

ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

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of Counties, &c. to put this Act into Execution.

Parliament relating to the Militia for the Counties, Ridings, and Places, herein-after mentioned, and all Juſtices of the Peace, ſhall, reſpectively, have full Power and Authority, and are hereby authorized, empowered, and required to call together, levy, and enrol ſuch Perſons, and in ſuch Manner as herein-after directed, and to do all Acts, Matters, and Things neceſſary for carrying this Act into Execution, in like Manner, and as fully and effectually as they are reſpectively authorized, empowered, or required to carry into Execution an Act paſſed in the Forty-ſecond Year of the Reign of His preſent Majeſty, intituled, *An Act for amending the Laws relating to the Militia of* England, *and for augmenting the Militia*, or any other Act or Acts of Parliament relating to the Militia of *England*.

Number of Private Men in each County.

II. 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* Two hundred and fifty-ſix; for the County of *Berks* Four hundred and forty-three; for the County of *Bucks* Four hundred and thirty-five; for the County of *Cambridge* Three hundred and fifty-two; for the County of *Cheſter*, with the City and County of the City of *Cheſter*, Seven hundred and two; for the Cinque Ports, Two ancient Towns, and their Members Four hundred; for the County of *Cornwall* Five hundred and ſeventy-five; for the County of *Cumberland* Four hundred and ſix; for the County of *Derby* Six hundred and fourteen; for the County of *Devon*, with the City and County of the City of *Exeter*, One thouſand two hundred and fifty-ſeven; for the County of *Dorſet*, with the Town and County of the Town of *Poole*, Three hundred and eighty-five; for the County of *Durham* Four hundred and ſeventy-eight; for the County of *Eſſex* Nine hundred and ſeventy-nine; for the County of *Glouceſter*, with the City and County of the City of *Glouceſter*, and City and County of the City of *Briſtol*, Seven hundred and ſeventy-ſix; for the County of *Hereford* Four hundred and twenty; for the County of *Hertford* Four hundred and one; for the County of *Huntingdon* One hundred and nineteen; for the County of *Kent*, with the City and County of the City of *Canterbury*, excluſive of ſuch of the Cinque Ports as are ſituate within the ſaid County of *Kent*, One thouſand and twenty ſix; for the County of *Lancaſter* Two thouſand four hundred and twenty-five; for the County of *Leiceſter* Five hundred and twenty-nine; for the County of *Lincoln*, with the City and County of the City of *Lincoln*, Seven hundred and fifty-ſix; for the County of *Middleſex*, excluſive of the Tower Diviſion commonly called *The Tower Hamlets*, Two thouſand one hundred and fifty-nine; for the County of *Monmouth* One hundred and ſeventy-ſeven; for the County of *Norfolk*, with the City and County of the City of *Norwich*, Nine hundred and twenty-ſeven; for the County of *Northampton* Six hundred and eight; 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 thirty-five; for the County of *Nottingham*, with the Town and County of the Town of *Nottingham*, Five hundred and ſixty; for the County of *Oxford* Four hundred and twenty-four; for the County of *Rutland* Fifty-four; for the County of *Salop* Seven hundred and ninety-two; for the County of *Somerſet* Nine hundred and eighty-three; for the County of *Southampton*, with the Town and County of the Town of *Southampton*, Six hundred and eighty-four; for the

the *Isle of Wight* One hundred and four; for the County of *Stafford*, with the City and County of the City of *Litchfield*, Nine hundred and eleven; for the County of *Suffolk* Eight hundred and ſixty-ſeven; for the County of *Surrey* Nine hundred and ſixty-three; for the County of *Suſſex*, excluſive of ſuch of the Cinque Ports as are ſituate within the ſaid County of *Suſſex*, Six hundred and twenty-one; for the Tower Hamlets and Liberty of the Tower Eight hundred; for the County of *Warwick*, with the City and County of the City of *Coventry* incluſive of *Birmingham*, Seven hundred and thirteen; for the County of *Weſtmorland* One hundred and eighty; for the County of *Wilts* Seven hundred and twenty-ſeven; for the County of *Worceſter*, with the City and County of the City of *Worceſter*, Five hundred and eighty-eight; for the Weſt Riding of the County of *York*, with the City and County of the City of *York*, One thouſand nine hundred and eighty-nine; for the North Riding of the ſaid County Five hundred and ſeventy-ſeven; for the Eaſt Riding of the ſaid County, with the Town and County of the Town of *Kingſton upon Hull*, Four hundred and fifty-two; for the County of *Angleſey* One hundred and nine; for the County of *Brecon* One hundred and forty-ſeven; for the County of *Cardigan* One hundred and ſixty-ſeven; for the County of *Carmarthen*, with the County Borough of *Carmarthen*, Two hundred and forty-eight; for the County of *Carnarvon* One hundred and twenty-eight; for the County of *Denbigh* Two hundred and twenty-ſix; for the County of *Flint* One hundred and thirty-five; for the County of *Glamorgan* Two hundred and ſeventy-five; for the County of *Merioneth* One hundred and twenty-ſeven; for the County of *Montgomery* One hundred and ſixty-ſeven; for the County of *Pembroke*, with the Town and County of the Town of *Haverford Weſt*, One hundred and ſixty-eight; and for the County of *Radnor* Seventy-four.

Proviſions relating to Counties to extend to Ridings, thoſe to Hundreds to extend to other Diviſions, and thoſe to Pariſhes to extend to Townſhips, *etc.*

III. And be it further enacted, That all Proviſions, Directions, Clauſes, Matters, and Things whatever in this Act contained, relating to Counties, ſhall extend and be conſtrued to extend to all Ridings and Places required to provide Men under this Act; and all Proviſions, Directions, Clauſes, Matters, and Things in this Act contained, relating to Hundreds, ſhall extend and be conſtrued to extend to all Rapes, Lathes, Wapentakes, and other Diviſions in or of any ſuch County, Riding, City, or Place; and all Proviſions, Directions, Clauſes, Matters, and Things in this Act contained, relating to Pariſhes, ſhall extend and be conſtrued to extend to all Townſhips, Tythings, and Places, and to all Extra-parochial Places united therewith for the Purpoſes of this Act, or of any Act relating to the Militia, as fully and amply as if they were ſeverally and reſpectively repeated, in every ſuch Proviſion, Direction, and Clauſe, and with relation to every ſuch Matter or Thing.

