

ANNO TRICESIMO NONO

GEORGII III. REGIS.

Seſſ. 2.

****

CAP. I.

An Act for enabling His Majeſty to accept the Services of an additional Number of Volunteers from the Militia, under certain Reſtrictions.

[8th *October* 1799.]

Preamble.

WHEREAS the great Increaſe of the Regular Army, by the Volunteers from the Militia of this Kingdom, under an Act paſſed in the laſt Seſſion of Parliament, has enabled His Majeſty to employ a very conſiderable Force with a View to the Re-eſtabliſhment of the Independence and lawful Government of the *United Provinces*: And whereas the Succeſs which has already attended His Majeſty's Arms, in the Employment of ſuch Force, has greatly contributed to encreaſe the Security of His Majeſty's Dominions; and it is thereby become expedient to diſembody, diſmiſs, or reduce a certain Proportion of the Militia Forces exiſting in this Kingdom, and to enable His Majeſty to accept the Services of ſuch of them as may voluntarily offer to engage in His Majeſty's Regular Forces, under certain Proviſions and Reſtrictions, for the vigorous Proſecution of the War: 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 ſo much of the Act, paſſed in the laſt Seſſion of Parliament, intituled, *An Act for the Reduction of the Militia Forces, at the Time and in the Manner therein limited, for enabling His Majeſty more effectually to encreaſe His Regular Forces for the vigorous Proſecution of the War, and for amending the Laws relating to the Militia*, as limits the Number of Private Militia Men to be diſcharged or diſembodied from the Militia of the ſeveral Counties, Ridings, and

So much of 39 *Geo.* III, Cap. 106, as limits the Number of Men to be diſcharged from the Militia, repealed.

Places, in that Act mentioned, to One Fourth of the Number of Men required by the ſaid Act to be raiſed in the ſaid ſeveral Counties, Ridings, and Places, ſhall, from and after the paſſing this Act, be and the ſame is hereby repealed.

Militia Men may enliſt in certain Regiments.

II. And be it further enacted, That it ſhall be lawful for His Majeſty, by any Order ſignified by His Majeſty's Secretary of State, to direct any ſuch or ſo many of the Regiments named and appointed under the ſaid Act of the laſt Seſſion of Parliament, or any ſuch other Regiments of the Line as His Majeſty ſhall name and appoint, to receive Volunteers from the Militia, as His Majeſty ſhall ſee fit, or any Regiment of His Majeſty's Foot Guards, or the Royal Corps of Artillery, to receive Volunteers from the Militia under this Act out of any Regiment, Battalion, or Corps of Militia named in any ſuch Order; and it ſhall be lawful for any Private Militia Man to enliſt under this Act, in the Manner, and ſubject to the Regulations herein-after mentioned, into any ſuch Regiment of the Line of His Majeſty's Regular Forces, or into any ſuch Regiment of Foot Guards or Royal Corps of Artillery, as His Majeſty ſhall hereafter, by any ſuch Order as aforeſaid, from Time to Time name and appoint to receive Volunteers from the Regiment, Battalion, or Corps of Militia to which any ſuch Private Man ſhall at the Time of ſuch enliſting under this Act belong.

Such Men to be enliſted on certain Conditions, and to take the following

III. And be it further enacted, That every Perſon who ſhall be enliſted under this Act to ſerve in any Regiment or Corps of the Line of His Majeſty's Regular Forces, ſo named and appointed as aforeſaid, ſhall be enliſted to ſerve for Five Years, or during the Continuance of the preſent War, and for Six Months after the Expiration thereof, and no longer; and ſhall not be liable to be ſent or to ſerve out of *Europe*; and every ſuch Perſon ſhall, in Addition to the uſual and accuſtomed Oath to be taken by every Perſon enliſting as a Soldier in His Majeſty's Forces, take the following Oath; (that is to ſay),

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 will faithfully ſerve in the Regiment of within any Part of *Europe*, during the Term of Five Years, or for the Continuance of the War, and for Six Months after the Expiration thereof, unleſs I ſhall be ſooner diſcharged.'

No Perſon ſo enliſting ſhall be drafted into any other Corps, unleſs firſt diſcharged, and thereafter voluntarily entering.

