingman, Headborough, or other Officer of every Pariſh, Tything, or Place, within their reſpective Hundreds, Rapes, Laths, Wapentakes, or other Diviſions, of the Number of Men ſo appointed to ſerve for ſuch Pariſh, Tything, or Place, and of the Time and Place of the next Sub-diviſion Meeting; and the ſaid Deputy Lieutenants, or any Two or more of them, aſſembled in purſuance of ſuch Appointment, ſhall cauſe the Number of Men appointed to ſerve as aforeſaid, to be choſen by Ballot out of the Duplicate of the Liſt returned for every Pariſh, Tything, or Place aforeſaid, and amended, where Occaſion requires, according to the Directions of this Act, and ſhall appoint another Meeting to be holden, as ſoon as conveniently may be, and within Three Weeks, in the ſame Sub-diviſion; and ſhall iſſue out an Order to the Chief Conſtables, or other Officers of the reſpective Hundreds, Rapes, Laths, Wapentakes, or other Diviſions, to direct the Conſtable, Tythingman, Headborough, or other Officer of every Pariſh, Tything, or Place, to give Notice to every Man ſo choſen to ſerve in the Supplementary Militia, to be raiſed by virtue of this Act, 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 Ballot ſhall, upon ſuch Notice, appear at ſuch Meeting, and there take the following Oath; (that is to ſay),

At the Second Sub diviſion Meeting the Number of Men to ſerve for each Pariſh ſhall be appointed, and alſo another Meeting,

Orders to be iſſued to the Chief Conſtables to give Notice to the Conſtable of each Pariſh of the Number ſo appointed, and of the next Sub-diviſion Meeting, at which they ſhall be choſen by Ballot out of the Duplicate of the Liſt and another Meeting appointed, and Order iſſued to the Chief Conſtable to direct the Conſtable to give Notice to the Men ſo choſen to appear thereat.

Conſtable to make a Return upon Oath at the Meeting; and Perſons choſen to take the following Oath:

'I *A. B.* do ſincerely promiſe and ſwear, That I will be faithful, and bear true Allegiance to His Majeſty King *George*; 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 preſent War, and for the Space of One Calendar Month after 'the End thereof.'

And every ſuch Perſon ſhall be enrolled (in a Roll to be then and there prepared for that Purpoſe) to ſerve in the Militia of ſuch County, Riding, or Place, as a Private Militia Man, during the preſent War, and for the Space of One Calendar Month after the End thereof.

And to be enrolled.

VII. Provided

Perſons choſen may find Subſtitutes of the ſame County, who, if approved, ſhall be enrolled and ſworn,

VII. Provided always, That if any Perſon ſo choſen by Ballot ſhall produce, for his Subſtitute, a Man of the ſame County, able and fit for Service, and who ſhall be approved by the ſaid Deputy Lieutenants, or any Two or more of them, ſuch Subſtitute, ſo produced and approved, ſhall be enrolled to ſerve in the ſaid Supplementary Militia of ſuch County, Riding, or Place, as a Private Militia Man, for ſuch Term as the Perſon for whom he ſhall be a Subſtitute ſhall have been choſen to ſerve, and ſuch Subſtitute ſhall take the Oath before-mentioned; and any Perſon ſo choſen by Ballot, for whom ſuch Subſtitute ſhall have been ſo produced, approved, enrolled, and ſworn as aforeſaid, ſhall not be again ballotted for in purſuance of this Act.

Subſtitute not to be objected to on account of the Number of his Children.

VIII. Provided always, and be it further enacted, That ſuch Deputy Lieutenants ſhall not reject any Perſon ſo produced as a Subſtitute for or on account of the Number of his Children; any Thing in any former Act contained to the contrary notwithſtanding.

Perſons choſen and enrolled producing Subſtitutes who ſhall be approved by the Commanding Officer, ſhall be entitled to their Diſcharge.

IX. Provided alſo, and be it further enacted, That if any Perſon, ſo choſen by Ballot, who ſhall have been enrolled in the ſaid Supplementary Militia, ſhall at any Time, during the Continuance of this Act, produce for his Subſtitute any Perſon of the Deſcription before mentioned, who ſhall be approved by the Commanding Officer of the Militia now ſerving for the County, Riding, or Place, where ſuch Perſon was ſo choſen, it ſhall and may be lawful for ſuch Commanding Officer to cauſe ſuch Subſtitute to be enrolled to ſerve in the ſaid Supplementary Militia of ſuch County, Riding, or Place, in lieu of the Perſon ſo choſen by Ballot, which Enrolment ſhall be made in the Manner before directed; and that upon the Enrolment of ſuch Subſtitute as aforeſaid, the Perſon ſo choſen by Ballot ſhall be entitled to his immediate Diſcharge.

Perſons may provide Volunteers previous to the Meeting for chooſing Men by Ballot, or Perſons may offer themſelves to ſerve in the Supplementary Militia, who may be enrolled and ſworn.

X. And be it further enacted, That it ſhall and may be lawful for any Perſon or Perſons to provide Volunteers to ſerve in the ſaid Supplementary Militia, for any Sub-diviſion within any County, Riding, or Place, and to produce ſuch Volunteers before any Deputy Lieutenants or Juſtices of the Peace of the ſame Sub-diviſion, at any Time previous to the Day appointed for chooſing the Men by Ballot to ſerve for ſuch Sub-diviſion, or the ſaid Supplementary Militia, in purſuance of this Act, or for any Perſons willing to ſerve therein, to offer themſelves to ſerve in the ſaid Supplementary Militia for any ſuch Sub-diviſion, and to appear before any ſuch Deputy Lieutenant or Juſtice of the Peace within ſuch Time and at ſuch Place as aforeſaid; and every Perſon ſo produced, or appearing, who ſhall be approved of by the ſaid Deputy Lieutenant or any Juſtice of the Peace as aforeſaid, may be enrolled to ſerve in the ſaid Supplementary Militia as a Private Man during the preſent War, and for the Space of One Calendar Month after the End thereof, and ſhall take the Oath herein-before preſcribed; and ſuch Deputy Lieutenants and Juſtices of the Peace reſpectively before whom any ſuch Volunteers ſhall be enrolled, ſhall cauſe the Clerks of the Meetings for the reſpective Sub-diviſions to enroll the Names of all ſuch Volunteers in ſuch Manner as they are required to enroll the Names of Perſons choſen by Ballot; and the Names of all ſuch Volunteers ſhall be ſo enrolled within their reſpective Sub-diviſions before the Time appointed for ballotting the Men within the ſame.

