ANNO TRICESIMO NONO

GEORGII III. REGIS.

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C A P. XC.

An Act to amend Two Acts, paſſed in the Twenty-ſixth and Thirty-ſeventh Years of the Reign of His preſent Majeſty, ſo far as the ſame relate to the Militia of the Counties of *Middleſex* and *Surrey*; and for applying certain Monies remaining in the Hands of the Clerks to the Deputy Lieutenants of the County of *Middleſex*, and other Perſons, towards the completing of the ſaid Militia.

[12th *July* 1799.]

Preamble.

WHEREAS it is expedient that the ſeveral Acts, paſſed in the Twenty-ſixth and Thirty-ſeventh Years of the Reign of His preſent Majeſty, reſpecting the Militia of this Kingdom, ſhould be amended, ſo far as relate to the ſeveral Particulars herein-after mentioned, ſo far as relate to the County of *Middleſex* and the County of *Surrey*; and that certain Sums of Money now remaining in the Hands of the Clerks to the Deputy Lieutenants of the County of *Middleſex*, ſhould be applied to the completing the Militia of the ſaid County: 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 the ſeveral Conſtables, Tythingmen, Headboroughs, and other Officers, in the ſeveral Pariſhes within the County of *Middleſex*, and within the County of *Surrey*, required to return Liſts of Perſons liable to ſerve in the Militia, ſhall, within Fourteen Days after any ſuch Re-

The Conſtables, &c. in *Middleſex* and *Surrey*, required to return Liſts of Perſons liable to ſerve in the

Militia, to give Notice to Housekeepers, &c. to prepare Lists of Men residing with them between 18 and 45 Years old.

turns shall be required, after the passing of this Act, give or leave Notice to or for every Occupier of every Dwelling House where any Person shall reside, within the Limits of the Places for which they act as such Constables or other Officers as aforesaid, at his or her Dwelling House, or where such Dwelling House shall be divided into different Stories or Apartments, and occupied distinctly by several Persons, then to or for the Occupier of each distinct Story or Apartment, to prepare or produce, within Fourteen Days next ensuing the Day of giving such Notice, a List in Writing, to the best of his or her Belief, of the Christian and Surname of each and every Man resident in such Dwelling House, between the Ages of Eighteen and Forty-five; and every such Occupier shall, after such Notice so given or left, make out such List, and sign the same with his or her own Name, and shall deliver the same, or cause the same to be delivered, to such Constable or other Officer as aforesaid;

Penalty of 5 *l.* for not delivering such Lists, or omitting any Person who ought to be included.

and if any such Occupier shall neglect or refuse to make out, sign, and deliver such List as aforesaid, within the Time herein-before limited, or shall omit any Person who ought to have been included therein, in pursuance of this Act, every such Occupier shall, for every such Offence, forfeit and pay a Sum not exceeding the Sum of Five Pounds, to be recovered in the same Manner as by the said Act of the Twenty-sixth Year of His present Majesty, any Penalties are directed to be recovered.

Quakers, to produce a Certificate from Two Quakers, acknowledging them to be of their Persuasion.

II. Provided always, and be it further enacted, That in every Case where any Notice shall be served upon any Occupier, being One of the People called *Quakers*, such Occupier shall, within Seven Days after the Service of such Notice, produce to the Constable or other Officer, a Certificate under the Hands of Two or more reputable Housekeepers, being of the People called *Quakers*, acknowledging such Man to be One of their Persuasion, according to the Directions contained in the said Act of the Twenty-sixth Year of His present Majesty, and that in all such Cases the Constables or other Officers are hereby required to make Returns of the Persons resident in the Houses, Stories, or Apartments of such Occupiers, so certified to be of the People called *Quakers*, liable to serve in the Militia for the said Counties, in the same Manner as is directed by the said Acts of the Twenty-sixth and Thirty-seventh Years of His present Majesty.

Substitutes not joining the Regiment, within One Month after Order, shall forfeit any Sum left by them with the Clerk of the Deputy Lieutenants.

III. And be it further enacted, That if any Person sworn and enrolled to serve as a Substitute in the said Militia, and who shall have left in the Hands of the Clerk to the Deputy Lieutenants any Sum or Sums of Money, to be paid to such Substitute upon his joining the Regiment, Battalion, or Corps, for which he shall have been enrolled, shall not join the Regiment or Battalion for which he shall have been sworn and enrolled, according to such Order as shall have been given him in that Respect, in pursuance of any Law now in Force respecting the Militia, within One Month after the Time appointed by such Order, that then, and in every such Case, such Substitute shall forfeit every such Sum or Sums of Money, and such Sum and Sums of Money shall be disposed of and applied in Manner herein-after directed.

If a Person chosen by Ballot shall produce a Substi-

IV. And be it further enacted, That, from and after the passing of this Act, if any Person chosen by Ballot to serve in the Militia shall produce a Substitute, who being duly sworn and enrolled to serve in the

Militia, ſhall nevertheleſs deſert before he ſhall have joined the Regiment, Battalion, or Corps of Militia for which he ſhall have been ſworn and enrolled as a Subſtitute as aforeſaid, that then, and in every ſuch Caſe, the Perſon producing ſuch Subſtitute ſhall remain liable to ſerve, and ſhall be compellable and compelled to ſerve in the Militia for which he was ſo ballotted as aforeſaid, as if ſuch Subſtitute had not been ſworn and enrolled, unleſs he ſhall forthwith produce another Subſtitute who ſhall regularly join the ſaid Regiment.

tute, who ſhall deſert before he joins, he ſhall be compellable to ſerve unleſs he produce a Subſtitute who joins.

