

THE COUNTY LIEUTENANCIES

AND THE ARMY
1803–1814

The Hon. J. W. Fortescue



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MILITARY

HISTORY

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PREFACE

THE present volume may be described as an "overflow" from the *History of the British Army*. It owes its existence principally to the Secretary of State for War, who, recognising the importance of the subject at the present time, kindly granted the writer a small subsidy to insure him against loss through its publication. But for this help, for which I desire to express my grateful thanks, the matter here printed must have been packed into some twenty or thirty pages only. As things stand, the twenty or thirty pages have been expanded into ten times that number ; and if, as I fear, the ordinary reader finds them impossible to read, I can only assure him that I have found them maddening to write.

The subject of the recruiting of the Army during the Great War has, so far, been left in complete obscurity ; nor, in my belief, could it be fully cleared up without examination of the papers (if they still exist) of every Lord-Lieutenant and of a great many Deputy-Lieutenants, of masses of municipal archives, and of tons of provincial newspapers. Such a task would occupy the best part of any one man's lifetime ; and I need not say that I have not attempted it. I have, however, done my best to exhaust the official records which bear upon the

question ; and these in themselves are neither few nor unimportant. The most instructive of them is the series preserved at the Record Office under the title of *Home Office, Internal Defence*, which consists of three hundred and twenty-six bulky volumes and bundles of manuscript correspondence received by the Secretary of State from the Lords-Lieutenant. Of these the first two hundred and fifty embrace the period 1803-1814, and being arranged by counties and in order of date, are convenient and intelligible. The remaining seventy-six are imperfect and in a state of chaos, covering all dates (exclusive of the years above named) from 1793 to 1814, with loose papers of several subsequent years even to 1826. For this disorder not the Record Office must be held responsible, for it has no sufficient staff to rearrange such papers, but former clerks at the Home Office, to whom it is an abiding reproach.

The letters from the Secretary of State to the Lords-Lieutenant and other local authorities, military and civil, are comprised in a series of entry books, under the heads of Circulars, Militia, Local Militia, and Volunteers. Many of them have been very imperfectly kept, particularly the Circulars ; and it has been frequently necessary for me to divine the contents of the Secretary of State's letters from the answers returned to them by his correspondents.

The archives of the Home Office, however, are concerned only with what are termed the Auxiliary Forces. The records of the Horse Guards and War Office for the same period are unfortunately by no means so full. In the first place, the Duke of York's papers

seem to have vanished beyond recall, which is a grievous loss. In the second, the letters and orders concerning recruiting are not to be found, unless by chance transcribed in the two series of entry books known as the Secretary at War's Common Letter Books and the Commander-in-Chief's Letter Books. The Duke of York, however, caused to be compiled and printed for his Office brief accounts of the various recruiting Acts, and of their working and results, together with comments and returns. Though these accounts, which are entitled *Military Transactions of the British Empire*, do not extend beyond the year 1809, when he was driven from office, they are of the greatest value and fill up many gaps which are left open by the lack of original manuscript material. It is greatly to be regretted that the compilation of these *Military Transactions* should have been allowed to cease by the Duke's successor, Sir David Dundas.

Upon the whole, I reckon that the manuscript authorities, which I have perused for the compilation of the present brief narrative, include about 100,000 documents of one kind and another bearing upon my subject. One very voluminous and most important return, of which no copy exists at the Record Office, I was so fortunate as to find at Windsor Castle ; and I have to express my humble thanks to His Majesty the King for his gracious permission to make use of it.

Of printed authorities the most important are the *Journals* of the House of Commons, which contain some most useful and interesting returns, and Hansard's *Parliamentary Debates*, together with the Acts of Parlia-

ment passed in the period 1803-1814. Acts, Debates, and Journals alike are, in great measure, unintelligible without the gigantic commentary supplied by the two hundred and fifty manuscript volumes already referred to.

I must return my warmest thanks, as usual, to Mr. Hubert Hall for invaluable help afforded during my researches at the Public Record Office.

