

ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

CAP. CXXI.

An Act for authorizing the billetting of such Troops of Yeomanry and Volunteer Cavalry as may be desirous of assembling for the Purpose of being trained together, in *Great Britain* and *Ireland*; and for subjecting to Military Discipline, during the War, such Serjeants serving in any Volunteer or Yeomanry Corps of Cavalry or Infantry as receive constant Pay, and all Trumpeters, Drummers, or Bugle Men serving therein, and receiving Pay at any Daily or Weekly Rate; and for the further regulating of such Yeomanry and Volunteer Corps.

[11th *August* 1803.]

WHEREAS an Act passed in the Forty-second Year of the Reign of His present Majesty, intituled, *An Act to enable His Majesty to avail Himself of the Offers of certain Yeomanry and Volunteer Corps to continue their Services*: And whereas it is expedient to regulate the Returns and Musters of such Corps, and thereby to make Provisions 42 Geo. 3. c. 66.

Provisions in relation to such Corps, that no Persons enrolled therein shall be entitled to or have any Exemptions from being balloted to serve in any additional Military Force raised or to be raised for the Defence of the United Kingdom, unless they shall appear to be and are returned under this Act as effective and fit to serve: And whereas many Corps and Troops of Volunteer Cavalry in *Great Britain*, whose Offers of Service have been accepted by His Majesty, or which may hereafter be formed in pursuance of the said Act, are or may be desirous of assembling together at such convenient Places, and for such Time as may be fixed under the Authority of this Act, for the Purpose of more effectually training and disciplining themselves, and for that Purpose it may be necessary to provide Quarters, and to billet such of the said Volunteers as may not find it convenient to return to their own Houses after each Day's Exercise: And whereas it is also expedient to make Regulations respecting Serjeants, Corporals, Trumpeters, and Drummers, serving in or with such Corps in *Great Britain* and *Ireland*; may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several and respective Officers commanding such Corps respectively shall, on or before the First Day of *September* succeeding the passing of this Act, and on or before the First Day of *January*, the First Day of *May*, and the First Day of *September*, in each and every succeeding Year, during the Continuance of the War, make Returns to the Clerk of the General Meetings of Lieutenancy, according to the Form in the Schedule to this Act annexed, marked (A.), for the Use of the respective Lieutenants of their respective Counties, and certify the same to be true, in the Form contained in the Schedule to this Act annexed, marked (B.); and every such Commanding Officer shall distinguish in all such Returns the effective from the non-effective Members of such Corps, together with the Names of all such Persons as have joined their respective Corps since the last Returns, and which of such Persons respectively shall have entered themselves as effective Members thereof, and the Names of all Persons who shall continue effective Members of such Corps respectively, and also the Names of all such Persons as shall, by reason of Defaults in not attending the Exercise of any such Corps, have become non-effective Members thereof, and shall also make to the Secretary of State, the Adjutant General of the Forces, and to the General of the District, when any such shall be appointed, accurate Returns of their respective Corps, specifying the Numbers of effective and non-effective Men in their Corps at the Time of making such Returns; and all such last mentioned Returns shall be made as near as may be, according to the Nature of the Corps, in the Form in which Military Returns are usually made on the First of every Month.

Commanding Officers to make Returns of their Corps at certain Periods.

II. Provided always, and be it further enacted, That no Person shall be deemed, construed, or taken to be an effective Member of such Corps, or shall be returned as such by any Commanding Officer, or entitled to any Exemption from being balloted or enrolled to serve in any additional Forces, raised or to be raised under any Acts passed in this or any subsequent Session of Parliament, for enabling His Majesty more effectually to raise any additional Military Force for the better Defence and Security

No Person shall be deemed an effective Member who does not duly attend a certain Number of Days.