IV. And be it further enacted, That every Perſon who ſhall be enliſted to ſerve in any Regiment or Corps of His Majeſty's Regular Forces, ſo named and appointed as aforeſaid, ſhall ſerve in the Regiment or Corps in which he ſhall originally have enliſted to ſerve, and in no other Regiment or Corps whatever; and no Perſon enliſting in any ſuch Regiment or Corps ſhall, on any Account or Pretence whatſoever, be drafted into or ſerve in any other Regiment or Corps, whether ſuch Perſon ſhall conſent to his being ſo drafted or not, unleſs in every ſuch Caſe the Perſon ſo conſenting to ſerve in any other Regiment or Corps, other than the one for which he ſhall have ſo enliſted as aforeſaid, ſhall have been firſt wholly and abſolutely diſcharged from all Service whatever in His Majeſty's Forces, and ſhall thereafter have voluntarily entered into ſuch other Regiment or Corps.

V. And

V. And be it further enacted, That every Perſon enliſted to ſerve in His Majeſty's Regular Forces under this Act, ſhall be entitled to the Sum of Ten Guineas as a Bounty, to be paid in Manner herein-after directed; and it ſhall be lawful for the Juſtice of the Peace or Magiſtrate before whom any ſuch Perſon ſo enliſted as aforeſaid ſhall be atteſted, to direct any Sum, not exceeding One Third Part of the ſaid Bounty of Ten Guineas to be paid to him forthwith, or to be advanced to ſuch Perſon, or to ſuch of his Family, and in ſuch Proportions as he ſhall requeſt at the Time of his being ſo atteſted; and alſo to direct any further Sum, not exceeding the Sum of One Guinea, to be paid thereout to the Officer producing ſuch Perſon to be atteſted, to be laid out in providing immediate Neceſſaries for ſuch Perſon ſo atteſted; and the Juſtice of the Peace or Magiſtrate directing the Payment of any ſuch Money, ſhall grant a Certificate thereof to the Officer producing ſuch Perſon to be atteſted as aforeſaid; and the Remainder of ſuch Bounty ſhall be paid to ſuch Perſon as ſoon as he ſhall arrive at the Head Quarters of the Regiment or Corps into which he ſhall have enliſted as aforeſaid, if ſuch Regiment or Corps ſhall then be in *England*, or at the Head Quarters of any Recruiting Company or Companies of any ſuch Regiment or Corps if then ſerving Abroad, or at *Chatham* Barracks, as the Caſe may be.

Every Militia Man enliſted into the Regular Forces to be entitled to Ten Guineas Bounty, which may be diſpoſed of as herein ſpecified.

VI. And be it further enacted, That every Commanding Officer of any Regiment, Battalion, or Corps of Militia, of any County, Riding, or Place aforeſaid, ſhall, upon receiving Directions from His Majeſty for that Purpoſe, explain to the Private Men of the Regiment, Battalion, or Corps of Militia, of which he ſhall for the Time being have the Command, in ſuch Manner, and at all ſuch Times within One Month from the Time of his firſt receiving ſuch Directions, as His Majeſty ſhall direct, the Terms upon which any Private Man, ſerving in the Militia, may enliſt into the Regular Forces, under this Act; and if upon the Terms of ſuch enliſting being explained or made known to them as aforeſaid, any Private Militia Man ſhall voluntarily declare an Intention to be enliſted into His Majeſty's Regular Forces, it ſhall be lawful for ſuch Colonel or Commanding Officer of Militia as aforeſaid, and every ſuch Colonel or Commanding Officer is hereby required to diſcharge ſuch Perſon from the Militia, whether ſuch Perſon ſhall enliſt ſingly or with any other Men as a Company, in Manner herein-after mentioned; and every ſuch Private Militia Man, ſo diſcharged as aforeſaid, ſhall immediately thereupon belong, as a Private Man, to the Regiment or Corps into which he ſhall declare his Intention to enliſt, and ſhall be immediately enliſted and atteſted for ſuch Regiment or Corps in due Courſe of Law, and ſhall (as ſoon as conveniently may be) be transferred to ſome Officer of ſuch Regiment or Corps, or ſuch Officer as His Majeſty may have appointed to receive Men enliſted under this Act; and ſhall have and be entitled to the Allowance of the Bounty of Ten Guineas, in the Manner herein mentioned, together with Subſiſtence, Pay, and Cloathing, to be paid and furniſhed in like Manner in every Reſpect, and ſubject to and under the like Laws, Rules, and Regulations, as are provided and uſed for the Regiment or Corps of His Majeſty's Regular Forces, into which he ſhall have enliſted, except as ſuch Laws, Rules, and Regulations are with reſpect to ſuch Men altered by this Act; any Law or Statute to the contrary thereof notwithſtanding.

