



Military Matters

Durnford

The Wiltshire Militia

You would believe that all men serving in the armed forces for king or queen and country would be treated exactly the same. This would appear to be a misapprehension. For example a soldier of the line was a volunteer but a militia man was a conscript.

For a soldier of the line there were many lures to invite men to volunteer for service, in most cases they were able to join the regiment of their choice, he would have signed on for life to serve at home or abroad and after 21 years of service would be able to apply for a discharge and to receive a pension from the Chelsea Hospital. The volunteer would be regarded as single and should he wish to marry would need to obtain permission from his commanding officer to do so. Once married his wife would have been able to live within the walls of the garrison and follow her husband wherever he may be stationed. Married quarters were started to be built during the Crimea War.

Militia men and their families were treated totally different. In 1745 an invasion of England, headed mainly by Scots resulted in virtually no opposition and the country was penetrated as far south as Derbyshire. Luckily due to lack of efficient command the invaders retreated back across the border again meeting little opposition.

In 1757 with France set to invade England, Parliament passed the Militia Act. The Secretary at War ordered the Lord Lieutenant of Wiltshire and other counties to raise a regiment of men to prepare to defend the country. In Wiltshire the regiment was to be created with 800 men from all over the county. Each parish was required to provide a certain number of recruits. This was conscription.

Men between the ages of 18 and 45 were all subject to this conscription, although there were exemptions. Married men with 2 or more children born in wedlock and under the age of ten were automatically exempt. The remainder of eligible men were drawn by ballot, if chosen to serve they could serve willingly, provide a substitute to take their place or they could pay the parish officials a fine of 10 sovereigns who would find a substitute to serve in their place. The rich could afford the latter option, however for the lower classes the only option was to serve their time with the militia. This would obviously put further hardship on the poorer families and also upon the parish to provide relief for those families unable to earn a living. Others paid fines and refused to serve.

The men were required to serve for 3 years which was later increased to 5 years. They were required to undertake 28 days training during each year served between March and December. The men could be required to serve continuously anywhere in England if the War Office decided.

The militia were required to aid magistrates in civil disturbances, assist Excise in the suppression of smuggling, escort prisoners of war, deserters back to their regiments, and those under sentence to join regular regiments overseas and to escort recruits to Headquarters. It is recorded in May 1811 that the collector of Customs at Queek paid the Wiltshire Militia Regiment £7 5s 4½d, a reward for aiding the revenue officers in making and guarding seizures.

Militia Officers were usually local business men who held or were heirs to estates in the area and had an income of £400 per annum for a Colonel down to £50 per annum for an ensign.

The militia were subjected to the Militia Act during times of peace and the Military Act when a state of emergency or war was declared. This meant that if a militia man was to desert, when captured he would face a court martial just as would a regular soldier. If found guilty his punishment would be to face the lash.

The description of any deserter would be sent to the Churchwardens of his parish and exhibited in the church, these descriptions survive in a single volume held at the National Archives. In later years the deserters were sentenced by local magistrates and in most cases were sentenced to serve in one of the regular army regiments either in the East or West Indies virtually being handed a death sentence.

The militia was raised primarily to resist any invasion, but when the Government urgently needed more men to serve in the regular army overseas it became an easy source of replacement as bounties were offered, and although this roused considerable opposition from the Lord Lieutenants this method of inducement was used up to 1813.

From the start there was opposition to the Militia Acts with riots and public disturbances some very serious in the Eastern counties and Yorkshire. The counties threatened with invasion however responded quickly to the call, Dorset first, Wiltshire, Devon, Berkshire and Hampshire were embodied within a year, whilst it was nearly 20 years before Middlesex and Sussex raised their militia. The billeting of the militia was another source of friction with the townspeople. Within the first 2 months of being raised at Devizes in 1759 the regiment was ordered to Winchester to guard French prisoners of war, mostly seamen who had been lodged at Portchester and because of the frequent escapes were moved inland to the Kings House. Extra accommodation had to be provided by the local magistrates using empty properties at the expense of the City. When complaints were made to the War Office the reply was that the City was benefiting from the immense sums of money spent by the government in providing subsistence to the prisoners and their guards. The Mayor however informed the Colonel of the militia that unless the number of soldiers in the City were reduced the publicans would close their premises. The regiment with the South Gloucesters were moved to a camp on the outskirts. In November 1793 whilst marching through Sussex the Wiltshire Regiment experienced difficulty in finding accommodation because the publicans of Steyning and Bramber had taken down their signs. A complaint from the Colonel to the War Office resulted in the War Office pressing the magistrates not to renew the licenses of the offending innkeepers.

