

ANNO QUINQUAGESIMO PRIMO

GEORGII III. REGIS.

CAP. XX.

An Act to allow a certain Proportion of the Militia of *Great Britain* to enlist annually into the Regular Forces; and to provide for the gradual Reduction of the said Militia. [11th *April* 1811.]

WHEREAS it is necessary to provide a permanent Supply of Men for His Majesty's Regular Forces, and it is therefore expedient to allow a certain Proportion of the Militia of *Great Britain* annually to enlist into His Majesty's Regular Forces, under certain Restrictions; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for His Majesty annually to accept the Services of such Men of the Militia of *England* not exceeding Five thousand seven hundred and fourteen, and of the Militia of *Scotland* not exceeding One thousand one hundred and forty-two, as shall respectively be willing to enlist into His Majesty's Regular Forces, and for such Numbers of Men from the Militias of *England* and *Scotland* respectively to enlist into His Majesty's Regular Forces, under the Regulations, and subject to the Restrictions hereinafter mentioned.

A Portion of the Militia of Great Britain (not exceeding 5,714 for England and 1,142 for Scotland) allowed to enlist annually into the Regular Forces.

II. And be it further enacted, That it shall be lawful for His Majesty, by any Order or Orders signed by His Majesty's Secretary of State, to name and appoint such and so many of the Regiments of His Majesty's Regular

His Majesty may appoint Regiments of the Regular Forces in

which Militia Men may enlist.

Regular Forces as His Majesty shall think fit, to receive Volunteers from the Militia in *Great Britain* under this Act, out of any Regiment or Regiments of Militia named in any such Order; and it shall be lawful for any Number of Private Men of any such Regiment of Militia, not exceeding the Proportion hereinafter mentioned, to enlist in the Manner and under the Regulations herein mentioned, into any Regiment as aforesaid, which in any such Order of His Majesty shall be named to receive Volunteers from such Regiment of Militia.

Limiting the Number of Men to enlist.

III. And be it further enacted, That His Majesty's Secretary of State shall annually ascertain the Number of Private Men that may be allowed to enlist out of each Regiment of the Militia of *Great Britain*, so that the whole Number do not exceed Five thousand seven hundred and fourteen Men from the Militia of *England*, and One thousand one hundred and forty-two Men from the Militia of *Scotland*; and that the Number taken from the Militia of each County shall be in the same relative Proportion to, and not exceed One Seventh Part of the Quota fixed for each County respectively, by Two several Acts passed in the Forty-second Year of the Reign of His present Majesty, relating to the Militias of *England* and *Scotland*, and by an Act passed in the Thirty-seventh Year of the Reign of His present Majesty, relating to the Militia of the Tower Hamlets; and His Majesty's Secretary of State shall annually, on or before the First Day of *February*, signify to the Commanding Officers of every Regiment of Militia, the Number of Private Men that shall be allowed to enlist under the Provisions of this Act; and in case the Militia of any County shall consist of more than One Battalion, His Majesty's Secretary of State shall ascertain the Number of Private Men that may be allowed to enlist out of each of such Battalions, by the Proportion which the Private Men serving in each such Battalion bears to the whole Number of Private Men actually serving in the Militia of each County.

In what Case His Majesty may allow a greater Number of Militia Men to be enlisted into the Regulars than the Proportion before mentioned.

IV. Provided always, and be it further enacted, That it shall be lawful for His Majesty by any Order signed by His Majesty's Secretary of State, to allow of the enlisting into the Regular Forces of any greater Number of Men in Addition to such Proportion as aforesaid, out of the Militia of any County, in which by reason of the full Number of Men not having enlisted under any former Act or Acts of Parliament, the whole Number of Men serving shall exceed the Quota, and such Proportion of Supernumeraries as are by this Act specified for such County, until the Militia of such County shall be reduced to such Quota and Number of Supernumeraries under this Act.

Appointment of Officers to approve or reject the Men;

Limitations on Rejection, as to Height and Age.

V. And be it further enacted, That it shall be lawful for His Majesty to appoint such General or Field Officers, specially authorized by His Majesty, or by the Commander in Chief of His Majesty's Forces, for that Purpose, to inspect, approve, or reject the Private Men who shall be desirous of enlisting under this Act; and such Officers may approve of or reject such Private Men accordingly: Provided always, that nothing in this Act contained shall extend to authorize any such Officers to reject any Private Men desirous of enlisting as aforesaid, who shall be of the Height of Five Feet and Four Inches or upwards, and under the Age of Thirty-five Years, and not disabled by Lameness or other Bodily Infirmity.