Commanding Officers of Militia to explain to the Men the Terms upon which they may enliſt into the Regular Forces, and if any declare ſuch an Intention they may be diſcharged and atteſted for the Regiment in which they intend to enliſt.

Militia Men may enliſt together as a Company of not leſs than Eighty, and His Majeſty may appoint Officers from the Militia, and make Battalions of ſuch Companies, &c.

VII. And be it further enacted, That where any Number of Private Militia Men ſhall be deſirous of enliſting into any Regiment of the Line, ſo named as aforeſaid, of His Majeſty's Regular Forces, as a Company or Companies, of not leſs than Eighty Men to each Company, and His Majeſty ſhall have ſignified His Intention of granting Commiſſions in His Majeſty's Regular Forces to any Officer or Officers actually ſerving in the Regiment, Battalion, or Corps of Militia from which any or each of ſuch Companies of Men ſhall volunteer to ſerve as aforeſaid in His Majeſty's Regular Forces, as Captain, Lieutenant, and Enſign of ſuch Company or Companies reſpectively, that then and in every ſuch Caſe it ſhall be lawful for ſuch Men to enliſt as ſuch Company or Companies as aforeſaid; and then and in every ſuch Caſe it ſhall be lawful for any Number of Non-commiſſioned Officers, Corporals, and Drummers of ſuch Regiment, Battalion, or Corps of Militia, not exceeding Three Serjeants, Four Corporals, and One Drummer, to every Eighty Men, to enliſt with ſuch Company or Companies of Men as aforeſaid; and every Colonel and Commanding Officer of ſuch Regiment is hereby required to diſcharge ſuch Non-commiſſioned Officers, Corporals, and Drummers, as ſhall be deſirous of enliſting as aforeſaid, not exceeding ſuch Number as aforeſaid; and it ſhall be lawful for His Majeſty to attach ſuch Company or Companies of Men to any Regiment of the Line of His Majeſty's Regular Forces, ſo named and appointed as aforeſaid, into which the Private Militia Men of ſuch Company or Companies ſhall have declared their Intention to enliſt as aforeſaid, or to join together any Number of ſuch Companies, and form the ſame into an additional Battalion or any additional Battalions of any ſuch Regiment as aforeſaid, and in ſuch Caſe to appoint ſuch and ſuch Number of Field and Staff Officers to any ſuch Battalion or Battalions as His Majeſty ſhall think neceſſary; and every ſuch Battalion ſhall thereupon be ſubject to ſuch and the like Regulations, with reſpect to Service, as any Regiment of the Line named and appointed to receive Volunteers from the Militia under the ſaid recited Act and this Act; and every Private Militia Man of every ſuch Company ſhall be entitled to ſuch and the like Bounty, to be paid in ſuch and the like Manner, and ſhall ſerve on ſuch and the like Conditions, in every Reſpect, as are herein mentioned with reſpect to any Militia Man enliſting into any Regiment of the Line of His Majeſty's Regular Forces, under the ſaid Act of the laſt Seſſion of Parliament, or this Act.

Militia Officers volunteering to ſerve in the Regular Forces, to have temporary Rank therein, and Half Pay.

VIII. Provided always, and be it further enacted, That every Officer ſo volunteering to ſerve in His Majeſty's Regular Forces, with any ſuch Company of Men as aforeſaid, ſhall be entitled to and have temporary Rank in His Majeſty's Regular Forces equal to the Rank he ſhall have held as ſuch Militia Officer at the Time of ſuch Volunteering as aforeſaid, and thereafter ſuch permanent Rank as His Majeſty ſhall think fit to grant; and every ſuch Officer ſo ſerving in His Majeſty's Regular Forces as aforeſaid, with temporary Rank only therein, ſhall, upon his Reduction as ſuch Officer, be entitled to and receive the Half Pay of the Rank in which he ſhall have been ſerving at the Time of his Reduction, as if ſuch Rank had been permanent.