XI. And

XI. And be it further enacted, That if the Number of Volunteers enrolled by virtue of this Act in any Sub-diviſion, before the Time appointed for taking the Ballot as before directed, ſhall not amount to Two Third Parts of the Whole Number of Men appointed to be raiſed within ſuch Sub-diviſion, the Deputy Lieutenants ſhall, at the Time and Place before appointed, proceed to ballot for ſuch Number of Men only as ſhall be then wanted to make up the whole Number to ſerve for ſuch Sub-diviſion, making a freſh Appointment of the Number of Men to be raiſed for the reſpective Pariſhes and Places in ſuch Sub-diviſion, according to the Number then wanted as aforeſaid; and that if the Number of Volunteers who ſhall have been then enrolled, ſhall amount to or exceed ſuch Two Third Parts, then the ſaid Deputy Lieutenants may ſuſpend the Ballot appointed to be taken, for any Space of Time not exceeding Five Days, (of which, like Notice ſhall be given as is herein-before directed), and they ſhall forthwith tranſmit an Account of the Number of Volunteers ſo enrolled, to the Lieutenant of the County, Riding, or Place, 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, on the Tranſmiſſion of ſuch Account, to direct a further Suſpenſion of the ſaid Ballot for ſuch Time as ſhall be deemed expedient, in order to give a reaſonable Opportunity to complete the Quota of ſuch Sub-diviſion by the Enrolment of Volunteers; and in ſuch Caſe it ſhall be lawful for the Deputy Lieutenants and Juſtices of the Peace, acting for ſuch Sub-diviſion, within the Time allowed by His Majeſty's Privy Council, to enroll ſuch further Number of Men as Volunteers in the ſaid Supplementary Militia, as ſhall be wanting to complete the Quota of Men to be raiſed for ſuch Sub-diviſion, in the Manner before directed: Provided always, that if at the Expiration of the Time allowed by His Majeſty's Privy Council, the whole Number of Men to be raiſed for ſuch Sub-diviſion ſhall not have been enrolled, the Deputy Lieutenants, without further Delay, ſhall proceed to ballot for the Number of Men then wanted to make up ſuch Number, making a freſh Appointment of the Number of Men to be raiſed for each Pariſh or Place, according to the Numbers then wanted as aforeſaid; but if at the End of the Time ſo allowed, the whole Number of Men to be ſo raiſed for ſuch Sub-diviſion ſhall be completed, then the Deputy Lieutenants ſhall tranſmit an Account thereof to the Lieutenant of the ſaid County or Place, who ſhall tranſmit the ſame to His Majeſty's Privy Council; and in ſuch Caſe no Ballot ſhall take place for ſuch Sub-diviſion.

If the Volunteers ſo enrolled ſhall not amount to Two Thirds of the Whole Number to be raiſed for the Sub-diviſion, the Deputy Lieutenants ſhall at the Time appointed ballot for the Remainder of the Whole, and if it ſhall amount to that Number, the Ballot may be ſuſpended for Five Days, and an Account of the Volunteers enrolled ſent to the County Lieutenant, who ſhall tranſmit it to the Privy Council, who may direct a further Suſpenſion, in order to complete the Quota by Volunteers; and if not compleated in that Time, the Deputy Lieutenants ſhall proceed to ballot for the Number wanted; and if compleated, ſhall tranſmit an Account to the Lieutenant to be ſent to the Privy Council.

XII. Provided always, and be it further enacted, That no Perſon entitled to be exempted from being choſen by Ballot to ſerve in the ſaid Supplementary Militia, by virtue of this Act, by reaſon of his Enrolment in any Volunteer Corps herein-after mentioned, or by reaſon of his being or acting as Game-keeper to any Lord or Lady of a Manor, who ſhall be inrolled to ſerve according to the Directions of any Act to be paſſed in this Seſſion of Parliament, ſhall be admitted into or enrolled in the ſaid Supplementary Militia as a Volunteer, under the Proviſions of this Act.

No Perſon exempted from being choſen by Ballot by reaſon of his Enrolment in any Volunteer Corps, or acting as Game-keeper, ſhall be admitted as a Volunteer under this Act.

XIII. And be it further enacted, That if any Overſeer of the Poor of any Pariſh or Place, ſhall give to any Volunteer or Volunteers enrolled in the ſaid Supplementary Militia, in the Manner before directed, any Sum of Money not exceeding Four Pounds Four Shillings each, to ſerve in the

Overſeers giving to Volunteers not more than Four Guineas, may reimburſe

themſelves out of the Poor Rates.

the ſaid Supplementary Militia for ſuch Pariſh or Place, it ſhall be lawful for ſuch Overſeers to reimburſe themſelves out of any Monies of the Rates then raiſed, or to be reimburſed out of any Monies thereafter to be raiſed for the Relief of the Poor, in ſuch Manner as they may reimburſe themſelves, or be reimburſed for any Monies by them expended in Matters relating to the Poor.

If the Number of Men for any Sub-diviſion ſhall not be enrolled at the appointed Meeting, the Deputy Lieutenants may proceed to a freſh Ballot.

XIV. And be it further enacted, That if, through the Neglect or Miſtake of any chief Conſtables, Conſtables, or other Officers, or from any other Cauſe, the full Number of Men appointed for any Sub-diviſion ſhould not be duly enrolled at the Meeting appointed for that Purpoſe, as before directed, then the Deputy Lieutenants at their ſaid Meeting, or any Two or more of them, may, and they are hereby required, immediately to cauſe the Liſts to be amended, and to proceed to a freſh Ballot, and to adjourn their Meeting, or appoint other Meetings, and repeat the amending of the Liſts as may be neceſſary and expedient for carrying the Purpoſes of this Act duly and fully into Execution; and it ſhall be lawful for any One Deputy Lieutenant, or Juſtice of the Peace, to adminiſter the Oath herein-before required to be taken by Perſons to ſerve in the ſaid Supplementary Militia to any Perſon ballotted, or to any Perſon offering as a Volunteer, under the Directions of this Act, or to any Perſon who ſhall offer to ſerve as a Subſtitute, and ſuch Deputy Lieutenant, or Juſtice of the Peace, is hereby authorized to direct and require the Clerk of the Sub-diviſion for which every ſuch Perſon, by whom the ſaid Oath has been before him taken, is to ſerve, to enroll the Name of every ſuch Perſon, together with the Date of the Day on which the ſaid Oath was ſo adminiſtered to him, in the Roll of ſuch Sub-diviſion.