VI. And

VI. And be it further enacted, That every Commanding Officer of a Regiment of Militia shall, within Two Days after the Receipt of the Order as to Men enlisting, cause his Regiment to be drawn out, and such Commanding Officer shall read or cause to be read by some Commissioned Officer to the Regiment of Men so drawn out, His Majesty's Orders in relation to enlisting under this Act, and shall cause the same to be given out in Orders, and shall, in such Manner as His Majesty shall direct, explain to the Men the Terms upon which any Man serving in the Militia may enlist into His Majesty's Regular Forces under this Act; and shall on the Day next succeeding cause his Regiment to be drawn out, and the Names of the Men who shall then voluntarily declare their Intention of enlisting to be written down, and if the Number of Men shall exceed the Proportion allowed to enlist, such Excess shall be reduced by Ballot to the Number authorized to enlist.

His Majesty's Orders, and the Terms of enlisting, to be read and explained to each Regiment; and Names of Men enlisting to be taken down.

VII. Provided always, and be it further enacted, That if the Number of Private Men in any Regiment of Militia, who shall (when so drawn out as aforesaid) voluntarily declare their Intention to enlist, shall not amount to the Proportion authorized to enlist, then and in such Case a Book shall be opened by the Commanding Officer, and it shall be lawful for any other of such Men, not exceeding the Number necessary to complete the Number allowed to enlist under this Act, at any Time within Seven Days after the last Day of such Two Days on which such Regiment of Militia shall have been drawn out, to enter their Names in such Book as willing to enlist as aforesaid.

If the Number who shall enlist shall not be the due Proportion, a further Enlistment may take place

VIII. And be it further enacted, That in case the whole Number of Men allowed to enlist in any one Year under the Provisions of this Act, from any Regiment of Militia, shall not have enlisted into His Majesty's Regular Forces within the said Seven Days as aforesaid, it shall be lawful for His Majesty, by any Order of the Secretary of State, signified to the Commanding Officer of such Regiment, to appoint, from Time to Time, further Periods of Three Days each for enlisting into His Majesty's Regular Forces, until the whole Number allowed to enlist shall have declared their Intention of enlisting, and during any such Periods it shall be lawful for any Men to enlist under this Act from such Regiment in Manner aforesaid: Provided always, that Ten Days Notice shall from Time to Time be given to such Commanding Officer, and by him to his Regiment, of the several Days or Periods so to be appointed for enlisting, previous to each such Period, and that there shall be an Interval of Fourteen Days at least between each such Period of Three Days.

Where Number allowed shall not have enlisted, His Majesty may appoint further Periods of Three Days from Time to Time within the Year, till the whole Number have enlisted.

IX. And be it further enacted, That as soon as the Number of Private Men to be enlisted from any Regiment shall have been ascertained in Manner by this Act directed, at each of such respective Periods as aforesaid, the Commanding Officer of such Regiment is hereby required to discharge all such Private Men so to be enlisted from the Militia; and every such Private Man so discharged as aforesaid, shall, if approved by the Officer appointed for that Purpose, immediately thereupon belong to the Regiment into which he shall have declared or shall declare his Intention to enlist, if he shall have enlisted into any Regiment of His Majesty's Regular Forces, specified in His Majesty's Orders, or shall belong (if he shall not have enlisted into any such Regiment) as an enlisted

As soon as the Number of Men to be enlisted is ascertained, they shall be discharged, and if approved, attested.

Soldier to His Majeſty's Regular Forces; and every ſuch Man ſhall be thereupon immediately atteſted for ſuch Service in His Majeſty's Regular Forces, and ſhall (as ſoon as conveniently may be) be transferred to ſome Officer of the Regiment into which he ſhall have enliſted, or ſuch Officer of His Majeſty's Regular Forces as His Majeſty may have appointed to receive Men enliſted under this Act.

Lord Lieutenant to tranſmit to Privy Council the Number of Men diſcharged.

X. And be it further enacted, That the Lieutenant, or in his Abſence the Vice Lieutenant, or any Three Deputy Lieutenants authorized by His Majeſty to act as Lieutenant of any County aforeſaid, ſhall, within Ten Days after the receiving of any Order for that Purpoſe, from His Majeſty, ſignified by His Majeſty's Secretary of State, tranſmit to His Majeſty's Privy Council, an accurate Account in Writing of the Number of Perſons that ſhall have been diſcharged from the Militia of their reſpective Counties, and enliſted as aforeſaid under this Act, which Account ſhall, in all Caſes where the ſame may be neceſſary, be tranſmitted by the Commanding Officers of ſuch Militia, to ſuch Lieutenants, Vice Lieutenants, or Deputy Lieutenants as aforeſaid for that Purpoſe.

No Perſon in Confinement ſhall be entitled to enliſt until he ſhall have ſuffered the Sentence of a Court Martial.

XI. Provided always, and be it further enacted, That no Private Militia Man ſhall be entitled to enliſt under this Act, who ſhall be in Confinement under any Sentence of any Court Martial, or with a View to being tried by any Court Martial, until he ſhall have ſuffered the Sentence of ſuch Court Martial, or ſhall have been acquitted, or until ſuch Sentence ſhall have been remitted; and that no Private Militia Man ſhall be entitled to his Diſcharge, or to enliſt under this Act, who ſhall have been ſentenced to any Puniſhment by any Court Martial for any Offence committed within the Space of Three Calendar Months before the Time of his ſo offering to enliſt, unleſs he ſhall obtain the Conſent of the Commanding Officer of the Regiment of Militia in which he ſhall be ſerving at the Time of his being deſirous of enliſting as aforeſaid.

