

ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

CAP. CXX.

An Act to amend an Act made in this preſent Seſſion of Parliament, intituled, *An Act to amend and render more effectual an Act, paſſed in the preſent Seſſion of Parliament, intituled,* '*An Act to enable His Majeſty more effectually to provide for the Defence and Security of the Realm during the preſent War, and for indemnifying Perſons who may ſuffer in their Property by ſuch Meaſures as may be neceſſary for that Purpoſe*;' *and to enable His Majeſty more effectually and ſpeedily to exerciſe His ancient and undoubted Prerogative in requiring the Military Service of His liege Subjects in caſe of Invaſion of the Realm.* [11th *Auguſt* 1803.]

WHEREAS

43 Geo. 3. c. 96. recited.

WHEREAS an Act hath been passed in the present Session of Parliament, intituled, *An Act to amend and render more effectual an Act, passed in the present Session of Parliament, intituled,* '*An Act to enable His Majesty more effectually to provide for the Defence and Security of the Realm, during the present War, and for indemnifying Persons who may suffer in their Property by such Measures as may be necessary for that Purpose*;' *and to enable His Majesty more effectually and speedily to exercise His ancient and undoubted Prerogative in requiring the Military Service of His liege Subjects in case of Invasion of the Realm:* And whereas it is expedient that the said Act should be amended in some Respects; may it therefore please Your Majesty that it may be it enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whenever the Number of effective Men enrolled and serving in any Volunteer Corps, which shall have been or shall be formed in any County, District, or Parish, with the Approbation of His Majesty, under any Act or Acts of Parliament now in force, or which shall be passed in the present Session of Parliament, relating to Volunteer Corps, and of the Men engaged to serve as Volunteers under the said recited Act, in such County, District, or Parish, shall appear satisfactory to His Majesty, and such Volunteer Corps or Volunteers aforesaid respectively shall have agreed or shall agree to be trained and exercised and to march to any Part of *Great Britain* for the Defence thereof, in case of actual Invasion or the Appearance of an Enemy in Force upon the Coast, and for the Suppression of any Rebellion or Insurrection, as in the said recited Act is mentioned, it shall be lawful for His Majesty to suspend, within such County, District, or Parish, such of the Provisions of the said Act as require the Men enrolled for Military Service under the same to be trained, exercised, drawn out, assembled, or embodied in such Manner and under and subject to such Conditions, Rules, and Regulations as in the said recited Act are mentioned, although the Number of effective Men enrolled and serving in such Volunteer Corps and engaged to serve as Volunteers under the said recited Act in such County, District, or Parish shall not amount unto Three Fourths of the whole Number of Men enrolled for Service in the First Class of such County, District, or Parish respectively; any Thing in the said recited Act contained to the contrary thereof notwithstanding.

If the Number of Volunteers in any County, *etc.* shall be satisfactory to His Majesty, He may suspend the Operation of recited Act, although they shall not amount to Three Fourths of the First Class.

II. And be it further enacted, That no Person being One of the People of the Church or Congregations called the *Unitas Fratrum*, or *United Brethren*, shall be liable to Military Service under the said recited Act, so long as he shall continue to be of that Persuasion; and that all and every other the Provisions in the said recited Act contained in relation to the People called *Quakers* shall apply and extend and be construed to apply and extend to all Persons being of the People called *Unitas Fratrum*, or *United Brethren*, as fully and effectually to all Intents and Purposes as if the said People called *Unitas Fratrum*, or *United Brethren*, had been expressly named in such Provisions; any Thing contained in the said recited Act to the contrary thereof notwithstanding.

Provisions relating to *Quakers* to extend to the *United Brethren*.