The intermittent periods of peace and threats of invasion coupled with the country's financial problems compelled the Government to devise means of raising numbers of men for home defence as cheaply as possible. At first in 1796 a supplementary militia was raised comprising of men previously exempt, this proved very unsatisfactory, then a volunteer force with the control taken from the War Office and placed

with the Home Office and this later replaced by a local or Royal militia. The militia force was drastically reduced in 1814 and operated with just a skeleton staff until the Cardwell reorganisation of 1853.

Unfortunately there is no book dealing wholly with the Wiltshire Militia only an eight page appendix in Colonel Kendrick's "Story of the Wiltshire Regiment" on has to rely on the marching orders of WO5/98 onwards for details of the marches and places visited. The regiment generally marched in 2 or 3 divisions with a day interval and halts made on Thursdays and Sundays.

Most of the men were substitutes (the 10 sovereigns bounty was always tempting) they would serve in a company comprising of men of their own group of parishes, under a captain who owned estates in the same locality and perhaps knew most of the men and their families. As a private the man would be called up or sent home as and when ordered by the War Office. Some of the men who were promoted to N. C. O. or drummers were retained and served full time, after 21 years or when they were considered no longer to be effective and discharged by their Colonel and could apply to be an in or out pensioner of the Chelsea Hospital.

It is possible that many of our ancestors who had been labourers may have been militia men and became Chelsea pensioners. It is therefore worth a look at the Chelsea Hospital records held at the National Archive in Kew. These can be found amongst reference WO120/18 covering 1779-1807 and WO120/19 covering 1808-1814. Other records may be found amongst reference WO97/1091-1112. These are especially useful should a man serving in the militia volunteered to join a regiment of the line. It is suggested that you search these records starting with the last known regiment served in if at all known.

The Wiltshire Regiment was first embodied in 1749 with 10 companies assembled at Bedwyn, Bradford, Chippenham, Devizes, Hindon, Marlborough, Salisbury, Swindon, Warminster and Wilton drawing on men from the neighbouring parishes. The first marching orders found in WO5/91 were for an assembly at Devizes and a march to Winchester in June 1759.

From then on they marched in the South of England from Kent to Devon until October 1780 when, at Winchester they were ordered North to Birmingham in stages; 24th Stockbridge, 25th Amesbury, 26th Halt, 27th Devizes, 28th Chippenham, 29th Malmesbury, 31st Stroud, November 1st Gloucester, 2nd/3rd Tewkesbury, 4th Worcester, 5th Halt, 6th Bromsgrove, 7th arrived at Birmingham. March 1781 from Birmingham to Leeds and Wakefield and thence to Liverpool. In the following April the newly recruited men at Marlborough were ordered to proceed to Liverpool.

On 31st August 1807 one hundred and twenty eight men of the Wiltshire Militia joined the 41st Regiment of Foot in Canada. An Act passed on the 10th April 1805 directed that the number of men exceeding the original quota for a given county militia regiment should be allowed to volunteer into the regular army at a bounty of ten guineas. A further Act was passed on 13th August 1807 allowing the Militia to volunteer into the regular army provided that the establishment of the militia was not therefore reduced below three-fifths. The bounty offered was ten guineas for seven years, or fourteen guineas for unlimited service. Similar Acts were passed in March 1808, April 1811 and November 1813. It was under these acts that Wiltshire men volunteered into the 41st during the Napoleonic Wars.

The 41st Foot was raised by Royal Warrant of 11 March 1719 as Colonel Fielding's Regiment of Invalids. It was made up of Put-Pensioners from the Royal Hospital Chelsea. Up to 1751 it was known solely by the name of its colonel, but then became the 41st Regiment of Invalids. From 25th December 1787 the invalid character was abandoned and it was renamed the 41st Regiment of Foot.