J. W. F.

ABBREVIATIONS USED IN THE CITATION OF AUTHORITIES

A.G.	Adjutant-General.
C.C.L.B.	Commander-in-Chief's Letter Books.
C.G.M.	Clerk of the General Meeting (of a Lieutenancy).
C.J.	Commons Journals.
C.S.M.	Clerk of Subdivision Meeting (of a Lieutenancy).
D.L.	Deputy-Lieutenant.
H.D.	Hansard's Parliamentary Debates.
H.O.	Home Office (one division of the Military Records at the Record Office).
I.D.	Internal Defence. (See Preface.)
I.F.O.	Inspecting Field-Officer.
L.L.	Lord-Lieutenant.
L.M.	Local Militia.
L.M.E.B.	Local Militia Entry Books.
M.E.B.	Military Entry Books.
Mila. E.B.	Militia Entry Books.
O.C.	Officer Commanding.
S.C.L.B.	Secretary at War's Common Letter Books.
S.S.	Secretary of State.
S.W.	Secretary at War.
V.L.	Vice-Lieutenant.
W.O.	War Office.

CHAPTER I

I

THE military system of England from the close of the Middle Ages to the nineteenth century was practically, though with superficial differences, the same. To every place which required a garrison, whether at home or abroad, a small permanent force was indissolubly attached, and for purposes of war an army was improvised.

The institution and increase of the Standing Army affected this system far less than might be supposed. For if the Army grew, so also did the population of the British Isles, to say nothing of British possessions abroad ; and the regular forces were the only police of the slightest efficiency either at home or beyond sea. Owing to the jealousy of the House of Commons, these forces were never numerous enough for their work ; and, owing to the general hostility of the nation towards the service, even the meagre establishment voted for the various corps was rarely maintained at its proper strength. Hence, if troops were required for an expedition over sea, it was necessary to draft three or four battalions into one, and to recreate, or, in plain words, to improvise new battalions to take the place of those that had been drained to the dregs.

The improvisation of an army during the eighteenth century was generally effected in three ways : by ordinary recruiting, by raising new corps, and by raising men for rank.

Ordinary recruiting was a regimental matter, which kept two or three officers and a small party of men constantly absent from regimental duty. It was usually stimulated at the outbreak of a war by adding two troops or companies to every regiment or battalion, which gave a step without purchase to a limited number of officers.¹

The raising of new regiments is a thing that explains itself. Practically it offered commissions to any enterprising gentleman or gentlemen who, by hook or crook, could get together a body of men ; and in its essence it differed very little from raising men for rank, which signified the grant of a step of promotion to all officers and of a commission to all civilians who would collect a given number of recruits. An increased bounty, of course, necessarily accompanied the whole of these arrangements ; and though, in certain instances, men of rank and station could raise whole regiments of excellent soldiers, yet the backbone of an improvised army was the crimp.

The replacing of casualties suffered on active service, that is to say the maintenance as distinguished from the formation of an army, was left wholly to ordinary recruiting ; and it need hardly be said that in a long war this meagre resource invariably failed. Increased bounties led always to increased desertion ; and even in Queen Anne's time it was necessary to enlist men for short service, instead of, as usual, for life, and to make a levy of so many men from every parish in the country. As time went on, the difficulty of keeping corps in the field up to strength constantly increased. In Marlborough's day every regiment sent its recruiting parties home as soon as the Army went into winter quarters ; but when winter quarters ceased to be, and campaigns were no longer bounded by the seasons, the problem became almost insoluble. Towards the end of the Seven Years' War new levies were raised as fast as men could be found to undertake them, but the

¹ This mode of augmentation lasted till the Crimean War.

recruits furnished thereby to the Army in Germany were of miserable quality. In fact, greatly though the sudden peace of 1763 was blamed, it came none too soon for the British Army.

