

ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

CAP. CXI.

An Act for enabling His Majesty to establish a permanent Local Militia Force, under certain Restrictions, for the Defence of the Realm.

[30th *June* 1808.]

WHEREAS it is expedient in the present Circumstances of *Europe*, that a Local Militia Force shall be established, trained, and permanently maintained, under certain Restrictions in *England*, to be called forth and employed in case of Invasion in Aid of His Majesty's Regular Militia Forces for the Defence of the Realm; 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 a permanent Local Militia Force shall be ballotted and enrolled in *England*, at such Periods, and in such Counties, or in any such Divisions or Parts of any Counties, and in such Proportions in any such Divisions or Parts of any Counties, as His Majesty shall by any Warrant or Warrants under His Royal Sign Manual specify, order, and direct in that Behalf, according to the Provisions of this Act, and under the Restrictions and Regulations herein-after mentioned.

A permanent Local Militia shall be ballotted and enrolled in England.

II. Provided always, and be it further enacted, That the Number of Men so ballotted and enrolled under this Act, shall not, in any County or Division, or Part of any County, exceed such Number as will, in Addition to and together with and including the effective Yeomanry and Volunteers then serving in such County, or such Division or Part of such

Not to exceed Six Times, including Volunteers, the original Quotas under 42 G. 3 c. 90.

such County respectively, exclusive of Supernumeraries above the Establishment of such Corps serving without Pay, who shall have been enrolled therein after the First Day of *April* One thousand eight hundred and eight, amount to Six Times the respective original Quota or Proportion of the original Quota of Militia of such County, or Division or Part of such County respectively, under an Act passed in the Forty-second Year of the Reign of His present Majesty, relating to the Militia of *England*.

Deficiencies in effective Volunteers shall be supplied by additional Militia Men.

III. Provided also, and be it further enacted, That when and so often as the Number of effective Yeomanry and Volunteers in any County, or Division, or Part of any County, shall be reduced by the disbanding or discontinuing the Services of any Corps of Yeomanry or Volunteers, or by Reason of the effective Members of any such Corps being diminished, it shall be lawful for His Majesty from Time to Time to order and direct that a Number of Local Militia Men equal in Amount to such Deficiency shall be forthwith balloted and enrolled under this Act, so that the Number in the Whole of the Local Militia under this Act, and effective Yeomanry and Volunteers, shall be equal to Six Times the Amount of such Quota or Proportion of Quota as aforesaid.

On receiving Order to ballot Men Lord Lieutenant, &c. to appoint General and Subdivision Meetings.

IV. And be it further enacted, That immediately after any such Order shall have been received by any Lord Lieutenant or Vice Lieutenant, or Three Deputy Lieutenants executing the Office of Lord Lieutenant, the said Lord Lieutenant, Vice Lieutenant, or Deputy Lieutenants shall summon General and Subdivision Meetings, and such General and Subdivision Meetings respectively shall enquire in what Hundreds or Parishes or Places such Deficiency shall have arisen, and shall proceed to divide and apportion the Numbers so deficient among the Hundreds, Parishes, and Places respectively in which such Deficiency shall be found to exist, and proceed to the balloting and enrolling of Men for the Local Militia, according to the Provisions of this Act.

His Majesty may order Counties to be divided wherein more than One Corps is to be raised.

V. And be it further enacted, That it shall be lawful for His Majesty, in any case in which more than One Regiment, Battalion, or Corps of Local Militia is ordered to be raised in any County, to direct the Lieutenant, Vice Lieutenant, or Deputy Lieutenants of such County to divide such County, for the Purposes of this Act, into such Number of Divisions as there are Regiments, Battalions, or Corps to be raised in such County, regard being had to the Number of Persons liable to serve and the Establishment of each Regiment, and all other Circumstances of local Convenience; and from and after such Division, each of such Divisions of such County shall supply all Vacancies arising in the Regiments, Battalions, or Corps respectively belonging to such Divisions: Provided always, that such Divisions and all Apportionments made in pursuance thereof may be from Time to Time varied or altered, as Occasion may require.

Powers of Militia Acts to extend to this Act.

VI. And be it further enacted, That all Powers, Provisions, Rules, Regulations, Exemptions, Penalties, Forfeitures, Clauses, Matters, and Things contained in the said Act of the Forty-second Year of His Majesty's Reign, or in any Act passed in the last Session of Parliament, or in any other Acts now in force relating to the Militia of *England*, shall, as far as the same are applicable and can be applied to and for the Purpose of carrying this Act into Execution, and are not hereby altered, varied, or repealed, be used, exercised, applied, and put in force for the raising the Local

Militia, and for the training and exerciſing the ſame as the regular Militia may be trained and exerciſed when not embodied, until the ſaid Militia ſhallbe called out and embodied under any Order in Council or Proclamation purſuant to the Proviſions of this Act; and all Powers, Proviſions, Rules, Regulations, Exemptions, Penalties, Forfeitures, Clauſes, Matters, and Things contained in the ſaid Acts in relation to the Regular Militia of *England* when embodied, and not hereby altered, varied, or repealed, ſhall, as far as the ſame are applicable and can be applied, be uſed, exerciſed, applied, and put in force, in relation to the Militia under this Act, when ſo called out and embodied, in as full and ample a Manner as if the ſaid Powers, Proviſions, Rules, Regulations, Exemptions, Penalties, Forfeitures, Clauſes, Matters, and Things, were again repeated and re-enacted in this Act: Provided always, that all Acts, Matters, and Things to be done by any Deputy Lieutenants or Juſtices (ſave and except ſuch Matters and Things as are required to be done by the ſeveral Acts at General Meetings of Lieutenants) ſhall and may be done and performed by Two Deputy Lieutenants, or by One Deputy Lieutenant and One Juſtice of the Peace.

Two Deputy Lieutenants, or One and a Juſtice, may act.

VII. And be it further enacted, That it ſhall be lawful for the Deputy Lieutenants, and they are hereby required, at the firſt or any adjourned or other General Meeting held for the Purpoſe of carrying this Act into Execution, to aſcertain the Number and local Situation of all Extra-parochial Places within their reſpective Counties, and to add each of the ſame for the Purpoſes of this Act to ſuch Pariſh as may appear to be moſt convenient for the Purpoſe of carrying this Act into Execution, and from and after the adding any Extra-parochial Place by the Deputy Lieutenants at any General Meeting to any adjoining Pariſh, ſuch Extra-parochial Places ſhall for the Purpoſes of this Act be deemed and taken to be Part of ſuch Pariſh; and all Deputy Lieutenants, Chief Conſtables, and Special and other Conſtables, and all other Officers and Perſons whatſoever, having any Power, Authority, or Juriſdiction in ſuch Pariſh, in relation to the carrying this Act into Execution, ſhall have like Power, Authority, and Juriſdiction in ſuch Extra-parochial Place for all Purpoſes whatever in relation to the carrying this Act into Execution, as fully and amply as if ſuch Extra-parochial Place made Part of ſuch Pariſh.

Deputy Lieutenants to add Extra parochial Places to adjoining Pariſhes.

VIII. And be it further enacted, That the Men to be raiſed under this Act ſhall be ballotted out of and from the Perſons between the Ages of Eighteen and Thirty, returned in the Liſts now exiſting, or which may hereafter be made and returned or amended and corrected for the raiſing of the Militia under any Acts relating to the Militia of *England*; and it ſhall be lawful for His Majeſty, if He ſhall think fit, to order and direct the making out any new Liſts, and in ſuch Claſſes as to Age or otherwiſe, and in ſuch Form as may be deemed expedient for the Purpoſe of carrying this Act into Execution; and no Perſon ballotted to ſerve in the Local Militia, ſhall be allowed to find or provide any Subſtitute to ſerve in his Stead, or be entitled to any Bounty or Half Bounty; any Thing in this or any other Act to the contrary notwithſtanding.

Men to be ballotted out of Perſons between the Age of 18 and 30, returned in Militia Liſts.

No Perſon ballotted ſhall be allowed to find a Subſtitute or be entitled to Bounty.

IX. And be it further enacted, That on making out or amending of any Liſts after the paſſing of this Act, of Perſons fit to ſerve in the Local Militia, every Perſon who ſhall wilfully neglect to appeal within the Time appointed

Perſons returned as fit to ſerve, not appealing within the

limited Time, liable to Penalty.

appointed for that Purpoſe, ſhall forfeit for every ſuch Offence any Sum not exceeding Five Pounds, nor leſs than Twenty Shillings, at the Diſcretion of any Two or more Deputy Lieutenants or Juſtices of the Peace or Magiſtrates, and on Non-payment thereof be impriſoned, at the Diſcretion of any Two or more Deputy Lieutenants or Juſtices of the Peace or Magiſtrates as aforeſaid, for any Time not exceeding Fourteen Days.

Special Conſtables ſhall be above 30 Years old.

X. And be it further enacted, That no Perſon ſhall be appointed or act as a Special Conſtable for the Purpoſe of aſſiſting in the making out any new Liſts, or otherwiſe in aiding in the Execution of this Act, who ſhall not be above the Age of Thirty Years.

Perſons unable to ſerve from Illneſs or bodily Infirmity ſhall be excuſed.

XI. And be it further enacted, That it ſhall be lawful for any Two Deputy Lieutenants, or any Deputy Lieutenant and Juſtice of the Peace, upon the Examination of any Perſon ſtating his Inability to ſerve from Illneſs, bodily Infirmity or Debility, or if ſuch Perſon is prevented by ſuch Illneſs or Infirmity from attending, on ſuch Certificate of any Phyſician, Surgeon, or Apothecary, actually practiſing as ſuch, as ſhall be ſatisfactory to ſuch Deputy Lieutenant or Juſtice, that any Perſon enrolled to ſerve under this Act is from Illneſs or any Bodily Infirmity or Debility unable to ſerve, to cauſe ſuch Perſon to be ſtruck out of the Enrolment, and excuſed from Fine and from Service under this Act, ſo long as ſuch Illneſs, Bodily Infirmity, or Debility, ſhall continue.

