(the Proof whereof shall lie on the Person accused) any Paper whatever, in the Substance whereof shall appear any such Words, Letters, Figures, Marks, Lines, Threads, or Devices as aforesaid, or any Part of such Words, Letters, Figures, Marks, Lines, Threads, or Devices, and intended to imitate the same, and also every Person, except as before excepted, who shall cause or assist in causing any such Words, Letters, Figures, Marks, Lines, Threads, or Devices as aforesaid, or any Part of such Words, Letters, Figures, Marks, Lines, Threads, or other Devices, and intended to imitate the same, to appear in the Substance of any Paper whatever, or who shall take or assist in taking any Impression of any such Plate or Die as aforesaid, shall be guilty of Felony.

Persons unlawfully having in Possession Paper, Plates, or Dies to be used for Exchequer Bonds, guilty of a Misdemeanor.

XI. Every Person not lawfully authorized and without lawful Excuse (the Proof whereof shall lie on the Person accused) who shall purchase or receive, or take and have in his Custody, any Paper manufactured and provided by or under the Directions of the Commissioners of Inland Revenue or Commissioners of Her Majesty's Treasury, for the Purpose of being used as Exchequer Bonds before such Paper shall have been duly stamped, signed, and issued for Public Use, or any such Plate or Die as aforesaid, shall for every such Offence be guilty of a Misdemeanor, and being convicted thereof shall, at the Discretion of the Court before whom he shall be tried, be imprisoned for any Period not more than Three Years nor less than Six Calendar Months.

CAP. CXXXIII.

An Act to suspend the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom, and to amend the Law in relation to the Militia in *England*. [20th *August* 1853.]

'WHEREAS it is expedient to suspend for a further Period the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom, and to make certain Provisions in relation to the Militia in *England*:' Be it therefore enacted by the Queen'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, as follows:

General and Subdivision Meetings relating to the Militia of the United Kingdom suspended.

I. All General and Subdivision Meetings relating to the Militia of the United Kingdom, save only such General Meetings as may be called under the Authority of One of Her Majesty's Principal Secretaries of State, or for the Purpose of altering, enlarging, or providing any Place for the Reception of the Arms, Accoutrements, Clothing, or other Stores belonging to the Militia, and all Proceedings relating to procuring any Returns, or preparing or making out Lists of such Militia or any Part thereof, or relating to balloting for or enrolling any Militiamen or Substitutes, or supplying any Vacancies in such Militia, save such Proceedings as are or may be directed or authorized by or under the Act of the last Session of Parliament, Chapter Fifty, as amended by the Provisions herein-after contained, shall cease and remain suspended until the First Day of *October* One thousand eight hundred and fifty-four.

Proceedings may be had during such Suspension by Order in Council.

II. Provided always, That it shall be lawful for Her Majesty by any Order in Council to direct that any Proceedings shall be had at any Time before the Expiration of such Period as aforesaid, either for the giving of Notices and making Returns and preparing Lists, and also for the proceeding to ballot and enrol Men for the filling up Vacancies in the Militia, as Her Majesty shall deem expedient; and upon the issuing of any such Order all such Proceedings shall be had for carrying into execution all the Provisions of the Acts in force in *Scotland* and *Ireland* respectively relating to the giving Notices for and Returns for Lists, and for the balloting and enrolling of Men to supply any Vacancies in the Militia, and holding General and Subdivision Meetings for such Purpose, at such Times respectively as shall be expressed in any such Order in Council, or by any Directions given in pursuance thereof

thereof to Lord Lieutenants, or Deputy Lieutenants acting for Lord Lieutenants, of the several Counties, Shires, Cities, and Places in *Scotland*, or to the Governors and Deputy Governors of Counties and Places in *Ireland*; and all the Provisions of the several Acts in force in *Scotland* and *Ireland* respectively relating to the Militia shall, upon any such Order, and Direction given in pursuance thereof, become and be in full Force and be carried into execution at the Period specified in such Order or Direction as aforesaid, with all such Penalties and Forfeitures for any Neglect thereof, as fully as if such Periods had been fixed in the Acts relating to such Militia.

So much of 15 & 16 Vict. c. 50. as relates to Deputy Lieutenants raising Volunteers for the Militia repealed.

