

ANNO QUADRAGESIMO SECUNDO

GEORGII III. REGIS.

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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; and alſo, ſo much of an Act paſſed in the Thirty-third Year of the Reign of His preſent Majeſty, intituled, *An Act to provide for the Families of Perſons choſen by Lot to ſerve in the Militia of this Kingdom, and of Subſtitutes ſerving therein; and to explain and amend an Act of Parliament paſſed in the Twenty-ſixth Year 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* Eng-'land,' as relates to Bounties to be paid to Militia Men whoſe Terms of Service are prolonged; and alſo, an Act paſſed in the Thirty-fifth Year of the Reign of His preſent Majeſty, intituled, *An Act for augmenting the Royal Corps of Artillery, and providing ſeafaring Men for the Service of the Navy out of the private Men now ſerving in the Militia; and to amend 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;' and alſo Two ſeveral Acts, paſſed in the Thirty-ſeventh Year of the Reign of His preſent Majeſty, relating to the Supplementary Militia; and alſo, an Act paſſed in the Thirty-eighth Year of the Reign of His preſent Majeſty, intituled, *An Act to enable His Majeſty to order out a certain Proportion of the Supplementary Militia; and to provide for the neceſſary Augmentation of Men in the ſeveral Companies of the Militia, by incorporating the Supplementary Militia therewith*; and alſo, another Act paſſed in the Thirty-eighth Year aforeſaid, intituled, *An Act for augmenting the Number of Field Officers and other Officers of Militia; and for making other Proviſions concerning the Militia Forces of this Kingdom*; and alſo an Act, paſſed in the Thirty-ninth Year of the Reign of His preſent Majeſty, intituled, *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*; and alſo another Act, paſſed in the Thirty-ninth Year aforeſaid, intituled, *An Act for the Reduction of the Militia Forces, at the Times and in the Manner therein limited; for enabling His Majeſty more effectually to increaſe His Regular Forces for the vigorous Proſecution of the War; and for amending the Laws relating to the Militia*; and alſo another Act, paſſed in the Thirty-ninth and Fortieth Years of the Reign of His preſent Majeſty, intituled, *An Act for enabling His Majeſty to accept the Services of an additional Number of Volunteers from the Militia, under certain Reſtrictions*; and alſo another Act, paſſed in the Forty-ſecond Year of the Reign of His preſent Majeſty, intituled, *An Act to regulate, until the Twenty-fifth Day of* March *One thouſand eight hundred and three, the Number of private Militia Men in the ſeveral Counties, Ridings, and Places therein mentioned; and for ſupplying of Vacancies in the Militia*; ſhall be and the ſame are hereby repealed; and that the Militia raiſed by virtue of the ſaid Act of the Twenty-ſixth Year aforeſaid, ſhall, from and after the paſſing of this Act, be ſubject to all the Proviſions and Regulations thereof: Provided always, that the repealing of the ſaid ſeveral Acts hereby repealed, or any or either of them, ſhall not affect any Commiſſion of Lieutenancy, or any other Commiſſion already granted under or by virtue of the ſaid Acts, or any or either of them, but that all ſuch Perſons to whom

Militia raiſed under 26 Geo. 3. c. 107, ſhall be ſubject to the Regulations of this Act.

Repeal of Acts not to affect Commiſſions granted by virtue of them.

whom any ſuch Commiſſions ſhall have been granted, ſhall and may act in the Execution of this Act, in like Manner as they might have acted in the Execution of the ſaid former Acts, or any or either of them: Provided alſo, that ſo many of the Serjeants, Corporals, Drummers, and private Militia Men as are now ſerving for the ſeveral Counties, Ridings, and Places aforeſaid, ſhall be liable and continue to ſerve in the ſame Manner and for the ſame Length of Time as they ought to have ſerved if this Act had not been made; and from Time to Time in every Caſe where it ſhall be neceſſary to ſupply any Deficiency in the Number of private Militia Men of any County, Riding, or Place, the Man or Number of Men required to ſupply ſuch Deficiency ſhall be raiſed, provided, and enrolled, and ſhall ſerve, in the Manner and for the Time directed by and under and according to the Proviſions, Rules, and Regulations of this Act.

Non-commiſſioned Officers, Drummers, and Privates of the Militia, to continue to ſerve as if this Act had not been made, and Men to ſupply Deficiencies to be raiſed and to ſerve according to this Act.

II. And be it further enacted, That His Majeſty may and ſhall, from Time to Time, conſtitute and appoint Lieutenants for the Counties, Ridings, and Places herein-after mentioned; and the ſeveral Lieutenants ſo appointed ſhall 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, Once in every Year; and the ſaid Lieutenants ſeverally ſhall from Time to Time conſtitute and appoint ſuch Perſons as they ſhall think fit, being qualified as herein-after is directed, and living within their reſpective Counties, Ridings, and Places, to be their Deputy Lieutenants (the Names of ſuch Perſons having been firſt preſented to and approved by His Majeſty), and ſhall alſo appoint a proper Number of Colonels, Lieutenant Colonels, Majors, and other Officers, qualified as herein-after directed, to train, diſcipline, and command the Perſons to be ſo armed and arrayed according to the Rules, Orders, and Directions herein-after mentioned, and ſhall certify to His Majeſty the Names and Ranks of all ſuch Officers ſo to be appointed; and in caſe His Majeſty ſhall, within Fourteen Days after ſuch Certificate ſhall have been laid before him, ſignify his Diſapprobation of any of the Perſons ſo to be appointed, it ſhall not be lawful for the ſaid Lieutenants to grant a Commiſſion to any Perſon ſo diſapproved, but Commiſſions ſhall be granted to all ſuch Perſons who ſhall not be diſapproved by His Majeſty; and the Officers ſo appointed for the Militia, to be armed and arrayed as herein-after directed, ſhall rank with the Officers of His Majeſty's Regular Forces as youngeſt of their Rank.

His Majeſty ſhall appoint Lieutenants of Counties, who ſhall call out the Militia yearly, and appoint Deputies, and alſo Officers, whoſe Names and Ranks ſhall be certified to His Majeſty; but to ſuch as He ſhall diſapprove Commiſſions ſhall not be granted.

Rank of Officers.

III. And be it further enacted, That when the Lieutenant of any County, Riding, or Place, ſhall be out of the Kingdom of *Great Britain*, or when there ſhall be no Lieutenant, it ſhall be lawful for His Majeſty to authorize any Three Deputy Lieutenants of ſuch County, Riding, or Place, to grant Commiſſions to Officers to ſerve in the Militia for ſuch County, Riding, or Place, upon any Vacancy that ſhall then happen, in ſuch Manner as ſuch Lieutenant could do, and to do all other Acts, Matters, and Things, which might lawfully have been done by the ſaid Lieutenant; and the ſame ſhall be good and valid in the Law, as if done by the ſaid Lieutenant himſelf.

Three Deputy Lieutenants may be authorized by His Majeſty to act when the Lieutenant ſhall be out of the Kingdom, or where there ſhall be none.

IV. And be it further enacted, That no Commiſſion of any Deputy Lieutenant, nor any Commiſſion of any Officer in the Militia, already granted,

Commiſſions not to be vacated by the Revocation of the Power of the Grantor.

granted, or to be granted by any Lieutenant or Deputy Lieutenants, ſhall be vacated by reaſon of the Revocation, Expiration, or Diſcontinuance of the Commiſſion by which any ſuch Lieutenant or Deputy Lieutenants as aforeſaid was or were appointed.

County Lieutenant to have the Chief Command of the Militia, and a certain Number of Deputies to be appointed.

V. And be it further enacted, That the Lieutenant of every County, Riding, or Place, ſhall have the Chief Command of the Militia within the County, Riding, or Place, to which he is appointed; and that Twenty Deputy Lieutenants at the leaſt ſhall be appointed within every County, Riding, and Place, if ſo many can be found qualified as hereinafter directed; but if ſuch Number of Perſons ſo qualified cannot be found within any ſuch County, Riding, or Place, then as many Perſons ſo qualified as can be found within ſuch County, Riding, or Place, ſhall be appointed to be Deputy Lieutenants for the Purpoſes of this Act.

Qualifications of Deputy Lieutenants and Officers in *England*, except for certain Places.

VI. And be it further enacted, That all Perſons to be appointed Deputy Lieutenants or Officers of the Militia, in purſuance of this Act, (except within the Counties of *Cumberland*, *Huntingdon*, *Monmouth*, *Weſtmorland* and *Rutland*, the *Iſle of Ely* in the County of *Cambridge*, the ſeveral Counties and Places within the Dominion of *Wales*, and ſuch Cities and Towns as are Counties within themſelves), ſhall be qualified as follows; (that is to ſay), every Perſon ſo to be appointed a Deputy Lieutenant, ſhall be ſeiſed or poſſeſſed, either in Law or Equity for his own Uſe and Benefit, in Poſſeſſion, of a Freehold, Copyhold, or Cuſtomary Eſtate for Life, or for the Life of his Wife, ſhe having a Freehold, Copyhold, or Cuſtomary Eſtate for her Life, or for ſome greater Eſtate, or of an Eſtate for ſome long Term of Years determinable on One or more Life or Lives, in Manors, Meſſuages, Lands, Tenements, or Hereditaments, in *England*, *Wales*, or the Town of *Berwick upon Tweed*, of the yearly Value of Two hundred Pounds, or ſhall be Heir Apparent of ſome Perſon who ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Four hundred Pounds; and every Perſon ſo to be appointed a Colonel, ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of One thouſand Pounds, or ſhall be Heir Apparent of ſome Perſon who ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Two thouſand Pounds; and every Perſon ſo to be appointed a Lieutenant Colonel, ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Six hundred Pounds, or ſhall be Heir Apparent of ſome Perſon who ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of One thouſand two hundred Pounds; and every Perſon ſo to be appointed a Major, ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Four hundred Pounds, or ſhall be Heir Apparent of ſome Perſon who ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of Eight hundred Pounds; and every Perſon ſo to be appointed a Captain, ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Two hundred Pounds, or ſhall be Heir Apparent of ſome Perſon who ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Four hundred Pounds, or ſhall be a younger Son of ſome Perſon who ſhall be, or at the Time of his Death was in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Six hundred Pounds; and every

every Perſon ſo to be appointed Lieutenant, ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Fifty Pounds, or ſhall be poſſeſſed of a Perſonal Eſtate alone to the Amount of One thouſand Pounds, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together to the Amount or Value of Two thouſand Pounds, or ſhall be Son of ſome Perſon who ſhall be or at the Time of his Death was in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of One hundred Pounds, or who ſhall be or who at the Time of his Death was poſſeſſed of a Perſonal Eſtate alone to the Amount of Two thouſand Pounds, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together to the Amount or Value of Three thouſand Pounds; and that every Perſon ſo to be appointed an Enſign, ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Twenty Pounds, or ſhall be poſſeſſed of a Perſonal Eſtate alone to the Amount of Five hundred Pounds, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together to the Amount or Value of One thouſand Pounds, or ſhall be Son of ſome Perſon who ſhall be or at the Time of his Death was in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Fifty Pounds, or who ſhall be or who at the Time of his Death was poſſeſſed of a Perſonal Eſtate alone to the Amount of One thouſand Pounds, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together to the Amount or Value of One thouſand five hundred Pounds; of which ſaid Eſtates required as Qualifications for Deputy Lieutenants, Colonels, Lieutenant Colonels, Majors, and Captains reſpectively, One Moiety ſhall be ſituate or ariſing within the reſpective Counties, Ridings, or Places, in which they ſhall be appointed to ſerve.

Qualifications of Deputy Lieutenants and Officers in *Cumberland*, &c. and in *Wales*.

VII. And be it further enacted, That the Eſtates requiſite for the Qualification of the Deputy Lieutenants and Officers of the Militia, within the Counties of *Cumberland*, *Huntingdon*, *Monmouth*, *Weſtmorland*, and *Rutland*, and within every County and Place in the Dominion of *Wales*, ſhall be as follows; (that is to ſay), a Deputy Lieutenant ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of One hundred and fifty Pounds, or ſhall be Heir Apparent to a Perſon who ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Three hundred Pounds; a Colonel ſhall be in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Six hundred Pounds, or ſhall be Heir Apparent of a Perſon who ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of One thouſand two hundred Pounds; a Lieutenant Colonel or Major Commandant, ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Four hundred Pounds, or ſhall be Heir Apparent of a Perſon who ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Eight hundred Pounds; a Major ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Two hundred Pounds, or ſhall be Heir Apparent of ſome Perſon who ſhall in like Manner be ſeiſed of a like Eſtate as aforeſaid of the yearly Value of Four hundred Pounds; and every Perſon ſo to be appointed Captain, ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of One hundred and fifty Pounds, or ſhall be Son of a Perſon who ſhall be or at the Time of his Death was in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of

Three hundred Pounds; a Lieutenant ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Thirty Pounds, or ſhall be poſſeſſed of a Perſonal Eſtate alone to the Amount of Six hundred Pounds, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together to the Amount or Value of One thouſand two hundred Pounds, or ſhall be the Son of a Perſon who ſhall be or at the Time of his Death was in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Sixty Pounds, or who ſhall be or at the Time of his Death was poſſeſſed of a Perſonal Eſtate alone to the Amount of One thouſand two hundred Pounds, or ſeiſed or poſſeſſed of a Real and Perſonal Eſtate together to the Amount or Value of Two thouſand four hundred Pounds; an Enſign ſhall be in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Twenty Pounds, or ſhall be poſſeſſed of a Perſonal Eſtate alone to the Amount of Three hundred Pounds, or ſeiſed or poſſeſſed of a Real and Perſonal Eſtate together of the Amount or Value of Six hundred Pounds, or ſhall be the Son of a Perſon who ſhall be or at the Time of his Death, was in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Thirty Pounds, or who ſhall be or at the Time of his Death was poſſeſſed of a Perſonal Eſtate alone to the Amount of Six hundred Pounds, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together to the Amount or Value of One thouſand two hundred Pounds; of all which reſpective Eſtates, (except thoſe for the Qualifications of Lieutenants and Enſigns), One Moiety ſhall be ſituate or ariſing within the reſpective Counties or Places in which ſuch Officers ſhall be reſpectively appointed to ſerve.

Qualifications of Deputy Lieutenants and Officers in *Ely*.

VIII. And be it further enacted, That the Eſtates requiſite for the Qualification of the Deputy Lieutenants and Officers of the Militia in the Iſle of *Ely*, ſhall be as follows; a Deputy Lieutenant ſhall be in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of One hundred and fifty Pounds, or ſhall be Heir Apparent of ſome Perſon who ſhall be in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Three hundred Pounds; a Captain ſhall be in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of One hundred Pounds, or ſhall be Heir Apparent of a Perſon who ſhall be in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Two hundred Pounds, or ſhall be a younger Son of ſome Perſon who ſhall be or at the Time of his Death was in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Three hundred Pounds; a Lieutenant ſhall be in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Thirty Pounds, or ſhall be poſſeſſed of a Perſonal Eſtate to the Amount of Six hundred Pounds, or ſhall be Son of ſome Perſon who ſhall be or at the Time of his Death was in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Sixty Pounds, or who ſhall be or at the Time of his Death was poſſeſſed of a Perſonal Eſtate to the Amount of One thouſand two hundred Pounds; an Enſign ſhall be in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Twenty Pounds, or ſhall be poſſeſſed of a Perſonal Eſtate to the Amount of Three hundred Pounds, or ſhall be the Son of ſome Perſon who ſhall be or at the Time of his Death was in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Thirty Pounds, or who ſhall be or at the Time of his Death was poſſeſſed of a Perſonal Eſtate

Eſtate to the Amount of Six hundred Pounds; of all which Eſtates (except thoſe for the Qualifications of Lieutenants and Enſigns), One Moiety ſhall be ſituate or ariſing within the ſaid Iſle of *Ely*, or ſome other Part of the County of *Cambridge*.

Regulations reſpecting Cities and Towns that are Counties within themſelves.

IX. And be it further enacted, That in all Cities and Towns which are Counties within themſelves, and have heretofore been empowered by Law or ancient Uſage to raiſe and train a ſeparate Militia within their ſeveral Precincts and Liberties, and which are united with and made Part of any County or Counties for the Purpoſes of raiſing the Militia only, the Lieutenant of every ſuch City or Town, or where there is no Lieutenant appointed, then the Chief Magiſtrate of ſuch City or Town ſhall appoint the Deputy Lieutenants within ſuch City or Town, and ſhall alſo appoint Officers of the Militia, whoſe Number and Rank ſhall be proportionable to the Number of Militia Men which ſuch City or Town ſhall raiſe as their Quota towards the Militia of the County to which ſuch City or Town is united for the Purpoſes aforeſaid; and all Powers and Proviſions made by this Act, with reſpect to the Counties at large and the Militia thereof, and the regiſtering herein-after directed of the Qualifications of Deputy Lieutenants and Officers, ſhall take Place and be in Force with reſpect to the ſaid Cities and Towns, and the Militia thereof; and the regiſtering of the ſaid Qualifications, and the Value of the reſpective Qualifications of the Deputy Lieutenants and Officers of the Militia of ſuch Cities and Towns ſhall be as follows: Every Deputy Lieutenant ſhall in like Manner be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of One hundred and fifty Pounds, or ſhall be poſſeſſed of a Perſonal Eſtate alone, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together to the Amount or Value of Three thouſand Pounds; and every Field Officer ſhall reſpectively be in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid of the yearly Value of Three hundred Pounds, or ſhall be poſſeſſed of a Perſonal Eſtate alone, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together to the Amount or Value of Five thouſand Pounds; and the Qualification of a Captain ſhall be a like Eſtate as aforeſaid of the yearly Value of One hundred and fifty Pounds, in Manors, Meſſuages, Lands, Tenements, or Hereditaments, or Perſonal Eſtate alone, or Real and Perſonal Eſtate together, to the Amount or Value of Two thouſand five hundred Pounds; and the Qualification of a Lieutenant ſhall be a like Eſtate as aforeſaid of the yearly Value of Thirty Pounds, in Manors, Meſſuages, Lands, Tenements, or Hereditaments, or Perſonal Eſtate alone, to the Amount or Value of Seven hundred and fifty Pounds; and the Qualification of an Enſign ſhall be a like Eſtate as aforeſaid of the yearly Value of Twenty Pounds, in Manors, Meſſuages, Lands, Tenements, or Hereditaments, or Perſonal Eſtate alone, to the Amount or Value of Four hundred Pounds; of all which Eſtates reſpectively (except thoſe for the Qualifications of Lieutenants and Enſigns), One Moiety ſhall be ſituate or ariſing within ſuch City or Town, or within the County to which ſuch City or Town is united for the Purpoſes aforeſaid.

Leaſes for Lives of 300 *l. per Ann.* to be deemed equal to a Qualification herein-before required of 100*l. per*

X. Provided always, and be it further enacted, That the immediate Reverſion or Remainder of and in Manors, Meſſuages, Lands, Tenements, or Hereditaments, which are leaſed for One Life, or for Two or Three Lives, or for any Term of Years determinable upon the Death of One Life, or of Two or Three Lives, on reſerved Rents, and which are

to

Ann. and so proportionally.

to the Leſſee or Leſſees of the clear yearly Value of Three hundred Pounds, ſhall be deemed equal to an Eſtate herein-before required as a Qualification of the yearly Value of One hundred Pounds, and ſo in Proportion to the ſeveral other Qualifications required by this Act.

Eſtates granted for 20 Years, of an annual Value equal to the Value of Eſtates required for Qualifications ſhall be ſufficient.

XI. And be it further enacted, That a Perſon poſſeſſed in Law or Equity, for his own Uſe and Benefit in Poſſeſſion, of an Eſtate for a certain Term originally granted for Twenty Years or more, of an annual Value (over and above all Rents and Charges payable out of or in reſpect of the ſame), equal to the Value of ſuch an Eſtate as is required for the Qualification of a Deputy Lieutenant and a commiſſioned Officer of the Militia reſpectively, and ſituate as aforeſaid, ſhall be and is hereby deemed and declared to be ſufficiently qualified to act in the Execution of this Act.

No Deputy Lieutenant, or any Officer ſuperior to a Subaltern, to be appointed, till his Qualification be delivered to the Clerk of the Peace, who ſhall tranſmit a Copy to the County Lieutenant.

XII. And be it further enacted, That no Perſon ſhall hereafter be appointed to be Deputy Lieutenant of any County, Riding, or Place, or be appointed to a higher Rank in the Militia than that of Lieutenant, until he ſhall have delivered in to the Clerk of the Peace of the County, Riding, or Place, for which he ſhall be appointed, or (in the Abſence of the Clerk of the Peace) to his Deputy, a ſpecifick Deſcription in Writing, ſigned by himſelf, of his Qualification, ſtating the Pariſh or Pariſhes in which the Eſtate or Eſtates which form his Qualification is or are ſituate; and the Clerk of the Peace or his Deputy ſhall tranſmit to the Lieutenant of the County, Riding, or Place, a Copy of ſuch Deſcription; and no Commiſſion granted after the paſſing of this Act, for a higher Rank in the Militia than that of Lieutenant, ſhall be valid, unleſs it be declared in the Commiſſion that the Officer to whom the Commiſſion is given hath delivered in his Qualification as above directed.

Clerk of the Peace to enter Qualifications upon a Roll, and to inſert in the *London Gazette* Dates of Commiſſions, *etc.* and to tranſmit every *January* to the Secretary of State an Account of Qualifications to be laid before Parliament.

XIII. And be it further enacted, That the Clerk of the Peace of every County, Riding, and Place, ſhall, and he is hereby required to enter the Qualifications tranſmitted to him, according to the Directions of this Act, upon a Roll to be provided and kept for that Purpoſe, and to cauſe to be inſerted in *The London Gazette* the Dates of the Commiſſions, and Names and Rank of the Officers, together with the Names of the Officers in whoſe Room they are appointed, in like Manner as Commiſſions in the Army are publiſhed from the War Office; and he is hereby authorized to charge the Expence of ſuch Inſertion in the *Gazette* for each Commiſſion to the Treaſurer of the County, Riding, or Place, who is hereby directed to pay the ſame; and the ſaid Clerk of the Peace or his Deputy ſhall, in the Month of *January* in every Year, tranſmit to One of His Majeſty's Principal Secretaries of State a complete Account of the Qualifications ſo left with him, and the Secretary of State receiving ſuch Accounts ſhall cauſe Copies thereof to be annually laid before both Houſes of Parliament; and every Deputy Lieutenant and commiſſioned Officer, not having already taken and ſubſcribed the Oaths, and made, repeated, and ſubſcribed the Declaration, as required by this Act, ſhall, at ſome General Quarter Seſſion of the Peace, or in One of His Majeſty's Courts of Record at *Weſtminſter*, within Six Months after he ſhall have accepted his Commiſſion, take the Oaths appointed to be taken by an Act, paſſed in the Firſt Year of the Reign of His Majeſty King *George* the Firſt, intituled, *An Act for the further Security of His Majeſty's Perſon and Government, and the Succeſſion of the Crown in the Heirs of the late Princeſs* Sophia,

Deputy Lieutenants and Officers to take the Oaths, *etc.* within Six Months after Appointment.

Sophia, *being Proteſtants*; *and for extinguiſhing the Hopes of the pretended Prince of* Wales, *and his open and ſecret Abettors*; and alſo by an Act, paſſed in the Thirty-ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act for altering the Oath of Abjuration, and the Aſſurance*; *and for amending ſo much of an Act of the Seventh Year of Her late Majeſty Queen* Anne, *intituled*, ' *An Act for the Improvement of the* ' *Union of the Two Kingdoms*,' *as, after the Time therein limited, requires the Delivery of certain Liſts and Copies therein mentioned, to Perſons indicted of High Treaſon or Miſpriſion of Treaſon*; and ſhall alſo make, repeat, and ſubſcribe the Declaration in the ſaid Act of the Firſt Year of King *George* the Firſt, directed to be made, repeated, and ſubſcribed, by all Officers, Civil and Military.

Penalty on Perſons acting who are unqualified, or who have not delivered in their Qualifications.

XIV. And be it further enacted, That if any Perſon ſhall execute any of the Powers hereby directed to be executed by Deputy Lieutenants, Colonels, Lieutenant Colonels, or Majors, not being qualified as aforeſaid, or without having delivered in ſuch ſpecifick Deſcription of his Qualification as is herein-before required, every ſuch Perſon ſhall forfeit and pay the Sum of Two hundred Pounds; and if any Perſon ſhall execute any of the Powers hereby directed to be executed by Captains, not being qualified as aforeſaid, or without having delivered in ſuch ſpecifick Deſcription of his Qualification as is herein-before required, every ſuch Perſon ſhall forfeit and pay the Sum of One hundred Pounds, One Moiety whereof ſhall go to the Uſe of the Perſon who ſhall ſue for the ſame; and in every Action, Suit, or Information, brought againſt any Perſon for acting as Deputy Lieutenant, Colonel, Lieutenant Colonel, Major, or Captain, not being qualified as herein-before directed, the Proof of his Qualification ſhall lie upon the Perſon againſt whom the ſame is brought: Provided always, that nothing in this Act contained ſhall reſtrain or prevent any Peer of the Realm, or Heir Apparent of any ſuch Peer, from being appointed or acting as a Deputy Lieutenant, or a commiſſioned Officer in the Militia, within the County, Riding, or Place, wherein ſuch Peer, or Heir Apparent of ſuch Peer, ſhall have ſome Place of Reſidence, although he may not have the Qualification herein-before required; or to oblige any Peer of this Realm, or Heir Apparent of ſuch Peer, who ſhall be appointed a Deputy Lieutenant, or commiſſioned Officer as aforeſaid, to leave with the Clerk of the Peace for the County, Riding, or Place, for which he ſhall be appointed, any Qualification, in Writing, as aforeſaid.

Peers, or their Heirs Apparent, may act, though not poſſeſſed of Qualifications.

Majors now ſerving, qualified to act under former Acts, may hold their Commiſſions in the Militia.

XV. Provided always, and be it further enacted, That any Perſon now ſerving as Major of the Militia who ſhall be poſſeſſed of the Qualification required by the Laws in force before the paſſing of this Act, ſhall and may continue to hold a Commiſſion of Major in the Militia to be raiſed by virtue of this Act; any Thing herein contained to the contrary notwithſtanding.

Lieutenant-Colonels or Majors now ſerving, who, in conſequence of Reduction, will not retain their Commiſſions, and

XVI. Provided alſo, and be it further enacted, That every Lieutenant Colonel or Major in the Militia duly qualified as aforeſaid, and commiſſioned under any of the Acts herein-before recited, and now actually ſerving, and who, in conſequence of the Reduction of the Eſtabliſhment of the Regiment, Battalion, or Corps in which he is ſerving, will no longer retain his Commiſſion, and any Officer in the Militia duly qualified

Officers who may hereafter be promoted to thoſe Ranks, and afterwards reduced, ſhall hold their reſpective Ranks in the general Militia Service.

as aforeſaid, who, in conſequence of the Augmentation of the Militia Forces herein-after provided, may hereafter be promoted to the Commiſſion of Lieutenant Colonel or Major, and may by any ſubſequent Reduction of that Augmentation no longer retain ſuch Commiſſion, ſhall and may continue to rank reſpectively in the general Militia Service, according to the Date of his Commiſſion or Appointment in the Militia ſo vacated as aforeſaid; provided that nothing herein contained ſhall extend to give any ſuch Lieutenant Colonel or Major any Regimental Rank.

His Majeſty may direct County Lieutenants to diſplace Deputy Lieutenants or Officers.

XVII. And be it further enacted, That His Majeſty, His Heirs and Succeſſors, may from Time to Time, as He and they ſhall think fit, ſignify His and their Pleaſure to His and their Lieutenant of any County, Riding, or Place, to diſplace all or any Deputy Lieutenants and Officers in the Militia, and thereupon His Majeſty's reſpective Lieutenants ſhall forthwith diſplace ſuch Deputy Lieutenants or Officers, and appoint others within the ſame County, Riding, or Place, with the like Qualifications, and under and ſubject to the like Proviſions and Reſtrictions, to ſerve in their ſtead.

County Lieutenants and Deputies to appoint Clerks of their Meetings.

XVIII. And be it further enacted, That the Lieutenant of every County, Riding, and Place, ſhall from Time to Time appoint a Clerk of the General Meetings to be holden as herein-after directed, and may diſplace ſuch Clerk if he ſhall think fit, and appoint another in his Room; and the Deputy Lieutenants within their reſpective Subdiviſions, or the major Part of thoſe preſent at any Subdiviſion Meeting, ſhall alſo from Time to Time appoint a Clerk for their Subdiviſions, and may diſplace ſuch Clerk if they, or the major Part of them, ſhall think fit, and appoint another in his Room.

Numbers of Private Men to be as herein ſpecified.

XIX. 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), For the County of *Bedford* Three hundred and ſeventeen; for the County of *Berks* Five hundred and ſixty-one; for the County of *Bucks* Five hundred and ninety-nine; for the County of *Cambridge* Four hundred and eighty-one; for the County of *Cheſter*, with the City and County of the City of *Cheſter*, Eight hundred and eighty-five; for the County of *Cornwall* Six hundred and forty-ſeven; for the County of *Cumberland* Six hundred and fifteen; for the County of *Derby* Nine hundred and thirty-nine; for the County of *Devon*, with the City and County of the City of *Exeter*, One thouſand five hundred and twelve; for the County of *Dorſet*, with the Town and County of the Town of *Pool*, Four hundred and eleven; for the County of *Durham* Four hundred and ninety-two; for the County of *Eſſex* One thouſand two hundred and forty-four; 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 one hundred and ſixty-three; for the County of *Hereford* Five hundred and twenty; for the County of *Hertford* Four hundred and eighty; for the County of *Huntingdon* One hundred and fifty-nine; for the County of *Kent*, with the City and County of the City of *Canterbury*, One thouſand two hundred and ninety-ſix; for the County of *Lancaſter* Two thouſand four hundred and thirty-nine; for the County of *Leiceſter* Six hundred and forty-three; for the County of *Lincoln*, with the City and County of the City of *Lincoln*, One thouſand three hundred and ſixty-eight; for the County

County of *Middleſex* (excluſive of the Tower Diviſion, commonly called *The Tower Hamlets*) Three thouſand and thirty-eight; for the County of *Monmouth* Two hundred and eighty; for the County of *Norfolk*, with the City and County of the City of *Norwich*, One thouſand two hundred and nine; for the County of *Northampton* Seven hundred and twenty-four; for the County of *Northumberland*, with the Town and County of the Town of *Newcaſtle-upon-Tyne*, and the Town of *Berwick-upon-Tweed*, Six hundred and forty-nine; for the County of *Nottingham*, with the Town and County of the Town of *Nottingham*, Five hundred and ſixty-four; for the County of *Oxford* Six hundred and three; for the County of *Rutland* Eighty-three; for the County of *Salop* Nine hundred and ninety-one; for the County of *Somerſet* One thouſand five hundred and fifty-ſix; for the County of *Southampton*, with the Town and County of the Town of *Southampton*, Eight hundred and fifty; for the County of *Stafford*, with the City and County of the City of *Lichfield*, One thouſand one hundred and thirty-three; for the County of *Suffolk* One thouſand and forty-two; for the County of *Surrey* One thouſand three hundred and thirty-ſix; for the County of *Suſſex* Eight hundred and three; for the County of *Warwick*, with the City and County of the City of *Coventry*, Eight hundred and fifty-three; for the County of *Weſtmorland* Two hundred and forty-three, for the County of *Worceſter*, with the City and County of the City of *Worceſter*, Six hundred and ſixteen; for the County of *Wilts* Nine hundred and ſeventeen; for the Weſt Riding of the County of *York*, with the City and County of the City of *York*, Two thouſand four hundred and twenty-nine; for the North Riding of the ſaid County Nine hundred and eleven; and for the Eaſt Riding of the ſaid County, with the Town and County of the Town of *Kingſton-upon-Hull*, Five hundred and ſixty-four; for the County of *Angleſea* One hundred and twenty-eight; for the County of *Brecknock* Two hundred and four; for the County of *Cardigan* Two hundred and forty-four; for the County of *Carmarthen*, with the County Borough of *Carmarthen*, Four hundred and five; for the County of *Carnarvon* One hundred and twenty-eight; for the County of *Denbigh* Three hundred and forty-four; for the County of *Flint* Two hundred and one; for the County of *Glamorgan* Four hundred and three; for the County of *Merioneth* One hundred and twenty-one; for the County of *Montgomery* Two hundred and ſeventy-nine; for the County of *Pembroke*, with the Town and County of the Town of *Haverfordweſt*, Two hundred and one; and for the County of *Radnor* One hundred and forty.