Certain Perſons exempted from Service.

XII. And be it further enacted, That no licenſed Teacher of any Congregation in Holy Orders, or pretended Holy Orders, and not carrying on any other Trade, or exerciſing any other Occupation for his Livelihood, except that of a Schoolmaſter, nor any Medical Man actually practiſing as a Phyſician, Surgeon, or Apothecary, and no Perſon muſtered, trained, or doing Duty or employed in His Majeſty's Service in the Tower of *London*, the Royal Arſenal at *Woolwich*, or at any Gun Wharfs, or at any Powder Mills, Powder Magazines, or other Storehouſes belonging to His Majeſty, under the Direction of the Board of Ordnance, ſhall be liable to be balloted for the Local Militia, ſo long only as they reſpectively continue within any of the Deſcriptions aforeſaid; and every Perſon who ſhall have ſerved, or is now ſerving in Perſon in the additional Military Force, raiſed under an Act paſſed in the Forty-third Year of the Reign of His preſent Majeſty, or who ſhall have been balloted, and ſhall have provided any Subſtitute, or ſhall have paid any Fine for not ſerving or finding a Subſtitute in ſuch additional Force, ſhall be exempt from Ballot and Service in the Local Militia, in like Manner, and for the ſame Period, as ſuch Perſon was or is exempt from Ballot and Service in the Regular Militia during the Continuance of the ſaid Act of the Forty-third Year aforeſaid; any Thing in any Act or Acts of Parliament to the contrary notwithſtanding.

Period of Exemption from Service of certain Perſons.

XIII. Provided always, and be it further enacted, That no Perſon having ſerved in the Regular Militia or ſuch additional Force, or provided any Subſtitute, or paid any Fine for not ſerving, or finding any Subſtitute in the Regular Militia or ſuch additional Force as aforeſaid, ſhall be entitled to Exemption from being balloted under this Act, for any longer Period than Four Years after the Expiration of his Period of Service, if he

he ſhall have ſerved in Perſon, or Six Years from the Period of any ſuch Subſtitute being enrolled, or Four Years after having paid any ſuch Fine.

Certain Perſons exempted from ſerving in the Militia, liable to ſerve in the Local Militia.

XIV. And be it further enacted, That no articled Clerk or Apprentice, nor any poor Man who has leſs than Three Children born in Wedlock, nor any Perſon under the Height of Five Feet Four Inches, who ſhall be of the Height of Five Feet Two Inches, or upwards, ſhall, by reaſon thereof, reſpectively be exempt from being ballotted and ſerving under this Act, notwithſtanding ſuch Perſons may, by reaſon of coming within any of ſuch Deſcriptions as aforeſaid, reſpectively be exempt from ſerving in the Militia under any Acts relating to the Militia.

Apprentices ballotted ſhall not inliſt in the Army, &c. without the Maſter's Conſent. Service under this Act not to affect Indentures, or Contracts between Maſters or Servants.

XV. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend to authorize any Apprentice ballotted under this Act, to inliſt in the Army, Navy, Marines or Regular Militia, or to enter as a Volunteer in the Local Militia without the Conſent of his Maſter; provided alſo, that no Ballot, Enrolment, and Service under this Act, ſhall extend to make void or in any Manner to affect any Indenture of Apprenticeſhip or Contract of Service between any Maſter or Servant, notwithſtanding any Covenant or Agreement in any ſuch Indenture or Contract, and no Service under this Act of any Apprentice or Servant ſhall be deemed or conſtrued or taken to be an Abſence from Service, or a Breach of any Covenant or Agreement as to any Service or Abſence from Service in any Indenture of Apprenticeſhip or Contract of Service; any Thing contained in any Act or Acts of Parliament, or Law or Laws, or Deed or Indenture of Apprenticeſhip or Contract of Service, to the contrary notwithſtanding.

Perſons ballotted to take the following Oath;

XVI. And be it further enacted, That every Perſon choſen by Ballot to ſerve in the Local Militia, ſhall appear at ſome Meeting to be appointed for that Purpoſe; and if on Examination ſuch Perſon ſhall be found able and fit for Service, he ſhall then and there take the following Oath; (that is to ſay),

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

'So help me GOD.'

and to be enrolled to ſerve for Four Years.

And every ſuch Perſon ſhall be then and there enrolled, in a Roll to be prepared for that Purpoſe, to ſerve in the Local Militia of ſuch County as a private Local Militia Man for the Space of Four Years.

Perſons ballotted not appearing to be enrolled, liable to be fined.

XVII. And be it further enacted, That if any Perſon ballotted to ſerve in the Local Militia under this Act, ſhall, after Notice given to him, or left at his uſual or laſt Place of Abode, of his having been ſo ballotted, refuſe or neglect to appear within ſuch Period and at ſuch Place as ſhall be appointed for that Purpoſe within the Subdiviſion for which he ſhall have been ſo ballotted, (which Times and Places ſhall be appointed by the Deputy Lieutenants in their reſpective Subdiviſions under any Order of the Lieutenant of the

County, and Notice thereof given by the Conſtables of the ſeveral Pariſhes, by putting up the ſame on Churches, Chapels, or other conſpicuous Places), and be enrolled under this Act, and take the Oath to ſerve under this Act, ſuch Perſon ſhall forfeit the Sum of Thirty Pounds; or if a Perſon not having or receiving any annual Sum of Money, Profits, Gains, Allowances, or other Income whatſoever, amounting in the whole to Two hundred Pounds, clear of all Outgoings, Taxes, or Reprizes, the Sum of Twenty Pounds; and if not amounting in the whole to One hundred Pounds, clear of all Outgoings, Taxes, or Reprizes, the Sum of Ten Pounds; and every ſuch Fine ſhall be paid to the Clerk of the Subdiviſion Meetings, who ſhall on Receipt thereof give a Certificate, without Fee or Reward, of the ſame being paid, which Certificate ſhall be counterſigned by ſome Juſtice of the Peace or Deputy Lieutenant, and ſhall, within Twenty-one Days after the Receipt thereof, pay the ſame into the Bank of *England* to a ſeparate Account of the Paymaſter General of His Majeſty's Forces for the Purpoſes of the Local Militia of *Great Britain*, which ſeparate Account the ſaid Paymaſter General is hereby required to open at the Bank of *England*, and the Payment of ſuch Fine ſhall exempt ſuch Perſon from being ballotted and enrolled under this Act for Two Years and no longer; and ſuch Perſon ſhall be liable to be ballotted and enrolled in the Year next but one after that in which he ſhall have been ſo ballotted as aforeſaid, and in like Manner to ſerve or pay ſuch Fine as aforeſaid, and ſo in each Second ſucceeding Year.

Fines to be paid to the Clerk of the Subdiviſion Meetings, and paid into the Bank to Account of the Paymaſter General.

Fines to exempt for Two Years only.

XVIII. And be it further enacted, That any Perſon impriſoned for the Non-payment of any Fine for not appearing to be enrolled, or for refuſing or neglecting to attend Exerciſe, ſhall be liable to ſerve for the full Period of Four Years after the Expiration of ſuch Impriſonment.

Perſons impriſoned for Non payment of Fines, liable to ſerve when releaſed.

XIX. And be it further enacted, That every Perſon claiming to be exempted from Service under this Act, upon Payment of the Fine of Twenty Pounds, or Ten Pounds inſtead of Thirty Pounds, ſhall ſign a Declaration that the Amount of his Income does not exceed Two hundred Pounds or One hundred Pounds as aforeſaid, as the Caſe may be, and ſhall deliver the ſame to the Deputy Lieutenants before whom he ſhall appear to claim ſuch Exemption, or produce a Certificate to the like Effect, allowed by any Commiſſioners under any Act relating to the Rates and Duties ariſing on Property, Profeſſions, Trades, and Offices, or to any Allowances made on any ſuch Rates and Duties, within Twelve Months previous to the Production of ſuch Certificate; and every Perſon who ſhall make any falſe Declaration in relation to any ſuch Claim, ſhall forfeit and pay for ſuch Offence the Sum of Fifty Pounds in Addition to ſuch Fine.

Perſons claiming Exemption upon Payment of £20, or £10, to ſign a Declaration that their Income does not exceed certain Sums, or produce a Certificate to that Effect.

Penalty of £50 for making falſe Declaration.

XX. Provided always, and be it further enacted, That if any Perſon ballotted to ſerve in the Local Militia ſhall enter and enrol himſelf as a Member of any Yeomanry or Volunteer Corps, and engage to ſerve therein at his own Expence and without Pay or Allowance, and ſhall produce a Certificate from the Commanding Officer of ſuch Corps, of his having clothed, armed, and equipped himſelf, according to the Regulations of ſuch Corps, at his own Expence, ſuch Arms being according to His Majeſty's Regulations, it ſhall be lawful for the Deputy Lieutenants, and they are hereby required to remit One-Half Part of ſuch Fines of Thirty Pounds, Twenty Pounds, and Ten Pounds reſpectively, as the Caſe may be, and

Perſons ballotted engaging to ſerve in any Volunteer Corps at their own Expence, ſhall have Half of their Fines remitted: but if they ſhall not continue to

every such Person shall be entered in the Regiment, Battalion, or Corps of Local Militia for which he shall have been balloted, but shall nevertheless be exempt from serving in the said Local Militia so long as he shall continue an effective Member of a Yeomanry or Volunteer Corps: Provided always, that if such Person having so entered and enrolled himself as aforesaid, shall not continue in and be returned as an effective Member of a Yeomanry or Volunteer Corps for the full Period of Four Years, and once in each Year transmit a Certificate of his being effective, from the Commanding Officer of his Corps to the Commanding Officer of the Regiment, Battalion, or Corps in which he shall be so entered as aforesaid, such Person shall forfeit treble the Amount of the Part of Fine so remitted as aforesaid, and be liable to serve for the Remainder of such Term of Four Years in the Local Militia: Provided always, that no Person shall be liable to the Payment of such Fine in any Case in which the Corps in which he shall have so entered shall be disbanded or discontinued, or if he shall have been prevented from attending and being returned an effective Member of such Corps by Reason of bodily Infirmity, to be duly certified by the Officer commanding the same.

serve for Four Years, they shall forfeit treble the Sum remitted, and be liable to serve in the Local Militia for the Remainder of the Term.

