CAP. CV.

An Act to amend the Laws relating to the Militia in *England* and *Wales*.

[11th *August* 1854.]

'WHEREAS it is necessary to amend certain Provisions of the Laws now in force relating to the Militia in *England* and *Wales*:' 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; that is to say,

Parts of 16 & 17 Vict. c. 116. repealed.

I. The Thirty-seventh, Thirty-eighth, Thirty-ninth, Fortieth, and Forty-first Sections of the Act of the Sixteenth and Seventeenth Years of Her present Majesty, Chapter One hundred and sixteen, shall be and the same are hereby repealed.

Place for Militia Storehouse to be provided.

II. In all Cases where any Place provided for the Purpose of keeping therein the Arms, Accoutrements, Clothing, and other Stores belonging to any Regiment, Battalion, or Corps of Militia when not embodied is or may become from any Cause insecure, insufficient, or unfit for the safe Custody of such Arms, Accoutrements, Clothing, or other Stores, or in case the Public Service or Convenience require the Site of the same to be changed, or in case no such Place has been provided, the Justices of the Peace for such County at their General or Quarter Sessions next ensuing assembled, upon the Representation of the Lord Lieutenant of such County, and of the Colonel or Commandant of such Regiment, Battalion, or Corps, that no such Place has been provided, or that the Place provided is insecure, insufficient, or unfit, being duly satisfied thereof, may and they are hereby required to provide a secure and suitable Place for that Purpose, and to that end they may in their Discretion from Time to Time resolve either to purchase or hire any suitable Buildings or Premises, and, if necessary, to enlarge, alter, or improve the same, or from Time to Time to enlarge, alter, or improve any Buildings or Premises already purchased or hired, or to purchase or take on Lease for any Term not less than Sixty Years any Portion of Land for the Purpose of building and to build or rebuild thereupon secure and suitable Buildings and Premises for the Purpose aforesaid, and, with reference to any such Purchase as is hereby authorized, the Clauses and Provisions of the "Lands Clauses Consolidation Act, 1845," with respect to the Purchase of Lands by Agreement, shall be incorporated with this Act; and the Words "Promoters of the Undertaking" in those Clauses shall mean the Persons by this Act authorized to purchase Land; and the Word "Undertaking" shall mean the building or rebuilding, enlarging, or altering of a Place for Militia Stores: Provided always, that the Place to be so hired, purchased, built, altered, or enlarged shall contain an Orderly and Guard Room and Magazine, and a sufficient Yard or Place wherein the Men may be mustered for the Issue and Return of such Arms, Accoutrements, Clothing, and other Stores; provided also, that it shall be at any Time lawful for such Justices, if they think fit, to add to such Buildings Quarters for such Number of the Permanent Staff as may appear to them desirable, and Cells, together with such other Conveniences as may be suitable for the Custody and Accommodation of the Stores; and no Place provided for the keeping of Militia Stores under this or the recited Acts, nor any Buildings or Premises appurtenant thereto, shall be liable to be assessed to any County, Borough, Parochial, or other local Rates or Assessments; and all or any Person or Persons by the Lands Clauses Consolidation Act, 1845, and this Act authorized to sell may grant Leases instead of selling, and for such Term of Years as may be agreed on, and under such Terms and Provisions in all respects as may be agreed on, and either at Rackrent or otherwise, and any Fine or Premium paid on the granting any such Lease shall be paid and applied under the Provisions of the Lands Clauses Consolidation Act, 1845, as if the same had arisen from a Sale made by the Party making the Lease; and the Party taking any Lease for the Purposes of this Act shall be indemnified against the Rent and the Performance of the Covenants in such Lease by and out of the County Rates, and the same shall be raised and paid out of the County Rates in the Manner after provided for the raising and Payment of Interest on Monies borrowed on Mortgage.

Storehouse to be exempt from Local Rates.

Sale of Place which is not required.

III. Whenever any Place which shall have been provided for keeping the Stores of the Militia shall have become insecure, insufficient, or unfit for that Purpose, or in case the Public Service or Convenience require the Site of the same to be changed, and the Justices of the Peace for the County at General or Quarter Sessions assembled as aforesaid shall have so determined, the Persons in whom such Place may be vested, upon Service upon them of an Order made at any Court of Quarter Sessions of the Peace, setting forth that another and more convenient and proper Place has been provided for the Purpose aforesaid, whereby the Place theretofore provided has become useless, shall proceed forthwith, in such Manner as they shall think best, to sell and convey the same to any Purchaser thereof, freed and discharged from the Uses or Trusts to which it had theretofore been subject, and shall give Receipts and Acquittances for the Purchase Money thereof, and shall pay over such Money after deducting thereout all Costs and Charges attending such Sale, unto the Treasurer of such County, to be by him applied and paid towards the Cost of purchasing any Ground for the Purpose of building, or of purchasing, building, rebuilding, enlarging, altering, improving, or fitting up any Place, Buildings, or Premises for the Purposes aforesaid, under the Powers of this Act, and the Residue of such Purchase Money (if any), shall be invested in the Public Funds, and the Interest thereof applied in aid of the Rate of such County, according as the Justices of the same, assembled as aforesaid, may direct; provided that no Person purchasing any Place so sold as aforesaid, shall be bound to inquire into any Circumstances relating to the Sale thereof, nor be bound to see to the Application nor be answerable for the Non-application or Misapplication of the Purchase Monies; and when and as soon as the Persons in whom such Place shall have been so vested as aforesaid, shall have paid to the said County Treasurer the clear Proceeds arising from such Sale, and shall have procured from such Treasurer his Receipt for the same, then and from thenceforth such Persons shall be forthwith discharged from all Liability, Claim, or Demand, in respect of the said Place, and of the Proceeds arising from the Sale thereof.