That war, however, brought with it one great and solid advance in our military system, namely, the Militia Act of 1757. This measure provided for passing the entire manhood of the country through the Militia by ballot, in terms of three years; but it was never properly executed, and hence lost very much of its value. The ballot itself was never enforced¹ until the American trouble became serious in 1775, and then, since substitution was allowed, the traffic in substitutes interfered gravely with recruiting for the Regular Army. The price of a substitute rose to ten guineas before the close of the war, which meant that recruits for the Line could not be obtained for less than eleven or twelve guineas. This was the first serious symptom of a very grave mischief.

From 1784 until 1792 Pitt allowed the military forces of the country to sink to the lowest degree of weakness and inefficiency; and in 1793 he found himself obliged to improvise not merely an army, but, owing to the multiplicity of his enterprises, a very large army. He fell back on the old resources of raising men for rank and calling into existence new levies, allowing the system to be carried to such excess that the Army did not recover from the evil for many years. Never did the crimps reap such a harvest as in 1794 and 1795; and never was a more cruel wrong done to the Army than when boys fresh from school, in virtue of so many hundred wretched weaklings produced by a crimp, took command of battalions, and even of brigades, over the heads of good officers of twenty and thirty years' service. In 1793 the bounty offered to men enlisting into the Line was ten guineas; within eighteen months the Government was contracting with certain scoundrels for the delivery of men at twenty guineas a head, and,

¹ *H.D.* Speech of W. Windham, 21st Feb. 1805.

long before that, the market price of recruits had risen to thirty guineas.

One cause of the extreme dearness of recruits was dread of service in the West Indies, where Pitt had decided to make his principal military effort. Nor was this repugnance unreasonable, for West Indian duty in those days was practically synonymous with death. But, apart from this, the Government, by its own military policy, had done its utmost to hinder recruiting for the Line. The Militia was, very properly, at once embodied and made up to strength as soon as the danger of war became serious; but substitutes were allowed, and these substitutes were precisely the men who, but for the heavy bounty which they could gain from serving comfortably at home, would gladly have enlisted in the Army. Furthermore, by enrolling many scores of thousands of Volunteers as independent units, dissociating them, contrary to all precedent, from the Militia, and exempting them from the ballot, Ministers diminished seriously the number of men who were liable to be drawn for the Militia, threw the obligation upon a smaller class of the population, and, as a natural consequence, increased the demand for substitutes. Then again, they had raised several thousand Fencible regiments, both horse and foot. These, being engaged for home service alone, differed from Militia only in that they were not chosen by the ballot, and, consequently, they absorbed thousands of men who would otherwise have taken service with the Regulars. Meanwhile the mortality among the troops in the West Indies was appalling; and yet, for military reasons, it was urgently necessary to obtain more men by some means for both Navy and Army. An Act was therefore passed for levying men from every parish in the United Kingdom, after the precedent of Queen Anne. The measure was a total failure so far as the Army was concerned, and in the Navy it was generally considered, from the bad character of the men produced, to have been a chief cause of the Mutiny of 1797.

By 1796, therefore, the Government was at its wits' end, and in that year there was serious danger of invasion. In spite of all its Fencibles and Volunteers, it did not feel safe, and so fell, during the next two years, to raising more Fencibles, a Supplementary Militia, more Volunteers, and, last of all, a force called the Provisional Cavalry, which was supposed to include all mounted men not already gathered into the Fencible and Yeomanry Cavalry. The Provisional Cavalry was a crying failure. "It passed," in Windham's words, "over the country like a blight. It was a pleasant conceit to make every man ride another's horse, till at length when the men and horses were all brought together, no man knew how to mount, and so they all separated." So short-lived was this force, that the foregoing caustic sentence is almost all that is discoverable concerning it; but it is very evident that the class which the Government desired to enlist in it contrived to evade service by procuring substitutes, though paying dearly for them. The Supplementary Militia was more successful. Ministers had the good sense not to grant any exemption to the Volunteers until the ballot had been held. But even so, between these various calls for men, bounties, or, more accurately speaking, the cost of recruits and substitutes, rose in 1798 to sixty, seventy, and even eighty guineas.¹