XX. And be it further enacted, That the Numbers of private Militia Men, herein-before appointed to ſerve for the ſeveral Counties, Ridings, and Places aforeſaid, ſhall continue to be and remain the reſpective Quotas of the ſeveral and reſpective Counties, Ridings, and Places aforeſaid, until the Twenty-fifth Day of *June* One thouſand eight hundred and five, and from thence until other Quotas ſhall be ſettled, aſcertained, and appointed, by His Majeſty's Privy Council, in Manner herein-after directed; and the ſeveral and reſpective Quotas that ſhall at or after the Expiration of the ſaid firſt mentioned Period, and alſo from Time to Time at or after the Expiration of every ſucceſſive Ten Years after ſuch Period, be ſettled, aſcertained, and appointed, by His Majeſty's Privy Council under the Proviſions of this Act, ſhall, from the Appointment thereof, continue to be and remain the reſpective Quotas of the ſeveral

Numbers of Private Men hereby appointed to continue the Quotas until *June* 25, 1805, and the Numbers thereafter appointed by the Privy Council to continue the Quotas until others ſhall be ſettled.

ſeveral and reſpective Counties, Ridings, and Places aforeſaid, for which any ſuch ſubſequent Quotas ſhall have been appointed, until other Quotas ſhall be ſettled, aſcertained, and appointed under this Act.

Regulations for holding General Meetings of Lieutenancy.

XXI. And be it further enacted, That General Meetings of the Lieutenancy of every County, Riding, and Place, ſhall be holden in ſome principal Town of every ſuch County, Riding, and Place, and ſuch General Meetings ſhall conſiſt of the Lieutenant, together with Two Deputy Lieutenants at the leaſt, or on the Death or Removal, or in the Abſence of the Lieutenant, then of Three Deputy Lieutenants at the leaſt of every County, Riding, and Place reſpectively; and One ſuch General Meeting ſhall be holden within every County, Riding, and Place annually, upon the laſt *Tueſday* which ſhall happen before the Tenth Day of *October* in every Year, or earlier if Occaſion ſhall require, and the Lieutenant, together with any Two Deputy Lieutenants, or (on the Death or Removal or in the Abſence of the Lieutenant), any Three Deputy Lieutenants of any County, Riding, or Place, when and as often as they ſhall find neceſſary for carrying the Purpoſes of this Act duly and fully into Execution, may ſummon or cauſe to be ſummoned other General Meetings of the Lieutenancy, on any Days to be fixed by ſuch Summons, of which Days and the Places of holding ſuch Meetings reſpectively, Notice ſhall be given in *The London Gazette*; and alſo in any Weekly Newſpaper uſually circulated in ſuch County, Riding, or Place, Fourteen Days at the leaſt before the Days appointed for holding ſuch Meetings reſpectively; and the Lieutenant, together with any Two Deputy Lieutenants, or (on the Death or Removal or in the Abſence of the Lieutenant) any Three Deputy Lieutenants of any County, Riding, or Place, are hereby authorized to charge the Expence of ſuch Notices, and alſo of all ſuch Notices that may have been given under any Act or Acts relating to the Militia, that may remain undiſcharged, to the Treaſurer of the County, Riding, or Place, who is hereby directed to pay the ſame; and in caſe any annual or other General Meeting ſhall not be attended by the Lieutenant and Two Deputy Lieutenants, or by Three Deputy Lieutenants, as herein-before required, the Lieutenant or any One Deputy Lieutenant, who ſhall attend at ſuch Meeting, ſhall and may adjourn the ſame to any other Time, and to any Place within ſuch County, Riding, or Place; and in caſe no Deputy Lieutenant ſhall attend at the Time and Place appointed for the next Meeting, then the Clerk of the General Meetings, or his Deputy, ſhall adjourn ſuch Meeting to any other Time, to be holden at the ſame Place.

Subdiviſion Meetings to conſiſt of Two Deputy Lieutenants at the leaſt, or One Deputy and a Juſtice of the Peace.

XXII. And be it further enacted, That Meetings of the Deputy Lieutenants, within the Subdiviſions of their reſpective Counties, Ridings, and Places, ſhall be holden as herein-after directed, which Subdiviſion Meetings ſhall conſiſt of Two Deputy Lieutenants at the leaſt: Provided always, that, at any Subdiviſion Meeting appointed according to the Directions of this Act, where Two Deputy Lieutenants do not attend, it ſhall be lawful for any One Deputy Lieutenant, together with any One Juſtice of the Peace of the County, Riding, or Place, within which ſuch Subdiviſion lies, to do all Acts, Matters, and Things which are by this Act directed to be done by Deputy Lieutenants at their reſpective Subdiviſion Meetings; and all ſuch Acts, Matters, and Things ſo done by any ſuch Deputy Lieutenant and Juſtice of the Peace, ſhall be as good, valid, and effectual in the Law, to all Intents and Purpoſes, as if they had been done by Two Deputy

Deputy Lieutenants of ſuch County, Riding, or Place; any Thing in this Act to the contrary hereof notwithſtanding.

Clerk to give Notice of Subdiviſion Meetings to the Deputy Lieutenants, and alſo to the Commanding Officer, and an Account of the Days for receiving Liſts, ballotting, and inrolling, *etc.*

XXIII. And be it further enacted, That the reſpective Clerks of the Subdiviſion Meetings, ſhall as ſoon as conveniently may be, after any ſuch Subdiviſion Meeting ſhall have been appointed, give Notice in Writing of the Time and Place of Meeting to ſuch of the Deputy Lieutenants who ſhall be reſident within ſuch Subdiviſion, as he conveniently can, and alſo to the Commanding Officer of the Regiment, Battalion, or Corps, if on actual Service, or (if not on actual Service) to the Colonel or other Commandant thereof, or (in caſe of his Abſence from *Great Britain*) to the next Commanding Officer within *Great Britain*, by Notice addreſſed to the Adjutant, and an Account of the ſeveral Days fixed for receiving Liſts, and for ballotting and for inrolling the Militia Men within ſuch Subdiviſion; and ſhall, as ſoon as the Militia Men are inrolled, likewiſe tranſmit to the Colonel or other Commandant, or to the Commanding Officer as aforeſaid, in Manner aforeſaid, a Liſt, ſpecifying the Names, Trades, and uſual Places of Abode, of all ſuch Militia Men as are inrolled; and where there are Subſtitutes, the Names, Trades, and Places of Abode, of the Perſons in the Room of whom ſuch Subſtitutes were inrolled.

When Two Deputy Lieutenants, or One and a Juſtice, do not attend, another Meeting to be appointed by Notice from the Clerk.

XXIV. And be it further enacted, That if it ſhall happen that there ſhall not appear at any Subdiviſion Meeting Two Deputy Lieutenants, or One Deputy Lieutenant and One Juſtice of the Peace, the Clerk of ſuch Meeting ſhall, by Notice to be given in Writing to all the Deputy Lieutenants within ſuch Subdiviſion, or left at their reſpective Places of Abode, appoint another Meeting to be held within Fourteen Days, at the ſame Place where ſuch Meeting was to have been holden, ſuch Notice being given Five Days at the leaſt previous to ſuch Meeting.

General Meeting to appoint Subdiviſion Meetings, and to require Chief Conſtables, *etc.* to order a Return to be made to the Deputy Lieutenants, of Men between the Ages of 18 and 45.

XXV. And be it further enacted, That the Lieutenant and Deputy Lieutenants, or the Deputy Lieutenants, at every annual, or at ſome other General Meeting, to be holden as herein-before directed, ſhall appoint the Firſt Meetings of the Deputy Lieutenants within the ſeveral Subdiviſions of their reſpective Counties, Ridings, and Places, which ſaid Firſt Meetings ſhall be appointed to be held as early after the Tenth Day of *October* in every Year as conveniently may be, or at ſuch other Time as may be moſt expedient for carrying the Purpoſes of this Act fully and duly into Execution; and the ſaid Lieutenant and Deputy Lieutenants, or the ſaid Deputy Lieutenants may, if they judge needful, appoint the Time and Place for a Second General Meeting, and ſhall iſſue out their Orders to the Chief Conſtables; and where there is no Chief Conſtable, to ſome other Officer of the ſeveral Hundreds, Rapes, Lathes, Wapentakes, or other Diviſions within their reſpective Counties, Ridings, and Places, requiring every ſuch Chief Conſtable or other Officer as aforeſaid, to iſſue an Order under his Hand to all Conſtables, Tythingmen, Headboroughs, or other Officers of every Pariſh, Tything, or Place, witnin their reſpective Hundreds, Rapes, Lathes, Wapentakes, or other Diviſions, to return to the Deputy Lieutenants within their reſpective Subdiviſions, at the Places and on the Days appointed at the Firſt General Meeting in every Year, fair and true Liſts in Writing, in Manner by this Act directed, of the Names of all the Men uſually and at that Time dwelling within the reſpective Pariſhes, Tythings, and Places, for which they ſhall reſpectively

act under the Provisions and in the Execution of this Act, between the Ages of Eighteen and Forty-five Years.

Constables, *etc.* to give Notice in the Form in the annexed Schedule (A), to Housekeepers, *etc.* to produce Lists containing certain Particulars.

XXVI. And be it further enacted, That the several Constables, Tythingmen, Headboroughs, and other Officers and Persons required to return Lists of Persons fit and liable to serve in the Militia, shall, within Fourteen Days after any such Returns shall be required, give or leave Notice in Writing, in the Form in the Schedule to this Act annexed, marked (A); 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 in the Execution of this Act, or any of the Provisions thereof, 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, or distinct Story or Apartment, between the Ages of Eighteen and Forty-five, distinguishing every Person in such Dwelling House, or distinct Story or Apartment, of such Age as aforesaid, claiming to be exempt from serving in the Militia, together with the Ground of every such Claim of Exemption; and every such Notice shall mention the Day, Time, and Place appointed for hearing Appeals within such Subdivision, by Persons claiming to be exempt from serving in the Militia; 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 or Person as aforesaid; and if any Occupier shall neglect or refuse to make out, sign, and deliver such List as aforesaid, within the Time before limited, or shall omit any Person who ought to have been included therein in pursuance of this Act, or knowingly make any false Return of any Particular required therein, every such Occupier shall, for every such Offence, forfeit and pay a Sum not exceeding the Sum of Five Pounds.

Penalty of 5*l.* for not duly delivering Lists, or making false Returns.

Occupiers being Quakers to produce Certificates, acknowledging them to be of that Persuasion, and in such Cases the Constables, *etc.* shall make Returns of Persons liable to serve in such Houses as where Returns are not made to Notices.

XXVII. 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 Person to be One of their Persuasion; and that in all such Cases, such Constables or other Officers are hereby required to make Returns of the Persons liable to serve in the Militia, resident in the Houses, Stories, or Apartments of such Occupiers so certified to be of the People called *Quakers*, in the same Manner as is directed by this Act in Cases where Returns are not made to such Notices as aforesaid.

Constables, *etc.* to make out yearly Lists, according to the Form in Schedule B., of the Names of Men be-

XXVIII. And be it further enacted, That the Constables, Tythingmen, Headboroughs, or other Officers of every Parish, Tything, or Place, shall, within One Month after having delivered such Notices as aforesaid, make out in every Year a fair and true List in Writing, according to the Form in the Schedule to this Act annexed, marked B., of the Names of all the Men usually and at that Time dwelling within the respective Parishes, Tythings,

Tythings, and Places, for which they ſhall reſpectively act in the Execution of the Proviſions of this Act, between the Ages of Eighteen and Forty-five Years, as well of thoſe who have not made any Return or been returned in purſuance of ſuch Notices as aforeſaid, as of thoſe who ſhall have made ſuch Returns or been returned in purſuance thereof, diſtinguiſhing their reſpective Ranks and Occupations, and thoſe who have made Returns to ſuch Notices from thoſe who have neglected to make ſuch Returns (and where the true Names of ſuch Perſons cannot be procured, the common Appellation of ſuch Perſon ſhall be ſufficient), and diſtinguiſhing which of the Perſons ſo returned labour under any Infirmity likely to incapacitate them from ſerving as Militia Men, and which of them claim to be exempt from ſerving in the Militia, and on what Account, and ſhall affix a true Copy of every ſuch Liſt on the Door of the Church or Chapel belonging to every ſuch Pariſh, Tything, or Place, or (if any Place ſhall have no Church or Chapel belonging thereto) on the Door of the Church or Chapel of ſome Pariſh or Place thereto adjoining, ſome One *Sunday* Morning before they ſhall make the Return to the Deputy Lieutenants as directed by this Act, which *Sunday* ſhall be Three Days at the leaſt before the Meeting of Deputy Lieutenants at which ſuch Return is to be made, and alſo Notice in Writing at the Bottom of the ſaid Copy of ſuch Liſt, of the Day and Hour and Place of Meeting for hearing Appeals under the Act; and that all Perſons who ſhall think themſelves aggrieved may then appeal, and that no Appeal will be afterwards received; and ſhall afterwards make a Return of ſuch Liſt as aforeſaid, or a true and exact Copy thereof, to the Deputy Lieutenants of the Subdiviſion.

tween the Ages of 18 and 45 within their reſpective Diſtricts, diſtinguiſhing their Rank, Occupations, &c. and to affix a Copy on the Church Door, with Notice of the Meeting for hearing Appeals.

Copies of Liſts to be returned to the Deputy Lieutenants.

XXIX. And be it further enacted, That if any Perſon, whoſe Name ſhall be inſerted in any Liſt in purſuance of this Act, ſhall think himſelf aggrieved thereby, or by the Omiſſion of any other Name or Names, or ſhall claim to be exempted from ſerving in the Militia, it ſhall be lawful for ſuch Perſon, and he is hereby required to appeal to the Subdiviſion Meeting appointed to be held for hearing ſuch Appeals; and any Two or more of the ſaid Deputy Lieutenants are hereby empowered and required to hear and determine all ſuch Appeals, and if the ſame cannot be heard on the Day firſt appointed, to adjourn to any other Day or Days; and the Determination of any Two Deputy Lieutenants, if only Two are then and there aſſembled, or of the major Part of them, if more than Two are aſſembled, ſhall be final to all Intents and Purpoſes; and no Appeal ſhall be afterwards heard or allowed, or any Exemption whatever claimed or admitted, by or on Behalf of any Perſon or Perſons whatever.

Perſons aggrieved may appeal to the Subdiviſion Meetings, and the Determination thereat to be final.

XXX. And be it further enacted, That, on the Days and at the Places ſo reſpectively appointed as aforeſaid for the Returns of the Liſts, the Conſtables, Tythingmen, Headboroughs, or other Officers reſpectively, ſhall attend and verify the ſaid Returns upon Oath, and the ſaid Deputy Lieutenants, or any Two or more of them, aſſembled in their reſpective Subdiviſions, ſhall, after hearing any Appeals or Claims of Exemption, direct ſuch Liſts to be amended as the Caſe ſhall require, and ſhall alſo direct the Names of all Perſons by this Act reſpectively exempted from ſerving in the Militia, to be ſtruck out, and the Names of any Perſons that ſhall have been omitted to be inſerted; and after amending the ſaid Liſts according to this Act, ſhall appoint the Times and Places for their Second Meetings within their reſpective Subdiviſions, and ſhall return to the Clerk of the

Conſtables, *etc.* to attend and to verify Liſts on Oath, and the Deputy Lieutenants to amend Liſts, and to appoint Second Meetings, and ſhall return to the Clerk of the General Meeting Certificates in the Form in the Schedule, Q.

General Meetings, for the Uſe of the ſaid General Meetings, Certificates under their Hands, in the Form in the Schedule to this Act annexed, marked (C.), of the Number of Men in each Pariſh, Tything, or Place, between the Ages of Eighteen and Forty-five Years, diſtinguiſhing the Number of Men liable to ſerve, and alſo the Number of Men exempt from ſerving, in each Pariſh, Tything, or Place within the Subdiviſion; and the ſame ſhall be filed by the Clerk for the Uſe of the General Meetings.

Penalty of 50*l.* on Perſons for endeavouring to prevail on Conſtables, *etc.* to make falſe Returns, and of 10*l.* for refuſing to tell their Names, or the Names of Lodgers.

XXXI. And be it further enacted, That any Perſon who ſhall, by Gratuity, Gift, or Reward, or by Promiſe thereof, or by any Indemnification, or by Menaces or otherwiſe, endeavour to prevail on any Chief Conſtable, Conſtable, Tythingman, Headborough, or other Officer, to make a falſe Return of any Liſt for any Pariſh, Tything, or Place, or to eraſe or leave out of any ſuch Liſt the Name of any Perſon who ought to be returned to ſerve as a Militia Man, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Fifty Pounds; and if any Perſon ſhall refuſe to tell his Chriſtian and Surname, or ſhall falſely tell a Chriſtian or Surname, pretending the ſame to be his true Chriſtian or Surname, or ſhall refuſe to tell the Chriſtian or Surname of any Man lodging or reſiding within his or her Houſe, or ſhall knowingly tell any falſe Name, pretending it to be the true Name of any ſuch Perſon, to any Conſtable, Tythingman, or other Officer authorized by this Act to demand the ſame, every ſuch Perſon ſhall forfeit and pay the Sum of Ten Pounds.

Deputy Lieutenants may iſſue Orders for the Attendance of Conſtables, &c., and if any ſhall neglect to appear, or any Chief Conſtable, *etc.* to return Liſts, or ſhall be guilty of Fraud, Partiality, or Neglect, he ſhall be committed to Gaol, or may be fined.

XXXII. And be it further enacted, That it ſhall be lawful for the Deputy Lieutenants within any Subdiviſion, or any Two or more of them, from Time to Time, to iſſue their Order or Warrant under their Hands and Seals, requiring the Attendance of the Conſtable, Tythingman, Headborough, or other Officer of any Pariſh, Tything, or Place within ſuch Subdiviſion, at ſuch Time and Place as in ſuch Order or Warrant ſhall be expreſſed; and if any ſuch Conſtable, Tythingman, Headborough, or other Officer, ſhall refuſe or neglect to appear according to ſuch Order or Warrant, or if any Chief Conſtable or other Officer of any Hundred, Rape, Lathe, Wapentake, or other Diviſion, or any Conſtable, Tythingman, Headborough, or other Officer of any Pariſh, Tything, or Place, ſhall refuſe or neglect to return any ſuch Liſt as before directed, or to comply with ſuch Orders and Directions as he ſhall from Time to Time receive from the ſaid Deputy Lieutenants, or any Two or more of them, in purſuance of this Act, or ſhall, in making ſuch Return, be guilty of any Fraud or wilful Partiality, or groſs Neglect in his Duty, the ſaid Deputy Lieutenants, or any Two or more of them, are hereby empowered and required to commit the Perſon ſo offending to the common Gaol, there to be kept without Bail or Mainprize for the Space of One Month, or at their Diſcretion, to fine ſuch Perſon in any Sum not exceeding Twenty Pounds, nor leſs than Forty Shillings.

Two Juſtices may appoint Deputies to Quakers for carrying this Act into Execution.

XXXIII. Provided always, and be it further enacted, That if any Chief or other Conſtable, Headborough, Tythingman, or Overſeer, ſhall be of the People called *Quakers*, (and certified to be ſo by Two Perſons of the People called *Quakers*), and ſhall neglect or refuſe to perform the Duties required by this Act, it ſhall be lawful for any Two Juſtices of the Peace acting for the Diviſion within which ſuch Quaker ſhall be ſuch Officer as aforeſaid, and they are hereby required, in all Caſes where the Circumſtances

ſtances of the Caſe ſhall, in their Judgement render it expedient and neceſſary for the due Execution of the Proviſions of this Act, by their Order, under their Hands and Seals, to appoint a fit and proper Perſon to be Deputy to ſuch Quaker, for the Purpoſe only of carrying this Act into Execution; and every Perſon ſo appointed Deputy as aforeſaid, ſhall have and exerciſe all the Powers, Authorities, and Juriſdictions given by this Act to ſuch Officer for whom he ſhall ſo act, and ſhall do and perform all the like Duties and Offices under the like Pains, Penalties, and Forfeitures as are hereby impoſed for Neglect of Duty of any ſuch Officer as aforeſaid, in like Manner in every Reſpect as the Perſon for whom he ſhall ſo act; and where an Appointment of any Deputy ſhall be ſo made, the principal Chief Conſtable, Headborough, Tythingman, or Overſeer (being One of the People called *Quakers*), ſhall be, and he is hereby diſcharged from the Performance of any Duty required of him by this Act, and from all Penalties incurred for Neglect thereof after the Time of ſuch Appointment.

Two or more Places and Liſts, for them may be added together, and the Conſtables, &c. ſhall act together as if they were the Officers of the ſame Pariſh, and ſhall meet in the Pariſh firſt named in the Order of the Deputy Lieutenants.

XXXIV. And be it further enacted, That it ſhall be lawful for the Deputy Lieutenants at their Subdiviſion Meetings, to add together, whenever they ſhall think it neceſſary, any Two or more Pariſhes or Tythings, or to add any Parochial Place or Places to any Pariſh or Pariſhes, Tything or Tythings adjoining thereto, for the Purpoſes of this Act; and alſo to add together the Liſts of ſuch Pariſhes, Tythings, and Places aforeſaid, ſo as to make the Choice of Militia Men by Ballot within every ſuch Subdiviſion as equal and impartial as poſſible; and where any Pariſhes, Tythings, and Places ſo added together ſhall lie in different Hundreds, Rapes, Lathes, Wapentakes, or other Diviſions within the ſame County, Riding, or Place, to direct in what Hundred, Rape, Lathe, Wapentake, or other Diviſion, the ſame ſhall be conſidered for the Purpoſes of this Act; and the ſaid Deputy Lieutenants ſhall proceed upon the Liſts ſo added together, in like Manner as if they had been originally returned for One Pariſh, or for the Pariſh to which any extra-parochial Place ſhall have been added as aforeſaid; and the Conſtables, Tythingmen, Headboroughs, or other Officers of Pariſhes, Tythings, and Places ſo added together, ſhall act together in the Execution of this Act, as if they were reſpectively Officers of One and the ſame Pariſh or Tything; and all ſuch Conſtables, Tythingmen, Headboroughs, and Officers ſo as aforeſaid acting together by virtue of this Act, ſhall hold their Meetings under this Act in the Pariſh or Tything which ſhall be named firſt in ſuch Order of Deputy Lieutenants; and if any Difference or Diſagreement ſhall ariſe between the Officers of any Pariſh, Tything, or Place, or between the Officers of different Pariſhes or Tythings, touching the Execution of this Act, the Deputy Lieutenants acting in and for the Subdiviſion where ſuch Difference or Diſagreement ſhall happen, ſhall at any Subdiviſion Meeting, and they are hereby authorized to hear and determine the ſame, and make ſuch Order therein for the better Execution of this Act, as to them ſhall ſeem meet; and ſuch Orders ſhall be final and concluſive.

Deputy Lieutenants to hear and determine Diſagreements between Pariſh Officers.

Act to extend to extra-parochial Places added to Pariſhes; and where no Conſtables or Overſeers in

XXXV. And be it further enacted, That the ſeveral Clauſes, Proviſions, Regulations, Penalties, Forfeitures, Matters, and Things in this Act contained, ſhall be conſtrued to extend to every extra-parochial Place added to any Pariſh or Tything for the Purpoſes of this Act, as fully as if the ſaid Directions and Proviſions had ſeverally and reſpectively been expreſsly applied

such Places are appointed, the Officers of the Parish may act.

applied to extra-parochial Places, and where there shall be any extra-parochial Place or other Place, wherein no Constables, Tythingmen, Headboroughs, or Overseers of the Poor have been or are appointed, or act, the respective Constables, Tythingmen, Headboroughs, or Overseers of the Poor of the Parish or Parishes, or Tything or Tythings respectively, to which such extra-parochial or other Place shall have been added by the Deputy Lieutenants as aforesaid, may and shall act as Constables, Tythingmen, Headboroughs, or Overseers of the Poor respectively for such extra-parochial or other Place in the Execution of this Act, and may and shall do, perform, and execute all such Acts, Matters, and Things therein, relating to the Execution of this Act, as fully and amply, and with all such and the like Powers in every Respect, as if such extra-parochial or other Place was within and made Part of such Parish or Tything: Provided always,

Rates made for any Parish and extra-parochial Place jointly, to be distinctly made for the Purpose of this Act, and shall be levied as the Poor Rates.

that if any Rate or Rates shall be to be made for any Parish or Parishes, or Tything or Tythings, and any such extra-parochial or other Place jointly, such Rate or Rates shall be distinctly made for the Purpose of this Act, and for no other Purpose whatever: Provided also, that every such separate Rate shall and may be made, raised, and levied, as well in such extra-parochial or other Place, as in any such Parish or Tything aforesaid, in like Manner as any Rate made for the Relief of the Poor.

If Clerks of Subdivision Meetings do not transmit to the Clerk of the General Meetings Copies of Rolls, or shall make false Returns, they shall forfeit 20 *l.*

XXXVI. And be it further enacted, That the Clerks of all Subdivision Meetings shall, within Fourteen Days after every Subdivision Meeting, transmit to the Clerk of the General Meetings of the County, Riding, or Place, fair and true Copies of such Rolls as shall be signed at such Subdivision Meeting; and if any such Clerk shall omit or neglect to make such Return as aforesaid within such Period as aforesaid, or shall knowingly or wilfully make any false Return, such Clerk shall forfeit and pay, for every such Offence, the Sum of Twenty Pounds.

Clerks to General Meetings failing to transmit to the Privy Council annual Returns in the Form in Schedule D., of the Number of Persons between the Ages of 18 and 45, *etc.* or making false Returns, to forfeit 100 *l.*

XXXVII. And be it further enacted, That the Clerks to the General Meetings of Lieutenancy in the several Counties, Ridings, and Places required to raise Militia under this Act, shall and they are hereby required to transmit to His Majesty's Privy Council annually, as soon after the Returns of Men shall have been made to the General Meetings as the same can be done, accurate Returns in the Form in the Schedule in this Act annexed, marked D., of the Number of Persons between the Ages of Eighteen and Forty-five, distinguishing the Number fit and liable to serve in the Militia for the Counties, Ridings, and Places to which they respectively belong, and also the Number therein exempt from serving; and if any such Clerk shall omit or neglect to make such Return to the Privy Council within One Month after the General Meeting of Lieutenancy of the County, Riding, or Place to which he shall belong, at which the Returns of Men shall have been laid before such Meeting, or shall knowingly or wilfully make any false Return, such Clerk shall forfeit and pay, for every such Offence, the Sum of One hundred Pounds.

The Privy Council, by *June* 25, 1805, and afterwards every 10 Years to fix the Quota of Men to serve for each Place, and to

XXXVIII. And be it further enacted, That it shall be lawful for His Majesty's Privy Council, and they are hereby required, on or before the Twenty-fifth Day of *June* One thousand eight hundred and five, and afterwards from Time to Time at the Expiration of every succeeding Period of Ten Years as aforesaid, to take into Consideration the Number of Men fit and liable to serve in the Militia in each County, Riding, and Place required by

by this Act to raiſe Militia, and forthwith to aſcertain, ſettle, and fix the Number of Militia Men who ſhall, for the next ſucceeding Ten Years, ſerve for each County, Riding, and Place aforeſaid, as near as may be by the Proportion that the Number of Men fit and liable to ſerve in each County, Riding, and Place, ſhall bear to the whole Number of Militia Men by this Act directed to be raiſed; and ſhall thereupon tranſmit the Numbers ſo fixed and ſettled as aforeſaid, to the reſpective Lieutenants of the Counties, Ridings, and Places aforeſaid, and ſhall cauſe Notice of the ſame to be thrice printed in the *London Gazette*.

tranſmit the Numbers to the County Lieutenants, and publiſh the ſame in the *London Gazette*.

XXXIX. And be it further enacted, That where the Number of Militia Men ſo fixed and ſettled for any County, Riding, or Place, ſhall be greater than the former Quota of ſuch County, Riding, or Place, then and in every ſuch Caſe, the Lieutenant for ſuch County, Riding, or Place, together with any Two or more Deputy Lieutenants, and on the Death or Removal or in the Abſence of the ſaid Lieutenant, any Three or more Deputy Lieutenants ſhall, at a General Meeting to be holden for that Purpoſe, appoint what Number of Militia Men ſhall ſerve for each reſpective Hundred, Rape, Lathe, Wapentake, or other Diviſion within ſuch County, Riding, or Place, and the additional Number of Militia Men to make up the whole Number ſo fixed and ſettled as aforeſaid ſhall be provided or choſen in the ſame Manner as other Militia Men are by this Act to be provided or choſen; and all the additional Men ſo provided or choſen as aforeſaid, or their Subſtitutes, and alſo all Volunteers, ſhall take the Oath by this Act required to be taken, and ſhall be enrolled, or ſign their Conſent to ſerve in the Militia, in ſuch Manner as is directed by this Act, and in caſe of Refuſal, ſhall be ſubject to the ſame Penalties as in like Caſes are inflicted by this Act: Provided always, that where the Number of Militia Men ſo fixed and ſettled for any County, Riding, or Place as aforeſaid, ſhall be leſs than the former Quota of ſuch County, Riding, or Place, then and in every ſuch Caſe the ſaid Lieutenants, together with any Two or more Deputy Lieutenants, or (on the Death or Removal, or in the Abſence of the ſaid Lieutenant) any Three or more Deputy Lieutenants ſhall, at a General Meeting to be held for that Purpoſe, diſmiſs to their own Homes by Ballot, proportionally out of each reſpective Hundred, Rape, Lathe, Wapentake, or other Diviſion, ſo many Militia Men as ſhall exceed the Number ſo fixed and ſettled as aforeſaid; and the ſeveral Perſons ſo diſmiſſed as aforeſaid, ſhall remain liable to ſerve in the Militia, and ſhall and are hereby required to join any Regiment, Battalion, or Corps of Militia ſerving for the County, Riding, or Place, from the Militia of which they ſhall have been diſmiſſed, whenever called upon ſo to do, for the Purpoſe of ſupplying Vacancies that may ariſe in the ſaid Militia; and the Names of all the Perſons ſo diſmiſſed as aforeſaid ſhall be entered in a Liſt; and the Deputy Lieutenants ſhall cauſe the Men neceſſary for ſupplying any Vacancies that may thereafter ariſe in the Militia of ſuch County, Riding, or Place, to be ballotted for out of the Perſons contained in any ſuch Liſt as aforeſaid, while fit Perſons can be found to ſupply ſuch Vacancies, and ſo from Time to Time as Occaſion ſhall require, ſo long as any of the Perſons contained in any ſuch Liſt can be found fit to ſupply ſuch Vacancies as aforeſaid; and every Perſon ſo ballotted to ſupply ſuch Vacancy, who ſhall not be 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

Where the Number fixed ſhall be greater than the former Quota, the General Meeting ſhall appoint what Number ſhall be choſen for each Diviſion;

and where the Number ſhall be leſs, ſhall diſmiſs the Exceſs by Ballot proportionally out of each Diviſion.

Men diſmiſſed liable to ſerve, and their Names ſhall be entered in a Liſt, out of which Vacancies ſhall be filled up by Ballot to ſerve for the Remainder of the Time for which they were engaged.

which ſuch Perſon ſhall have been engaged to ſerve in ſuch Militia before he was diſmiſſed as aforeſaid; and whenever and as ſoon as all Perſons returned in any ſuch Liſt that can be found fit 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 this Act.

General Meetings may alter Subdiviſions and the Allotment of Men in each Diviſion.

XL. And be it further enacted, That the Lieutenants of any County, Riding, or Place, together with any Three or more Deputy Lieutenants, or (on the Death or Removal, or in the Abſence of any Lieutenant) any Five or more Deputy Lieutenants may, at any General Meeting holden as before directed, alter the appointed Subdiviſions within ſuch County, Riding, or Place, if they ſhall ſee Occaſion, and alſo may alter the eſtabliſhed Allotment of the Number of Men in each reſpective Hundred, Rape, Lathe, Wapentake, or other Diviſion, to ſerve in the Militia, towards raiſing the Number of Militia Men by this Act, or by His Majeſty's Order in Council, as the Caſe may be, directed to be raiſed for ſuch County, Riding, or Place, according to the Numbers contained in the reſpective Certificates received from the ſeveral Subdiviſion Meetings.