III. Sections Eleven, Fifteen, and Seventeen of the Act of the last Session of Parliament, Chapter Fifty, so far as the same respectively relate to the raising and enrolling of Volunteers for the Militia by Deputy Lieutenants, and require Deputy Lieutenants to keep or cause to be kept Entries of Persons enrolled in the Militia, and to transmit Copies of such Entries to the Clerks of General Meetings, shall be repealed: Provided always, that the Deputy Lieutenants of Counties, Ridings, and Places shall severally aid the Colonels or Commanding Officers of the Regiments, Battalions, or Corps of Militia of their respective Counties, Ridings, or Places in raising and enrolling Volunteers for such Militia in the several Parishes where such Deputy Lieutenants may be resident, and otherwise as the Lieutenants of such Counties, Ridings, or Places may from Time to Time direct, but no General or Subdivision Meeting shall be holden for that Purpose, unless such Meeting be convened pursuant to any special Order made in this Behalf by One of Her Majesty's Principal Secretaries of State.

Notices of General and Subdivision Meetings to be sent to Deputy Lieutenants by Post in lieu of being published in Gazette and Newspapers.

IV. So much of Section Twenty-one of the Act of the Forty-second Year of King *George* the Third, Chapter Ninety, as requires Notices of the Days and Places of holding General Meetings of Lieutenancy to be given in the *London Gazette* and in such Newspapers as therein mentioned, shall be repealed; and Notices of such Meetings shall be sent by the Post by the Clerk of the General Meetings to the several Deputy Lieutenants of the County, Riding, or Division Seven Days at the least before the Days appointed for holding such Meetings respectively; and any Notices of Subdivision Meetings required to be given to Deputy Lieutenants or others shall be sent by the Clerk of General Meetings by Post instead of being otherwise delivered or left as now by Law required.

Times and Places of Exercise to be appointed without General Meetings of Lieutenancy.

V. No General Meeting of Lieutenancy shall be holden for appointing the Times and Places of Training and Exercise of the Militia in *England*, except by the special Order of One of Her Majesty's Principal Secretaries of State; but the Times and Places of Training and Exercise of the Militiamen serving for each County, Riding, and Place in *England* shall be appointed, with the Approbation of Her Majesty, by the Lieutenant of such County, Riding, or Place, or by the Vice-Lieutenant in case of the Illness or Absence of the Lieutenant, or in case of the Non-appointment of any Vice-Lieutenant, then by Three Deputy Lieutenants authorized by Her Majesty to act as or in the Place of such Lieutenant when such Lieutenant is out of *Great Britain*, or when there is no such Lieutenant: Provided always, that nothing herein contained shall prejudice or affect the Powers vested in Her Majesty under Sections Twenty-six and Twenty-seven of the said Act of last Session.

How Notices of Times and Places of Exercise to be given.

VI. Sections Ninety and Ninety-one of the Act of the Forty-second Year of King *George* the Third shall be repealed, and Notices to Men who are enrolled in the Militia in *England* to attend Training and Exercise shall be sent, by the Order of the Colonel or Commanding Officer of the Regiment, Battalion, or Corps to which such Men belong, by the Post to the Residences of the several Men as stated on their Attestations, or as subsequently notified by them, and Public Notices shall also be sent to the Constables, Tithingmen, Headboroughs, and other Officers of the respective Parishes, Tithings, and Places in the County, Riding, or Place for which such Men are enrolled, with Directions to cause the same to be affixed on the Door or the outer Wall near the Door of every Church and Chapel in their respective Parishes, Tithings, or Places, including Places of Public Worship which do not belong to the Established Church; and if any Place have no Church or Chapel, then in such Manner as Public Notices are usually made known in such Places, and on the Doors or outer Walls as aforesaid of the Churches or Chapels of some Parish, Tithing, or Place adjoining; and every such Constable, Tithingman, Headborough, and other Officer as aforesaid

said shall, within Three Days after the Receipt of any such Notice, cause the same or Copies thereof to be affixed accordingly; and any such Constable, Tithingman, Headborough, or Officer who wilfully neglects so to do shall for every such Offence, on Conviction thereof before Two Justices, forfeit any Sum not exceeding Twenty Pounds; and such Notice shall be deemed a sufficient Notice to every Person enrolled by virtue of the Act of the Fifteenth and Sixteenth Years of Queen *Victoria*, Chapter Fifty, notwithstanding any Omission in the Notices by Post; and any such Man not appearing at the Time and Place appointed in any such Notice shall be subject to be punished and dealt with accordingly.