It was very plain that such a state of things could not continue; wherefore, in 1798 Ministers passed an Act to enable ten thousand Militiamen to enlist in the Army for a bounty of ten pounds. The Lords-Lieutenant set their faces against it, not wishing to see their men shipped off to the West Indies; and the measure was a failure. But, fortunately, the demand for men in the West Indies ceased about this time, and the Government was able to reintroduce the Act in 1799, with the additional provision that the service of the enlisted Militiamen should be confined to Europe. Then the ten thousand, most of whom had already

¹ *H.D.* New Series, iii. 599.

received large sums as substitutes, swarmed joyfully to the colours, and having received their bounty, by some extraordinary folly, in advance, reeled round them in a state of crapulous insubordination for some days until the money was spent. After that, they proved to be good men, decidedly superior, by Sir Ralph Abercromby's testimony, to the ordinary class of recruit. Many of them volunteered for service in Egypt, though their engagement did not bind them to do so ; and in fact the Army depended chiefly on Militiamen for its recruits until the signature of the preliminaries of peace in October 1801.

II

The Treaty of Amiens was admittedly only an experiment, and an experiment so doubtful that it could deserve no higher title than a suspension of arms. In such circumstances it was impossible for Addington to reduce the military force to a peace establishment, and the lowest number of regular troops for which he dared to estimate was 132,000. On the other hand, the Fencibles, both horse and foot, were totally disbanded, which diminished the force for home defence by at least 20,000 men. It had been hoped that most of these men, who from long divorce from any but military employment were practically soldiers, would have enlisted in the Line ; but they did not. The nation seemed, not unnaturally, to be sick of warlike exercises, and recruits were by no means plentiful. True prudence and forethought would have dictated special efforts to make up the Regular Army to its full establishment, for if war was to come again, the surest method of defence was certainly to take the offensive. Such a policy, however, would have been construed as lack of faith on Addington's part towards his own experiment, though it was less for this reason than from sheer want of foresight and ignorance of war that the Ministry turned all its energies, as shall presently be seen, towards purely defensive preparations.

An attitude of passive and inert defence is very rarely sound, and was never more false than in 1803. It has generally been assumed that, in the circumstances, it was impossible for England to think of taking the offensive. Yet this is at least open to question. The enemy to be encountered was indeed most formidable ; but before rushing to the conclusion that the initiative must necessarily have been yielded up to him, some account at least should be taken of his position.

Napoleon was not prepared for war. He was entangled in costly and most difficult operations at St. Domingo when hostilities began ; and the intervention of the British fleet turned them into utter disaster. Of forty-eight ships of war which he had sent off to the West Indies, only seven ever returned to Europe¹ except as British prizes ; while the soldiers captured by the British amounted to over seven thousand, quite apart from thirty to forty thousand men who had already perished of yellow fever or deserted to the enemy. The British fleet, owing to the mistaken economies of St. Vincent, was by no means so efficient as it should have been, but the French fleet was so contemptible in numbers and unreadiness as to be hardly worth mentioning. It may be asserted without hesitation that the British Government could, so far as the safety of the sea was concerned, have sent any force that it pleased to any point that it pleased ; and thirty thousand, or even twenty thousand, men despatched to Sicily or to Naples in the summer of 1803 must almost certainly have broken up the camp at Boulogne. Napoleon had violated Neapolitan territory by occupying Brindisi, Tarento, and Otranto with a small force. The appearance of a formidable British expedition would have compelled him to reinforce it and the whole of his Italian garrisons very heavily ; for he could hardly have withdrawn this detachment without endangering his reputation in France, or, indeed,

¹ They could not even return to France, but were obliged to take refuge in Spanish ports.

without seeing the force harassed to destruction on its retreat. Calabria and Apulia were ripe for revolt against him, and the rest of Italy was by no means so quiet that he could afford to leave it weakly occupied when there was a chance of a reverse to his arms. The British force could have been doubled or trebled as the augmentation of the Army progressed, and Napoleon would thus have been forced to fight us amid a hostile population, at the end of a long line of communications, in a country which favoured the action of our fleet even more than Spain.