At the Second Subdiviſion Meeting, the Deputy Lieutenants ſhall appoint the Number of Men to ſerve for each Pariſh, &c. and ſhall order Notice to be given thereof, and of the next Meeting, and ſhall cauſe the Number to be ballotted for, *etc.*

XLI. And be it further enacted, That the Deputy Lieutenants aſſembled at their ſaid Second Meeting within any Subdiviſion as aforeſaid, ſhall appoint what Number of Men ſhall ſerve for each Pariſh, Tything, and Place within ſuch Subdiviſion, in Proportion to the Number laſt appointed, in the Manner herein-before directed, at a General Meeting, to ſerve for each Hundred, Rape, Lathe, Wapentake, or other Diviſion; and ſhall appoint another Meeting to be holden within Three Weeks from the Day on which ſuch Meeting was holden within the ſame Subdiviſion, and ſhall iſſue out an Order to the Chief Conſtable or other Officers of the reſpective Hundreds, Rapes, Lathes, 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, Lathes, 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 Subdiviſion Meeting; and the ſaid Deputy Lieutenants, or any Two or more of them, aſſembled in purſuance of ſuch Appointments, ſhall cauſe the Number of Men appointed to ſerve as aforeſaid to be choſen by Ballot out of the Liſt returned for every Pariſh, Tything, or Place aforeſaid, and ſhall appoint another Meeting to be holden within Three Weeks in the ſame Subdiviſion, and ſhall iſſue out an Order to the Chief Conſtables or other Officers of the reſpective Hundreds, Rapes, Lathes, 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 Militia, 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 ſuch 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 if on Examination found able and fit for the Service, and approved of in Manner herein-after directed, ſhall then and there take the following Oath; (that is to ſay),

Perſons choſen by Ballot to take the following Oath,

"I *A. B.*

'I *A. B.* do ſincerely promiſe and ſwear, That I will be faithful and 'bear true Allegiance to His Majeſty King *George*; and that I will 'faithfully ſerve in the Militia within *Great Britain*, for the Defence of 'the ſame, during the Time of Five Years, for which I am enrolled, un-'leſs I ſhall be ſooner diſcharged.'

and ſhall be enrolled to ſerve for Five Years, but may produce Subſtitutes, who, if approved, ſhall be inrolled, and take the following Oath.

And every ſuch Perſon ſhall be then and there 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, for the Space of Five Years: Provided always, that if any Perſon ſo choſen by Ballot ſhall produce for his Subſtitute a Man of the ſame County, Riding, or Place, or of ſome adjoining Pariſh or Place, whether in the ſame County or Riding, or not, able and fit for Service, who ſhall have not more than One Child born in Wedlock, and who ſhall be examined and approved in Manner herein-after directed, ſuch Subſtitute, ſo produced and approved, ſhall be enrolled to ſerve in the Militia of ſuch County, Riding, or Place, as a private Militia Man, for the Space of FiveYears, and alſo for ſuch further Time as the Militia ſhall remain embodied, if within the Space of Five Years, His Majeſty ſhall order and direct the Militia for which ſuch Man is enrolled, to be drawn out and embodied as herein-after provided; and ſuch Subſtitute ſhall 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 that I will 'faithfully ſerve in the Militia within *Great Britain*, for the Defence of 'the ſame, during the Time of Five Years, or for ſuch further Time as 'the Militia ſhall remain embodied, if within the Space of Five Years His 'Majeſty ſhall order and direct the Militia to be drawn out and embodied, 'unleſs I ſhall be ſooner diſcharged.'

And any Perſon ſo choſen by Ballot, for whom ſuch Subſtitute ſhall have been ſo produced, approved, enrolled, and ſworn as aforeſaid, ſhall be exempt from Service in the Militia, in the ſame Manner as if he himſelf had ſerved according to the Directions of this Act.

Volunteers may be received with the Conſent of the Inhabitants of any Place, and a Rate eſtabliſhed for paying them Bounties, not exceeding 6*l.* each.

XLII. And be it further enacted, That if the Churchwardens or Overſeers of the Poor of any Pariſh, Tything, or Place, ſhall, with the Conſent of the Inhabitants taken at a Veſtry, or at any other Meeting to be holden for that Purpoſe, for the Calling of which Veſtry or Meeting Three Days publick Notice ſhall be given, ſpecifying the Cauſe of calling ſuch Veſtry or Meeting, provide and produce to the ſaid Deputy Lieutenants, or any Two or more of them, at any Subdiviſion Meeting for chooſing the Militia Men by Ballot, any Volunteer or Volunteers, who ſhall be examined and approved, as is herein-after mentioned, ſuch Volunteer or Volunteers ſo examined and approved ſhall be then and there ſworn in and enrolled to ſerve for ſuch Term, and on the ſame Conditions, as is herein-before provided in caſe of Subſtitutes produced by Perſons choſen by Ballot; and the ſaid Deputy Lieutenants ſhall cauſe only ſuch Number of Perſons to be choſen by Ballot out of the Liſt returned for ſuch Pariſh, Tything, or Place, as ſhall be then wanted to make up the whole Number to ſerve for ſuch Pariſh, Tything, or Place; and if any ſuch Churchwardens or Overſeers ſhall give to ſuch Volunteer or Volunteers any Sum or Sums of Money not exceeding Six Pounds each, to ſerve in the Militia for ſuch Pariſh, Tything, or Place, it ſhall be lawful for ſuch Churchwardens or Overſeers

to make a Rate upon the Inhabitants of ſuch Pariſh, Tything, or Place, according to the Rate then made for the Relief of the Poor, which Rate (being approved by any Juſtice of the Peace), it ſhall be lawful for ſuch Churchwardens or Overſeers to collect, and to reimburſe themſelves ſuch Sum or Sums of Money as they ſhall have paid to ſuch Volunteer or Volunteers as aforeſaid, and the Overplus (if any) ſhall be applied as Part of the Poors Rate; and if any Perſon ſhall refuſe to pay ſuch Rate, it ſhall be lawful for any Juſtice of the Peace, upon Complaint thereof made by any ſuch Churchwarden or Overſeer, by Warrant under his Hand and Seal, to levy the ſame by Diſtreſs and Sale of the Offenders Goods and Chattels, returning the Overplus (if any) after the ſaid Rate, and the Charges of ſuch Diſtreſs and Sale ſhall be paid; but no Perſon choſen by Ballot, who ſhall have ſerved in the Militia, either by himſelf or by Subſtitute, according to the Directions of this Act, or any other Act or Acts, or who ſhall be then ſerving himſelf or by Subſtitute, ſhall be liable to pay any ſuch Rate: Provided always, that if any Perſon ſhall think himſelf aggrieved by any ſuch Rate as aforeſaid, ſuch Perſon may appeal to the next General or Quarter Seſſions, in like Manner as is provided in the Caſe of Appeals againſt Rates for the Relief of the Poor.

Perſons who have ſerved by themſelves or Subſtitutes not liable to the Rates.

Certain Perſons exempt from Service.

XLIII. And be it further enacted, That no Peer of this Realm, nor any Perſon being a commiſſioned Officer in His Majeſty's other Forces, or in any One of His Majeſty's Caſtles or Forts, nor any Officer on the Half Pay of the Navy, Army, or Marines, nor any Non-commiſſioned Officer or *private* Man ſerving in any of His Majeſty's other Forces, nor any commiſſioned Officer ſerving, or who has ſerved Four Years in the Militia, nor any Perſon being a Reſident Member of either of the Univerſities, nor any Clergyman, nor any Teachers, licenſed within the County, Riding, or Place to teach in ſome ſeparate Congregation, whoſe Place of Meeting ſhall have been duly regiſtered within Twelve Months previous to the General Meeting appointed to meet in *October* for the Purpoſes of this Act, nor any Conſtable or other Peace Officer, nor any articled Clerk, Apprentice, Seaman, or Seafaring Man, nor any Perſon muſtered, trained, or 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 at *Portſmouth*, or at the ſeveral Powder Mills, Powder Magazines, or other Storehouſes 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 who has more than One Child born in Wedlock, ſhall be liable to ſerve perſonally, or provide a Subſtitute to ſerve in the Militia, and no Perſon having ſerved perſonally or by Subſtitute, according to the Directions of any former Act or Acts relating to the Militia, or under this Act, ſhall be obliged to ſerve again, until by Rotation it ſhall come to his Turn; but no Perſon who has ſerved only as a Subſtitute or Volunteer in the Militia, ſhall by ſuch Service be exempted from ſerving again, if he ſhall be choſen by Ballot.

Perſons who have ſerved not liable to ſerve again till their Turns come, but Subſtitutes or Volunteers if choſen by Ballot ſhall ſerve.

Deputy Lieutenants may cauſe Liſts to be amended, and proceed to a freſh Bal-

XLIV. 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 Subdiviſion ſhould not be

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 to adminiſter the Oath herein-before required to be taken by Perſons to ſerve in the Militia, to any Perſon ballotted, or to any Perſon offering as a Volunteer under the Directions of this Act, or to any Perſon who being qualified as this Act requires ſhall offer to ſerve as a Subſtitute, ſuch ballotted Man, Volunteer, or Subſtitute, having been duly examined and approved as is herein-after mentioned; and ſuch Deputy Lieutenant is hereby authorized to direct and require the Clerk of the Subdiviſion for which every ſuch Perſon by whom the ſaid Oath has been before him taken is to ſerve, to enrol the Name of every ſuch Perſon ſo having been duly examined and approved as aforeſaid, together with the Date of the Day on which the ſaid Oath was ſo adminiſtered to him, in the Roll of ſuch Subdiviſion.

lot, and may adminiſter Oaths, &c.

XLV. And be it further enacted, That if any Perſon choſen by Ballot, according to the Directions of this Act, to ſerve in the 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 examined and approved as herein-after mentioned, who ſhall take the ſaid Oath, and ſign his Conſent to ſerve as a Subſtitute, every ſuch Perſon ſo refuſing or neglecting, ſhall forfeit and pay the Sum of Ten Pounds, and at the Expiration of Five Years be again liable to ſerve 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 Corps for which he was ballotted, and ſhall be compelled to ſerve for ſuch Term, to be computed from the Time of his being apprehended, 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 to in caſe he had appeared and been duly ſworn and enrolled as a Militia Man.

Perſons choſen, except Quakers, and not appearing *etc.* to forfeit 10 *l.*

If Penalty be not paid, the Perſon ſhall be compelled to ſerve.

XLVI. And be it further enacted, That, if the Liſt of any Pariſh, Tything, or Place ſhall be loſt or deſtroyed, it ſhall be lawful for the ſaid Deputy Lieutenants, or any Two or more of them, to cauſe a new Liſt in ſuch Pariſh, Tything, or Place to be made and returned to them, at their next Subdiviſion Meeting, in the ſame Manner as the Liſt loſt or deſtroyed was made, and ought to have been returned to them by Direction of the General Meeting.

New Liſts ſhall be made out if any are loſt.

XLVII. And be it further enacted, That every Perſon choſen by Ballot to ſerve in the Militia, ſhall be liable to ſuch Service, although he may have removed from the Place where his Name was inſerted in the Liſt, provided he was reſiding in ſuch Place at the Time when the Liſt was, according to the Directions of this Act, prepared; and every Perſon liable to ſerve in the Militia, having more than One Place of Reſidence, ſhall ſerve

Perſons choſen ſhall ſerve though they remove; and thoſe having more than One Reſidence ſhall ſerve where their Names

were first inserted in the List.

serve for the County, Riding, or Place, where his Name shall have been first inserted in such List as aforesaid, and the Clerk to the Subdivision Meeting to which such List shall be returned shall, if such Person requires the same, grant a Certificate *gratis* under his Hand, that such Person's Name was inserted in such List, and specifying the Time when such List was made and returned.

Persons to serve in the Militia of the County in which the Parish Church is situate.

XLVIII. And be it further enacted, That where any Parish shall lie in Two or more Counties or Ridings, the Inhabitants of such Parish shall serve in the Militia of the County or Riding wherein the Church belonging to such Parish is situated; and that such Parish shall, for all the Purposes of this Act, be deemed Part of such County or Riding.

Persons fraudulently bound Apprentice shall be liable to serve; and the Master shall forfeit 10*l.*

XLIX. Provided always, and be it further enacted, That if any Two or more Deputy Lieutenants shall at any of their Subdivision Meetings receive Information, or shall suspect that any Person whose Name is inserted in any List, and described as an Apprentice, has been fraudulently bound Apprentice, in order to avoid serving in the Militia, it shall be lawful for them to make Inquiry thereof, and to summon such Persons as they shall think necessary to appear before them, at such Time and Place as they shall appoint, and to examine such Persons upon Oath; and in case it shall appear that such Binding was fraudulent, in order to avoid serving in the Militia, it shall be lawful for such Deputy Lieutenants to appoint such Person so fraudulently bound Apprentice to serve as a Militia Man for the Parish, Tything, or Place for which such List shall have been returned, if there shall be a Vacancy, and if there shall be no Vacancy at that Time, then upon the First Vacancy that shall happen; and the Person to whom such Apprentice shall have been so bound, shall, for such Offence, forfeit and pay the Sum of Ten Pounds.

Two Deputy Lieutenants may provide Substitutes for Quakers, and may levy the Expences by Distress, *etc.*

L. And be it further enacted, That if any Person, being One of the People called *Quakers*, shall be chosen by Ballot to serve in the Militia, and shall refuse or neglect to appear, and to take the Oath and serve in the Militia, or to provide a Substitute of the same County, Riding, or Place, or of some adjoining Parish or Place, to be examined and approved as herein-after directed, who shall take the said Oath, and subscribe his Consent to serve as the Substitute of such Quaker, then and in every such Case any Two or more Deputy Lieutenants shall, if they shall think proper, upon as reasonable Terms as may be, provide and hire a fit Person of the same County, Riding, or Place, or of some adjoining Parish or Place, to serve as a Substitute for such Quaker; and such Substitute shall, after being duly examined and approved, take the said Oath, and subscribe his Consent to serve in the Militia, for the same Term and on the same Conditions as is herein-before directed in the Case of Substitutes produced by Persons chosen by Ballot; and any Two or more Deputy Lieutenants may and are hereby authorized, by Warrant under their Hands and Seals, to levy by Distress and Sale of the Goods and Chattels of such Quaker, such Sum of Money as shall be necessary to defray the Expence of providing and hiring such Substitute, rendering to such Quaker the Overplus (if any), after deducting the Charges of such Distress and Sale; and if no Goods or Chattels belonging to such Quaker can be found, sufficient to levy such Distress, and it shall nevertheless appear satisfactorily to such Deputy Lieutenants

nants that such Quaker is of sufficient Ability to pay the Sum of Ten Pounds, then it shall be lawful for such Deputy Lieutenants to commit such Quaker to the Common Gaol, there to remain, without Bail or Mainprize, for the Space of Three Months, or until he shall have paid such Sum of Money as such Deputy Lieutenants shall have agreed to pay to such Substitute as aforesaid; and in case any Measures shall be used in making Distress as aforesaid, which may be by any such Quaker thought oppressive, it shall be lawful for such Quaker to complain to the Deputy Lieutenants at their next Meeting, who are hereby empowered and required to hear and finally determine the same.

Quakers may complain to the Deputy Lieutenants.

LI. And be it further enacted, That where any Rate shall have been made for the providing of Volunteers according to the Directions of this Act, and the Churchwardens and Overseers shall make Complaint to a Justice of the Peace, that any Quaker or Quakers had refused to pay the Sum or Sums of Money he or they shall be rated at, such Justice shall order such Costs and Charges to be paid for levying such Distress as he shall think reasonable, not exceeding Ten Shillings on each of the said Quakers where there are no more than Two, and where there are a greater Number than Two, not exceeding Five Shillings on each of the said Quakers: Provided always, that no Man shall be deemed, taken, and accepted to be a Quaker within the Meaning of this Act, unless he shall produce, before the Deputy Lieutenants at some of their Subdivision Meetings, a Certificate under the Hands of Two or more reputable Housekeepers being of the People called *Quakers*, resident within the said County, Riding, or Place, and dated within the Three Months immediately preceding the Day on which it shall be produced as aforesaid, acknowledging such Man to be One of their Persuasion.

Justices may order Payment of Costs for levying by Distress, where Quakers refuse to pay the Rates for providing Volunteers.

No Person to be deemed a Quaker, unless he shall produce a Certificate of his being of that Persuasion.

LII. And be it further enacted, That no Man shall be approved or enrolled to serve in the Militia under this Act, either as a ballotted Man, or as a Substitute or Volunteer, until he shall have been carefully examined by some Surgeon of competent Skill, and shall have been declared and reported by such Surgeon to be neither ruptured, lame, maimed, nor afflicted with any Disorder that may render him unfit to serve, but to be in every Respect able and fit for Service; and the Deputy Lieutenants assembled at their Subdivision Meetings, or any Two Deputy Lieutenants, shall in all Cases before they proceed to enrol any Man for the Militia, cause such Examination to be carefully made; and it shall be lawful for the said Deputy Lieutenants, and they are hereby empowered and directed to require the Attendance of any Surgeon of any Regiment, Battalion, or Corps of the Militia of the County, Riding, or Place for which any Man is to be enrolled, if any such Surgeon is within a reasonable Distance, and can conveniently be had, or otherwise to require the Attendance of any other competent Surgeon for that Purpose, and a reasonable Allowance, not exceeding Ten Shillings, shall be made to the Surgeon performing such Examination, for every Day he shall actually attend for that Purpose, and shall be paid to him in like Manner as Allowances are by this Act directed to be made and paid to Subdivision Clerks.

No Man to be enrolled until examined and approved by a Surgeon.

Allowance to be made the Surgeon for his Attendance.

LIII. And be it further enacted, That whenever it shall appear to any Two or more Deputy Lieutenants assembled at any Subdivision Meeting, that any Person chosen by Ballot to serve in the Militia is not of the full Height of Five Feet Four Inches, or is not approved upon Examination, by

Two Deputy Lieutenants may discharge Persons chosen by Ballot, who are unfit for Service,

and cauſe others to be choſen.

by a Surgeon according to the Directions of this Act, and is not ſeiſed or poſſeſſed of an Eſtate in Land, Goods, or Money, of the clear Value of One hundred Pounds, and who ſhall make Oath that he is not ſeiſed or poſſeſſed of ſuch Eſtate, 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.

Deputy Lieutenants to claſs the Men enrolled, and make out a Liſt in the Form in Schedule (E.), a Copy of which the Clerk of the Subdiviſion ſhall tranſmit to the Clerk to the General Meetings to be entered in a Book.

LIV. And be it further enacted, That the Deputy Lieutenants in their ſeveral Subdiviſions ſhall, as ſoon as they ſhall have enrolled the Number of Men required in their Subdiviſion, divide the Men ſo enrolled into as many Claſſes of the Deſcription herein-after mentioned, as ſhall be found among ſuch Men; that is to ſay, in the Firſt Claſs they ſhall put all the Men under Thirty Years of Age, and having no Child or Children living; and in the Second Claſs, all the Men above Thirty Years of Age, having no Child or Children living; and in the Third Claſs, all the Men not having any Child or Children living under the Age of Fourteen Years; and in the Fourth Claſs, all the Men having any Child or Children, One of whom only ſhall be under the Age of Fourteen Years; and in the laſt Claſs, all the Men not included in any of the former Deſcriptions; and ſhall forthwith make out a Liſt of ſuch Claſſes, according to the Form in the Schedule to this Act annexed, marked (E.) and within Three Days after the completing thereof, the Clerk of ſuch Subdiviſion Meeting ſhall tranſmit to the Clerk to the General Meetings an exact and true Copy of ſuch Liſt, made out in ſuch Form as aforeſaid, to be by him entered in a Book to be kept for that Purpoſe.

Men becoming unfit to ſerve may be diſcharged; but if done by the Commanding Officer only, it muſt be confirmed by Two Deputy Lieutenants before others are ballotted for.

LV. And be it further enacted, That whenever any Militia Man, after having been ſworn and enrolled, ſhall become unfit for Service, it ſhall be lawful for the Colonel or other Commandant of the Regiment, Battalion, or Corps to which ſuch Militia Man ſhall belong, together with any Two or more Deputy Lieutenants of the County, Riding, or Place to which ſuch Regiment, Battalion, or Corps belongs, if the ſaid Regiment, Battalion, or Corps ſhall then be within the ſaid County, Riding, or Place, or for the Colonel or other Commandant only, if the ſaid Regiment, Battalion, or Corps ſhall be abſent therefrom, to diſcharge ſuch Militia Man from his Regiment, Battalion, or Corps; 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 ſuch Regiment, Battalion, or Corps belongs, aſſembled at any Meeting in the Subdiviſion for which ſuch Militia Man was enrolled, or at any General Meeting for the County, Riding, or Place as aforeſaid.

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

LVI. And be it further enacted, That when any private 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 Militia, or be diſcharged in Manner aforeſaid, as unfit for Service, in purſuance of the Sentence of a Court Martial, the Colonel or Commanding Officer of the Regiment, Battalion, or Corps to which ſuch private Man ſhall belong, ſhall certify the Vacancy occaſioned by ſuch Death, Appointment, or

Diſcharge

Diſcharge (as the Caſe may be), to the Clerk to the General Meetings, who ſhall forthwith tranſmit the ſaid Certificate to the Deputy Lieutenants of the Subdiviſion for which ſuch private Man ſhall have been enrolled, and ſuch Vacancy ſhall be filled up by a freſh Ballot for a Militia Man to ſerve according to the Proviſions of this Act.

No Ballot to be for a Private appointed a Non-commiſſioned Officer or Drummer in the Room of One reduced to the Ranks.

LVII. And be it further enacted, That whenever any private Militia Man ſhall be appointed a Non-commiſſioned Officer or Drummer in any Regiment, Battalion, or Corps of Militia, in the Room of any Non-commiſſioned Officer or Drummer reduced to the Ranks, no Ballot ſhall take place in the Pariſh or Place for which ſuch private Man ſo appointed was then ſerving, in conſequence of any Vacancy occaſioned by ſuch Appointment, until the Non-commiſſioned Officer or Drummer ſo reduced ſhall have obtained his Diſcharge.

Where a Man is provided in the Room of One appointed a Serjeant, &c. the Quarter Seſſions may order a Sum to be paid out of the County Rates in Aid of the Poors Rates of the Place.

LVIII. And be it further enacted, That where in any Regiment, Battalion, or Corps of Militia, in which any private Man ſhall be appointed a Serjeant, Corporal, or Drummer, in conſequence of any Vacancy occaſioned by the Death or Diſcharge of any Non-commiſſioned Officer or Drummer, the Pariſh or Place for which ſuch private Militia Man was then ſerving, ſhall find and provide another Man in his ſtead, it ſhall be lawful for any Two Deputy Lieutenants acting for the Subdiviſion wherein ſuch Pariſh or Place ſhall be ſituate, to certify the ſame to the Juſtices of the Peace aſſembled at the next General or Quarter Seſſions of the Peace held for the ſame County, Riding, or Place, and the ſaid Juſtices ſhall at ſuch Seſſions order a Sum of Money, not exceeding the average Price paid for a Subſtitute or Volunteer in ſuch Pariſh or Place, or any adjoining Pariſh or Place, to be paid out of the County Rates to the Churchwardens and Overſeers of the Poor of the Pariſh or Place, which ſhall find and provide another Man as aforeſaid, whether ſuch Man ſhall ſerve perſonally or by Subſtitute, and to be applied in Aid of the Poors Rates in ſuch Pariſh or Place.

Deputy Lieutenants, on Certificate of Death, Promotion, *etc.* to cauſe Vacancies to be filled up by Ballot.

LIX. And be it further enacted, That whenever any Certificate, ſigned by the Colonel or other Commandant of any Regiment, Battalion, or Corps of Militia, ſhall be tranſmitted to the Deputy Lieutenants of the Subdiviſion for which any private Militia Man ſhall have been enrolled, of any ſuch private Militia Man having died, or been appointed a Serjeant, Corporal, or Drummer in the Militia, or been diſcharged as being unfit for Service, in Manner aforeſaid, or in purſuance of the Sentence of a Court Martial, ſuch Deputy Lieutenants ſhall and are hereby required to cauſe ſuch Vacancy to be filled up by Ballot immediately after the Receipt of ſuch Certificate, except in ſuch Caſes as are in this Act excepted.

At Subdiviſion Meetings Men ſhall be ballotted for in Room of thoſe whoſe Terms of Service will expire before *Nov.* 20, next enſuing, and

LX. And be it further enacted, That any Two or more of the Deputy Lieutenants, at their ſeveral Subdiviſion Meetings, ſhall and they are hereby required to ballot for Militia Men, in the Room of all Militia Men actually ſerving, whoſe Terms of Service will expire before the Twentieth Day of *November* then next enſuing the holding of ſuch Subdiviſion Meetings, and ſhall, at a following Meeting to be holden as ſoon as conveniently may be, proceed to enrol the ſaid ballotted Men or their Subſtitutes as aforeſaid; and the Commanding Officer of any Regiment, Battalion, or Corps,

such Men may be discharged, and the others received.

is hereby empowered, from Time to Time, to discharge any Man of his Regiment, Battalion, or Corps, whose Time of Service will expire before the Twentieth Day of *November* then next ensuing, and to receive any other Militia Man in his Room, who shall have taken the Oath, and been enrolled according to the Directions of this Act; and every such Man so discharged, if serving for himself, shall be entitled to the same Immunity from further Service as if he had served his full Term; and if any such Man so discharged was serving as a Substitute, then the Person for whom he served, shall be entitled to the like Immunity as aforesaid.

The Inrolment of Servants shall not vacate their Contracts with their Masters, unless the Militia shall be embodied, *etc.*

LXI. 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 Inrolment shall not vacate or rescind the Contract or alter the Engagement between such Servant and his Master or Mistress, or 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 or Employers, for the Purpose of being trained and exercised, for the Space of Twenty-one Days, in pursuance of this Act, and shall not return again to the same Service at the End of such Twenty-one Days, or as soon after as reasonably may be, allowing to his Master, Mistress, or Employer or Employers, 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 such Servant and his Master or Mistress, or Employer or Employers, 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 Inrolment, 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 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, or 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, and 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 may and shall issue forth his Warrant to levy the same by Distress and Sale of the Goods and Chattels of such Master or Mistress, or Employer or Employers, rendering the Overplus to the Owner or Owners, after Payment of the Charges of such Distress and Sale.

and if any Dispute shall arise touching Wages under 20*l.* a Justice may settle it, and may grant Warrant for levying the Money by Distress if not paid.

Substitutes or Volunteers, who do not appear to be sworn, shall

LXII. And be it further enacted, That every Person who shall receive Money from any other Person to serve as his Substitute in the Militia, or from any Churchwardens or Overseers of the Poor to serve as a Volunteer as

aforesaid, and shall neglect to appear at the usual Meeting appointed for swearing in the Militia Men, or before some One Deputy Lieutenant, in order to be sworn according to the Directions of this Act, 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 forfeit and pay to such Person or Persons any Sum not exceeding Forty Shillings nor less than Twenty Shillings, 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 for Fourteen Days, or until the said Sum shall be returned.

return the Bounty, and be liable to Penalty.

LXIII. And be it further enacted, That if any Person chosen by Ballot to serve in the Militia, shall have engaged any other Person to serve as his Substitute, or if any Churchwardens or Overseers of the Poor shall have engaged any Person to serve as a Volunteer as aforesaid, and the Person so chosen by Ballot, or such Churchwardens or Overseers shall have agreed to pay to the Person so engaged, a certain Sum for such Service, it shall be lawful for Two Deputy Lieutenants or any One Justice of the Peace, when the Militia of the County, Riding, or Place, for which such Substitute or Volunteer shall be enrolled shall not be embodied, and they and he are and is hereby required, after such Substitute or Volunteer has been examined by a Surgeon, and approved according to the Directions of this Act, and enrolled by the Deputy Lieutenants in pursuance thereof, to order such Sum of Money as shall appear to them or him to be due to the Substitute or Volunteer so engaged, to be immediately paid to him on such Enrolment, by the Person or Persons by or for whom he shall be engaged to serve as aforesaid; and in every Case where the Militia shall be embodied at the Time of such Enrolment, it shall be lawful for the said Deputy Lieutenants or Justice to direct any Sum not exceeding One Half Part of the said Sum of Money so engaged to be given as aforesaid, 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 such his Enrolment, and the remaining Part thereof to be paid to and received by the Clerk of the Subdivision Meeting, who shall thereupon forthwith remit the same to the Paymaster or Battalion Clerk of the Regiment, Battalion, or Corps of Militia, to which such Substitute or Volunteer shall be sent as a Militia Man, to be retained by him until such Substitute or Volunteer shall have joined such Regiment, Battalion, or Corps, and been approved at Head Quarters as fit to serve, and then to be paid or accounted for to such Substitute or Volunteer; and if he shall not join or be approved of, then such Money shall remain in the Hands of such Paymaster, to be afterwards applied in like Manner to the Payment of some other Substitute or Volunteer, in lieu of the One for whom such Money shall have been remitted as aforesaid; and such Deputy Lieutenants or Justice shall proceed therein for enforcing the Payment of every such Sum of Money, in such and the like Manner in every Respect, and by all such and the like Powers and Authorities, as is and are directed by and contained in 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; and if any such Subdivision Clerk

Two Deputy Lieutenants or a Justice may order the Money agreed to be given to a Substitute or Volunteer, to be paid him on Enrolment where the Militia is not embodied, and where it is One Half, and the other to the Clerk of the Subdivision to be remitted to the Paymaster and paid to the Man on joining and being approved; and if he shall not join or be approved of, the Money shall be paid to the Person provided in lieu of him.

The Payment of such Money may be enforced according to 20 Geo. 2. c. 19.

Clerk not duly remitting the Money to forfeit 20 l.

Clerk ſhall omit or neglect to remit ſuch Money within One Week after the ſame ſhall have been paid to him as aforeſaid, ſuch Clerk ſhall forfeit and pay, for every ſuch Offence, the Sum of Twenty Pounds.

Enliſtment of a Militia Man into the Standing Army ſhall be void, and any Man ſo offering to inliſt, denying that he is ſerving in the Militia, or offering to ſerve in any other Regiment of Militia, ſhall be impriſoned not exceeding Six Month, and at the End of his Engagement in the Militia, ſhall ſerve in any Regiment into which he ſhall have enliſted.

LXIV. And be it further enacted, That in caſe any Officer, Serjeant, or other Perſon, ſhall at any Time wilfully and knowingly enliſt any Man to ſerve in His Majeſty's other Forces, who at the Time of ſuch enliſting ſhall be enrolled or engaged to ſerve in the Militia, every ſuch enliſting ſhall be deemed null and void; and in caſe any Militia Man at the Time of offering to enliſt as aforeſaid, ſhall deny to the Officer, Serjeant, or other Perſon recruiting for Men to enliſt and ſerve in His Majeſty's other Forces, that he is (at the Time of his offering to enliſt) a Militia Man then actually enrolled and engaged to ſerve (which the ſaid Officer, Serjeant, or other Perſon is hereby required to aſk every Man offering to enliſt in His Majeſty's other Forces), or ſhall offer himſelf to be enrolled and ſerve in any other Regiment, Battalion, or Corps of Militia, every Militia Man ſo offending ſhall, on Conviction thereof upon the Oath of One Witneſs before any One Juſtice of the Peace, be committed to the Common Gaol or Houſe of Correction, there to remain, without Bail or Mainprize, for and during any Time not exceeding Six Months, over and above any Penalty or Puniſhment to which ſuch Perſon ſo offending is or ſhall be otherwiſe liable; and every Perſon ſo offending, from the Day on which his Engagement to ſerve in the Militia ſhall end, and not ſooner, ſhall belong as a Soldier to the Corps of His Majeſty's other Forces into which he ſhall have been ſo enliſted; and if any Officer or other Perſon ſhall enliſt any Man belonging to the Militia to ſerve in His Majeſty's other Forces, knowing him to belong to the Militia, or without aſking him if he belongs to the Militia, every ſuch Officer, Serjeant, or other Perſon, ſhall, for every ſuch Offence, forfeit and pay the Sum of Twenty Pounds; and if any Perſon actually ſerving in any of His Majeſty's other Forces, ſhall offer himſelf to ſerve, and be enrolled as a Subſtitute in the Militia, every Perſon ſo offending ſhall forfeit and pay to the Perſon informing of ſuch Offence the Sum of Ten Pounds, or be committed to the Common Gaol or Houſe of Correction for any Time not exceeding Three Months.

Perſons ſo inliſting Militia Men to forfeit 20 *l.*

Soldiers offering to ſerve as Subſtitutes in the Militia to forfeit 10 *l.* or be impriſoned not exceeding Three Months.

Perſons ordering Serjeants, &c. of the Militia to beat up for Volunteers ſhall forfeit 20 *l.*

LXV. And be it further enacted, That if any Perſon ſhall give Orders to any Serjeant, Drummer, or other Perſon ſerving in the Militia, to beat up in any City, Town, or Place, for Volunteers to ſerve in the Militia, the Perſon who ſhall give ſuch Orders ſhall, upon Proof thereof, and of ſuch beating up as aforeſaid, upon Oath before any Juſtice of the Peace, forfeit and pay the Sum of Twenty Pounds, One Moiety whereof ſhall be applied to the Uſe of the Perſon who ſhall make Information thereof before any Juſtice of the Peace; and if ſuch Serjeant, Drummer, or other Perſon ſhall refuſe to declare upon Oath before ſuch Juſtice from whom he received ſuch Orders, it ſhall be lawful for ſuch Juſtice, and he is hereby required, by Warrant under his Hand and Seal, to commit ſuch Serjeant, Drummer, or other Perſon, to the Houſe of Correction for any Time not exceeding Three Months.

and ſuch Serjeants, &c. refuſing to declare who gave the Order, ſhall be impriſoned not exceeding Three Months.