Expense of Storehouse how to be provided for.

IV. The Sums that may be required for the Hire, Purchase, Enlargement, Alteration, building of, or Addition to any such Place, in case the same shall be approved by the said Lord Lieutenant and Colonel or Commandant, shall, together with the Sums required for the Cost of Fuel and other necessary Expenses incidental to the Use and Maintenance of the Premises, be paid by the Treasurer of such County out of any Monies in his Hands arising from County Rates; or if such Treasurer shall at any Time not have sufficient Monies in his Hands, the Justices of such County, in their General or Quarter Sessions assembled, are hereby authorized and required, as soon as may be after receiving Notice that such Monies are or will be required, forthwith to cause the same to be raised by such additional County Rate as shall in their Judgment be sufficient; and the Monies so raised, according to the Laws in force for the Time being relating to County Rates, shall be applied accordingly.

Power to borrow on Mortgage of the County Rates.

V. In order to distribute over a Term of Years the Expenses of purchasing, building, enlarging, or altering such Place as aforesaid hereby directed to be paid out of the County Rate, the Justices of such County in their General or Quarter Sessions assembled may, if they think fit, borrow all or any Part of the Money necessary for the aforesaid Purposes upon Mortgage of the Rates of such County; and every such Mortgage may be in the Form in the Schedule (A.) to this Act annexed, or to the like Effect, and shall be executed by the Chairman and any Two of the Justices present at the General or Quarter Sessions at the Time being, and shall be effectual for securing to the Person advancing the Sum in such Mortgage expressed, his Executors, Administrators, and Assigns, the Repayment thereof, with Interest after the Rate, at the Times, and in the Manner in such Mortgage specified, and any Person entitled to any such Mortgage may transfer his Right and Interest therein to any other Person, such Transfer being made according to the Form in Schedule (B.) to this Act annexed, or to the like Effect;—and the Persons to whom such Mortgages or the Transfers thereof are made, their Executors and Administrators, shall be Creditors upon the Rates and Funds thereby expressed to be charged, in an equal Degree one with another according to the respective Sums in such Mortgages mentioned to be advanced by them.

VI. The

Justices to provide for Interest on Mortgages and Repayment of Principal.

VI. The said Justices in General or Quarter Sessions assembled shall in every Year provide for and cause to be paid out of the County Rate, in the Manner and at the Times in such Mortgages specified, the Monies required for the Time being to pay the Interest on the several Sums borrowed under this Act or the first-recited Act, and then unpaid, and shall also set apart and appropriate a further Sum, not being less than One Thirtieth Part of the Principal Sum originally borrowed upon such Mortgages, and shall apply the same in the Repayment of so much of the said Principal Sums then unpaid as it will extend to discharge Year by Year, until the whole of such Principal Sums have been repaid; and the said Justices shall, by Agreement with the Parties entitled to such Mortgages, or, in default of Agreement, by such other Means as they deem most equitable and convenient, determine the Order of Priority in which the several Sums advanced shall be repaid.

Power to reborrow.

VII. It shall be lawful for the said Justices, with the Consent of the Parties entitled to such Mortgages, to pay off from Time to Time any of the Monies so borrowed as aforesaid, and to reborrow from Time to Time the Sums necessary for that Purpose, but so nevertheless that all Monies borrowed under this or the first-recited Act shall be repaid within Thirty Years from the Time of first borrowing the same.

Mortgages under former Acts saved.

VIII. All Mortgages made under the Powers of the first-recited Act shall be and remain as valid and effectual, and the Persons entitled to the same shall continue to have the same Rights and Remedies in respect thereof as they would have had if this Act had not been passed.

Acts done and Contracts made by Deputy Lieutenant shall be valid.

IX. All Acts done by the Deputy Lieutenants of any County for or with reference to the providing of a Place for keeping the Militia Stores, under any of the Acts heretofore in force, shall be deemed good and valid, and all Contracts, Covenants, and Leases made by them for the said Purposes, and under the Powers of the said Acts, are hereby confirmed: Provided, that the Justices of such County shall be deemed to be substituted for the Deputy Lieutenants as the contracting Parties thereto, and such Contracts, Covenants, and Leases shall be respectively construed and put in force as if the same had originally been made and entered into by and with such Justices: Provided also, that in the Case of any Lease subsisting at the Time of the passing of this Act, it shall be lawful for the Justices of the County assembled as aforesaid, with the Consent of the Lessors or their Representatives, and in such Manner and upon such Terms as may be mutually agreed upon, to determine such Lease, and such Justices are hereby authorized to do all such Acts as may be necessary for carrying into effect such Agreement and the Avoidance of such Lease.