III. And be it further enacted, That no Master or Mate of any Merchant or Trading Vessel, nor any Person bound an Apprentice to any

Masters and Mates of Trading Vessels, or Ap-

Maſter of any Merchant or Trading Veſſel actually ſerving on board ſuch Veſſel, or in actual Employ as ſuch Maſter or Mate thereof, or as ſuch Apprentice, ſhall be ſubject or liable to any Fines by the ſaid recited Act impoſed for Non-attendance at the Times and Places of Training and Exerciſe in the Pariſh for which he ſhall be enrolled ſo long as ſuch Maſter, Mate, or Apprentice ſhall be ſo actually ſerving or in actual Employ as aforeſaid; any Thing in the ſaid recited Act to the contrary thereof notwithſtanding.

Apprentices to ſuch Maſters, not liable to Fine while ſerving on board for Non-attendance at Exerciſe.

IV. And be it further enacted, That where any Perſon ſhall propoſe to remove altogether from his Place of Reſidence in any Pariſh for which he ſhall have been enrolled under the ſaid recited Act in order to reſide in any other Pariſh, and ſhall give Notice thereof, and alſo of the Name of the Pariſh to which he intends to remove, to the Conſtable, Schoolmaſter, or other proper Parochial Officer of ſuch Pariſh for which he ſhall have been enrolled, and ſhall return an Account of himſelf, containing the Particulars required by the ſaid Act, to the Conſtable, Schoolmaſter, or other proper Parochial Officer for the Pariſh to which he ſhall remove, in order to his being enrolled therein, and ſhall obtain from ſuch Conſtable, Schoolmaſter, or other proper Parochial Officer a Certificate of ſuch Enrolment, (which Certificate every ſuch Conſtable, Schoolmaſter, or other Parochial Officer is hereby required, having previouſly enrolled ſuch Perſon, to give accordingly), and ſhall tranſmit ſuch Certificate of Enrolment to the Conſtable, Schoolmaſter, or other proper Parochial Officer of the Pariſh from which he ſhall have removed, then and in ſuch Caſe every ſuch Perſon ſhall thereupon be diſcharged in reſpect of ſuch Pariſh from all the Proviſions of the ſaid recited Act to which he would thereupon have been ſubject and liable in caſe he had remained therein, and ſhall from thenceforth be and be deemed and conſidered to be enrolled in the ſaid Pariſh to which he ſhall remove, and ſhall be ſubject and liable therein from the Time of ſuch new Enrolment to all the Proviſions of the ſaid recited Act to which he would thenceforth have been ſubject and liable in the Pariſh from which he ſhall have removed in caſe he had remained therein.

Any Perſon removing to another Pariſh and giving Notice thereof to the Conſtable, &c. where enrolled, and making a Return of himſelf to the Conſtable, &c. of the Pariſh to which he removes, ſhall be diſcharged from the Proviſions of recited Act with reſpect to his former Pariſh.

V. And be it further enacted, That where any Perſon who ſhall have been enrolled under the ſaid recited Act in any Pariſh ſhall afterwards leave *Great Britain*, every ſuch Perſon, giving Notice thereof to the Conſtable, Schoolmaſter, or other proper Parochial Officer of ſuch Pariſh, ſhall be diſcharged from all the Proviſions of the ſaid recited Act ſo long only as he ſhall continue out of *Great Britain*.

Perſons quitting *Great Britain*, giving Notice thereof, ſhall be diſcharged from Proviſions of recited Act during his Abſence.

VI. Provided always, and be it further enacted, That whenever any Perſon ſhall, by virtue of this Act, be diſcharged from the Enrolment of any Pariſh, or ſhall be enrolled therein upon his Removal from any other Pariſh, the Conſtable, Schoolmaſter, or other proper Parochial Officer of the Pariſh in which any ſuch Diſcharge or new Enrolment ſhall take place, ſhall and they are hereby required to return to the Clerk of the Subdiviſion wherein the ſame ſhall be ſituate, at the next Subdiviſion Meeting ſubſequent to the Time of any ſuch Diſcharge or new Enrolment, a Liſt of all ſuch Perſons who ſhall have been ſo diſcharged from or newly enrolled in ſuch Pariſh by virtue of this Act.