Certain Perſons not to enliſt without the Conſent of the Commanding Officer.

XII. Provided alſo, and be it further enacted, That no Perſon ſerving in the Militia, who ſhall be uſually employed as Adjutant's Clerk or Regimental Clerk, or as a Drummer, or as a Muſician in the Band of the Regiment of Militia to which he ſhall belong, or ſhall be uſually employed as an Armourer in any ſuch Regiment, or who ſhall have been trained as an Artilleryman or Matroſs, and as ſuch ſhall be attached to any Artillery belonging to any Regiment of Militia, not exceeding Twenty Men in each Battalion, ſhall be entitled to his Diſcharge, or to enliſt as aforeſaid under this Act, unleſs he ſhall obtain the Conſent for that Purpoſe of the Commanding Officer of the Regiment of Militia in which he ſhall be then ſerving.

Serjeants and Corporals may enliſt in a certain Proportion.

XIII. Provided always, and be it further enacted, That it ſhall be lawful with the Conſent of the Officer commanding any Regiment of Militia, for any Number of Serjeants and Corporals, not exceeding the Proportion of One Serjeant and One Corporal for every Twenty Men enliſting from any Regiment of Militia, to enliſt in like Manner and at ſuch Periods, as a Part of the ſaid Quota, into His Majeſty's Regular Forces; and if any greater Number of Serjeants and Corporals than ſuch Proportion as aforeſaid ſhall be deſirous of enliſting as aforeſaid, ſuch Number ſhall be reduced by Ballot to the Number authorized to enliſt.

XIV. And be it further enacted, That it shall be lawful for the Commanding Officer of any Regiment of Militia to refuse to discharge any Private Militia Man, who shall desire his Discharge for the Purpose of being enlisted under this Act, upon assigning in Writing to the General Officer commanding in the District within which such Regiment of Militia shall be quartered, or to the Adjutant General of His Majesty's Forces, where there shall not be such General Officer as aforesaid, such Cause for his Refusal as shall be deemed sufficient by such General Officer or Adjutant General, as the Case may be. Commanding Officers may refuse to discharge Men, upon sufficient Cause.

XV. Provided always, and be it further enacted, That if any Person discharged from the Militia, for the Purpose of being enlisted into any Regiment as aforesaid, or into His Majesty's Regular Forces, under this Act, shall notwithstanding refuse to enlist pursuant to any Declaration of being desirous to enlist so made by him as aforesaid, or shall not be approved of by the Officer appointed by His Majesty for that Purpose, then and in every such Case, such Person shall continue to belong to the Regiment of Militia from which he shall have been so discharged for the Purpose of enlisting as aforesaid, notwithstanding any such Discharge. Persons discharged refusing to enlist, or not approved of, they shall continue to belong to the Regiment from which discharged.

XVI. Provided also, and be it further enacted, That nothing in this Act contained shall authorize any Officers appointed by His Majesty to enlist and receive Militia Men under this Act, or any Commanding Officer, or other Officer, or Non-commissioned Officer of any Regiment as aforesaid, or other Person, to enlist or persuade to enlist or receive any Militia Men, other than such as shall have been duly discharged by the Colonel or Commanding Officer of the Regiment of Militia to which the Persons desirous of enlisting shall belong; and if any Officer shall enlist or attempt to enlist any Militia Man, such Man shall not be permitted to enter into the Regiment to which the Officer persuading him to enlist may belong. Officers not authorized to enlist or persuade to enlist any Militia Man other than such as shall have been duly discharged

XVII. And be it further enacted, That every Person who shall be enlisted to serve in any Regiment so named and appointed as aforesaid, shall serve in the Regiment in which he shall have originally enlisted to serve, and in no other Regiment whatever; and no Person enlisting in any such Regiment shall, on any Account or Pretence whatsoever, be drafted into or serve in any other Regiment without his Consent, except in some Garrison or Veteran Battalion, in case it shall be necessary or expedient to transfer such Person into any Garrison or Veteran Battalion on account of his being disabled, or for any other sufficient Cause; and every such Person may be also transferred from one Battalion to another of any Regiment in which he may be serving. No Person shall be drafted from the Regiment in which he enlisted.

XVIII. And be it further enacted, That upon the Production to the Colonel or Commanding Officer of any Regiment of Militia, of a Certificate under the Hand of any Justice of the Peace of any County in *Great Britain*, or any Magistrate of any City, Borough, Town, or Place therein, of any Private Man belonging to the Militia having voluntarily enlisted, and been attested for His Majesty's Regular Forces as aforesaid (which Certificate every such Justice or Magistrate respectively is hereby required to give *gratis*) such Colonel or Commanding Officer is hereby required to cause the Person named in such Certificate to be discharged from the List of Militia Men serving for such County. Upon Production of Certificate, Men voluntarily enlisted, to be discharged from the List of Militia Men serving for that County.