Powers given by this Act to extend to Militia of the City of London.

X. All and every the Powers, Authorities, and Directions in and by this Act given to or vested in the Lords Lieutenant, Deputy Lieutenants, and Treasurers of Counties, and the Justices of the Peace in their General or Quarter Sessions assembled shall extend to and include the Commissioners of Lieutenancy for the City of *London* and their Treasurer for the Time being, so far as the same may be applicable to the Militia of the said City.

Municipal Boroughs exempt from County Rate to contribute in due Proportion.

XI. 'And whereas there are certain Corporate Towns and Places not liable by Law 'to the Payment of County Rates, but to which the Provisions of the Acts relating to the 'Militia in other respects apply, and it is just that such Towns and Places should contribute 'in fair and rateable Proportion to the Expenses incurred for the efficient Maintenance of 'the Militia:' Be it therefore enacted, That a proportionate Part of the Expense to be incurred or which may have been incurred by the Counties subsequently to the passing of the Act of the Fifteenth and Sixteenth Years of Her present Majesty, Chapter Fifty, in providing, building, enlarging, or altering Places for Militia Stores, and of the Expenses incident to the Use and Maintenance of the Premises, shall be paid and borne, in manner herein-after provided, by all Boroughs incorporated under the Act of the Sixth Year of King *William* the Fourth, Chapter Seventy-six, or any Act amending the same, or under the Provisions of any Charter granted or to be granted under any of such Acts, and which Boroughs are not liable by Law to the Payment of County Rates.

Mode of assessing the Proportions pay-

XII. In order to determine the Proportion to be contributed by any such Borough to the Expenditure for the Purposes aforesaid of the County in which such Borough is locally

able by the Boroughs.

locally situated, the Justices of every such County are hereby authorized and required at some General or Quarter Sessions held by them within Six Calendar Months after the passing of this Act, and the Council of every such Borough are authorized and required at some Meeting of the Council to be held within Three Months after the passing of this Act, to appoint respectively Two Justices of such County and Two Members of such Council, which said Four Persons shall, as soon as conveniently may be after their Appointment, meet together, and shall jointly determine and award the respective Proportions in which the said County and Borough shall contribute to the Expenditure incurred or to be incurred under the recited Acts respectively or this Act, according to the respective annual Values of the Property as rated to the Relief of the Poor within such Borough, and of the Property as rated to the Relief of the Poor and chargeable to the County Rate within such County.

Manner in which the Award is to be made.

XIII. The said Four Persons shall certify the Sum so found by them to be contributable by such County and Borough respectively, by an Award in Duplicate under their Hands and Seals, and shall transmit One Copy of such Award to the Clerk of the Peace for the County, and the other Copy thereof to the Town Clerk of the Borough, who shall respectively keep the same in their Custody, and shall allow all Persons contributing to the County Rates or Borough Rates (as the Case may be) to inspect and take Copies of or Extracts from the same, at all seasonable Hours, without Fee or Reward, and such Award shall, until revoked as herein-after provided, be final and conclusive.

Arbitrator to be appointed in default of Agreement.

XIV. In case the said Four Persons, or any of them, shall not be appointed as herein-before provided, or, being appointed, shall be unable to agree together as to the Proportion of such Contribution, or shall neglect to meet together, or fail to make any Award within Three Months from the Time of the Appointment of the Two Persons last appointed, it shall be lawful for One of Her Majesty's Principal Secretaries of State, and he is hereby authorized, upon the Memorial of the Justices of such County at their General or Quarter Sessions assembled, to appoint One competent Person to act as Arbitrator between such County and Borough respectively, and such Arbitrator shall be empowered to determine, upon the Basis of the annual Value of Property as assessed as aforesaid, the Proportion of Expenditure which such Borough ought to contribute, and he shall make his Award upon the Matter so determined under his Hand and Seal in Duplicate, and shall transmit the several Copies thereof to the Clerk of the Peace and Town Clerk, who shall perform the same Duties as before provided in respect thereof, and any such Award, until revoked as herein-after mentioned, shall be final and conclusive.

Vacancies in Arbitrators to be supplied.

XV. In case of the Death or Inability to act of any of such Four Persons or of such Arbitrator, as the Case may be, the Vacancy shall be supplied by the Justices, or the Council, or the Secretary of State, by whom the Person so dying or unable to act was appointed within Three Months after such Vacancy has occurred, and so from Time to Time.

Power to inspect Rates.

XVI. All Persons appointed under this Act for the Purpose of determining the respective Proportions contributable by any Counties or Boroughs may, without Fee or Reward, inspect or take Copies or Extracts of and from all County or Borough Rates, or Rates made for the Relief of the Poor in any Place whereto their Inquiry extends, and which they may think necessary to be examined, and any Person having the Care or Custody of any such Rate who shall refuse to permit such Inspection, or the taking of Copies or Extracts as hereby authorized, shall be liable on Conviction to a Penalty not exceeding Ten Pounds.

