ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

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CAP. II.

An Act for the more speedy and effectual Enrolment of the Militia of *Ireland*; and for filling up Vacancies therein. [17th *December* 1802.]

WHEREAS it may be expedient that the Militia in *Ireland* should be forthwith enrolled: And whereas the Mode of raising Men by Ballot hath not been generally adopted in *Ireland*, and it might therefore be attended with Inconvenience to proceed by that Mode only for the Purposes aforesaid; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, at any Time within Four Months after the passing of this Act, to issue his Orders to all or any of the several Colonels and other Commanding Officers of the respective Regiments of Militia in *Ireland*, requiring him or them, without Delay, to proceed to enrol a certain Number of Volunteers, not exceeding in any Case the present Complements of the several Establishments of their respective Regiments; and, for that Purpose, it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, to issue his Orders to the Lords Commissioners of the Treasury of *Ireland*, requiring them to advance, from Time to Time, any Sum or Sums of Money, not exceeding in the Whole the Sum of Forty thousand Pounds, as the said Lord Lieutenant, or other Chief Governor or Governors as aforesaid, may by such Order direct, and to pay to the several Colonels, or other

> The Lord Lieutenant may issue Orders for enroling Volunteers in the Militia, and may require the Treasury to issue Money to the Colonels, *etc.* of the Militia, not exceeding Two Guineas for each Man enrolled.

Commanding Officer or Officers of the different Regiments of Militia in *Ireland*, ſuch Sum or Sums of Money, not exceeding the Rate of Two Guineas, for every private Man that may be ſo enrolled.

Upon iſſuing ſuch Orders, the Colonels, *etc.* ſhall proceed to enliſt and enrol Volunteers, and pay them Bounty Money.

II. And be it further enacted, That, upon ſuch Order being iſſued as aforeſaid, the ſaid ſeveral Colonels, or other Commanding Officer or Officers of the ſaid Regiments, ſhall immediately proceed to enliſt and enrol, within their reſpective County or County of City, ſuch Volunteers, being able-bodied Men, uſually reſident within ſuch reſpective Counties, and being not leſs than Five Feet and Four Inches in Height, and not more than Forty-five Years of Age, as can be procured, giving to each Man, by Way of Bounty, any Sum not exceeding the Sum of Two Guineas *per* Man, One Guinea thereof to be paid to every ſuch Volunteer at the Time of his enrolling himſelf in any ſuch Regiment of Militia, and the remaining Guinea to be paid to every ſuch Volunteer on his Firſt Appearance at the Time and Place to be appointed for the aſſembling or exerciſing of the Regiment in which ſuch Volunteer ſhall be enrolled; which Sum of Two Guineas the ſaid Colonels or Officers are hereby authorized to advance and pay to ſuch Volunteers in Manner aforeſaid.

No more than Two Guineas to be given to any Volunteer.

III. Provided always, and be it enacted, That it ſhall not be lawful to or for any Colonel, or other Commanding Officer or Officers of any Regiment of Militia, or to or for any other Perſon or Perſons whatſoever, on his or their Behalf, to advance or give, or to engage to advance or give, any greater or larger Sum of Money than the ſaid Sum of Two Guineas, or to give, or promiſe or undertake to give, any other Largeſs, Bounty, or Reward, than the ſaid Sum of Two Guineas, for the Purpoſe of inducing any Man to enrol himſelf as a Volunteer.

Colonels, *etc.* to tranſmit certified Copies of the Entries of the Names, *etc.* of the Men enrolled to the Chief Secretary of the Lord Lieutenant.

IV. And be it further enacted, That the ſaid ſeveral Colonels, or other Commanding Officer or Officers, ſhall keep, or cauſe to be kept, true and regular Entries of the Names, Additions, Places of Reſidence, Pariſh, and other Deſcriptions of the Perſons they ſhall enrol as aforeſaid, and the ſeveral Sums they ſhall advance and pay to ſuch Perſons reſpectively, and ſhall tranſmit regular Copies of ſuch Entries, certified by them reſpectively, as well as by the Adjutant and Paymaſter or Clerk of the Regiment, Battalion, or Corps reſpectively, to the Office of the Chief Secretary of the ſaid Lord Lieutenant, or other Chief Governor or Governors as aforeſaid.