of the United Kingdom, and for the more vigorous Profecution of the War, or to fupply any Vacancies in fuch additional Force as aforefaid, unleſs fuch Perſon ſhall have duly attended properly armed, accoutred, and equipped, at the Muſter or Exerciſe of the Corps to which he belongs, if Cavalry, Twelve Days, if Infantry, Twenty-four Days at the leaſt, between the Firſt Day of *January* and the laſt Day of *December* in each Year, (unleſs prevented by actual Sickneſs, ſuch Sickneſs to be certified by ſome medical Practitioner to the Commanding Officer of the Corps), and who ſhall not be returned according to the Form in the Schedule to this Act annexed, by the Commanding Officer of the Corps, as having ſo attended Muſters and Exerciſe as aforeſaid, and as being, from his Attendance and Exerciſe in ſuch Corps, effective and fit for Service: Provided always, that every Perſon, duly returned in any ſuch Muſter Roll and Return under this Act, ſhall, from the Date of ſuch Muſter Roll and Return, be exempted from being ballotted or enrolled to ſerve in any additional Force raiſed or to be raiſed under any Act or Acts of this or any ſubſequent Seſſion of Parliament, or to ſupply any Vacancy therein, and ſhall remain ſo exempted until he ſhall be ſtruck out of the Muſter Roll of his Corps for Non-attendance or Default.

Perſons duly returned exempted from Ballot for any additional Force.

III. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend to alter or repeal any of the Proviſions of Two Acts, paſſed in the laſt Seſſion of Parliament, to enable His Majeſty to avail Himſelf of the Offers of certain Yeomanry and Volunteer Corps to continue their Services, and to accept and continue the Services of certain Troops or Companies of Yeomanry in *Ireland*, (except ſo far as the ſame are hereby expreſsly varied or altered).

Act not to alter 42 Geo. 3. c. 66 and 68.

IV. And be it further enacted, That whenever the Men enrolled, or the Majority of them, in any ſuch Troop or Troops of Volunteer Cavalry, ſhall, through their Captain or Commanding Officer, ſignify in Writing to the Lieutenant of the County, Riding, Stewartry, City, or Place where ſuch Troop or Corps ſhall be raiſed, or in caſe of Vacancy, or in the Abſence of the Lieutenant, to the Deputy Lieutenants executing the Office of the Lieutenant, their Deſire to aſſemble under the Command of their own Officers, at any Place in particular, or at any convenient Place or Places either within the ſame County, Riding, Stewartry, City, or Place, or without, for the Purpoſe of being trained and exerciſed, for any Space of Time not exceeding in the Whole Ten Days, either ſucceſſively or at Intervals, within the Space of Four Months, and either in ſeparate Corps or Troops or together with any other Corps or Troops of Volunteer Cavalry, who ſhall alſo have ſignified their Deſire of aſſembling for that Purpoſe in like Manner, or with any Regiment, Troop or Troops of His Majeſty's Regular Forces of Cavalry, or any Number of ſuch Cavalry, in caſe His Majeſty ſhall think proper to give Directions to ſuch of His Cavalry as aforeſaid for that Purpoſe, it ſhall be lawful for ſuch Lieutenant or Deputy Lieutenants reſpectively in every Year, in purſuance of the Deſire of any Corps or Troop of Volunteer Cavalry, to be ſignified in Manner aforeſaid, to make an Order for aſſembling ſuch Volunteer Cavalry, at ſuch Place or Places as the ſaid Lieutenant or Deputy Lieutenants as aforeſaid, with the Concurrence of the General Officer having the Command of the Diſtrict, and in caſe the Place appointed ſhall

On Deſire of Volunteer Cavalry to aſſemble for being trained, the Lieutenant of the County, *etc.* may make an Order for that Purpoſe, with the Concurrence of the General of the Diſtrict, *etc.*