Penalty.

The Borough Treasurer to pay the Sums awarded to the County Treasurer.

XVII. The Sum or Sums which shall be determined, in accordance with such Award as aforesaid, to be contributable by any Borough to the Expenditure incurred or to be incurred by the County under this or the recited Acts or either of them in respect of any Place for Militia Stores, and for their Use and Maintenance, shall be paid from Time to Time by the Treasurer of such Borough to the Treasurer of the County, upon a Warrant under the Hands and Seals of any Two of the Justices present at the General or Quarter Sessions of the County, and such Payment, for which a Receipt shall be given by the Treasurer

Treasurer of the County, shall be made from Time to Time out of the Borough Rate or Borough Fund of such Borough, or in case at any time the Monies arising from such Rate or Fund then in the Hands of such Treasurer shall not be sufficient for the Purpose, the Council of such Borough shall forthwith cause the Sum or further Sums so required to be raised by means of a Borough Rate, and to be paid over, according to the Exigency of the said Warrant, to the Treasurer of the County.

Borough may borrow Money on Mortgage.

XVIII. In order to distribute over a Term of Years the Proportion payable by any Borough of the Expense incurred or to be incurred by the County in purchasing, erecting, enlarging, or altering a Place for Militia Stores, it shall be lawful for the Council to borrow any Sum of Money not exceeding the Proportion so payable by them, and, for the Purpose of securing such Money, to mortgage, with the Consent of Three or more Commissioners of Her Majesty's Treasury, any Part of the Lands, Tenements, and Hereditaments of such Borough, and to repay the Money so borrowed, and the Interest thereof, according to the Terms of such Mortgages, out of the Borough Fund or Borough Rate, and from Time to Time to reborrow, for the Purpose of paying off any Sums so borrowed: Provided always, that the whole of the Monies so borrowed, with the Interest thereon, shall be repaid within the Period of Thirty Years from the Time of first borrowing the same.

How Mortgages are to be made.

XIX. Such Mortgages shall be made in the Form in Schedule (A.) to this Act annexed, *mutatis mutandis*, or to the like Effect, and shall be effectual for securing to the Person advancing the Sum in such Mortgage expressed, his Executors, Administrators, and Assigns, the Repayment thereof, with Interest according to the Terms of such Mortgage, and any Person entitled to any such Mortgage may transfer his Right and Interest therein to any other Person, such Transfer being made according to the Form in Schedule (B.), *mutatis mutandis*, or to the like Effect.

Conveyances and other Instruments exempted from Stamp Duty.

XX. All Conveyances, Leases, Mortgages, Awards, Contracts, Receipts, and other Instruments made for the Purpose of carrying into effect the Provisions of this Act shall be exempt from Stamp Duty.

Stannaries charged to be apportioned.

XXI. 'Whereas it is necessary to determine by Law the Proportions in which the 'Counties of *Cornwall* and *Devon* respectively shall contribute to the Expenses incurred 'or to be incurred in respect to providing a Place for Militia Stores for the Stannaries 'Corps of Militia called the *Devon* and *Cornwall* Miners Artillery Militia': Be it therefore enacted, That the Lord Warden of the Stannaries shall, within Three Months after the passing of this Act, appoint Four of the Deputy Wardens of the Stannaries, of whom Two shall be Persons acting as Deputy Wardens of the Stannaries of *Devon*, and Two shall be Persons acting as Deputy Wardens of the Stannaries of *Cornwall*, who shall, as soon as conveniently may be after their Appointment, meet together, and shall jointly determine and award the respective Proportions in which the Two said Counties shall respectively contribute, and shall certify the Sum so found by them to be contributable by each of the said Counties by an Award in Triplicate under their Hands and Seals, and shall transmit One Copy thereof to the Clerk of the Peace for the County of *Devon*, and One Copy thereof to the Clerk of the Peace for the County of *Cornwall*, and One Part thereof to the Clerk to the Warden, who shall respectively keep the same in their Custody, and shall allow all Persons contributing to the County Rates of the said Counties to inspect the same at all reasonable Hours without Fee or Reward, and such Award shall, until revoked as herein-after provided, be final and conclusive; but in case the said Four Persons shall be unable to agree together as to the Proportions of such Contribution, or shall fail to make any Award within Three Months from the Date of their Appointment, then the Lord Warden may appoint some other competent Person who shall be empowered to determine and shall award the fair and just Proportion to be contributed by each of the said Counties, and he shall make his Award under his Hand and Seal in Triplicate, and shall transmit the several Parts thereof to the Clerks of the Peace and to the Clerk to the Warden, and such Award shall, until revoked in manner herein-after provided, be final and conclusive: In case of the Death or Inability to act of any of such Four Persons, or of such Arbitrator, as the Case may be, the Vacancy shall be supplied by the Lord Warden

of the Stannaries of *Devon* and *Cornwall* within Three Months after such Vacancy has occurred, and so from Time to Time.

Award may be revoked in certain Events.

