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**Article**

**Title:** The militia lists and family history

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**Example citation:** McCormack, M. (2017) The militia lists and family history. *East Midlands History and Heritage*. **Jan 2017**(4), pp. 26-28.

It is advisable to refer to the publisher's version if you intend to cite from this work.

**Version:** Published version

**Official URL:** <http://eastmidlandshistory.org.uk/magazine-issue-4/>

<http://nectar.northampton.ac.uk/9365/>



# The Militia Lists and family history

BY MATTHEW MCCORMACK

The civil census is usually the first port of call for people wishing to trace their ancestors, but it has its limitations. In particular, it does not go back very far: the first national census did not take place until 1801, and family historians know that the 1841 census is usually the earliest this is usable. To go back further, you have to consult other types of sources.

A body of documents that is often overlooked by family historians and social historians alike are the militia ballot lists, known as the 'Militia Lists'. In 1757 the government passed the Militia Act, which meant that 33,000 civilian men should be available for military service. Britain was regularly at war with France in the eighteenth century, but the regular army was relatively small and mostly posted abroad, leaving Britain vulnerable to invasion. Supporters of the measure argued that Britain needed a large force of part-time soldiers, who could quickly be brought into service in times of emergency. Although they were only part-timers, the eighteenth century had a great deal of faith in the 'citizen soldier', who made up for his lack of formal training by his intense motivation to defend his homeland. He was also safer (and, crucially, cheaper) than a standing army or a foreign mercenary.

The problem they encountered was how to recruit such large numbers of men. Although the officers were gentleman volunteers – and even these were not as forthcoming as had been hoped – there was an element of compulsion in the recruitment of privates from the common people. This was politically controversial, since conscription was seen as contrary to the rights of the freeborn Englishman: indeed, successive governments managed to avoid conscription until 1916. Instead a system of balloting was introduced. Service was a universal obligation, but each county would conduct a ballot to work out who would serve for the following three years.

In order to conduct the ballots, accurate lists of men from the localities had to be collected. A census of adult males therefore had to be taken. This was a big step forward in the history of population statistics, and flew in the face of decades of anxiety about whether a census was an infringement of popular liberty, or even against the teachings of the Bible, since God had punished David for taking a census of Israel. It was no coincidence that the context for this was war, since the military power of the state relates to the number of people that it can put in arms. Britain was then fighting the Seven Years War, the biggest war that it had fought to date. The 1801 census was taken during the Napoleonic Wars for much the same reason. The Militia Lists were not designed to be a national census: they were taken by county as an effective way of ascertaining the country's total military manpower, more so than a full civil census would have been.

Using the militia lists today can be a frustrating process. They are not held nationally and have not, to date, been digitised. Responsibility for collecting the lists fell to the county's civil authorities, so the militia lists are now held in county record offices. Some counties like Northamptonshire are fortunate

**Further Reading:** Jeremy Gibson and Mervyn Medlycott, *Militia Lists and Musters 1757-1876* (Bury, 2004); Victor Hatley (ed.), *Northamptonshire Militia Lists 1777* (Kettering, 1973); Matthew McCormack, *Embodying the Militia in Georgian England* (Oxford, 2015).



to have had this material collated into user-friendly modern editions, but most do not. The survival rate of this material can also be patchy, although Gibson and Medlycott's guide tells us what survives and where. Some counties were not quick off the mark in putting the legislation into practice, so lack lists before the 1760s, and others met their quotas through volunteers so had no need to do so.

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Nor are the lists comprehensive in terms of who they recorded. Clearly they only record men, and only between the ages of eighteen and fifty. Various occupations were omitted by the Militia Act, and this list of exceptions lengthened as the century went on: clergymen, members of universities, medical men and apprentices (so as not to disrupt the system of indentures). Various officials were also exempt, including peers, MPs, judges and magistrates (who would likely qualify as officers instead) and also constables (who had an important role in administering the process). Serving military personnel were also excluded, and in the 1790s this extended to volunteer corps, which may go some way to explain their popularity. Poor men with three or more children were also excluded, ▶

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which appears to have been a practical measure to avoid large families falling upon the parish. These exempt groups were often recorded and crossed off, and are therefore visible to us, but sometimes they were omitted from the lists.

The militia ballot also included many health exemptions, since the purpose of the lists was to provide men who were physically fit enough to serve. Details about men's bodies and their physical and mental health are recorded, and they are then crossed out if they are therefore not liable for the ballot. Men were rejected for suffering from 'fits', lameness, rheumatism or flat footedness, which would prevent them from marching. Men had to be able to handle a musket, which was five feet long plus bayonet, so were rejected if they were *"very short, unable to carry arms"*. They needed a forefinger to pull the trigger and front teeth to rip the top off a powder cartridge. Looking at the lists, it is possible that some individuals deliberately maimed themselves. The poet John Clare (who himself served in the county militia) recalled that the local gypsies *"disabled the finger of every male child in war time when infants to keep them from being drawn for the Militia."*

Other disabilities are recorded in the lists including deafness, dumbness, blindness or loss of an eye. The lists also record mental illnesses, albeit rather imprecisely: *"infirm & insane"* or *"he is not rite in his head"*. As well as being of interest for genealogists trying to find out about a particular individual, they therefore have much potential as sources for historians of medicine and disability. Indeed, the militia lists of the eighteenth century provide much more biometric information than the early Victorian censuses.

There are other factors that we have to bear in mind when using these sources. Fundamentally, most men did not want to serve, so it is fair to assume that they tried to avoid being listed if possible. If a man was drawn in the ballot he could buy himself out or provide a substitute, but the £10 fee and the cost of substitutes were beyond most poor men. Effectively it was a form of conscription, which was rarely popular.

The attempts to collect the lists were met with some of the worst rioting of the century – and, ironically, existing militia regiments had to be brought in to suppress the disorder. At a more personal level, the process could be resisted. Men sometimes refused to give their names, and it is likely that constables were subject to bribery or intimidation, or to being misled on medical grounds. The sources themselves also vary hugely. They are handwritten documents, rather than standardised forms like the census, and the constables who drew



MILITIAMAN. COURTESY BUCKS MILITARY MUSEUM TRUST.

them up chose their own format. Some constables were more literate and conscientious than others, and spelling in the eighteenth century was often hit-and-miss. If you are tracing a particular surname, it is advisable to try various spelling variations: Hatley suggests no fewer than 17 different ways of spelling the common Northamptonshire name *"Tebbutt"*, for example.

Even given these limitations, though, these are tremendously rich sources. At their best, they give details of names, occupations, military service, family size, apprenticeship and mental and physical disability. They were collected by parish, so if you are trying to track down an individual you need to know where to look. For example, if you consult the lists for the parish of Culworth in 1777 you can see *"Richd. Law"*, *"Wm. Turrell"* and *"Wm. Smith"* from the notorious Culworth Gang, which committed violent robberies across south-west Northants. If there's a modern edition like Hatley's, then being able to browse and use the index will speed things up, so it's a good place to start. Yet I would highly recommend consulting the originals, if they are available. Given how fraught and controversial collecting the lists proved to be, and how much was at stake for the men concerned, it is a moving experience to encounter the very document at the heart of the process. As well as giving an insight into big questions like population, military policy and the workings of the state, the militia lists help us to study history 'from below' by telling us about ordinary people. It tells us about their jobs, their families and their health, a full century before the censuses enable us to do so. 📖

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