ſhall be in another County or Riding, then alſo with the Concurrence of the Lieutenant of ſuch County or Riding, or Deputy Lieutenants as aforeſaid, ſhall think fit; and likewiſe to direct an Order to any Juſtice of the Peace of the County, Riding, Stewartry, City, or Place where ſuch Volunteer Cavalry ſhall be appointed to aſſemble themſelves for the Purpoſe aforeſaid, in which Order ſhall be ſpecified the Place or Places at which, and preciſe Time or Times during which ſuch Volunteer Cavalry are to continue ſo aſſembled under the Authority of this Act; and the Juſtice of the Peace to whom ſuch Order ſhall be directed ſhall iſſue his Precept to the Conſtable, Headborough, or other Officer of the Peace of the Place where ſuch Volunteer Corps or Troops are to be aſſembled, for quartering and billetting the Non-commiſſioned Officers, Trumpeters (or Bugle Men), and Privates, of ſuch Volunteer Corps or Troops, upon ſuch Perſons and in ſuch Houſes ſituate in the Place or Places ſpecified in ſuch Order, as His Majeſty's Regular Forces may by Law be quartered and billetted upon; and that from and after the Delivery of ſuch Order of the Lieutenant of any County, Riding, Stewartry, City, or Place, or Deputy Lieutenants acting as aforeſaid, made with ſuch Conſent and Concurrence as aforeſaid, to any Juſtice of the Peace of any County, Riding, Stewartry, City, or Place, where any ſuch Corps or Troop of Volunteer Cavalry are to aſſemble, it ſhall be lawful to quarter and billet the Non-commiſſioned Officers, Trumpeters (or Bugle Men), and Private Men of any ſuch Corps or Troop of Volunteer Cavalry, in all and every the Houſes ſituate in ſuch Place or Places as aforeſaid, in which, and upon all and every the Perſons on whom any of His Majeſty's Regular Forces may by Law be quartered and billetted; and that from and after the Delivery of any ſuch Order, during the Times appointed as aforeſaid for ſuch Training and Exerciſe, all and every the Powers, Proviſions, Rules, Penalties, Allowances, Matters, and Things, provided and eſtabliſhed by any Act or Acts now or hereafter to be in force for quartering and billetting His Majeſty's Regular Forces ſhall be uſed and put in Practice for quartering and billetting the Corps and Troops of Volunteer Cavalry aſſembled under the Authority of this Act, as fully and effectually as if all and every the ſaid Powers, Proviſions, Rules, Penalties, Allowances, Matters, and Things, had been ſpecially re-enacted in the Body of this Act.

Juſtice to iſſue Precept to the Conſtable to quarter the Non-commiſſioned Officers and Men, as His Majeſty's Regular Forces.

When the Day and Place of Exerciſe is fixed, the ſame ſhall be certified to the Receiver General of the County in *England*, or the Receiver General in *Scotland*, who ſhall iſſue Pay to the Commanding Officer for the Men.

V. And be it further enacted, That whenever the Lieutenant of any County, Riding, Stewartry, City, or Place, or the Deputy Lieutenants as aforeſaid, ſhall have fixed the Day and Place of Exerciſe for any Corps or Troop of Volunteer Cavalry, he or they ſhall, as ſoon as may be, certify the ſame to the Receiver General of ſuch County, Riding, or Place, if in *England*, or if in *Scotland* to the Receiver General for *Scotland*, ſpecifying the Number of Men and the Number of Days appointed for exercifing them, not exceeding in the Whole Ten Days; and ſuch Receiver General is hereby required, within Fourteen Days after the Receipt of ſuch Certificate, to iſſue and pay to the Officer having the Command of each Corps or Troop at the Rate of Two Shillings *per* Day for each Volunteer who ſhall attend the Place of Exerciſe, and One Shilling and Four-pence *per* Day for each Horſe,

Mare, or Gelding, belonging to such Corps or Troop, and used in Exercise.

VI. And be it further enacted, That the Officer having the Command of such Troop of Volunteer Cavalry shall make up an Account of all Monies received and paid by him on account of such Exercise, according to the following Form: Commanding Officer to make up an Account in the following Form:

County of

Dr.	£.	s.	d.	per Contra	Cr.	£.	s.	d.
To Cash received of the Receiver General, for Days Pay of Men -				Paid Volunteer Cavalry Men, for their Attendance at the Place of Exercise on the Days appointed, being Days Pay - - - -				
To Ditto for Days Allowance for Horses -				Paid Allowance for Horses, used in Exercise for Days -				

Which Account shall be signed by the Officer having the Command of such Troop, and such Officer shall, within Ten Days after the Time such Exercise is finished, deliver such Account, and pay the Balance, if there be any due, to the said Receiver General; and such Account shall be allowed as sufficient Vouchers in the passing of the Accounts of the said Receiver General by the proper Auditor of His Majesty's Court of Exchequer. and sign and deliver it to the Reciever General.