XXII. At any Time, not being less than three Years after the Date of any Award made under this Act, it shall be lawful for One of Her Majesty's Principal Secretaries of State, upon the Memorial of the Justices of any County in General or Quarter Sessions assembled, or of the Mayor, Aldermen, and Burgesses of any Borough at a Special Meeting of their Council agreed to, if he shall be satisfied that adequate Reasons exist for a Re-adjustment of the Proportions contributable by such County and Borough respectively, to declare by Writing under his Hand that such Award shall be revoked and that a new Award shall be made in the Premises, and thereupon the same Proceedings shall be had and taken with respect to the Appointment of Persons to determine such Proportions, and of an Arbitrator if necessary, and with respect to the making of the Award and carrying the same into execution, and all Proceedings consequent thereupon in like Manner as are herein-before directed with respect to such Matters respectively in the first instance.

Three Parts of the County of Lincoln, how to be dealt with under this Act.

XXIII. 'And whereas it is necessary to determine by Law the Proportions in which the 'several Divisions of the County of *Lincoln* known as the Parts of *Kesteven*, *Holland*, and '*Lindsey* respectively should contribute to the Expenditure incurred or to be incurred by 'the said County in respect to a Place for Militia Stores under this or the recited Acts:' Be it therefore enacted, That of the Sums which have been subsequently to the passing of the said Act of the Fifteenth and Sixteenth *Victoria*, Chapter Fifty, or which may be hereafter expended from Time to Time for the Purposes aforesaid in respect to the whole Number of Militia raised or to be raised in and for the said County, the Proportions chargeable on the said Parts respectively shall be as follows, namely, on *Lindsey* One Moiety of the whole Sum or Sums, and on *Kesteven* Four Sevenths, and on *Holland* Three Sevenths of the remaining Moiety thereof.

How the several Quotas shall be paid.

XXIV. 'And whereas a separate and distinct County Rate is now raised, and a separate 'Commission of the Peace exists in and for each of the said Three Parts or Divisions:' Be it enacted, That the Proportion of the whole Charge hereby made payable by each such Part shall be separately raised in and for each Part, and shall be paid and accounted for by the respective Treasurer of each Part, and may be borrowed and secured upon Mortgage of the Rate leviable in each Part respectively, and under the Authority and Control of the Justices acting in and for each Part, and at the General or Quarter Sessions held in and for the same respectively, in like Manner for the Purposes now specified as if each of the said Parts were a distinct and separate County.

Parts of Lincolnshire to be separate Counties, with reference to Contributions from Boroughs and Franchises.

XXV. Each of the said Parts of the County of *Lincoln* shall also be deemed to be a separate County for the Purpose of determining the Proportion in which the several Boroughs and other Places not liable to County Rates situated therein respectively shall contribute to the Expenses incurred or to be incurred as aforesaid under this or the recited Acts, the said several Boroughs and Places being deemed liable to contribute in aid of the several Parts in which they are locally situated respectively; and for the Purposes of this Act the City of *Lincoln* shall be held to be in the Parts of *Lindsey*, and the Borough of *Stamford* in the Parts of *Kesteven*.

Isle of Ely to contribute in certain Proportion to County of Cambridge.

XXVI. 'And whereas by the Act of the Seventh Year of King *William* the Fourth and 'the First Year of Her present Majesty, Chapter Fifty-three, it was among other things 'enacted, that the *Isle of Ely*, being locally situated in the County of *Cambridge*, should 'for the Purposes of Statutes made or to be passed, be deemed and taken to be a Division 'of a County, but nevertheless the Justices of the said *Isle of Ely* act under a separate 'Commission of the Peace, and a separate County Rate is made and levied for the said Isle, 'and it is necessary that Provision be made for the Removal of Doubts touching the 'respective Liabilities of the said Isle and of the County of *Cambridge*, and the 'proportionate Sums contributable by each of them respectively to the Expenses incurred 'and to be incurred by the County under this and the recited Acts in respect to the Militia 'of the said County and Isle:' Be it therefore enacted, That of the Sums which have been subsequently to the passing of the said Act of the Fifteenth and Sixteenth *Victoria*, Chapter

Chapter Fifty, or which may be hereafter expended, from Time to Time, for the Purposes aforesaid, and in respect of the whole Number of Militia raised or to be raised in and for the County of *Cambridge*, including the said *Isle of Ely*, the Proportions chargeable on the said County and Isle respectively shall be as follow, namely, on the said County, including the Proportion to be received from the Borough of *Cambridge*, Twelve Nineteenth Parts, and on the said Isle Seven Nineteenth Parts of the whole, and the Proportion so chargeable on the said Isle shall, as to the Amount expended before the passing of this Act, (on Notice in Writing of the Amount thereof being transmitted by Post by the Clerk of the Peace of the County of *Cambridge* to the Clerk of the Peace of the said Isle,) be forthwith paid by the Treasurer of the said Isle, and as to the Amount which may hereafter be expended from Time to Time on the like Notice be paid from Time to Time by the Treasurer of the said Isle to the Treasurer of the said County.

Quotas of the County and Isle to be raised separately.