Conſtables, &c. to return to the Clerks of the Subdiviſions Liſts of Perſons diſcharged or newly enrolled.

 VII. And

Perſons abſent from their Pariſhes, and proving, on their Return, that they have been prevented from being trained in any other Pariſh, and obtaining a Certificate from the Commanding Officer, ſhall be diſcharged from Penalty on certain Conditions.

VII. And be it further enacted, That when any Perſon who ſhall have been abſent at any Time or Times for any temporary Purpoſes only from the Pariſh for which he ſhall be enrolled, and in which he ſhall be liable to be trained and exerciſed as aforeſaid, ſhall upon his Return to ſuch Pariſh prove to the Satisfaction of the Commanding Officer, or the Conſtable, Schoolmaſter, or other proper Officer thereof, or any Deputy Lieutenant of the Subdiviſion wherein the ſame ſhall be ſituate, that he hath been prevented during the Time of ſuch Abſence from being trained and exerciſed in any other Pariſh, by reaſon that he hath been travelling without having continued a ſufficient Length of Time in any Pariſh to enable him to be trained and exerciſed therein, or by reaſon of his not having been reſident in any Place during ſuch Abſence within Four Miles of any Place of Training and Exerciſe, and ſhall obtain a Certificate from ſuch Commanding Officer, Conſtable, Schoolmaſter, or other proper Officer, or any ſuch Deputy Lieutenant, of his having ſo done, every ſuch Perſon ſhall be diſcharged from all Fines to which he would during ſuch Abſence have been liable under the ſaid recited Act for Non-attendance at the Times and Places of Training and Exerciſe in ſuch Pariſh for which he ſhall be enrolled as aforeſaid, provided ſuch Perſon ſhall offer to the Commanding Officer, Conſtable, Schoolmaſter, or other proper Officer of ſuch Pariſh, to be trained and exerciſed, and ſhall (if required ſo to do) actually attend to be trained and exerciſed for ſo many Days in Addition to the uſual Days appointed for Training and Exerciſe in ſuch Pariſh after his Return thereto as ſhall have been appointed for that Purpoſe during his Abſence.

Lieutenant, *etc.* may appoint Officers in the Room of any removed by His Majeſty's Directions.

VIII. And be it further enacted, That whenever His Majeſty ſhall think fit to direct that any Officer or Officers appointed for training and diſciplining the Perſons ordered to be trained and exerciſed in any Pariſh or united Pariſhes under the Proviſions of the ſaid recited Act ſhall be removed or diſplaced, and that the Lieutenant, or Deputy Lieutenants acting in his Abſence, of the County wherein ſuch Pariſh ſhall be ſituate ſhall appoint any other fit and proper Perſon or Perſons in his or their Room, it ſhall be lawful for ſuch Lieutenant or Deputy Lieutenants to appoint any ſuch other fit and proper Perſon or Perſons to be an Officer or Officers in the Room of the Officer or Officers who ſhall be ſo removed, whether the Perſon or Perſons ſo appointed as aforeſaid ſhall be reſident in ſuch Pariſh or not.

Captains of Companies may appoint a certain Number of Non-commiſſioned Officers and Drummers.

IX. And be it further enacted, That it ſhall be lawful for the Captain of each Company of Men who ſhall be ordered to be trained and exerciſed under the ſaid recited Act to appoint fit and proper Perſons to be Non-commiſſioned Officers, not exceeding the Proportion of Six Serjeants, Six Corporals, and Two Drummers, for every One hundred and twenty Men; any Thing in the ſaid recited Act to the contrary thereof notwithſtanding.

Volunteers, and Perſons trained under recited Act, ſhall take the Oath of Allegiance.