During the French wars the 41st sailed from Cork on 17th August 1799 and arrived at Quebec on 26th October of the same year. It did not return to England until 24th June 1815. In the meanwhile it was

heavily engaged in the 1812-1814 war with the U.S.A.. Amongst other actions it was present at Black Rock, Lundy's Lane and the capture of Fort Detroit (16th August 1812, the site of present day Detroit).

One of the Wiltshire 41st men, Shadrach Byfield, according to the regimental history, wrote a narrative of the American war. The history notes that Byfield's "descriptions of the various actions though somewhat crude, are invariably interesting". Parts of Byfield's narrative are quoted, including his account of how he lost his arm after the operations around Fort Erie;- "After a few days, our doctor informed me that my arm must be taken off, as mortification had taken place. I consented, and asked one of my comrades, who had lately gone through a like operation, "Bill, how is it to have the arm taken off?" He replied, "Thee woo't know when it's done." They prepared to bind me, and had men to hold me, but I told them there was no need of theat. The operation was tedious and painful, but I was enabled to bear it pretty well. I had it dressed at went to bed. They brought me some mulled wine and I drank it. I was then informed that the orderly had thrown my hand to the dust heap. I arose, went to him, and felt a disposition to strike him. My hand was taken up, and a few boards nailed together for a coffin; my hand was put into it, and buried on the ramparts. The stump of my arm soon healed, and three days after I was able to play a game of fives for a quart of rum."

The 41st returned too late to Europe to take part in the Battle of Waterloo, but joined the Army of Occupation of Paris. In 1822 in embarked for Madras and served with distinction throughout the Burmese war of 1824-1826.

A General Order of 1st June 1847 authorised the award of the Military General Service Medal to survivors of the Napoleonic wars who had taken part in one or more of the twenty-nine actions commemorated by bars supplied with the medal. The medal was issued in 1848 and it would appear from further records that six men of the 41st foot at least was awarded this medal.

A further order dated 21st March 1851 authorised the Honourable East India Company to issue a medal to all survivors who served in India between 1799 and 1826. 4 Wiltshire men were awarded this with the "Ava" Bar.

The Muster Rolls at Kew begin with WO13/2551 on folded parchment papers and boxed covering a 6 month period December 1870 to June 1871, the muster taken at Liverpool. The next batch June 1781 to December 1781 was taken at Chester comprising of six companies in Chester and a further 4 companies in Manchester. The next muster found in taken in April 1782 the regiment was in Berwick and in the November of that year the regiment was ordered to Devizes and there disembodied.

In the muster rolls a letter P or B meant that the recruit was one selected by ballot an S indicates that the recruit took the place of a balloted man.

Conditions for the militia were not ideal and since the militia was not regarded as a permanent military force no man was issued with a great coat money was allowed for the purchase of this item in sufficient numbers to cloth the men who were on watch duty. You must also remember that the militia companies marched from town to town before the day of Thomas Telford and Robert Macadam - roads were just tracks in those days and very hard going underfoot.

There seems to be a gap in the records possibly reflecting the fact that the militia had been stood down. The next muster roll appears to be January to June 1793 the regiment being recalled to duty at Devizes in the January when the regiment marched to Dover and to Folkestone in Kent.

By the end of 1794 the regiment had moved back to the Newbury area with the location of every recruit shown in the muster roll. In 1795 the regiment can be found in Essex and Bedfordshire and in 1796 they were firstly in Cornwall and finally in Devon.

The combined muster rolls and pay books of the 1st Wilts start with WO13/2252 for 1798 and continues to 1815 in WO13/2269, the supplementary roll 1802-1816 is WO13/2566. The 2nd Wilts rolls from 1798-1805 are found in WO13/2281 - WO13/2285 and the supplementary roll for 1805 can be found in WO13/2567. The local volunteers roll found in WO13/4584 - WO4588 name the parish from which the volunteer came.