A Deputy Lieutenant or Juſtice may adminiſter the Oath to Perſons who are to ſerve, and ſhall direct the Clerk of the Sub diviſion to enrol the Perſons ſworn.

This Act not to delay levying Men to compleat the embodied Militia.

XV. And be it further enacted, That nothing herein contained ſhall be conſtrued in any Manner to impede or delay the levying of Men who ought to be raiſed from Time to Time to complete the Militia now embodied, or to vary the Manner of proceeding therein according to the Directions of the ſaid Act of the Twenty-ſixth Year aforeſaid; but that all ſuch Levies ſhall be effected in like Manner as if this Act had not been paſſed.

Perſons choſen by Ballot (not being Quakers) not appearing, &c. to forfeit 15 *l.* and to be liable to ſerve again at the next Ballot;

and if the Penalty be not paid, ſhall be compelled to ſerve.

XVI. And be it further enacted, That if any Perſon choſen by Ballot, according to the Directions of this Act, to ſerve in the ſaid Supplementary 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 Fifteen Pounds, and whenever any Ballot ſhall take place in the ſame Pariſh or Place, under the Authority of this Act, be liable to ſerve again, or provide a Subſtitute; and in Default of Payment of ſuch Penalty, or for Want of ſufficient Effects whereon to levy the ſame, the Name of ſuch Perſon ſhall be entered on the Roll, and ſuch Perſon ſhall be delivered over to ſome proper Officer of the Regiment, Battalion, or Independent Company, for which he was ballotted, and ſhall be compelled to ſerve in like Manner as any other Perſon who ſhould be then ballotted for would be compellable to ſerve, and ſhall be ſubject to the ſame Puniſhments for afterwards abſconding or deſerting, as he would have been

ſubject

ſubject to in caſe he had appeared, and been duly ſworn and enrolled as a Militia Man.

XVII. Provided always, That the Powers contained in the ſaid Act of the Twenty-ſixth Year aforeſaid, with reſpect to the People called *Quakers*, ſhall be carried into Execution in the levying of Men to be raiſed by virtue of this Act, as fully and amply as if the ſame had been repeated and enacted in the Body of this Act. The Powers of the firſt recited Act with reſpect to Quakers, to extend to this Act.

XVIII. Provided always, and be it further enacted, That no Perſon who ſhall ſerve as a Commiſſioned Officer in any Regiment, Troop, or Company, in His Majeſty's other Forces, or Militia now embodied, or in any Corps of Volunteers 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 enroll themſelves for the Defence of their Counties, Towns, or Coaſts, or for the general Defence of the Kingdom, during the preſent War*, and who ſhall have been duly entered therein, on or before the Twentieth Day of *October* One thouſand ſeven hundred and ninety-ſix, or in any One of His Majeſty's Caſtles or Forts, nor any Non-commiſſioned Officer, or Private Man, ſerving in any of His Majeſty's other Forces, or Militia, or in any ſuch Volunteer Corps as aforeſaid, or who ſhall have offered themſelves and been accepted to ſerve upon Vacancies which ſhall have happened on or before the ſaid Twentieth Day of *October* One thouſand ſeven hundred and ninety-ſix, nor any Perſon being a reſident Member of either of the Univerſities, nor any Clergyman, nor any licenſed Teacher of any ſeparate Congregation, nor any Conſtable, or other Peace Officer, nor any Perſon being and having been, on or before the Twentieth Day of *October* One thouſand ſeven hundred and ninety-ſix, an Articled Clerk, Apprentice, Seaman, or Seafaring Man, nor any Perſon muſtered, trained, and doing Duty, or employed in any of His Majeſty's Docks or Dock Yards, for the Service thereof, or employed and muſtered in His Majeſty's Service in the Tower of *London*, *Woolwich Warren*, the ſeveral Gun Wharfs, or at the ſeveral Powder Mills, Powder Magazines, or other Store Houſes, belonging to His Majeſty, under the Direction of the Board of Ordnance, nor any Perſon being free of the Company of Watermen of the River *Thames*, nor any Poor Man having more than Three Children born in lawful Wedlock under Ten Years of Age, or infirm, nor any Gamekeeper who ſhall cauſe himſelf to be enrolled to ſerve according to the Directions of any Act to be paſſed in this Seſſion of Parliament, nor any Perſon who has ſerved perſonally or by Subſtitute in the Militia raiſed by virtue of the ſaid former Acts, ſhall be liable to ſerve perſonally, or provide a Subſtitute to ſerve in the Militia, to be raiſed by virtue of this Act; but no Perſon who has ſerved in any of His Majeſty's Forces, or in any Volunteer Corps before-mentioned, or as a Subſtitute in the Militia raiſed by virtue of the ſaid former Acts, or of this Act, and hath been diſcharged, or quitted the ſame, ſhall by ſuch Service be exempted from ſerving in the Militia to be raiſed by virtue of this Act, if he ſhall be choſen by Ballot. Certain Perſons exempted from Service in the ſupplementary Militia.

XIX. And be it further enacted, That whenever it ſhall appear to any Two or more Deputy Lieutenants, aſſembled at any Sub-diviſion Meeting, that any Perſon choſen by Ballot to ſerve in the ſaid Supplementary Militia, Deputy Lieutenants to diſcharge unfit Perſons choſen

by Ballot, and cauſe others to be choſen.

Militia, is unable by Reaſon of any Infirmity, or is otherwiſe unfit for the Service, ſuch Deputy Lieutenants ſhall, and are hereby empowered and required to diſcharge ſuch Perſon, and immediately to amend the Liſt for the Place for which ſuch Perſon ſhall have been ballotted, and to cauſe another Perſon to be choſen in his Stead, by Ballot, according to the Directions of this Act.