Meeting of Lieutenancy ſhall appoint the Number of Men to be raiſed in each Hundred, and the Days for the Firſt Subdiviſion Meetings, and iſſue Orders to the Conſtables to

IV. And be it further enacted, That a General Meeting of Lieutenancy ſhall be held in each County within Ten Days after the paſſing of this Act, or as ſoon after as may be; and at ſuch General Meeting the Lieutenant and Deputy Lieutenants, or ſuch of them as ſhall be preſent at ſuch Meeting, ſhall appoint the Number of Men to be raiſed in purſuance of this Act for each Hundred within the County to which they belong, having regard where neceſſary to the Number of Yeomanry or Volunteer Corps enrolled in any of the ſaid Hundreds, and entitled to

Exemp-

amend Lists, and affix them to the Church Doors, *etc.*

Exemptions under the Provisions of this Act, and shall appoint the Days for the First Subdivision Meetings, and issue Orders to the Constables to amend the Lists already returned under the several Acts relating to the Militia, as the Case shall require, and in such Manner that the Names of all Persons liable to be ballotted by virtue of this Act to serve in the Army to be raised in pursuance thereof, shall be inserted therein, and so as that the Names of all Persons liable to serve, who may have come to reside or actually be in the Parish at the Time of amending such Lists may be inserted therein; and that the Names of all Persons exempted from serving under this Act, or who may have left the Parish for the Purpose of residing in any other Parish, before the Twenty-second Day of *June* One thousand eight hundred and three, shall be struck out; and to affix such amended Lists to the Doors of the Churches of their respective Parishes or otherwise, as is directed by the said Act of the Forty-second Year aforesaid, and to give Notice in Manner therein directed of the Days of Appeals (which Appeals are hereby directed to be heard and determined on the Days respectively appointed in the several Counties for such First Subdivision Meetings); and such Constables shall, without any Delay, proceed to amend such Lists, and affix the same according to the Direction of the said Acts, before the *Sunday* preceding the First Subdivision Meetings appointed under this Act.

New Lists may be made when necessary.

V. Provided always, and be it enacted, That it shall be lawful for the Deputy Lieutenants of any County, if it shall appear to be absolutely necessary for raising the Men under this Act, and not otherwise, to order and direct the making new Lists of Persons liable to serve, and to give Directions for that Purpose, and appoint Times for the Notices and Returns relating thereto; and then and in such Case all the Powers, Directions, Penalties, Fines, and Forfeitures in the said recited Acts contained, relating to the making of new Lists, shall be applied and put in Force for that Purpose, according to such Directions, as fully as if the same were herein re-enacted, and such respective Times for Notices and Returns, and other Matters and Things, were specially herein directed and enacted.

Exemptions.

VI. Provided always, and be it further enacted, That no Person being a Commissioned Officer in His Majesty's other Forces, whether Regular or Militia, now embodied, or in any One of His Majesty's Castles or Forts, nor any Officer on Half Pay of the Army, Navy, or Marines, nor any Non-commissioned Officer or Private Man serving in any of His Majesty's Regular or Militia Forces, nor any Person being a Resident Member of either of the Universities in *England*, nor any Clergyman, nor any licensed Teacher of any separate Congregation in Holy Orders, or pretended Holy Orders, and not carrying on any Trade, or exercising any other Occupation for his Livelihood except that of a Schoolmaster, and who shall have been so licensed on or before the Eighth Day of *March* One thousand eight hundred and three, nor any Constable or other Peace Officer, nor any Person being and having been on or before the Twenty-second Day of *June* One thousand eight hundred and three, an articled Clerk, nor any Apprentice being at the passing of this Act under the Age of Twenty-one Years, nor any Professional Seaman or Seafaring Man, actually earning his Livelihood as such Seaman or Seafaring Man, nor any Person

ſon trained and actually doing Duty and muſtered in any of His Majeſty's Docks or Dock Yards for the Service thereof, or actually employed and muſtered in His Majeſty's Service, in the Tower of *London*, *Woolwich* Warren, the ſeveral Gun Wharfs, 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 having more than One Child born in lawful Wedlock under Ten Years of Age, or Infirm, nor any Perſon who has ſerved perſonally or by Subſtitute in the Militia raiſed by virtue of any Act or Acts relating to the Militia, ſhall be liable to ſerve perſonally or provide a Subſtitute to ſerve in the Army to be raiſed by virtue of this Act, unleſs by Rotation it ſhall have come to the Turn of any ſuch Perſon to be again ballotted for; but no Perſon who has ſerved in any of His Majeſty's Regular Forces or as a Subſtitute or Volunteer in the Militia, and hath been diſcharged from or quitted the ſame, ſhall by ſuch Service be exempted from ſerving in the ſaid Army to be raiſed by virtue of this Act, if he ſhall be choſen by Ballot.

Further Exemptions.

VII. Provided alſo, and be it further enacted, That no Officer, Non-commiſſioned Officer, Trumpeter, Drummer, or private Man, who ſhall have offered himſelf and been accepted, and who ſhall have been duly and actually enrolled on or before the Twenty-ſecond Day of *June* One thouſand eight hundred and three, in the Honourable Artillery Company of the City of *London*, or in any Yeomanry or Volunteer Corps, raiſed or continued under an Act paſſed in the laſt Seſſion of Parliament, the Services of which Corps ſhall have been accepted on or before the Twenty-ſecond Day of *June* One thouſand eight hundred and three, and whoſe Services ſhall, as to all ſuch Corps formed in the Metropolis, *Briſtol*, *Exeter*, *Liverpool*, *Cheſter*, *Manchester*, *Hull*, *Norwich*, *York*, *Leeds*, *Sheffield*, and *Birmingham*, reſpectively, extend, in Caſes of actual Invaſion, or Appearance of Invaſion, to the reſpective Cities and Places aforeſaid in which they ſhall have been formed, and their reſpective Vicinities, and as to all other Corps, to the Military Diſtrict in which ſuch Corps ſhall be ſituate, ſhall be liable to ſerve perſonally or provide a Subſtitute to ſerve in the Army to be raiſed by virtue of this Act, as long only as he ſhall actually continue to belong to and ſerve in ſuch Corps in Manner herein-after mentioned.

No Perſon in Yeomanry or Volunteer Corps exempted unleſs entered on the Muſter Roll on or before *June* 22, 1803.

Rolls to be returned to the Clerks of the General Meetings.

VIII. Provided alſo, and be it further enacted, That no Perſon in any ſuch Yeomanry or Volunteer Corps as aforeſaid, ſhall be exempted from Service under this Act, unleſs he ſhall have entered his Name in a Muſter Roll of ſuch Corps for Service on or before the Twenty-ſecond Day of *June* aforeſaid, and ſhall be returned to the Deputy Lieutenants of the Subdiviſion in which he ſhall reſide, as ſo entered by the Commanding Officer of ſuch Corps; and all Commanding Officers of ſuch Corps are hereby required to return ſuch Muſter Rolls, ſigned by them reſpectively, to the Clerks of the General Meetings of Lieutenancy of their reſpective Counties, before the Day appointed for the Firſt Subdiviſion Meetings under this Act.

No Person Five Feet Two Inches High, shall be deemed unfit.

IX. And be it further enacted, That no Person chosen by Ballot to serve in the said Army, nor any Substitute, being of the full Height of Five Feet Two Inches, who shall be otherwise able bodied and fit for Service, shall be deemed unfit for Service, or be liable to be discharged on account of his Stature.