Searching for an individual can be rather difficult amongst all the different rolls so a good tip is to record the name of the company Captain and Sergeant for a cross reference. If a soldier was promoted within the ranks then it inevitably meant a transfer to another company or battalion therefore it is always wise to check all the rolls including the local volunteer rolls until you find the soldier you are looking for. Watch out though for men of the same given and surname serving within the same company this is found often with common surnames such as Smith, Jones etc. On the other hand those more unusual surnames found in the same company could possibly mean that these are related and therefore family of the soldier you are researching perhaps, brother, cousin, nephew or in some cases even the father. Also if your subject lives in a parish near a county border it is also wide to search within that county's muster rolls as it is possible they volunteered to serve in the nearest militia recruitment centre to their home parish. For Wiltshire this could be Hampshire, Dorset, Somerset, Gloucestershire, Oxfordshire and Berkshire.

Since married men were eligible for conscription this meant more families were reliant on parish relief clues to a soldier's whereabouts may therefore be found in overseers account books etc. The government did not recognise that conscription of married men and even single men who were the only wage earners within a family would cause further hardship for such families and put more pressure on the parish resources. In January 1793 this was addressed to a certain extent when the maintenance of a militia man's family was transferred from local parish jurisdiction direct to that of the Treasury by Act of Parliament. This however not effected until 1803 when a Land Tax was levied to raise the money needed to fund such maintenance. Until this time militia men's families were left to find work for themselves or to rely on the mercy of the parish overseers.

In a section of War Office letters housed in WO4 group at the National Archives it is possible to see the replies to Colonels who has complained about the attitude of the overseers towards the families of serving militiamen. In 1804 the right of a militia man's wife to receive parish relief after having followed her husband's regiment and had returned home was upheld, whilst the family of a militia man who married without the consent of his Colonel after being called out on active service was not entitled to any relief. The relief ceased when any militia man volunteered to join a regiment of the line.

In the Melksham parish overseers accounts for 1810-1812 held at the Wiltshire & Swindon History Centre can be found the family relief vouchers of John Howell.

At Kew amongst the papers of HO50/30 there is a letter dated 27th January 1800 to the Home Secretary from the Rev. Brodie of Winterslow.

The price of labour has not kept pace with the exigencies of the times and the minimum of 1/- is not equal to the old 4d; some magistrates aware of the difference have ordered relief beyond the strict letter of the law smoothing the difficulties by conceiving themselves justified in looking upon the allowance as a part of wages. Relief varied from 1/3 to 2/6.

The Local or Loyal Volunteer rolls are found in WO13/4584 - WO13/4588, they are described in other records as the Army of Reserve. In the Home Office group HO50/89 it records:-

4 August 1803. Volunteers at Marlborough are prepared to serve within the district of Hampshire, Dorset and Wiltshire in the event of an invasion and in three columns are the names of 26 persons who will provide their own arms and accoutrements, 15 their own arms and 106 only their clothing. They would also nominate their own captain, two lieutenants and one ensign for approval by the Lord Lieutenant.

Volunteers were also classified:-

- ❖ 1st Class Unmarried Men Aged 17-30 Without Children under 10 years
- ❖ 2nd Class Unmarried Men Aged 30-50 Without Children under 10 years
- ❖ 3rd Class Married Men With children under 10 years
- ❖ 4th Class Married Men Aged 17-55 Remainder

Corsham had 101 1st Class; 59 2nd Class; 4 3rd Class and 30 4th Class.

Extra 15 1st Class; 8 2nd Class; 6 3rd Class and 24 4th Class.

Biddestone 12 1st Class; 18 2nd Class; 3 3rd Class and 8 4th Class.

On 11th August 1803. 87 Volunteers from Woodford and Durnford signed up to serve in any part of the kingdom. Below are tables setting out information about these volunteers.

Woodford Volunteers

SURNAME	GIVEN NAMES	OCCUPATION/STATUS	NOTES
Alexander	James	Labourer	
Beaton	Caleb	Footman	
Beaton	Charles	Footman	
Bendale	William	Coachman	
Blake	John	Blacksmith	
Blanchard	William	Blacksmith	
Cole	John	Jnr.; Labourer	
Conduit	William	Blacksmith	
Dowty	William		
Flower	William	Jnr.	