When an enrolled Militia Man ſhall become unfit for Service, he may be diſcharged, but another ſhall not be ballotted for, till his Diſcharge be confirmed by Two Deputy Lieutenants.

XX. And be it further enacted, That whenever any Militia Man, after having been ſworn and enrolled by virtue of this Act, ſhall become unfit for Service, it ſhall be lawful for the Colonel or Commanding Officer of the Regiment, Battalion, or Independent Company, of the County, Riding, or Place, where ſuch Militia ſhall be raiſed, together with any Two or more Deputy Lieutenants of the County, Riding, or Place to which ſuch Militia Man belongs, if the Militia raiſed by virtue of this Act ſhall not then have been embodied and called out in purſuance of the Directions herein-after contained, or for the Commanding Officer only, if the ſaid Militia ſhall then be embodied and called out, to diſcharge any ſuch Militia Man of his Service in the ſaid Militia, but another Man ſhall not be ballotted for in the Room of ſuch Militia Man ſo diſcharged, until ſuch Diſcharge ſhall be confirmed under the Hands of Two or more Deputy Lieutenants of the County, Riding, or Place, to which any ſuch Militia Man belongs, aſſembled at any Meeting in the Sub-diviſion for which ſuch Militia Man was enrolled.

Vacancies occaſioned by Death, &c. to be filled up by a freſh Ballot.

XXI. And be it further enacted, That when any ſuch Militia Man ſhall, before the Expiration of the Term for which he was to ſerve, die, or be appointed a Serjeant, Corporal, or Drummer, in the ſaid Militia, or be diſcharged in purſuance of the Sentence of a Court Martial, the Vacancy thus occaſioned ſhall be filled up by a freſh Ballot for a Militia Man to ſerve, according to the Proviſions of this Act, except as herein-before excepted.

The Enrolment of a Servant ſhall not vacate the Contract between him and his Employer, except in certain Caſes.

XXII. And be it further enacted, That if any Servant whatever, hired by the Year or otherwiſe, ſhall be enrolled as a Militia Man by virtue of this Act, ſuch Enrolment ſhall not vacate or reſcind the Contract, or alter the Employment, between ſuch Servant and his Maſter or Miſtreſs, and Employer or Employers, unleſs the Militia of the County, Riding, or Place, for which ſuch Servant ſhall be enrolled, ſhall be embodied or called out by His Majeſty, or ordered ſo to be in purſuance of this Act, or unleſs ſuch Perſon ſo enrolled ſhall leave the Service of his Maſter, Miſtreſs, or Employer, for the Purpoſe of being trained and exerciſed, for the Space of Twenty Days in purſuance of this Act, and ſhall not return again to the ſame Service at the End of ſuch Twenty Days, or as ſoon after as reaſonably may be, allowing to his Maſter, Miſtreſs, or Employer, an Abatement from his Wages in Proportion to the Duration of his Abſence from his ſaid Service, to be ſettled by a Juſtice of the Peace in the Manner herein-after mentioned; and in every ſuch Caſe, where any Diſpute ſhall ariſe between his Maſter or Miſtreſs, Employer or Employers, and ſuch Servant, touching any Sum or Sums of Money due to ſuch Servant, for or on Account of his Service performed before the Time of his Departure from Service under the Conditions of the ſaid Enrolment, or by being called out to join the Militia in which he ſhall have been ſo enrolled, or touching any Abatement to be made by ſuch Servant by Reaſon of his Abſence, for the

Diſputes reſpecting Wages due to Servants, not exceeding 20 l. may be ſettled by a Juſtice, who may order the Money to be levied by Diſtreſs.

the Purpoſe of being trained and exerciſed, it ſhall and may be lawful, on Complaint made thereof to any Juſtice of the Peace for the County, Riding, City, Liberty, Town Corporate, or Place, where ſuch Maſter or Miſtreſs, Employer or Employers, ſhall inhabit, for ſuch Juſtice to hear and determine every ſuch Complaint, and to examine upon Oath every ſuch Servant, or any other Witneſs or Witneſſes, touching the ſame, and to make ſuch Order for the Payment of ſo much Wages to ſuch Servant, in Proportion to the Service he has performed, or ſuch Abatement from his Wages, in Proportion to the Duration of his Abſence from his Service, as the Caſe may require, as to ſuch Juſtice ſhall ſeem juſt and reaſonable, provided the Sum in Queſtion do not exceed the Sum of Twenty Pounds; and in caſe of Refuſal or Non-payment of any Sums ſo ordered to be paid, by the Space of Twenty-one Days next after ſuch Determination, ſuch Juſtice ſhall and may iſſue forth his Warrant to levy the ſame by Diſtreſs and Sale of the Goods and Chattels of ſuch Maſter or Miſtreſs, Employer or Employers, rendering the Overplus to the Owner or Owners, after Payment of the Charges of ſuch Diſtreſs and Sale.

Subſtitutes or Volunteers neglecting to appear to be ſworn, to return the Money received, and forfeit not exceeding 5*l.* or to be committed to Gaol for Three Months.

XXIII. And be it further enacted, That any Perſon who ſhall receive Money from any other Perſon to ſerve as his Subſtitute in the ſaid Supplementary Militia, or from any Perſon or Perſons to ſerve as a Volunteer in purſuance of this Act, and ſhall neglect to appear at the uſual Meeting appointed for ſwearing the Militia Men, or before ſome One Deputy Lieutenant, in order to be ſworn according to the Directions of this Act, every ſuch Perſon ſo neglecting to appear and be ſworn, being convicted thereof before any Deputy Lieutenant or Juſtice of the Peace, ſhall be obliged to return the Money to the Perſon or Perſons from whom he received it, and ſhall alſo forfeit and pay to ſuch Perſon or Perſons, any Sum not exceeding Five Pounds, at the Diſcretion of the Deputy Lieutenant or Juſtice of the Peace before whom he ſhall be ſo convicted; and if ſuch Offender ſhall not immediately return the Money ſo by him received as aforeſaid, and likewiſe pay the ſaid Penalty, he ſhall be committed to the Common Gaol, or Houſe of Correction, there to be kept to hard Labour for the Space of Three Calendar Months, or until the ſaid Sum ſhall be returned.