VII. And be it further enacted, That whenever any Corps of Yeomanry in *Ireland* shall be assembled under Arms by Authority of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, either in case of Rebellion, Invasion, Insurrection, or Apprehension thereof, or for the Purpose of being trained and exercised, either in separate Corps, or together with any Corps of Yeomanry, or with any Regiment, Company, or Troop of His Majesty's Regular or Militia Forces, it shall and may be lawful to and for all Mayors, Sovereigns, Bailiffs, Burgo Masters, Seneschals, Constables, and the Chief and other Magistrates and Officers of Cities, Towns, Parishes, and Places in *Ireland*, and (in their Default or Absence) for any One Justice of the Peace inhabiting within or near any such City, Town, Parish, or Place, and they and he is and are hereby required to quarter and billet the Officers, Non-commissioned Officers, Trumpeters, Bugle Men, Drummers, and Private Men, serving in the said Corps of Yeomanry, during their being so assembled, or on their March, for any of the Purposes aforesaid, as by Law they may billet His Majesty's Regular Military Forces, or the Militia in *Ireland*. When Corps of Yeomanry in *Ireland* are assembled under Arms, Mayors, *etc.* may billet them as His Majesty's Regular Forces.

VIII. And whereas great Inconvenience hath been found to arise to the Volunteer and Yeomanry Service in *Great Britain* and *Ireland* during War, from there being no Authority to enforce Military Discipline among the Serjeants, Trumpeters (or Bugle Men), and Drummers of Volunteer and Yeomanry Corps receiving Pay, or to prevent them from quitting such Corps and enlisting into His Majesty's other Forces, without the Leave of their respective Commanders; be it therefore enacted, That such Serjeants, Trumpeters or Bugle Men, and Drummers of Volunteer and Yeomanry Corps in *Great Britain* and *Ireland*,

who receive Pay, ſubject to the Mutiny Laws during War.

ſuch of the Serjeants ſerving in any Volunteer or Yeomanry Corps of Cavalry or Infantry in *Great Britain* or *Ireland* as receive the conſtant Pay of their Rank therein, and all Trumpeters (or Bugle Men) and Drummers ſerving in ſuch Corps, and receiving any Pay therein either at a Daily or Weekly Rate, ſhall, at all Times during the Continuance of War, be 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 eſtabliſhed for the better Government of His Majeſty's Forces, and ſhall be liable to be tried for any Crime committed againſt ſuch Act or Articles of War, by a general Detachment or Regimental Court Martial, according to the Nature and Degree of the Offence, in like Manner and under the like Regulations as Serjeants, Trumpeters, or Drummers of His Majeſty's other Forces may be tried: Provided, that every ſuch Court Martial ſhall be compoſed wholly of Officers of the Volunteer or Yeomanry Eſtabliſhment; and that no Puniſhment awarded by ſuch Court Martial ſhall extend to Life or Limb, except when ſuch Corps are called out in Caſes of Invaſion or Appearance of an Enemy in force upon the Coaſt.

Courts Martial to be compoſed of Officers of Volunteers or Yeomanry, *etc.*

In Caſes of Invaſion or Appearance of an Enemy on the Coaſt, Yeomanry and Volunteers in *Great Britain* ſhall aſſemble and be liable to march according to their Terms of Service, and ſhall be ſubject to the Mutiny Laws.