Penalties for refuſing to ſerve or to find Subſtitutes, ſhall be

LXVI. And be it further enacted, That the Money ariſing by Penalties incurred for refuſing to ſerve in the Militia, or to find Subſtitutes to ſerve in their Room, ſhall be applied by any Two or more Deputy Lieutenants, within

within their reſpective Subdiviſions, in providing Subſtitutes for the Perſons who have paid ſuch Penalties, which Subſtitutes ſhall be examined, approved, ſworn in, and enrolled to ſerve for the ſame Term, in the ſame Manner, and on the ſame Conditions as is herein-before provided in the Caſe of Subſtitutes provided by Perſons choſen by Ballot; and if any Surplus ſhall remain, the ſame ſhall be paid to the Colonels or other Commandants of the reſpective Regiments, Battalions, or Corps in which ſuch Perſons ought to have ſerved as Militia Men, and be applied as Part or Return of the Regimental Stock, and the Return of the Amount of ſuch Penalties with the Names of Perſons paying the ſame, ſhall be tranſmitted by the Clerks of the Subdiviſion Meetings, to the Clerks of the General Meetings.

applied in providing them.

Surplus ſhall be a Part of the Regimental Stock.

Returns of the Penalties, and Perſons paying them, to be tranſmitted to the Clerks of the General Meetings.

LXVII. And be it further enacted, That in all Caſes in the Execution of this Act, when any Matter or Thing is directed to be enquired of or examined into, upon the Oath of any Witneſs or Witneſſes, before any Lieutenant of any County, or any Deputy Lieutenant or Lieutenants, or Juſtice or Juſtices of the Peace, any ſuch Lieutenant, Deputy Lieutenant or Lieutenants, or Juſtice or Juſtices of the Peace, is or are hereby authorized, to adminiſter ſuch Oath, to any Witneſs or Witneſſes; and that all other Oaths to be taken in purſuance of this Act, ſhall and may be reſpectively adminiſtered by any Lieutenant or Deputy Lieutenant.

Lieutenants, Deputies, and Juſtices, authorized to adminiſter Oaths.

LXVIII. And be it further enacted, That the Militia of the ſeveral Counties, Ridings, and Places aforeſaid, ſhall be formed into Companies, which ſhall not conſiſt of more than One hundred and twenty, nor of leſs than Sixty private Men, and that to each of ſuch Companies there ſhall be One Captain, and One Lieutenant, and One Enſign; and that where the Number of Men raiſed for any County, Riding, or Place, is ſufficient, the Militia thereof ſhall be formed into One or more Regiments, conſiſting of not more than Twelve nor of leſs than Eight ſuch Companies; and where the Number of Men raiſed in any County, Riding, or Place, is not ſufficient to form a Regiment, the Militia thereof ſhall be formed into a Battalion, conſiſting of not more than Seven nor of leſs than Four ſuch Companies; and where the Number of Men raiſed in any County, Riding, or Place, is not ſufficient to form a Battalion of Four ſuch Companies the Militia thereof ſhall be formed into a Corps, conſiſting of not leſs than Three ſuch Companies; and that the Field Officers of ſuch Regiments, Battalions, and Corps reſpectively, ſhall in no Caſe exceed the reſpective Numbers and Ranks following; (that is to ſay), in every Regiment conſiſting of not leſs than Eight hundred private Men, One Colonel, One Lieutenant Colonel, and Two Majors; in every Regiment or Battalion conſiſting of not leſs than Four hundred and eighty private Men, One Colonel, One Lieutenant Colonel, and One Major; and in every Battalion conſiſting of leſs than Four hundred and eighty private Men, One Lieutenant Colonel and One Major; and in every Corps conſiſting of Three Companies, One Lieutenant Colonel or Major, and no other Field Officer: Provided always, that no Colonel or Field Officer in the Militia ſhall be a Captain of a Company: Provided alſo, that every Battalion conſiſting of Five Companies or upwards, may have One Company of Grenadiers or Light Infantry, to which Two Lieutenants ſhall be appointed inſtead of One Lieutenant and One Enſign; and that every Regiment may have One Company of Grenadiers and One Company of Light Infantry, to each

How the Regiments of Militia ſhall be formed and officered.

each of which Companies Two Lieutenants ſhall be appointed inſtead of One Lieutenant and One Enſign: Provided alſo, that to every Company conſiſting of Ninety private Men and upwards, there may be Two Lieutenants and One Enſign, or Three Lieutenants as the Caſe may be.

His Majeſty may direct a Supernumerary Officer to be appointed to Men trained to the Service of Artillery.

LXIX. Provided always, That if His Majeſty ſhall at any Time direct that any Proportion of the ſaid Militia ſhall be trained and exerciſed to the Service of any Artillery that may be attached to any Regiment or Battalion, it ſhall and may be lawful for His Majeſty to direct that a Supernumerary Officer or Officers of the ſaid Regiment or Battalion of ſuch Rank as His Majeſty ſhall order, and being duly qualified as aforeſaid, ſhall be appointed to and for the ſaid Men ſo directed to be trained and exerciſed as aforeſaid.

How Independent Companies ſhall be formed, which His Majeſty may order to form a Corps, or be incorporated with any other Corps.

LXX. And be it further enacted, That in the ſeveral Counties, Ridings, and Places, where the Number of Militia Men ſhall not be ſufficient to form a Regiment, Battalion, or Corps of Four Companies, according to the Intent and Meaning of this Act, the Militia of ſuch Counties, Ridings, and Places, ſhall be formed into Independent Companies, each Company to conſiſt of One hundred and twenty private Men at the moſt, and Sixty private Men at the leaſt, with One Captain, and One Lieutenant and One Enſign, to each Company; and that His Majeſty may, whenever he thinks proper, order any Number of ſuch Independent Companies of the Militia of different Counties, Ridings, or Places, to be joined together to form a Regiment, Battalion, or Corps as aforeſaid, or to be incorporated with any other Regiment, Battalion, or Corps of Militia: Provided always, that the Number of Companies in any ſuch Regiment, Battalion, or Corps, be not thereby made to exceed the Number of Companies of which a Regiment, Battalion, or Corps of Militia, is herein-before directed to conſiſt.

His Majeſty, where no Proviſion is made by this Act, may order the Militia to be formed and regulated as to Him ſhall ſeem meet.

LXXI. And be it further enacted, That it ſhall be lawful for His Majeſty, in every Caſe for which no ſpecial Proviſion is made by this Act, to cauſe the Militia of any County, Riding, or Place, to be formed and regulated in ſuch Manner as to His Majeſty ſhall ſeem meet, in regard to the Number of Regiments, Battalions, or Corps, or to the uniting any Number of Companies of Militia of any Counties, Ridings, or Places, not having reſpectively a ſufficient Number of Men to form a diſtinct Battalion or Corps of Three Companies for each, conforming in every Caſe, as near as the Proportions of Men will admit, to the Eſtabliſhment with reſpect to Regiments, Battalions, Corps, and Companies, in this Act particularly directed.

County Lieutenant may act as Commandant of the Militia, when there ſhall not be any other appointed and have the Rank of Colonel, but ſhall not have greater

LXXII. And be it further enacted, That it ſhall be lawful for the Lieutenant of any County, Riding, or Place, to act as Commandant of any Regiment, Battalion, or Corps of Militia for ſuch County, Riding, or Place, for and during ſuch Time as there ſhall not be any Colonel or other Commandant appointed to ſuch Regiment, Battalion, or Corps; but no ſuch Lieutenant ſhall at any One Time act as Commandant of more than One Body of Militia, whether Regiment, Battalion, or Corps; and where the Lieutenant of any County, Riding, or Place, ſhall take the Command of any Militia of the ſaid County, Riding, or Place, not being according

cording to the Provisions of this Act sufficient to form a Regiment or Battalion to be commanded by a Colonel, such Lieutenant shall notwithstanding be entitled to the Rank of Colonel, unless such Militia shall be united with the Militia of any other County, Riding, or Place as aforesaid: Provided always, that no such Lieutenant shall, in virtue or by reason of any such Command as aforesaid, receive any greater Pay than the proper Commandant of such Corps would be entitled to.

Pay than the proper Commandant would be entitled to.

LXXIII. And be it further enacted, That when a Battalion of Militia is commanded by a Lieutenant Colonel, who shall have been Commandant of the same for Five Years or longer while embodied, it shall be lawful for the Lieutenant of the County, Riding, or Place, to which such Battalion shall belong, with the Approbation of His Majesty, to give to such Lieutenant Colonel Commandant a Commission of Colonel.

A Lieutenant Colonel who has been Commandant of a Battalion for Five Years while embodied, may have a Commission of Colonel.

LXXIV. And be it further enacted, That in any County, Riding, or Place, where the Number of private Men is sufficient to form a Battalion of less than Four hundred and eighty private Men, but not less than Three hundred and sixty private Men, it shall be lawful for the Lieutenant of such County, Riding, or Place, to appoint Three Persons, qualified according to the Directions of this Act, to serve with the Rank of Colonel, Lieutenant Colonel, and Major, but with no higher Pay than if they were appointed Lieutenant Colonel, Major, and Captain respectively; and where the Number of private Men shall be sufficient to form Three Companies of Sixty private Men at the least, but not sufficient to form Four Companies as aforesaid, it shall be lawful for the said Lieutenant to appoint Two Persons qualified as aforesaid, to serve with the Rank of Lieutenant Colonel and Major respectively, but that only One of them shall be entitled to any higher Pay than that of Captain; and where the Number of private Militia Men is not sufficient to form more than Two Companies of Sixty private Men at the least, the eldest Captain shall serve with the Rank of Major, but shall only be entitled to the Pay of Captain.

How the Militia is to be officered, where the Numbers are not sufficient for a Regiment.

LXXV. And be it further enacted, That every Officer of any Militia Regiment, Battalion, or Corps, being duly qualified, who may have accepted or shall accept a Commission or Appointment of the same Rank in any other Militia Regiment, Battalion, or Corps, and shall thereby vacate his former Commission, shall continue to rank in the general Service according to the Date of his Commission or Appointment of the same Rank in the Militia, so vacated as aforesaid.

Militia Officers accepting Commissions of the same Rank in any other Regiment to rank in the Service according to the Dates of vacated Commissions.

LXXVI. And be it further enacted, That when any Colonel or other Commandant of any Regiment, Battalion, or Corps of Militia, shall be absent from *Great Britain*, and until he shall return to *Great Britain*, and shall have notified his Arrival to the Clerk of the Peace of the County, Riding, or Place to which such Regiment, Battalion, or Corps, shall belong, and to the Commanding Officer and Adjutant thereof, it shall be lawful for His Majesty, by Warrant under His Sign Manual, to direct and order that the Officer next in Command, who shall be residing in *Great Britain*, shall in all Cases act and serve as the Commandant of such Regiment, Battalion, or Corps; and all Powers and Authorities which might have been exercised by such Colonel or other Commandant, so absent as aforesaid, while resident in *Great Britain*, shall be vested in and exercised

When a Commandant shall be absent from *Great Britain*, His Majesty may direct the Officer next in Command to act, who shall be vested with the same Powers till the Commandant shall return and notify his Arrival.

exerciſed by the Officer next in Command in ſuch Regiment, Battalion, or Corps, who ſhall be reſident in *Great Britain*, and from and after iſſuing the ſaid Warrant as aforeſaid, all Matters and Things which ought to be tranſacted and done by any other Perſon or Perſons with ſuch Colonel or other Commandant whilſt reſident in *Great Britain*, ſhall be tranſacted and done during the Time aforeſaid, with ſuch Officer ſo next in Command as aforeſaid, who ſhall be reſiding in *Great Britain*; and all Money directed to be iſſued or paid to or to the Order of ſuch Colonel or other Commandant for the Uſe of ſuch Regiment, Battalion, or Corps, ſhall be iſſued and paid to or to the Order of ſuch Officer next in Command as aforeſaid; and all Acts, Matters, and Things, done by and with ſuch Officer ſo next in Command as aforeſaid, during the Time aforeſaid, which are or ſhall be authorized or required to be done by or with ſuch Colonel or other Commandant when in *Great Britain*, ſhall be good and valid as if done by or with ſuch Colonel or other Commandant; and during the Abſence from *Great Britain* of the Colonel or other Commandant of ſuch Regiment, Battalion, or Corps, and until he ſhall return to *Great Britain*, and notify his Arrival as aforeſaid, the Officer next in Command in ſuch Regiment, Battalion, or Corps, who ſhall be reſiding in *Great Britain*, ſhall appoint the Regimental or Battalion Clerk and Agent to ſuch Regiment, Battalion, or Corps, in the ſame Manner as ſuch Colonel or other Commandant might have done, and ſhall take Security from ſuch Agent, and ſhall be and is hereby made ſubject and liable to make good all Deficiencies that may happen from the ſaid Agent or from himſelf, upon Account of the Pay, Cloathing, or publick Stock of ſuch Regiment, Battalion, or Corps: Provided always, that ſuch Officer ſo next in Command as aforeſaid, who ſhall aſſume the Powers ſo given to him as aforeſaid, in conſequence of the Abſence from *Great Britain* of his Colonel or other Commandant, ſhall, within Seven Days after he ſhall aſſume any ſuch Powers, notify the Abſence from *Great Britain* of ſuch Colonel or other Commandant, to the Lieutenant of the County, Riding, or Place, and alſo, when the Regiment, Battalion, or Corps, ſhall be in actual Service, to the Secretary at War: Provided alſo, that if any ſuch Colonel or other Commandant as aforeſaid, ſhall have given any Orders for Cloathing or other Neceſſaries, or for Accoutrements, which ought to be provided in due Courſe, or in purſuance of any Order by proper Authority, at the Time when ſuch Order ſhall be given for the Uſe of his Regiment, Battalion, or Corps, and if before ſuch Orders ſhall be completed, or after the ſame ſhall be completed, and before the Money ſhall be iſſued for the ſame, ſuch Colonel or other Commandant ſhall leave *Great Britain*, the Orders ſo given by ſuch Colonel or other Commandant, ſhall nevertheleſs be completed, and the Money to be iſſued in reſpect thereof ſhall be paid to the Order of ſuch Colonel or other Commandant, notwithſtanding his Abſence from *Great Britain* as aforeſaid; and in like Manner if any Officer ſo next in Command as aforeſaid, ſhall, in conſequence of the Abſence from *Great Britain* of his Colonel or other Commandant, and under the Authorities given to him as aforeſaid, give any Orders for Cloathing or other Neceſſaries, or for Accoutrements, which ought to be provided in due Courſe, or in purſuance of any Order by proper Authority, at the Time when ſuch Orders ſhall be given for the Uſe of his Regiment, Battalion, or Corps, and before ſuch Orders ſhall be completed, or after the ſame ſhall be completed, and before the Money which ought to be iſſued ſhall be

The Officer next in Command ſhall, within Seven Days after aſſuming the Command, notify the Abſence of the Commandant to the County Lieutenant, and when in actual Service to the Secretary at War.

Orders given by a Commandant for Cloathing or Accoutrements ſhall be completed, and the Money paid to his Order, though he may leave *Great Britain*; as ſhall the Orders given by the Officer next in Command during the Abſence of the Commandant, though he may return.

be iſſued for the ſame, the Colonel or other Commandant ſhall return to *Great Britain*, and notify his Arrival as aforeſaid, the Orders ſo given by ſuch Officer ſo next in Command as aforeſaid ſhall be completed, and the Money to be iſſued in reſpect thereof ſhall be paid to the Order of ſuch Officer, notwithſtanding the Return of ſuch Colonel or other Commandant as aforeſaid.

His Majeſty to appoint Adjutants from the Army or Militia, who ſhall preſerve their Rank in the Army, and may be appointed to the Rank of Captain after Five Years Service, though not qualified.

LXXVII. And be it further enacted, That His Majeſty may and ſhall appoint One proper Perſon, who ſhall have ſerved in ſome of His Majeſty's other Forces, or in the Militia while embodied, for the Term of Five Years at the leaſt, to be an Adjutant to each Regiment, Battalion, and Corps of Militia; and ſuch Adjutant, if appointed out of His Majeſty's other Forces, ſhall, during his Service in the Militia, preſerve his Rank in the Army in the ſame Manner as if he had continued in that Service; and it ſhall be lawful for the Lieutenant of any County, Riding, or Place, on the Recommendation of the Colonel or other Commandant of any Regiment, Battalion, or Corps of Militia, raiſed within ſuch County, Riding, or Place, to appoint the Adjutant of ſuch Regiment, Battalion, or Corps, to ſerve with the Rank of Captain, provided ſuch Adjutant ſhall have ſerved Five Years in the Militia while embodied, or in His Majeſty's other Forces, although ſuch Adjutant may not have the Qualification required by this Act for Captains: Provided always, that no ſuch Appointment to the Rank of Captain ſhall be valid, unleſs in the Inſtrument granting the ſame it be ſpecified in what Regiment, Battalion, or Corps of the Militia, while embodied, or of His Majeſty's other Forces, ſuch Adjutant hath ſerved, and what was or were the Date or Dates of his Commiſſion or Commiſſions: Provided alſo, that no Adjutant ſo appointed to ſerve with the Rank of Captain ſhall, by virtue of the Date of ſuch Appointment as aforeſaid, or otherwiſe, be entitled to rank above or to command any Captain of a Company in the Militia: Provided alſo, that no ſuch Adjutant ſhall, by reaſon of any ſuch Appointment as aforeſaid, be entitled to receive any greater or other Pay than that of Adjutant. I

No Adjutant ſo appointed to the Rank of Captain ſhall command a Captain of a Company, or be entitled to greater Pay than Adjutant.

To Corps of not leſs than Two Companies of Sixty Men each, a Surgeon may be appointed, who ſhall, while diſembodied, receive an Allowance for his Attendance during the Exerciſe of the Militia, and at Enrolments, and be paid for Medicines, &c.

LXXVIII. And be it further enacted, That, in every Caſe where the Number of private Militia Men raiſed in any County, Riding, or Place, is ſufficient to form a Regiment, Battalion, or Corps of Militia, conſiſting of not leſs than Two Companies of Sixty private Men each at the leaſt, it ſhall be lawful for the Lieutenant of ſuch County, Riding, or Place, with the Approbation of His Majeſty, to appoint One fit and proper Perſon, who ſhall have paſſed an Examination at Surgeon's Hall, and received his Certificate accordingly, to be Surgeon of ſuch Regiment, Battalion, or Corps; and every ſuch Appointment ſhall recite the Certificate of the Perſon ſo appointed, and an atteſted Copy thereof ſhall be tranſmitted to and filed with the Clerk of the General Meetings; and every ſuch Surgeon ſhall, while the Militia to which he ſhall belong are diſembodied, receive Ten Shillings *per* Day for every Day of his Attendance during any Exerciſe of ſuch Militia under this Act, and the ſame for every Day that he ſhall attend the Enrolments at the Subdiviſion Meetings; ſuch laſt mentioned Attendances being certified by any Deputy Lieutenant or Lieutenants of ſuch Subdiviſion Meeting to the Receiver General of the County, Riding, or Place, to which ſuch Militia ſhall belong; and in Addition thereto, every ſuch Surgeon ſhall alſo receive his actual and reaſonable Expence for Medicines and Neceſſaries for the Sick, during the Time of any Exerciſe

of

of ſuch Militia, in purſuance of this Act, and for his Attendance, Medicines, and Neceſſaries for the ſick Serjeants, Corporals, and Drummers, when actually reſident at the Head Quarters of the Regiment, Battalion, or Corps as hereinafter directed, which ſhall be repaid him by the Receiver General on an Account ſtated by ſuch Surgeon, and certified by the Commanding Officer and Adjutant of the Regiment, Battalion, or Corps to which he ſhall belong, and if any ſuch Corps ſhall have no Adjutant then by the Commanding Officer of each Company; and every ſuch Surgeon ſo appointed as aforeſaid ſhall, during the Time of the Militia to which he ſhall belong being embodied, receive the Pay and Allowance of a Surgeon of Infantry in His Majeſty's other Forces, and be ſubject to the like Rules, Reſtrictions, and Directions in every Reſpect, as far as the ſame may be applicable; and no ſuch Surgeon ſhall be capable of holding any other Commiſſion in ſuch Militia, or of receiving any Pay in reſpect of any other Commiſſion in ſuch Militia, during the Time of his being ſuch Surgeon as aforeſaid.

Surgeons, when the Militia is embodied, to receive the Pay and Allowance of Surgeons of Infantry, but not to hold any other Commiſſion.

In Corps conſiſting of not leſs than 360 Privates, a Quarter Maſter may be appointed, with the Rank of a Subaltern, though not qualified; but ſhall not hold any other Commiſſion.

LXXIX. And be it further enacted, That, in every Caſe where the Number of private Militia Men raiſed in any County, Riding, or Place, is ſufficient to form a Regiment or Battalion, conſiſting of not leſs than Three hundred and ſixty private Men, it ſhall be lawful for the Colonel of ſuch Regiment or Battalion, with the Approbation of His Majeſty, to appoint One fit and proper Perſon, who has ſerved in His Majeſty's other Forces, or in the embodied Militia, to be the Quarter Maſter of any ſuch Regiment or Battalion reſpectively; and it ſhall be lawful for the Lieutenant of the County, Riding, or Place for which ſuch Regiment or Battalion ſhall belong, on the Recommendation of the Colonel thereof, to appoint ſuch Quarter Maſter to ſerve with the Rank of Lieutenant or Enſign, although ſuch Quarter Maſter may not have the Qualification required by this Act for Lieutenants or Enſigns reſpectively: Provided always, that ſuch Quarter Maſter ſhall not be capable of holding any Commiſſion or receiving any Pay in reſpect of any Commiſſion in any Company in the Militia, during the Time of his being ſuch Quarter Maſter as aforeſaid.

To Corps conſiſting of not leſs than Three Companies a Paymaſter may be appointed, but the Money for a leſs Number to be paid to the Commanding Officer.

LXXX. And be it further enacted, That the Colonel or other Commandant of every Regiment, Battalion, or Corps of Militia, conſiſting of not leſs than Three Companies, when ſuch Regiment, Battalion, or Corps is not in actual Service, may appoint a Regimental or Battalion Clerk, who ſhall execute the Office of Paymaſter, but where the Number of private Men ſhall not be ſufficient to form Three Companies of Sixty private Men at the leaſt, no Clerk ſhall be allowed, but the Receiver General of the Land Tax, and all other Perſons required by this Act to remit or pay any Money to any Regimental or Battalion Clerk, in reſpect of the Militia, or on Behalf of any Men ſerving, ſhall remit and pay all Monies to be paid in reſpect of ſuch Company or Companies, or on Behalf of any Man ſerving therein, to the Commanding Officer thereof, which Commanding Officer ſhall account for the ſame in like Manner in every reſpect as a Regimental or Battalion Clerk.

No Adjutant, &c. to be appointed Captain of a Company, nor any Captain

LXXXI. And be it further enacted, That no Adjutant, Surgeon, Regimental or Battalion Clerk, Paymaſter or Quarter Maſter in the Militia, ſhall be capable of being appointed Captain of a Company, nor ſhall any Perſon holding the Commiſſion of Captain of a Company be capable of

being appointed Adjutant, Surgeon, Regimental or Battalion Clerk, Paymaſter or Quarter Maſter of Militia. of a Company to be appointed Adjutant, &c.

LXXXII. And be it further enacted, That no Officer who is entitled to Half Pay ſhall be deemed or taken to forfeit or quit ſuch Half Pay, during the Time he ſhall ſerve as Lieutenant, Enſign, Adjutant, Regimental or Battalion Clerk, Quarter Maſter, or Surgeon in the Militia, but that the ſame ſhall nevertheleſs continue; and inſtead of the Oath uſually required of Half Pay Officers to entitle them to the Receipt of their Half Pay, every ſuch Officer ſo entitled to Half Pay and ſerving as aforeſaid, ſhall take the following Oath: Half Pay Officers ſerving as Subalterns, &c. may receive their Half Pay on taking the following Oath.

'I *A. B.* do ſwear, That I had not, between the and the any Place or Employment of Profit, Civil or Military, under His Majeſty, beſides my Allowance of Half Pay as a reduced in late Regiment of ſave and except my Pay as Lieutenant, [Enſign, Adjutant, Regimental or Battalion Clerk, Quarter Maſter, or Surgeon, *as the Caſe may be*], for ſerving in the Militia.'

And the taking of the ſaid Oath ſhall, without taking any other Oath, be ſufficient to entitle ſuch Perſon to receive his Half Pay.

LXXXIII. And be it further enacted, That Serjeants, Corporals, and Drummers ſhall be appointed to the Militia, in the following Proportions; (that is to ſay), when not in actual Service there ſhall be One Serjeant and One Corporal to every Thirty private Men, and when the Militia ſhall be drawn out into actual Service, an Addition ſhall be made, ſo that there ſhall be One Serjeant and One Corporal to every Twenty private Men, and when not in actual Service, there ſhall be One Drummer to every Company, with an Addition of One Drummer for each Flank Company of Regiments or Battalions, conſiſting of Five or more Companies as aforeſaid; and when the Militia ſhall be drawn out into actual Service, there ſhall be an Addition of One Drummer to every Company ſo drawn out, and the Daily Pay of every ſuch Serjeant, Corporal, and Drummer reſpectively, when not in actual Service, ſhall be as follows; (that is to ſay), of every Serjeant, One Shilling and Sixpence; of every Corporal, One Shilling and Two-pence; and of every Drummer, One Shilling; and ſuch Serjeants, Corporals, and Drummers ſhall be new cloathed when not in actual Service, Once in Two Years; and all Serjeants, Corporals, and Drummers, ſhall take the following Oath; (that is to ſay), The Proportions of Non-commiſſion Officers and Drummers, and their Pay.

'I *A. B.* do ſincerely promiſe and ſwear, That I will be true and faithful and bear true Allegiance to His Majeſty King *George*, and that I will faithfully ſerve in the Militia within *Great Britain*, for the Defence of the ſame, until I ſhall be legally diſcharged.' Oath to be taken by Non-commiſſion Officers and Drummers.

And the Colonel or other Commandant of every Regiment, Battalion, or Corps, conſiſting of Two or more Companies, may appoint a Serjeant Major, and the Colonel or other Commandant of every Regiment, Battalion, or Corps, conſiſting of Three or more Companies, may appoint a Drum Major; and that all Serjeants, Corporals, and Drummers, having received any Pay as ſuch from any Regiment, Battalion, or Corps, ſhall be deemed to be engaged and compellable to ſerve in ſuch Regiment, Battalion, or Corps, until they Serjeant Majors and Drum Majors may be appointed, but no Publican ſhall ſerve as a Serjeant, &c.

they ſhall be legally diſcharged: Provided always, that no Perſon who ſhall keep any Houſe of publick Entertainment, or who ſhall ſell any Ale or Wine, or any Brandy or other Spirituous Liquors by Retail, ſhall be capable of being appointed, or of ſerving or receiving Pay as a Serjeant, Corporal, or Drummer in the Militia: Provided always, that if it ſhall happen that in any Regiment, Battalion, or Corps, there ſhall be a Surplus of Fifteen private Men or upwards, after the Appointment of One Serjeant and One Corporal to every Thirty private Men, ſuch Regiment, Battalion, or Corps, ſhall be entitled to have One additional Corporal when not in actual Service, for ſuch Surplus Number of Men.

An additional Corporal may be appointed where there is a Surplus of 15 Men above the Proportion of 30 Men to a Serjeant and Coporal.

Commandants may diſcharge Serjeants, &c. and appoint others.

LXXXIV. And be it further enacted, That any Serjeant, Corporal, or Drummer, may be diſcharged by the Colonel or other Commandant, and the ſaid Colonel or other Commandant may appoint any proper Perſon in the Room of every Serjeant, Corporal, and Drummer, who ſhall die, deſert, or be diſcharged, all which Serjeants, Corporals, and Drummers ſo appointed, ſhall take the like Oath as is herein-before required to be taken by Serjeants, Corporals, and Drummers reſpectively.

Extra Drummers may be kept as Fifers or Muſicians, at the Expence of the Regiment.

LXXXV. And be it further enacted, That in caſe His Majeſty's Lieutenant for any County, Riding or Place, or the Colonel or other Commandant of any Regiment, Battalion, or Corps of Militia, ſhall be deſirous of keeping up a greater Number of Drummers than is herein directed to be employed as Fifers or Muſicians for the Uſe of any ſuch Regiment, Battalion, or Corps, and ſhall be willing to defray the Expence of ſuch additional Drummers, it ſhall and may be lawful for ſuch Lieutenant or Colonel, or other Commandant, to retain in their reſpective Regiments, Battalions, or Corps, any Number of the Drummers employed or to be employed as Fifers or Muſicians therein, over and above the Number eſtabliſhed by this Act, or at any Time hereafter to engage any additional Number of Drummers to act as Fifers or Muſicians in their reſpective Regiments, Battalions, or Corps; and all ſuch Drummers ſo retained or in future engaged to ſerve in any ſuch Corps as Fifers or Muſicians, ſhall be deemed Drummers of Militia within the Meaning of this Act, to all Intents and Purpoſes whatſoever, and ſhall be ſubject to the ſame Orders, Regulations, Penalties, and Puniſhments, as other Drummers of Militia are by this Act ſubject, and ſhall continue to ſerve as Drummers ſo long as they ſhall receive the ſame Pay and Cloathing as other Drummers have, or better Cloathing in lieu thereof, and no longer.

Serjeants of *Chelſea* Hoſpital, and Out Penſioners, may receive their Allowances therefrom, together with their Pay in the Militia.

Serjeants, &c. having ſerved in the Militia 20 Years may receive the *Chelſea* Penſion.

LXXXVI. And be it further enacted, That any Perſon able and fit to ſerve, being a Serjeant on the Eſtabliſhment of *Chelſea* Hoſpital, at the Allowance of Twelve-pence *per* Day, or being an Out Penſioner on the Eſtabliſhment of the ſaid Hoſpital, at the Allowance of Five-pence a Day, and being appointed to ſerve as a Serjeant in the Militia, may and ſhall receive the ſaid Allowance of Twelve-pence a Day or Five-pence a Day reſpectively, together with his Pay from the ſaid Militia; and any Perſon who ſhall have faithfully ſerved as a Serjeant, Corporal, or Drummer, in the Militia for Twenty Years, and who ſhall be diſcharged on Account of Age or Infirmity, ſhall, on the Recommendation of the Colonel or other Commandant of the Regiment, Battalion, or Corps to which he belongs, and the Lieutenant, or Two or more Deputy Lieutenants of the County,

County, Riding, or Place to which the ſaid Regiment, Battalion, or Corps belongs, or (on the Death or Removal, or in the Abſence of the ſaid Lieutenant) on the Recommendation of the Colonel or other Commandant, and Three or more Deputy Lieutenants of ſuch County, Riding, or Place, be entitled to Examination at the *Chelſea* Board, and be capable of being placed on the Eſtabliſhment of the ſaid Hoſpital at the Penſion of Five-pence *per Diem*, if the ſaid Board ſhould judge him deſerving thereof.

Militia to be exerciſed 21 Days annually, and if the Whole of any Place be not appointed to be trained at the ſame Time, then as the Lieutenant or Deputy Lieutenants, with the Approbation of His Majeſty, ſhall appoint.

LXXXVII. And be it further enacted, That the ſaid Militia to be raiſed as aforeſaid, ſhall be called out Once in every Year, for the Purpoſe of being trained and exerciſed for the Space of Twenty-one Days; and in every County, Riding, or Place, in which it ſhall have been appointed, that the Whole of ſuch 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-one 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 Proportion, at ſuch Time or Times, and Place or Places, in ſuch County or Riding as ſhall be appointed, with the Approbation of His Majeſty, 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: Provided always, that it ſhall not be lawful to order leſs than Two Companies of Sixty private Men at the leaſt, with Officers and Serjeants, Corporals and Drummers in Proportion, to be trained and exerciſed together, unleſs the Militia of the County, Riding, or Place, do not amount to ſo many: 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.

When any Regiment ſhall have been diſembodied, His Majeſty may order it not to be trained for 12 Months.