XXI. And be it further enacted, That every Commanding Officer of a Volunteer Corps shall, in the Margin of every Certificate of the Number of Days on which any Member of his Corps shall have attended the Muster or Exercise of his Corps, specify the particular Days on which he so attended.

Days on which Volunteers attend to be specified in Certificates.

XXII. Provided also, and be it further enacted, That every Person claiming to be exempted from Service under this Act upon Payment of Fine as aforesaid, and every Person who shall be liable to the Payment of any Fine under this Act, for not appearing to be enrolled in the Local Militia, shall be summoned and required to appear before some Deputy Lieutenant or Justice of the Peace, and shall be required by the Deputy Lieutenant before whom he shall appear to claim such Exemption, or by such Deputy Lieutenant or Justice of the Peace before whom he shall be so summoned and required to appear as aforesaid, to sign a Declaration that he hath not directly or indirectly by any Policy, Premium, or Promise of any Policy or Premium, or by any Engagement insured himself against such Fine, or any Part thereof, and that no Person or Persons hath or have directly or indirectly, in Consideration of any Sum of Money or Promise of any Sum of Money, or Gift or Reward, or for any valuable Consideration whatever, undertaken, engaged, or promised in any Way to indemnify him therefrom, or from any Part thereof, or to repay to him, or to any Person or Persons on his Behalf, or for his Use, Benefit, or Advantage, the said Fine or any Part thereof; and in case any Person so claiming to be exempt, or so summoned or required to appear as aforesaid, shall refuse so to sign such Declaration, or so to appear according to such Summons or Requisition, or shall make any false Declaration in that Behalf, every such Person shall, upon Conviction thereof before Two Justices of the Peace, forfeit Three Times the Amount of such Fine; and in Default of Payment thereof, shall be confined in any House of Correction or Common Gaol for such County, for any Period not exceeding Three Months, or until Payment of such Penalty; and shall be liable personally to serve in the said Local Militia for the full Term of Four Years after the Expiration of such Imprisonment or the Payment of such Penalty.

Persons claiming Exemption upon Payment of Fines, &c. to sign a Declaration that they have not insured.

Persons refusing to sign such Declaration, not appearing, or making a false Declaration, liable to Penalty.

XXIII. And

Quakers or United Brethren, on Production of certain Certificates, shall not be enrolled, and may be adjudged to pay a Proportion of the Fines on Persons ballotted and not appearing.

XXIII. And be it further enacted, That if any Person being one of the People called *Quakers*, or of the People called *Unitas Fratrum* or *United Brethren*, who shall be ballotted under this Act, shall produce before the Deputy Lieutenants of any Subdivision Meeting, or any Two Deputy Lieutenants or Justices of the Peace, a Certificate under the Hands of Two or more respectable Housekeepers, being of the People called *Quakers*, or of the People called *Unitas Fratrum* or *United Brethren*, resident within the County or Place of Residence of such Person, and dated within Three Months immediately preceding the Day on which such Certificate shall be produced as aforesaid, acknowledging such Person to be one of their Persuasion, such Person shall not be enrolled; and it shall be lawful for any such Deputy Lieutenants or Justices to adjudge any such Person to pay such Proportion of such Fines as are by this Act imposed on Persons ballotted and not appearing, as to such Deputy Lieutenants or Justices may appear to be proper, according to the Situation in Life and Property of such Person; and the Amount of Fine so adjudged by such Deputy Lieutenants or Justices, may be levied by Distress and Sale of the Goods and Chattels of such Person, by Warrant under their Hands and Seals (the Overplus, if any, after deducting of reasonable Charges, being rendered to the Party); and if no Goods or Chattels can be found whereby the Sum so imposed upon such Quaker or United Brother can be levied, then it shall be lawful for any Deputy Lieutenant or Justice of the Peace, if he shall think fit, to commit such Quaker or United Brother to Prison, there to remain for any Time not exceeding One Month, unless such Sum shall be sooner paid and satisfied.

If Volunteers shall enrol themselves in any Parish to the Number apportioned, then no Ballot shall take place; and if a Part of the Number, then the Remainder only shall be ballotted.

XXIV. And be it further enacted, That in all Cases in which such Ballot shall be so directed, and any Persons between the Ages of Eighteen and Forty Years, and fit for Military Service, shall voluntarily enrol themselves under this Act to serve according to the Provisions of this Act, if the Persons so voluntarily enrolling themselves shall amount to the Number to be enrolled by Ballot under any Apportionment in any such Parish, then no Ballot shall take place in such Parish; and if the Persons so voluntarily enrolling themselves as aforesaid, shall not amount to the Number required to be enrolled by Ballot in any such Parish, then the Number of Persons so voluntarily enrolling themselves shall be deducted from the Number required to be enrolled by Ballot, and the Remainder only shall be ballotted for in such Parish; and all Persons so voluntarily enrolling themselves, shall take the Oath required by this Act to be taken by Persons ballotted, and shall serve in the same Manner, and under the same Regulations, and be subject to the same Provisions, as if they had been ballotted for under this Act.

Benefits of Friendly Societies not to be forfeited by Service under this Act.

XXV. And be it further enacted, That no Member of any Friendly Society serving or entering to serve under this Act, shall by such Service be excluded from such Society, or be subject to the Forfeiture of any Benefit to which he may be otherwise entitled under any Rules of such Society; any Thing in any such Rules to the contrary notwithstanding.

Persons voluntarily enrolling themselves to receive a Premium of Two Guineas.

XXVI. And be it further enacted, That every Person who shall voluntarily enrol himself to serve in the Local Militia under this Act, shall be entitled to and shall receive the Sum of Two Guineas, to be paid upon his Enrolment, over and above any Sum to which he may be entitled for Necessaries.

XXVII. Provided

XXVII. Provided always, and be it further enacted, That if any Parish shall have paid the whole Bounty to or in respect of any Person enrolled in the Local Militia under this Act, and such Person shall at any Time within Two Years after such Enrolment enlist or enter into His Majesty's Army, Navy or Marines, or as a Substitute in the Regular Militia, the Amount of such Bounty of Two Guineas shall be deducted out of the Bounty to be paid to such Person upon his enlisting into the Army, Navy or Marines, or out of the Money to be paid to such Person as a Substitute, and shall be repaid to the Parish having paid such Bounty of Two Guineas as aforesaid, and if he shall so enlist or enter at any Time after the Termination of Two Years from his first Enrolment, then the Amount of One Half of such Bounty shall be so deducted and repaid as aforesaid.

Bounty, or a Part, shall be deducted from Men enlisting into the Army, &c. within a certain Period.

XXVIII. And be it further enacted, That it shall be lawful for any Corps of Volunteers, or for such of the Members of any Corps of Volunteers, whether within the Ages limited by this Act or otherwise, as may be desirous of forming Part of the said Local Militia to be raised under this Act, to transfer themselves, with the Approbation of His Majesty, under the Direction of the Lieutenant or Deputy Lieutenants, to become and form Part of the Local Militia under this Act of the County or Part or Division of the County to which such Corps shall belong, upon such Terms and Conditions as to His Majesty shall seem fit; and all Volunteers so transferring themselves shall thereupon forthwith be enrolled without Ballot in such Militia, and take the Oath herein-before required to be taken by Persons ballotted under this Act, and shall be entitled to the same Bounty and Allowance for Necessaries as any other Persons voluntarily enrolling themselves previous to Ballot under this Act, and shall be deemed and taken to be Local Militia Men to all Intents and Purposes as if enrolled as aforesaid.

Volunteers may transfer themselves with the Approbation of His Majesty to the Local Militia.

XXIX. And be it further enacted, That it shall be lawful for His Majesty to permit any Volunteer Corps of Yeomanry or Artillery to transfer themselves into the Local Militia, upon such Terms and Conditions as to their Establishment and as to Allowances for Horses or Accoutrements or other Things, and as to Pay, as His Majesty shall direct, and to be attached to the Local Militia of the County wherein such Corps shall serve, in such Manner as His Majesty shall direct: Provided always, that no Vacancies arising in any such Corps of Yeomanry so transferred as aforesaid, shall be supplied by Ballot under this Act, but all such Vacancies which shall not be supplied by the entering of any Men into such Corps within Three Months after such Vacancy occurring in such Yeomanry Corps, shall be supplied by Ballot for the Local Militia of the County to which such Yeomanry Corps shall be attached.

His Majesty may permit Volunteer Yeomanry or Artillery to transfer themselves to the Local Militia, and Vacancies thereby arising, not supplied within 3 Months, shall be filled up by Ballot for the Local Militia.

XXX. Provided always, and be it further enacted, That every Volunteer or Volunteer Artillery Man enrolling or transferring himself as aforesaid, shall sign a Declaration before any Deputy Lieutenant or Justice of the Peace previous to such Enrolment, that he has not received or been promised any Sum or Sums of Money, or Security for Money, or any Benefit or Reward, or Promise of Benefit or Reward, other than the Bounty of Two Guineas allowed by this Act, in consideration of so enrolling himself to serve in the Local Militia; and every Local Militia Man who shall be convicted before any Two Justices of the Peace, of having made any false

Volunteers or Volunteer Artillery Men so transferring themselves, to make Declaration that they have not had any more than the allowed Bounty.

Penalty for making a falſe Declaration.

falſe Declaration in that Behalf, ſhall forfeit the Sum of Twenty Pounds, together with the Amount of the Bounty ſo fraudulently received, and in default of Payment of ſuch Penalty, ſhall be confined in any Houſe of Correction or Common Gaol of the County, for any Time not exceeding Three Months, or until Payment of ſuch Penalty, and ſhall be liable to Four Years Service in the Local Militia after the Termination of ſuch Confinement or the Payment of ſuch Penalty.