It may be urged that a policy so audacious was too much to expect of British Ministers in the presence of such a man as Napoleon ; and such an objection must not be lightly dismissed. Addington was such a proverb for mediocrity that, though he was popular among the country gentlemen, the nation felt little confidence in him ; and if he had attempted such a stroke as is outlined in the preceding paragraphs, he might well have brought a storm about his ears and have been compelled to cancel any offensive expedition, even if he had designed it. But this is not the main point. The real question at issue is whether in the particular circumstances he should have devoted his principal effort to reinforcing the Army, which could serve abroad, or to creating a huge defensive force, which could only serve at home. Obviously, regular troops, which from their nature are superior to half-trained levies as well for internal defence as for foreign attack, were preferable if they could be raised in sufficient numbers and at reasonable expense. Indeed, though the fact is occasionally obscured, the Regular Army is, and always has been, the only land force that we can depend upon for any description of war. All inquiries, therefore, into our military preparations at any period must be conducted, primarily and above all, to ascertain how they affected, for good or evil, the strength, numbers, and efficiency of the Regular Army.

War was declared, as has been told, on the 16th of

May 1803. Exact returns of the effective strength of the Regular Army on the 1st of June are fortunately to hand,¹ and it will be profitable to begin by abstracting them here. It must be premised that the Regular Army consisted at that time of three regiments of Household Cavalry ; seven regiments of Dragoon Guards ; twenty-five regiments of Dragoons ; seven battalions of Foot Guards ; ninety-six regiments of the Line, all of one battalion apiece, except the First Royals, which had two battalions, and the Sixtieth, which had six ; seven Garrison Battalions ; a small independent corps at Goree ; another of five hundred men in New South Wales ; seven foreign corps (about 3500 of all ranks) of infantry ; the Royal Waggon Train, numbering just over two hundred men ; and the Staff Corps, or War Office Engineers, which had been called into being during the last war because the established Engineers under the Office of Ordnance acknowledged no master but their own Master-General, and made difficulties about obeying the orders of the Commander-in-Chief. The above were all white troops, and it will be convenient to reckon them all together, for the men of the Sixtieth were for the most part as truly foreign as De Roll's or De Watteville's. Besides these there were four thousand native troops in Ceylon, all of them useless and some of them dangerous, and six West Indian regiments, which for West Indian service were excellent and invaluable troops.²

The effective strength of the whole (deducting the Ceylonese) was 14,734 cavalry and 79,508 infantry, *effective rank and file*, that is to say, corporals and privates only. Adding one-eighth for drummers, sergeants, and officers, we obtain, in round numbers, a total of 15,600 cavalry, and 89,500 infantry, or as nearly as may be

¹ *Military Transactions of British Empire, 1803-1807.* Printed for the Commander-in-Chief's office.

² The return shows nine West India regiments, but not one of them was 600 strong ; and they were in process of reduction into six. They were, and of course still are, composed of negroes of African origin, and frequently of African birth.

104,000 men. To this figure must be added further the two regiments of Life Guards, 700 of all ranks, which for some reason were omitted from the return, and the Artillery, which may be taken at between 9000 and 10,000 of all ranks.¹ The effective strength of the British Army, therefore, on the 1st of June 1803 may be set down with tolerable correctness at 114,000 of all ranks. The establishment fixed by the estimates of 1802 was 132,000 men of all ranks, exclusive of the foreign corps. Hence at the outbreak of the war the Army was over twenty thousand men, or nearly one-sixth, short of its proper strength.