LXXXVIII. Provided always, and be it enacted, That whenſoever any Regiment, Battalion, or Corps to be raiſed under this Act, ſhall have been diſembodied as herein-after directed, it ſhall and may be lawful for His Majeſty to order and direct that ſuch Regiment, Battalion, or Corps, ſhall not be trained or exerciſed in Manner as is herein-after directed, for the Space of Twelve Calendar Months, to be calculated from the Day on which it ſhall have been ſo diſembodied, or for ſuch Number of Months not exceeding Twelve Months, as His Majeſty ſhall think fit.

During the Time of Exercise, the Mutiny Act and Articles of War ſhall be in force with reſpect to ſuch Militia, but not to extend to Life or Limb.

LXXXIX. And be it further enacted, That, during ſuch Time as any Militia ſhall be aſſembled for the Purpoſe of being trained and exerciſed, all the Clauſes, Proviſions, Matters, and Things contained in any Act of Parliament which ſhall then be in force for the puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, and in the Articles of War made in purſuance of ſuch Act, ſhall be in force with reſpect to ſuch Militia, and to all the Officers, Non-commiſſioned Officers, Drummers, and private Men of the ſame, in all Caſes whatſoever, but ſo that

Officer commanding any Diviſion of Militia called out to exerciſe, not being under the Rank of Captain, may order Courts Martial to be held, and the Commandant of the Regiment, on Application, ſhall order a ſufficient Number of Officers to attend, but the Sentence ſhall be ſubmitted to the Commandant.

that no Puniſhment ſhall extend to Life or Limb; and that it ſhall be lawful for the Officer commanding and preſent with any Detachment or Diviſion of Militia called out to exerciſe under any of the Proviſions of this Act, not being under the Rank of Captain, to order, when he ſhall think it neceſſary, a Regimental Court Martial to be held for the Trial of any Offence committed by any Serjeant, Corporal, Drummer, or private Man under and during his Command; and if a ſufficient Number of Officers ſhall not be preſent to conſtitute ſuch Court Martial, it ſhall be lawful for the Commanding Officer of the Regiment, Battalion, or Corps of Militia, to which any ſuch Detachment or Diviſion of Militia ſhall belong, and he is hereby required, upon Application made to him by the Officer commanding ſuch Detachment or Diviſion for that Purpoſe, to order a ſufficient Number of Officers of proper Rank to attend for the Purpoſe of aſſiſting at ſuch Court Martial, who ſhall forthwith attend the ſame, and aſſiſt as Members thereof; and the Sentence of every ſuch Court Martial ſhall in every Caſe be ſubmitted to the Colonel or other Commandant of the Regiment, Battalion, or Corps to which ſuch Detachment or Diviſion ſhall belong (or in his Abſence from the County, Riding, or Place), to the Senior Field Officer within the ſame, for his Approval thereof, who ſhall cauſe ſuch Sentence to be put in Execution, mitigated, or remitted, as he ſhall in his Diſcretion think beſt for the Service.

Notices of Times and Places of Exerciſe to be ſent to the Subdiviſion Meetings, who ſhall iſſue Orders for calling out the Men; Notices ſhall be affixed on the Church Doors, which ſhall be ſufficient.

XC. 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 Subdiviſion Meetings in the reſpective Counties, Ridings, and Places; and the ſaid Deputy Lieutenants, at ſome Subdiviſion Meeting to be held for carrying this Act into Execution, after the Receipt of the ſaid Notices, ſhall cauſe the Men ſerving for ſuch Subdiviſion, 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, Lathes, Wapentakes, or other Diviſions reſpectively, with Directions to forward the ſame to the Conſtables, Tythingmen, Headboroughs, and other Officers within their reſpective Hundreds, Rapes, Lathes, Wapentakes, or other Diviſions, which Conſtables, Tythingmen, Headboroughs, and 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, which Notice ſhall be deemed a ſufficient Notice to every Perſon enrolled by virtue of this Act, notwithſtanding any Omiſſion in the Delivery of written Notices in Manner herein-after directed; and ſuch Conſtables, Tythingmen, Headboroughs, and 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 Place 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.

Conſtables to give written Notices to the Men to attend.

XCI. And

Clerks of Subdivision Meetings to send Lists of the Men enrolled, and the Time and Place of Exercise, to the Commanding Officers, *etc.*

XCI. And be it further enacted, That the Clerks of the several Subdivision Meetings in every County, Riding, or Place, shall, within the Space of Ten Days after the Receipt of such Notices as aforesaid from the Clerk of the General Meetings, cause a full and true List, specifying the Name and Date of the Enrolment of all the Persons enrolled (within each Subdivision 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 Corps of Militia, 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 Corps; and in every Case where there is no Adjutant, to the Major or Captain Commandant of such Corps.

Pay of Men called out to Exercise to commence on their Joining; but to such as have been prevented joining, the Commanding Officer may direct an Allowance to be made, on a satisfactory Certificate.

XCII. And be it further enacted, That the Pay of every Person enrolled to serve in the Militia of any County, Riding, or Place, when not embodied and called out into actual Service, and who shall be called out for the Purpose of being trained and exercised as aforesaid, shall commence upon the Day on which such Person shall join the Regiment, Battalion, Corps, Detachment, or Division to which he shall belong, and not before: Provided always, that if such Person shall have been prevented joining such Regiment, Battalion, Corps, Detachment, or Division, by Sickness or other sufficient Cause, and shall produce to the Commanding Officer thereof a satisfactory Certificate of such Sickness or other sufficient Cause, it shall be lawful for the Commanding Officer of such Regiment, Battalion, Corps, Detachment, or Division, and he is hereby required to direct an Allowance of Pay to be made to the Person so prevented, according to the Time mentioned in such Certificate as aforesaid.

Militia Men falling sick on the March may be relieved by Warrant of a Justice, and the Expence shall be reimbursed by the County Treasurer.

XCIII. And be it further enacted, That, in case any Militia Man shall on his March to the Place where he shall be ordered to attend for the annual Exercise, be disabled by Sickness or otherwise, it shall be lawful for any One Justice of the Peace of the County, Riding, or Place, or any Mayor or Chief Magistrate of any City, Town, or Place where such Man shall then be, by Warrant under his Hand and Seal, to order him such Relief as such Justice, Mayor, or Chief Magistrate, shall think reasonable, and the same shall be given by the Officers of the Parish, Tything, or Place where such Militia Man shall then be; and the Officers giving such Relief shall, upon producing an Account of the Expences thereof to the Treasurer of the County, Riding, or Place for which such Militia Man shall serve (such Account being first allowed under the Hand of a Justice of the Peace), be reimbursed such Expences by such Treasurer, who shall be allowed the same in his Accounts.

Magistrates may billet the Militia when called out to annual Exercise, and when not embodied may order Lodgings, *etc.* for the Non-commissioned Officers and Drummers.

XCIV. And be it further enacted, That it shall be lawful for all Mayors, Bailiffs, Constables, Tythingmen, Headboroughs, and other Chief Magistrates and Officers of Cities, Towns, Parishes, Tythings, and Places, and (in their Default or Absence) for any One Justice of the Peace inhabiting within or near any City, Town, Parish, Tything, or Place (but for no others) and they and he are and is respectively hereby required to quarter and billet the Officers, Non-commissioned Officers, Drummers, and private Men serving in the Militia at the Times when they shall be called out to annual Exercise, in Inns, Livery Stables, Ale-Houses,

Houſes, Victualling Houſes, and all Houſes of Perſons ſelling Brandy, Strong Waters, Cyder, Wine, or Metheglin, by Retail, upon Application made to any ſuch Mayors, Bailiffs, Conſtables, Tythingmen, Headboroughs, or other Chief Magiſtrates or Officers, by His Majeſty's Lieutenant, or by the Colonel or other Commanding Officer of the Militia, of the County, Riding, or Place where they ſhall be ſo called out to exerciſe as aforeſaid; and when the Militia is not embodied, nor called out to exerciſe as aforeſaid, all Mayors and other Chief Magiſtrates and Officers aforeſaid, or (in their Default or Abſence) any One Juſtice of the Peace as aforeſaid, may, and they and he are and is hereby reſpectively required to order and provide convenient Lodging with Fire and Candle in ſuch Houſes as aforeſaid, for the Serjeants, Corporals, and Drummers of the Militia.

Juſtices to grant Warrants for impreſſing Carriages for the Militia on its March.

XCV. And be it further enacted, That when the Militia ſhall be called out to be trained and exerciſed, any Juſtice of the Peace of any County, Riding, or Place, being thereunto required by an Order from the Lieutenant or from any Deputy Lieutenant of ſuch County, Riding, or Place, or from the Colonel or other Commanding Officer of any Regiment, Battalion, Corps, Detachment, or Diviſion of Militia, being within ſuch County, Riding, or Place, may and ſhall iſſue his Warrant to the Chief Conſtables of Hundreds, Rapes, Lathes, Wapentakes, or Diviſions, or to the Conſtables, Tythingmen, Headboroughs, or other Officers of the ſeveral Pariſhes, Tythings, or Places, from, through, near, or to which any ſuch Regiment, Battalion, Corps, Detachment, or Diviſion of Militia, ſhall be ordered to march, requiring them to provide ſuch ſufficient Carriages to convey the Arms, Cloaths, Accoutrements, Ammunition, and other Stores, with able Men to drive ſuch Carriages, as ſhall be mentioned in the ſaid Order; and in caſe ſuch ſufficient Carriages and Men cannot be provided within any ſuch County, Riding, Hundred, Rape, Lathe, Wapentake, Diviſion, Pariſh, Tything, or Place, then any Juſtice of the Peace for any adjoining County, Riding, or Place, may and ſhall, upon ſuch Order as aforeſaid being ſhewn unto him, iſſue his Warrant to the Chief Conſtables, Conſtables, Tythingmen, Headboroughs, or other Officers of any Hundred, Rape, Lathe, Wapentake, Diviſion, Pariſh, Tything, or Place within ſuch adjoining County, Riding, or Place, for the Purpoſes aforeſaid, to make up ſuch Deficiency of Carriages and Men; and ſuch Lieutenant, Deputy-Lieutenant, or Colonel, or other Commanding Officer, requiring ſuch Carriages and Men to be provided as aforeſaid, ſhall at the ſame Time pay to every ſuch Chief Conſtable, Tythingman, Headborough, or other Officer, for the Uſe of the Perſon or Perſons who ſhall provide ſuch Carriages and Men, the Sum of One Shilling for every Mile any Waggon with Five Horſes, and any Wain with Six Oxen, or with Four Oxen and Two Horſes, ſhall reſpectively travel; and the Sum of Nine-pence for every Mile any ſuch Cart with Four Horſes ſhall travel, and ſo in Proportion for any Carriages drawn by any leſs Number of Horſes or Oxen; for which reſpective Sums every Chief Conſtable, Conſtable, Tythingman, Headborough, or other Officer receiving the ſame, is hereby required to give a Receipt to the Perſon paying the ſame; and every ſuch Chief Conſtable, Conſtable, Tythingman, Headborough, or other Officer, ſhall order and appoint ſuch Perſon or Perſons having Carriages, within their reſpective Hundreds, Rapes, Lathes, Wapentakes, Diviſions, Pariſhes, Tythings, or Places, as they

Rates to be paid for Carriages.

ſhall think proper, to provide and furniſh ſuch Carriages and Men, according to the Warrant aforeſaid; and every Perſon ſo ordered, is hereby required to provide and furniſh the ſame accordingly for One Day's Journey, and no more; and in caſe any ſuch Chief Conſtables, Conſtables, Tythingmen, Headboroughs, or other Officers, ſhall be at any Charges for ſuch Carriages, over and above the Money which ſhall be ſo received by them as aforeſaid, ſuch Overplus ſhall be borne by every County, Riding, or Place, where ſuch additional Expence ſhall be incurred, and be repaid to them without Fee or Reward by the Treaſurer of every ſuch County, Riding, or Place, out of the publick Stock.

If the Expence exceed the Rates, the Overplus ſhall be repaid by the County Treaſurer.

XCVI. And be it further enacted, That, when any Regiment, Battalion, or Corps of Militia, or any Detachment or Diviſion thereof as aforeſaid, ſhall be aſſembled for the Purpoſe of being trained and exerciſed, it ſhall be lawful for the Captain or Commanding Officer of every Company, to put the Militia Men of his Company under Stoppages, not exceeding Four-pence *per* Day, for the Purpoſe of providing them with Linen, and alſo with other Neceſſaries, and for defraying the Expence of repairing any Arms which ſhall have been broken or damaged by any ſuch Militia Man's Neglect: Provided always, that every ſuch Captain or Commanding Officer ſhall account with each Militia Man for ſuch Stoppage, and after having deducted what ſhall have been laid out and paid for Neceſſaries, and for repairing the Arms as aforeſaid, ſhall pay the Sum remaining (if any there ſhall be), into the Hands of the Militia Man to whom the ſame belongs, before ſuch Militia Man ſhall be diſmiſſed from ſuch Training and Exerciſe.

Militia Men, when called out to Exerciſe may be put under Stoppages for providing them with Linen, &c.

XCVII. And be it further enacted, That the Colonel or other Commanding Officer of every Regiment, Battalion, and Corps of Militia, as often as his Regiment, Battalion, or Corps ſhall be called out to exerciſe as before directed, and within Fourteen Days from the Time of aſſembling, ſhall and he is hereby required to return to the Lieutenant of the County, Riding, or Place to which the ſame belongs, a true State of ſuch Regiment, Battalion, or Corps, and a Duplicate thereof to the Clerk to the General Meetings, to be filed; and where the Militia of any County, Riding, or Place, ſhall be ſo ordered to be trained and exerciſed in Parts or Proportions ſucceſſively in Manner directed by this Act, the Officer commanding every ſuch Part or Proportion for the Time being ſhall, within Seven Days after the aſſembling of ſuch Part or Proportion, make a Return of the State of the Militia exerciſed by him or under his Command to the Colonel or Commanding Officer of the Regiment, Battalion, or Corps, to which the Militia ſo exerciſed ſhall belong, on Pain of forfeiting Twenty Pounds for every ſuch Omiſſion; and the Colonel or Commanding Officer receiving ſuch Returns, ſhall, within Fourteen Days after all the Returns of Men belonging to his Regiment, Battalion, or Corps, who ſhall have been ſo aſſembled, ſhall have been received by him, tranſmit a General Return to the Lieutenant of the County, Riding, or Place, to which ſuch Militia ſhall belong, and a Duplicate thereof, to the Clerk of the General Meetings, to be filed; and in caſe any Officer ſhall refuſe or neglect, for Three Months after the Time herein appointed for making ſuch Returns, ſo to do, he ſhall, for every ſuch Offence, forfeit and pay the Sum of Fifty Pounds.

Returns of the Militia when called out to be exerciſed, to be made by the Colonel, *etc.* to the County Lieutenant, *etc.*

Penalty for Neglect.

XCVIII. And

Captains of Companies to make out a Return in the Form in the Schedule (F.), for the Adjutant, or where none, for the Commanding Officer, who shall make out a General Return, and transmit the same to the Clerk of the General Meetings, and necessary Extracts to the Clerk of the Subdivisions, who shall correct their Books of Enrolments therefrom.

XCVIII. And be it further enacted, That the Captain or Commanding Officer of every Company of Militia called out to exercise under this Act, shall, during the Time of such Exercise, make out a correct and accurate Return of the State of the Classes of the Men belonging to his Company, arranged according to the Form in the Schedule to this Act annexed, marked (F.), specifying the several Particulars therein mentioned, and the Subdivision to which every such Man shall belong, and shall deliver or transmit the same to the Adjutant of the Regiment, Battalion, or Corps, or where there shall be no Adjutant to the Commanding Officer of the Militia of the County, Riding, or Place, to which such Company shall belong; and such Adjutant or Commanding Officer (as the Case may be) shall, within One Month after every such Exercise as aforesaid, prepare and make out a general and accurate Return of all such Classes, according to such Form, and with such Specification as aforesaid, and shall transmit the same to the Clerk of the General Meetings, and shall also transmit to the Clerks of the Subdivision Meetings within the County, Riding, or Place, to the Militia of which he shall belong, Extracts of such Return, containing the State of the Classes of Men belonging to their respective Subdivisions; and such Subdivision Clerks shall forthwith correct the Books of Enrolment of their respective Subdivisions, so as to correspond accurately with such Return, and the Clerk to the General Meetings shall forthwith, upon Receipt of such Return as aforesaid, and within Two Months after the Expiration of such Exercise as aforesaid, make out and transmit to One of His Majesty's Principal Secretaries of State, correct Abstracts of all such Returns as aforesaid, made out in the Form in the Schedule marked (G.), to this Act annexed; and every Person so required as aforesaid to make any such Return, who shall refuse or neglect to make the same in Manner aforesaid, at the Period hereby required for that Purpose, shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds.

Clerk to the General Meeting, within a certain Period to transmit to the Secretary of State, an Abstract of Returns in the Form in Schedule (G.)

Penalty for neglecting to make Returns.

Men not appearing at the Time and Place of Exercise, or absenting themselves during that Time, if not taken till after, shall forfeit 20 *l.* or shall be committed for Six Months.

XCIX. And be it further enacted, That every Militia Man (not labouring under any Infirmity incapacitating him), who shall not appear at the Time and Place appointed for his being exercised according to the Directions of this Act (Notice having been published and given as by this Act required), shall be deemed a Deserter, and if not taken until after the Time of any such Exercise, shall forfeit and pay the Sum of Twenty Pounds; and also every Militia Man, who having joined the Regiment, Battalion, or Corps to which he belongs, or any Company or Companies, or Detachment or Division thereof, shall desert or absent himself during the Time of any such Exercise, and shall not be taken until after the Time of such Exercise, shall forfeit and pay the Sum of Twenty Pounds; and if such Penalty shall not be immediately paid, the Justice of the Peace before whom any Militia Man shall be convicted of any such Offence, shall commit such Militia Man to the House of Correction to hard Labour, or to the Common Gaol, there to remain, without Bail or Mainprize, for the Space of Six Months, or until he shall have paid the said Penalty.

If Men absent themselves, and do not return, or are not taken within Three Months, others are to be balloted for.

C. And be it further enacted, That in case any Militia Man shall desert or absent himself from his Duty, and shall not return and voluntarily surrender himself to the Adjutant or other Officer, commissioned or non-commissioned, commanding at the City, Town, or Place where the Arms of the Regiment, Battalion, or Corps to which he shall belong, shall be deposited, or shall not be taken within the Space of Three Months from the

the Time of his ſo deſerting or abſenting himſelf, then upon Certificate thereof from the Commanding Officer of the Regiment, Battalion, or Corps to which he belonged, to the Deputy Lieutenants, at any of their Meetings for the Subdiviſion for which ſuch Militia Man was enrolled, ſuch Deputy Lieutenants, or any Two or more of them, are hereby required to hold a Subdiviſion Meeting, and to proceed to ballot for another Perſon to ſerve and be returned to ſuch Regiment, Battalion, or Corps, in the Room of ſuch Militia Man; and in caſe ſuch Militia Man ſhall at any Time thereafter return or be taken, he ſhall, notwithſtanding any Perſon ſhall have been choſen in his Room, be compelled to ſerve in the ſame Manner, and for the ſame Term, as if no Perſon had been ſo choſen in his Room.

Whenever ſuch Men return or are taken, they ſhall be compelled to ſerve.

CI. And be it further enacted, That 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, Accoutrements, or Ammunition, or neglect or refuſe to return the ſame in good Order to his Captain, 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 Three 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, to be kept to hard Labour for any Time not exceeding Three Months, or until he ſhall have paid the ſaid Penalty.

Muſkets to be marked, and if any Men ſell, pawn, or loſe, their arms, *etc.* or neglect to return them in good Order they ſhall forfeit not exceeding 3 *l.* or ſhall be committed for not exceeding Three Months.

CII. And be it further enacted, That if any Perſon ſhall knowingly and wilfully buy, take in Exchange, conceal, or otherwiſe receive any Militia Arms, Cloaths, or Accoutrements, or any ſuch Articles belonging to any Militia Man as are generally deemed Regimental Neceſſaries, according to the Cuſtom of the Army, being provided for the Soldier, and paid for by Deductions out of his Pay, or any publick Stores or Ammunition whatever delivered for the Militia, upon any Account or Pretence whatſoever, contrary to the true Intent and Meaning of this Act, the Perſon ſo offending ſhall forfeit and pay for every ſuch Offence the Sum of Ten Pounds; and if ſuch Offender ſhall not immediately pay ſuch Penalty, and ſhall not have ſufficient Goods and Chattels whereon to levy ſuch Penalty, the Juſtice before whom he or ſhe ſhall be convicted ſhall commit him or her to the Common Gaol, there to remain, without Bail or Mainprize, for the Space of Six Months, or until he or ſhe ſhall have paid the ſaid Fine, or ſhall cauſe ſuch Offender to be publickly or privately whipped, at the Diſcretion of ſuch Juſtice.

Penalty for buying Militia Arms, *etc.*

CIII. And be it further enacted, That every Adjutant, Serjeant Major, Serjeant, Corporal, Drum Major, and Drummer of the Militia, ſhall be at all Times ſubject to any Act which ſhall be in force for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, and to the Articles of War, under the Command of the Colonel or other Commandant of the Regiment, Battalion, or Corps to which he belongs, and it ſhall be lawful for the Colonel or other Commandant of any Regiment, Battalion, or Corps of Militia, to direct the holding of Courts Martial as herein-after directed, for the Trial of any Serjeant Major, Serjeant, Corporal, Drum Major, or Drummer of ſuch Regiment, Battalion, or Corps, by

When the Militia is not embodied, Adjutants, *&c.* may be tried by a Court Martial for Offences, and Serjeants, *etc.* for Deſertion while the Regiment was embodied, and not taken.

by either a General or Regimental Court Martial, for any Offence againſt the ſaid Act or Articles of War, committed during the Time ſuch Regiment, Battalion, or Corps ſhall not be embodied, and for the Trial of any Serjeant, Corporal, Drummer, or private Man of ſuch Regiment, Battalion, or Corps, who ſhall have deſerted while the ſaid Regiment, Battalion, or Corps was embodied, and ſhall not have been apprehended till after it ſhall have been diſembodied, but ſo that no Puniſhment ſhall extend to the Loſs of Life or Limb.

Commandant of the Corps to which the Offender ſhall belong, may order any Officers of the Militia of the County, reſident where the Trial is to be, or within 10 Miles, to aſſiſt as Members of the Court Martial, but they ſhall not be entitled to Pay.

CIV. And be it further enacted, That, if a ſufficient Number of Officers to form a Court Martial cannot be found, it ſhall be lawful for the Colonel or other Commandant, and in his Abſence for the Senior Field Officer of the Regiment, Battalion, or Corps to which the Perſon on whom ſuch Court Martial is to be held, ſhall belong, to order any Officers of the Militia of the County, Riding, or Place to which ſuch Regiment, Battalion, or Corps ſhall belong, actually reſident within the Town where ſuch Serjeant Major, Serjeant, Corporal, Drum Major, or Drummer is to be tried, or within Ten Miles thereof, to attend and aſſiſt as Members of ſuch Court Martial, who ſhall thereupon attend at the Time required, and aſſiſt accordingly, but no Officer ſhall be entitled to receive Pay for any ſuch Attendance: Provided always, that no Sentence of any Court Martial held as aforeſaid on any Serjeant Major, Serjeant, Corporal, Drum Major, or Drummer, or private Man as aforeſaid, ſhall be put in Execution, until it ſhall have been confirmed by the Colonel or other Commandant, or by the Field Officer by whoſe Order ſuch Court Martial was aſſembled.

Sentence not to be put in Execution until confirmed, by the Colonel, *etc.*

Non-commiſſioned Officers and Drummers may be reduced to ſerve as Privates for a certain Period, and if not then reſtored, they ſhall be diſcharged.

CV. And be it further enacted, That any Serjeant, Corporal, or Drummer of the Militia, may, by Sentence of a Court Martial, be reduced to the Condition of a private Militia Man, to ſerve as ſuch during any Time not exceeding Fifteen Months, in caſe the Regiment, Battalion, or Corps to which he belongs, ſhall not be then embodied or called out into actual Service; and in caſe the Regiment, Battalion, or Corps to which he belongs ſhall be then embodied or called out into actual Service to ſerve as aforeſaid, until the diſembodying of the ſaid Regiment, Battalion, or Corps, after which Time or at the End of the ſaid Fifteen Months, as the Caſe may be, if not regularly re-appointed to the Rank of a Non-commiſſioned Officer or Drummer, he ſhall be diſcharged from the Service.

Arms, *&c.* when the Militia is not embodied, to be kept in a Place appointed by the Commandant, with the Approbation of the County Lieutenant, which the General Meeting may order to be provided or built.

CVI. And be it further enacted, That the Arms, Accoutrements, Cloathing, and other Stores, belonging to every Regiment, Battalion, or Corps of Militia, when not embodied, ſhall be kept in ſuch convenient Place as the Colonel or other Commandant ſhall direct, with the Approbation of the Lieutenant of the County, Riding, or Place; and it ſhall be lawful for the General Meeting of Lieutenancy for any County, Riding, or Place, to order and direct a convenient and proper Place for that Purpoſe to be provided or built, if no ſuch convenient and proper Place can be found, the Hire or Coſt of which Place ſhall be paid for by the Treaſurer of ſuch County, Riding, or Place, out of the County Rates.

Non-commiſſion Officers and Drummers to reſide where the

CVII. And be it further enacted, That all the Serjeants, Corporals, and Drummers, in every Regiment, Battalion, and Corps of Militia, ſhall conſtantly be reſident within the City, Town or Place, where the Arms belonging

longing to ſuch Regiment, Battalion, or Corps, are kept, and ſhall be under the Command of the Adjutant, who alſo ſhall be conſtantly reſident within the ſaid City, Town, or Place, (unleſs as herein-after provided), and ſhall act in ſuch Command under the Orders of the Colonel or other Commandant of ſuch Regiment, Battalion, or Corps; and that the Adjutant, and, in his occaſional and unavoidable Abſence, the Serjeant Major, or (where there is no Serjeant Major), the Senior Serjeant, ſhall make Monthly Returns of the true State of the Serjeants, Corporals, and Drummers of the Regiment, Battalion, or Corps ſeverally, to His Majeſty's Secretary of State, to the Lieutenant of the County, and to the Colonel or other Commandant of the ſaid Regiment, Battalion, or Corps, in Default of which, on each ſuch Neglect, ſuch Adjutant or Serjeant Major ſhall be ſubject to ſuch Puniſhment as a Court Martial ſhall adjudge; and that no Serjeant, Corporal, or Drummer, ſhall be abſent from ſuch City, Town, or Place, without a regular Furlough or Licence in Writing, ſigned by his Colonel or other Commandant; and every Serjeant, Corporal, and Drummer, abſent on Furlough or Licence, ſhall reſpectively receive during the Time of ſuch Abſence the Pay following; (that is to ſay), every Serjeant the Sum of One Shilling, every Corporal the Sum of Eight-pence, and every Drummer the Sum of Sixpence *per* Day reſpectively, and no more; and every Serjeant, Corporal, and Drummer, who ſhall abſent himſelf without ſuch Furlough or Licence, ſhall forfeit all Pay during the Time of ſuch Abſence, and be liable to be apprehended and puniſhed as a Deſerter; and ſuch Adjutant ſhall never abſent himſelf from ſuch City, Town, or Place, without Leave of the Colonel or other Commandant of ſuch Regiment, Battalion, or Corps, nor for more than Three Calendar Months in One Year except in caſe of Sickneſs: Provided nevertheleſs, that whenever ſuch Adjutant ſhall be abſent with ſuch Leave as aforeſaid, then ſuch Serjeants, Corporals, and Drummers, ſhall be under the Command of the Battalion Clerk, if he ſhall be a Commiſſioned Officer of ſuch Regiment, Battalion, or Corps, or otherwiſe of the Serjeant Major, or of ſome Serjeant who ſhall be appointed by the ſaid Adjutant, with the Approbation of the ſaid Colonel or other Commandant, to act as Serjeant Major during the Abſence of ſuch Adjutant or of the Senior Serjeant, when the Corps has not any Adjutant or Serjeant Major.

Arms are kept, and be under the Command of the Adjutant, and Monthly Returns of their State ſhall be made by him or in his Abſence by the Serjeant Major, *etc.* to the Secretary of State, the County Lieutenant, and the Commandant of the Corps.

Serjeants, *&c.* abſent on Leave to receive Pay as herein ſpecified, and if abſent without, to forfeit their Pay, and be deemed Deſerters.

Adjutant not to be abſent without Leave, nor for more than 3 Months in the Year except in Sickneſs; and when abſent, the Serjeants, *etc.* to be under the Command of the Battalion Clerk, *&c.*

CVIII. And be it further enacted, That if any Militia Man ſhall not join the Regiment, Battalion, Corps, Detachment, or Diviſion to which he belongs, at the Time of annual Exerciſe, or ſhall deſert during the Time of annual Exerciſe, and ſhall not be apprehended before the Expiration of the Time appointed for ſuch Exerciſe, and if the Commanding Officer, or the Adjutant of ſuch Regiment, Battalion, or Corps, or the Commanding Officer of the Company, Detachment, or Diviſion to which ſuch Offender belongs, ſhall receive Information of the Place where he ſhall be or reſide, any ſuch Commanding Officer or Adjutant may, by Writing under his Hand, deſcribe the Perſon of ſuch Offender, and alſo certify that he did not join the Regiment, Battalion, Corps, Detachment, or Diviſion, at the Time of annual Exerciſe, or that he deſerted during the Time of annual Exerciſe (as the Caſe may be), and ſend the ſame by a Serjeant, Corporal, or Drummer of ſuch Regiment, Battalion, or Corps, to the Adjutant or Serjeant Major of the Regiment, Battalion, or Corps, or to the Senior Serjeant when there is no Adjutant or Serjeant Major of the Corps, of the County, Riding, or Place wherein ſuch Offender is ſuppoſed to be or reſide;

Method of proceeding when Information is received of the Reſidence of a Militia Man who ſhall not join at the annual Exerciſe, or ſhall deſert during it and not be apprehended.

ſide; and the Adjutant, Serjeant Major, or Senior Serjeant, to whom ſuch Certificate ſhall be ſent, ſhall forthwith direct a Party of the Serjeants, Corporals, or Drummers of the Regiment, Battalion, or Corps to which he belongs, to aſſiſt in apprehending ſuch Offender, and in conveying him before ſome Juſtice of the Peace of the County, Riding, or Diviſion, wherein ſuch Offender ſhall be apprehended; and if by his Confeſſion, or the Teſtimony of any Witneſs or Witneſſes upon Oath, or the Knowledge of ſuch Juſtice, it ſhall appear or be found that ſuch Perſon is guilty of ſuch Offence, ſuch Adjutant, Serjeant Major, or Senior Serjeant as aforeſaid, ſhall order a Party of the Serjeants, Corporals, or Drummers under his Command, to convey ſuch Offender to the Head Quarters of the Regiment, Battalion, or Corps of Militia of the next County, Riding, or Place in the Way to the County, Riding, or Place, to which ſuch Offender belongs, and deliver him into the Cuſtody of the Adjutant or Serjeant Major of ſuch Regiment, Battalion, or Corps, or Senior Serjeant as aforeſaid, who ſhall cauſe him to be conveyed in like Manner to the Adjutant or Serjeant Major of the Regiment, Battalion, or Corps, or Senior Serjeant of the Corps of the next County, Riding, or Place, and ſo in like Manner until ſuch Offender ſhall be delivered into the Cuſtody of the Adjutant or Serjeant Major of the Regiment, Battalion, or Corps, or Senior Serjeant as aforeſaid, of the Corps to which he belongs, who ſhall take him before a Juſtice of the Peace, to be dealt with as this Act directs in Caſes of Militia Men deſerting or abſenting themſelves from their Duty when not embodied or called out into actual Service; and from the Time of his being ſo apprehended as aforeſaid, until he is brought before ſuch Juſtice of the Peace as aforeſaid, ſuch Offender ſhall be ſubſiſted at the Rate of Sixpence *per* Day from the Stock of the County, Riding, or Place to which ſuch Regiment, Battalion, or Corps belongs; for which Subſiſtence ſuch Juſtice is hereby required to make ſuch Order upon the Treaſurer of the County, Riding, or Place; and if any Serjeant, Corporal, or Drummer ſhall deſert from the Regiment, Battalion, or Corps to which he belongs, it ſhall be lawful for any Headborough, Conſtable, or other Officer of the Town or Place where any Perſon who may be reaſonably ſuſpected to be ſuch Deſerter ſhall be found, to cauſe ſuch Perſon to be apprehended and taken before any Juſtice of the Peace living in or near to ſuch Town or Place, who is hereby empowered to examine ſuch ſuſpected Perſon; and if by his Confeſſion, or the Teſtimony of any Witneſs or Witneſſes upon Oath, or by the Knowledge of ſuch Juſtice, it ſhall appear or be found that ſuch ſuſpected Perſon is ſuch Deſerter, ſuch Juſtice ſhall forthwith cauſe him to be conveyed to the Common Gaol of the County or Place where he ſhall be found, or the Houſe of Correction or other publick Priſon in the Town or Place in or near to which ſuch Deſerter ſhall be apprehended, there to remain until he ſhall be demanded by ſome Perſon or Perſons authorized to receive him as herein-after directed, and ſhall tranſmit an Account thereof to the Clerk of the General Meetings of the County, Riding, or Place, to which ſuch Deſerter belongs; and the Keeper of ſuch Gaol, Houſe of Correction, or Priſon, ſhall receive the full Subſiſtence of ſuch Deſerter at the Rate above ſpecified for his Maintenance, during the Time he ſhall continue in his Cuſtody, but ſhall not be entitled to any Fee or Reward on Account of his Impriſonment; and ſuch Clerk of the General Meetings receiving ſuch Account, ſhall immediately tranſmit a Copy thereof to the Colonel or Commanding Officer of the Regiment, Battalion, or Corps of his County, Riding, or Place; and alſo to the Adjutant or other Officer commanding

Method of proceeding where Perſons are found ſuſpected to be Non-commiſſioned Officers or Drummers who have deſerted.