If any Man choſen by Ballot ſhall engage a Subſtitute, or any Perſon ſhall engage a Volunteer, and ſhall after Enrolment refuſe to pay him the Sum agreed on, a Juſtice may order it to be paid immediately.

XXIV. And be it further enacted, That if any Man choſen by Ballot to ſerve in the ſaid Supplementary Militia, ſhall have engaged any other Man to ſerve as his Subſtitute, or if any Perſon or Perſons ſhall have engaged any Man to ſerve as a Volunteer as aforeſaid, and the Man ſo choſen by Ballot, or ſuch Perſon or Perſons ſhall have agreed to pay to the Man ſo engaged a certain Sum for ſuch Service, and ſhall, after ſuch Man has been enrolled, refuſe to pay him the full Sum agreed on, it ſhall be lawful for any One Juſtice of the Peace on Application made to him, and ſuch Juſtice is hereby required to order ſuch Sum of Money as ſhall appear to him to be due to the Man ſo engaged, to be immediately paid to him by the Perſon or Perſons by or for whom he ſhall be engaged to ſerve as aforeſaid, and ſuch Juſtice ſhall proceed therein in the ſame Manner as is directed by an Act of the Twentieth Year of the Reign of His late Majeſty, for the better adjuſting and more eaſy Recovery of the Wages of certain Servants, and for the better regulating of ſuch Servants, and of certain Apprentices.

Regulations for calling out and training the Supplementary Militia.

XXV. And be it further enacted, That the ſaid Supplementary Militia to be raiſed as aforeſaid, or ſuch Part thereof, as ſhall be appointed by the Lieutenants or Deputy Lieutenants at any General Meeting of Lieutenancy, with the Approbation of His Majeſty, to be trained and exerciſed together, ſhall be called out for the Purpoſe of being trained and exerciſed for the Space of Twenty Days, and which training and exerciſing ſhall commence as ſoon after the paſſing of this Act as conveniently may be; and in every County, Riding, or Place, in which it ſhall have been appointed, that the Whole of ſuch Supplementary Militia ſhall not be trained or exerciſed at the ſame Time, then the reſpective Parts thereof ſhall be trained and exerciſed ſucceſſively, until the Whole of the Men ſerving for ſuch County, Riding, or Place, ſhall have been trained and exerciſed for the Space of Twenty Days; and that for the Purpoſe aforeſaid the Men ſerving for ſuch County, Riding, or Place, ſhall be called out to be ſo trained and exerciſed, in ſuch Manner, and in ſuch Proportions, at ſuch Time or Times, and Place or Places, in ſuch County or Riding, as ſhall be appointed by the Lieutenant, or Deputy Lieutenants, at a General Meeting of the Lieutenancy, to be holden as herein-before directed, or in Default of any ſuch Meeting being holden, then by the Lieutenant of the County, Riding, or Place, or by Three Deputy Lieutenants, authorized by His Majeſty to act as aforeſaid; and that during ſuch Time as the Men ſhall be aſſembled for the Purpoſe of being trained and exerciſed, they, and each of them, ſhall be ſubject and liable to the ſame Orders, Regulations, Pains, and Puniſhments, as the Militia Forces are ſubject and liable to by the ſaid former Act, during the Time of their Annual Exerciſe: Provided always, That it ſhall be lawful for the Lieutenant or Deputy Lieutenants, at any General Meeting of Lieutenancy, to alter the Places appointed for aſſembling the Men for Exerciſe, and from Time to Time to appoint other or additional Places as they ſhall find expedient, giving the like Notice thereof as is herein required to be given of the Places firſt to be appointed.

The Men, while aſſembled for training, to be ſubject to the ſame Regulations as the Militia are by the former Act.

The Place for Exerciſe may be altered.

The Men to be trained by ſuch Officers, &c. of the Regiments ſerving for the reſpective Counties as can be ſpared, or the Lieutenants and Deputies, with the Approbation of His Majeſty, may appoint Officers as herein directed; ſuch Officers, &c. entitled to the ſame Pay as in the Militia; and no ſuch Officer to be deprived of Half Pay.

XXVI. And be it further enacted, That the Militia Men to be raiſed by virtue of this Act, ſhall be trained and exerciſed during the reſpective Periods of Twenty Days, by ſuch Officers, Non-commiſſioned Officers, and Drummers, or Private Men, appointed to act as Non-commiſſioned Officers, of the reſpective Regiments, Battalions, or Companies of Militia ſerving for their reſpective Counties or Ridings, as may be conveniently ſpared from Service, and ſhall be detached for that Purpoſe; and where a ſufficient Number of ſuch Officers, Non-commiſſioned Officers, or Drummers, cannot be conveniently ſpared, it ſhall and may be lawful for the ſaid Lieutenants, and Deputy Lieutenants reſpectively, with the Approbation of His Majeſty, to appoint for that Service proper Officers as is herein-before directed; and all ſuch Officers, Non-commiſſioned Officers, or Privates appointed to act as Non-commiſſioned Officers, ſhall be entitled to the ſame Pay during ſuch Service as the Officers and Non-commiſſioned Officers of Militia are entitled to receive during the Times of Annual Exerciſe, over and above any other Pay, or other Emoluments or Allowances, to which they, or any of them, may be reſpectively entitled in the Corps to which they may belong; and no ſuch Appointment of any Officer entitled to Half Pay ſhall be conſtrued to deprive ſuch Officer of ſuch Half Pay during the Time he ſhall ſerve in the ſaid Supplementary Militia.