Of the effective rank and file 9046 cavalry and 22,814 infantry were in Great Britain, 3215 cavalry and 16,556 infantry in Ireland. The remainder were abroad or on passage. It so happened that the force in the West Indies was very large, for the garrisons of the French islands, which had been captured in the late war and given back at the peace, had not yet returned home. The Government at once employed them in recovering some of the restored islands and settlements. St. Lucia, Tobago, Demerara, Essequibo, Berbice, and Surinam were taken before the end of the year with little difficulty or bloodshed; and, since many of the Dutch prisoners from the four places last named took service with the British, the net loss of men was trifling—possibly, indeed, was turned for a few weeks into gain. But the whole of these new acquisitions required garrisons, and most of them were extremely unhealthy, so that Addington's single offensive movement necessarily involved an increased drain upon the Regular Army, and that for a station which was loathed and dreaded as the grave of some twenty or thirty thousand men during the last war.

However, Pitt's policy of "filching sugar islands" was undoubtedly popular with the mercantile classes;

¹ Its establishment was 10,296, and, like the Guards and the Cavalry at that time, the Artillery had no difficulty in obtaining recruits.

and Addington may be pardoned if, with the great man's shadow always across his path, he fell into the same evil ways. But when, in these circumstances, Mr. Yorke introduced the Army Estimates on the 6th of June 1803, not a few members of the Commons were staggered to find that he proposed, and plumed himself on proposing, no further increase in the Regular Establishment than from 132,000 to 138,000 men. On the other hand, he pointed with pride to the figures of nearly 84,000 men which he assigned to the Militia. This complacency brought upon him a furious attack from Windham, who asked how men could be expected to enlist in the Regulars for life, with liability to serve in any part of the globe, when they could receive far larger bounties to serve for a few years comfortably at home. "How," he added, "without a Regular Army can there be a possibility of any but a passive and defensive policy, which must be alike ruinous and dishonourable?" Pitt echoed Windham's criticism, the meaning of which will presently be made clear, and joined in his condemnation of a purely defensive attitude; but Addington disarmed opposition by asserting that, though he had indeed dealt with defensive measures first, owing to the vast preparations of the enemy, yet the country would doubtless afford means for offensive operations as soon as a favourable opportunity should arise. Beyond question Addington spoke in good faith, probably with a thought for a certain Army of Reserve Bill which was already in preparation; but he was completely at fault over the possibility of turning his defensive measures to offensive account. To estimate the causes and consequences of his error, it is now necessary to see what those defensive measures were.

CHAPTER II

I

2. UPON the peace of Amiens, Addington made it his first business to pass an Act¹ to enable Yeomanry and Volunteer corps to continue their service if they were willing to do so ; for the various Acts passed by Pitt's Administration had provided for the maintenance of Volunteers only until the close of the war. The whole organisation and system of Volunteers under Pitt had been vicious and false. The corps made their own conditions of service, were supported by private subscriptions, and were directed by committees of subscribers who were not necessarily holders of commissions. These committees addressed the Secretary of State directly, and it was an open question whether they or the officers were the true commanders of the corps.² But no effort was made by Addington to reduce chaos to order, nor in any way to correct what was amiss. Sections 2, 3, and 4 of the English Act provided that Volunteers and Yeomanry should be exempt from the Militia Ballot³ on attending five days' exercise every year, forfeiting that privilege if discharged from their corps. For the rest, Volunteers were relieved, under section 7, from the duty on hair-powder, and Yeomanry from the duty on

¹ 42 Geo. III. cap. 66 for Great Britain ; cap. 68 for Ireland.

² The documents concerning the Volunteers of 1794 to 1801 are so scanty and imperfect that it is impossible to speak of them except in general terms. So much as I have written above is, however, certain.

³ It must be noted that as there was practically no ballot in Ireland, there was no exemption.

one horse, in addition. Corps which, when called on, consented voluntarily to march out of their counties to repel invasion or to suppress riots were, under section 10, entitled to receive the same pay as regular troops, and were subjected to military discipline, with the proviso that they could be tried only by courts-martial composed of officers of Yeomen or Volunteers. Under section 11 officers and men disabled on active service were entitled to half-pay or to a Chelsea pension respectively; and therewith the enactment was complete. Not a word was said as to the preservation of discipline during the days of exercise; not a word to prevent the multiplication of small corps, a thing which had been the curse of the Volunteers from 1794 to 1801; finally, not a word as to pay and allowances, except in case of invasion.

