

ANNO QUADRAGESIMO SECUNDO

GEORGII III. REGIS.

CAP. LXVIII.

An Act to enable His Majesty to accept and continue the Services of certain Troops or Companies of Yeomanry in *Ireland*. [22d *June* 1802.]

WHEREAS it is expedient that His Majesty should be enabled to accept and continue the Services of such Troops or Companies of His Majesty's loyal Subjects in *Ireland*, as have voluntarily associated and enrolled themselves under and by virtue of an Act passed in the Parliament of *Ireland* in the Thirty-seventh Year of His Majesty's Reign, intituled, *An Act for encouraging and disciplining such Corps of Men as shall voluntarily enrol themselves under Officers to be commissioned by His Majesty, for the Defence of this Kingdom during the present War*, or as shall hereafter voluntarily associate and enrol themselves, or be continued or formed in Manner herein after mentioned; and that His Majesty, or the Chief Governor or Governors of *Ireland* for the Time being, should also be empowered, according to his and their Discretion, fully to discharge and dismiss the said Troops or Companies, or any of them, and to call in and receive the Arms, Accoutrements, and Clothing of such Troops or Companies as shall be so discharged or dismissed; be it therefore 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 if any of His Majesty's loyal Subjects in *Ireland*, shall have voluntarily associated and enrolled themselves, or shall hereafter be associated and enrolled, or formed or continued in Troops or Companies under Officers having Commissions from His Majesty, or from the Chief Governor or Governors of *Ireland* for the Time being, duly authorized thereto by His Majesty, for the Protection of Property, and Preservation of the Peace, within the Barony, City, or Town wherein the Place of first assembling shall be appointed in

Irish Act of 37 Geo. 3.

Troops or Companies of Volunteers under Officers having Commissions from His Majesty, or from the Chief Governor of *Ireland*, shall receive Cloathing, Arms, *etc.* and

such Pay as shall be appointed while called out on Exercise, not exceeding Two Days in each Month.

in such Commission, and within every Barony, City, or Town immediately adjoining thereto, every Serjeant, Trumpeter, Drummer, and Private therein, shall be entitled to receive such Clothing, Arms, and Accoutrements, or Allowances in lieu thereof, and also such Pay, in such Manner and at such Rate as His Majesty, or such Chief Governor or Governors of *Ireland*, shall appoint, for every Day not exceeding Two Days in each Month, that he shall actually assemble and attend by Order of his Commanding Officer, acting under the Direction of such Chief Governor or Governors, for the Purpose of being disciplined and exercised.

One Serjeant and One Trumpeter or Drummer in every Troop, &c. shall be entitled to Daily Pay;

II. And be it further enacted, That One Serjeant, and One Trumpeter or Drummer in every such Troop or Company, shall be entitled to receive permanent or daily Pay, to be appointed in like Manner during the Continuance of such Troop or Company.

But not to be subject to Military Discipline.

III. And be it further enacted, That neither such Inrolment, nor the receiving of Pay or Allowances as aforesaid, shall subject any Person so enrolled or receiving Pay to Military Discipline or Duty, or to the Provisions of any Act for punishing Mutiny and Desertion.

When Orders shall be given to discontinue the Services of any Troop or Company, the Commanding Officer shall communicate the same, and require them to deliver up their Arms, &c.