Penalties for fraudulent Re-enlistment.

VII. Any Militia Volunteer who, before the Expiration of his Engagement as a Militiaman in any Regiment, Battalion, or Corps, enrols or offers to enrol himself in any other Regiment, Battalion, or Corps of Militia, or in the same Regiment, Battalion, or Corps, whether by the same or by different Names (save in the Way of lawful Renewal of his Engagement), shall upon a Conviction thereof, upon the Oath of One Witness, before any One Justice of the Peace, forfeit and pay any Sum not exceeding Ten Pounds, and in default of such Payment shall be committed to the Common Gaol or House of Correction for any Time not exceeding Three Months, and shall also be liable to the Deduction out of the Bounty which he might otherwise have received in respect of his original Enlistment of a Sum equal to what he may have received upon his fraudulent Re-enlistment, and of such further Sum as the Colonel or Commanding Officer of the Regiment, Battalion, or Corps in which he may have originally enlisted shall think proper, or as the Secretary-at-War may from Time to Time direct, not exceeding the Expenses of his Attestation and Enrolment on such fraudulent Re-enlistment.

The Justice before whom a Militiaman is convicted of Enlistment in the Regular Forces or Re-enlistment in the Militia, to send Report of Conviction to Secretary-at-War.

VIII. The Justice before whom a Militia Volunteer shall be convicted of having enlisted into the Regular Forces of Her Majesty or of the *East India* Company, by which he will be subjected to a Stoppage from his Pay while serving with such Forces, or of having enrolled or offered to enrol himself in another Regiment, Battalion, or Corps of Militia, or more than once in the same Regiment, Battalion, or Corps of Militia, shall send or cause to be sent to the Secretary-at-War a Report of such Conviction, stating the Name of such Volunteer, the Regiment, Battalion, or Corps of Militia to which he belongs, the Offence of which he has been convicted, and the Sentence or Decision of the Justice thereon, and, where such Volunteer shall be imprisoned in pursuance of such Conviction, the Period when the Imprisonment will expire; and for such Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings and no more.

Power to discharge Men from the Militia who have enlisted in the Regular Forces.

IX. It shall be lawful for the Secretary-at-War at any Time to discharge any Militia Volunteer upon such Conditions as he may from Time to Time direct, and such Volunteer shall have no Claim to future Pay or Bounty, or to release from future Attendance in the Militia any Volunteer who may have enlisted into Her Majesty's Regular Forces or into the Forces of the *East India* Company, and who has been sentenced to Imprisonment, or to Forfeiture for a Period not exceeding Eighteen Calendar Months of One Penny a Day from his Pay in such Forces; and any Man so released shall serve with the Force in which he may have enlisted in the United Kingdom or elsewhere, with the like Liabilities in all respects as any Soldier in such respective Force, and his Place in the Militia shall be supplied in like Manner as if his Term of Service as a Militiaman had expired by Efflux of Time.

Provision for withholding Payment of Bounty from Men wrongfully absent from Training.

X. Any Bounty which, under the Regulations made or to be made under the said Act of the last Session, may be payable during or in respect of Attendance at Training and Exercise shall be forfeited by any Man who wholly absents himself from such Training and Exercise without Leave lawfully granted, or Sickness, certified according to such Regulations; and any such Bounty which would otherwise be payable to any Man who partially absents himself as aforesaid without such Leave, or Sickness, certified as aforesaid, or who misconducts himself during the Training, shall be wholly withheld, or issued only in such Manner and in such Portions as the Secretary-at-War, upon the Report of the Commanding Officer, shall determine.

Enrolment in Militia not to

XI. No Man by reason of his Enrolment or Service in the Militia, or in the Naval Coast Volunteers, shall lose or forfeit, or be deemed to have lost or forfeited, any Interest he may possess,

possess, or may have possessed at the Time of his so being enrolled or serving, in any Friendly or Benefit Society, any Laws, Rules, or Regulations of such Society to the contrary notwithstanding; and in case any Dispute shall arise between any such Society and any such Man by reason of such Enrolment or Service, it shall be considered as being a Dispute directed by the Rules of such Society to be decided by Justices of the Peace, pursuant to the Provisions of the Acts in force relating to Friendly Societies.

cause Forfeiture of any Interest in any Benefit Society.