XXVII. The Sums contributable according to the said Proportions shall be separately raised in and for the said County and Isle, and shall be separately paid and accounted for by their respective Treasurers, and may be borrowed and secured upon Mortgage of the Rates leviable in and for them respectively, and under the Authority and Control of their respective Justices and Courts of General or Quarter Sessions, in like Manner, for the Purposes now specified, as if the said County and the said Isle were Two separate and distinct Counties.

In settling Proportion contributable by Boroughs, &c. the Isle to be included in the County.

XXVIII. For the Purpose of determining the Proportion of Contribution to be made under this Act to the County of *Cambridge* by any Borough or other Place not liable to County Rates situated therein, the *Isle of Ely* shall be deemed to be Part of such County.

Proportions contributable by Franchises and Places exempt from County Rates.

XXIX. The Provisions of this Act with respect to Boroughs incorporated under the Acts relating to Municipal Corporations, and not liable to County Rates, and with respect to the Mode of determining the Proportion of the Expense incurred by Counties under this or the recited Acts which shall be contributable by such Boroughs, shall apply, *mutatis mutandis*, to every Franchise, Liberty, Borough, or Place not liable by Law to the Payment of County Rates, but not being such Municipal Borough; and the Proportion of the Expenditure incurred or to be incurred by the County in which any such Franchise, Liberty, Borough, or Place is locally situated which shall be contributable by such Franchise, Liberty, Borough, or Place shall be jointly determined by Two Justices of such County appointed as aforesaid, and Two Justices of or Persons appointed to act on behalf of such Franchise, Liberty, Borough, or Place by the Justices thereof at any Meeting specially convened for that Purpose, or if there be not two Justices, then by the Mayor or Chief Municipal Officer thereof, or in default of any such Appointment or of the Agreement or Determination of the Persons so respectively appointed, then by an Arbitrator to be nominated as herein-before provided, and the Amount of Contribution so determined shall be paid out of the Liberty Rate or other local Rate in the Nature of a County Rate leviable within such Franchise, Liberty, Borough, or Place, and the other Provisions herein-before contained with respect to the Revocation of the Award, and to the borrowing of Money, and other Matters incidental thereto, shall apply in like Manner to such Franchise, Liberty, Borough, or Place as aforesaid.

Berwick-upon-Tweed Part of Northumberland.

XXX. For the Purposes of this Act, the Borough and Town of *Berwick-upon-Tweed* shall be deemed to be situate within the County of *Northumberland*.

Landed Estate to qualify Officers of Militia may be in any Part of the United Kingdom.

XXXI. 'And whereas the Act of the Forty-second Year of King *George* the Third, 'Chapter Ninety, contains Provisions concerning the Qualifications in respect of Property 'to be possessed by Deputy Lieutenants and Officers of the Militia, which Provisions were 'altered and modified by the recited Act of the Fifteenth and Sixteenth Years of Her 'present Majesty, Chapter Fifty; but it is expedient further to relax the Restrictions 'imposed in that Behalf by the first-recited Act:' Be it enacted, That the Qualification by Possession or Expectancy of Landed Estate in the Manner and of the Value prescribed by the first-recited Act shall be sufficient to qualify any Deputy Lieutenant or other Officer of the Militia for whom by the secondly-recited Act a Qualification in respect of Property is still required, in whatever Part of the United Kingdom such Landed Estate may happen

to

to be situated, and Officers of the Regular Army, the Marines, or *East India* Company's Service, who have served Five Years in the Regular Army or *East India* Company's Service, shall be admissible as Captains into the Militia Force without any Qualification being required.

Section 65. of 42 G. 3. c. 90. repealed.

XXXII. 'And whereas the Penalty imposed by the Sixty-fifth Section of the recited Act 'of the Forty-second Year of King *George* the Third, Chapter Ninety, has been found to be 'unnecessary:' The said Sixty-fifth Section is hereby repealed.

Drummers offending in certain Cases, how to be dealt with.

XXXIII. If any Drummer or Bugler of the Permanent Staff shall absent himself without Leave for a Period exceeding Five Days, and shall not account for such Absence to the Satisfaction of his Commanding Officer, and if any Drummer or Bugler of the Permanent Staff shall be guilty of any other Offence which the Commanding Officer may not think necessary to bring before a Court-martial, the Commanding Officer may, in addition to any other Punishment which he is authorized to award, order that such Drummer or Bugler be imprisoned for any Period not exceeding One hundred and Sixty-eight Hours, with or without Hard Labour, or with or without Solitary Confinement, as the said Commanding Officer may think fit, and such Drummer or Bugler shall forfeit his Pay for the Day or Days of such Imprisonment; and any Drummer or Bugler who shall have absented himself as aforesaid may, in addition to or instead of such Imprisonment and Forfeiture or other Punishment which the Commanding Officer has Authority to inflict, be further deprived, by Order of his Commanding Officer, of his Pay for the Day or Days of such Absence; provided that such Drummer or Bugler so ordered to suffer Imprisonment or Forfeiture of Pay shall, if he so request, be entitled to be tried by a Court-martial for his Offence, instead of submitting to such Imprisonment or Forfeitures; and if any Person who shall have served in Her Majesty's Forces, and shall afterwards have been enrolled as a Non-commissioned Officer on the Permanent Staff of the Militia, shall be discharged from any Regiment or Corps for Misconduct, the Cause of his Discharge shall be certified by the Colonel or Commandant of such Regiments or Corps on the Back of the Certificate of his Discharge from Her Majesty's Army, and a Copy of the same forwarded to the Adjutant General of Her Majesty's Forces, the Secretary of State for the Home Department, and the Secretary-at-War.