Subdivision Meetings shall determine Appeals, appoint what Number of Men shall serve for each Parish, and send Duplicates of amended Lists to the Clerks of the General Meetings, who shall return Abstracts to the Privy Council; shall appoint Meetings for balloting and inrolling; order Constables to give Notice to the Men to appear, *etc.*

X. And be it further enacted, That the Deputy Lieutenants, assembled at such First Subdivision Meetings, shall proceed to hear and determine Appeals on such amended Lists, and after amending such Lists on such Appeals, shall appoint what Number of Men shall serve for each Parish within such Subdivision, in Proportion to the Number appointed to serve for each Hundred, and shall cause Duplicates of such amended Lists to be sent to the Clerks to the General Meetings, who shall return Abstracts thereof to His Majesty's Privy Council, and shall appoint another Meeting to be holden as soon as conveniently may be, and within One Week from the Day on which such Meeting was holden within the same Subdivision, for the Purpose of balloting for the Men to serve under this Act for the several Parishes in such Subdivision; and the Deputy Lieutenants, or any Two or more of them, assembled in pursuance of such Appointment, shall cause the proper Number of Men to be chosen by Ballot out of the Lists returned for every Parish, and amended as aforesaid, and shall appoint another Meeting to be holden as soon as conveniently may be, and within Fourteen Days, in the same Subdivision, for the Purpose of enrolling the Men required to serve as aforesaid, and shall issue out an Order to the Chief Constables, or other Officers of the respective Hundreds, to direct the Constable, Tythingman, Headborough, or other Officer of every Parish, to give Notice to every Man so balloted, to appear at such Meeting; which Notice shall be given or left at the Place of Abode of every such Person at least Five Days before such Meeting; and such Constable, Tythingman, Headborough, or other Officer, shall attend such Meeting, and make a 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 shall be enrolled (in a Roll to be then and there prepared for that Purpose), to serve in the Army to be raised by virtue of this Act, under the Regulations herein-after mentioned, as a private Man.

Men to appear upon Notice, to be enrolled.

Notice to the Wife, *etc.* to be deemed good Service, and if any Man does not appear in 14 Days, he shall be advertised, and subject to the Penalties for absconding from the Militia.

XI. And be it further enacted, That the Delivery of any Notice of any Man being balloted to serve in the said Army to the Wife, or any Servant, or Member of his Family, or left at the usual or last Place of Abode of such Person, shall be deemed as good and sufficient Service thereof as if he was personally served therewith, and in case any Man so balloted shall neglect to appear for the Space of Fourteen Days after the Delivery of such Notice, the Deputy Lieutenants, or any Two of them, if it shall appear to them that such Person has left his Place of Abode for the Purpose of evading the Provisions of this Act, shall and may order such Man to be advertized in any Newspaper circulating in the County, or any neighbouring Counties, as appear to the Deputy Lieutenants to be expedient, and the Expence thereof shall be defrayed by the Receiver General of such County; and every such Person who shall not thereupon appear, and abide the Order of the said Deputy Lieutenants according to the Provisions of this Act, shall be subject to such and the like Pains, Punishments,

Punishments, Penalties, and Forfeitures as are in the said recited Act, or any other Act contained in relation to Men absconding or deserting from the Militia.

Acts omitted to be done at any Meeting may be done at a subsequent Meeting; and if the full Number should not be enrolled, a fresh Ballot shall be had, *etc.*

XII. And be it further enacted, That if through the Neglect or Mistake of any Lieutenant or Deputy Lieutenants, or any Chief Constables Constables, or other Officers, or from any other Cause, any Act or Acts, Matters or Things, hereby required to be done at any such Meeting as aforesaid, shall not be performed, it shall be lawful for the Persons respectively authorized and required to do any such Act, Matter, or Thing, to carry the same into Execution at any subsequent Meeting, and all such Acts, Matters, and Things, shall be as good, valid, and effectual, to all Intents and Purposes, as if the same had been done at the Meeting in this Act mentioned for such Purpose; and if the full Number of Men appointed for any Subdivision should not be duly enrolled at any Meeting appointed for that Purpose, the Deputy Lieutenants at such Meeting, or at any subsequent Meeting, or any Two or more of them, may and they are hereby required, immediately to cause any Lists to be amended, if necessary, and to proceed to a fresh Ballot, and to adjourn their Meeting, or appoint other Meetings, as may be expedient for carrying the Purposes of this Act duly and fully into Execution; and it shall be lawful for any One Deputy Lieutenant or Justice of the Peace, to administer the Oaths required by this Act to be taken by Persons to serve in the said Army, to any Person ballotted, or to any Person offering as a Volunteer under the Directions of this Act, or to any Person who shall offer to serve as a Substitute; and such Deputy Lieutenant or Justice of the Peace is hereby authorized to direct and require the Clerk of the Subdivision for which the Person having taken such Oath is to serve, to enrol the Name of every such Person, together with the Day on which the said Oath was so administered to him, in the Roll of such Subdivision.

One Deputy Lieutenant or Justice may administer Oaths, and require the Clerk of the Subdivision to enrol the Persons sworn.

Subdivision Meeting may discharge unfit Persons not worth 100*l.* and cause others to be chosen.

XIII. 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 who is not seised or possessed of any 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, who shall have been chosen by Ballot to serve in the said Army, is unable by reason of any Infirmity, or is otherwise unfit for the Service, 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.

Persons ballotted may find Substitutes, who are not to be objected to on Account of Children.

XIV. Provided always, and be it further enacted, That it shall be lawful for all Persons who shall be ballotted to serve in the said Army, to find and produce Substitutes, who being of the same or some adjoining County, and able and fit to serve, and being approved in Manner directed by the said Act and this Act, shall be enrolled and sworn; and the Persons finding such Substitutes, shall not be again liable to be ballotted to serve, or to find Substitutes to serve under this Act, unless it shall

again

again come to the Turn of any such Person; and no Person produced as a Substitute shall be rejected by any Deputy Lieutenants, for or on Account of the Number of his Children, any Thing in any former Act contained to the contrary notwithstanding.

Penalty on Persons chosen by Ballot (not being Quakers), neglecting to serve or find Substitutes;

XV. And be it further enacted, That if any Person chosen by Ballot, according to the Directions of this Act, to serve in the said Army, (not being One of the People called *Quakers*), shall refuse or neglect to appear and take the said Oath, and serve in the said Army, or to provide a Substitute to be approved as aforesaid, who shall take the said Oath, and sign his Consent to serve as his Substitute, every such Person so refusing or neglecting, shall forfeit and pay the Sum of Twenty Pounds; and whenever any Ballot shall take place for the filling up any Vacancy, or otherwise in the same Parish or Place, under the Authority of this Act, after the Expiration of One Year from the Time of such Person being so ballotted as aforesaid, such Person shall be liable to be ballotted again to serve or provide a Substitute under this Act; and in Default of Payment of any such Penalty, or for want of sufficient Effects whereon to levy the same, the Name of such Person, if fit to serve, and not being of the People called *Quakers*, shall be entered on the Roll; and such Person shall be delivered over to some proper Officer in His Majesty's Service, near to such Parish or Place, and shall be compelled to serve, in like Manner as any other Person 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.