Allowances to Men on aſſembling for Exerciſe, and on being called out under any Order in Council,

XXXI. And be it further enacted, That every Perſon enrolled to ſerve in the Local Militia under this Act, ſhall, upon being aſſembled for Training and Exerciſe under this Act, be entitled to the Sum of One Guinea for the Firſt Year of his Service, and Ten Shillings and Sixpence for each ſucceeding Year of Service, to be paid to the Captain commanding the Company to which ſuch Man ſhall belong, for the Purpoſe of providing and keeping up Neceſſaries for ſuch Perſon; and a further Sum of One Guinea to be paid in like Manner and for the like Purpoſe, in caſe ſuch Perſon ſhall be called out or embodied under any Order in Council or Proclamation under the Proviſions of this Act; and all ſuch Sums of Money ſhall, at the End of each Period of Exerciſe and Service as aforeſaid, be accounted for to the Perſon entitled thereto at the End of each annual Period, and the Reſidue, if any, paid to ſuch Perſon for his Uſe and Benefit.

Perſons ſerving in Local Militia entitled to the ſame Exemptions as Volunteers, and having ſerved Four Years, not liable to be ballotted for the regular Militia for Two Years.

XXXII. And be it further enacted, That every Officer, Non-commiſſioned Officer, Drummer, and other Perſon ballotted and enrolled, and actually ſerving in the Local Militia under this Act, ſhall be entitled to and have all ſuch Exemptions from Service in the Regular Militia, or from being trained and exerciſed under an Act paſſed in the Forty-ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act to enable His Majeſty annually to train and exerciſe a Proportion of His Subjects in* England, *under certain Regulations, and more effectually to provide for the Defence of the Realm*, as any effective Volunteer is now entitled to under any Act or Acts of Parliament; and no Officer, Non-commiſſioned Officer, Drummer, or other Perſon having ſerved the full Period of Four Years in the Militia to be raiſed under this Act, ſhall be liable to be ballotted to ſerve in the Regular Militia of *Great Britain*, for Two Years after the Expiration of his Service in the ſaid Local Militia, or until by Rotation it ſhall come to his Turn.

Penalty for inſuring.

XXXIII. And be it further enacted, That from and after the paſſing of this Act, if any Perſon whatever ſhall inſure, or take or agree to take any Money for the Inſurance of, or be in any Way concerned in any Company, Society, Partnerſhip, Club, or Office, for the Inſurance of any Perſon or Perſons, or for the inſuring or indemnifying each other againſt, or for the paying any Money for or towards the diſcharging of any Fine or Penalty for any Perſon or Perſons who may be ballotted to ſerve in the Local Militia, or ſhall pay or engage to pay any Sum or Sums of Money to any Volunteer to ſerve in Diſcharge of any County, Diſtrict, or Pariſh, beyond the ſaid Sum of Two Guineas, to be paid to ſuch Volunteer as aforeſaid under this Act, every ſuch Perſon as aforeſaid ſhall forfeit for every ſuch Offence the Sum of Fifty Pounds.

How the Local Militia ſhall be formed and officered.

XXXIV. And be it further enacted, That it ſhall be lawful for His Majeſty to order and direct that the Local Militia to be raiſed under this Act ſhall

be formed into Regiments, Battalions, and Companies, and ſhall have ſuch Proportion of Officers, Serjeants, Corporals, and Drummers, as are allowed by the ſeveral Acts relating to the Militia of *England* when embodied, and that ſuch Proportion of Serjeants, Corporals, and Drummers, not exceeding One Half of each Rank, together with the Adjutant Quarter Maſter, who ſhall execute the Duty of Battalion Clerk, without any additional Pay, and Staff Serjeants of each Regiment, Battalion, or Corps, ſhall remain on permanent Pay and embodied, as His Majeſty ſhall order and direct: Provided always, that no higher Rank ſhall be given in any Regiment of Local Militia formed under this Act than that of Lieutenant Colonel Commandant, except in Caſes where the Commandant ſhall have ſerved with the Rank of Colonel in His Majeſty's Regular Forces or Regular or Supplementary Militia, or be the Lieutenant or Vice Lieutenant of any County: Provided alſo, that all Officers of the Militia raiſed under this Act ſhall rank with the Officers of His Majeſty's other Militia Forces, as the youngeſt of their reſpective Ranks (except as aforeſaid): Provided always, that every Officer who ſhall have ſerved in His Majeſty's Regular Forces as a Field Officer, ſhall be and is hereby deemed qualified to hold any Commiſſion in the Local Militia, and every Officer who ſhall have ſerved in His Majeſty's Regular Forces under the Rank of a Field Officer, ſhall be and is hereby deemed qualified to hold the ſame Commiſſion in the Local Militia, ſo long as ſuch Officer ſhall continue to reſide in ſuch County or ſome next adjoining County, without any other Qualification in reſpect of Property or otherwiſe; any Thing in any Act or Acts of Parliament to the contrary in anywiſe notwithſtanding. Rank of Officers.

XXXV. Provided always, and be it further enacted, That any Perſon who ſhall have held the Rank of Colonel of any Regiment or Battalion of Regular or Supplementary Militia, and who may be appointed to the Command of any Regiment or Battalion of Local Militia to be raiſed by virtue of this Act, ſhall rank as Colonel, according to the Date of his Commiſſion, in the Local Militia; and every Lieutenant or Vice-Lieutenant of any County, as long as he ſhall continue to act as ſuch, who ſhall be appointed to the Command of any Regiment or Battalion of Local Militia as aforeſaid, ſhall rank as Colonel, according to the Date of his Commiſſion in the Local Militia; and every Perſon who ſhall have ſerved in the Regular or Supplementary Militia as a Commiſſioned Officer, and by reaſon of the Reduction of ſuch Militia ſhall have ceaſed to hold ſuch Rank, ſhall, if appointed to a like Commiſſion in the Local Militia, rank according to the Date of his firſt Commiſſion: Provided always, that no Officer holding the Rank of Colonel in the Local Militia, ſhall be entitled to or receive any greater Pay or Emolument than that of Lieutenant Colonel Commandant. Rank in the Local Militia of Officers who have ſerved in the Regular or Supplementary Militia, and of Lieutenants or Vice-Lieutenants of Counties;

XXXVI. Provided always, and be it further enacted, That every Officer of any Corps of Volunteers transferring himſelf with his Corps with the Approbation of His Majeſty into the Local Militia, ſhall be eligible and qualified to hold the ſame Rank in the Local Militia, from the Date of his Commiſſion in ſuch Militia, as he held at the Period of ſuch Tranſfer in the Volunteers, without any other Qualification; any Thing in this Act or any other Act of Parliament to the contrary notwithſtanding: Provided alſo, that no Officer ſo transferring himſelf ſhall be authoriſed and entitled and alſo of Officers of Volunteer Corps.

to

to take Rank above any Officer having the Rank of Lieutenant Colonel in His Majeſty's Regular Army or Regular Militia.

His Majeſty may put the Local Militia under the Command of General Officers,

XXXVII. And be it further enacted, That it ſhall be lawful for His Majeſty to put the Local Militia enrolled under this Act, when aſſembled for training or exerciſe in Time of War, or when embodied as herein-after mentioned in like Manner as the regular Militia when embodied, under the Command of ſuch General Officers of His Regular Forces, as His Majeſty ſhall pleaſe to appoint; any Thing in any Act relating to the Militia to the contrary notwithſtanding.

and may order it to be called out yearly to be trained.

XXXVIII. And be it further enacted, That it ſhall be lawful for His Majeſty to order and direct that the Local Militia to be raiſed under this Act, ſhall be called out within their reſpective Counties in each Year, at ſuch Times, in ſuch Manner, and in ſuch Proportions and under ſuch Regulations as His Majeſty ſhall direct in that Behalf, for the Purpoſe of being trained and exerciſed, Regard being had to the local Circumſtances of each County, and to the Seaſons moſt important to the Courſe of Induſtry and Cultivation within the ſame, and the Periods and Places for ſuch Exerciſe ſhall be appointed by the Lieutenants or Deputy Lieutenants of the ſeveral Counties, with the Approbation of His Majeſty: Provided always, that no Militia Men under this Act ſhall be trained or exerciſed any greater Number of Days in the whole in each Year than Twenty-eight entire Days, excluſive of Days of arriving at and Departure from and marching to and from the Place appointed for Exerciſe (for which extra Days the Pay and Subſiſtence allowed to His Majeſty's Forces on March ſhall be allowed); and no ſuch Local Militia ſhall be ordered to march for ſuch Training and Exerciſe out of the County within which any ſuch Local Militia ſhall have been enrolled, if conſiſting of an entire Regiment or Battalion, or further than into ſome next adjoining County, if conſiſting of leſs than a Regiment or Battalion, and united by any Order of His Majeſty with the Local Militia of any ſuch adjacent County, for the Purpoſe of forming a Regiment or Battalion.

Men not to be trained for more than 28 Days in a Year, nor to be ordered to march for that Purpoſe further than ſome adjoining County.

Men may remove from one to another County Militia upon giving Notice to Commanding Officers.

XXXIX. And be it further enacted, That in caſe any Perſon enrolled to ſerve as a Local Militia Man under this Act, ſhall be deſirous of removing from one County to another County, or from one Diviſion of a County to another Diviſion of the ſame County, at any Time or Times during the Period of his Service, it ſhall be lawful for him ſo to do, upon giving Notice in Writing to his Commanding Officer, who ſhall certify the ſame to the Lieutenant or Deputy Lieutenants of the County or Diviſion to which ſuch Local Militia Man intends to remove, and every ſuch Local Militia Man ſo removing, ſhall be received into the Local Militia of the County or Diviſion to which he ſhall have removed, and ſhall continue to ſerve therein for the Remainder of the Term for which he ſhall have been enrolled; and every ſuch Militia Man who ſhall make a falſe Statement for the Purpoſe of obtaining ſuch Permiſſion, or who ſhall not preſent himſelf to the Deputy Lieutenants of the Sub-diviſion to which he ſhall remove, for the Purpoſe of being enrolled in the Local Militia thereof, and who ſhall not tranſmit to the Commanding Officer of the Regiment, Battalion, or Corps, from which he ſhall have removed, within One Month after the Expiration of ſuch annual Training, a Certificate of the Commanding Officer of the Regiment, Battalion, or Corps, to which he

Penalty for making falſe Statements to obtain Permiſſion ſo to remove, &c.