Returns of Militia Men who shall have enlisted under this Act, to be made.

XIX. And be it further enacted, That the Adjutant of every Regiment of Militia shall, after the Commencement of the enlisting of Men under this Act, and until the whole Number of Men allowed to enlist from his Regiment shall have enlisted, at the End of every Week after each Period of enlisting in each Year, transmit to the respective Clerks of the Subdivision Meetings for the County to which the Regiment belongs, or where the Men of more than one County shall be so serving, then to the Clerks of such respective Counties, an accurate Return of all the Private Men serving for their respective Subdivisions who shall have enlisted under this Act, specifying therein the Christian and Surname of each Private Man; and in every Case of a Private Man, shall state in such Return whether such Man was a ballotted Man, Substitute, hired Man, or Volunteer, and the Parish or Place for which he was serving at the Time of such enlisting; and the said Clerks shall immediately upon the Receipt of such Returns, insert in the List of Militia Men serving for their respective Subdivisions, the Words, 'Volunteered into the Line,' after the Name of each Man so returned to them as aforesaid; and all Allowances payable to the Wives and Families of such Private Men so enlisting shall cease from the Days specified in such Returns to such Men respectively, as the Days upon which they were respectively enlisted for Service in His Majesty's Regular Forces; and the said Clerks shall forthwith transmit to the respective Overseers of the Poor, or Governors or Managers thereof, if in *England*, and to the respective Clerks of Supply, and also to the Treasurers of the Kirk Session, if in *Scotland*, an Account of the Men serving for their respective Parishes or Places who shall have enlisted under this Act; and all Allowances payable to the Wives and Families of any such Private Men by virtue of any Acts of Parliament for providing Relief for the Wives and Families of Militia Men in *England* and *Scotland* respectively, in respect whereof any Reimbursement shall be directed by the said Act, shall be reimbursed according to the Directions of the said Acts, up to the Time such enlisting shall have taken place.

Allowances to Families of Men raised, after the passing of this Act, for Militia, to be confined to the Families of ballotted Men only.

XX. And be it further enacted, That no Allowance under an Act passed in the Forty-third Year of the Reign of His Majesty, 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*, or under an Act passed in the same Year, intituled, *An Act for providing Relief for the Families of Militia Men in* Scotland, *when called out into actual Service*, or under any other Act for granting Allowances to the Wives and Families of Militia Men in *England* or *Scotland*, shall be granted to the Wife or Family of any Man, who after the passing of this Act shall be raised to serve in the Militia either of *England* or *Scotland*, as a Substitute, hired Man, or Volunteer; but all Allowances to be granted under any of the said Acts, to the Wives or Families of any Men raised after the passing of this Act, for the Militia of *England* or *Scotland*, shall be confined to the Wives or Families of ballotted Men only.

For Men raised within the Periods herein mentioned, certain Proportion of Fines

XXI. And be it further enacted, That every Parish or Place which has incurred any Fine for Men deficient on the First Day of *October* One thousand eight hundred and ten as aforesaid, shall for every Man who shall be raised for such Parish or Place by Ballot or otherwise after the said First Day of *October* and before the First Day of *June* One thousand eight hundred and eleven, be entitled to deduct or have a Return of Three-fourth

Parts of such Fine; and for every Man who shall be so raised before the First Day of *July* One thousand eight hundred and eleven, shall be entitled to deduct or have a Return of One Half of such Fine; and for every Man who shall be so raised before the First Day of *September* One thousand eight hundred and eleven, shall be entitled to deduct or have in return One Fourth Part of such Fine. to be remitted.

XXII. Provided always, and be it further enacted, That when and so soon as all the Men required to be raised for the Militia of any County, under an Act passed in the Forty-ninth Year of His present Majesty, intituled, *An Act for completing the Militia of* Great Britain, shall have been raised or enrolled, or at the Expiration of the Periods specified in this Act, during which any Parish is entitled to have a Return of Part of any Fine which such Parish may have incurred for any Deficiency in the Militia, all further Ballot of Men in such County shall be suspended, and shall remain so suspended until the First Day of *July* One thousand eight hundred and thirteen. When the Men required by 49 G. 3. c. 53 to be raised are enrolled, &c. further Ballot to be suspended till July 1, 1813.