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

Deputy Lieutenants may provide Substitutes for Quakers, and may levy the Penalty by Distress.

XVI. Provided always, and be it further enacted, That it shall be lawful for Deputy Lieutenants to provide, in Manner directed by the said recited Acts, a Substitute for any Quaker ballotted under this Act, and levy such Penalty or Sum of Twenty Pounds aforesaid, by Distress and Sale, in Manner directed by the said recited Act, on the Goods and Chattels of the Quaker for whom such Substitute shall be provided, and the Overplus, if any, shall be paid and applied as directed by this Act.

The Parishes shall compleat their Quotas without Loss of Time, and Half the Penalty of 20*l.* shall be paid to the Overseers of the Poor, and the Remainder applied as herein-after directed.

XVII. Provided always, and be it further enacted, That in all Cases the respective Parishes shall complete their Quota of Men ordered to be raised under this Act, without Loss of Time, and the Sum of Ten Pounds, being One Moiety of the said Penalty of Twenty Pounds on any Person for neglecting to appear or provide a Substitute, to be approved under this Act, shall in all Cases be paid to the Overseers of the Poor of the Parish in which such Default shall have been made, for the Purpose of enabling such Overseers to provide a Volunteer to supply the Deficiency arising from such Default, and such Sum of Ten Pounds, or such Part thereof as may be necessary, shall go and be applied for that Purpose, in Aid of the Rates of such Parish, and the Surplus, if any, shall be carried to the Account of the said Rates; and further, that the remaining Sum of Ten Pounds being the other Moiety of the said Penalty, shall go and be applied in Manner herein-after directed with respect to the Fines, Penalties, and Forfeitures, payable or leviable under this Act, or any of the said recited Acts.

XVIII. And

XVIII. And be it further enacted, That no Man shall be approved or enrolled to serve in the Army to be raised under this Act, either as a balloted 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 said Army, 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 or Assistant Surgeon of any Regiment, Battalion, or Corps of His Majesty's Regular or Militia Forces, or any Surgeon or Assistant Surgeon or Mate in any Military Hospital, or any Surgeon or Mate on the Staff of the Forces, if any such Medical Officer 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 Two Shillings and Sixpence for every Man so examined, shall be made to the Surgeon performing such Examination, and shall be paid in like Manner as Allowances are by the said recited Act of the Forty-second Year aforesaid, directed to be made and paid to Surgeons employed in examining Militia Men.

No Man shall be enrolled till examined by a Surgeon.

The Attendance of certain Surgeons may be required by the Deputy Lieutenants.

Allowance to be made the Surgeons for Attendance.

XIX. And be it further enacted, That every Man who shall be balloted under this Act to serve in the said Army, shall be enrolled to serve, within the United Kingdom of *Great Britain* and *Ireland*, and within the Islands of *Guernsey*, *Jersey*, and *Alderney*, for the Defence of the same, and not elsewhere, for Five Years; and shall take the following Oath; that is to say,

Balloted Men shall be enrolled to serve within certain Limits; and 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 His Majesty in *Great Britain* and *Ireland*, or the Islands of *Guernsey*, *Jersey*, and *Alderney*, for the Defence of the same, for the Period of Five Years, unless I shall be sooner discharged.'

And every Substitute or Volunteer enrolled to serve in the said Army, shall be liable to serve in any Part of *Great Britain* or *Ireland*, or the Islands of *Guernsey*, *Jersey*, and *Alderney*, and not elsewhere, and shall take the following Oath; (that is to say,)

Substitutes or Volunteers shall be liable to serve within certain Limits; and 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 I do swear that I will faithfully serve His Majesty in *Great Britain* and *Ireland*, or in the Islands of *Guernsey*, *Jersey*, and *Alderney*, for the Defence of the same, for the Period of Five Years, and further until Six Months after the Ratification of a Definitive Treaty of Peace with *France*, unless I shall be sooner discharged.'

And every Person enrolled to serve under this Act in the said Army, as a Substitute or Volunteer, shall, before such Enrolment, be examined upon Oath before the Deputy Lieutenants as to his Fitness to serve, and

and shall be examined as to their Fitness, and take an Oath to the following Effect.

other Circumſtances; and the Oath to be adminiſtered to him ſhall be in the Words or to the Effect following; (that is to ſay),

'I, *A. B.*, do ſwear, That I have no Rupture, or am I ſubject to Fits, nor am I diſabled by Lameneſs or otherwiſe, but have the perfect Uſe of my Limbs, and that I am not an Apprentice, or a Seaman or Seafaring Man, and that I do not belong to His Majeſty's Navy, Army, or Marines, nor to the Militia.'

Volunteers may be provided with the Conſent of the Inhabitants of any Pariſh, and a Rate eſtabliſhed for paying them Bounties.

XX. And be it further enacted, That if the Churchwardens or Overſeers of the Poor of any Pariſh in *England* ſhall, with the Conſent of the Inhabitants at a Veſtry or 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, any Volunteer or Volunteers, being Men of the ſame or ſome adjoining County, who ſhall be examined and approved as in this Act 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, as ſhall be then wanted to make up the whole Number to be raiſed in ſuch Pariſh; and if any ſuch Churchwardens or Overſeers ſhall give to ſuch Volunteer or Volunteers any Sum or Sums of Money, not exceeding the average Price to be fixed as herein-after mentioned, it ſhall be lawful for ſuch Churchwardens or Overſeers to make a Rate upon the Inhabitants of ſuch Pariſh 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 Rates; and if any Perſon, not being enrolled to ſerve, or having provided a Subſtitute under this Act, 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 Offender's Goods and Chattels, returning the Overplus (if any) after the ſaid Rate, and the Charges of ſuch Diſtreſs and Sale ſhall be paid: 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.

Rates may be levied by Diſtreſs.

Appeal may be made to the Quarter Seſſions.

Perſons may provide Volunteers, or offer themſelves to ſerve, and if approved may be enrolled, *etc.*

XXI. And be it further enacted, That it ſhall be lawful for any Perſon or Perſons to provide Volunteers, being Men of the ſame or ſome adjoining County, to ſerve in the ſaid Army, for any Subdiviſion within any County in *England*, and to produce ſuch Volunteers before any Deputy Lieutenants or Juſtices of the Peace of the ſame Subdiviſion, at any Time previous to the Day appointed for chooſing the Men by Ballot

in ſuch Subdiviſion in purſuance of this Act, or for any Perſons of the ſame or ſome adjoining County, willing to ſerve therein, to offer themſelves to ſerve in the ſaid Army for any ſuch Subdiviſion, and to appear before any ſuch Deputy Lieutenant or Juſtice of the Peace within ſuch Time and at ſuch Place as aforeſaid; and every Perſon ſo produced or appearing, who ſhall be approved of by the ſaid Deputy Lieutenant, or any Juſtice of the Peace as aforeſaid, may be enrolled to ſerve in the ſaid Army as a private Man, according to the Proviſions of this Act; and ſuch Deputy Lieutenants and Juſtices of the Peace reſpectively, before whom any ſuch Volunteer ſhall be enrolled, ſhall cauſe the Clerks of the Meetings for the reſpective Subdiviſions to enrol the Names of all ſuch Volunteers, in ſuch Manner as they are required to enrol the Names of Perſons choſen by Ballot; and the Names of all ſuch Volunteers ſhall be ſo entered within the reſpective Subdiviſions before the Time appointed for ballotting the Men within the ſame.