Men enrolled to take the Oath following.

V. And be it further enacted, That every Man ſo enrolled ſhall take and ſubſcribe the following Oath in the Preſence of ſome One Governor, Deputy Governor, Juſtice of the Peace, or Magiſtrate acting in and for the County, City, or Place, to which the Regiment, Battalion, or Corps, in which he ſhall be enrolled, ſhall belong:

'I *A. B.* do ſincerely promiſe and ſwear, That I will be faithful and bear true Allegiance to His Majeſty King *George* the Third, and that I will faithfully ſerve in the Militia within that Part of the United Kingdom called *Ireland*, for the Defence of the ſame, during the Term of Five Years for which I am enrolled, 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.

'So help me GOD.'

VI. And be it further enacted, That every Perſon ſo enrolled and ſworn ſhall be deemed and taken to be a Militia Man, and ſhall be liable to be called out, and to ſerve as ſuch, and ſhall be ſubject to the ſeveral Laws reſpecting the Militia of *Ireland*, to all Intents and Purpoſes whatſoever.

Perſons enrolled and ſworn to be ſubject to the Militia Laws of *Ireland*.

VII. And be it further enacted, That the ſaid Chief Secretary ſhall cauſe Copies of the Returns of the Men thus enrolled, and the Sums advanced to ſuch Men reſpectively, to be tranſmitted to the ſeveral and reſpective Treaſurers for the ſeveral Counties and Counties of Cities in *Ireland*, Ten Days at leaſt previous to the then next enſuing General Aſſizes after ſuch Expenditure; or if to the Treaſurer of the County and City of *Dublin*, within Fourteen Days previous to each preſenting Term; and the ſaid ſeveral Treaſurers ſhall and they are hereby reſpectively required to lay the ſaid Returns before the Judges of Aſſize, on the Commiſſion Day of Aſſizes, or in the County and City of *Dublin*, before the Court of King's Bench, on the Firſt Day of ſuch Term, and before the reſpective Grand Juries for ſuch Counties or Counties of Cities ſhall be ſworn; and the ſaid Judges, or the ſaid Court, as the Caſe may be, ſhall and they are hereby required to give the ſame, except as herein-after excepted, in Charge to the ſaid Grand Juries, in order that the Sums thus expended may be preſented and raiſed off the ſaid Counties or Counties of Cities; which ſaid Preſentments the ſaid reſpective Grand Juries are hereby reſpectively authorized and required to make, unleſs the Account of the Sum thus to be raiſed ſhall appear to the ſaid reſpective Grand Juries too large to be raiſed at One Aſſizes within the reſpective Counties or Counties of Cities; in which Caſe it ſhall and may be lawful for the ſaid ſeveral Grand Juries, by and with the Concurrence of the Judges at the ſaid Aſſizes, or the ſaid Court, to preſent any Part of ſuch Sum, not leſs than One Moiety thereof, at ſuch Aſſizes or Terms; and the Reſidue ſhall in like Manner be given in Charge, and preſented by the Grand Jury of ſuch County or County of a City, or Grand Juries of ſuch reſpective Counties or Counties of Cities, as the Caſe may be, at the then next enſuing Aſſizes; and in caſe the Grand Jury of any County or County of a City ſhall, after the Judges of the Court ſhall have given the ſame in Charge to them, omit, neglect, or refuſe to preſent the ſame, then and in every ſuch Caſe it ſhall be lawful for the ſaid Judges of Aſſize, or the Court, to order and direct the Treaſurer of ſuch County or County of a City to include the whole of ſuch Sum, and return the ſame among the Preſentments of the County, ſo that the ſame ſhall be raiſed and levied forthwith; and it ſhall not be lawful to traverſe any ſuch Preſentment.

The Chief Secretary to cauſe Copies of Returns of the Men enrolled, and Sums advanced to be tranſmitted to the County Treaſurers, who ſhall lay the ſame before the Judges of Aſſize, *etc.* to be given in Charge to the Grand Juries, that the Money may be raiſed off the Counties.

If the Grand Jury neglect to preſent the Charge, the Judges of Aſſize *etc.* may direct the Treaſurer to return the ſame among the Preſentments of the County.