IX. And be it further enacted, That in all Caſes of actual Invaſion, or Appearance of an Enemy in force upon the Coaſt, whenever His Majeſty ſhall order the Lord Lieutenant, or Deputy Lieutenants acting in any County, Stewartry, Riding, City, or Place in *Great Britain*, to draw out, aſſemble, and embody the Men enrolled under any Act of this Seſſion of Parliament, or in which any Men ſo enrolled ſhall ſo aſſemble under any proviſional Order of His Majeſty, on any ſuch Invaſion or Appearance of an Enemy as aforeſaid, all Corps of Yeomanry and Volunteers in *Great Britain* ſhall forthwith aſſemble in their reſpective Diſtricts, and ſhall be liable to march according to their reſpective Terms of Service; and the Officers and Private Men in ſuch Corps ſhall, from ſuch Time and until the Enemy ſhall be defeated and expelled, and all Rebellion and Inſurrection then exiſting in the Realm ſhall be ſuppreſſed, be ſubject to any Act then in force for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, and to any Articles of War made in purſuance thereof; and all Perſons not then joining their reſpective Corps, and aſſembling and marching therewith, ſhall be liable to be apprehended and puniſhed as a Deſerter, according to the Proviſions of any ſuch Act as aforeſaid, and of any Articles made in purſuance thereof.

In Caſes of Invaſion, Rebellion, *etc.* in *Ireland*, His Majeſty or the Lord Lieutenant may order Yeomanry Corps to aſſemble, and they ſhall be liable to march according to their Terms of Service, and be ſubject to the Mutiny Laws.

X. And be it further enacted, That in all Caſes of Invaſion, Rebellion, Inſurrection, or Apprehenſion thereof in *Ireland*, it ſhall be lawful for His Majeſty, or the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to order all Corps of Yeomanry in *Ireland* forthwith to aſſemble in their reſpective Diſtricts; and the ſaid Corps ſhall thereupon be liable to march according to their reſpective Terms of Service, and the Officers, Non-commiſſioned Officers, Trumpeters, Bugle Men, Drummers, and Private Men in ſuch Corps, ſhall, from ſuch Time, and until the Enemy ſhall be defeated and expelled, and all Rebellion and Inſurrection, or Apprehenſion thereof, ſhall ceaſe, be ſubject to any Act then in force for the Puniſhment of Mutiny and Deſertion, and for the better Payment of the Army and their Quarters,

Quarters, and to any Articles of War made in purſuance thereof, and all Perſons not then joining their reſpective Corps, and aſſembling and marching therewith, ſhall be liable to be apprehended and puniſhed as Deſerters, according to the Proviſions of any ſuch Act as aforeſaid, and of any Articles made in purſuance thereof.

Volunteers and Yeomanry ſo aſſembled ſhall be put under ſuch General Officers as His Majeſty ſhall appoint.

XI. And be it further enacted, That ſuch Corps of Volunteers and Yeomanry in *Great Britain* and *Ireland* ſhall, on ſo aſſembling as aforeſaid, march under their reſpective Officers, but ſhall be put under ſuch General Officers as His Majeſty ſhall from Time to Time appoint for that Purpoſe, or ſhall be commanding in the Diſtricts in which ſuch Corps reſpectively in *Great Britain* and *Ireland* reſpectively ſhall act.

Rank of Officers.

XII. And be it further enacted, That all Officers of Yeomanry and Volunteer Corps ſhall rank with the Officers of His Majeſty's Regular and Militia Forces as the youngeſt of their reſpective Ranks.

Money ſubſcribed for the Uſe of any Corps, Arms, Stores, *etc.* ſhall be veſted in the Commanding Officer for the Time being.

XIII. And be it further enacted, That all Money ſubſcribed by or for the Uſe of any ſuch Corps in *Great Britain* or *Ireland*, and all Arms, Stores, Ammunition, Drums, Fifes, or Muſical Inſtruments, or other Articles, of whatever Kind or Sort the ſame may be, belonging to any ſuch Corps, or uſed by any ſuch Corps, not being the Property of any particular Individual of ſuch Corps, ſhall be and the ſame are hereby declared to be veſted in the Commanding Officer of the Corps; and ſhall for all Purpoſes of Indictment, Action, or Suit, Criminal or Civil, in Law or Equity, be deemed and taken to be the Property of the Commanding Officer of the Corps, and ſhall and may be laid ſo to be in any Indictment, or may be ſued for and recovered as ſuch, or may be ſtated to be ſuch in any Action relating thereto; and no Indictment, Suit, Action, or Proſecution, ſhall be diſcontinued or abated by the Death or Removal of any ſuch Commanding Officer, but the ſame may be proceeded in by the ſucceeding Commanding Officer, or the Commanding Officer for the Time being; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