Volunteers ſhall be ſent to the Place of Aſſembly, and if thoſe enrolled before taking the Ballot ſhall amount to a certain Number, the Deputy Lieutenants may ſuſpend the Ballot, and ſhall ſend an Account of the Number enrolled to the Clerk of the General Meetings, to be tranſmitted to the Secretary at War, and His Majeſty may direct a further Suſpenſion of the Ballot, at the End of which Period the Number wanting ſhall be ballotted for, *etc.*

XXII. And be it further enacted, That the Deputy Lieutenants ſhall from Time to Time order all Volunteers to be forwarded to the Place of Aſſembly for their reſpective Counties in *England* as herein-after mentioned; and if the Number of Volunteers enrolled by virtue of this Act in any Subdiviſion, before the Time appointed for taking the Ballot as before directed, ſhall not amount to Two-third Parts of the whole Number of Men appointed to be raiſed within ſuch Subdiviſion, the Deputy Lieutenants ſhall, at the Time and Place before appointed, proceed to ballot for ſuch Number of Men only as ſhall be then wanted to make up the whole Number to ſerve for ſuch Subdiviſion, making a freſh Appointment of the Number of Men to be raiſed for the reſpective Pariſhes, in ſuch Subdiviſion, according to the Number then wanted as aforeſaid; and if the Number of Volunteers who ſhall have been then enrolled, ſhall amount to or exceed ſuch Two-third Parts, then the ſaid Deputy Lieutenants may ſuſpend the Ballot appointed to be taken for any Space of Time not exceeding Six Days, of which like Notice ſhall be given as is herein-before directed; and they ſhall forthwith tranſmit an Account of the Number of Volunteers ſo enrolled to the Clerk to the General Meeting of Lieutenancy of the County, who ſhall tranſmit the ſame, without Delay, to His Majeſty's Secretary at War; and it ſhall be lawful for His Majeſty, on the Tranſmiſſion of ſuch Account, to direct a further Suſpenſion of the ſaid Ballot for ſuch Time as ſhall be deemed expedient, in order to give a reaſonable Opportunity to complete the Quota of ſuch Subdiviſion by the Enrolment of Volunteers; and in ſuch Caſe it ſhall be lawful for the Deputy Lieutenants and Juſtices of the Peace acting for ſuch Subdiviſion, within the Time allowed by His Majeſty, in any Order tranſmitted for that Purpoſe by His Majeſty's Secretary at War, to enrol ſuch Number of Men as Volunteers in the ſaid Army as ſhall be wanting to complete the Quota of Men to be raiſed for ſuch Subdiviſion, in the Manner before directed: Provided always, that if at the Expiration of the Time allowed by His Majeſty, the whole Number of Men to be raiſed for ſuch Subdiviſion ſhall not have been enrolled, the Deputy Lieutenants, without further Delay, ſhall proceed to ballot for the Number of Men then wanted to make up ſuch Number, according to the Proviſions of this Act, making a freſh Appointment of the Number of Men to be raiſed for each Pariſh or Place, according to the Numbers then wanted as aforeſaid;

ſaid; but if at the End of the Time ſo allowed, the whole Number of Men to be ſo raiſed for ſuch Subdiviſion ſhall be compleated, then the Deputy Lieutenants ſhall tranſmit an Account thereof to the Clerk of the General Meeting of the ſaid County, as aforeſaid, who ſhall tranſmit the ſame to His Majeſty's Secretary at War, and in ſuch Caſe no Ballot ſhall take place for ſuch Subdiviſion.

Half the Price of Volunteers ſhall be paid to Perſon not worth 500*l.* who ſhall be enrolled, or provide fit Subſtitutes.

XXIII. And be it further enacted, That Half the Price of a Volunteer or Subſtitute, to be aſcertained and adjudged under this Act, ſhall be paid to every Perſon who ſhall prove on Oath that he is not poſſeſſed of any Eſtate of the Value of Five hundred Pounds, in the Manner in the ſaid recited Act of the Forty-ſecond Year aforeſaid mentioned, who ſhall be approved, ſworn, and enrolled, or ſhall provide a fit Perſon to ſerve as his Subſtitute, who ſhall be approved, ſworn, and enrolled as ſuch in the ſaid Army, to be paid to ſuch Perſon as aforeſaid on the Expiration of Fourteen Days after his or his Subſtitute's joining at any Place of Aſſembly appointed in purſuance of this Act, in the County for which he ſhall have been enrolled, if not found to be unfit for Service and duly diſcharged within that Time.

Subſtitutes or Volunteers having received Money and not appearing to be enrolled, ſhall return it and pay a Penalty, or be impriſoned.

XXIV. And be it further enacted, That when any Perſon ſhall have received any Money for the Purpoſe of ſerving as a Subſtitute or Volunteer, either in the way of Earneſt, or in part of Payment of any Sum agreed to be given for his becoming ſuch Subſtitute or Volunteer, or in any other Manner as ſuch Subſtitute or Volunteer, and ſhall afterwards refuſe or neglect to appear to be enrolled and to ſerve as ſuch, it ſhall be lawful for any Two Deputy Lieutenants, or any Two Juſtices of the Peace or Magiſtrates, to whom Complaint ſhall be made thereon, to cauſe any ſuch Perſon to be brought before them or him by Warrant; and if ſuch Perſon ſhall refuſe to be enrolled and ſworn to ſerve as aforeſaid, or ſhall neglect or refuſe, or be unable to return the Sum of Money ſo advanced as aforeſaid to the Perſon or Perſons from whom he received it, together with the further Sum of Forty Shillings, by way of Forfeit, ſuch Deputy Lieutenants or Juſtices may, and they are hereby required to commit ſuch Perſon to the Common Gaol of the County for Three Months, there to remain without Bail or Mainprize.

Subdiviſion Meetings may fix the Price to be paid to Volunteers, a Moiety of which ſhall be paid by the Pariſh Officers to Perſons entitled thereto.

XXV. And be it further enacted, That the Deputy Lieutenants, or any Two or more of them, or One Deputy Lieutenant and One Juſtice of the Peace, at any Subdiviſion Meeting to be held after paſſing this Act, may fix the Average current Price then paid, or which in their Judgement ſhall be a reaſonable Sum to be paid for a Volunteer in the ſaid Army; and that in every Caſe where any Perſon under the Proviſions of this Act ſhall claim to be entitled to One Half of the current Price then paid for a Volunteer, ſuch Price ſhall, in all Caſes relating to the ſaid Army, be aſcertained by the Average current Price then fixed by the ſaid Deputy Lieutenants or Juſtices reſpectively to be paid for Volunteers, and not according to the Directions contained in the ſaid Act of the Forty-ſecond Year aforeſaid; One Moiety of which Price ſo to be fixed ſhall be paid to ſuch Perſon by ſuch Churchwardens or Overſeers of the Poor, at ſuch Times and in ſuch Manner and under ſuch Regulations in all Reſpects, except as to the Amount thereof, as aforeſaid.