VIII. And whereas it is juſt and equitable that no Charge ſhall be made on any County or Place for the Purpoſe of providing a Subſtitute or Militia Man, in the Place of any Man who has been diſcharged, and whoſe Time of Service for which he was legally bound to ſerve would not be expired previous to the enrolling of any Man under this Act; be it therefore enacted, That in all ſuch Caſes no Money ſhall be preſented or raiſed for providing any Man or Men in the room of ſuch Perſon or Perſons ſo as aforeſaid diſcharged.

No Money ſhall be raiſed for providing Men in Room of ſuch as have been diſcharged, and whoſe Service would not have been expired previous to enrolling Men under this Act.

IX. And be it further enacted, That the ſeveral Treaſurers of the reſpective Counties and Counties of Cities as aforeſaid, ſhall collect and receive

Treaſurer to collect the Money, and

pay the ſame to the Collector of His Majeſty's Revenue of the County, whoſe Receipt ſhall be an Acquittance to the County for the Men for the Time enrolled; but Vacancies by Death or Deſertion may be filled up by the Colonels, who may pay Two Guineas for each Man, which the Grand Juries ſhall preſent at the Aſſize to reimburſe the Colonel.

ceive the ſaid ſeveral Sums, and pay the ſame to the Collector of His Majeſty's Revenue for ſuch County or County of a City, or in caſe any County ſhall be divided into Two or more Diſtricts, with Two or more Collectors, then to the Collector of that Part of ſuch County in which the County Town is ſituate; and every ſuch Collector ſhall and he is hereby required to give a Receipt for all Sums of Money that ſhall be ſo paid to him as aforeſaid; and ſuch Receipt ſhall be lodged among the Records of ſuch County, and ſhall be a Diſcharge and Acquittance to ſuch County for all ſuch Men as ſhall be ſo raiſed for the Time for which they ſhall be enrolled to ſerve as aforeſaid; unleſs Vacancies ſhall occur by Death or Deſertion, in which Caſe it ſhall and may be lawful for the ſaid ſeveral Colonels or other Commanding Officers to procure and enrol, from Time to Time, Volunteers to fill any Vacancies that may happen by ſuch Death or Deſertion, and pay to ſuch Volunteer a Sum not exceeding Two Guineas for each Man, out of the Stock Purſe of the ſaid Regiment; and the ſeveral Grand Juries, at the reſpective enſuing Aſſizes ſhall, on the Certificate of ſuch Colonel or other Commanding Officer, ſtating the Death or Deſertion of ſuch Man or Men, in like Manner preſent the ſaid Sum or Sums of Money to reimburſe the ſaid Colonel or other Commanding Officer.

Volunteers enrolled to ſupply Vacancies to take an Oath, and ſhall be ſubject to the Militia Laws of *Ireland*.

X. And be it further enacted, That any ſuch Volunteer enrolled for the Purpoſe of ſupplying Vacancies as aforeſaid, ſhall reſpectively take and ſubſcribe the Oath herein-before directed to be taken by Volunteers to be enrolled by virtue of this Act, and in Manner herein-before expreſſed; and every ſuch Volunteer, after having taken and ſubſcribed ſuch Oath as aforeſaid, ſhall be deemed and taken to be a Militia Man, and ſhall be liable to be called out and to ſerve as ſuch, and ſhall be ſubject to the ſeveral Laws reſpecting the Militia of *Ireland*, to all Intents and Purpoſes whatſoever.

Colonels, &c. making untrue Returns, ſhall forfeit 500 *l. Iriſh*.

XI. And be it further enacted, That if any Colonel or other Commanding Officer of any County or County of a City in *Ireland* ſhall make any untrue Return to the Office of the Secretary of the Lord Lieutenant, or to the Grand Jury of the County to which his Regiment belongs, every ſuch Colonel or other Commanding Officer ſhall forfeit and pay the Sum of Five hundred Pounds *Iriſh* Currency, for every ſuch Offence, to be recovered by any Perſon who ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at *Dublin*, wherein no Eſſoign, Privilege, Protection, or Wager of Law, nor more than One Imparlance ſhall be allowed.

Act may be altered or repealed this Seſſion.

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

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