The Act having been passed, the Secretary of State for War, on the 2nd of July, sent round a circular to the Lords-Lieutenant inviting offers of service, and tendering the following allowances: £2 a year to every Volunteer for his clothing and appointments; £60 a year for every troop of Yeomanry which counted not fewer than forty rank and file.

A fair number both of cavalry and infantry accepted these terms, more often as isolated troops and companies than as regiments or battalions; but a great many refused further service, not seeing any occasion for such patriotic display in time of peace.

The Irish Volunteers Act differed not a little from the British. Therein it was enacted that the men should receive clothing, arms, and pay from Government while out on exercise, which exercise was not to exceed two days in each month. Permanent pay also was allowed to one sergeant in each troop; and the provisions seemed to point to real desire for efficiency, until the third section stated expressly, with startling abruptness, that neither enrolment nor the receipt of pay or allowances should subject either Volunteers or Yeomen to military duty or discipline.

2.

The next measure of Addington's Government was a new Militia Act,¹ whereby several previous Militia Acts were repealed, and the purport of them, with some amendments, re-enacted. The population of the United Kingdom at this time was, roughly speaking, 14,500,000, namely, England, 9,000,000; Scotland, 1,500,000; Ireland, 4,000,000. The Act (together with its affiliated Acts²) provided for raising altogether 51,489 men, between the ages of eighteen and forty-five, in Great Britain, according to a regular quota for every county, and for giving the King's authority to augment that number by one-half on calling Parliament together within fourteen days. This augmentation was known as the Supplementary Militia, the original 51,489 being distinguished as the Old Militia—technical terms which should be borne in mind.

All Militiamen were to be chosen by ballot, and by no other means whatever, and were positively forbidden, under penalties (sec. 4), to enlist in the Regular Army. The regular period of training was fixed at twenty-one days annually (sec. 88).

The machinery for the levy was as follows:—For the purposes of the Militia each county as a whole was governed by "General Meetings of the Lieutenancy," that is to say, by a Council of the Lord-Lieutenant and of his Deputies. The Lord-Lieutenant himself was appointed by the Sovereign; the Deputies, of whom a qualification in respect of property was required, were appointed by the Lord-Lieutenant, subject to the Sovereign's approbation. In the absence of the Lord-Lieutenant, the Sovereign could give three deputies a commission to act in his stead. With the Council of the Lieutenancy was a Secretary, known as the Clerk of the General Meeting, who was appointed by the Lord-Lieutenant and removable by him (sec. 18).

Each county was further parcelled out into sub-

¹ 42 Geo. III. cap. 90.

² The Affiliated Acts mean those for the City of London, the Cinque Ports, and the Stannaries, which were dealt with separately.

divisions, under the control of two or more Deputy-Lieutenants, who held subdivision meetings under the orders of the General Meeting, and had likewise a Secretary known as the Subdivision Clerk. Upon the approach of a ballot the General Meeting gave orders to the constables of the hundreds (or other administrative divisions of the county) to draw up lists of all men between the ages of eighteen and forty-five, with a statement of their claims, if any, to exemption. This order was passed on to the parish constables for execution in each parish; and the lists when completed were affixed to the door of the church, so that every man could see them and have the opportunity of appealing to the next subdivision-meeting, in case his claims to exemption should have been omitted. The decision of the subdivision-meeting upon such appeals was final, and the lists as amended by it were then transmitted by the Clerk of the General Meeting to the Privy Council, which was charged with the duty of fixing and, from time to time, revising the quota of men to be found by each county.