Perſons confined under Sentence of Courts-mar-

IX. Provided alſo, and be it further enacted, That no Non-commiſſioned Officer, Corporal, Drummer, or Private Militia Man, ſhall be entitled to enliſt under this Act who ſhall be in Confinement under

any Sentence of any Court-martial, or who ſhall be under Confinement with a View to being tried by any Court-martial, until he ſhall have ſuffered the Sentence of ſuch Court-martial; and that no Non-commiſſioned Officer, Corporal, Drummer, or Private Militia Man, ſhall be entitled to his Diſcharge, or to enliſt under this Act, who ſhall have been in Confinement, or who ſhall have been ſentenced to any Puniſhment by any Court-martial for any Offence committed between the Twenty-fourth Day of *September* One thouſand ſeven hundred and ninety-nine, and the Time of his ſo offering to enliſt, unleſs he ſhall obtain the Conſent of the Colonel or Commanding Officer of the Regiment, Battalion, or Corps of Militia in which he ſhall be ſerving at the Time of his being deſirous of enliſting as aforeſaid.

tial, &c. not entitled to enlift, but provisionally.

X. Provided alſo, and be it further enacted, That no Perſon ſerving in the Militia who ſhall be uſually employed as a Muſician in the Band of the Regiment, Battalion, or Corps of Militia, to which he ſhall belong, or ſhall be uſually employed as an Armourer in any ſuch Regiment, Battalion, or Corps, ſhall be entitled to his Diſcharge, or to enliſt into His Majeſty's Regular Forces under this Act, unleſs he ſhall obtain the Conſent for that Purpoſe of the Colonel or Commanding Officer of the Regiment, Battalion, or Corps of Militia, in which he ſhall be then ſerving.

Muſicians or Armourers not entitled to enliſt, without Conſent of the Commanding Officer.

XI. Provided alſo, and be it further enacted, That it ſhall be lawful for the Colonel or Commanding Officer of any Regiment, Battalion, or Corps of Militia, to refuſe to diſcharge any Non-commiſſioned Officer, Corporal, Drummer, or Private Militia Man, who ſhall deſire his Diſcharge for the Purpoſe of being enliſted, under this Act, into His Majeſty's Regular Forces, upon aſſigning, in Writing, to the General Officer commanding in the Diſtrict within which ſuch Regiment, Battalion, or Corps of Militia ſhall be quartered, or to the Adjutant General of His Majeſty's Forces where there ſhall not be any ſuch General Officer as aforeſaid, ſuch Cauſe for his Refuſal as ſhall be deemed ſufficient by ſuch General Officer, or Adjutant General, as the Caſe may be.

Commanding Officers of Militia may refuſe to diſcharge Perſons deſirous of enliſting into the Regular Forces, upon aſſigning a ſufficient Cauſe.

XII. Provided alſo, and be it further enacted, That if any Perſon, diſcharged from the Militia for the Purpoſe of being enliſted into His Majeſty's Regular Forces under this Act, ſhall notwithſtanding refuſe to enliſt, purſuant to any Declaration of being deſirous to enliſt ſo made by him as aforeſaid, that then and in every ſuch Caſe ſuch Perſon ſhall continue to belong to the Regiment, Battalion, or Corps of Militia, from which he ſhall have been ſo diſcharged for the Purpoſe of enliſting as aforeſaid, notwithſtanding any ſuch Diſcharge.

Perſons diſcharged for the Purpoſe of being ſo enlifted, and refuſing ſo to do, to belong to the Regiment from which diſcharged.

XIII. Provided alſo, and be it further enacted, That it ſhall be lawful for the Commanding Officer for the Time being of any Regiment of the Line into which any ſuch Non-commiſſioned Officer, Corporal, or Drummer, ſhall have enliſted under this Act, or for the Commanding Officer of any Battalion of any ſuch Regiment in which ſuch Non-commiſſioned Officer, Corporal, or Drummer ſhall ſerve, to reduce, at his Diſcretion, any ſuch Non-commiſſioned Officer, Corporal, or Drummer, to the Rank of a Private Soldier in the Regiment, Battalion, or Corps of His Majeſty's Forces in which he ſhall ſerve as ſuch Non-commiſſioned Officer, Corporal, or Drummer as aforeſaid, in caſe of any Miſconduct, or for any

Non-commiſſioned Officers, Corporals, or Drummers, enliſted into the Regulars, may be reduced to Privates.

any ſuch ſufficient Cauſe as would, according to the Uſage and Practice that obtain in His Majeſty's Regular Forces, occaſion the Reduction of any Non-commiſſioned Officer, Corporal, or Drummer to the Rank of a Private Soldier.