XXVII. And

XXVII. And be it further enacted, That Notices of the Times and Places of Exerciſe of the Militia Men to be raiſed by virtue of this Act, ſhall, by Order of the General Meetings of Lieutenancy, be ſent by the Clerk of the General Meetings to the Clerks of the ſeveral Sub-diviſion Meetings in the reſpective Counties, Ridings, and Places; and the ſaid Deputy Lieutenants, at ſome Sub-diviſion Meeting to be held for carrying this Act into Execution after the Receipt of the ſaid Notices, ſhall cauſe the Men ſerving for ſuch Sub-diviſion to be called out in ſuch Order and Courſe as ſhall have been notified by the Clerk of the General Meetings as aforeſaid, and for that Purpoſe ſhall iſſue Orders to the chief Conſtables or other Officers of the ſeveral Hundreds, Rapes, Laths, Wapentakes, or other Diviſions reſpectively, with Directions to forward the ſame to the Conſtables, Tythingmen, Headboroughs, and other Officers within their reſpective Hundreds, Rapes, Laths, Wapentakes, or other Diviſions, which Conſtables, Tythingmen, Headboroughs, or other Officers, ſhall cauſe ſuch Notice as aforeſaid to be affixed on the Door of the Churches or Chapels belonging to their reſpective Pariſhes, Tythings, or Places, or (if any Place 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 ſuch Conſtables, Tythingmen, Headboroughs, or other Officers, are hereby required alſo to give Notice, in Writing, to the ſeveral Militia Men who ſhall be called out to be trained and exerciſed at ſuch Times and Places reſpectively, by ſerving them perſonally, or by leaving the ſame at their uſual Places of Abode, to attend at the Time and Place mentioned in ſuch Order; and all ſuch Militia Men ſhall duly attend at the Time and Place of Exerciſe, according to ſuch Notices reſpectively, and in Default thereof, ſhall ſuffer the ſame Pains and Penalties as by the ſaid Act of the Twenty-ſixth Year aforeſaid are in ſuch Caſe directed and impoſed.

Notice of the Time and Place of Exerciſe ſhall, by Order of the General Meetings, be ſent by their Clerk to the Clerks of the Sub-diviſion Meetings, and the Deputy Lieutenants ſhall cauſe the Men to be called out as herein mentioned.

Men not attending, liable to the Penalties of the firſt recited Act.

XXVIII. And be it further enacted, That the Clerks of the ſeveral Sub-diviſion Meetings in every County, Riding, or Place, ſhall, within the Space of Ten Days after the Men ſhall be enrolled, cauſe a full and true Liſt, ſpecifying the Name and Date of the Enrolment of all the Perſons enrolled (within each Sub-diviſion reſpectively) to ſerve in ſuch Militia, and the Time and Place of Exerciſe to be tranſmitted to the Commanding Officer of the Regiment, Battalion, or Independent Company of Militia raiſed by virtue of the ſaid Act of the Twenty-ſixth Year aforeſaid, for the County or Riding for which ſuch Perſons have been enrolled by virtue of this Act, or to ſuch Perſon as ſhall be appointed by ſuch Commanding Officer to receive the ſame; and ſhall in like Manner cauſe a Duplicate of ſuch Liſt to be tranſmitted to the Adjutant of the ſaid Regiment, Battalion, or Independent Company.

Ten Days after the Men are enrolled, Liſts of them, and the Time and Place of Exerciſe, ſhall be tranſmitted by the Clerks of the Sub-diviſion Meetings to the Commanding Officer of the reſpective Regiments, and a Duplicate to the Adjutant.

XXIX. And be it further enacted, That Arms, Accoutrements, and ſuch Cloathing, may be provided for the Militia Men raiſed by virtue of this Act, as ſhall be deemed neceſſary by the Lord Lieutenant and Deputy Lieutenants reſpectively, with the Approbation of His Majeſty, and that One Sixth Part of the Arms and Cloathing ſo provided, or ſo much as ſhall be neceſſary for the Men called out to be trained and exerciſed, ſhall be delivered to the Uſe of the Militia during the Time of their being trained and exerciſed by virtue of this Act, and that the Reſidue of ſuch Arms and Cloathing ſhall be kept in ſuch ſecure Place as His Majeſty ſhall

Regulations reſpecting Arms, Accoutrements, and Cloathing.

shall direct; and 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; and in case any Militia Man shall sell, pawn, or lose any of his Arms, Cloaths, or Accoutrements, or neglect or refuse to return the same, in good Order, to his Commanding Officer, or to the Person appointed to receive the same, every such Militia Man shall, for every such Offence, forfeit and pay a Sum not exceeding Five Pounds, and if such Militia Man shall not immediately pay such Penalty, the Justice of the Peace before whom he shall be convicted shall commit him to the House of Correction for any Time not exceeding Three Months, or until he shall have paid the said Penalty.

Penalty on Men for selling, pawning, losing, or not returning Arms, &c.

XXX. And be it further enacted, That the Arms belonging and delivered out to the Militia raised by virtue of this Act, when not embodied, shall be kept in such convenient Place as the Commanding Officer shall direct, with the Approbation of the Lieutenant, or Deputy Lieutenants, authorised as aforesaid, of the County, Riding, or Place.

The Arms, when the Militia is not embodied, to be kept where the Commanding Officers shall direct.

XXXI. And be it further enacted, That it shall be lawful for the Lieutenant, or Three Deputy Lieutenants, authorized by His Majesty, and he and they is and are hereby required to quarter and billet the Officers, Non-commissioned Officers, and Private Men, serving in the said Supplementary Militia, at the Times when they shall respectively be called out to exercise, in Inns, Ale-houses, Victualling Houses, Livery Stables, and all Houses of Persons selling Brandy, Strong Waters, Cyder, Wine, or Metheglin, by Retail; and also to order and provide convenient Lodging in such Houses as aforesaid, for the Serjeants, Corporals, and Drummers, of the said Supplementary Militia, whenever the same shall not be so called out to exercise, unless embodied and called out to actual Service.

The Supplementary Militia, when called out to exercise, may be billetted in Inns, &c. and Lodgings may be provided for the Non-commissioned Officers and Privates, when not embodied.

XXXII. And be it further enacted, That in all Cases of actual Invasion, or upon imminent Danger thereof, it shall be lawful for His Majesty (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 the Lieutenants of the said several Counties, Ridings, and Places, or on the Death or Removal, or in the Absence from their respective Counties, Ridings, or Places of any of them, then any Three or more Deputy Lieutenants, with all convenient Speed, to draw out and embody all the Militia within their respective Counties, Ridings, and Places herein-before appointed to be raised and trained, or so many of them as His Majesty shall in His Wisdom judge necessary, and 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 shall be pleased to appoint, and to direct the said Forces to be led by their respective Officers into any Parts of this Kingdom, and for the repelling and Prevention of any such Invasion, and such Militia Men so drawn out and embodied may be incorporated into the respective Companies of Militia then serving for the same County or Riding, by virtue of the said Act of the Twenty-sixth Year aforesaid, or may be formed into a distinct Regiment or Regiments, Battalion or Battalions, or into an Independant Company or Companies, in such Manner as shall have been fixed by the Lieutenants

His Majesty may order all the Militia to be embodied, in Cases of actual Invasion, &c. and commanded and led by General Officers, &c.