Permanent Staff to be billeted.

XXXIV. Innkeepers and others who, according to the Provisions of the Act for punishing Mutiny and Desertion, are liable to have Soldiers billeted upon them, shall in like Manner be subject to have the Permanent Staff of the Militia, when disembodied, billeted upon them, and in default of their providing convenient Lodging, with Fire and Candle, as prescribed in the Ninety-fourth Section of the Act of the Forty-second Year of *George* the Third, Chapter Ninety, shall be liable to the Penalties imposed upon Civil Subjects offending against the Laws relating to Billets as prescribed by the said Acts for punishing Mutiny and Desertion.

Repeal of 16 & 17 Vict. c. 133., except ss. 1. 2.

XXXV. The Sections numbered from Three to Twenty inclusive of the Act of the Sixteenth and Seventeenth Years of Her present Majesty, Chapter One hundred and thirty-three, shall be repealed, provided that such Repeal shall not revive the Provisions of any former Acts which by any of the said Sections were repealed.

Deputy Lieutenants to aid in raising Volunteers for the Militia.

XXXVI. The Deputy Lieutenants of Counties shall severally aid the Colonels or Commanding Officers of the Regiments, Battalions, or Corps of Militia of their respective Counties 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 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.

XXXVII. Notices of the Days and Places of holding General Meetings of Lieutenancy shall be sent by the Post by the Clerk of the General Meetings to the several Deputy Lieutenants of the County 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.

XXXVIII. No

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

XXXVIII. 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 in *England* shall be appointed, with the Approbation of Her Majesty, by the Lieutenant of such County, 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 Act of the Fifteenth and Sixteenth Years of Her present Majesty, Chapter Fifty.

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

XXXIX. 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 Notices shall also be sent by the Post to the Constables, Tithingmen, Headboroughs, and other Officers of the respective Parishes, Tithings, and Places in which such Men are so stated to be resident, 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 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 recited 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.

XL. 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 Conviction thereof 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 to be imprisoned, with or without Hard Labour, 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 Re-enlistment in the Militia to send Report of Conviction to Secretary-at-War.

XLI. The Justice before whom a Militia Volunteer shall be convicted 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; and the Secretary-at-War may transmit to the Justice so convicting an Order for the Payment to any Person who has apprehended and procured the Conviction of such Offender of such Sum not exceeding Twenty Shillings as he shall think fit.

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

XLII. It shall be lawful for the Secretary-at-War at any Time to discharge any Militia Volunteer for Misconduct, Unfitness, or other Cause, 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 fraudulently enlisted into Her Majesty's Regular Forces or into the Forces of the *East India* Company, or who may have fraudulently entered into Her Majesty's Navy, 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 or Navy; and any Man so released shall serve with the Force which he may have enlisted into or entered in the United Kingdom or elsewhere, with the like Liabilities in all respects as any Soldier or Seaman 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.

XLIII. Any Bounty which, under the Regulations made or to be made under the said Act of the Fifteenth and Sixteenth *Victoria*, Chapter Fifty, 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 cause Forfeiture of any Interest in any Benefit Society.

XLIV. 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, 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.

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

XLV. Every Militiaman raised under the recited Act of the Fifteenth and Sixteenth Years of Her present Majesty, Chapter Fifty, (not labouring under any certified Infirmity or Incapacity,) who shall not appear at the Time and Place appointed for his being exercised (Notice having been given as by Law 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, upon Conviction thereof before any 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 said Justice shall sentence such Militiaman to the House of Correction or to the Common Gaol, there to be imprisoned, with or without Hard Labour, for any Period not exceeding Three Months, unless the said Penalty be sooner paid; provided, that any Information may be laid against such Militiaman under this Section at any Time within the Period of his Engagement in the Militia.

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

XLVI. 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 Militiamen 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

Militiaman

Militiaman to be apprehended, and to bring him or cause him to be brought before any Justice of the Peace, at any Time within the Period of his Engagement in the Militia, to be dealt with as herein-before mentioned, 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 a Report, in the Form prescribed in Schedule (C.) annexed to this Act, to the Secretary-at-War, and the Secretary-at-War shall transmit to such Justice an Order for the Payment to the Person or Persons by whom such Militiaman was apprehended and secured of such Sum not exceeding Twenty Shillings as the Secretary-at-War may think fit.

Penalty for inducing Militiamen to absent themselves, &c.