Commanding Officers not to diſcharge above a certain Number of Men.

XIV. Provided alſo, and be it further enacted, That nothing in this Act contained, ſhall authorize any Colonel or Commanding Officer as aforeſaid to diſcharge, or cauſe to be diſcharged, under any of the Proviſions of this Act, any greater Number of ſuch Men of the Militia of any County, Riding, or Place, as ſhall be deſirous of enliſting, and ſhall be enliſted under this Act, than will, together with the Number of Men diſcharged for the Purpoſe of being enliſted into the Regular Forces under the ſaid recited Act, amount in the Whole to Three Fifths of the Number of Men required as the Quota of ſuch County, Riding, or Place, by the ſaid Act of the laſt Seſſion of Parliament.

County Lieutenants to tranſmit to the Privy Council an Account of the Number of Men diſcharged, which, when neceſſary, ſhall be tranſmitted to them by the Commanding Officer of the Militia.

XV. And be it further enacted, That the Lieutenant, or in the Abſence of the Lieutenant, any Three Deputy Lieutenants, authorized by His Majeſty to act as Lieutenant, of every County, Riding, and Place aforeſaid, ſhall, within Ten Days after the receiving of any Order for that Purpoſe from His Majeſty, ſignified by His Majeſty's Secretary of State, tranſmit to His Majeſty's Privy Council an accurate Account, in Writing, of the Number of Perſons that ſhall have been diſcharged from the Militia of their reſpective Counties, Ridings, and Places, and enliſted in the Regular Forces under this Act; which Accounts ſhall, in all Caſes where the ſame may be neceſſary, be tranſmitted, by the Commanding Officers of ſuch Militia to ſuch Lieutenants or Deputy Lieutenants as aforeſaid, for that Purpoſe.

His Majeſty may direct any Number of Militia Men to be diſmiſſed to their reſpective Abodes.

XVI. And be it further enacted, That after the paſſing of this Act, it ſhall be lawful for His Majeſty, by any Warrant under His Sign Manual, directed to the Lieutenant or Deputy Lieutenants as aforeſaid, from Time to Time, when and as often as He ſhall think fit, to diſembody any Number of Militia Men, without Regard to whether ſuch Men were raiſed under an Act paſſed in the Twenty-ſixth Year of the Reign of His preſent Majeſty, or under Two ſeveral Acts paſſed in the Thirty-ſeventh Year of the Reign of His preſent Majeſty, or raiſed after the paſſing of this Act; and, for that Purpoſe, to authorize and direct any Colonel or Commanding Officer of any Militia to diſembody and diſmiſs, to their reſpective Places of Abode, any ſuch Number of Militia Men aforeſaid, as His Majeſty ſhall think fit; and every ſuch Colonel or Commanding Officer ſhall, within Fourteen Days after the iſſuing of any Warrant as aforeſaid, proceed, according to the Directions of ſuch Warrant, to diſembody and diſmiſs ſuch Militia Men aforeſaid to their reſpective Places of Abode, in Manner and at the Times in ſuch Warrant mentioned.

Not more in the Whole to be diſmiſſed than Three-fifths of the Quota required by the Act of the laſt Seſſion.

XVII. Provided always, and be it further enacted, That nothing in this Act contained ſhall authorize His Majeſty to diſembody and diſmiſs any greater Number of Militia Men than will, together with the Number of Men diſcharged under the ſaid recited Act and this Act, for the Purpoſe of being enliſted into His Majeſty's Regular Forces, amount in the Whole to Three Fifths of the Number of Men required as the Quota of

ſuch

ſuch County, Riding, or Place, by the ſaid Act of the laſt Seſſion of Parliament.

Perſons ſo diſmiſſed, or ſelected ſo to be, may enliſt in the Regular Forces, and ſuch as do not ſhall remain liable to ſerve in the Militia, and ſhall join when required.