ſhall remove, of his having been duly trained and exerciſed in ſuch Regiment, Battalion, or Corps, ſhall forfeit double the Sum which ſuch Perſon would have forfeited if he had not appeared to be trained and exerciſed in the Local Militia in which he was ballotted under this Act; and every Perſon who ſhall again remove, or who ſhall proceed to any other County or Diviſion than that of which he ſhall have firſt given Notice, ſhall in like Manner again give Notice and tranſmit Certificates as aforeſaid.

In caſe of Invaſion, &c. His Majeſty may order the Local Militia to be embodied and marched to any Part of Great Britain.

XL. Provided always, and be it further enacted, That in all Caſes of actual Invaſion of any Part of the United Kingdom, or of the Appearance of an Enemy in force upon the Coaſt of any Part of the United Kingdom, it ſhall be lawful for His Majeſty, by any Order in Council or Proclamation, to draw out and embody ſuch Local Militia, or any Part or Proportion thereof, and to direct all or any of ſuch Local Militia Men to be marched to any Part of *Great Britain* for the Prevention and repelling of any ſuch Invaſion, or for the Suppreſſion of any Rebellion or Inſurrection ariſing or exiſting at the Time of any ſuch Invaſion, and to keep and continue ſuch Local Militia ſo embodied for any Period His Majeſty may deem requiſite, not exceeding Six Weeks after the Enemy ſhall have been prevented or repelled, or driven from the Coaſt, or after any ſuch Rebellion or Inſurrection ſhall have been ſuppreſſed.

Lord Lieutenant, &c. may call out the Local Militia for the Suppreſſion of Riots, and Men not appearing ſubject to Penalty.

XLI. Provided always, and be it further enacted, That it ſhall be lawful for the Lord Lieutenant or for the Vice Lieutenant of any County, or for the Sheriff of any County, or in the Abſence of the Lord Lieutenant and Vice Lieutenant and Sheriff of any County, for any Two Juſtices of the Peace, and One Deputy Lieutenant, to call out and aſſemble the Local Militia, or any Part of the Local Militia of any County, for the Suppreſſion of any Riots or Tumults in ſuch County, or in any adjoining County, and every Perſon then inrolled in the Local Militia ſo called out as aforeſaid, who ſhall not appear and join his Regiment within ſuch Time, and at ſuch Place as ſhall be ſpecified in any Notice or Notices put upon Churches, Chapels, or other conſpicuous Places, or otherwiſe publickly given, ſhall be ſubject to the ſame Penalties and Forfeitures as are contained in any Acts relating to the Militia for not appearing when the Militia ſhall be aſſembled for Training and Exerciſe: Provided always, that it ſhall be lawful for any Juſtice or Deputy Lieutenant to remit the Whole or any Part of any Fine or Penalty incurred for not appearing, upon Proof that the Perſon not appearing was prevented by Abſence, or any unavoidable Cauſes from receiving ſuch Notice, or appearing as aforeſaid; and all ſuch Local Militia, when ſo called out and aſſembled on ſuch Service as aforeſaid, ſhall be deemed to be aſſembled for Training and Exerciſe under this Act; and all Proviſions relating to the Militia when aſſembled for Training and Exerciſe ſhall apply to the Local Militia called out upon ſuch Service as aforeſaid, and all Days of ſuch Service ſhall be deemed Part of the Days of Training and Exerciſe under this Act: Provided always, that when any Local Militia ſhall be ſo called out as aforeſaid, the ſame ſhall be immediately notified to One of His Majeſty's Principal Secretaries of State, for His Majeſty's Approbation thereof: Provided alſo, that no ſuch Local Militia ſhall be liable to be kept aſſembled upon any ſuch Service for any longer Period than Fourteen Days in any One Year; and if any ſuch Service ſhall ariſe after any ſuch Local Militia

When ſo called out, to be deemed aſſembled for Training, and the ſame to be notified to His Majeſty's Principal Secretary of State; but not to be kept ſo aſſembled more than 14 Days in One Year.

ſhall have been trained and exerciſed for the full Period of Twenty-eight Days in ſuch Year, then and in ſuch Caſe the Days of ſuch Service ſhall be deemed Part of the Days of Training and Exerciſing of the ſucceeding Year.

Local Militia aſſembled in Time of War to be ſubject to the Mutiny Act.

XLII. And be it further enacted, That whenever the Local Militia ſhall be aſſembled in Time of War, for the Purpoſe of Training and Exerciſing, or for the Suppreſſion of Riots or Tumults within their own or any adjacent County, all Perſons ſerving in the ſaid Militia ſhall be ſubjected to all the Proviſions contained in any Act of Parliament which ſhall be then in force for Prevention of Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, and the Articles of War made in purſuance thereof; and all the Proviſions contained in every ſuch Act and Articles of War ſhall be in force with reſpect to them, and ſhall extend to all the Officers, Non-commiſſioned Officers, Drummers, and Private Men ſo aſſembled as aforeſaid, in all Caſes whatſoever.

Local Militia entitled to the ſame Pay, &c. as the Regular Militia.

XLIII. And be it further enacted, That the ſaid Local Militia when not drawn out and embodied as aforeſaid ſhall be entitled to the ſame Pay, Clothing, and Allowances, as the regular Militia are entitled to when not embodied; and when drawn out and embodied as aforeſaid, ſhall be entitled to the ſame Pay, Clothing, and Allowances, for themſelves and Families, according to their reſpective Ranks, as His Majeſty's other Militia Forces when drawn out and embodied.

Wives and Families of Local Militia Men entitled to the ſame Relief as thoſe of Yeomanry or Volunteer Corps.

XLIV. And be it further enacted, That whenever any Corps of Local Militia ſhall be aſſembled for the Purpoſe of Exerciſe, all Perſons enrolled therein, who ſhall join on ſuch aſſembling, and ſhall have Families unable to ſupport themſelves, ſhall, during the Period of their being ſo aſſembled as aforeſaid, be entitled to ſuch and the like Relief to their Wives and Families, and under ſuch and the like Circumſtances and ſubject to the ſame Regulations and Proviſions as any Corps of Yeomanry or Volunteers are entitled to for their Wives and Families under an Act paſſed in the Forty-fourth Year of His preſent Majeſty, intituled, *An Act to conſolidate and amend the Proviſions of the ſeveral Acts relating to Corps of Yeomanry and Volunteers in* Great Britain, *and to make further Regulations relating thereto.*

Local Militia Men may enliſt in the Army, Navy, Marines, or Regular Militia of the ſame County, and their Vacancies ſhall be ſupplied as other Vacancies.

XLV. And be it further enacted, That it ſhall be lawful for any Perſon ballotted or enrolled to ſerve or ſerving in the Local Militia under this Act, to enliſt or enter into His Majeſty's Army, Navy, or Marines, or as a Subſtitute in the Regular Militia of the ſame County, at any Time except during ſuch Portion of the Period of being aſſembled for the Purpoſe of annual Training and Exerciſe as aforeſaid under this Act, as His Majeſty ſhall by any Order made in that Behalf preſcribe; and the Enliſting or Entry of every ſuch Man ſhall be immediately certified by the Officer with whom ſuch Man ſhall have enliſted or entered, to the Officer commanding the Regiment, Battalion, or Corps of Local Militia from which ſuch Man ſhall have enliſted or entered; and all Vacancies ariſing by any ſuch enliſting or entering as aforeſaid, ſhall be ſupplied in like Manner as any other Vacancies in the ſaid Local Militia.

XLVI. Pro-

XLVI. Provided always, and be it further enacted, That all Vacancies arising in the Local Militia by such enlisting as aforesaid, or by Discharge, Absence, Desertion, Death, or Expiration of Service, shall be filled up according to the Provisions of this Act, and the several Acts relating to the Militia, notwithstanding any Suspension of Ballot for the regular Militia.

Vacancies in Local Militia shall be filled up, notwithstanding Suspension of Ballot for the Regular Militia.

XLVII. And be it further enacted, That every County, Hundred, or Parish for which the full Number of Men required by any Order of His Majesty under this Act shall not have been ballotted and enrolled before the Fourteenth Day of *February* succeeding such Order, if given Three Months before such Fourteenth Day of *February*, or in which any Deficiencies or Vacancies arising in such Local Militia shall not be filled up before the Fourteenth Day of *February* after the same shall have arisen, if the same shall have arisen Three Months before such Fourteenth Day of *February*, shall be subject to a Fine of Fifteen Pounds for every Man remaining deficient.

Counties, &c. subject to a Fine of 15 l. for each Man deficient at a certain Period;

XLVIII. Provided always, and be it further enacted, That every Parish or Place in which such Fine shall have arisen and in which such Deficiency shall be thereafter supplied, shall be entitled to deduct or have a Return of Two-third Parts of any such Fine of Fifteen Pounds for every Man enrolled before the Fourteenth Day of *March*, and One-third Part of every such Fine of Fifteen Pounds for every Man enrolled before the First Day of *April*, after any such Fine shall have so arisen as aforesaid.

but shall be entitled to a Return of Part for every Man enrolled within certain Periods.

XLIX. And be it further enacted, That the respective Commandants of the Regiments of Local Militia in *England* shall, within Fourteen Days after the Fourteenth Day of *February* in each Year, transmit to the Justices of the Peace or Magistrates assembled at the several General Quarter Sessions of the Peace held for the respective Counties, at the Quarter Sessions of the Peace next after the First Day of *March* in each Year, Certificates of the Number of Men then remaining deficient in their respective Regiments, distinguishing the Period for which such Deficiencies or Vacancies have existed, by what Cause occasioned, and for what District, Division, or Parish; and the Justices of the Peace, or the Magistrates assembled at such Quarter Sessions, shall at such Sessions assess the Penalty of Fifteen Pounds, for each Private Man so certified to be deficient as aforesaid, on such District, Division, or Parish, in the Quota of which such Deficiency shall have arisen, and such Assessment shall be forthwith returned by the Clerk of the Peace to His Majesty's Court of Exchequer in *England*.