Lieutenants of the ſeveral Counties, Ridings, and Places, with the Approbation of His Majeſty; and ſuch Officers, Non-commiſſioned Officers, and Drummers, may be appointed to the ſaid Militia, when ſo drawn out and embodied, as ſhall appear to be neceſſary, and according to Circumſtances, ſo that the Number of Officers, Non-commiſſioned Officers, and Drummers reſpectively, ſhall not exceed the Proportion allowed by the ſaid Act of the Twenty ſixth Year aforeſaid; and that all Officers newly appointed, ſhall be approved of by His Majeſty in the Manner directed by this Act; and the Officers, Non-commiſſioned Officers, Drummers, and Private Men, ſo appointed, whether incorporated as aforeſaid, or formed into Regiments, Battalions, or Independant Companies, ſhall, from the Time of their being drawn out and embodied as aforeſaid, and until they ſhall be returned again, by His Majeſty's Orders, to their reſpective Pariſhes or Places of Abode, remain under the Command of ſuch General Officers; and during ſuch Time as aforeſaid, all the Proviſions contained in any Act of Parliament which ſhall be then in Force for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, ſhall be in Force with reſpect to the ſaid Militia, and ſhall extend to all the Officers, Non-commiſſioned Officers, Drummers, and Private Men of the ſaid Militia, in all Caſes whatſoever.

No Part of the Militia raiſed under this Act, ſhall be ordered out of *Great Britain*.

XXXIII. Provided always, and be it further enacted, That neither the Whole or any Part of the Militia directed by this Act to be raiſed and maintained, ſhall, on any Account, be carried or ordered to go out of *Great Britain*.

When the Supplementary Militia is called out, His Majeſty may iſſue a Proclamation for the Meeting of Parliament in 14 Days;

XXXIV. And be it further enacted, That whenever His Majeſty ſhall cauſe the ſaid Supplementary Militia, or any Part thereof, to be drawn out and embodied as aforeſaid, if the Parliament ſhall then be ſeparated by ſuch Adjournment or Prorogation as will not expire within Fourteen Days, His Majeſty may and ſhall iſſue a Proclamation for the Meeting of the Parliament within Fourteen Days, and the Parliament ſhall accordingly meet and ſit upon ſuch Day as ſhall be appointed by ſuch Proclamation, 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.

and when ſo ordered out, the County Lieutenants to iſſue Orders to the Chief Conſtables, to be forwarded to the Conſtables, who ſhall cauſe Notice to be given to the Militia Men to attend.

XXXV. And be it further enacted, That when His Majeſty ſhall think fit to order the ſaid Supplementary Militia, or any Part thereof, to be drawn out and embodied as aforeſaid, the Lieutenant of every County, Riding, and Place, or (on the Death or Removal of any ſuch Lieutenant, or in his Abſence from his County, Riding, or Place) any Three or more Deputy Lieutenants to whom any ſuch Order as aforeſaid from His Majeſty ſhall be directed, ſhall iſſue his or their Order to the Chief Conſtables or other Officers of the ſeveral Hundreds, Rapes, Laths, Wapentakes, or other Diviſions within their reſpective Counties, Ridings, and Places, 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 Hundreds, Rapes, Laths, Wapentakes, and Diviſions, and ſuch Conſtables, Tythingmen, Headboroughs, or other Officers, are hereby required, upon Receipt thereof, forthwith to cauſe Notice in Writing to be given to the ſeveral Militia Men, or left at their uſual Places of Abode, within their reſpective Pariſhes, Tythings, or Places, to attend at the Time and Place mentioned in ſuch Order; and if

Men not attending, may be apprehended as Deſerters; and Perſons harbouring them to forfeit 5 *l.*

any Militia Man ſo ordered 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 ſhall be liable to be apprehended and puniſhed as a Deſerter, according to the Proviſions of any Act which ſhall be then in Force for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters; and if any Perſon ſhall harbour or conceal any Militia Man when ordered out into actual Service, knowing him to be a Militia Man, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Five Pounds.

When called out, the Receiver General of the Land Tax to pay One Guinea for the Uſe of each Man.

XXXVI. And be it further enacted, That when the ſaid Supplementary Militia of any County, Riding, or Place, ſhall be embodied and called out into actual Service, the Receiver General of the Land Tax for ſuch County, Riding, or Place, ſhall and is hereby required forthwith to pay to the Captains or Commanding Officers of Companies of Militia reſpectively, the Sum of One Guinea for the Uſe of every Private Militia Man who ſhall be ſo called out; and the ſaid Receiver General ſhall alſo pay to every Captain or other Commanding Officer of a Company as aforeſaid, the Sum of One Guinea for every Recruit as early as may be after ſuch Recruit ſhall have joined his Company, when out in actual Service as aforeſaid, (all which Money ſo paid by the ſaid Receiver General, ſhall be allowed him in his Account); and the Money ſo received by any Captain or other Commanding Officer (or ſo much thereof as ſuch Captain or Commanding Officer ſhall think proper) ſhall be laid out in the Manner he ſhall think moſt advantageous for the reſpective Militia Men; and ſuch Captain or Commanding Officer ſhall, before any Militia Man of his Company receives his Diſcharge, account to ſuch Militia Man how the ſaid Sum of One Guinea hath been applied and diſpoſed of, and ſhall pay the Remainder of the Money (if any) to the ſaid Militia Man.

Captains to account with the Men for the Money.

Militia when embodied to be entitled to the ſame Pay as the other Forces, and Non-commiſſioned Officers and Privates to *Chelſea* Hoſpital.

XXXVII. And be it further enacted, That from the Date of His Majeſty's Warrant for drawing the ſaid Militia out into actual Service, the Officers and Private Men of the ſaid Militia ſhall be entitled to the ſame Pay as the Officers and Private Men of His Majeſty's other Regiments of Foot receive, and no other; and if any Non-commiſſioned Officer or Private Man of the ſaid Militia, ſhall be maimed or wounded in actual Service, he ſhall be equally entitled to the Benefit of *Chelſea* Hoſpital, with any Non commiſſioned Officer or Private Man belonging to any of His Majeſty's other Forces.