IV. And be it further enacted, That if it shall be the Pleasure of His Majesty, or the Chief Governor or Governors of *Ireland* for the Time being, to discontinue the Services of any Troop or Company which shall have been embodied or enrolled under the Provisions of the said recited Act of the Thirty-seventh Year of His Majesty's Reign, or which shall be embodied and enrolled, or formed or continued, by virtue of the Powers in this Act contained, on such the Pleasure of His said Majesty, or such Chief Governor or Governors of *Ireland*, being signified to the Commanding Officer of the said Troop or Company, he shall forthwith, on or before the next usual Exercise Day of the said Troop or Company, communicate to the several Persons enrolled in the said Troop or Company, the said Order for discontinuing their Service as aforesaid, and shall then require the said several Persons to deliver up any Arms, Accoutrements, or Clothing which shall have been entrusted to their Custody respectively, which Arms, Accoutrements, and Clothing shall be forthwith delivered up by the said Persons accordingly; and such Arms, Accoutrements, and Clothing so to be delivered up as aforesaid to the said Commanding Officer, shall be conveyed and deposited by such Commanding Officer in such Place or Places, and at such Time or Times, and given up by the said Commanding Officer to such Person or Persons as His Majesty, or such Chief Governor or Governors of *Ireland*, shall be pleased to appoint; and if any such Commanding Officer shall refuse or neglect to call in and deliver up such Arms, Accoutrements, and Clothing, for and during the Space of One Calendar Month from the Day of the Date of the Order of His Majesty, or such Chief Governor or Governors of *Ireland*, to that Effect, such Commanding Officer so refusing or neglecting shall, upon due Conviction thereof in any Court of Record, be fined for such Neglect or Refusal the Sum of Five hundred Pounds, One Half thereof to be paid to the Informer, and the other Half to the Treasurer of the Infirmary of the County, Town, or City in which his Troop or Company shall have been appointed to assemble, for the Use of such Infirmary.

500 *l.* Penalty on Commanding Officer neglecting for One Month to deliver up such Arms, &c.

Persons provided with Arms, &c. at

V. And be it further enacted, That if any Person who shall have received or been entrusted with, or who shall hereafter receive or be entrusted

truſted with any Arms, Accoutrements, or Clothing from the publick Stores, or at the publick Expence, ſhall, upon the diſbanding or diſcontinuing of the Services of any ſuch Troop or Company in Manner aforeſaid, or upon his quitting or withdrawing from any ſuch Troop or Company or being diſcharged therefrom, refuſe or neglect (on being thereto lawfully required), to deliver up any ſuch Arms, Accoutrements, or Clothing, every Perſon ſo refuſing or neglecting ſhall, on being convicted thereof before any Juſtice of the Peace of the County within which ſuch Troop or Company ſhall have been formed, forfeit and pay the Sum of Ten Pounds to be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of ſuch Juſtice, rendering the Overplus (if any), on Demand, after deducting the Charges of ſuch Diſtreſs and Sale, to the Perſon whoſe Goods and Chattels ſhall have been ſo diſtrained and ſold, and for Want of ſuch ſufficient Diſtreſs, ſuch Juſtice is hereby required to commit ſuch Offender to the Common Gaol of the County, City, or Place where the Offence ſhall have been committed, for any Time not exceeding Six Months; and the Monies ariſing by ſuch Penalty ſhall be applied by the Commanding Officer to replace ſuch Arms, Accoutrements, or Clothing, and the Overplus (if any), to form a Stock Purſe for the Uſe of ſuch Troop or Company, if ſuch Troop or Company ſhall remain embodied, or if the ſaid Troop or Company ſhall be diſembodied or diſbanded, then the Whole of the ſaid Penalties ſhall be paid to the Treaſurer of the Infirmary of the County, Town, or City, in which ſuch Troop or Company ſhall have been appointed to aſſemble for the Uſe of ſuch Infirmary.

the publick Expence, ſhall, on his Corps being diſbanded, or on his Reſignation or Diſcharge, deliver them up, on Penalty of 10 *l.*

Application of Penalty.

VI. And be it further enacted, That if any ſuch Troop or Company ſhall, in caſe of Invaſion, Rebellion, or Inſurrection, or the Apprehenſion thereof, voluntarily offer to act as a Military Corps, and to do Duty as ſuch, or to march wherever it ſhall be ordered within *Ireland*, during the Continuance of ſuch Invaſion, Inſurrection, or Rebellion, or the Apprehenſion thereof, every Perſon therein who ſhall teſtify ſuch his Offer by putting his Name thereto ſhall, upon ſuch Offer being accepted by His Majeſty, or the Chief Governor or Governors of *Ireland* for the Time being, be entitled, if a Commiſſioned Officer, to receive the ſame Pay as Officers of like Rank receive in His Majeſty's Regular Forces, and if a Serjeant, Trumpeter, Drummer, or Private, the ſame Pay daily as on the Days of Exerciſe, and ſhall be ſubject, while he ſhall be ſo entitled, and at no other Time nor on any other Ground or Pretence, to the like Military Diſcipline as His Majeſty's Regular and Militia Forces, during the Time he ſhall have ſo offered for and no longer.