If any Perſons refuſe to pay Money required by the Rules of the Corps, or Penalties, a Juſtice may cauſe the ſame, with Double the Amount to be levied by Diſtreſs, which ſhall go to the General Stock, *etc.*

XIV. And be it further enacted, That where any Perſon enrolled in any ſuch Corps in *Great Britain* or *Ireland* ſhall have neglected or refuſed, on Demand made for that Purpoſe, to pay any Sum or Sums of Money ſubſcribed or required by the Rules and Regulations of ſuch Corps to be ſubſcribed by him towards any Expences of the Corps to which he belongs, or to pay any Fines or Penalties incurred under any of the Rules or Regulations thereof, then and in ſuch Caſe it ſhall be lawful for any Juſtice of the Peace reſiding in or near to the Place where ſuch Corps ſhall be, on Application made for that Purpoſe, and Proof thereof by any Commanding Officer or Treaſurer, or Two of the Committee, or Secretary of any ſuch Corps, to cauſe the ſame, together with Double the Amount thereof as a Penalty or Forfeiture to be levied by Diſtreſs and Sale of the Defaulter's Goods and Chattels, by Warrant under his Hand and Seal, rendering the Overplus (if any) on Demand, after deducting the Charges of ſuch Diſtreſs and Sale, to the Perſons whoſe Goods and Chattels ſhall have been ſo diſtrained and ſold; and the Sums ſo levied ſhall go to the general Stock of ſuch Corps, to be applied in the general Expences thereof, in like Manner as any Subſcription or Sums of Money received by or for ſuch Corps may be applied;

or

or where there ſhall be no ſuch Subſcription or Stock of ſuch Corps, then to ſuch Purpoſes relating to ſuch Corps as the Commanding Officer thereof may think fit.

Continuance of Act.

XV. And be it further enacted, That this Act ſhall continue and be in force during the Continuance of the War, and until Six Months after the Ratification of a Definitive Treaty of Peace with *France*.

Act may be altered or repealed this Seſſion.

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

SCHEDULE

SCHEDULE (A.)

To *A. B.* His Majesty's Lieutenant for the of

MUSTER ROLL of the Persons enrolled, and serving in the of commanded by

EFFECTIVES.				EFFECTIVES.				NON-EFFECTIVES.			
N°.	Parish.	Name.	When enrolled.	N°.	Parish.	Name.	When enrolled.	N°.	Parish.	Name.	When enrolled.
1	*A.*	*A. B.*									
2		*C. D.*									
3		*E. F.*									
4		*G. H.*									
5											
6											
7											
8											
9	*B.*	*L. M.*									
10		*N. O.*									
11		*P. Q.*									
12											
13											

N. B. Discharged or quitted since the Date of the last Muster Roll,

A. B.
C. D.
&c.

Total Number in the Corps exempt from serving in the Militia or other additional Force - - - - -

D° - - - not exempt from serving in the Militia or other additional Force - - - - -

Total Number of Men enrolled in the Corps - - -

C. D.
Adjutant or Serjeant Major,

(Signed) *A. B.*
Commanding Officer.

SCHEDULE (B.)

I, *K. L.* Commanding Officer of the
do hereby certify, upon my Honour, in purſuance of an Act of Parliament, paſſed in the Forty-third Year of His preſent Majeſty's Reign, intituled, *An Act*
that I have not, to the beſt of my Knowledge and Belief, inſerted, or cauſed to be inſerted in the above Muſter Roll, as an effective Man, the Name of any Perſon who has not duly attended properly armed and equipped at the Muſter and Exerciſe of the ſaid Corps as required by this Act, or been prevented by actual Sickneſs, certified to me by a medical Practitioner, and who is not an effective Man, &c.

(Signed) *K. L.*
Commanding Officer.

Dated the

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