Gaolers to receive the Subſiſtence of Deſerters while confined, but no Fee.

commanding the Serjeants, Corporals, and Drummers of ſuch Regiment, Battalion, or Corps, and where there are more than One Regiment, Battalion, or Corps in any County, Riding, or Place, ſuch Clerk ſhall ſend ſuch Copy to each of the Colonels or other Commandants, or Commanding Officers of ſuch Regiments, Battalions, and Corps; and alſo to each of the Adjutants or Officers commanding Serjeants, Corporals, and Drummers, within his County, Riding, or Place; and the Colonel or Commanding Officer of the Regiment, Battalion, or Corps to which ſuch Deſerter ſhall be found to belong, or the Adjutant or Officer commanding the Serjeants, Corporals, and Drummers of ſuch Regiment, Battalion, or Corps, ſhall and he is hereby required, immediately on receiving ſuch Copy as aforeſaid, to ſend any Serjeant, Corporal, or Drummer, or any Party of the Serjeants, Corporals, or Drummers of his Regiment, Battalion, or Corps, to the Place where ſuch Deſerter ſhall be ſo confined, and ſhall alſo ſend by ſuch Serjeant, Corporal, or Drummer, or the Serjeant commanding ſuch Party of Serjeants, Corporals, or Drummers, an Order, under his Hand and Seal, to the Keeper of the ſaid Goal, Houſe of Correction, or Priſon, requiring him to deliver ſuch Deſerter to the Perſon or Perſons therein named, which he is hereby required to do; and the Serjeant, Corporal, or Drummer to whom ſuch Deſerter ſhall be ſo ordered to be delivered, in caſe One only ſhall be ſent on ſuch Duty, ſhall apply to the Adjutant or Serjeant Major of the Regiment, Battalion, or Corps, or to the Senior Serjeant of the Corps of the County, Riding, or Place where ſuch Derſerter ſhall be ſo confined as aforeſaid, and ſuch Adjutant, Serjeant Major, or Serjeant, ſhall order a ſufficient Party of the Serjeants, Corporals, or Drummers under his Command, to aſſiſt in conveying ſuch Deſerter, and he ſhall be conveyed to the Adjutant or Serjeant Major of the Regiment, Battalion, or Corps, or Senior Serjeant of the Corps to which he belongs, in the ſame Manner as before directed with reſpect to the conveying of private Militia Men to the Adjutant or Serjeant Major of the Regiment, Battalion, or Corps, or Senior Serjeant of the Corps to which they belong; and ſuch Adjutant, or Serjeant Major or Serjeant, ſhall take ſuch Deſerter before a Juſtice of the Peace of the County, Riding, or Place to which he belongs, who ſhall forthwith cauſe him to be conveyed to the Common Gaol, Houſe of Correction, or other publick Priſon of ſuch County, Riding, or Place where he ſhall remain, without Bail or Mainprize, until a Court Martial can and ſhall be ſummoned, and held for the Trial of ſuch Deſerters, according to the Proviſions of this Act, when he ſhall be delivered to the Perſon or Perſons named in any Order to be iſſued for that Purpoſe, under the Hand and Seal of the Officer, by whoſe Authority ſuch Court Martial ſhall be ſummoned, requiring the Delivery of ſuch Deſerter; and all Gaolers and Keepers of Priſons ſhall, (if required ſo to do by any Serjeant, Corporal, or Drummer, employed in conveying any ſuch Militia Man or Serjeant, Corporal, or Drummer ſo offending to the Regiment, Battalion, or Corps to which he belongs), receive into their Cuſtody, and confine ſuch Offender for ſuch Time as they ſhall be reſpectively ſo required as aforeſaid, not exceeding Twenty-four Hours; and every ſuch Gaoler or Keeper of any Priſon who ſhall refuſe ſo to do, ſhall forfeit the Sum of Twenty Shillings; and all ſuch Serjeants, Corporals, and Drummers while they are employed in executing ſuch Duty as aforeſaid, and all other Serjeants, Corporals, and Drummers of the Militia while on any March, or employed on any Duty upon which they may be commanded by any legal Authority, ſhall

Gaolers to receive and confine Deſerters on Penalty of 20 *l.*

Serjeants, &c. conveying Deſerters, or on any March, to be billetted.

ſhall be billetted in like Manner as Serjeants, Corporals, or Drummers belonging to His Majeſty's other Forces, employed in apprehending and conveying Deſerters, are to be billetted.

Perſons apprehending Deſerters to be paid 20*s.* by Warrant of the Juſtice before whom convicted.

CIX. And be it further enacted, That the Juſtice of the Peace before whom any Deſerter ſhall be convicted, ſhall and may iſſue his Warrant to the Clerk of the Regiment, Battalion, or Corps to which ſuch Deſerter ſhall belong, or (where there is no Clerk) to the Commanding Officer, requiring ſuch Clerk or ſuch Commanding Officer, to pay out of the Stock of ſuch Regiment, Battalion, or Corps, the Sum of Twenty Shillings to the Perſon who ſhall have apprehended ſuch Deſerter; and ſuch Clerk or Commanding Officer is hereby authorized and required to pay the ſame accordingly on Demand.

Perſons concealing or aſſiſting Deſerters to forfeit 5*l.*

CX. And be it further enacted, That if any Perſon ſhall harbour, conceal, or aſſiſt any Deſerter, knowing him to be ſuch, the Perſon ſo offending ſhall forfeit for every ſuch Offence, the Sum of Five Pounds.

His Majeſty may order the Militia to be embodied in Caſes of Invaſion, Rebellion, *etc.* and put under the Command of General Officers, and led by their reſpective Officers into any Part of *Great Britain*; and while ſo embodied, ſhall be ſubject to the Mutiny Act and Articles of War.

CXI. And be it further enacted, That, in all Caſes of actual Invaſion, or upon imminent Danger thereof, and in all Caſes of Rebellion or Inſurrection, 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 Regiments, Battalions, and Corps of Militia, within their reſpective Counties, Ridings, and Places herein before appointed to be raiſed and trained, or ſo many of them, or ſuch Part or Proportion of them, or any 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 *Great Britain*, for the repelling and Prevention of any Invaſion, and for the Suppreſſion of any Rebellion or Inſurrection within *Great Britain*; and from the Time of any Regiment, Battalion, or Corps of Militia, being called out and embodied as aforeſaid until the ſame ſhall be returned again to its own County, Riding, or Place, and diſembodied by His Majeſty's Order, the Officers, Non-commiſſioned Officers, Drummers, and private Men of every ſuch Regiment, Battalion, or Corps, ſhall be ſubject to 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, and the Articles of War made in purſuance thereof; and all the Proviſions contained in every ſuch Act, and Articles of War, ſhall be in force with reſpect to the Militia, and ſhall extend to all the Officers, Non-commiſſioned Officers, Drummers, and private Men of the Militia, while embodied as aforeſaid, in all Caſes whatſoever.

Militia not to be ordered out of *Great Britain*.

CXII. Provided always, and be it further enacted, That neither the Whole nor any Part of the Militia directed by this Act to be raiſed and maintained,

tained, shall on any Account be carried or ordered to go out of *Great Britain*.

CXIII. And be it further enacted, That, whenever His Majesty shall cause the Militia 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.

When His Majesty shall order the Militia to be embodied, He shall issue a Proclamation for the Meeting of Parliament in 14 Days.

CXIV. And be it further enacted, That 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 Order from His Majesty for drawing out and embodying the Whole of the Militia of such County, Riding, or Place, shall be directed, shall forthwith issue his or their Order to the Chief Constables, or other Officers of the several Hundreds, Rapes, Lathes, 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, Lathes, 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.

When the Militia is ordered to be drawn out, the County Lieutenant shall issue Orders accordingly, and the Constables shall cause Notice to be given to the Men to attend.

CXV. And be it further enacted, That no Officer serving in the Militia shall sit in any Court-martial upon the Trial of any Officer or Soldier serving in any of His Majesty's other Forces; nor shall any Officer, serving in any of His Majesty's other Forces, sit in any Court-martial upon the Trial of any Officer or Soldier serving in the Militia.

Militia Officers not to sit on Trials of Officers or Soldiers of the other Forces, nor contrariwise.

CXVI. And be it further enacted, That if any Person of the said Militia, 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 of the Articles of War, made in pursuance of the same; and if any Person shall harbour and conceal any such Militia Man, when ordered to be drawn out and embodied as aforesaid, knowing him to be such Militia Man, every such Person shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds.

If Militia Men shall not march in pursuance of Order, they shall be deemed Deserters, and Persons harbouring them shall forfeit 100*l*.

CXVII. And be it further enacted, That, from the Date of His Majesty's Warrant for drawing out the Militia of any County, Riding, or Place, into actual Service, the Officers and Men of the Militia of such County, Riding,

Militia when ordered to be drawn out, to be entitled to the same Pay as other In-

fantry; and Non-commiſſioned Officers and Men maimed or wounded, entitled to the Benefit of *Chelſea* Hoſpital.

Riding, or Place, ſhall be entitled to the ſame Pay as the Officers and Men of His Majeſty's other Infantry Forces, and no other; and if any Non-commiſſioned Officer, Drummer, or private Man of the 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, Drummer, or private Man belonging to any of His Majeſty's other Forces.

Pay of the Officers and Men who ſhall not join on the Day appointed, unleſs prevented by Neceſſity, ſhall commence only from the Day of joining.

CXVIII. Provided always, and be it further enacted, That the Pay of every Officer, Serjeant, Corporal, Drummer, and private Man, who ſhall not join his Regiment, Battalion, or Corps of Militia, on the Day appointed for that Purpoſe, ſhall commence only from the Day of his joining ſuch Regiment, Battalion, or Corps, unleſs ſuch Officer, Serjeant, Corporal, Drummer, or private Man, ſhall have been prevented from joining on the Day appointed as aforeſaid by Sickneſs or any other inevitable Neceſſity, to be proved to the Satisfaction of the Commanding Officer of the Regiment, Battalion, or Corps, in which Caſe ſuch Officer, Serjeant, Corporal, or Drummer, or private Man may, by Order of his Commanding Officer, be accounted with for his Pay from the Date of His Majeſty's Warrant as aforeſaid.

Pay of Men inrolled after the Militia is embodied to commence from the Day of joining, but an Allowance may be made them at Time of Enrolment to enable them to march, and paid by the Clerk of the Subdiviſion, who ſhall be repaid by the Receiver General of the Land Tax.

CXIX. And be it further enacted, That the Pay of every Perſon enrolled to ſerve in the Militia of any County, Riding, or Place, after ſuch Militia ſhall have been embodied and called out into actual Service, ſhall commence upon the Day on which ſuch Perſon ſhall join the Regiment, Battalion, or Corps to which he ſhall belong, and not before: Provided *always*, that it ſhall be lawful for the Deputy Lieutenants or Juſtices of the Peace by whom any ſuch Perſon ſhall have been ſo enrolled, to order and direct an Allowance to be made to ſuch Perſon, for the Purpoſe of enabling him to proceed and join the Regiment, Battalion, or Corps to which he may belong, not exceeding the Rate of the Pay of ſo many Days as would enable him to march from the Place where he was enrolled to the Place where the ſaid Regiment, Battalion, or Corps may be ſtationed, to be calculated at the Rate of not leſs than Ten Miles *per* Day, with the uſual Number of halting Days; and the ſaid Allowance of Pay ſhall be advanced to ſuch Perſon at the Time of his Enrolment by the Clerk of the Subdiviſion Meeting, under the Order of the Deputy Lieutenants or Juſtices aforeſaid, or One of them, and ſhall be repaid to the ſaid Subdiviſion Clerk by the Receiver General of the Land Tax, on the Production of a Certificate to that Effect, ſigned by the ſaid Deputy Lieutenants or Juſtices, or One of them, and the ſaid Receiver General ſhall be allowed for the ſame in his Accounts accordingly.

When a Regiment is drawn out, an Agent to be appointed, from whom the Colonel ſhall take Security, and ſhall make good Deficiencies in Pay, *etc.*

CXX. And be it further enacted, That, when any Regiment, Battalion, or Corps of Militia, ſhall be drawn out into actual Service, and during the Time it ſhall continue in actual Service, the Colonel or other Commandant thereof ſhall and may appoint an Agent to ſuch Regiment, Battalion, or Corps, and ſhall take Security from ſuch Agent, and ſuch Colonel or other Commandant ſhall be and is hereby made ſubject and liable to make good all Deficiencies that may happen from the ſaid Agent or from himſelf, upon Account of the Pay, Cloathing, or publick Stock of ſuch Regiment, Battalion, or Corps.

CXXI. And

CXXI. And be it further enacted, That, when the Militia of any County, Riding, or Place, ſhall be ordered out into actual Service, the Receiver General of the Rates and Duties under the Management of the Commiſſioners for the Affairs of Taxes for ſuch County, Riding, or Place, ſhall and is hereby required forthwith to pay to the Captain or other Commanding Officer of every Company of Militia ſo ordered out, the Sum of One Guinea for the Uſe of every private Militia Man belonging to his Company; 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, while out in actual Service as aforeſaid (all which Money ſo paid by the ſaid Receiver General ſhall be allowed him in his Accounts); 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, on or before the Twenty-fourth Day of the Month next enſuing that in which he ſhall have received ſuch One Guinea as aforeſaid, account to ſuch Militia Man how the ſaid Sum of One Guinea hath been applied and diſpoſed of, and ſhall, at the Time of ſettling ſuch Account, pay the Remainder of the Money (if any) to the ſaid Militia Man.

When the Militia is ordered out, the Receiver General of the Duties under the Management of the Commiſſioners for Taxes, ſhall pay to the Captain of every Company One Guinea for the Uſe of each Man, and alſo for each Recruit as early as may be after he has joined, to be laid out for his Advantage.

Captains to account with the Men for the ſame.

CXXII. And be it further enacted, That in caſe any Perſon not poſſeſſed of any Eſtate in Land, Goods, or Money, of the clear Value of Five hundred Pounds, and who ſhall make Oath that he is not poſſeſſed of ſuch Eſtate, ſhall be choſen by Ballot to ſerve in the Militia for any Pariſh, Tything, or Place, where the ſaid Militia is drawn or ordered out for actual Service, and ſuch Perſon ſhall be approved, ſworn, and enrolled as aforeſaid, or ſhall provide a fit Perſon to ſerve as his Subſtitute, who ſhall be approved, ſworn, and enrolled as aforeſaid, the Churchwardens or Overſeers of the Poor of ſuch Pariſh, Tything, or Place, ſhall, on receiving an Order under the Hands of any Two or more Deputy Lieutenants, acting within the Subdiviſion wherein ſuch Pariſh, Tything, or Place is ſituate, pay to every ſuch Perſon ſo choſen by Ballot, any ſuch Sum of Money, not exceeding the Sum which ſuch Deputy Lieutenants ſhall adjudge to be as near as may be One Half of the current Price then paid for a Volunteer or Subſtitute in the County, Riding, or Place, where ſuch Perſon was ſo choſen, which ſaid Sum of Money ſhall be taken out of the Rate to be made as herein-before directed for providing and producing Volunteers, or in caſe no Volunteers ſhall have been provided or produced by the Churchwardens or Overſeers, then out of a Rate to be made and collected agreeable to the Poors Rate as herein-before alſo directed; and in caſe any Churchwarden or Overſeer of the Poor ſhall refuſe or neglect to pay ſuch Money upon Demand and Production of ſuch Order, every ſuch Churchwarden or Overſeer ſo refuſing or neglecting to make ſuch Payment, ſhall, for every ſuch Offence, forfeit the Sum of Ten Pounds, One Half of which Penalty ſhall be paid to the Perſon ſo choſen by Ballot in Lieu or in Part of the Sum ordered to be paid him as aforeſaid, as the Caſe may require: Provided always, that if any Man ſo choſen by Ballot and ſerving for himſelf, ſhall, within One Month after his Enrolment, be diſapproved of and diſcharged by the Officer commanding the Regiment, Battalion, or Corps, ſuch Sum ſhall not be paid to the Perſon

Half the Price of Volunteers ſhall be paid by the Pariſh Officers to Perſons choſen by Ballot who ſhall ſerve or provide a Subſtitute, on their making Oath that they are not worth 500 *l.*

Penalty on Pariſh Officers for refuſing to pay ſuch Allowance.

If any Perſon ſo choſen by Ballot ſhall be diſapproved, ſuch Allowance ſhall not be paid to

him, but to the next Perſon choſen; nor ſhall it be paid if a Subſtitute be diſapproved, unleſs the Principal ſerve himſelf or provide another.

Perſon ſo choſen by Ballot, but ſhall be paid in Manner before mentioned to the next Perſon choſen by Ballot in his Stead; and if any Subſtitute be diſapproved and diſcharged in Manner aforeſaid, then no ſuch Sum ſhall be paid to the Man ſo choſen by Ballot, whoſe Subſtitute ſhall have been ſo diſapproved and diſcharged, unleſs he ſhall ſerve himſelf or ſhall find another Subſtitute who ſhall be approved by ſuch Commanding Officer as aforeſaid.

When a Regiment is out of its County, a Liſt of Men whoſe Time ſhall be within 4 Months of expiring, and who ſhall be willing to continue in the Service, and for what Price, ſhall at certain Periods be tranſmitted by the Commanding Officer to the Clerk of the General Meetings, in the following Form:

CXXIII. And be it further enacted, That, whenever any Regiment, Battalion, or Corps of Militia, ſhall be embodied, and abſent from the County, Riding, or Place to which it belongs, the Commanding Officer of ſuch Regiment, Battalion, or Corps of Militia, ſhall apply to every Man choſen by Lot, whoſe Time ſhall be within Four Months of expiring, and who in his Judgement, and after an Examination by the Surgeon of the Regiment, Battalion, or Corps, ſhall ſtill be fit to ſerve as a Militia Man, and inquire if he is willing to continue in the Service for ſuch Term as any Man who ſhould be then ballotted to ſerve would be ſubject to, and for what Price or Sum he will ſo continue; and ſuch Commanding Officer ſhall, on the Firſt Day of the Months of *January*, *March*, *May*, *July*, *September*, and *November* reſpectively, or as ſoon after as conveniently may be, tranſmit to the Clerk of the General Meetings of the County, Riding, or Place to which his Regiment, Battalion, or Corps of Militia, belongs, a Liſt of all ſuch Men in ſuch Regiment, Battalion, or Corps of Militia as he ſhall find willing to continue in the Service, in which Liſt ſhall be ſet down the Sums they are reſpectively willing to continue for, and which Liſt ſhall be ſigned by every ſuch Militia Man as aforeſaid, and ſhall be made in the following Form, *videlicet*:

Dated the Day of

Name of the County.	Names of the Men.	Of the Pariſh of	In the Hundred or other Diviſion of	Time of Service expires on the	Sum for which they engage to ſerve.	Signature of Conſent.
	A. B.	*P.*	*H.*			*A. B.*
	E. F.	*Q.*	*I.*			*E. F.*
	G. K.	*R.*	*N.*			*G. K.*

And

And that the ſigning of the ſaid Liſt ſhall be binding upon the Perſons ſigning the ſame, to all Intents and Purpoſes whatſoever. Signing the Liſt ſhall be binding.

CXXIV. And be it further enacted, That the Clerk of the General Meetings of every County, Riding, or Place aforeſaid, ſhall, as ſoon after the Receipt of ſuch Notices as the ſame can be done, tranſmit to the reſpective Clerks of the Subdiviſion Meetings, for the Uſe of the Deputy Lieutenants acting in ſuch Subdiviſions, correct Extracts of ſuch Returns, ſpecifying in every ſuch Extract the Men that ſhall have been inrolled for the Subdiviſion to which the Clerk, to whom any ſuch Extract is ſent, ſhall belong; and thereupon it ſhall be lawful for ſuch Deputy Lieutenants, if they ſhall think fit, to cauſe the Men willing to continue to ſerve as aforeſaid, to be enrolled as Volunteers for the particular and reſpective Pariſhes or Places for which they ſhall have been originally enrolled to ſerve, and in every ſuch Caſe to direct and require the Churchwardens or Overſeers of the Poor of ſuch Pariſh or Place, to remit the Bounty or Bounties to be given to ſuch Men to the Paymaſter of the Regiment, Battalion, or Corps, in which ſuch Men ſhall be then ſerving, who ſhall forthwith pay or account to the ſaid Men reſpectively for the ſame. Clerk of the General Meetings ſhall tranſmit to the Clerks of the Subdiviſions Extracts of the Returns, and the Deputy Lieutenants may cauſe the Men willing to continue, to be enrolled as Volunteers, and require the Pariſh Officers to remit their Bounties to the Paymaſter.

CXXV. And be it further enacted, That in caſe the Term of Service of any Perſon who ſhall have been choſen by Lot, and enrolled to ſerve in the Militia, ſhall be prolonged in the Manner herein directed beyond the Term of Five Years, then and in ſuch Caſe the Receiver General for the County, Riding, or Place, to which the Perſon ſo choſen by Lot and enrolled ſhall belong, ſhall, and he is hereby required forthwith to pay to the Captain or other Commanding Officer of each Company reſpectively, the Sum of One Guinea for every Perſon whoſe Time of Service ſhall be ſo prolonged, and ſhall in like Manner, ſo often as the Term of Service of any Perſon ſo choſen by Lot and enrolled to ſerve in the Militia, ſhall be prolonged as aforeſaid, pay the like further Sum of One Guinea, (all which Money ſo paid by the Receiver General ſhall be allowed him in his Account), and the Money ſo received by any Captain or 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 each reſpective Perſon ſo choſen by Lot and enrolled, and whoſe Time of Service ſhall be prolonged as aforeſaid, and ſuch Captain or Commanding Officer ſhall, on or before the Twenty-fourth Day of the Month next enſuing that in which he ſhall have received any ſuch Guinea, account to ſuch Perſon how the ſaid Sum or Sums have been applied and diſpoſed of, and ſhall, at the Time of ſettling ſuch Account as aforeſaid, pay over to him the Remainder of the ſaid Money, if any, which ſhall not have been ſo applied and diſpoſed of. Bounties to be paid, when the Term of Men choſen by Lot ſhall be prolonged beyond 5 Years, by the Receiver General for the County to the Captain of the Company for the Uſe of the Men;

CXXVI. And be it further enacted, That in caſe the Term of Service of any Subſtitute, hired Man, or Volunteer, ſerving in the Militia, ſhall, by reaſon of the Militia being embodied, continue beyond the Term of Five Years, then and in ſuch Caſe the Receiver General for the County, Riding, or Place to which ſuch Subſtitute, hired Man, or Volunteer ſhall belong, ſhall and he is hereby required forthwith to pay the Captain or other Commanding Officer of each Company reſpectively, the Sum of One Guinea for every Subſtitute, hired Man, or Volunteer, whoſe Term of Service ſhall ſo continue; and in caſe ſuch Term ſhall ſo continue for more than Three and alſo for Subſtitutes or Volunteers whoſe Term ſhall be ſo prolonged; and a like Bounty at the End of every 5 Years, they ſhall continue to ſerve beyond the 5 Years.

Years beyond the ſaid Term of Five Years, then, at the Expiration of the ſaid Three Years, the ſaid Receiver General ſhall pay the like further Sum of One Guinea for every Subſtitute, hired Man, or Volunteer, whoſe Term ſhall ſo further continue, and ſhall in like Manner, at the Expiration of every additional Term of Three Years, pay the like further Sum of One Guinea, (all which Money ſo paid by the Receiver General ſhall be allowed him in his Account); and the Money ſo received by any Captain or 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 each reſpective Subſtitute, hired Man, or Volunteer; and ſuch Captain or Commanding Officer ſhall, on or before the Twenty-fourth Day of the Month next enſuing that in which he ſhall have received ſuch Money as aforeſaid, account to ſuch Subſtitute, hired Man, or Volunteer, how the ſaid Sum or Sums have been applied and diſpoſed of, and ſhall at the Time of ſettling the Account as aforeſaid, pay over to ſuch Subſtitute, hired Man, or Volunteer, the Remainder of the ſaid Money (if any) which ſhall not have been ſo applied, diſpoſed of, and accounted for.

If any Subſtitute or Volunteer ſhall not join, or if any of them, or any Serjeant, Corporal, or Drummer ſhall deſert or abſent himſelf, he may be adjudged to further Service in the Militia, or to Service in the other Forces; and in the latter Caſe, if the Sentence be approved by His Majeſty, the Secretary at War, or his Deputy, may order him to be entered as a private Soldier, and conveyed to the Head Quarters of any Regiment, or for Recruits belonging to Regiments on Foreign Stations.

CXXVII. And be it further enacted, That if any Perſon ſworn and enrolled in the ſaid Militia, either as a Subſtitute or Volunteer, (not labouring under any Infirmity incapacitating him to ſerve as a Militia Man), ſhall not with due Diligence join the Regiment, Battalion, or Corps of Militia of the County, Riding, or Place, for which he ſhall be ſo ſworn and enrolled, (in caſe ſuch Regiment, Battalion, or Company ſhall then be embodied), according to ſuch Order as ſhall be given him in that reſpect by the Lieutenant or Deputy Lieutenants, or any of them, or by any Officer of the ſaid Regiment, Battalion, or Corps, or by any other Perſon authorized to give ſuch Order, or if any Perſon ſerving in any embodied Militia as a Subſtitute or Volunteer, or any Serjeant, Corporal, or Drummer, ſhall deſert or abſent himſelf from his Duty, every ſuch Serjeant, Corporal, Drummer, or private Militia Man ſhall be liable to be apprehended and puniſhed, according to the Proviſions of any Act which ſhall be then in force for the puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, and of the Articles of War made in purſuance of the ſame, and may by a General Court Martial be adjudged to further Service in the ſaid Militia for ſome Period to be limited, or to Service in His Majeſty's other Forces, without Limitation as to the Period or Place of ſuch Service, according as the Court Martial before whom he ſhall be tried, ſhall think fit to direct; and in caſe the ſaid Court ſhall adjudge ſuch Militia Man to ſerve in His Majeſty's other Forces, and ſuch Sentence ſhall be approved by His Majeſty, it ſhall be lawful, by Order under the Hand of the Secretary at War, or his Deputy, to cauſe ſuch Man, if found fit for general Service, on Examination by a Surgeon of His Majeſty's other Forces, to be entered as a private Soldier, to ſerve in ſuch Regiment or Corps of His Majeſty's other Forces as ſhall be directed in ſuch Order, or for general Service, and to be forthwith conveyed either to the Head Quarters of the Regiment or Corps in which he ſhall be ſo entered, or to the Head Quarters for Recruits belonging to His Majeſty's Regiments on Foreign Stations, (as the Caſe may require); and ſuch Subſtitute or Volunteer ſhall, from the Time of his being delivered over to be ſo conveyed as aforeſaid, be ſubject and liable to all the like Penalties and Puniſhments contained in any Act then in force for puniſhing Mutiny and

and Deſertion, as if he had been originally enliſted for general Service, or for the Regiment or Corps in which he ſhall be ſo ordered to be entered as aforeſaid.

When the whole Number enrolled for any Place ſhall have been ordered out, if any ſhall afterwards make Default, and not be taken within Three Months, the Vacancies ſhall be filled up by Ballot.

CXXVIII. And be it further enacted, That whenever the whole Number of Perſons enrolled in the ſaid Militia for any County, Riding, or Place, ſhall have been ordered to be drawn out and embodied as aforeſaid, and in caſe any of the Perſons ſo ordered to be drawn out and embodied, ſhall afterwards make Default, either by not appearing in purſuance of any ſuch Order as aforeſaid, or by Deſertion or Abſence from Duty, and ſuch Perſon ſhall not be taken within the Space of Three Months from the Time of ſuch Default, Deſertion, or Abſence, then a Vacancy ſhall be declared by the Deputy Lieutenants at their Firſt Meeting to be holden for the Subdiviſion for which ſuch Perſon was enrolled, next after the Receipt of the Certificate of ſuch Default, Deſertion, or Abſence, under the Hand of the Officer commanding the Regiment, Battalion, or Corps to which ſuch Perſon belonged, and the Vacancy thus occaſioned ſhall be forthwith filled up by a freſh Ballot.

If His Majeſty ſhall order the Militia, or a Proportion thereof, to be embodied, the County Lieutenant, *etc.* ſhall iſſue his Order to the Clerks of the Subdiviſions, to make out Liſts of all Perſons enrolled in each, by a certain Day, and a Duplicate Copy ſhall be made for the Uſe of the Deputy Lieutenants, and another tranſmitted to the Clerk of the General Meetings;

CXXIX. And whereas it may be expedient, that only ſuch a Proportion of the Militia, and in ſuch of the Counties, Ridings, and Places as ſhall be ſpecified in any Order of His Majeſty, ſhould be drawn out and embodied in the Firſt Inſtance, and that the Appointment of the private Men neceſſary to conſtitute ſuch Proportion, ſhould be made or decided by Ballot or otherwiſe as is herein-after mentioned in each Subdiviſion or Diſtrict, without aſſembling them previouſly out of the Subdiviſion or Diſtrict to which they belong; be it therefore enacted, That the Lieutenant of every County, Riding, or Place, or (in caſe of Vacancy, or in the Abſence of the Lieutenant from his County, Riding, or Place) any Three or more Deputy Lieutenants, to whom any Order of His Majeſty for the Purpoſe of embodying the ſaid Militia, or ſuch Part or Proportion thereof as His Majeſty ſhall have judged neceſſary, and ordered to be embodied, ſhall have been directed, ſhall, as ſoon after the Receipt thereof as conveniently may be, iſſue his or their Order to the Clerks of the ſeveral Subdiviſion Meetings in ſuch County, Riding, or Place, to prepare and make out a full and true Liſt, containing the Names of all Perſons enrolled to ſerve in the ſaid Militia by virtue of this Act, within each Subdiviſion reſpectively, and arranged according to their Claſſes as herein-before mentioned, before a Day to be ſpecified in the ſaid Order of the Lieutenant or Deputy Lieutenants as aforeſaid, and which Day ſhall not be later than Three Days after the Date of ſuch Order; and the ſaid Clerks ſhall within the Time fixed by ſuch Order, prepare and make out ſuch Liſts accordingly, and alſo Two Duplicates thereof, One of which Duplicates ſhall be for the Uſe of the Deputy Lieutenants at their reſpective Subdiviſion Meetings, and the other Duplicate thereof ſhall be tranſmitted to the Clerk of the General Meetings, for the Uſe of the Lieutenant of the County, Riding, or Place, or the Deputy Lieutenants who ſhall have iſſued ſuch Order as aforeſaid.

and he ſhall alſo iſſue Orders for aſſembling the Men within their reſpective Subdiviſions,

CXXX. And be it further enacted, That the ſaid Lieutenant or Deputy Lieutenants as aforeſaid, to whom His Majeſty's Order ſhall be directed, ſhall, at the Time of iſſuing his or their Order herein-before mentioned, alſo iſſue his or their Order for aſſembling all the Men of the ſaid Militia within their

and in such Proportions as shall appear most expedient; and the Constables shall cause written Notice to be given the Men to attend, and Notices of the Time and Place to be affixed upon the Church Doors.

their respective Subdivisions, or at such Place or Places within their respective Counties, Ridings, or Places, and in such Proportions as to the said Lieutenant or Deputy Lieutenants as aforesaid, shall appear most expedient, on the Day or Days to be specified in such his or their Order, to the Chief Constable, or other Officers of the several Hundreds, Rapes, Lathes, Wapentakes, or other Divisions within such County, Riding, or Place, with Directions immediately to issue Precepts conformable thereto to the Constables, Tythingmen, Headboroughs, or other Officers of the several Parishes, Tythings, and Places within the said Hundreds, Rapes, Lathes, Wapentakes, and Divisions respectively; 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 Men of the said Militia, or left at their usual Places of Abode, within their respective Parishes, Tythings, or Places, to attend within their respective Subdivisions or Districts, at the Time and Place mentioned in such Order, and shall also cause a like Notice thereof to be affixed on the Doors 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, which Notice shall be deemed a sufficient Notice to every Person enrolled by virtue of this Act, notwithstanding any Omission in the Delivery of written Notices in Manner herein directed; and all such Militia Men shall duly attend at the Time and Place appointed in such Notices respectively.