V. Provided always, That in every Caſe where any Perſon who ſhall be liable to find a Subſtitute for the ſaid Militia, ſhall pay to the Clerk to the Deputy Lieutenants acting within the ſaid County of *Middleſex*, and the ſaid County of *Surrey* reſpectively, a Sum not exceeding the Sum of Ten Guineas, which ſuch Deputy Lieutenants ſhall adjudge to be, as near as may be, the current Price then paid for a Volunteer, to be diſpoſed of and applied in Manner herein-after mentioned, that then, and in every ſuch Caſe, ſuch Perſon ſhall be exempt from Service in the ſaid Militia, in the ſame Manner as if he himſelf had ſerved, according to the Directions of the Acts paſſed in the Twenty-ſixth and Thirty-ſeventh Years of the Reign of His preſent Majeſty, and ſhall be entitled to the ſame Allowance as he would have been by Law entitled to, in caſe he had himſelf provided a fit Perſon to ſerve as his Subſtitute in the ſaid Militia.

Where a Perſon liable to find a Subſtitute ſhall pay a Sum not exceeding Ten Guineas, he ſhall be exempt from Service, and be entitled to the ſame Allowance as if he had provided a Subſtitute.

VI. And be it further enacted, That the Clerk to the ſaid Deputy Lieutenants ſhall, within One Month after the paſſing of this Act, pay over to the Commanding Officers of the reſpective Regiments or Battalions, all Sum and Sums of Money received by him before the paſſing of this Act, for and on Account of, or from or for any Subſtitute or Subſtitutes for the ſaid Militia, and ſhall alſo from Time to Time pay over to the ſaid Commanding Officers, within Fourteen Days after he ſhall receive the ſame, all ſuch Sum and Sums of Money as he ſhall from Time to Time hereafter receive as aforeſaid, from the Perſons ballotted to ſerve in the ſaid Militia.

The Clerk to the Deputy Lieutenants to pay over to Commanding Officers all Money received by him.

VII. And be it further enacted, That the reſpective Commanding Officers of the ſaid Militia ſhall, immediately after the Receipt of any ſuch Sum or Sums of Money, forthwith proceed to the enliſting of Volunteers for the ſupplying the Vacancies in the ſaid Militia, exiſting at the Time of the paſſing of this Act, and that may hereafter ariſe therein, and ſhall apply all ſuch Sums of Money ſo tranſmitted to him as aforeſaid in the raiſing ſuch Volunteers, and from Time to Time, Once at leaſt in every Month after the paſſing of this Act, tranſmit or cauſe to be tranſmitted to the General Meetings of Lieutenancy for the ſaid County, accurate Returns in Writing of the reſpective Numbers of effective Private Men that ſhall have been enliſted and entered into the ſaid Militia, ſpecifying in every ſuch Return the Chriſtian and Surname, and Deſcription of the Perſon ſo enliſted as aforeſaid, and ſhall tranſmit, or cauſe to be tranſmitted therewith, an accurate Account of all Sums of Money expended in raiſing ſuch Volunteers, together with the Balance remaining in his Hands from Time to Time for that Purpoſe.

Commanding Officers ſhall apply the Money in raiſing Volunteers, and tranſmit to the General Meetings of Lieutenancy, a Return of Men enliſted, and an Account of the Money expended.

VIII. And

Any Perſon ſerving in the Militia may beat up for Volunteers.

VIII. And be it further enacted, That it ſhall be lawful for any Officer, Serjeant, or other Perſon, ſerving for the Time being in the ſaid Militia, being thereunto authorized by the Commanding Officer for the Time being, to beat up for and enliſt Volunteers to ſerve in the ſaid Militia, for the ſupplying all ſuch Vacancies as may be, at the Time of paſſing this Act, in the ſaid Militia, or at any Time afterwards ſhall ariſe therein.

General Meetings, after Receipt of Returns, to make an Apportionment of the Men enliſted, and all Vacancies afterwards to be filled up, and Ballots regulated according thereto; and the Families of Perſons enliſted, to be entitled to Allowance from the Pariſhes to which apportioned.

IX. And be it further enacted, That the Deputy Lieutenants aſſembled at the General Meetings of Lieutenancy, next after the Receipt of any ſuch Returns as aforeſaid, ſhall make an Apportionment of the Men ſo enliſted as aforeſaid, according to the Number of Men ſo enliſted, and the Vacancies in the reſpective Pariſhes to be thereby ſupplied, and alſo as near as may be, according to the ſeveral and reſpective Amounts of the reſpective Sums that ſhall have been paid into the Hands of the Commanding Officers by ſuch Clerk to the Deputy Lieutenants, in the Manner and for the Purpoſe aforeſaid; and all Vacancies afterwards ariſing therein ſhall be filled up, and all Ballots for any Men to ſerve in ſuch Militia ſhall henceforth be regulated according to ſuch Apportionment ſo made as aforeſaid, in like Manner as is provided by any Act or Acts now in force for the raiſing, providing, and recruiting ſuch Militia, in like Manner as if the Men ſo enliſted and apportioned as aforeſaid, had been ſupplied by Ballot according to the ſaid Acts; and the Families of all Perſons enliſted by virtue of this Act, and ſerving in the ſaid Militia, ſhall be entitled to the ſame Allowances from the reſpective Pariſhes to which they ſhall be apportioned, as by any Act of Parliament relative to the Militia are provided for the Families of Militia Men called out into actual Service.

All Acts relating to the Militia to extend to this Act.

X. And be it further enacted, That all Powers, Proviſions, Rules, Regulations, Penalties, Forfeitures, Bounties, Allowances, Clauſes, Matters, and Things contained in the aforeſaid Acts of the Twenty-ſixth and Thirty-ſeventh Years of His Majeſty's Reign, or in any other Act of Parliament relative to the raiſing, training, embodying, and calling out of 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.

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