ANNO TRICESIMO OCTAVO

GEORGII III. REGIS.

****

CAP. XII.

An Act to give further Time for executing, and for enlarging, the Powers of an Act, made in the laſt Seſſion of Parliament, intituled, *An Act to raiſe and embody a Militia Force in that Part of the Kingdom of* Great Britain *called* Scotland.

[30th *December* 1797.]

Preamble.

WHEREAS by an Act, paſſed in the laſt Seſſion of Parliament, intituled, *An Act to raiſe and embody a Militia Force in that Part of the Kingdom of* Great Britain *called* Scotland, the Firſt Meeting of His Majeſty's Lieutenants and the Deputy Lieutenants of each County, Stewartry, City, or Place, for carrying into Execution the ſaid Act, was thereby directed to be held on the Firſt Day of *Auguſt*, in the Year One thouſand ſeven hundred and ninety-ſeven: And whereas His Majeſty's Lieutenants and Deputy Lieutenants of certain Counties, Stewartries, Cities, or Places, in *Scotland*, have not met on the ſaid Firſt Day of *Auguſt*, to carry the ſaid Act into Execution, by reaſon whereof the ſaid Militia have not yet been raiſed in *Scotland*; 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 aſſembled, and by the Authority of the ſame, That

37 *Geo.* III, Cap. 103, recited.

Where the First Meeting of Lieutenancy was not held on the Day appointed by the recited Act, it may meet not later than *March* 1, 1798.

That in every County, Stewartry, City, or Place, in *Scotland*, where the First Meeting of Lieutenants and Deputy Lieutenants was not held on the Day appointed by the said Act, it shall be lawful for the Lieutenants and Deputy Lieutenants of the said Counties, Stewartries, Cities, and Places respectively, and they are hereby required to meet on the Twelfth Day of *February* One thousand seven hundred and ninety-eight, to carry the said Act into Execution; and the Lieutenants and Deputy Lieutenants respectively, who shall attend such Meeting, are hereby authorised and empowered to proceed in the Execution of the said Act, in the like Manner as they were directed to do, and might have done, on the said First Day of *August* One thousand seven hundred and ninety-seven: Provided always, that if it shall happen that the Lieutenants and Deputy Lieutenants of any County, Stewartry, City, or Place, in which the said Act hath not been carried into Execution, shall not hold their First Meeting on the said Twelfth Day of *February* One thousand seven hundred and ninety-eight, it shall be lawful for the said respective Lieutenants and Deputy Lieutenants to meet at any other Time afterwards, not later than the First Day of *March* One thousand seven hundred and ninety-eight, and they are hereby respectively required, in case of such Failure, to meet at such Time as they conveniently can, and so as the said Meeting be not unnecessarily postponed or later than the said First Day of *March* One thousand seven hundred and ninety-eight; and that the First Meeting to be held on any of the Days before mentioned, and all other subsequent Meetings to be held in pursuance thereof, and also all Proceedings and Acts to be had or done at the said several Meetings, or any of them, or in pursuance of Orders given at such Meeting, shall be equally valid and effectual as if the same Meetings had been held on the Days mentioned in the said Act, or authorised thereby, and the same Proceedings and Acts had been done at such Meetings, or in pursuance of Orders given at the same.

His Majesty, in Council, may apportion the Number of Men to serve for each Place from whence Returns have been transmitted.

II. And whereas it is enacted by the said Act, that the Number of Private Men to be raised by the said Act should be apportioned and divided over the several Counties, Stewartries, Cities, and Places, as His Majesty, by Order in Council, shall direct: And whereas for Want of Returns from the said Counties, Stewartries, Cities, and Places, where the said Act has not been carried into Execution, His Majesty hath not been able to make such Division; be it further enacted, That in the mean Time, and notwithstanding no Accounts or States of Persons liable to serve as Militia Men have been transmitted for certain of the said Counties, Stewartries, Cities, and Places, it shall be lawful for His Majesty, by Order in Council, from the Lists, States, and Accounts, already transmitted to His Majesty's Privy Council, previously to apportion and divide over the several Counties, Stewartries, Cities, and Places, from which such Lists, States, and Accounts, have been transmitted, the Number of Militia Men to serve for each such County, Stewartry, City, or Place; any Thing in the said Act, to the contrary notwithstanding.