Men not appearing, or not abiding the Orders of the Deputy Lieutenants, to be deemed Deserters, and if not taken before the Ballot is completed, shall forfeit 10*l.* and be liable to be embodied.

CXXXI. And be it further enacted, That if any Person of the said Militia, not labouring under any Infirmity incapacitating him to serve as a Militia Man, shall not appear in pursuance of such Order, or appearing shall not abide the Orders of the Deputy Lieutenants attending in pursuance of this Act, every such Person shall be deemed a Deserter, and if not taken previously to the Completion of the Ballot at which such Person ought to attend in pursuance of this Act, shall forfeit the Sum of Ten Pounds, and shall be deemed and taken to be a Person liable to be embodied within the Intent and Meaning of this Act, and to serve according to the Directions herein contained, over and above the Number to be chosen by Ballot as aforesaid.

County Lieutenant, *etc.* to appoint the First Subdivision Meeting for balloting, and the Time and Place for assembling the Men chosen, of which the Deputy Lieutenants shall give Notice, and shall cause a Proportion of the Men to be ballotted for, and their Names marked on the List, which is

CXXXII. And be it further enacted, That the said Lieutenant or Deputy Lieutenants as aforesaid of every County, Riding, or Place, or any Three or more of them, shall appoint the First Meeting to be holden by the several Deputy Lieutenants of the same County, Riding, or Place within their respective Subdivisions, or at such other Place or Places as shall have been appointed as aforesaid, on the Day mentioned in such Order as aforesaid, for assembling the Men of the said Militia, in order to their being chosen or ballotted to serve according to the Directions of this Act, and shall also appoint the Time and Place of assembling such of the said Men as shall be so chosen or ballotted within their respective Counties, Ridings, or Places, in order to their being embodied; of which several Appointments the respective Deputy Lieutenants shall have Notice; and all the Men enrolled on the List of every such Subdivision or District, and appearing in pursuance of such Order on the Day so to be appointed, shall be then mustered by the said Deputy Lieutenants, and the said Deputy Lieutenants shall at such Meeting proceed in the Manner by this Act directed,

rected, to cauſe a Number of the Men ſo appearing to be choſen or ballotted for, according to the Directions of this Act, equal to ſuch Proportion of the complete Number that had been or ought to be enrolled by virtue of this Act, on the Liſt of ſuch Subdiviſion or Diſtrict, as ſhall or may be ſpecified in His Majeſty's Order for drawing out and embodying any Part or Proportion of the Militia as aforeſaid, and to cauſe the Names of all the Perſons choſen and ballotted to be marked on the Liſt of ſuch Subdiviſion or Diſtrict; and when the Choice and Ballot ſhall be concluded, the ſaid Deputy Lieutenants ſhall cauſe the Liſt of ſuch Subdiviſion or Diſtrict to be publickly called; and as the Name of each Perſon contained therein ſhall be read, ſhall then and there declare whether ſuch Perſon is or is not, (as the Caſe may be) choſen or ballotted out of ſuch Liſt in the Manner herein-before provided; and the Names of all the Perſons ſo choſen and ballotted, ſhall be returned to the Lieutenant of the County, Riding, or Place for which ſuch Perſons are enrolled, or to the Deputy Lieutenants who ſhall have given ſuch Order as aforeſaid; and the Perſons ſo choſen and ballotted, ſhall be embodied to ſerve according to the true Intent of this Act; and the ſaid Deputy Lieutenants ſhall openly declare to the Men who have been ſo choſen or ballotted, the Time and Place of their aſſembling, in order to their being embodied; and all and every ſuch Perſons or Perſon who ſhall have been declared to be ſo choſen or ballotted, ſhall immediately proceed and repair to, and ſhall duly attend at the Time and Place ſo to be appointed and declared, in order to their or his being embodied accordingly; and all and every ſuch Perſons or Perſon as ſhall be ſo declared not to have been ſo choſen or ballotted as aforeſaid, ſhall be diſcharged from further Attendance in purſuance of ſuch Order as aforeſaid.

to be called over, and the Names of the Perſons choſen ſhall be returned to the County Lieutenant, &c. and the Time and Place of their being to be embodied declared, and the Men not choſen ſhall be diſcharged from further Attendance.

CXXXIII. Provided always, and be it enacted, That it ſhall be lawful for the ſaid Deputy Lieutenants, in their ſeveral Subdiviſion Meetings, and before they proceed to chooſe or ballot, as herein-before directed, to reviſe and correct the Names of the Men contained in ſuch Claſs or Claſſes, according to the ſeveral Changes or Alterations that may have taken Place ſince the laſt Reviſal or Correction thereof.

Deputy Lieutenants may correct Claſſes.

CXXXIV. And be it further enacted, That, whenever His Majeſty ſhall think fit to draw out and embody a Part or Proportion only of the Militia of any County, Riding, or Place, the Deputy Lieutenants in their ſeveral Subdiviſions ſhall, before they proceed to chooſe or ballot for the private Men who are to form ſuch Part or Proportion, examine the Claſſes of the Deſcriptions herein-before mentioned, entered according to the Proviſions of this Act, and in every Caſe in which the Part or Proportion of the Militia required to be called out in ſuch Subdiviſion, ſhall equal the Number of Men contained in ſuch Firſt, or Firſt and Second, or other ſucceeding Claſſes in their Order, then and in ſuch Caſe the Men contained in ſuch Claſs or Claſſes, as the Caſe may be, ſhall be forthwith choſen without any Ballot; and when the Proportion of Men ſo required as aforeſaid, ſhall be leſs than the Number of Men contained in ſuch Firſt Claſs, then ſuch Proportion ſhall be ballotted for out of ſuch Claſs only, and no other; and when the Proportion ſo required as aforeſaid, ſhall exceed the Number of Men contained in the Firſt, or Firſt and any ſucceeding Claſs or Claſſes in the Order in which they ſhall ſo ſtand as aforeſaid, the Deputy Lieutenants ſhall firſt chooſe all the Men in ſuch Firſt Claſs, or

When His Majeſty ſhall order only a Part of any Militia to be embodied, the Deputy Lieutenants ſhall examine the Claſſes, and if the Number required ſhall equal the Firſt, or Firſt and Second or ſucceeding Claſſes in their Order, the Men contained therein ſhall be choſen without Ballot, but if leſs than the Firſt Claſs, the Number ſhall be ballotted for thereout

and if more than that and any ſucceeding Claſs in Order, ſuch Claſſes ſhall be firſt choſen, and the Remainder ballotted for out of the next Claſs to the laſt wholly taken; and in like Manner any further Proportion ſhall be ſupplied as well as Vacancies.

or Firſt and next ſucceeding Claſs or Claſſes, until ſuch Proportion ſhall be as near as may be completed, and ſhall then proceed to ballot in Manner directed by this Act for the Remainder of the Proportion ſo required as aforeſaid, out of the Claſs immediately following the laſt Claſs that ſhall have been wholly taken towards making up ſuch Proportion as aforeſaid; and the Deputy Lieutenants ſhall proceed in like Manner for the ſupplying of any further Part or Proportion of Militia, in caſe any further Part ſhould be afterwards ordered by His Majeſty to be embodied, and ſhall, during the Whole of the Time that a Part or Proportion only of the Militia ſhall remain embodied, ſupply all Vacancies, as they ſhall ariſe, in ſuch Part or Proportion, out of the Claſſes as they ſtand in Succeſſion, and ſhall in no Caſe proceed to ballot for the ſupplying of any Vacancy out of any Claſs, until all the Men contained in the preceding Claſs or Claſſes, who ſhall be able and fit to join ſuch Militia, ſhall have been choſen for that Purpoſe.

If any Perſon enrolled in any Subdiviſion of a County, the Militia whereof ſhall be ordered to be embodied, ſhall deſert or be abſent, and ſhall not be taken within Three Months, the Vacancy ſhall be filled up by a freſh Ballot.

CXXXV. And be it further enacted, That whenever the Militia, or any Part or Proportion of the Militia of any County, Riding, or Place, ſhall have been ordered to be drawn out and embodied in purſuance of this Act, in caſe any of the Perſons enrolled in any Subdiviſion of ſuch County, Riding, or Place, the Militia whereof ſhall be ſo ordered to be drawn out and embodied as aforeſaid, ſhall make Default either by not appearing in purſuance of any ſuch Order as aforeſaid, or by Deſertion or Abſence from Duty, and ſuch Perſon ſhall not be taken within the Space of Three Months from the Time of ſuch Default, then a Vacancy ſhall be declared by the Deputy Lieutenants, at their Firſt Meeting to be holden for the Subdiviſion for which the Perſon ſo making Default was enrolled, next after the Receipt of the Certificate of ſuch Default, Deſertion, or Abſence, under the Hands of the Officer commanding the Regiment, Battalion, or Corps, to which ſuch Perſon belonged, and the Vacancy thus occaſioned ſhall be forthwith filled up by a freſh Ballot within the Subdiviſion aforeſaid.

Any Perſon enrolled and not choſen, not having a Child under 14, and not being more than 35 Years old, may be accepted as a Volunteer.

CXXXVI. And be it further enacted, That if any Perſon enrolled by virtue of this Act, and not choſen or ballotted as aforeſaid, who ſhall not have any Child or Children living under the Age of Fourteen Years, and who ſhall not be more than Thirty-five Years of Age, ſhall offer himſelf as a Volunteer, to be drawn out and embodied in the Room of any Perſon ſo choſen or ballotted, it ſhall be lawful for the Deputy Lieutenants at any Meeting, to accept ſuch Volunteer in the Room of ſuch Perſon ſo choſen or ballotted as aforeſaid, and ſuch Perſon ſo accepted ſhall ſerve as if he had himſelf been ſo choſen or ballotted in Manner aforeſaid.

Men attending at the Ballot, and not being choſen, ſhall be paid by the Clerk 1*s. per Diem* while from Home, which the Receiver General of County ſhall reimburſe.

CXXXVII. And be it further enacted, That every Man of the ſaid Militia who ſhall appear and attend at the Ballot to be taken as herein-before directed, and who ſhall not be choſen or ballotted as aforeſaid, ſhall be entitled to an Allowance, after the Rate of One Shilling *per Diem*, during the Time he ſhall be neceſſarily employed from Home, in going to, and continuing at, and returning from the Place to be appointed for ſuch Ballot, not to exceed Three Days, to be paid by the Clerk of the Subdiviſion or other Meeting in which ſuch Men ſhall be enrolled; and on the Certificate of the Number of Men ſo paid, under the Hands of ſuch Deputy Lieutenants and Juſtices of the Peace reſpectively, or where no Deputy Lieutenant

tant ſhall there attend, then of any One ſuch Juſtice of the Peace as aforeſaid, the Receiver General of ſuch County, Riding, or Place, ſhall reimburſe to the ſaid Clerk the Sums ſo paid, out of any Monies in his Hands of any Aid granted by Parliament by Way of Land Tax.

Clerks may draw upon the Receivers General, by Order of the Deputy Lieutenants, *etc.* for Money to pay Allowances.

CXXXVIII. And be it further enacted, That the reſpective Clerks of the Subdiviſion or other Meetings ſhall be and they are hereby authorized and empowered to draw on the Receiver General of the Land Tax for the County, Riding, or Place, for ſuch Sum or Sums of Money as ſuch Deputy Lieutenants and Juſtices of the Peace reſpectively, or where no Deputy Lieutenant ſhall attend, then as One Juſtice of the Peace ſhall, by any Order under their or his reſpective Hands or Hand, direct and appoint, which Sum or Sums of Money ſhall be applied by ſuch reſpective Clerks for paying the Allowances herein-before directed to be made; and the Receipt of any ſuch Clerk, together with ſuch Order, ſhall be to the ſaid Receiver General of the Land Tax a ſufficient Diſcharge for the Payment of ſuch Sum or Sums of Money, and be allowed in his Account.

Clerks when required to make out Accounts of Monies received and paid, to be examined and allowed.

CXXXIX. And be it enacted, That the Clerk of each Subdiviſion or other Meeting ſhall, when required by ſuch Deputy Lieutenants and Juſtices of the Peace, or where no Deputy Lieutenant ſhall attend, then by One Juſtice of the Peace, make out an Account of the reſpective Sums of Money by him received and paid, in purſuance of this Act, to be by them examined, allowed, and ſigned; and the Account ſo examined, allowed, and ſigned, ſhall be and is hereby directed to be the proper Voucher and Acquittal of ſuch Clerk for the Application and Diſpoſal of ſuch Money.

His Majeſty may order the Remainder of the Militia to be embodied.

CXL. And be it further enacted, That nothing herein contained ſhall be conſtrued to debar His Majeſty from ordering the Remainder of the ſaid Militia, or ſo many of the Remainder of the ſaid Militia of any County, Riding, or Place, as His Majeſty ſhall in His Wiſdom think proper, to be drawn out and embodied whenever the Occaſion ſhall require, according to the Proviſions preſcribed by this Act.

When His Majeſty ſhall order any further Proportion of the Militia to be embodied, the County Lieutenant and other Officers ſhall purſue the Rules preſcribed for embodying the Firſt Proportion.

CXLI. And be it further enacted, That whenever His Majeſty ſhall think fit to draw out and embody any further Proportion of the Militia of any County, Riding, or Place, it ſhall be lawful for the Lieutenant of ſuch County, Riding, or Place, or Three or more Deputy Lieutenants as aforeſaid, and he and they is and are hereby reſpectively required to cauſe ſuch further Proportion to be drawn out and embodied as His Majeſty ſhall order; and in ſo doing ſuch Lieutenants and Deputy Lieutenants reſpectively, and alſo all and every the Deputy Lieutenants, and all other Officers aforeſaid reſpectively, ſhall purſue the Rules and Directions herein-before preſcribed for drawing out and embodying the Firſt Proportion thereof.

While any Part of the Militia ſhall continue embodied, His Majeſty may order any not embodied, to be drawn

CXLII. And be it further enacted, That, if during ſuch Time as any Part of the Militia which ſhall have been drawn out and embodied for Service, ſhall continue embodied, His Majeſty ſhall deem it expedient that the Militia of any County, Riding, or Place, or any Part thereof, which ſhall not at ſuch Time be actually embodied for Service, ſhould be drawn out in

out to be mustered, trained, and exercised.

in order to be mustered, trained, and exercised, for a limited Time, instead of being so embodied for Service, according to the Provisions of this Act, it shall be lawful for His Majesty to direct the Lieutenants or Deputy Lieutenants of all or any of the said Counties, Ridings, or Places, to cause the said Militia not actually embodied, or any Part thereof, to be drawn out, in order to be mustered, trained, and exercised, in such Proportion, and for such Time, and at such Place or Places, as shall be appointed, with the Approbation of His Majesty, by the Lieutenant or Deputy Lieutenants, in Manner as is herein-before directed for training and exercising the disembodied Militia; and the same shall be mustered, trained, and exercised accordingly.

When the whole Militia of any County, *etc.* is ordered to be embodied, all the Officers, Non-commission Officers, and Drummers shall join, and when a Part, such a Proportion of them as shall be directed by His Majesty, who shall regulate the Numbers and Duties of those remaining in the County, *etc.* for mustering, *etc.* the Remainder of the Privates.

CXLIII. And be it further enacted, That, whenever the Whole of the Militia of any County, Riding, or Place is ordered to be embodied, all the Officers, Non commissioned Officers, and Drummers of every Regiment, Battalion, or Corps of the Militia of such County, Riding, or Place, shall immediately join the Regiment, Battalion, or Corps to which they respectively belong at the Time and Place appointed for the embodying such Militia; and whenever the Militia of any County, Riding, or Place, is called out and embodied by Detachments or Divisions, under any Order of His Majesty for that Purpose, pursuant to the Provisions of this Act, it shall be lawful for His Majesty to order and direct the Proportion and Description of Officers, Non-commissioned Officers, and Drummers, who shall accompany such Detachments or Divisions of Men, and the respective Establishments of such Detachments or Divisions, and also to regulate the Numbers and Duties of all such Officers, Serjeants, Corporals, and Drummers, as shall remain within any such County, Riding, or Place, for the mustering, training, and exercising of the Remainder of the private Militia Men thereof, as the Service may require, and to His Majesty may seem most fit and convenient.

His Majesty may disembody the Militia, and embody them, as to Him shall seem necessary, according to the Provisions of this Act.

CXLIV. And be it further enacted, That it shall be lawful for His Majesty from Time to Time, as He shall think fit, to disembody any Part or Proportion of any Militia of any County, Riding, or Place, embodied under this Act, and from Time to Time again to draw out and embody any such Militia so disembodied as aforesaid, or any Proportion thereof, as to His Majesty shall seem necessary, according to the Rules and Provisions of this Act.

Militia when disembodied to be subject to the same Orders only as before being drawn out.

CXLV. And be it further enacted, That when the Militia, or any Part thereof, having been so drawn out into actual Service as aforesaid, shall be again duly disembodied, and the Officers and Men thereof dismissed to return to their several Places of Abode, the Officers, Non-commissioned Officers, Drummers, and private Men, shall be subject to the same Orders, Directions, and Engagements only, as they were subject to under the Provisions of this Act, before they were so drawn out into actual Service as aforesaid.

In case of Invasion or Rebellion, His Majesty may, by Proclamation, increase the Militia, not exceeding

CXLVI. And whereas it may be expedient that, in all Cases of actual Invasion, or of imminent Danger thereof, and in case of Rebellion, His Majesty should be empowered to increase, without Delay, the Number of Militia Forces, for the more effectual Protection and Defence of this Realm; be it therefore enacted, That it shall be lawful for His Majesty (the Occasion being first

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, by His Royal Proclamation, that in Addition to the Number of Men required by or under the foregoing Provisions of this Act, to be raised by the several Counties, Ridings, and Places herein mentioned, there shall be forthwith raised and enrolled in the said several Counties, Ridings, and Places, any Number of Men not exceeding the Proportion of One Half of the whole Number of Men before required by or under this Act, to be raised by each County, Riding, and Place; and the Lieutenants and Deputy Lieutenants respectively of the said Counties, Ridings, and Places shall, immediately on the issuing of any such Proclamation, assemble and forthwith proceed to apportion the Number of Men required to be raised in their respective Counties, Ridings, and Places, among the several Hundreds, Rapes, Lathes, Wapentakes, or other Divisions, and also among the several Parishes, Tythings, or Places, therein respectively; and shall thereafter proceed to raise and enrol such Men, at such Time or Times as shall be specified for that Purpose in such Proclamation; and all the Powers, Provisions, Regulations, Rules, Penalties, Forfeitures, Bounties, Allowances, Clauses, Matters, and Things, in this Act contained, relative to the Militia, shall be applied, practised, enforced, and put in Execution, for the raising, training, and exercising, and for the embodying and calling out into actual Service the Supplementary Militia so ordered and directed to be raised and enrolled, in as full and ample a Manner in every Respect, as far as the same can be applied and put in Force, as if the said Number of Men so added to the Militia had been included in the Number of Men required and directed to be raised by virtue of this Act.

Half the Number required by this Act, and the County Lieutenants and Deputies shall apportion the Number, and proceed to raise and enrol the Men at such Time as shall be specified in the Proclamation.

CXLVII. And be it further enacted, That, whenever His Majesty shall cause the Supplementary Militia to be raised and enrolled, or 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.

When the Supplementary Militia is raised, His Majesty shall issue a Proclamation for the Meeting of Parliament within 14 Days.

CXLVIII. And be it further enacted, That it shall be lawful for His Majesty, from Time to Time (whenever he shall deem it expedient to reduce the Whole, or any Part of the Supplementary Militia by His Royal Proclamation to declare such Reduction accordingly; and in case the said Supplementary Militia, or any Part thereof, shall be then embodied), to disembody the same, or any Number of private Militia Men equal thereto, without Regard to whether such Men were raised and inrolled in pursuance of any Proclamation for raising the Supplementary Militia, or were inrolled before, and were serving at the Time of the issuing thereof; and the private Militia Men so disembodied as aforesaid, or so many of them as may have been inrolled and not embodied at the Time of issuing such Proclamation, shall nevertheless remain liable to serve for the respective Periods for which they shall have been respectively inrolled to serve, and shall, during such Periods, supply all the Vacancies that may arise in the respective Parishes or Places, or United Parishes or Places, for which they shall

His Majesty, by Proclamation, may reduce and disembody the Supplementary Militia, and the Privates so disembodied, or those enrolled and not embodied, shall remain liable to serve for the Periods for which enrolled, and shall supply Vacancies; and no Ballot shall take place while Vacan-

cies can be supplied from them, but they shall not be liable to supply Vacancies for any other Place than that for which originally enrolled.

shall have been so inrolled, whenever called upon so to do; and the Deputy Lieutenants of the respective Subdivisions shall, from Time to Time, cause any Man or Men, as the Case may be, that may be required for supplying any Vacancy or Vacancies in the established Militia that may arise for any Parish or Place, or United Parishes or Places in their respective Subdivisions, to be taken from their respective Classes as aforesaid, or ballotted as the Case may require, according to the Provisions in this Act contained, relating to the taking Men for the Militia from Classes, until all the Men so remaining liable, and that shall be fit to serve, shall have supplied such Vacancies: Provided always, that no Ballot shall take place for the raising and inrolling any Man to supply any Vacancy that may arise from any Parish or Place, so long as the same can be supplied from any Men, or by any Man, then inrolled for such Parish or Place that shall remain liable and be fit to serve: Provided also, that no Man so remaining liable to serve as aforesaid for any Parish or Place shall be called upon, or be liable to supply any Vacancy arising for any other Parish or Place, than that for which he shall be originally inrolled to serve under the Provisions of this Act: Provided also, that no such Man so remaining liable to supply such Vacancy as aforesaid shall, during the Time he so remains liable, be capable of being enlisted into His Majesty's regular Forces.

The Powers given with respect to *Northumberland* to extend to *Berwick-upon-Tweed*; and if Persons can be found there with the requisite Qualifications, the Chief Magistrate shall appoint Five Deputy Lieutenants, and a proportionate Number of Officers to the Men, and they shall join the Militia of *Northumberland*.

CXLIX. And be it further enacted, That all the Powers given and Provisions made by this Act, with respect to the County of *Northumberland* and the Militia thereof shall extend to the Town of *Berwick-upon-Tweed* and the Liberties thereof (except only in such Cases where by this Act it is otherwise expressly provided for); and that out of the Persons returned in the Lists for the said Town of *Berwick-upon-Tweed*, a Number of private Militia Men shall be chosen by Ballot to serve for the said Town, in the same Proportion with the private Militia Men appointed to serve for the other Hundreds, Wards, and other Divisions within the said County of *Northumberland*; and if Persons can be found within the said Town and Liberties thereof with such Qualifications as are required for Deputy Lieutenants and Officers within Cities and Towns which are Counties of themselves, the Chief Magistrate of the said Town of *Berwick-upon-Tweed* shall appoint Five Deputy Lieutenants, and such Number of Officers of the Militia as shall be proportional to the Number of Militia Men which the said Town shall raise as their Quota towards the Militia of the County of *Northumberland*; and the Lieutenant of the said County, and Deputy Lieutenants, and all other Officers and Persons acting in the Execution of this Act, for raising and training the Militia within the said County, are hereby authorized and required to put this Act into Execution within the said Town and the Liberties thereof, but subject nevertheless to such Penalties as are inflicted upon Deputy Lieutenants and other Officers of the Militia for acting not being duly qualified; and that the Militia Men to be chosen for the said Town shall join the Militia of the County of *Northumberland*, and be exercised together, and shall then, and also in Time of actual Service, be deemed Part of the Militia of the County of *Northumberland*.

Governor of the Isle of *Wight* to appoint the Officers, &c. of that Mili-

CL. And whereas the ordering the Militia of the Isle of *Wight* has always been in the Governor or Lieutenant Governor of the said Island; be it enacted, That after the Number of Persons which the said Island is to furnish to the Militia of the County of *Southampton* shall have been appointed,

as by this Act is directed, by His Majesty's Lieutenant and the Deputy Lieutenants, or by the Deputy Lieutenants of the said County at large, the Governor of the said Island shall appoint the Officers of the Militia to be raised in the said Island, and shall and is hereby empowered and required to act in the Execution of this Act, in the same Manner as His Majesty's Lieutenants of Counties are hereby empowered and required to act, and shall appoint Five or more Deputies to act for him in and for the said Island, which Deputies and Officers of the Militia shall be qualified in the same Manner, and are hereby empowered and required to act in the Execution of this Act, in the same Manner and under the same Directions, Provisions, and Penalties, as Deputy Lieutenants and Officers of the Militia in the several Counties within the Dominion of *Wales*, are by this Act subject to, and the Militia of the said Island shall be raised in the same Manner as the Militia of the County of *Southampton*, and shall be deemed a Part of the Militia of the said County; and after the same shall be so raised, the said Governor, Lieutenant Governor, and Deputies, shall order and direct the training and exercising the said Militia within the said Island, in the same Manner as His Majesty's Lieutenants and the Deputy Lieutenants are by this Act authorized and directed to do in any County within that Part of *Great Britain* called *England*, and the Militia so raised within the said Island shall be continued and remain within the said Island as an internal Defence thereof, unless His Majesty shall otherwise order and direct.

tia, who are to have the same Qualification as in *Wales*.

The Militia of the Isle to be raised as and deemed Part of the Militia of the County of *Southampton*, and shall remain therein, unless otherwise ordered by His Majesty.

CLI. And be it further enacted, That, for the several Purposes of this Act, the Constablery of *Craike*, which is a Parcel of the County of *Durham*, surrounded by Part of the North Riding of the County of *York*, shall be deemed to be situate within and Part of the said North Riding; and that Part of the Parish of *Maker*, which lies in the County of *Cornwall*, shall be deemed to be situate within and Part of the County of *Cornwall*; and that the Town and Parish of *Wokingham* shall be deemed to be situate within and Part of the County of *Berks*; and that the Township of *Filey* shall be deemed to be situate within and Part of the East Riding of the County of *York*; and that *Threapwood* shall be deemed to be situate within and Part of the Parish of *Worthenbury*, in the County of *Flint*; and that the Parish of *Saint Martin*, called *Stamford Baron*, in the Suburbs of the Borough and Town of *Stamford*, on the South Side of the Waters called *Welland*, shall be deemed to be situate within and Part of the County of *Lincoln*.

Craike to be deemed Part of the North Riding of *Yorkshire*, the Part of *Maker* lying in *Cornwall* to be deemed Part of that County, *Wokingham* Part of *Berks*, *Filey* of the East Riding of *Yorkshire*, *Threapwood* of *Flintshire*, and *Stamford Baron* of *Lincolnshire*;

CLII. And be it further enacted, That the several Towns and Places hereinbefore mentioned, and deemed to be situate within and Part of the several Counties, Ridings, and Places aforesaid, for the Purposes of this Act, shall be subject to the Jurisdiction and Authority of the Lieutenants, Deputy Lieutenants, Justices of the Peace, and other Officers of the respective Counties, Ridings, and Places, within which such Towns and Places are hereby deemed to be situate; any Law, Usage, or Custom to the contrary notwithstanding.

and shall be subject to the Authority, &c. of the Lieutenants of those Counties.

CLIII. And whereas the Militia of the City of *London* are now raised and regulated under and by virtue of Two several Acts passed in the Thirty-sixth and Thirty-ninth Years respectively of the Reign of His present Majesty: And whereas the Militia of the Tower Hamlets are now raised and regulated by Two several Acts passed in the Thirty-seventh Year of

Act to extend to the Militia of *London*, and the Militia of the Tower Hamlets, as to Matters to which 26 Geo. 3. c. 107. extended.

His preſent Majeſty's Reign, and the ſame are thereby reſpectively made ſubject to certain of the Proviſions contained in the ſaid recited Act of the Twenty-ſixth Year of the Reign of His preſent Majeſty, by this Act repealed; be it therefore enacted, That, from and after the paſſing of this Act, all and every the Clauſes, Proviſions, Powers, Authorities, Puniſhments, Bounties, Penalties, Forfeitures, Matters, and Things in this Act contained, in relation to any Perſons, Acts, Matters, and Things as to which the ſaid Act of the Twenty-ſixth Year aforeſaid, or any of the Clauſes or Proviſions thereof, were in force or applicable as to the ſaid reſpective Militias, ſhall, from and after the paſſing of this Act, be applied, practiſed, and put in full Force as to all ſuch Perſons, Matters, and Things, as far as the ſame can be applied, and are not contrary to any of the Proviſions of the ſaid reſpective Acts, or any or either of them, as fully and effectually in all Reſpects, as if the ſaid Acts and this Act, and the reſpective Proviſions thereof, were conſolidated into One Act: Provided always, that nothing in this Act contained ſhall be conſtrued to extend to repeal any of the Proviſions of the ſaid Acts, or either of them, other than ſuch as are in and by the ſaid Acts made ſubject to the Rules, Regulations, Clauſes, Powers, and Proviſions of the ſaid recited Act of the Twenty-ſixth Year aforeſaid.

Warden of the Stannaries to continue to array, *etc.* the Tinners of *Devon* and *Cornwall.*

CLIV. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend to the Tinners in the Counties of *Devon* and *Cornwall*, but that the Warden of the Stannaries, in purſuance of His Majeſty's Commiſſion in that Behalf, and ſuch as he ſhall commiſſionate and authorize under him, ſhall have and uſe the like Powers, and array, aſſeſs, arm, muſter, and exerciſe the ſaid Tinners within the ſaid Counties, or either of them, as hath been heretofore uſed, and according to the ancient Privileges and Cuſtoms of the ſaid Stannaries.

Warden of the Cinque Ports, and his Lieutenants, may act as County Lieutenants and their Deputies.

Militia of the Ports to remain ſeparate from the Militia of the Counties, and may be drawn out into actual Service, though the Pay advanced may not have been reimburſed, *&c.*

CLV. And be it further enacted, That the Warden of the Cinque Ports, Two ancient Towns, and their Members, and in his Abſence his Lieutenant or Lieutenants, ſhall put in Execution within the ſaid Ports, Towns, and Members, all the Powers and Authorities given and granted by this Act, in the like Manner as Lieutenants of Counties and their Deputy Lieutenants may do; and ſhall keep up and continue the uſual Number of Soldiers in the ſaid Ports, Towns, and Members, unleſs he or they find cauſe to leſſen the ſame; and the Militia of the ſaid Ports, Towns, and Members, ſhall remain ſeparate from the Militia of the ſeveral Counties, within which the ſaid Ports, Towns, and Members are ſituate; and it ſhall be lawful for the ſaid Warden, or his Lieutenant or Lieutenants, in purſuance of Orders from His Majeſty, in the Manner preſcribed by the Act of the Thirteenth and Fourteenth Years of King *Charles* the Second, notwithſtanding One or more Months Pay advanced be not reimburſed, to raiſe and draw out the Soldiers into actual Service, and to cauſe the Perſons charged as by the ſaid Act to provide their Soldiers with Pay in Hand, not exceeding One Month's Pay, in ſuch Manner as if all the Pay advanced and provided had been reimburſed; and to uſe the like Powers, and to array, aſſeſs, and arm, muſter and exerciſe the ſaid Soldiers, and to make Aſſeſſments, and iſſue Warrants for the Aſſeſſments made or to be made for raiſing any Trophy Money, and for defraying the neceſſary Charges of Trophies, and other incident Expences of the Militia of the ſaid Ports, Towns, and Members, as hath been heretofore uſed, and

and according to their ancient Privileges and Cuſtoms; any Thing in the ſaid Act or this Act to the contrary notwithſtanding.

Churchwardens and Overſeers in *Suſſex* and *Kent* to make Returns of Men liable to ſerve, &c. and to have the ſame Powers as Conſtables in other Places.