XLVII. 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 buying Arms or Militia Stores.

XLVIII. The One hundred and second Section of the Act of the Forty-second Year of King *George* the Third, Chapter Ninety, shall be repealed, and if any Person shall knowingly and wilfully buy, take in exchange, conceal, or otherwise receive any Militia Arms, Clothes, or Accoutrements, or any such Articles belonging to a Militiaman as are generally deemed Regimental Necessaries according to the Custom of the Army, being provided for the Soldier, and paid for by Deductions out of his Pay, or any Public Stores or Ammunition delivered for the Militia, upon any Account or Pretence whatsoever, contrary to the true Intent and Meaning of this Act, and of the other Acts in force relating to the Militia, the Person so offending shall for every such Offence forfeit and pay not exceeding Ten Pounds, and if such Penalty be not immediately paid, and the Offender shall not have sufficient Goods and Chattels whereon to levy the same, the Justice by whom such Offender was convicted shall commit him to the House of Correction or Common Gaol, there to be imprisoned, with or without Hard Labour, for any Period not exceeding Six Months, unless the said Penalty be sooner paid.

Recovery of Penalties.

XLIX. 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.*

11 & 12 Vict. c. 43.

Application of certain Penalties.

L. One Moiety of every pecuniary Penalty or Forfeiture imposed under this Act 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 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.

Application of Penalties on Militiamen.

LI. 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

of the respective Regiments, Battalions, or other Bodies of Militia of the respective Counties to which the Militiaman 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.

LII. Section Ninety-eight of the Act of the Forty-second Year of *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 in the Army to be under Mutiny Act.

LIII. Any Militia Volunteer attached for a Time for the Purpose of Instruction to any Regiment, Battalion, or Depôt of Her Majesty's Forces, or Permanent Staff of a Regiment of Militia, shall for such Time be deemed to be under the Operation of the Mutiny Act, and under the Command of the Officer commanding such Regiment, Battalion, Depôt, or Permanent Staff of a Regiment of Militia.

Act to extend to Stannaries of Cornwall and Devon.

LIV. All Things in this Act contained shall be construed to extend, and shall be applicable, as far as may be, to the Stannaries of *Cornwall* and *Devon*, to the Lord Warden and to the Deputy Wardens of the Stannaries, and to the Corps of Miners of *Cornwall* and *Devon*.

Secretary of State may move Regiments not embodied.

LV. The Secretary of State shall have Power to move any Regiment of Militia not embodied into any Quarters in any Part of the United Kingdom during the Period of their Training.

Qualification of Surgeons for the Militia.

LVI. All Persons possessing Diplomas, Certificates, or Qualifications held to qualify such Persons to act as Surgeons or Assistant Surgeons in the Army shall be held to be duly qualified to serve as Surgeons or Assistant Surgeons in the Militia.

Short Title.

LVII. This Act may be cited for all Purposes as "The Militia Law Amendment Act, 1854."

Interpretation.

LVIII. The Word "County" in this Act shall include any Riding or Division of a County, having a separate Commission of the Peace, unless there be something in the Subject or Context repugnant to such Construction; and the Word "Treasurer" in this Act shall include the Treasurer of any Riding, Division, or Portion of a County for which there shall be a separate Treasurer, although such Riding, Division, or Portion of a County shall not have a separate Commission of the Peace.

SCHEDULES to this Act.

SCHEDULE (A.)

Form of Mortgage.

By virtue of the "Militia Law Amendment Act, 1854," we *A.B.* the Chairman, and *C.D.* and *E.F.* Justices of the Peace, assembled at the Court of General or Quarter Sessions of the Peace for the County of [*or* the Mayor, Aldermen, and Burgesses of the Borough of , *or as the Case may be*], in consideration of the Sum of paid to the Treasurer of the said County [*or* Borough] by *A.B.* of for the Purposes of the said Act, do grant and assign unto the said *A.B.*, his Executors, Administrators, and Assigns, such Proportion of the [*here describe the Rates or Property intended to be mortgaged*] as the said Sum of doth or shall bear to the whole Sum which is or shall be borrowed upon the Credit of the said , to hold to the said *A.B.*, his Executors, Administrators, and Assigns, from this Day until the said Sum of with Interest at per Centum per Annum for the same, shall be fully paid and satisfied (the Principal Sum to be repaid within not less than Years from the Date hereof). In witness whereof we have hereunto set our Hands and Seals, (*or* Given under our Corporate Seal,) this Day of 18 .

(L.S.)

SCHE-

SCHEDULE (B.)

Form of Assignment of Mortgage.

I *A.B.* of in consideration of the Sum of paid to me by *C.D.* of do hereby assign* to the said *C.D.*, his Executors, Administrators, and Assigns, a certain Mortgage, numbered , made by the Justices of the County of [*or* the Mayor, Aldermen, and Burgesses of the Borough of *or as the Case may be,*] bearing Date the Day of for securing the Sum of and Interest thereon, [*or, (if such Transfer be by Indorsement)** the within Security,] and all my Right and Interest to and in the Monies thereby secured, and the Rates (*or* Lands, Tenements, and Hereditaments,) thereby assigned. In witness whereof I have hereunto set my Hand and Seal this Day of 18 .

(L.S.)

SCHEDULE (C.)

REPORT.

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 this Act, 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.