XXIII. And be it further enacted, That it shall be lawful for His Majesty, when it shall appear to His Majesty to be necessary, for the more speedily completing the Number of Men to be raised for the Militia, from Time to Time under the Provisions of this Act to order and direct under an Order of His Majesty in Council, that the Lieutenants or Deputy Lieutenants in any County, or the Colonels or Commanding Officers of the Regiments of Regular Militia in *Great Britain*, and the Commissioned Officers and Non-commissioned Officers of the Regiments of Regular Militia, and the Adjutants, Quarter Masters, Staff Serjeants to Non-commissioned Officers and Drummers of the Local Militia, remaining on permanent Pay and unbodied, and when not assembled for Training and Exercise, duly authorized by their Commanding Officers for the Time being, or by other proper Order or Warrant, by Beat of Drum or otherwise, in their respective Counties or the adjoining Counties, to raise Volunteers for the Regiments of Regular Militia of the Counties to which they respectively belong, for the completing the Number of Men required to be raised and enrolled under the Provisions of this Act, and to direct that the Ballot shall either cease or proceed together with such raising or enrolling of Men by Beat of Drum or otherwise as aforesaid; and every Volunteer so raised as aforesaid shall take the Oath required to be taken by Substitutes in the Militia, which Oath shall and may be administered by any Person respectively authorized to administer Oaths to Persons enrolled in the Militia, or by any Justice of the Peace or Deputy Lieutenant for the County in which such Volunteers shall have been raised, or in which the Regiment for which he shall have been raised shall be at the Time of his joining such Regiment. His Majesty may order Men to be raised by Beat of Drum for the Militia.

XXIV. And be it further enacted, That the Colonels or Commanding Officers for the Time being, of the several Regiments of Militia for which any Men shall be so raised as aforesaid, shall at the Expiration of every Month from the Commencement of enlisting such Volunteers as aforesaid, transmit to the Clerks of General Meetings of their respective Counties Certificates, and where the Men of more Counties than one are united to form any Regiment of Militia, then a Certificate to each of such Counties, of the Number of Men raised for their respective Regiments, according to the Form in the Schedule to this Act annexed, marked (A.) Commanding Officers to transmit Certificates of Men raised to Clerks of General Meetings.

XXV. And

Bounty to the Men to be paid under ſuch Regulations as His Majeſty ſhall direct.

XXV. And be it further enacted, That a Sum not exceeding Twelve Guineas ſhall be allowed and paid in reſpect of every Man who ſhall be provided or raiſed for the Militia as a Volunteer, by Beat of Drum or otherwiſe, under the Proviſions of this Act as aforeſaid, and ſuch Part of ſuch Sum ſhall be applied towards the Expences of procuring the Volunteer, and the remaining Part as a Bounty to the Volunteer, and ſuch Bounty ſhall be paid or applied to the uſe of every ſuch Man, at ſuch Times and Places and in ſuch Proportions as to any Advance of any Part thereof, and in ſuch Manner and under and ſubject to ſuch Regulations and Reſtrictions as His Majeſty ſhall by any Order of His Principal Secretary of State, by any Regulations from Time to Time made in that Behalf, be pleaſed to order and direct; and it ſhall be lawful for the Lords Commiſſioners of His Majeſty Treaſury, or any Three or more of them, to order any Receiver General in *England*, or Collector of the Ceſs in *Scotland*, to advance and pay any Sum or Sums of Money for or in reſpect of any ſuch Bounties or any Advances in reſpect thereof, as may be neceſſary, out of any publick Monies in their Hands, or received or receivable by them out of any Rates and Duties under the Management of the Commiſſioners for the Affairs of Taxes; and all Monies paid under any ſuch Orders as aforeſaid, ſhall be good and valid, and be allowed to all ſuch Receivers General or Collectors of Ceſs in their Accounts.

His Majeſty may direct Boys above Fourteen Years to be enliſted for the Militia, in a certain Proportion.

XXVI. And be it further enacted, That of the Number of Perſons to be raiſed annually for the Militia under this Act, for any County, it ſhall be lawful for His Majeſty to direct that ſuch Proportion as He ſhall think fit, not exceeding One-fourth Part of the whole Number of Perſons to be raiſed within the Year for ſuch County, ſhall conſiſt of Boys of the Age of Fourteen Years and upwards, and of ſuch Height as His Majeſty may direct; who ſhall be raiſed by Beat of Drum.

Proviſions in Mutiny Act, as to enliſting, to extend to the raiſing of Men by Beat of Drum for the Militia.

XXVII. And be it further enacted, That all the Proviſions contained in an Act of Parliament in force for the Puniſhment of Mutiny and Deſertion, and the better Payment of the Army and their Quarters, in relation to the enliſting any Men for His Majeſty's Army, ſhall ſo far as the ſame can be made applicable to the Men enliſted for the Regular Militia, be applied and uſed and put in force by all Juſtices of the Peace and others, and all Perſons authorized to raiſe Men by Beat of Drum for the Militia, and the preventing Frauds and abſconding by Perſons enliſted, and for the Protection of Perſons having haſtily enliſted, as fully and effectually as if all ſuch Proviſions were repeated and re-enacted as to the raiſing Men by Beat of Drum for the Regular Militia.