The numbers of his county's quota having been reported to the Lord-Lieutenant, a General Meeting decided upon the number to be produced by each subdivision; and the subdivision-meetings in their turn distributed these numbers among the various parishes. The men liable to service were drafted into five classes (sec. 54): (1) Men under thirty and childless; (2) men over thirty and childless; (3) all men having no children living under fourteen years of age; (4) all men having but one child under fourteen; (5) all other men whatsoever. Notice was then given in each subdivision that all men liable to be drawn should attend at a certain place on a certain day within three weeks of the subdivision-meeting; and on that day the Deputy-Lieutenants again met and held the ballot.

If a part only of the Militia was to be embodied, and if the number of men to be called out was equal to the number of the first, or first and second, or other

2. succeeding classes in their order, then the Deputy-Lieutenants might take those classes complete, without ballot, and use the ballot only for the remainder (sec. 134).

The Deputy-Lieutenants were required to discharge, without further claim, all ballotted men under the height of five feet four inches, and all men physically unfit, provided that they were not possessed of property to the value of £100. Exemption was granted (sec. 43) to peers; to all officers on full or half pay in the Army, Navy, and Marines; to all non-commissioned officers and men serving in any of the King's other forces; to any officer who was serving or who had served for four years in the Militia; to resident members of the universities, clergymen, duly registered teachers, constables and other peace-officers, articulated clerks, apprentices, seafaring men and men employed in the royal arsenals, dockyards, or factories; to men free of the Company of Watermen of the Thames; and finally, to any poor man (which was construed under sec. 53 to mean a man possessing less than the value of £100) who had more than one child born in lawful wedlock.¹ Besides these, the Volunteers could claim their exemption under the Volunteer Act.

Ballotted men, or, as they were frequently called, lot-men, if they accepted personal service, were sworn in to serve as privates for a term of five years (sec. 41), after which time they were exempt until their turn came in rotation to be ballotted again. They were known technically as *principals*, to distinguish them from *substitutes*, the persons who must next engage our attention, for there were various means provided by the Act for commutation of personal service. In the first place,

¹ A nice point was raised as to the exemption of a man whose second legitimate child was born after he had been ballotted, but before he had been enrolled. It was decided that in this case he was exempt; but that if the child was born *after* he had been enrolled, then he was not exempt (*W. O. Mila. Books*, S. W. to Tho. Wright, 26th Jan. 1803). How far this decision may have affected the domestic arrangements of poor families we are not told.

any man chosen or ballotted was empowered (sec. 41) to produce a man "of the same county, riding, or place, or from some adjoining county or place, able and fit for service," and having not more than one child born in lawful wedlock, to serve in his stead. Such men were called *personal* substitutes, and were sworn in to serve for five years, or, if the Militia were embodied within that period, then for such further time as it might remain embodied; or, in fewer words, till the close of the war.

Again, the churchwardens or overseers of any parish might, by consent of the inhabitants, produce voluntary candidates for the Militia to the subdivision-meeting, to be accepted in lieu of men chosen by ballot, and might levy a parochial rate to pay them a bounty not exceeding £6 apiece (sec. 42).¹ Such men were known and named in the Act, by an extremely unfortunate confusion of speech, as volunteers. They were really *parochial* substitutes, and for the sake of clearness I shall call them throughout by the name of parochial substitutes. These likewise were enrolled for five years, or until the Militia should be disembodied; and under sec. 43 previous service as a substitute, whether parochial or personal, did not entitle a man to immunity from the ballot. No ballotted man nor substitute of any description whatever could be enrolled for service unless first approved by a surgeon (sec. 52).

Again (sec. 136), any man on the list of ballottable men might offer himself to serve in lieu of a ballotted man, and might be accepted by the Deputy-Lieutenants, provided that he were not over thirty-five years of age and had no children living under fourteen years of age. The service of such men was subject to the same conditions as if they had been actually ballotted.

Yet again (sec. 45), any ballotted man could purchase exemption for five years by payment of a fine of £10; or, to put the matter in different words, could

¹ From this rate men who were serving in the Militia, in person or by substitute, were excused.