CLVI. And whereas, for the different Rapes in the Counties of *Suſſex* and Eaſt *Kent*, there are no Peace Officers who can act officially for ſuch Rapes: And whereas the Rapes in the ſaid Counties are the moſt convenient Diſtricts to be appointed as the Subdiviſions for the Deputy Lieutenants to execute the ſeveral Purpoſes directed by this Act, and do contain within their Boundaries ſeveral Hundreds, to each of which there is a Peace Officer belonging: And whereas the Boroughs and Tythings over which there are Headboroughs, Tythingmen, or other Peace Officers, are uncertain in their Boundaries, and often include Parts of various Pariſhes, from which great Inconveniencies ariſe both in ballotting for the Men to be drawn by Lot for the Service of the ſaid Militia, and alſo in the Payment of the Money directed to be paid by the Pariſhes to thoſe who may be allotted to ſerve: And whereas it would be more expedient that the ballotting for Men to ſerve in the ſaid Militia for the Counties of *Suſſex* and *Kent* ſhould be by the Diviſion of Pariſhes, to which Diviſion there are no Peace Officers; be it therefore enacted, That His Majeſty's Lieutenant, or on his Death or Removal, or in his Abſence, any Three or more Deputy Lieutenants of the Counties of *Suſſex* and *Kent* reſpectively, may and ſhall iſſue out his or their Orders to the Chief Conſtable of the ſeveral Hundreds in the Rapes in the ſaid Counties where their Subdiviſions may have been or may be appointed, directing ſuch Chief Conſtables to iſſue their Precepts and Orders to the Churchwardens or Overſeers of the Poor of each Pariſh within their reſpective Hundreds or other Diviſions, to return to the Deputy Lieutenants within their reſpective Subdiviſions, at the Place and on the Days by them directed, fair and true Liſts in Writing of the Names of all the Men uſually dwelling within their reſpective Pariſhes, between the Ages of Eighteen and Forty-five, diſtinguiſhing their reſpective Ranks and Occupations, and in like Manner in every Reſpect and for ſuch ſeveral Purpoſes as are by this Act directed to be done and performed by the Conſtables, Tythingmen, Headboroughs, or other Officers of each Pariſh, Tything, or Place, within their reſpective Hundreds, or other Diviſions; and that the Churchwardens and Overſeers of the Poor of the ſeveral Pariſhes in the ſaid Counties to whom ſuch Precepts and Orders ſhall be iſſued, ſhall, for the Purpoſes of this Act, be deemed the Officers of ſuch Pariſh, and ſhall be inveſted with the ſame Powers and Authorities, and be liable to the ſame Pains, Penalties, and Forfeitures, as the Conſtable, Tythingman, Headborough, or other Officer of any Pariſh, Tything, or Place, is inveſted with, or ſubject and liable to by virtue of this Act.

County Lieutenants, *etc.* to tranſmit certified Returns of the Militia, and Times of Exerciſe, to the Clerks of the Peace annually, on or before *Dec.* 25, to be filed amongſt the Records of the Quarter Seſſions.

CLVII. 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 ſhould contribute equally towards the Expence of raiſing and ſupporting a Militia for the Defence of the Realm; 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 Twenty-fifth Day of *December* in every Year, tranſmit a Certificate to the Clerk of the Peace, containing an Account of the Names, Number, and Rank of the Officers, and

and the Number of Non-commiſſioned Officers, Drummers, and private Men of the Militia of that Year, and the Time during which ſuch Militia hath been trained and exerciſed; and every ſuch Clerk of the Peace ſhall deliver ſuch Certificate to the Juſtices of the Peace at their General Quarter Seſſions, to be held next after the Twenty-fifth Day of *December* in every Year, 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 amongſt the Records of ſuch Seſſion.

Where no ſuch Returns are received, the ſame ſhall be certified by the Clerk of the Peace, and alſo filed,

CLVIII. And be it further enacted, That in every County, Riding, or Place, in which the full Number of Men required by or in purſuance of any of the Proviſions of this Act, as the Quota of ſuch County, Riding, or Place, ſhall not be raiſed and completed within Six Months after the paſſing of this Act, or after the ſame ſhall have been fixed and eſtabliſhed by any ſubſequent Order of His Majeſty in Council as herein-before directed, then and in every ſuch Caſe the Sum of Ten Pounds ſhall be annually paid for and in lieu of every private Militia Man leſs than the Quota of ſuch County, Riding, or Place, who ſhall not have been raiſed within the Time limited by this Act; and the Juſtices of the Peace and Magiſtrates of every ſuch County, Riding, and Place, aſſembled at the General or Quarter Seſſions of the Peace to be held next after the Expiration of the ſaid Six Months, ſhall, upon the Receipt of the Certificate of the Lieutenant, or Three Deputy Lieutenants, which Certificate he and they is and are hereby required to tranſmit to the Clerk of the Peace for ſuch County, Riding, or Place, in order to be laid before the ſaid Juſtices and Magiſtrates reſpectively at ſuch Seſſions, rate and aſſeſs the ſaid Sum of Ten Pounds *per* Man as aforeſaid upon every ſuch County, Riding, or Place; and in caſe at any future Time the Number of Men required to be provided for the Militia of any County, Riding, or Place, according to the ſeveral Proviſions of this Act, ſhall not be provided within Three Calendar Months after the Lieutenant, or any One of the Three Deputy Lieutenants, ſhall have had Notice from or by the Order of the Commanding Officer of any Regiment, Battalion, or Corps of ſuch Militia of any ſuch Deficiency, then and in every ſuch Caſe the Juſtices and Magiſtrates as aforeſaid aſſembled at the next General or Quarter Seſſions of the Peace holden for the County, Riding, or Place, after ſuch Deficiency ſhall have been made known to them by the Lieutenant or Deputy Lieutenants as aforeſaid, ſhall rate and aſſeſs the like Sum of Ten Pounds for every Man ſo deficient as aforeſaid, upon every County, Riding, or Place.

Where the Quota of any County, &c. ſhall not be raiſed within a limited Time, 10 *l.* ſhall be paid for each Man deficient, for which the Juſtices in Seſſions ſhall make an Aſſeſſment.

CLIX. And be it further enacted, That the Juſtices and Magiſtrates aforeſaid, in making any ſuch Rate and Aſſeſſment upon the Whole of any County, Riding, or Place, ſhall apportion the Sums ſo to be aſſeſſed as aforeſaid, and rate and aſſeſs the ſame upon the ſeveral Pariſhes and Tythings in ſuch County, Riding, or Place, in the ſame Proportions in which the Men for the Militia are required to be raiſed by ſuch Pariſhes and Tythings reſpectively, according to ſuch Appointment as may have been made thereof in purſuance of this Act, or to the laſt Apportionment that ſhall have been made of Men to be raiſed by each Pariſh and Tything.

Such Aſſeſſments upon Counties to be made on each Pariſh, proportionally to the Number of Men it is required to raiſe.

CLX. And be it further enacted, That when in any County, Riding, or Place, ſuch Deficiency of Men ſhall ariſe from the Default of any particular Pariſh or Tything, or Pariſhes or Tythings, in ſuch County, Riding, or Place, in not raiſing the Proportion or reſpective Proportions of Men required to be raiſed by any ſuch Pariſh or Tything, or Pariſhes or Tythings, then and in ſuch Caſes the ſaid Juſtices and Magiſtrates, in making ſuch Rate and Aſſeſſment as aforeſaid, ſhall rate and aſſeſs all and every ſuch Sum and Sums of Money upon ſuch Pariſh or Tything, or Pariſhes or Tythings, that ſhall have ſo made Default as aforeſaid, in Proportion to the Number of Men by which each of ſuch Pariſhes or Tythings ſhall fall ſhort of the Number of Men required to be raiſed therein.

When the Deficiency ſhall ariſe in any particular Pariſh or Pariſhes, the Aſſeſſment ſhall be made thereon.

CLXI. And be it further enacted, That the Juſtices and Magiſtrates of the ſeveral Counties, Ridings, and Places, where any ſuch Rate and Aſſeſſment ſhall be made as aforeſaid, ſhall, immediately after the making of any ſuch Rate and Aſſeſſment as aforeſaid, tranſmit or cauſe to be tranſmitted the ſeveral Amounts of the Sums ſo aſſeſſed upon the ſeveral Pariſhes and Tythings, to the Treaſurer or Treaſurers of ſuch County, Riding, or Place; and ſuch Treaſurer or Treaſurers ſhall, as ſoon as conveniently may be, cauſe Notice thereof to be given to the reſpective Overſeers of the Poor of the ſeveral Pariſhes and Tythings upon which any ſuch Rate or Aſſeſſment ſhall have been made as aforeſaid; and ſuch Overſeers ſhall, within Fourteen Days after ſuch Notice as aforeſaid of ſuch Rate or Aſſeſſment, pay the Amount of the Rate or Aſſeſſment made upon their reſpective Pariſhes or Tythings, out of any Money in their or any of their Hands, of the Rates for the Relief of the Poor; and if they or any of them ſhall not have ſufficient of ſuch Money for that Purpoſe, then ſuch Overſeers ſhall, and they are hereby required to make a Rate ſufficient to ſatisfy ſuch Rate and Aſſeſſment; and it ſhall be lawful for the ſaid Overſeers to levy and collect the ſame in ſuch Manner as Rates made for the Relief of the Poor, or any other Rates made for the Purpoſes of this Act, may be levied and collected.

Juſtices to tranſmit the Amount of the Sums aſſeſſed to the County Treaſurer, who ſhall give Notice to the Overſeers of the Poor, who ſhall pay the Money on the Poor Rates.

CLXII. And be it further enacted, That the Treaſurer or Treaſurers receiving any ſuch Sum or Sums of Money, ſhall retain ſuch Sum or Sums of Money in his or their Hands for Three Calendar Months after the Receipt thereof, and during the ſaid Period of Three Months it ſhall be lawful for any Deputy Lieutenant of the Subdiviſion of the ſaid County, Riding, or Place, within which ſuch Pariſh, Tything, or Place ſhall be ſituate, to raiſe any Volunteer or Volunteers for ſuch Militia, in lieu of ſuch Man or Men as ſhall be ſo deficient as aforeſaid, and to agree with every ſuch Volunteer for a Bounty not exceeding the Sum of Ten Pounds; and the Deputy Lieutenant before whom any ſuch Volunteer ſhall be duly examined, approved, ſworn, and enrolled to ſerve in the Militia, ſhall make an Order upon ſuch Treaſurer or Treaſurers for the Payment of ſuch Bounty, and upon the Production to ſuch Treaſurer or Treaſurers of a Certificate under the Hands of ſuch Deputy Lieutenants as aforeſaid, of any ſuch Volunteer having been duly examined, approved, ſworn, and enrolled to ſerve in the Militia, and of ſuch Order for the Payment of ſuch Bounty as aforeſaid, and of a Certificate under the Hands of the Commanding Officer of any Regiment, Battalion, or Corps of Militia of ſuch County, Riding, or Place, of ſuch Man having joined his Regiment, Battalion, or Corps, ſuch Treaſurer or Treaſurers ſhall, and he and they is and are hereby reſpectively required to

County Treaſurer to retain ſuch Money Three Months and pay thereout Bounties to any Volunteers that the Deputy Lieutenants ſhall raiſe within that Period for ſupplying Deficiencies, and then pay the Balance to the Receiver General of the County.

pay out of ſuch Money in his or their Hands as aforeſaid, any Sum of Money not exceeding the ſaid Sum of Ten Pounds for each of ſuch Volunteers as aforeſaid; and ſuch Treaſurer or Treaſurers ſhall, at the Expiration of Three Months after the Receipt of ſuch Money as aforeſaid, pay all Sums of Money as may have come into his or their Hands, for and on Account of any ſuch Fines as aforeſaid, and as ſhall not have been paid for and on Account of any ſuch Volunteer as aforeſaid, in Manner herein directed, to the Receiver General of ſuch County, Riding, or Place, to be applied and diſpoſed of in like Manner as directed by this Act.

In Places where there are no County Rates, the Aſſeſſments ſhall be raiſed as the Poor's Rates are, and paid by the Overſeers to the Treaſurer of the County with which they are united.

CLXIII. And whereas there are ſeveral Cities, Towns, and Places, which do not contribute to the Payment of the ſaid Rate called *The County Rate*, and Doubts may ariſe whether ſuch Cities, Towns, and Places, can be legally rated or aſſeſſed towards the Payment of the Rate or Aſſeſſment to be laid in purſuance of this Act; be it therefore enacted, That in all Caſes where the Militia ſhall not be raiſed within any City, Town, or Place, not rated to the County Rate, the Proportion of the ſaid Sum of Ten Pounds *per* Man, to be borne by ſuch City, Town, or Place, ſhall be raiſed, levied, and collected within ſuch City, Town, or Place, by a ſeparate Rate or Aſſeſſment, in like Manner, by the Overſeers of the Poor, and by ſuch and the like Ways and Means as the Rates for the Relief of the Poor can or may be raiſed, levied, and collected; and ſuch Overſeers of the Poor ſhall from Time to Time pay over the ſame to the Treaſurer of the County, Riding, or Place, with which ſuch City, Town, or Place, ſhall be joined or united, for the Purpoſe of raiſing the Militia.

Where a Town lies in Two Counties the Aſſeſſments ſhall be paid to the Treaſurer of that wherein the Church ſtands.

CLXIV. And whereas there are ſome Towns which lie in Two Counties or Ridings, and Doubts may ariſe whether ſuch Towns are obliged to pay to both Counties or Ridings towards raiſing the ſaid Money; be it therefore further enacted, That where any Town lies in Two Counties or Ridings, or Part thereof in a County, and Part in a Riding, the Proportion of the ſaid Money to be paid for ſuch Town, in lieu of raiſing the Militia as aforeſaid, ſhall be paid to the Treaſurer of the County or Riding wherein the Church of ſuch Town is ſituate.

If the Aſſeſſment for a Place where there are no County Rates be not paid to the County Treaſurer before *June* 2, yearly, it may be levied by the next Quarter Seſſions on the Overſeers.

CLXV. And be it further enacted, That, if any Sum of Money which ought to be paid by any City, Town, or Place, not rated to the County Rate as aforeſaid, ſhall not be paid to the Treaſurer of the County, Riding, or Place as aforeſaid, before the Firſt Day of *June* in every Year, the Juſtices of the Peace for ſuch County, Riding, or Place, ſhall, at their next *Midſummer* Quarter Seſſions, and they are hereby required (by their Warrant, directed to any Conſtable or Tythingman of every ſuch Pariſh and Diviſion), to cauſe the Sum due from ſuch Pariſh under this Act, by reaſon of ſuch Men not being raiſed as aforeſaid, to be levied by Diſtreſs and Sale of the Goods and Chattels of the reſpective Overſeers of the Poor of every ſuch Pariſh and Diviſion, rendering the Overplus (if any) to the Owners of ſuch Goods and Chattels, after ſuch Money, and the reaſonable Charges attending ſuch Diſtreſs and Sale, ſhall be fully paid and ſatisfied; and all ſuch Overſeers of the Poor ſhall be reimburſed the Money ſo levied on them reſpectively, by the ſame Ways and Means as Overſeers of the Poor are reimburſed the Money by them expended for the

the Relief of the Poor by the Laws now in being, and may make a Rate for that Purpose if necessary.

When the Assessment upon any Place is paid to the Receiver General, it shall be indemnified for not raising its Quota, and he shall in Ten Days after receiving any such Money, certify it to the Treasury and pay it into the Exchequer, to be disposed of by Parliament.

CLXVI. And be it further enacted, That every Receiver General of the Rates and Duties under the Management of the Commissioners for the Affairs of Taxes, to whom any such Money shall be paid, shall give a Receipt for such Money to the Person or Persons paying the same, which Receipt shall be a sufficient Discharge for such Payment; and that when the whole Sum directed to be raised in any County, Riding, or Place as aforesaid, shall be paid into the Hands of the Receiver General, in pursuance of this Act, such Payment shall be a full Discharge and Indemnification to such County, Riding, or Place, for the Failure or Neglect in raising and training the Number of Men of the Militia for the Year in respect whereof such Payment shall be made; and every such Receiver General shall, within Ten Days after the Receipt of any such Money, certify such Receipt to the Lord High Treasurer or Commissioners of His Majesty's Treasury, and forthwith pay the same into the Receipt of His Majesty's Exchequer at *Westminster*; and the Money so paid into the Exchequer shall be kept separate and apart from all other Money, and shall be accounted for yearly to Parliament, and disposed of as Parliament shall direct; and no Fee or Gratuity whatsoever shall be given or paid to any Officer of the Exchequer, for or on Account of receiving or issuing any such Money; and the High Treasurer or the Commissioners of the Treasury, or any Three or more of them, is and are hereby authorized to allow to the Receiver General of any such County or Place, upon the clearing of his Accounts, such Salary or Reward for his Pains and Trouble in receiving and paying in such Money, as the said High Treasurer or Commissioners shall think proper, not exceeding Two-pence in the Pound for so much Money as he shall pay into the Exchequer in pursuance of this Act.

The Treasury may allow to the Receiver General of the County, a Reward for his Trouble.

County Treasurer may detain 1 *d. per* Pound of the Money he receives, and shall make a like Allowance to High Constables, *etc.* out of such Sums as they shall be concerned in collecting.

CLXVII. Provided always, and be it further enacted, That the Treasurer of every County, Riding, or Place, in which any such Money shall be raised as aforesaid, shall be allowed for his Pains and Trouble the Sum of One Penny in the Pound, upon the whole Sum so by him received and paid; which Allowance every such Treasurer is hereby authorized to detain in his Hands out of the Money so received by him, before Payment made to the Receiver General as aforesaid; and every High Constable, Petty Constable, Churchwarden, and Overseer of the Poor, who shall act in the raising and collecting of the said Money, shall respectively be allowed and paid by such Treasurer, as a Recompence for their Trouble therein, the Sum of One Penny in the Pound of all such Money, in the raising and collecting whereof they shall respectively act as aforesaid; and such Treasurer is hereby authorized and required to deduct the same out of the Money so received by him as aforesaid, and to pay the respective Proportions thereof to such High Constables or other Officers aforesaid.

Clerks of the Peace to transmit annually Copies of Certificates received from the County

CLXVIII. And be it further enacted, That the Clerk of the Peace for every County, Riding, or Place, shall and he is hereby required, within Fourteen Days next after the General Quarter Session of the Peace to be held next after the Twenty-fifth Day of *December*, yearly, to transmit to the

Lieutenants, and where not delivered, to certify such Omission to the Treasury, *etc.* and to certify Omissions of Justices in proceeding to raise Money to the Solicitor of the Treasury, who shall compel them to do so.

the Lord High Treasurer, or the Commissioners of the Treasury, and also to the Receiver General for such County, Riding, or Place, a Copy signed by such Clerk of the Peace, of every Certificate which he shall have received from the Lieutenant, or any Three Deputy Lieutenants of such County, Riding, or Place as aforesaid; and where such Certificate shall be omitted to be delivered, the Clerk of the Peace shall certify such Omission to the Lord High Treasurer, or to the Commissioners of the Treasury, and also to the Receiver General, and that such Clerk of the Peace hath certified the same to the Justices at such General Quarter Session, and required such Justices to proceed according to the Directions of this Act, and such Clerk of the Peace shall also certify what Proceedings have been had at such General Quarter Sessions, in relation to the assessing and raising of the said Money, where the Militia shall not have been raised; and in case such Justices shall omit, neglect, or refuse to proceed to raise the said Money according to the Directions of this Act, then the Clerk of the Peace of such County, Riding, or Place, shall and he is hereby required within Fourteen Days next after such General Quarter Session of the Peace, to certify to the Solicitor of the Treasury, such Omission, Neglect, or Refusal of such Justices, and the Names of the Justices who shall be present at such Session; and the Solicitor of the Treasury is hereby required, on Receipt of such Certificate, forthwith to proceed by all such legal Ways and Means as shall be most effectual and expeditious, to compel such Justices to pay due Obedience to this Act, and to cause the said Money to be raised, collected, and paid.

If 16*l.* per Man be not raised in any Place, and paid into the Exchequer, the Solicitor of the Treasury to compel its being done.

CLXIX. And be it further enacted, That if the said Sum of Ten Pounds *per* Man, to be raised and paid in any such County, Riding, or Place as aforesaid, shall not be levied, collected, and paid into the Exchequer in Manner herein-before directed, the Solicitor of the Treasury is hereby required, forthwith upon Knowledge or Information thereof, to proceed, by all such legal Ways and Means as shall be most effectual and expeditious, to compel the levying and collecting of such Money and the Payment thereof into the Exchequer as aforesaid.

Penalty for Neglect of Duty in Clerks of the Peace, Receivers General, Treasurers, *etc.*

CLXX. And be it further enacted, That if any Clerk of the Peace shall refuse or wilfully neglect to receive, deliver, file, make, record, or transmit any such Certificates as aforesaid, according to the Directions and true Meaning of this Act, every such Clerk of the Peace so offending, shall for every such Offence forfeit and pay the Sum of One hundred Pounds, and shall also forfeit his Office and be rendered incapable of having, receiving, or holding any Office of Trust, Civil or Military, under the Crown; and if any Receiver General, Treasurer, Chief Constable, Petty Constable, or other Officer who ought to act and assist in the raising and collecting of the said Money, shall wilfully omit or neglect or refuse to act or assist therein, according to the Direction and true Meaning of this Act, every such Receiver General or Treasurer so offending shall for every such Offence forfeit and pay the Sum of Two hundred Pounds; and every such Chief Constable so offending, shall for every such Offence forfeit and pay the Sum of Fifty Pounds; and every such Petty Constable and other Officer so offending, shall for every such Offence forfeit and pay the Sum of Twenty Pounds; and the Solicitor of the Treasury shall, and he is hereby required, with all due Diligence, to

Solicitor of the Treasury to prosecute Justices, &c.

prosecute

profecute with Effect all ſuch Juſtices of the Peace, Receivers General, Treaſurers, and other Officers, who ſhall omit, neglect, or refuſe to perform the Duty required of them reſpectively by this Act, touching the raiſing, collecting, and paying of the ſaid Money; and in caſe the Solicitor of the Treaſury ſhall wilfully omit or delay to proceed againſt any ſuch Juſtices of the Peace, Receivers General, Treaſurers, or other Officers aforeſaid, he ſhall for every ſuch Offence forfeit and pay the Sum of Five hundred Pounds. for Neglect, on Penalty of 500 *l.*

CLXXI. And be it further enacted, That the Proviſions of an Act, paſſed in the Twenty-fourth Year of the Reign of His late Majeſty King *George* the Second, intituled, *An Act for the rendering Juſtices of the Peace more ſafe in the Execution of their Office, and for indemnifying Conſtables and others acting in Obedience to their Warrants*, ſhall extend to all His Majeſty's Lieutenants, and to all Deputy Lieutenants acting in the Execution of this Act, in like Manner and as fully and effectually as the ſame extend to Juſtices of the Peace acting in the Execution of their Office. Proviſions of 24 Geo. 2. c. 44. to extend to County Lieutenants and Deputies.

CLXXII. And be it further enacted, That the Acceptance of a Commiſſion in the Militia ſhall not vacate the Seat of any Member returned to ſerve in Parliament; and that no Perſon being an Officer of the Militia ſhall be compelled to ſerve the Office of Sheriff. Commiſſions in Militia not to vacate Seats in Parliament; Officers not liable to ſerve as Sheriffs.

CLXXIII. And be it further enacted, That no Officer, Non-commiſſioned Officer, Drummer, or private Man of the Militia, ſhall be liable to any Penalty or Puniſhment for or on Account of his Abſence during the Time he ſhall be going to vote at any Election of a Member to ſerve in Parliament, or during the Time he ſhall be returning from ſuch Election. Voters going to Elections of Members not puniſhable for Abſence.

CLXXIV. And be it further enacted, That no Serjeant, Corporal, or Drummer of the Militia, nor any private Man, from the Time of his Inrolment until he ſhall be regularly diſcharged from the Militia, ſhall be compelled to ſerve as a Peace Officer or Pariſh Officer, or to perform any Highway Duty, commonly called *Statute Work*. Non commiſſioned Officers, Drummers, and Men not liable to ſerve as Peace Officers.

CLXXV. And be it further enacted, That every Perſon having ſerved in the Militia when drawn out into actual Service, being a married Man, may ſet up and exerciſe any Trade in any Town or Place within *Great Britain*, without any Let, Suit, or Moleſtation of or from any Perſon or Perſons whomſoever, for or by Reaſon of uſing or exerciſing ſuch Trade, as freely and with the ſame Proviſions, and under the ſame Regulations, and with the like Exception in reſpect to the Two Univerſities, as any Mariner or Soldier can or may do by virtue of an Act paſſed in the Twenty-fourth Year of His preſent Majeſty's Reign, intituled, *An Act to enable ſuch Officers, Mariners, and Soldiers, as have been in the Land or Sea Service, or in the Marines, or in the Militia, or any Corps of Fencible Men, ſince the Second Year of His preſent Majeſty's Reign, to exerciſe Trades;* and no ſuch Militia Man ſhall be liable to be removed out of any ſuch Town or Place, until he is become chargeable to the Pariſh. Married Militia Men may ſet up in any Place in *Great Britain*, as Soldiers may under 24 Geo. 3. c. 44.

How Penalties ſhall be recovered, and how applied where not otherwiſe directed by this Act.

CLXXVI. And be it further enacted, That all Fines, Penalties, and Forfeitures by this Act impoſed, which ſhall exceed the Sum of Twenty Pounds, ſhall be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, or the Courts of Great Seſſion in the Principality of *Wales*, or the Courts of the Counties Palatine of *Cheſter*, *Lancaſter*, and *Durham* (as the Caſe ſhall require); wherein no Eſſoign, Privilege, Protection, Wager of Law, or more than One Imparlance ſhall be allowed; and that all Fines, Penalties, and Forfeitures, by this Act impoſed, which ſhall not exceed the Sum of Twenty Pounds, ſhall, on Proof upon Oath of the Offence before any Juſtice of the Peace of the County, Riding, or Place where the Offence ſhall be committed, 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 ſufficient Diſtreſs ſuch Juſtice is hereby required, in all Caſes where no particular Time of Commitment is herein-before directed, to commit ſuch Offender to the Common Gaol of the County, Riding, or Place where the Offence ſhall have been committed, for any Time not exceeding Three Months; and the Money ariſing by all ſuch Fines, Penalties, and Forfeitures, the Application whereof is not otherwiſe particularly directed by this Act, ſhall be paid to the Clerk, or (where there are no Clerks), to the Commanding Officers of the reſpective Regiments, Battalions, or other Bodies of Militia, of the reſpective Counties, Ridings, or Places where ſuch Offences ſhall have been reſpectively committed, and ſhall be made Part of the publick Stock of ſuch Regiments, Battalions, or other Bodies of Militia reſpectively.

No Order to be removed or ſuperſeded by *Certiorari*.

CLXXVII. And be it further enacted, That no Order of Conviction made by any Lieutenant of any County, Riding, or Place, or by any Two or more Deputy Lieutenants, or by any One Deputy Lieutenant together with any One Juſtice of the Peace, or by any Juſtice or Juſtices of the Peace, by virtue of this Act, ſhall be removed by *Certiorari* out of the County, Riding, Diviſion, City, Town, or Place wherein ſuch Order or Conviction ſhall have been made into any Court whatſoever; and that no Writ of *Certiorari* ſhall ſuperſede Execution or other Proceedings upon any ſuch Order or Conviction ſo made in purſuance of this Act; but that Execution and other Proceedings ſhall be had and made thereupon, any ſuch Writ or Writs, or Allowance thereof notwithſtanding.

Limitation of Actions.

CLXXVIII. And be it further enacted, That if any Action ſhall be brought againſt any Perſon or Perſons for any Thing done in purſuance of this Act, ſuch Action or Suit ſhall be commenced within Six Months next after the Fact committed and not afterwards, and ſhall be laid in the County, Riding, or Place where the Cauſe of Complaint did ariſe, and not elſewhere; and the Defendant or Defendants in every ſuch Action or Suit may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon; and if the Jury ſhall find for the Defendant or Defendants in any ſuch Action or Suit,

General Iſſue.

or

or if the Plaintiff or Plaintiffs ſhall be nonſuit, or diſcontinue his, her, or their Action or Suit after the Defendant or Defendants ſhall have appeared, or if upon Demurrer, Judgement ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Treble Coſts, and have the like Remedy for the ſame as any Defendant hath in other Caſes to recover Coſts by Law. Treble Coſts.

SCHEDULES

SCHEDULES to which this Act refer.

Schedule A.

To ——

TAKE Notice that you are hereby required within Fourteen Days from the Date hereof, to prepare or produce a Liſt in Writing, to the beſt of your Belief, of the Chriſtian and Surname of each and every Man reſident in your Dwelling Houſe between the Ages of Eighteen and Forty-five, diſtinguiſhing every Perſon in your Dwelling Houſe of ſuch Age as aforeſaid, claiming to be exempt from ſerving in the Militia, together with the Ground of every ſuch Claim of Exemption; and you are to ſign ſuch Liſt with your own Name, and to deliver or cauſe the ſame to be delivered to me.

Dated the Day of

A. B. Conſtable of

Deſcriptions.	Names of Perſons liable to ſerve.	Names of Perſons exempt.	Ground of Exemption.
Houſekeeper.		*A. B.*	60 Years of Age.
——	*C. D.*		
Lodger.	*E. F.*	——	——
——	*G. H.*	——	——
——	——	*P. R.*	Seaman.
Servants.	*I. K.*	*V. S.*	Free of Company of Watermen.
	L. M.	*T. R.*	Serving by Subſtitute.
	N. O.		

N. B. If a Houſe is divided in diſtinct Stories or Apartments, occupied diſtinctly, each diſtinct Occupier is required to make this Return.

Neglect of Compliance with this Notice will ſubject the Party to the Penalty of Ten Pounds.

TAKE Notice, that the Day of at at the Hour of in the noon is appointed for hearing Appeals within this Subdiviſion, by Perſons claiming to be exempt from ſerving in the Militia.

A. B. Conſtable of

Schedule B.

PARISH of

MILITIA LIST, made purſuant to the Directions of an Act paſſed in the Forty-ſecond Year of the Reign of King *George* the Third.

Names returned.	Rank or Occupations.	Infirmity, if any, likely to incapacitate from ſerving.	Ground of Exemption claimed.

Names of thoſe not returned, or common Appellations.	Rank or Occupation, if known.	Infirmity, if known.	Ground of Exemption, if known.

NOTICE is hereby given, that the Day of at the Hour of in the noon, at is appointed for hearing Appeals; and that all Perſons who think themſelves aggrieved may then appeal, and that no Appeal will afterwards be received.

A. B. Conſtable of

Schedule C.

SUBDIVISION of in the County of

CERTIFICATE of Number of Men, diſtinguiſhing the Number liable and the Number exempt.

Dated the Day of

Pariſhes, Tythings, or Places.	Number of Men liable to ſerve.	Number of Men exempt.	Total in each Pariſh.
A. B.			
C. D.			
Totals -			

A. B. Clerk of Subdiviſion.

Schedule D.

RETURN of Men between the Age of Eighteen and Forty-five, in the County of

Dated the Day of

Subdivisions.	Number of Men liable to serve.	Number of Men exempt.	Total in each Subdivision.
Totals			

A. B. Clerk of General Meetings.

Schedule E.

SUBDIVISION of in the County of

RETURN of Inrolment, dated the Day of

Parishes.	NAMES OF MEN.			Date of Inrolment.	Ages.	CLASSES.				
	Principal.	Substitutes.	Volunteers.			1st.	2d.	3d.	4th.	Last.
Islington	Sam[l] Jones	—	—	Ap[l] 21	30	X				
C.	Tho[s] Smith	Edw[d] Jones	—	22	—	—	X			
D.	—	—	Tho[s] Gray	23	—	—	—	—	X	
—	—	—	—	—	—			X		
—	—	—	—	—						X
Totals serving.										

Signed *A. B.* Clerk to Subdivision Meeting.

Schedule F.

RETURN of Company in the of the Militia of the County of dated the Day of

Hundreds or Divisions.	Parishes.	NAMES OF MEN SERVING.			Ages.	CLASSES.				
		Principals.	Substitutes.	Volunteers.		1st.	2d.	3d.	4th.	Last.
H.	Islington.	Sam. Jones.	—	—	32		⋈			
—	—	—	Tho. Grey.	—	24				⋈	
—	—	—	—	Tho. Smith.	26	⋈				
M.	*H.*	—	—	—	—		⋈			
—	—	—	—	—	—		⋈			
Totals.										

Signed *A. B.* Captain of Company.

Schedule G.

RETURN of Private Militia ſerving for the County of
Dated the Day of

Deſcription of Men.	No. of each.	Years of Service unexpired.					No. of Men in each Claſs.				
		1.	2.	3.	4.	5.	1ſt.	2d.	3d.	4th.	Laſt.
Principals -											
Subſtitutes -											
Volunteers -											
Totals.											

A. B. Clerk to General Meetings.

N. B. If the Militia of any County, Riding, or Place is divided into more than One Regiment, Battalion, or Corps, a ſeparate Return is to be made for each, and the Deſcription of the Regiment, &c. put at the Top of the Return.

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