Proviſions of Mutiny Act, relating to Apprentices, to extend to Militia.

XXVIII. And be it further enacted, That all the Proviſions contained in an Act in force for the Puniſhment of Mutiny or Deſertion, and the better Payment of the Army and their Quarters, in relation to the enliſting of Apprentices and the claiming Apprentices by their Maſters, and the Puniſhment of any Apprentices, and the Liability to Service after the Expiration of the Indentures, and all other Proviſions in any ſuch Act in relation to Apprentices or their Maſters, ſhall, from and after the paſſing of this Act, extend to all Apprentices who ſhall enliſt or enrol themſelves as Subſtitutes or Volunteers in the Regular Militia, and the Maſters of ſuch Apprentices, as fully and effectually as if the ſame were ſeverally and ſeparately repeated and re-enacted in this Act.

Militia to be gradually reduced to Quotas fixed in 42 G. 3. c. 9. and c. 91.

XXIX. And be it further enacted, That after the paſſing of this Act, the Militia of *Great Britain* ſhall be gradually reduced to the Quotas reſpectively ſpecified in 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 in* England, *and for augmenting the Militia*; and in another Act, paſſed in the Forty-ſecond Year of the Reign of His preſent Majeſty, intituled, *An Act to raiſe and eſtabliſh a Militia Force in* Scotland; and in another Act, paſſed in the Thirty-ſeventh Year of the Reign of His preſent Majeſty, intituled, *An Act for the better raiſing and ordering the Militia Forces of the Tower Hamlets, in the County of* Middleſex.

His Majeſty may allow the raiſing of Supernumeraries for the Militia equal to the Number allowed to enliſt into the Regulars.

XXX. Provided always, and be it further enacted, That it ſhall be lawful for His Majeſty annually to allow and order the raiſing by Beat of Drum as Supernumeraries for the Militia of each County over and above the Quotas to which the Militia is to be reduced under this Act, a Number of Men equal to the Number allowed to enliſt under this Act, into the Regular Forces in each Year in each County.

Supernumeraries to form Part of the Militia of each County, &c.

XXXI. Provided alſo, and be it further enacted, That ſuch Supernumeraries ſhall belong to and make Part of the Militia of each County, but ſhall not be applied to ſupply any other Vacancies which may ariſe in each County than ſuch as ſhall occur from the enliſting into the Regular Forces under this Act, and ſuch Number of Supernumeraries ſhall, when ſo ordered by His Majeſty, be kept up over and above the Number neceſſary from Time to Time to ſupply the Vacancies which may occur in any ſuch Militia from Death, Deſertion, or Diſcharge, or Expiration of Service, or Appointment of any Private Man to be Serjeant or Corporal.

Lieutenancy to direct how Supernumeraries ſhall be applied to ſupply Vacancies from enliſting.

XXXII. And be it further enacted, That the Lieutenants and Deputy Lieutenants of each County ſhall, from Time to Time by Ballot or otherwiſe, as to them ſhall ſeem moſt fair and equitable, direct the Order in which ſuch Supernumeraries ſhall be applied to ſupply any Vacancies ariſing in any Pariſhes by the enliſting of any of the Men ſerving for ſuch Pariſhes into His Majeſty's Regular Forces under this Act.

His Majeſty may direct any Number of Officers, &c. ſerving in the Militia at the time of the Reduction of Privates, to be retained, although the Number may exceed the Proportion preſcribed for any Regiment, &c.

XXXIII. And be it further enacted, That it ſhall be lawful for His Majeſty, by any Order ſignified by His Majeſty's Secretary of State, to direct any Number of Officers, Non-commiſſioned Officers and Corporals actually ſerving in any Regiment, Battalion or Corps of Militia, at the Time that any Reduction of the Number of the private Men of ſuch Regiment, Battalion or Corps, ſhall take place by the Diſcharge of Men, for the Purpoſe of enliſting into the Regular Forces under this Act, to be retained during the Continuance of the preſent War, or for ſo long Time during the Continuance thereof as His Majeſty ſhall think fit, as Officers, Non-commiſſioned Officers and Corporals reſpectively of ſuch Regiments, Battalions, or Corps, although by Reaſon thereof the Number of Officers, Non-commiſſioned Officers and Corporals reſpectively of any ſuch Regiment, Battalion, or Corps, ſhall by ſuch Reduction of the Number of Private Men therein as aforeſaid, exceed the Proportion of Officers, Non-commiſſioned Officers, and Corporals reſpectively preſcribed for any Regiment, Battalion, or Corps of Militia, by any Act or Acts now in force; and all ſuch Officers, Non-commiſſioned Officers, and Corporals ſo retained as aforeſaid, ſhall be entitled to ſuch Pay, Emoluments, and Advantages as other Officers, Non-commiſſioned

Officers, and Corporals reſpectively are by Law entitled unto; any thing in any Law or Act to the contrary thereof notwithſtanding.

Such Officers to ſucceed to Vacancies.