Flower	William	Snr.	
Lake	John	Labourer	
Lawes	William	Yeoman	Paid £10 Land Tax for property at East Woodhay
Lynwood	George	Servant	
Macklin	Thomas	Cordwainer	
Pepperel	James	Stableboy	
Pepperel	William	Carrier	
Perry	Joseph	Labourer	
Pile	John		
Pile	Richard		
Self	James		
Smith	William	Labourer	
Stride	Philip	Jnr.	
Stride	Philip	Snr.	
Tam.....	George		
Thornton	John	Clark	
Tucker	James		
Waterlane	John	Labourer	
Waterlane	Richard	Labourer	
Waterlane	Stephen	Labourer	
Waters	John	Jnr.; Labourer	
Waters	Thomas	Labourer	
Woodward	John	Labourer	
York	Richard	Innkeeper	

Durnford Volunteers

SURNAME	GIVEN NAMES	OCCUPATION/STATUS	NOTES
Baddesley	Samuel	Footman	

Bole	Edward	Collar maker	
Bowles	George	Gent	Of Heale; Lieutenant
Cable	Henry	Labourer	
Con.....	William	Clark	
Conduit	James	Labourer	
Conduit	Richard	Labourer	
Conduit	Thomas	Joiner	
Cupe	Samuel	Yeoman	
Davis	Henry	Mason	
Dear	James	Tailor	
Dykes	William	Mason	
Farrer	Joseph		
Flooks	William	Coachman	
Gibbs	Benjamin	Labourer	
Hall	John	Labourer	
Hall	William	Labourer	
Harding	Robert	Labourer	
Hayter	Henry	Labourer	
Hayter	Thomas	Joiner	
Hinxman	Edward	Gent	Of Little Durnford to Command
Holley	William	Labourer	
Hyde	John		
Newman	William	Butcher	
Sawyer	James	Labourer	
Scammell	Richard	Cordwainer	
Shephard	Anthony	Footman	
Smart	James		
Smith	George	Wheelwright	
Smith	Job	Gardener	

Smith	John		
Smith	John	Miller	
Smith	Seth	Wheelwright	
Smith	Stephen		
Smith	William	Miller	
Sop	Robert	Labourer	
Stride	John	Tailor	
Tucker	William	Joiner	
Waters	John	Gent	Of Normanton; Ensign
Waters	Seth	Labourer	

60 men accepted by the Earl of Pembroke.

Through shortages of musquets, pikes were to be substituted.

All of the above records can be found at the Nation Archives in Kew.

At Chancery Lane - Exchequer - Kings Remembrances - Reference E182

These are receiver accounts comprising of Hearth, Land, Window Tax Returns and payments made to apprehenders of deserters and volunteers families reliefs.

In E182/1100 Part One we find the names of the following men, wives and children of Woodford and Durnford. These are shown in the table below

SURNAME	GIVEN NAMES	NOTES
Alexander	George	
Alexander	Jane	Wife of George
Garrett	Bennett	
Garrett	George	Son of Bennett
Garrett	Lucy	Wife of Bennett
Harding	Mary Ann	Daughter of Robert
Harding	Robert	Listed as a volunteer in tables above
Harding	Sarah	Wife of Robert

Harris	Elizabeth	Daughter of James
Harris	James	
Harris	Jane	Wife of James
Hayter	Betty	Wife of Thomas
Hayter	Catherine	Daughter of Thomas
Hayter	Elizabeth	Daughter of Henry
Hayter	Hanna	Daughter of Henry
Hayter	Hannah	Wife of Henry
Hayter	Henry	Listed as a volunteer in tables above
Hayter	James	Son of Thomas
Hayter	John	Son of Thomas
Hayter	Thomas	Listed as a volunteer in tables above
Hayter	William	Son of Henry
London	Grace	Wife of John
London	John	
London	John	Son of John
Sop	Robert	Listed as a volunteer in tables above
Sop	Sarah	Wife of Robert
Thornton	Ann	Daughter of John
Thornton	Edward	Son of John
Thornton	Harriet	Wife of John
Thornton	John	Listed as a volunteer in tables above
Waters	Ann	Wife of Thomas
Waters	Thomas	Listed as a volunteer in tables above