XII. Sections One hundred and eight and One hundred and nine of the Act of the Forty-second Year of King *George* the Third, Chapter Ninety, shall be repealed; and the Commanding Officer of any Regiment, Battalion, or Corps of Militia shall notify to the Secretary-at-War, and to the Constables, Tithingmen, Headboroughs, or other Officers of the Parishes, Tithings, and Places in which Militiamen reside who have not attended Training and Exercise, or who may have absented themselves during the Time of Training and Exercise of their respective Regiments, Battalions, or Corps, the Names and Descriptions of all such Volunteers who have so absented themselves; and it shall be lawful for any Constable, Tithingman, Headborough, or Officer, or for any Officer or Soldier in Her Majesty's Service or in the Militia, to apprehend or cause any such Volunteer to be apprehended, and to bring him or cause him to be brought before any Justice of the Peace, to be dealt with as herein-after mentioned, if the Battalion or Corps to which he belongs has ceased Training and Exercise, or to be committed to safe Custody until an Escort can be sent for him if such Regiment, Battalion, or Corps be then out for Training and Exercise; and such Justice shall transmit an Account thereof, in the Form prescribed in the Schedule annexed to this Act, to the Secretary-at-War, specifying whether the Deserter has been committed for Imprisonment under the aforesaid Section, or is only held in safe Custody until he can be sent to the Head Quarters of his Regiment, Battalion, or Corps for Trial; and such Justice shall also send to the Secretary-at-War a Report stating the Name of the Person or Persons by whom the Deserter was apprehended and secured, and the Secretary-at-War shall transmit to such Justice an Order for the Payment to such Person or Persons of such Sum not exceeding Twenty Shillings as the Secretary-at-War may think fit.

Provision for Apprehension of Militiamen not attending or absenting themselves during Training.

XIII. Every Militiaman raised under the Act of the last Session of Parliament, Chapter Fifty, (not labouring under any certified Infirmity or Incapacity,) who shall not appear at the Time and Place appointed for his being exercised according to the Provisions of this Act (Notice having been given as hereby required), or who, having joined the Regiment, Battalion, or Corps to which he belongs, or any Company or Companies or any Detachment or Division thereof, shall desert or absent himself during the Time of any such Exercise, shall be deemed a Deserter, and if not taken until after the Time of such Exercise, such Deserter shall, upon Conviction thereof before a Justice of the Peace, be liable to forfeit and pay a Sum not exceeding Ten Pounds; and if such Penalty shall not be immediately paid, the Justice of the Peace shall commit such Militiaman to the House of Correction to Hard Labour or to the Common Gaol for any Period not exceeding Three Months, or until he shall have paid the said Penalty.

Punishment of Men not attending, or absenting themselves during Training, and not taken till after.

XIV. Any Person who by Words or other Means shall persuade any Militiaman improperly to absent himself from his Duty, and every Person who shall assist or procure any such Volunteer improperly to absent himself as aforesaid, or shall conceal, employ, or continue to employ any such Volunteer, knowing him to be so improperly absent, shall for every such Offence forfeit and pay a Sum not exceeding Twenty Pounds.

Penalty for inducing Militia men to absent themselves, or harbouring, &c. such Men.

XV. All Offences for which any pecuniary Penalty or Forfeiture is by this Act imposed shall and may be heard and determined by any Justice of the Peace in or near to the Place where the Offence shall be committed, or where the Offender may at any Time happen to be; and all such Penalties and Forfeitures, and also the reasonable Costs attending the Prosecution, to be duly ascertained and awarded by such Justice, shall and may be enforced and recovered in the same Manner as any pecuniary Penalties may be recovered in *England* or *Wales* under the Provisions of an Act passed in the Twelfth Year of Her Majesty, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders:* Provided always,

Recovery of Penalties.

11 & 12 Vict. c. 43.

always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned, with or without Hard Labour, for any Time not exceeding Six Months; which said Act shall be used and applied in *Scotland* and in *Ireland* for the Recovery of all such Penalties and Forfeitures as fully to all Intents as if such Act had extended to *Scotland* and *Ireland*, anything in the said Act, or in an Act passed in the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, intituled *An Act to consolidate and amend the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions, in* Ireland, to the contrary notwithstanding.