By *Jan.* 5, 1797, a Certificate to be tranſmitted to the Clerk of the Peace of the Number of Private Men raiſed, who ſhall deliver it to the next Quarter Seſſion to be filed; and where none

XXXVIII. And whereas it may happen through Neglect, or otherwiſe, that in ſome County, Riding, or Place, the Militia may not be raiſed according to the Directions of this Act, and it is juſt and reaſonable that all His Majeſty's Subjects ſhall contribute equally toward the Expence of raiſing and ſupporting a Militia for the Defence of the Kingdom; be it therefore further enacted, That the Lieutenant, or any Three Deputy Lieutenants of every County, Riding, and Place, where the Militia ſhall be raiſed, according to the Directions of this Act, ſhall, on or before the Fifth Day of *January* in the Year of our Lord One thouſand ſeven hundred and ninety-ſeven, tranſmit a Certificate to the Clerk of the Peace, containing an Account of the Number of Private Men of the Militia raiſed

raiſed by virtue of this Act, and every ſuch Clerk of the Peace ſhall deliver ſuch Certificate to the Juſtices of the Peace at their General Quarter Seſſion to be held next after the ſaid Fifth Day of *January* One thouſand ſeven hundred and ninety-ſeven, on the Day on which ſuch Seſſion ſhall be opened, and the ſame ſhall be filed amongſt the Records of ſuch Seſſion; but where no ſuch Certificate ſhall be received by the Clerk of the Peace as aforeſaid, he ſhall certify the ſame under his Hand and Seal to the Juſtices ſo aſſembled, and ſuch Certificate of the ſaid Clerk of the Peace ſhall be filed by him amongſt the Records of ſuch Seſſion.

ſhall be received, he ſhall certify the ſame to the Juſtices.

XXXIX. And be it further enacted, That in every County, Riding, and Place, where no ſuch Certificate ſhall be tranſmitted to the Clerk of the Peace as aforeſaid, the Juſtices of the Peace of ſuch County, Riding, or Place, at the ſame General Quarter Seſſions where ſuch Default ſhall be made as aforeſaid, ſhall, unleſs an Apportionment ſhall have been made according to the Directions of this Act, diligently proceed to apportion the Number of Men to be raiſed by virtue of this Act, in each Town, Pariſh, or Place, and the ſaid Juſtices are hereby authorized and required to do all Acts neceſſary for that Purpoſe, which the Lieutenants and Deputy Lieutenants are hereby authorized to do, and the ſaid Juſtices ſhall adjourn ſuch General Seſſions from Time to Time, until ſuch Apportionment be completed; and that the Sum of Fifteen Pounds ſhall be annually paid, for and in lieu of every Private Militia Man by this Act directed to be raiſed within the ſame County, Riding, or Place, making ſuch Default, and ſhall be paid to the Treaſurer of the County by the reſpective Overſeers of the Poor of the ſeveral Towns, Pariſhes, and Places; and the Juſtices of the Peace ſhall and are hereby required, at their ſaid General Quarter Seſſion, to rate and aſſeſs the Sum of Fifteen Pounds upon every Town, Pariſh, and Place within ſuch County, Riding, or Place, for every Man which ſuch Town, Pariſh, or Place ought to raiſe by virtue of this Act, and the ſame ſhall be levied, collected, received, paid, and accounted for in ſuch Manner, and by ſuch Ways and Means, and 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, who ſhall make Default therein, as are directed with reſpect to Rates made for the Relief of the Poor of ſuch Town, Pariſh, or Place.

Where no Certificate ſhall be tranſmitted, the Quarter Seſſions, unleſs an Apportionment ſhall have been made, ſhall proceed to apportion the Number, and adjourn the Seſſions till completed.

15*l.* to be paid annually by the Overſeers for each Man wanting.

Quarter Seſſion to aſſeſs the Money on the reſpective Pariſhes, &c.

XL. And be it further enacted, That if any Perſon or Perſons who ſhall be choſen by Lot and enrolled to ſerve in the ſaid Supplementary Militia, to be raiſed by virtue of this Act, ſhall, when ordered out to be trained and exerciſed for Twenty Days as aforeſaid, leave a Family unable to ſupport themſelves, the Overſeer or Overſeers of the Poor of the Pariſh, Tything, or Place 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 Place, pay to ſuch Family the following Weekly Allowance; that is to ſay, a Sum not exceeding One Shilling for each and every Child born in Wedlock, and under the Age of Ten Years, and a Sum not exceeding One Shilling for the Wife of ſuch Militia Man, whether he ſhall or ſhall not have any Child or Children; and in every Pariſh, Tything, or Place, 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.

The Families of Militia Men choſen by Lot, when ordered to be trained, to receive a weekly Allowance from the Overſeers of the Poor.

XLI. And

The Powers of all Acts relating to the Militia to extend to this Act as far as applicable.

XLI. And be it further enacted, That all Powers, Proviſions, Rules, Regulations, Penalties, Forfeitures, Bounties, Allowances, Clauſes, Matters, and Things, contained in the aforeſaid Act of the Twenty-ſixth Year of His Majeſty's Reign, or in any other Act of Parliament relative to the raiſing, training, embodying, and calling out the Militia, or providing for the Families of Militia Men called out, or in any Act to be paſſed in this Seſſion of Parliament relative to the paying, cloathing, or ſubſiſting the Militia, ſhall be applied, practiſed, and put in Execution with reſpect to the Militia directed to be raiſed by this Act, in as full and ample a Manner, as if the ſaid Powers, Proviſions, Rules, Regulations, Penalties, Forfeitures, Bounties, Allowances, Clauſes, Matters and Things, were again repeated and enacted in this Act, ſo far as the ſame are applicable to the Proviſions of this Act, and are not repugnant to or altered by the expreſs Proviſions of this Act.

Continuance of Act.

XLII. And be it further enacted, That this Act ſhall be and continue in force during the preſent War, and for the Space of One Calendar Month after the End thereof.

Act may be altered or repealed this Seſſion.

XLIII. 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.

FINIS.