XXVI. And

XXVI. And be it further enacted, That a Bounty of Two Guineas shall be paid by the Receiver General, for and in respect of every Man ballotted to serve, who shall appear and be enrolled and sworn personally to serve under this Act, as soon as such Men shall have respectively joined their Regiments, Battalions, and Corps, to the Captain of the respective Companies to which such Man shall belong, which shall be accounted for by such Captain to the Men entitled thereto, on the Twenty-fourth Day of the Month succeeding the Time of the same being paid by such Receiver General, and such Sums shall be allowed in the Accounts of such Receivers General respectively.

Two Guineas shall be paid by the Receiver General for every ballotted Man who shall serve personally;

XXVII. And be it further enacted, That the Sum of One Guinea shall be paid by the Receivers General to the respective Commanding Officers of Companies, in Manner directed by the said Act of the Forty-second Year aforesaid, for the Use of every Substitute or Volunteer raised under this Act, when and so soon as any such Substitutes or Volunteers shall respectively join and be approved at the Places of Assembly appointed for that Purpose; which Sums shall be respectively paid, applied, and accounted for, in Manner directed by the said Act.

and One Guinea for every Substitute or Volunteer.

XXVIII. And be it further enacted, That it shall be lawful for His Majesty to appoint the Times and Places in each County, for the assembling of the Men enrolled under this Act, and also to appoint and send proper Officers and Non-commissioned Officers to receive such Men, Notice whereof shall be transmitted by His Majesty's Secretary at War to the Deputy Lieutenants respectively; and where no such Officers or Non-commissioned Officers shall be so sent, the Deputy Lieutenants shall order the Men, when enrolled, to repair forthwith to the Places of Assembly so appointed, and shall cause to be advanced to such Men such Pay for the Purpose of subsisting such Men during such March, as is directed in the said Act of the Forty-second Year aforesaid, in relation to the Militia when embodied; and all Justices of the Peace, Magistrates, Constables, and other Officers may, and they are hereby required to do all other Acts, Matters, and Things in relation to billetting such Men, and providing sufficient Carriages for the forwarding the March of such Men, as they are authorized and directed to do with respect to any of His Majesty's Forces.

His Majesty may appoint the Times and Places for assembling the Men enrolled, and send Officers to receive them, Notice whereof shall be transmitted by the Secretary at War to the Deputy Lieutenants, and when none are sent, the Deputy Lieutenants shall order the Men to repair to the Places of Assembly, *etc.*

XXIX. And be it further enacted, That it shall be lawful for His Majesty to cause the Men enrolled under this Act to serve as aforesaid, to be placed in such of the existing Regiments, Battalions, or Corps, as may be from Time to Time appointed to serve within the United Kingdom, or in the Islands of *Guernsey*, *Jersey*, and *Alderney*, or to be formed into such new Regiments, Battalions, or Corps, as His Majesty shall judge necessary, and in such Manner as shall be best adapted to the Defence and Protection of the United Kingdom; and Notice shall be given by His Majesty's Secretary at War to the respective Lieutenants of Counties, of the respective Regiments, Battalions, and Corps to which the Men enrolled for their respective Counties shall be appointed; and it shall also be lawful for His Majesty to appoint such Officers and Non-commissioned Officers to command and discipline such Regiments, Battalions, or Corps as His Majesty shall think fit; and every such Officer and every Non-commissioned Officer and Drummer, in any such Regiment, Battalion, or

His Majesty may cause the Men to be placed in Corps appointed to serve within certain Limits, or to be formed into new Corps; and may appoint Officers to command and discipline them, and the Army raised under this Act shall be subject to the Mutiny Laws.

Corps, and every ſuch Private Man, from the Time of his Enrolment reſpectively, as well as the whole Army to be raiſed by virtue of this Act, ſhall be ſubject to all the Proviſions, Rules, Regulations, Pains, and Penalties, as well Pains of Death as others, as are or may be contained in any Act of Parliament then in force for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, and any Articles of War made in purſuance thereof; and all the Proviſions, Powers, Authorities, Pains, Penalties, and Forfeitures, as well Pains of Death as others, contained in every ſuch Act and Articles of War, ſhall be in force with reſpect to the Army to be raiſed by virtue of this Act, and ſhall extend to all Officers, Non-commiſſioned Officers, Drummers, and Private Men of the ſame, in all Caſes whatſoever.

None of the Corps in which the Men ſhall be placed ſhall be ordered out of certain Limits, nor any of the Men be compellable to ſerve out of them.

XXX. Provided always, and be it further enacted, That none of the Regiments, Battalions, and Corps in which the Men to be raiſed under this Act, ſhall be placed or formed as aforeſaid, ſhall, during the Time that any ſuch Men ſhall remain appointed to or formed in the ſame as aforeſaid, on any Account be carried or ordered to go out of the United Kingdom of *Great Britain* and *Ireland* and the Iſlands of *Guernſey*, *Jerſey*, and *Alderney*; and none of the ſaid Men to be raiſed by virtue of this Act, ſhall be compellable or compelled on any Pretence whatſoever, to ſerve out of the United Kingdom and the Iſlands of *Guernſey*, *Jerſey*, and *Alderney* aforeſaid, unleſs they ſhall freely and voluntarily enliſt in any of His Majeſty's Forces for general Service, and ſhall have been for that Purpoſe previouſly and duly diſcharged from their Service in the Army to be raiſed by virtue of this Act.

The Lieutenants and Deputy Lieutenants ſhall tranſmit Certificates to the Commanding Officers of the Men raiſed, and all Vacancies ſhall be ſupplied, according to the Acts in Force relating to the Militia of *England*, and the Commanding Officers and Adjutants ſhall tranſmit to the Clerks of General Meetings, *etc.* Returns relating to Vacancies as directed by the ſaid Acts.