XXXIV. Provided nevertheleſs, and be it enacted, That the Officers ſo retained, who ſhall exceed the Proportion of Officers reſpectively preſcribed for any Regiment, Battalion, or Corps, ſhall, being duly qualified according to any Act or Acts relating to the Militia of *England* and *Scotland* in that Behalf, ſucceed to Vacancies which may occur in ſuch Regiment, Battalion, or Corps reſpectively, in their reſpective Ranks, and beginning with the eldeſt Officer of each Rank reſpectively.

Regulations reſpecting Field Officers.

XXXV. Provided alſo, and be it further enacted, That where the Eſtabliſhment of Field Officers of any ſuch Regiment, Battalion, or Corps, ſhall previouſly to ſuch Reduction thereof as aforeſaid, have conſiſted of One Colonel, Two Lieutenant-Colonels, and Two Majors, and by reaſon of ſuch Reduction One Colonel and One Lieutenant-Colonel only, and Two Majors, ſhall be allowed on the Eſtabliſhment thereof, and One of ſuch Majors ſhall at any Time after ſuch Reduction have died or reſigned, then and in ſuch Caſe it ſhall be lawful for His Majeſty, by any Order ſignified as aforeſaid, to direct that the Lieutenant-Colonel, who, in conſequence of ſuch Reduction, would have been retained as a ſupernumerary Lieutenant-Colonel under the Proviſions of this Act, ſhall remain and continue upon the Eſtabliſhment of ſuch Regiment, Battalion, or Corps, with the full Rank of Lieutenant-Colonel, but nevertheleſs with the Pay, Emoluments, and Advantages of Major; any Thing herein-before contained to the contrary thereof notwithſtanding.

A Number of Men to be raiſed for the Militia annually by Ballot or otherwiſe in each County, equal to the Number allowed to enliſt in the Army, and Deficiencies.

XXXVI. And be it further enacted, That from and after the Period of the Reduction of the Militia to ſuch Quotas as aforeſaid, under the Proviſions of this Act, by enliſting into His Majeſty's Regular Forces or otherwiſe, it ſhall be lawful for His Majeſty to order and direct, that a Number of Men ſhall be raiſed for the Militia of each County by Ballot or otherwiſe in each Year equal to the Number of Men allowed in ſuch Year to enliſt in the Regular Forces under this Act from the Militia of each County, whether ſuch Number ſhall actually have enliſted or not; and ſuch Men and all Men required to ſupply any Vacancies that ſhall have ariſen by Death, Deſertion, or Diſcharge, Expiration of Service, or otherwiſe, ſhall (if a Ballot ſhall have been ordered by His Majeſty) be raiſed and ſupplied under the Proviſions of the ſeveral Acts in force for raiſing the Militia; and all Rules, Regulations, and Proviſions, Penalties and Means of recovering the ſame, Clauſes, Matters and Things contained in any Acts relating to the Militias of *England* and *Scotland* reſpectively, ſhall be in force and be applied, as far as the ſame are applicable, to the Purpoſes of this Act, as fully as if they were herein ſeverally and ſeparately re-enacted, repeated, and contained.

A Bounty of 10 l. 10 s. to be paid to every Man enrolled.

XXXVII. And be it further enacted, That a Sum of Ten Guineas ſhall be allowed to every Perſon ballotted and enrolled under this Act, or if any Perſon ballotted ſhall provide a Subſtitute, or ſhall have a Subſtitute provided for him, who ſhall be enrolled, then to the Subſtitute, and ſuch Bounty ſhall be paid in ſuch Proportions and at ſuch Times and Places, and in ſuch Proportions as to finding any Neceſſaries, and as to any Advance of any Part thereof, as ſhall be ſpecified in any Regulations made in that Behalf as aforeſaid.

XXXVIII. Pro-

XXXVIII. Provided always, and be it further enacted, That no Perſon ſo balloted and receiving ſuch Sum of Ten Guineas as aforeſaid, ſhall be entitled to have or receive the Allowance of One-half of the Current Price of a Volunteer or any other Allowance under any Act of Parliament relating to the Militia, by reaſon of his not being poſſeſſed of any Eſtate in Lands, Goods, or Money of the clear Value of Five hundred Pounds, any Thing in any Act of Parliament relating to the Militia to the contrary notwithſtanding. Such Payments not to entitle to any other Allowance.