X. And be it further enacted, That every Perſon enrolled in any Volunteer Corps or Company, whether the ſame ſhall have been formed before the paſſing of this Act, or ſhall be formed after the paſſing thereof, under any Act or Acts now in force relating to Volunteer Corps, or under the ſaid recited Act, and alſo any other Perſon who ſhall be trained and

exercised under the said recited Act, shall take the Oath of Allegiance to His Majesty, His Heirs and Successors; and such Oath shall and may be administered to all such Persons as shall have been enrolled in any such Volunteer Corps before the passing of this Act, as soon as may be after the passing thereof, and to all such Persons as shall be enrolled in any Volunteer Corps after the passing of this Act, as soon as may be after their Enrolment in such Corps by any Deputy Lieutenant or Justice of the Peace, or by any Commissioned Officer of such Corps; and such Oath shall and may be administered to all such Persons not being in any Volunteer Corps or Company as shall be trained and exercised under the said recited Act at the Time of his First Attendance for the Purpose of being trained and exercised, or as soon after as may be, by any Deputy Lieutenant or by any Justice of the Peace, or by any Commissioned Officer appointed for the Purpose of training and exercising such last mentioned Persons respectively.

Deputy Lieutenants, or Commanding Officers of Parochial Corps, with His Majesty's Approbation, may employ Serjeants, *etc.* to instruct the Corps, not being less than Sixty, and make them an Allowance not exceeding 2 *s.* 6 *d. per* Day.

XI. And be it further enacted, That it shall be lawful for the Deputy Lieutenants of any Subdivisions, or for the Commanding Officer of any Volunteer Corps or Company formed in any Parish or united Parishes, with the Approbation of His Majesty, under the said recited Act, to agree with and employ any such Serjeant or other Person as in the said recited Act is mentioned, for the Purpose of instructing such Volunteer Corps or Companies in the Use of Arms, and to allow to such Person any Sum not exceeding Two Shillings and Sixpence *per* Day for every Day of his Attendance for that Purpose, to be paid by such Persons, and in such Manner, and under such and the like Penalties for the Refusal or Neglect to pay the same as in the said recited Act are mentioned with respect to the Sum of Two Shillings and Sixpence thereby authorized to be paid to the Serjeant or other Person employed to instruct the Persons liable to be trained and exercised under the Directions of the said Act: Provided always, that every such Volunteer Corps or Company shall consist of Sixty Men at the least.

Lord Lieutenant, with the Approbation of His Majesty, may appoint a Deputy Lieutenant to act for him during Sickness, *etc.*

XII. And whereas by the said recited Act any Lord Lieutenant of any County is empowered, with the Approbation of His Majesty, to appoint any Deputy Lieutenant to act for him within the County as Lieutenant thereof, during the necessary and unavoidable Absence of such Lord Lieutenant, and no longer; now be it enacted, That it shall be lawful for any such Lord Lieutenant, with the Approbation of His Majesty, to appoint any such Deputy Lieutenant to act for him within the County as Lieutenant thereof, as well during the Sickness or other Disability as during the necessary and unavoidable Absence of such Lord Lieutenant.

Provisions of recited Act relative to Arms, *etc.* to extend to United Parishes and Extra-parochial Places.

XIII. And be it further enacted, That such of the Provisions in the said recited Act contained as relate to the keeping and viewing such Arms and Accoutrements as His Majesty may order and direct to be provided for the Use of any Parish or Parishes, and to the Expence attending the same, and to the Payment of such Expences, shall extend and be applied to all Cases where any Two or more Parishes shall be united for the Purposes of the said Act, or where any Extra-parochial Place or Places shall be added to any Parish or Parishes, as fully and effectually as if the same

Provisions had been by the said Act expressly applied to united Parishes and Extra-parochial Places.

Provisions of this and recited Act to be construed as One Act.

XIV. And be it further enacted, That all and every the Provisions of this Act shall, in the Execution of the said recited Act, be used and applied and construed in like Manner as if the same Provisions were specially enacted in the said Act; and all and every the Provisions of the said Act shall, in the Execution of this Act, except where the same are thereby expressly varied, be used and applied, extended and construed in like Manner as if the same Provisions (except as aforesaid) were specially enacted in this Act.

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