Till the whole Returns are transmitted, the Total to be apportioned for Places

III. Provided always, and be it enacted, That until such Time as Returns shall have been transmitted to His Majesty's Privy Council from all the Counties, Stewartries, Cities, and Places, in *Scotland*, the total Number of Militia Men to be apportioned for those Counties,

Counties, Stewartries, Cities, and Places, from which Returns have been received, as directed by the said Act, shall not exceed Five thousand five hundred. from whence Returns have been sent, shall not exceed 5500.

IV. Provided also, That if upon the Returns being made from the remaining Counties, Stewartries, Cities, or Places, where the said Act has not been carried into Execution, it shall appear to His Majesty in Council that the Number of Men to be apportioned over the said remaining Counties, Stewartries, Cities, or Places, together with the Numbers already apportioned, will not compleat the Number to be raised by the said Act, it shall be lawful for His Majesty, by Order in Council, to make such further Apportionment of Men to be raised over the several Counties, Stewartries, Cities, and Places, for which such Provisional Apportionment shall have been before made, as to His Majesty in Council shall seem expedient and necessary to carry into Effect the Provisions of the said Act. Such Provisional Apportionment may be increased on Receipt of the Whole Returns.

V. And be it further enacted, That the Lieutenant, or, failing of him, any Three or more Deputy Lieutenants, of each County, Stewartry, City, or Place, shall, upon Receipt of His Majesty's Order in Council aforesaid, summon a General Meeting of the said Lieutenant and Deputy Lieutenants, or any Three or more of them, at some Burgh or principal Town of the said County, Stewartry, or Place, not later than Fourteen Days after the Receipt of the said Order in Council, at which General Meeting the Number of Men to be ballotted for in each Subdivision or District of the said County, Stewartry, City, or Place, shall be fixed and apportioned; which Ballot shall take place as directed by the said Act, and the Copy of the Roll or Rolls of Militia Men ballotted for and thereby ordered to be affixed to the Door of each Parish Church, may be so affixed by the Schoolmaster of such Parish, or by a Constable or other Officer; any Thing in the said Act to the contrary notwithstanding. On Receipt of His Majesty's Order in Council for that Purpose, a General Meeting of Lieutenancy to be summoned, &c.

VI. Provided always, and be it enacted, That it shall be lawful for the said Lieutenant and Deputy Lieutenants, or any Three or more of them, at their said General Meeting, or at any adjourned or other General Meeting, held for the further Execution of the said recited Act, or of this Act, to add together, whenever they shall think necessary, the Lists for Two or more Districts or Subdivisions, and proceed upon such Lists added together, in like Manner as if they had been originally returned for One Parish, Place, Subdivision, or District, so as to make the Choice of Militia Men by Ballot within every such County, Stewartry, City, or Place, as equal and impartial as possible; any Thing in the said Act to the contrary notwithstanding. Lists for Two or more Districts may be added together.

VII. And be it further enacted, That His Majesty's Lieutenant for each County, Stewartry, City, or Place, together with any Two or more Deputy Lieutenants, and on the Death or Removal or in the Absence of His Majesty's said Lieutenant, the Deputy Lieutenants, or any Three or more of them, may summon a General Meeting, or District or Subdivision Meeting, at such Times and Places as they may think necessary for the further Execution of the said recited Act and this present Act, besides those especially directed to be held as aforesaid; and which General and District or Subdivision Meetings shall have the same Meetings may be summoned at any Time.

Powers and Authorities as are given to them reſpectively by the ſaid recited Act and this preſent Act, and may be adjourned from Time to Time as may be found neceſſary.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1797.