Where Troops or Companies, in Caſes of Invaſion or Rebellion, &c. offer to act as Military Corps, the Officers ſhall be entitled to Pay as Regulars, and Privates ſhall receive ſuch Pay as they are allowed on the Days of Exercile.

VII. Provided always, and be it enacted, That no Officer or Soldier of any ſuch Corps ſhall be liable to be tried by any Court Martial, unleſs ſuch Court Martial be compoſed entirely of Officers ſerving in Corps formed as aforeſaid, ſuch Courts Martial to be aſſembled by Warrant from the Chief Governor or Governors of *Ireland* for the Time being, or by Warrant from ſome General or other Officer duly authorized to order Courts Martial to be holden.

Courts-martial to be compoſed only of Officers ſerving in the Corps.

VIII. And be it further enacted, That all Commiſſioned Officers of ſuch Troops or Companies who ſhall be diſabled in actual Service, ſhall be entitled to Half Pay, and all Non-commiſſioned Officers, Privates, Trumpeters, and Drummers, to the Benefit of the Royal Hoſpital at *Kilmainham*,

Officers diſabled in actual Service entitled to Half-pay, and Privates to the

Benefit of the Hospital at *Kilmainham*, &c.

Kilmainham, and the Widows of Commissioned Officers killed in the Service, to such Pension for Life, as is usually given to the Widows of Officers of like Rank in His Majesty's Regular Forces.

Persons while serving in such Corps not liable to serve in the Militia.

IX. And be it further enacted, That no Person who shall be enrolled or continued in any such Troop or Company as aforesaid, shall, during the Time he is serving in such Corps, be liable to serve personally, or to provide a Substitute to serve in the Militia, provided he shall produce a Certificate, signed by his Commanding Officer, that he has for the Space of Three Months immediately preceding the Day on which he shall have been balloted to serve in such Militia, punctually attended at all such Times and Places as may have been appointed for the Exercise of the Troop or Company to which he shall belong, unless prevented therefrom by Sickness, which Sickness shall be stated in such Certificate, and verified by Oath.

Persons inrolling themselves shall subscribe the following Oath,

X. And be it further enacted, That every Person who shall hereafter enrol himself in any such Troop or Company shall, at the Time he shall enrol himself, take and subscribe the following Oath or Affirmation of Allegiance.

'I do sincerely promise and swear [*or* affirm], that I will be faithful, and bear true Allegiance to His Majesty King *George* the Third, and that I will faithfully support and maintain the Laws and Constitution of this Kingdom, and the Succession to the Throne in His Majesty's Illustrious House. So help me GOD.'

Which Oath any Magistrate is hereby empowered to administer, and the Commanding Officer shall transmit the same to His Majesty's War Office in *Ireland* without Delay, to be enrolled from thence in His Majesty's Court of Chancery at *Dublin*.

Officers admitting Persons before subscribing the Oath, or Person refusing to take it, shall forfeit 500 *l.*

XI. And be it further enacted, That if any Officer shall admit or retain in his Troop or Company any Person who shall neglect to take and subscribe the said Oath, or who, upon being required thereto by him, shall refuse to take and subscribe the same, he shall, upon due Conviction thereof in any Court of Record, be fined for every such Offence in the Sum of Five hundred Pounds, One Half thereof to be paid to the Informer, and the other Half to the Treasurer of the Infirmary of the County, Town, or City in which his Troop or Company shall be appointed to assemble, for the Use of such Infirmary.

No Constable appointed in pursuance of Act 27 Geo. 3. shall be admissible into the Corps,

XII. And be it further enacted, That no Constable or Peace Officer appointed or paid in pursuance of an Act passed by the Parliament of *Ireland*, in the Twenty-seventh Year of His present Majesty's Reign, intituled, *An Act for the better Execution of the Law and Preservation of the Peace within Counties at large*, shall be admissible into any such Troop or Company.

Act may be varied or repealed this Session.

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

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