Commandants of Regiments shall transmit to the Quarter Sessions Certificates of the Number of Deficiencies, and the Justices shall assess 15 l. for each; which Assessment shall be returned to the Court of Exchequer.

L. And be it further enacted, That all Fines, Penalties, and Forfeitures, incurred under any of the Provisions of this Act, or of any Act or Acts relating to the Militia made applicable to this Act, shall be paid within Twenty-one Days after the same shall be received, to the Account of the said Paymaster General at the Bank of *England*, for the Purposes of this Act, and all Bounties and Sums of Money to be paid under this Act for Necessaries, shall be paid out of the Monies arising from such Fines, Penalties, and Forfeitures, as aforementioned.

Penalties to be paid to the Account of the Paymaster General at the Bank, out of which all Bounties shall be paid.

LI. And be it further enacted, That a separate Account shall be kept of the Fines, Penalties, and Forfeitures, remitted to the Bank of *England* for

If the Bounties shall exceed the Fines paid into the

Bank, the Deficiency ſhall be made good out of the County Rates.

for each County reſpectively; and if in any County, the Sum of Money advanced under this Act for Payment of any Bounties ſhall exceed the Amount of the Fines, Penalties, and Forfeitures, paid into the Bank in reſpect of ſuch County, the Amount of ſuch Deficiency ſhall be paid and made good out of the County Rate of ſuch County; and it ſhall be lawful for the Secretary at War to order the Treaſurer of ſuch County from Time to Time to pay the Amount of ſuch Deficiency, and ſuch Treaſurer ſhall thereupon forthwith remit the ſame out of the County Rates of ſuch County, to the Account of the Paymaſter General at the Bank of *England* for the Local Militia.

At Quarter Seſſions the Sums ſo paid out of the County Rates may be aſſeſſed upon the Pariſhes for which the Men ſhall have volunteered.

LII. Provided always, and be it further enacted, That it ſhall be lawful for the Magiſtrates aſſembled at any Quarter Seſſions of the Peace of any County in which any ſuch Sums ſhall have been advanced out of the County Rate, at any Seſſions within Twelve Months after ſuch Advance, to aſſeſs ſuch Sum upon the Pariſhes for which the Men to whom ſuch Bounties ſhall have been paid ſhall have volunteered; and ſuch Aſſeſſment ſhall be made and levied in like Manner as Fines for any Deficiencies are directed to be levied and recovered; and ſuch Aſſeſſment, when ſo recovered, ſhall be paid to the Treaſurer of the County, having made ſuch Advance for the Purpoſe of replacing the ſame to the County Rate of ſuch County.

Perſons ſerving under this Act ſhall be exempt in Whole or in Part from Rates made for Re-payment of Bounties, &c.

LIII. And be it further enacted, That every Perſon who ſhall ſerve under this Act, whoſe Aſſeſſment in any Rate to be made or levied for the Purpoſe of Repayment of any Bounties, or the Payment of any Fines under this Act, ſhall be made on any Property not exceeding in annual Value, according to the Valuation on which ſuch Rate ſhall be made, the Sum of Twenty Pounds, ſhall be wholly exempt from ſuch Rate; and every ſuch Perſon, whoſe Aſſeſſment ſhall be made on any ſuch Property exceeding in annual Value as aforeſaid, ſuch Sum of Twenty Pounds ſhall, by reaſon of ſuch Service, be exempt as to ſuch Property to the Amount of ſuch Sum of Twenty Pounds, and be rated in ſuch Rate only to the Amount by which ſuch Property ſhall exceed ſuch annual Sum of Twenty Pounds as aforeſaid; and if any Perſon ſhall think himſelf or herſelf aggrieved by any ſuch Rate as aforeſaid, ſuch Perſon may appeal to the next General or Quarter Seſſions, in ſuch Manner as is provided in Caſes of Appeal againſt Rates for the Relief of the Poor.

Perſons aggrieved may appeal to the Quarter Seſſions.

Deputy Lieutenants or Juſtices not to order County Treaſurers or Subdiviſion Clerks to retain Money. Penalty on ſuch Clerks for retaining any.

LIV. And be it further enacted, That it ſhall not be lawful for any Deputy Lieutenant or Juſtice of the Peace to order or direct any Treaſurer of a County or Clerk of Subdiviſion Meetings to retain any Money in his Hands under this Act; and every Clerk of Subdiviſion Meetings who ſhall retain any Money in his Hands for the Space of One Month after the Period within which ſuch Money ought to have been paid to the Bank of *England*, ſhall forfeit for any ſuch Offence the Sum of One hundred Pounds and Treble the Amount of the Money ſo retained.

Deputy Lieutenants or Juſtices may order Subdiviſion Clerks to pay Bounties, an Ac-

LV. Provided always, and be it further enacted, That it ſhall be lawful for any Deputy Lieutenants or Juſtices of the Peace attending the enrolling and ſwearing in of any Men under this Act entitled to ſuch Bounty of Two Guineas, and they are hereby required to order and direct the Clerk of their Subdiviſion to pay any ſuch Bounties out of any Money in

his Hands, not remitted under the Provisions of this Act, at such Time, and every such Clerk of Subdivision Meetings paying any such Bounties, shall transmit Accounts thereof at such Periods after the Payment of such Bounties, and in such Form and with such Particulars as shall be required by the Secretary at War in that Behalf, on Pain of forfeiting for any Neglect therein the Sum of Fifty Pounds.

count of which shall be transmitted as required by the Secretary at War, on Penalty of 50 l.

LVI. Provided also, and be it further enacted, That in every Case in which any such Bounties shall become payable, and the Clerk of the Subdivision Meetings, within which the same shall be due, shall not have any Money in his Hands for the Payment thereof, then and in such Case the Deputy Lieutenant or Justice aforesaid, shall sign a Certificate thereof, and of the Amount of Bounties so to be paid and to whom, and for what Parishes or Places, and the Clerk of the Subdivision Meeting shall forthwith transmit such Certificate to the Secretary at War, and draw upon the Paymaster General for the Amount of Bounties specified to be so payable and deficient in such Certificate.

Where the Clerk shall not have Money, a Certificate shall be transmitted to the Secretary at War, and the Clerk shall draw upon the Paymaster General.

LVII. And be it further enacted, That every Clerk of Subdivision Meetings shall keep an Account in the Form to this Act annexed, marked (A.), or in such other Form as may from Time to Time be directed for that Purpose by the Secretary at War, of all Fines, Penalties, and Forfeitures, from Time to Time received by him, and also of all Sums allowed to any Individuals, Counties, Hundreds, or Parishes, by reason of any Fines or Penalties, or Parts of any Fines or Penalties, being remitted under the Provisions of this Act; and the Deputy Lieutenants or Justices attending at the Time of any such Fine, Penalty, or Forfeiture, being imposed or remitted, or any Two of them, shall and they are hereby required to certify the same to be correct, and the Clerk of Subdivision Meetings shall verify the same upon Oath, which Oath any one Deputy Lieutenant or Justice of the Peace is authorized to administer, and shall transmit to the Secretary at War such Account made up to the Twenty-fourth Day of *December* in each Year, or to such other Period as the Secretary at War shall direct, or shall, in Default thereof, forfeit for such Neglect the Sum of One hundred Pounds.

Subdivision Clerks to keep an Account of Fines, &c. and transmit the same to the Secretary at War.

Penalty of 100 l. for Default.

LVIII. And be it further enacted, That every Clerk of Subdivision Meetings shall and is hereby required, within Seven Days after the Twenty-fourth Day of *March*, *June*, *September*, and *December*, respectively in each Year, or oftener if required, to transmit an Account to the Secretary at War for the Time being, of all Sums received by him and remitted to the Bank of *England*, to the Account of the said Paymaster General for the Purposes of this Act, verified upon Oath before one Deputy Lieutenant or Justice of the Peace, which Oath any such Deputy Lieutenant or Justice of the Peace is hereby authorized to administer, and made in the Form in the Schedule to this Act annexed, marked (B.), or such other Form as may from Time to Time be prescribed in that Behalf by the Secretary at War, or shall, in Default thereof, forfeit for such Neglect the Sum of Fifty Pounds.

Subdivision Clerks to transmit to Secretary at War Accounts of Money remitted to the Bank, verified on Oath.

Penalty of 50 l. for Default.

LIX. And be it further enacted, That the Clerk of Subdivision or other Meetings shall be and is hereby required from Time to Time to transmit

Clerks of Meetings to transmit Estimates of

Sums requisite for Payment of Penalties remitted, to the Secretary at War, and transmit an Account of his Payments verified upon Oath.

Eſtimates of ſuch Sums as may be required for the Re-payment of Penalties or Parts of Penalties to be remitted under this Act, to the Secretary at War, and the ſaid Clerk of Subdiviſion or other Meetings ſhall draw for the Amount thereof, in ſuch Manner as the Secretary at War for the Time being ſhall direct, and within Twenty-one Days after he ſhall have received any ſuch Money, ſhall pay the Amount of the Penalties or Part of Penalties ſo remitted, taking Receipts for the ſame, and he ſhall, on or before the Twenty-fourth Day of *December* in each Year, or oftener if required, tranſmit an Account of ſuch Payments verified upon Oath (which Oath any one Deputy Lieutenant or Juſtice of the Peace is hereby authorized to adminiſter) and made out according to the Form to this Act annexed, marked (C.), or ſuch other Form as the Secretary at War ſhall require and direct.

Subdiviſion Clerks, if required, to give Bond.