XVIII. Provided alſo, and be it further enacted, That all Perſons ſo diſembodied and diſmiſſed as aforeſaid, or ſelected or fixed upon for the Purpoſe of being ſo diſembodied or diſmiſſed as aforeſaid, from any Regiment, Battalion, or Corps of Militia, may, during the Time of their remaining ſo diſembodied as aforeſaid, or at any Time after they ſhall have left the Regiment, Battalion, or Corps of Militia, under any Order of the Colonel or Commanding Officer thereof, for the Purpoſe of being ſo diſembodied or diſmiſſed as aforeſaid, enliſt in His Majeſty's Regular Forces; and that all Perſons ſo diſembodied and diſmiſſed as aforeſaid, who ſhall not, during ſuch Time as aforeſaid, enliſt in any of His Majeſty's Regular Forces, ſhall remain liable to ſerve in the ſame Militia, (unleſs any ſuch Perſon ſhall be entitled to his Diſcharge under the Proviſions of any Act or Acts now in Force), and ſhall and they are hereby required to join any Regiment, Battalion, and Corps of Militia, ſerving for the County, Riding, or Place, from the Militia of which they ſhall have been reſpectively diſmiſſed, whenever called upon ſo to do, either for the Purpoſe of ſupplying the Vacancies which may ariſe in the ſaid Militia, or whenever they ſhall be again embodied under any Warrant under His Majeſty's Sign Manual, which Warrant, as aforeſaid, His Majeſty is hereby empowered to iſſue whenever He ſhall think fit, and ſhall be and remain ſubject to all ſuch and the like Rules and Orders, and to all and the like Pains and Penalties, as any other Perſons enrolled to ſerve in the Militia are ſubject and liable to by any Act or Acts now in Force, at ſuch Times as the ſaid Militia ſhall not be embodied under the ſaid Acts, or as ſuch Perſons are ſubject and liable to at the Time of the embodying of any Militia.

His Majeſty may retain Officers, &c. notwithſtanding the Reduction of the Numbers of Militia Men.

XIX. And be it further enacted, That it ſhall be lawful for His Majeſty, by any Order ſignified by His Majeſty's Secretary of State, to direct any Number of Officers, Non-commiſſioned Officers, Corporals, or Drummers, actually ſerving in any Regiment, Battalion, or Corps of Militia at the Time of any Reduction of the Number of the Private Men of ſuch Regiment, Battalion, or Corps, by the Diſcharge of Men for the Purpoſe of enliſting into the Regular Forces under this Act, to be retained during the Continuance of the preſent War, or for ſo long Time during the Continuance thereof as His Majeſty ſhall think fit, as Officers, Non-commiſſioned Officers, Corporals, and Drummers reſpectively, of ſuch Regiment, Battalion, or Corps, although by Reaſon thereof the Number of Officers, Non-commiſſioned Officers, Corporals, and Drummers reſpectively, of any ſuch Regiment, Battalion, or Corps, ſhall, after ſuch Reduction of the Number of Private Men therein as aforeſaid, exceed the Proportion of Officers, Non-commiſſioned Officers, Corporals, and Drummers reſpectively, preſcribed for any Regiment, Battalion, Corps, or Company of Militia, by any Act or Acts now in force; and all ſuch Officers, Non-commiſſioned Officers, Corporals, and Drummers, ſo retained as aforeſaid, ſhall be entitled to ſuch Pay, Emoluments, and Advantages, as other Officers, Non-commiſſioned Officers, Corporals, and Drummers reſpectively, are by Law entitled unto; any Thing in any Law or Act to the contrary thereof notwithſtanding.

His Majeſty may make a new Arrangement of the Eſtabliſhment of the Militia.

XX. And be it further enacted, That it ſhall be lawful for His Majeſty, whenever He ſhall think proper after the paſſing of this Act, to cauſe the Militia of any County, Riding, or Place, to be formed into ſuch and ſuch Number of Regiments, Battalions, or Companies, as His Majeſty ſhall deem expedient, Regard being had to the Reduction that ſhall have taken place in the Militia of ſuch County, Riding, or Place, by the Enliſtment of Men into the Regular Forces under the ſaid Act of the laſt Seſſion of Parliament, or this Act, or by the Diſembodying of any Militia Men by His Majeſty under this Act; and conforming in every ſuch Caſe, as near as the Proportions of Men left after ſuch Reduction as aforeſaid will admit, to the original Eſtabliſhment of the Militia of ſuch County, Riding, or Place, with reſpect to the Regiments, Battalions, or Companies of which the ſame was compoſed under the ſaid Act of the Twenty-ſixth Year of the Reign of His preſent Majeſty.