14 & 15 Vict. c. 93.

Application of certain Penalties.

XVI. One Moiety of every pecuniary Penalty or Forfeiture imposed under the said Act of the Forty-second Year of King *George* the Third, upon any Person duly convicted of buying, taking in exchange, concealing, or otherwise receiving contrary to Law any Militia Arms, Clothes, Accoutrements, or Regimental Necessaries belonging to any Militiaman, or any Public Stores or Ammunition for the Service of the Militia, and every pecuniary Penalty or Forfeiture imposed under this Act upon any Person assisting, procuring, or persuading any Militia Volunteer improperly to absent himself from his Duty, or concealing, employing, or continuing to employ any such Volunteer, knowing him to be so improperly absent, shall go to the Person who shall inform or sue for the same, and the other Moiety, or where the Offence shall be proved by the Person who shall inform then the whole, of the Penalty shall be paid over and applied in such Manner as the Secretary-at-War shall direct, anything in an Act passed in the Sixth Year of King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, or in any other Act, to the contrary notwithstanding; and every Justice who shall adjudge any such Penalty or Forfeiture shall, within Four Days at the furthest, report the same and his Adjudication thereof to the Secretary-at-War.

5 & 6 W. 4. c. 76.

Application of Penalties on Militiamen.

XVII. All Penalties imposed by this Act upon Militiamen (except the Deductions from Bounty, which shall be brought to Public Credit,) shall be paid to the Commanding Officers of the respective Regiments, Battalions, or other Bodies of Militia of the respective Counties, Ridings, or Places to which the Volunteer belongs, and shall be made and accounted for as Part of the Public Stock of such Regiment, Battalion, or other Body of Militia respectively.

Section 98. of 42 G. 3. c. 90. suspended.

XVIII. Section Ninety-eight of the Forty-two *George* the Third, Chapter Ninety, which requires Returns of the State of the Classes of the Men belonging to each Company of Militia called out to Exercise, shall be and remain suspended so long as the raising of the Militia by Ballot shall be suspended.

Volunteers under Instruction subject to Mutiny Act.

XIX. Any Militia Volunteer attached for a Time for the Purpose of Instruction to any Regiment, Battalion, or Depôt of Her Majesty's Forces shall for such Time be deemed to be under the Operation of the Mutiny Act, in the same Manner as any Soldier enlisted in such Regiment, Battalion, or Depôt.

Not to extend to Scotland or Ireland (except ss. 1, 2.)

XX. None of the Provisions of this Act, except Sections One and Two, shall extend to the Militia of *Scotland* or *Ireland*.

SCHE-

SCHEDULE.

DESCRIPTIVE RETURN of committed to Confinement at on the Day of as an Absentee from the Training of the Regiment of Militia.

Age - - - - -	
Height - - - - -	Feet. Inches.
Complexion - - - -	
Hair - - - - -	
Eyes - - - - -	
Marks - - - - -	
Probable Date of Enrolment, and where -	
Probable Date of absenting himself, and from what Place - - - -	
Name, Occupation, and Address of the Person by whom apprehended* - -	
Particulars in the Evidence on which the Prisoner is committed, and showing whether he surrendered or was apprehended, and in what Manner, and upon what Grounds, and whether committed for safe Custody only, or as a Deserter under the 42 G. 3. c. 90. s. 99., and if so, for what Period - -	

* It is important for the Public Service, and for the Interest of the Prisoner, that this Part of the Return should be accurately filled up, and the Details should be inserted by the Magistrate in his own Handwriting, or, under his Direction, by his Clerk.

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstances herein stated, and has declared in my Presence that he† absent himself from the before-mentioned Corps.

———— *Signature and Address of Magistrate.*
———— *Signature of Prisoner.*
———— *Signature of Informant.*

† Insert "did" or "did not," as the Case may be.

I certify, that I have inspected the Prisoner, and consider him‡ for Military Service.

———— *Signature of Military Medical Officer, or* ‖ *Private Medical Practitioner.*

‡ Insert "fit" or "unfit," as the Case may be; and if unfit, state the Cause of Unfitness.

‖ No Fee will be allowed to a Private Medical Practitioner where a Military Medical Officer is stationed, unless it is shown that his Services were not available.