LX. And be it further enacted, That every Clerk of Subdiviſion Meetings ſhall, if required ſo to do by the Deputy Lieutenants aſſembled at any General or Subdiviſion Meeting, give Security by Bond to His Majeſty with Two ſufficient Sureties, in ſuch Sums as the Deputy Lieutenants ſhall fix, for duly accounting for, and remitting all Monies paid into his Hands under the Proviſions of this Act.

Fines ſhall be applied as His Majeſty's Principal Secretary of State ſhall order.

LXI. And be it further enacted, That all Fines, Penalties, and Forfeitures incurred by any Officers or Perſons concerned in the Execution of this Act, or incurred, paid, or levied under any of the Proviſions of this Act, relating to the Default or Enrolment of any Perſons under this Act, or to any Perſons liable to be ballotted or enrolled under this Act, or under any of the Proviſions relating thereto, or relating to any Deficiencies, ſhall, after Payment of ſuch Bounties and Sums for Neceſſaries as aforeſaid, go and be applied under any general or particular Order or Orders of One of His Majeſty's Principal Secretaries of State, in the Diſcharge of any Expences of ballotting, training or exerciſing under this Act, within the County, Riding, or Place where the ſame ſhall ariſe, or any incidental Expences attending the Execution of this Act within ſuch County, Riding, or Place.

Deputy Lieutenants, &c. may adjudge Part of Penalties to Informers.

LXII. And be it further enacted, That it ſhall be lawful for any Deputy Lieutenant, together with One Juſtice of the Peace, or any Two Juſtices of the Peace, before whom any Offence againſt this Act ſhall be heard and determined, upon Conviction of the Offender, to adjudge ſuch Part of the Penalty as they ſhall think fit, (not exceeding One Third Part thereof) to the Perſon or Perſons giving Information of the Offence, upon which any ſuch Conviction ſhall take place.

Two Juſtices may hear and determine Offences, and give Judgement for Penalties, &c.

LXIII. And be it further enacted, That it ſhall be lawful for any Two Juſtices of the Peace reſiding near the Place where any Offence ſhall be committed againſt this Act, which ſubjects the Offender to any pecuniary Penalty for not appearing to be enrolled, or making any falſe Declaration relative to any Claim of Exemption, or for not continuing in any Volunteer Corps, and tranſmitting Certificates relative thereto, or for not appearing to ſign a Declaration that he has not inſured contrary to the Proviſions of this Act, or making a falſe Declaration relative thereto, or for making a falſe Declaration relative to receiving any greater Bounty than is allowed by this Act, to hear and determine ſuch Offence at any Time within

within Six Months after the Offence committed; and such Justices of the Peace shall, upon any Information exhibited, or Complaint made in that Behalf, summon the Party accused, and also the Witnesses on either Side, and shall examine into the Matter of Fact, and upon due Proof made thereof, either by voluntary Confession of the Party, or by the Oath of one or more credible Witness or Witnesses, give Judgement for the Penalty or Forfeiture as by this Act is directed, and issue their Warrant under their Hands and Seals for the levying any pecuniary Penalties or Forfeitures so adjudged on the Goods of the Offender, and cause Sale to be made thereof, in case they shall not be redeemed within Four Days, rendering to the Party the Overplus, if any, and where the Goods of the Offender cannot be found sufficient to answer the Penalty, commit such Offender to Prison, there to remain for any Time not exceeding Three Months, unless such pecuniary Penalty shall be sooner paid and satisfied; and if any Person or Persons shall find himself or themselves aggrieved by the Judgement of such Justices, then he or they shall and may, upon giving Security to the Amount or Value of such Penalty and Forfeiture, together with such Costs as shall be awarded in case such Judgement shall be affirmed, appeal to the Justices of the Peace at the next General Quarter Sessions for the County, Riding, or Place, who are hereby empowered to summon and examine Witnesses upon Oath, and finally to hear and determine the same, and in case the Judgement shall be affirmed, it shall be lawful for such Justices to award the Person or Persons to pay such Costs occasioned by such Appeal as to them shall seem meet.

Persons aggrieved may appeal to the General Quarter Sessions.

LXIV. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence before such Justices, touching any of the Matters relative to this Act, either on the Part of the Prosecutor or Persons accused, and shall neglect or refuse to appear at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for such his, her, or their Neglect or Refusal, to be allowed of by such Justices before whom the Prosecution shall be depending, that then every such Person shall forfeit for every such Offence any Sum not exceeding Five Pounds, to be levied and paid in such Manner and by such Means as is directed as to the other Penalties.

Witnesses not attending liable to Penalty.

LXV. And be it further enacted, That the Justices before whom any Offender shall be convicted as aforesaid, shall cause the said Conviction to be made out in the Manner and Form following, or in any other Form of Words to the same Effect, *mutatis mutandis* (that is to say),

Convictions to be made out in the following Form.

'BE it remembered, That on the Day of in the Year of Our Lord in the County of *A. B.* of was convicted before us *C. D.* and *E. F.* Two of His Majesty's Justices of the Peace for the said County, residing near the Place where the Offence was committed; for that the said *A. B.* on the Day of now last past, did, contrary to the Form of the Statute in that Case made and provided, [*here state the Offence against the Act*]; and we do declare and adjudge that the said *A. B.* hath forfeited the Sum of

LXVI. And be it further enacted, That no Order or Conviction made in pursuance of this Act, by any Justice of the Peace, shall be removed by *Certiorari*

Convictions by Justices not removable into any Court.

Certiorari into any Court whatever, and that no Writ or *Certiorari* ſhall ſuperſede Execution or other Proceedings upon any ſuch Order or Conviction, but that Execution and other Proceedings ſhall be had thereupon, any ſuch Writ or Writs notwithſtanding.

43 G. 3. c. 82. and

47 G. 3. Seſſ. 2. c. 71. recited.

Perſons balloted under Firſt recited Act who found Subſtitut s or paid Fines, and who ſhall be now ſerving in the Militia, ſhall be entitled to their Diſcharge and Perſons who have found Subſtitutes or paid Fines under both Acts, ſhall have a Return of their Money paid under the laſt Act.

LXVII. And whereas many Perſons who have found Subſtitutes or paid Fines under an Act, paſſed in the Forty-third Year of the Reign of His preſent Majeſty, intituled, *An Act to enable His Majeſty more effectually to raiſe and aſſemble in* England *an additional Military Force for the better Defence and Security of the United Kingdom, and for the more vigorous Proſecution of the War,* have been ſince ballotted and enrolled to ſerve, or found Subſtitutes or paid Fines under an Act, paſſed in the laſt Seſſion of Parliament, intituled, *An Act for the ſpeedily completing the Militia of* Great Britain, *and increaſing the ſame, under certain Limitations and Reſtrictions,* and it is juſt and expedient that ſuch Perſons ſhould be relieved; be it therefore enacted, That every Perſon who ſhall have been ballotted under the ſaid recited Act of the Forty-third Year of His preſent Majeſty, and ſhall have found any Subſtitute, or paid any Fine for not appearing to be enrolled, or for not finding any Subſtitute under the ſaid laſt mentioned Act, and who ſhall have been ballotted and enrolled under the ſaid Act of the laſt Seſſion of Parliament, and be now ſerving in the Militia, ſhall, from and after the paſſing of this Act, be entitled to, and ſhall on demand have a full and complete Diſcharge; and every Perſon who ſhall have found any Subſtitute or paid any Fine as aforeſaid, under the ſaid Act of the Forty-third Year aforeſaid, and who ſhall have alſo found any Subſtitute or paid any Fine under the ſaid Act of the laſt Seſſion of Parliament, ſhall be entitled and ſhall have a Return of the Money paid for finding a Subſtitute, or the Amount of Fine paid under the ſaid Act of the laſt Seſſion of Parliament; and it ſhall be lawful for the Deputy Lieutenants or Juſtices before whom any ſuch Subſtitute ſhall have been enrolled, or any Two of them, or for any Two Deputy Lieutenants or Juſtices of the Peace of the Diviſion within which ſuch Fine ſhall have been paid, to grant a Certificate of the Amount of the Money ſo paid for ſuch Subſtitute, or of ſuch Fine as aforeſaid, deducting therefrom ſuch Sum of Money as ſhall have been paid to ſuch Man by any Pariſh, as Half the Price of a Subſtitute, and the Overſeers of the Poor of the Pariſh for which ſuch Subſtitute ſhall have been found, or in reſpect of which ſuch Fine ſhall have been paid, ſhall, within Seven Days after the Production of ſuch Certificate, pay ſuch Money on Pain of forfeiting for any Neglect or Refuſal the Sum of Twenty Pounds.

The Number of Local Militia to be ballotted and enroll d within the Ci que Ports, &c.

LXVIII. And whereas there is no Quota eſtabliſhed for the Militia within the Cinque Ports, Two ancient Towns, and their Members, be it enacted, That the Number of Men to be ballotted and enrolled for the Local Militia under this Act, within the Cinque Ports, Two ancient Towns and their Members, ſhall not exceed ſuch Number as will, in Addition to and together with and including the effective Yeomanry and Volunteers then ſerving within the ſame, excluſive of Supernumeraries, above the Eſtabliſhment of ſuch Corps ſerving without Pay, who ſhall have been inrolled therein after the Firſt Day of *April* laſt, amount to Two thouſand five hundred Men.

When there ſhall be a Deficiency in the Number, His

LXIX. And be it further enacted, That when and ſo often as the Number of effective Yeomanry and Volunteers, together with the Number of Local

Local Militia in the Cinque Ports, Two ancient Towns and their Members, shall be below the Quota of Local Militia herein-before established for the same, it shall be lawful for His Majesty to order and direct that a Number of Local Militia Men, equal in Amount to such Deficiency, shall be forthwith ballotted and enrolled for the same under this Act, so that the Number in the Whole of the Local Militia and the effective Yeomanry and Volunteers within the same, shall be equal to the said last-mentioned Quota so established as aforesaid.

Majesty may order it to be ballotted for.