XXXI. And be it further enacted, That the reſpective Lieutenants and Deputy Lieutenants ſhall, upon the Receipt of any ſuch Notice as aforeſaid, of the Regiment, Battalion, or Corps, in which the Men raiſed in their reſpective Counties ſhall be formed, forthwith tranſmit to the Officer commanding ſuch Regiment, Battalion, or Corps, or Officers reſpectively commanding ſuch Regiments, Battalions, or Corps, when more than One, Certificates of the Numbers and Names of Men belonging to their reſpective Counties, as well as of the Subdiviſions and Pariſhes for which they reſpectively ſerve, and all Vacancies that ſhall ariſe in the ſaid Army by Death or Deſertion of any Men enrolled therein, or in conſequence of any ſuch Men being reclaimed as Deſerters from His Majeſty's other Forces, or from the Marines or Militia, or by ſuch Men becoming unfit for the Service, and being duly diſcharged accordingly, ſhall be filled up and ſupplied in ſuch and the like Manner, and under ſuch and the like Penalties as are contained in the ſeveral Acts in Force at the Time of the paſſing of this Act, in relation to the Militia of *England*, except in ſo far as any ſuch Penalties or Forfeitures are by this Act varied, altered, or increaſed; and the reſpective Commanding Officers and Adjutants of ſuch Regiments, Battalions, or Corps, ſhall, in order to the having ſuch Vacancies duly and ſpeedily ſupplied, from Time to Time, tranſmit and cauſe to be tranſmitted to the Clerks of General Meetings, and Lieutenants and Deputy Lieutenants, all ſuch Returns and Accounts in relation to ſuch Vacancies as are directed in the ſeveral Acts relating to the Militia: Provided always, that no Vacancy cauſed by the Diſcharge of any Man, as unfit for Service, ſhall be filled up, except his Diſcharge ſhall be ſigned by the Colonel

lonel or Commanding Officer of the Regiment, Battalion, or Corps, and certified by Two Deputy Lieutenants of the County to which he ſhall belong.

Wives and Families of Corporals and Privates entitled to Relief according to Proviſions of 43 Geo. 3. c. 47. and the Amount ſhall be repaid Quarterly to the Pariſh Officers by the Receiver General of the County.

XXXII. And be it further enacted, That the Wives and Families of the Corporals and Private Men raiſed and enrolled to ſerve under this Act, ſhall be entitled to ſuch and the like Relief, and under ſuch and the like Circumſtances as are mentioned in an Act, paſſed in this preſent Seſſion of Parliament, intituled, *An Act for conſolidating and amending the ſeveral Laws for providing Relief for the Families of Militia Men of* England, *when called out into actual Service*; and for that Purpoſe all the Rules, Regulations, Proviſions, Powers, Authorities, Penalties, and Forfeitures in the ſaid recited Act contained, ſhall extend and be conſtrued to extend to the giving ſuch Relief as aforeſaid, as fully and effectually as if the ſame were herein re-enacted: Provided always, that all Sums of Money advanced to the Wives and Families of any ſuch Men, under any Order for that Purpoſe, ſhall, upon Delivery of a Quarterly Account of the Payment thereof, certified and ſigned by Two Juſtices of the Peace of the County in which ſuch Relief ſhall be given, be repaid to the Overſeer or Overſeers, or Pariſh Officers, who ſhall have advanced the ſame, by the Receiver General of the County in which ſuch Relief ſhall have been given, out of any Publick Monies in his Hands, and ſhall be allowed in the Accounts of ſuch Receiver General.

His Majeſty may direct the Commandant to diſcharge any Man willing to enliſt into His Forces for general Service, &c.

XXXIII. And be it further enacted, That it ſhall be lawful for His Majeſty, from Time to Time, and under ſuch Bounties, Rules, Regulations, and Reſtrictions as may to His Majeſty ſeem moſt expedient, and as may be declared in General Orders, to direct the Colonel or other Commanding Officer of any Regiment, Battalion, or Corps, into which any Men raiſed under this Act ſhall be placed or formed, to diſcharge any ſuch Man ſo raiſed who ſhall be willing to enliſt in His Majeſty's Forces for general Service: Provided always, that the Pariſh in which any ſuch Man ſhall have been raiſed, ſhall not be compellable or compelled to fill up any Vacancy occaſioned by the enliſting of any Man under any ſuch Diſcharge as aforeſaid.

If any ſuch Perſon ſhall refuſe to enlit he ſhall continue to belong to the Corps from which diſcharged.

XXXIV. Provided always, and be it further enacted, That if any Perſon ſo diſcharged for the Purpoſe of being enliſted as aforeſaid, ſhall notwithſtanding refuſe to enliſt purſuant to ſuch Declaration ſo made by him as aforeſaid, that then and in every ſuch Caſe, ſuch Perſon ſhall continue to belong to the Regiment, Battalion, or Corps from which he ſhall have been ſo diſcharged for the Purpoſe of enliſting as aforeſaid, notwithſtanding any ſuch Diſcharge.

Commandants to tranſmit to the Quarter Seſſions Certificates in the Form in the annexed Schedule (A.) and the Juſtices thereat ſhall aſſeſs 20 *l.* for each Man certified to be deficient, and at every ſuc-

XXXV. And be it further enacted, That the reſpective Colonels or other Commanding Officers of the Regiments, Battalions, or Corps of Men raiſed under this Act, ſhall tranſmit to the Juſtices of the Peace or Magiſtrates aſſembled at the ſeveral General Quarter Seſſions of the Peace, held for the reſpective Counties, Ridings, Diviſions, or Places in *England*, at the *Michaelmas* Quarter Seſſions of the Peace next after the paſſing of this Act, and alſo to the Juſtices and Magiſtrates aſſembled at every ſucceeding Quarter Seſſions of the Peace, Certificates in the Form in the Schedule to this Act annexed, marked

ceeding Seſſion ſhall aſſeſs a further Penalty of 20*l.* till Deficiencies are filled up.

marked (A). of the Deficiencies and Vacancies that remain to be filled up in their reſpective Regiments, Battalions, or Corps, and the Juſtices of the Peace, or the Magiſtrates aſſembled at ſuch Seſſions, ſhall at ſuch Seſſions aſſeſs the Penalty of Twenty Pounds for each Private Man ſo certified to be deficient as aforeſaid, in Manner directed by the ſaid recited Act; and if at the General Quarter Seſſions of the Peace, immediately ſucceeding the Quarter Seſſions of the Peace at which any ſuch Aſſeſſment ſhall have been made, any Deficiency or Deficiencies in reſpect whereof any ſuch Aſſeſſment ſhall have been made, ſhall not have been made good, and filled up according to the Proviſions of the ſaid Act and of this Act, the Juſtices or Magiſtrates aſſembled at ſuch ſucceeding General Quarter Seſſions ſhall forthwith aſſeſs and levy in like Manner as aforeſaid, a further and additional Penalty of Twenty Pounds for every Private Man ſo deficient, and ſhall from Time to Time at every ſucceeding General Quarter Seſſions of the Peace, proceed to aſſeſs and levy further and additional Penalties as aforeſaid of Twenty Pounds for each Private Man deficient, until ſuch Deficiency or Deficiencies ſhall have been filled up, and ſuch ſeveral Penalties may and ſhall be aſſeſſed, levied, and recovered, according to the Proviſions of the ſaid recited Act, and applied as by this Act directed.

Recovery and Application of Penalties.