His Majeſty may iſſue Orders through the Secretary of State to Lords Lieutenant and Colonels.

XXI. And be it further enacted, That it ſhall be lawful for His Majeſty, by any Order ſignified by His Majeſty's Secretary of State, at any Time, from Time to Time during the Execution of this Act, or any Part thereof, to give ſuch Orders and Directions to the Lieutenants, or in the Vacancy of the Office or Abſence of any Lord Lieutenant, to the Deputy Lieutenants authorized to act as Lieutenant, or to the reſpective Colonels and Commanding Officers of any Regiments, Battalions, or Corps of Militia, of every County, Riding, and Place aforeſaid, as His Majeſty ſhall from Time to Time think expedient and neceſſary for the Execution of this Act; and the ſeveral Lieutenants and Deputy Lieutenants, and Colonels and Commanding Officers aforeſaid, ſhall proceed forthwith, in purſuance of His Majeſty's Orders, to do all ſuch Acts as ſhall be neceſſary for the Purpoſe of carrying ſuch Order into Execution, and for the due Execution of the Proviſions of this Act.

Commanding Officers of Militia to tranſmit to the Clerk of the General Meeting, within a certain Period, a Liſt of Men diſembodied.

XXII. And be it further enacted, That every Colonel or Commanding Officer of any Regiment, Battalion, or Corps of Militia, ſhall, within Twenty Days, or as ſoon as conveniently may be, after the iſſuing of any Warrant under this Act for the diſembodying and diſmiſſing any Militia Men belonging to ſuch Regiment, Battalion, or Corps, tranſmit, or cauſe to be tranſmitted, to the Clerk of the General Meeting of Lieutenancy of the County, Riding, or Place, to which ſuch Militia ſhall belong, a Liſt of all ſuch Militia Men as ſhall have been diſembodied and diſmiſſed in purſuance of any ſuch Warrant as aforeſaid; and every ſuch Liſt ſhall be made in the following Form:

Form of Liſt.

Dated the		Day of		
Name of the County, &c.	Names of the Men diſembodied and diſmiſſed.	If Subſtitutes, for whom they ſerve.	Of the Pariſh of	In the Hundred of
	A. B.	—	*P.*	*H.*
	E. F.	*C. D.*	*M.*	*N.*

And

And the Lieutenant or Deputy Lieutenants acting for ſuch County, Riding, or Place, ſhall cauſe the Men neceſſary for ſupplying any Vacancies that may hereafter ariſe in the Militia of ſuch County, Riding, or Place, to be ballotted for out of the Perſons returned in any ſuch Liſt as aforeſaid, until fit Perſons ſhall be found to ſupply ſuch Vacancies, and ſo from Time to Time as Occaſion ſhall require, ſo long as any of the Perſons returned in any ſuch Liſt can be found fit to ſupply ſuch Vacancies as aforeſaid; and every Perſon ſo ballotted to ſupply any ſuch Vacancy, who ſhall not be deemed by ſuch Lieutenant or Deputy Lieutenants unfit by Reaſon of Sickneſs or bodily Inability, ſhall ſerve in the Militia of ſuch County, Riding, or Place, upon the Conditions, and for the Remainder of the Time, for which ſuch Perſon ſhall have been engaged to ſerve in ſuch Militia before he was diſembodied and diſmiſſed as aforeſaid; and whenever and as ſoon as all the Perſons returned in any ſuch Liſt or Liſts that can be found to ſupply ſuch Vacancies as aforeſaid, ſhall by Ballot have ſupplied ſuch Vacancies as aforeſaid, then and in every ſuch Caſe the Men neceſſary for ſupplying ſuch future Vacancies as may ariſe in ſuch Militia, ſhall be raiſed, choſen, and ballotted for, in Manner directed by the ſaid Act of the Twenty-ſixth Year of the Reign of His preſent Majeſty.