LXX. 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 raising or embodying Men within such Jurisdiction as aforesaid, or any Act relating to the Militia of *England*, or this Act, for the Purpose of carrying the same into Execution, and raising the Men to be provided and raised within their respective Jurisdictions under this Act, and all the Powers, Provisions, Authorities, Penalties, and Forfeitures contained in any Act or Acts of Parliament, and hereby made applicable to the raising the said Local Militia, or in this Act, shall be in full Force for the Purpose of raising the Local Militia within the Cinque Ports; any Thing in any Act or Acts of Parliament contained to the contrary notwithstanding.

Warden of the Cinque Ports, &c. shall put this Act in Execution.

LXXI. Provided also, That it shall be lawful for the said Warden, and the said Mayors, Jurats, Magistrates, or Deputy Lieutenants, at a General Meeting to be holden as soon as may be after any Ballot shall have been directed for the raising of any Local Militia within the Cinque Ports, and Lists shall have been returned for that Purpose, to appoint the Number of Men to be raised in pursuance of this Act for each of the said Ports, Two ancient Towns and their Liberties, and the several Members thereof respectively; and the Number of Men so apportioned shall be raised, ballotted for, and sworn in, pursuant to the Provisions of this Act.

Warden, &c. to appoint the Number of Men to be raised for each of the Ports, &c.

LXXII. And be it further enacted, That the Mayors, Jurats, or other Magistrates for the Time being, of each of the Cinque Ports, Two ancient Towns and their Liberties, and the several Members thereof, shall and may act as Deputy Lieutenants for the Purposes of this Act; and that it shall be lawful for the Warden of the said Cinque Ports, Two ancient Towns and their Members, to appoint any other Persons qualified in the Manner directed by an Act made in the Forty-second Year of His present Majesty's Reign, intituled, *An Act for amending the Laws relating to the Militia in* England, *and for augmenting the Militia*, to act in like Manner as Deputy Lieutenants within the same: Provided always, that the said Warden may, with the Concurrence of any Meeting of Deputy Lieutenants, authorize the said Mayors, Jurats, and Magistrates, or Deputy Lieutenants, within such Ports, Towns, Liberties, and Members, to issue their Orders to the respective Constables within the same, to return within a limited Time Lists of all Persons liable to serve in the Local Militia for such Port, Town, Liberty, and Member respectively, in the Manner required by this Act, and by the said Act of the Forty-second Year of the Reign of His present Majesty, or any Act relating to the

Mayors, &c. of the Cinque Ports, &c. may act as Deputy Lieutenants, and the Warden may appoint other qualified Persons to act, &c.

Militia of *England*, and may appoint such Times as may appear to him to be necessary and proper for the Returns and Notices to be made and given, conformably to the Directions of the said recited Act and this Act; and for the holding other Meetings, and doing all Acts, Matters, and Things, which may be necessary for carrying this Act into Execution within the Cinque Ports.

A Local Militia shall be ballotted from among the Miners of Cornwall and Devon.

LXXIII. And be it further enacted, That a Local Militia shall be ballotted and enrolled from among the Tinners or Miners of the Counties of *Devon* and *Cornwall*, in like Manner and to such Amount in relation to the Quota of Regular Militia for the said Tinners and Miners, as is by this Act directed in relation to Counties; and such Local Militia shall be raised under the Provisions of this Act.

Warden of Stannaries, by Order of His Majesty, to procure all Matters to be done touching the Tinners.

LXXIV. And be it further enacted, That the Warden of the Stannaries in *Great Britain* shall respectively, in Obedience to His Majesty's Orders to be issued for that Purpose, which His Majesty is hereby empowered to issue, procure all Matters to be done touching the Tinners of the Counties of *Devon* and *Cornwall*, according to the Customs of the Stannaries and Privileges of the Working Tinners, as are hereby or by any Act or Acts relating to the Tinners or Miners of *Cornwall*, or to the Militia, required to be done by the Lieutenants and Deputy Lieutenants aforesaid, touching other Persons residing in the said Counties of *Devon* and *Cornwall* not entitled to the Benefit of such Privileges; and such Warden, Special Deputy Warden, and other Officers of the Stannaries, shall have such and the like Powers and Authorities to do and execute all and every the Matters and Things which shall be so required to be done as aforesaid, as the Lieutenants and Deputy Lieutenants of the several Counties have for so doing the several Matters and Things hereby required to be done by them respectively.

Powers of 42G. 3. c. 72. to extend to this Act.

LXXV. And be it further enacted, That all and every the Clauses, Provisions, Powers, Authorities, Matters, and Things contained in an Act passed in the Forty-second Year of His present Majesty intituled, *An Act for repealing an Act made in the Thirty-eighth Year of the Reign of His present Majesty, intituled,* '*An Act for raising a Body of Miners in the Counties of* Cornwall *and* Devon, *for the Defence of the Kingdom during the present War, and for the more effectually raising and regulating a Body of Miners for the Defence of* Great Britain,' relative to raising and regulating a Body of Miners within the Stannaries, in the Counties of *Devon* and *Cornwall*, shall, in all Cases in which other Provisions are not made by this Act, be applied, practised, and put in force, in all Respects, for raising the Local Militia Men to be raised out of the Tinners and Miners within the said Stannaries under this Act, as fully and effectually as if the said Act and this Act were consolidated into one Act.

The Number of Local Militia to be ballotted and enrolled in the Tower Hamlets.

LXXVI. And be it further enacted, That a permanent Local Militia shall be ballotted and enrolled under this Act in the Tower Hamlets and Liberties of the Tower, not exceeding such Number of Men as will, in addition to, and including and together with the effective Volunteers serving in and for the Tower Hamlets and Liberty of the Tower, exclusive of Supernumeraries above the Establishment of any such Corps serving without Pay, who shall have been enrolled therein after the First Day of *April*

April last, amount to Six Times the Amount of the Quota of the original Militia of the Tower Hamlets; and such Local Militia shall be balloted and enrolled at such Periods as His Majesty shall by any such Warrant as aforesaid, direct; and all and every the Clauses, Provisions, Powers, Authorities, Matters, and Things, contained in Two Acts made in the Thirty-seventh Year of the Reign of His present Majesty, or in any other Act or Acts relative to raising the Militia of the Tower Hamlets and Liberty of the Tower, together with all Clauses, Powers, Provisions, and Authorities contained in an Act made in the Forty-third Year of His present Majesty, intituled, *An Act to enable His Majesty more effectually to raise and assemble in* England *an additional Military Force for the better Defence and Security of the United Kingdom, and for the more vigorous Prosecution of the War*, for raising the Men to be raised therein under that Act, 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.

Powers of 37 G. 3. c. 25 and 75, &c. to extend to this Act.

LXXVII. 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.

Act not to repeal any Provisions of 37 G. 3. c. 25 and 75. except as to new Fines, &c.

LXXVIII. 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, Shires, Divisions, Cities, and Places; 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, Laths, Wapentakes, and other Divisions in or of any such County, Riding, Division, Shire, 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 any Act relating to the Militia; and all Powers by this Act given to any Constable shall extend to all Tythingmen, Headboroughs, Peace Officers, and other Persons acting as Constables in any Counties, Hundreds, Parishes, and Places in which there shall be no Constable, 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.

Provisions relating to Counties to extend to Ridings, and relating to Hundreds to extend to Rapes, &c.

Powers given to Constables to extend to Tythingmen, &c.

LXXIX. And be it further enacted, That any Person taking a false Oath in any Case when an Oath is required to be taken by this Act, shall be deemed guilty of wilful and corrupt Perjury, and being thereof duly convicted, be liable to such Pains and Penalties as by any Laws now in force, any Persons convicted of wilful and corrupt Perjury are subject and liable to.

Persons taking a false Oath guilty Perjury.

LXXX. And be it further enacted, That this Act may be altered, amended, or repealed by any Act or Acts to be made in this present Session of Parliament.

Act may be altered or repealed this Session.

Schedules

Schedules to which this Act refers.

SCHEDULE (A.)

ACCOUNT of PENALTIES imposed and remitted by the Lieutenancy.

Date when imposed.	Name of Person.	Penalty at £ 30 for Persons worth more than £ 200 per Annum.	Penalty at £ 20 for Persons worth more than £ 100 and not exceeding £ 200 per Annum.	Penalty at £ 10 for Persons worth less than £ 100 per Annum.	Remittance of Fines and Penalties allowed by the Lieutenancy.	Net Sum imposed.	REMARKS.

Deficiency in the Subdivision of in the County of as per Return herewith annexed signed by the Commandant, dated the being Men at £. per Man, £. paid to the Clerk of Subdivision Meetings for on the

We do hereby certify that the above Account is truly and justly stated to the best of our Knowledge and Belief.

——— Deputy Lieutenant.

——— Magistrate.

SCHEDULE (B.)

QUARTERLY ACCOUNT of the Clerk of Subdivision Meetings.

Dr. — Contra — Cr.

Date when received.	Name of Person fined.	Penalty at £ 30 for Persons worth more than £ 200 per Annum.	Penalty at £ 20 for Persons worth more than £ 100 and not exceeding £ 200 per Annum.	Penalty at £ 10 for Persons worth less than £ 100 per Annum.	Amount of each Penalty.	Date when remitted.		Amount of each Remittance.
							By Remittance to the Bank of England	
							Do. — Do.	

Sworn before me on the
Day of 180

——— Deputy Lieutenant or Justice.

I hereby certify upon Oath, that the foregoing is a just and true Account of all Sums received by me as Clerk of the Subdivision Meetings of the County of between the Day of and the Day of to the best of my Knowledge and Belief.

——— Signature.

——— Clerk of the Subdivision of the County of

SCHEDULE (C.

Clerk of Subdivision Meetings on account for Penalties remitted by the Lieutenancy.

Dr - - - - - - - Contra - - - - Cr

Date of Bill.	In whose Favour drawn.	Amount of each Bill.	Date of Payment.	Name of Person whose Fine has been remitted.	No. of Receipt.	Amount.

Sworn before me the Day of 180

Deputy Lieutenant or Justice.

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