XXXIX. And be it further enacted, That it ſhall be lawful for the Deputy Lieutenants of the ſeveral Counties, Ridings, Shires, Stewartries, Cities, and Places in *England* and *Scotland* reſpectively, and they are hereby required at ſome General Meeting which ſhall be held for that Purpoſe on or before the Firſt Day of *May* in every Year, to apportion and diſtribute the Men raiſed by Beat of Drum under this Act, in the firſt Place to fill up any Vacancies which may have been occaſioned in any Pariſh, by enliſting into the Line or otherwiſe, and in like Manner to apportion and diſtribute any Exceſs of Men raiſed by Beat of Drum over and above the Number of ſuch Vacancies; and it ſhall be lawful for the Deputy Lieutenants at any General Meetings to be held for that Purpoſe, to alter from Time to Time any ſuch Apportionments, and make any new and further Apportionments or Diſtributions, and place any Men ſo apportioned or diſtributed or applied as aforeſaid to any other Pariſhes, in caſe it ſhall appear to be neceſſary, for the making a juſt Diſtribution of the Men ſo raiſed by Beat of Drum as aforeſaid; and all ſuch Apportionments and Diſtributions ſhall be made among the ſeveral Pariſhes either by Ballot and entering upon Liſts of the Names of the Pariſhes or otherwiſe, and in ſuch Manner as ſhall appear to the Deputy Lieutenants at any ſuch Meeting moſt effectually to produce an equal and juſt Diſtribution of the Men raiſed by Beat of Drum among the Pariſhes; and the Men entered and placed to any Pariſhes under any ſuch Diſtribution or Apportionment ſhall thenceforth be deemed to belong to ſuch Pariſhes, for the ſupplying of any Vacancies thereafter, in like Manner as if ſuch Men had been provided as Subſtitutes or Volunteers for ſuch Pariſhes reſpectively. Deputy Lieutenants to apportion the Men raiſed by Beat of Drum, and Men raiſed by Ballot among the Pariſhes.

XL. And be it further enacted, That when the Number of Men to be raiſed in any County for the Militia by Ballot in any Year ſhall be more than ſufficient to fill up the Deficiencies then exiſting in the Militia, and to complete the ſame to the reduced Quota for ſuch County, eſtabliſhed by this Act, the Lieutenants and Deputy Lieutenants before any ſuch Ballot ſhall take place, ſhall proceed to apportion the Surplus among the ſeveral Hundreds and Pariſhes reſpectively by Ballot or otherwiſe, in ſuch Manner as ſhall appear to them moſt fair and equitable, and ſo as the Burden of raiſing ſuch additional Men above the Quota may be borne as equally as may be by the ſeveral Pariſhes of the County, according to their reſpective Population, and the Numbers apportioned to the reſpective Pariſhes as aforeſaid ſhall be raiſed for ſuch Pariſhes accordingly. Where the Number ballotted for in any Year ſhall exceed the Deficiencies, the Surplus ſhall be apportioned among the Pariſhes.

XLI. And be it further enacted, That it ſhall be lawful for the Men ballotted or enrolled for the Local Militia of any County to enliſt into the Regular Militia of the ſame or any adjoining County, under this Act, when not aſſembled for Training and Exerciſe: Provided always, that if any Man ballotted or enrolled for the Local Militia of one County ſhall enliſt into the Regular Militia of another County, not being an adjoining County, Local Militia Men may enliſt in the Regular Militia of the ſame County, &c.

he shall be held to be duly enlisted, and continue to serve in such Militia until he shall be reclaimed by the Commanding Officer of the Local Militia to which he belonged previous to such Enlistment, and upon being so reclaimed shall not be restored to such Local Militia, but shall be transferred to the Regular Militia of that County to the Local Militia of which he so belonged, and be bound to serve for the full Period therein, as if he had originally enlisted in the Militia of such County.

His Majesty may issue Orders by Secretary of State, to Lord Lieutenant and Commanding Officers, for executing this Act.

XLII. And be it further enacted, That it shall be lawful for His Majesty, by any Order signified by His Majesty's Secretary of State, at any Time from Time to Time during the Execution of this Act or any Part thereof, to give such Orders and Directions to the Lieutenants, or, in the Vacancy of the Office or Absence of any Lord Lieutenant to the Vice Lieutenant or Deputy Lieutenants authorized to act as Lieutenant, or to the respective Colonels or Commanding Officers of any Regiment of Militia, as His Majesty shall from Time to Time think expedient and necessary for the Execution of this Act; and the several Lieutenants, Vice Lieutenants, and Deputy Lieutenants, and Colonels and Commanding Officers aforesaid, shall proceed forthwith, in pursuance of His Majesty's Orders, to do all such Acts as shall be necessary for the Purpose of carrying such Orders into Execution, and for the due Execution of the Provisions of this Act.

Extending Provisions of Act.

XLIII. And be it further enacted, That all Provisions, Directions, Clauses, Matters, and Things in this Act contained, relating to Counties and to Regiments respectively, shall extend to all Stewartries, Ridings, Divisions, Cities, and Places, and to all Battalions, Corps, and Companies respectively, as fully and amply as if they were severally and respectively repeated in every such Provision, Direction, and Clause of this Act.

Act may be altered or repealed this Session.

XLIV. 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.

Schedule (A.)

LIST of Persons enlisted for MILITIA, between Day of and Day of

NAMES of MEN.	When enrolled.	When joined.	Place of Residence when enlisted.

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