XXXVI. And be it further enacted, That all Fines, Penalties and Sums of Money paid by or levied upon the Goods or Chattels of any Perſon ballotted to ſerve in the ſaid Army, who ſhall neglect to appear or provide a Subſtitute to be approved as aforeſaid, over and above ſuch Sums of Ten Pounds as aforeſaid, and all Fines, Penalties, and Sums of Money aſſeſſed and levied by reaſon of any Default of any County in not raiſing any Men required by this Act to be raiſed by ſuch County, ſhall be Debts to His Majeſty, His Heirs and Succeſſors, and may be recovered as ſuch, or may be levied under the Powers and Proviſions of the ſaid recited Act and this Act, and ſhall immediately on the Payment or Levying thereof be tranſmitted, ſent, and paid to the Receiver General of the County within which the ſame ſhall ſo reſpectively be paid or levied, and ſhall forthwith, by ſuch Receiver General, be carried to the Account of the Paymaſter General of the Army, or tranſmitted and paid into the Hands of the ſaid Paymaſter General of the Army, if required, to be applied in the raiſing Men for the ſaid Army, for ſuch County, or for His Majeſty's other Forces, as His Majeſty ſhall think fit.

Act not to impede levying of Men to compleat the embodied Militia.

XXXVII. And be it further enacted, That nothing herein contained ſhall be conſtrued in any Manner to impede or delay the levying of Men who ought to be raiſed from Time to Time, to complete the Militia now embodied, or to vary the Manner of proceeding therein, but that all ſuch Levies ſhall be effected in like Manner as if this Act had not been paſſed.

Clerks of General Meetings to certify to the Admiralty Perſons claiming Exemption as Seamen.

XXXVIII. And be it further enacted, That the reſpective Clerks of General Meetings of Lieutenancy, ſhall from Time to Time certify to the Admiralty, the Names and Reſidences of all Perſons claiming to be exempt from being ballotted to ſerve under the Proviſions of this Act, as Profeſſional Seamen or Seafaring Men.

XXXIX. And

XXXIX. 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 within their reſpective Juriſdictions put in Execution this Act, and uſe and exerciſe all the Powers and Authorities contained in the ſaid Act of the Forty-ſecond Year of the Reign of His preſent Majeſty, or any other Act or Acts of Parliament relating to the raiſing or embodying Men within ſuch Juriſdiction as aforeſaid, and this Act, for the Purpoſe of carrying the ſame into Execution, and raiſing the Men to be provided and raiſed within their reſpective Juriſdictions; any Thing in any Act or Acts of Parliament contained to the contrary notwithſtanding. Warden of the Cinque Ports, *etc.* to put this Act in Execution;

XL. And be it further enacted, That the Warden of the Cinque Ports, or his Lieutenant or Lieutenants, ſhall, as ſoon after the paſſing of this Act as accurate and correct Liſts can be made out of the Men liable to be ballotted to ſerve for the ſaid Cinque Ports, Two ancient Towns, and their Members, in the Army to be raiſed under this Act, tranſmit to His Majeſty's Privy Council, the Number of Men liable to ſerve under this Act; and in caſe it ſhall appear that the Number appointed by this Act ſo to be raiſed, ſhall exceed the due Proportion of Men according to the Number of Men ſo returned as aforeſaid, it ſhall be lawful for His Majeſty's Privy Council to fix and ſettle the proper Number of Men; and in caſe the full Number of Men to be raiſed for the ſaid Cinque Ports ſhall have been raiſed, then and in ſuch Caſe it ſhall be lawful for the ſaid Warden, or his Lieutenants, to diſcharge by Ballot proportionably for ſuch Cinque Ports, Two ancient Towns, and reſpective Members thereof, ſuch Number of Men as may exceed the Number ſo fixed and ſettled as aforeſaid. and to tranſmit to the Privy Council the Number of Men liable to ſerve, who ſhall fix the Number to be raiſed,

XLI. And be it further enacted, That all and every the Clauſes, Proviſions, Powers, Authorities, Matters, and Things contained in this Act, and in Two Acts made in the Thirty-ſeventh Year of the Reign of His preſent Majeſty, for raiſing the Militia of the Tower Hamlets and Liberty of the Tower, together with Clauſes, Powers, Proviſions, and Authorities in the ſaid firſt recited Act contained, ſhall be applied, practiſed, and put in force in all Reſpects, for raiſing the Men to be raiſed therein under this Act, as fully and effectually as if the ſaid Acts and this Act were conſolidated into One Act. Proviſions of this Act, and of Two Acts of the 37th of His Majeſty, to be applied for raiſing the Men for the Tower Hamlets.

XLII. Provided always, That nothing in this Act contained ſhall be conſtrued to extend to repeal any of the Proviſions of the ſaid Two recited Acts of the Thirty-ſeventh Year aforeſaid, other than as any new and additional Fines, Penalties, and Powers in this Act contained, may be applicable and neceſſary for the raiſing the Men by this Act directed to be raiſed in the Tower Hamlets. Proviſions of ſaid Two Acts ſhall not be repealed unleſs by this Act neceſſary.

XLIII. And be it further enacted, That the reſpective Clerks to the General Meetings of Lieutenancy, and Clerks to Subdiviſion Meetings, and all other Officers and Perſons whatever, entitled under the ſaid recited Acts to any Remuneration for their Pains and Labour in executing the Proviſions of the ſaid Acts, who ſhall execute the like or other Proviſions of this Act, to the Satisfaction of the Lieutenant and Deputy Lieutenants, ſhall for ſuch Services reſpectively receive ſuch Rewards as are directed Clerks to General Meetings, &c. to be rewarded for their Trouble.

by the ſaid Acts for ſuch Services, and alſo ſuch further Reward for their Pains and Trouble, in and about the executing this Act, as the Deputy Lieutenants aſſembled at any Meeting held for that Purpoſe, at which not leſs than Five Deputy Lieutenants ſhall be preſent, ſhall think reaſonable and proper, and ſhall certify under their Hands; and ſuch reſpective Rewards ſhall, on the Production of ſuch Certificate ſo ſigned as aforeſaid, to the reſpective Receivers General, be paid out of any publick Monies in their Hands, and be allowed in their Accounts.

Proviſions of Acts relative to the Militia, as far as applicable, ſhall extend to this Act.

XLIV. And be it further enacted, That all Powers, Proviſions, Rules, Regulations, Penalties, Forfeitures, Bounties, Clauſes, Matters, and Things contained in the aforeſaid Act of the Forty-ſecond Year of His Majeſty's Reign, or in any other Act of Parliament relative to the Militia, ſhall, ſo far as the ſame are applicable, and are not hereby altered, varied, or repealed, be applied and practiſed for the Purpoſe of raiſing the Men directed to be raiſed by this Act, in as full and ample a Manner as if the ſaid Powers, Proviſions, Rules, Regulations, Penalties, Forfeitures, Bounties, Clauſes, Matters, and Things were again repeated and enacted in this Act.

Act may be altered or repealed this Seſſion.

XLV. Provided always, and be it further enacted, That this Act, or any of the Proviſions thereof, may be altered, varied, or repealed by any Act or Acts to be made in this preſent Seſſion of Parliament.

SCHEULE

SCHEDULE (A).

ADDITIONAL ARMY OF ENGLAND.

County of *or*, Riding of
or, City or Place [*as the Caſe may be*].

CERTIFICATE of Number of Vacancies; dated the Day of

Subdiviſions.	Pariſhes.	Total Number of Quota.	Numbers of Men actually ſerving.	Vacancies to be filled up.

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