Lieutenants to ſupply Vacancies out of ſuch Liſts, and the Perſons ballotted to ſerve the Remainder of the Time for which engaged before Diſmiſſion.

XXIII. And be it further enacted, That it ſhall be lawful for any Officer appointed by His Majeſty under this Act, or any Serjeant or other Perſon duly authorized by the Commander in Chief of His Majeſty's Forces for that Purpoſe, to enliſt into any Regiment, Battalion, or Corps of His Majeſty's Regular Forces, any Militia Man ſo diſembodied under and by virtue of this Act, and who is willing to be ſo enliſted, and ſhall appear fit for Service; and every ſuch Officer, Serjeant, or other Perſon as aforeſaid, enliſting ſuch Perſon as aforeſaid, and every ſuch Perſon ſo enliſting to ſerve in His Majeſty's Regular Forces as aforeſaid, ſhall be freed and diſcharged from all Pains, Penalties, or Forfeitures whatſoever, incurred by Reaſon of ſuch enliſting, entering, or offering to ſerve as aforeſaid; any Statute to the contrary notwithſtanding.

Every Officer appointed by His Majeſty, or any Perſon authorized by the Commander in Chief, may enliſt Militia Men diſembodied and willing to ſerve in the Regular Forces.

XXIV. Provided always, and be it further enacted, That nothing in this Act contained ſhall authorize any Officers appointed by His Majeſty to enliſt and receive Militia Men under this Act, or any Commanding Officer, or other Officer, or Non-commiſſioned Officer, of any Regiment, Battalion, or Corps in His Majeſty's Regular Forces, or other Perſon, to enliſt, or perſuade to enliſt, or receive, any Militia Men other than ſuch as ſhall have been duly diſcharged by the Colonel or Commanding Officer of the Militia, to which the Perſon deſirous of enliſting ſhall belong, in caſe ſuch Man ſhall be actually ſerving in the Militia, or other than ſuch as ſhall have left any Regiment, Battalion, or Corps of Militia, for the Purpoſe of being diſembodied in Manner herein-before mentioned.

Act not to authorize enliſting any Militia Men unleſs diſcharged, or to be diſembodied, as before mentioned.

XXV. And be it further enacted, That upon the Production to the Lieutenant or Three Deputy Lieutenants of the County, Riding, or Place, from the Militia of which any Perſon or Perſons diſcharged or diſembodied under this Act was or were enliſted, of a Certificate or Certificates, under the Hand of any Juſtice or Juſtices of the Peace of any County, Riding, or Place in *Great Britain*, or of any Magiſtrate of any Borough, Town, or Place therein, of any ſuch Private Man belonging to the Militia having

On Production of Certificate to the Lieutenant, of any Militia Man's having enliſted into the Regular Forces, he ſhall cauſe his Name to be

diſcharged from the Liſt of Men ſerving for the County, which ſhall not be obliged to ballot for another Man.

having voluntarily enliſted and entered himſelf as aforeſaid, and of a like Certificate or Certificates, under the Hands of any Officer or Officers appointed by His Majeſty to receive ſuch Men, or duly authorized to enliſt any Man or Men into His Majeſty's Regular Forces, of ſuch Man or Men having entered into His Majeſty's Regular Forces, (which Certificates every ſuch Juſtice or Magiſtrate and Officer reſpectively is hereby required to give *gratis*), every ſuch Lieutenant or Deputy Lieutenants is and are hereby required to cauſe the Perſon named in ſuch Certificate to be diſcharged from the Liſt of Militia Men ſerving for ſuch County, Riding, or Place; and the Certificate of the Number of Men to be raiſed for the Militia of ſuch County, Riding, or Place, to be amended by ſtriking out ſuch Number of Men as ſhall be enliſted in His Majeſty's Regular Forces from the Militia of ſuch County, Riding, or Place, by virtue of this Act; and the County, Riding, or Place, for which any Private Militia Man ſo enliſted was raiſed, ſhall not be obliged to ballot for any other in the Room of the Militia Man ſo enliſted, but ſhall be diſcharged from raiſing any Men to ſupply any Vacancy occaſioned by any enliſting under or in purſuance of this Act.

Act may be altered or repealed this Seſſion.

XXVI. And be it further enacted, That this Act may be altered, varied, or repealed, by any Act or Acts to be paſſed in this Seſſion of Parliament.

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