Anno tricesimo secundo

Georgii II. Regis.

An Act for applying the Money granted in this Session of Parliament, towards defraying the Charge of Pay and Cloathing for the Militia, from the Thirty first Day of *December*, One thousand seven hundred and fifty eight, to the Twenty fifth Day of *March*, One thousand seven hundred and sixty.



WHEREAS the Sum of Ninety thousand Pounds has been granted to His Majesty, upon Account, towards defraying the Charge of Pay and Cloathing for the Militia, from the Thirty first Day of December, One thousand seven hundred and fifty eight, to the Twenty fifth Day of March, One thousand seven hundred and sixty: And whereas in pursuance of an Address of the House of Commons, His Majesty has advanced, for the Purposes aforesaid, the Sum of One thousand three hundred and thirty two Pounds, Ten Shillings: In order therefore that the said advanced Sum of One thousand three hundred and thirty two Pounds, Ten Shillings, may be made good and repaid to His Majesty, and that the Charge of Pay and Cloathing for the Militia, may be duly and properly defrayed and satisfied; be it enacted by the King'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; That the Commissioners of His Majesty's Treasury, or any Three or more of them, or the High Treasurer for the time being, shall, out of the said Sum of Ninety thousand Pounds, repay, or cause to be repaid, to His Majesty, the said Sum of One thousand three hundred and thirty two Pounds, Ten Shillings; for which said Sum of One thousand three hundred and thirty two Pounds, Ten Shillings, such Person or Persons respectively as shall have

Preamble.

Treasury to repay the 1,332*l.* 10*s.* advanced by His Majesty, in pursuance of the Address from the Commons.

7.

The Money received to be accounted for to the Receivers General of the Land Tax.

have received the same, or any Part thereof, for the Service of the Militia, shall account with the Receiver or Receivers General of the Land Tax for such County, Riding, or Place, for the Service of the Militia whereof the said Sum, or any Part thereof, shall have been so advanced by His Majesty; and that within Fourteen Days after that His Majesty's Lieutenant of any County, Riding, or Place, within that Part of Great Britain called England, or, in his Absence, Three Deputy Lieutenants, shall have certified to the Commissioners of His Majesty's Treasury, or High Treasurer for the time being, that such Proportion of the Number of Private Militia Men of any Regiment or Battalion of such County, Riding, or Place, has been chosen and inrolled; and that the like Proportion of the Number of the Commission Officers of such Regiment or Battalion have been appointed, and have taken out their Commissions, and entered their Qualifications, as is by Law required, before any Pay, Arms, Accoutrements, or Cloathing, for the Militia, is allowed to be issued, the said Commissioners of His Majesty's Treasury, or any Three or more of them, or the said High Treasurer for the time being, shall issue a Warrant or Order, directed to the Receiver or Receivers General of the Land Tax for such County, Riding, or Place, to make the Issues or Payments following (that is to say) The Whole, or, where His Majesty has advanced any Part thereof, the remaining Sums required for the several Uses herein after mentioned (that is to say) For the Pay of the said Militia for Four Calendar Months in Advance, at the Rate of Six Shillings a Day for each Adjutant; and at the Rate of One Shilling a Day for each Serjeant, with the Addition of Two Shillings and Six Pence a Week for each Serjeant Major; and at the Rate of Six Pence a Day for each Drummer, with the Addition of Six Pence a Day for each Drum Major; and also at the Rate of One Shilling for each Private Man, with the Addition of Six Pence to each Corporal, for every Day in which such Private Man or Corporal shall be respectively employed in the Militia; and also at the Rate of Two Shillings for each Militia Man, for his March on the Monday and Saturday in Whitsun Week, to and from the Place of General Exercise; and also at the Rate of Five Pence a Month for each Private Man and Drummer, for defraying the contingent Expences of each Battalion of Militia; and also for Half a Year's Salary for the Clerk of each Battalion of Militia, belonging to such County, Riding, or Place, at the Rate of Fifty Pounds a Year; and also for the respective Allowances to the Clerk of the General Meetings, and Clerks of the several Subdivision Meetings, at the Rates following, (that is to say) To the Clerk of the General Meetings, at the Rate of Five Pounds Five Shillings for each Meeting; and to the several Clerks of the Subdivision Meetings, at the Rate of One Pound One Shilling for each

Treasury, upon Certificate that the Number of Officers and Private Men required in a Regiment or Battalion, are inrolled, &c. are to issue Warrants to the Receivers General for Pay of the Militia, 4 Months in Advance.

The Rates of Pay to the Adjutant;

to Non-commission Officers, and Private Men;

to the Clerk of the Battalion or Regiment; and to the Clerks of the General or Subdivision Meetings:

Meeting: And also for the Cloathing of the Militia for such County, Riding, or Place, where the Militia hath not already been cloathed, at the Rate of One Pound Six Shillings for each Private Man and Drummer, and at the Rate of Two Pounds Ten Shillings for each Serjeant, with the Addition of One Pound One Shilling, for a Second Coat and Hat for each Serjeant. Rates for Cloathing.

And, for the more compleat Cloathing of the Militia of such Counties, Ridings, and Places, where the Militia has already been cloathed; be it enacted, That the said Commissioners of His Majesty's Treasury, or any Three or more of them, or the said High Treasurer for the time being, shall issue, and cause to be delivered to His Majesty's Lieutenant of any County, Riding, or Place, or to such Person or Persons as shall by such His Majesty's Lieutenant be authorized to receive the same, a Warrant or Order directed to the Receiver or Receivers General of the Land Tax for such County, Riding, or Place respectively, to pay to the Clerk of every Battalion of Militia already cloathed, for the additional Cloathing of the Militia for such County, Riding, or Place, at the Rate of Five Shillings for each Private Man and Drummer, and at the Rate of One Pound One Shilling for a Second Coat and Hat for each Serjeant. Warrant to be delivered to the Lieutenant of every County, &c. where the Militia has been already cloathed, for Payment of the Rates for the additional Cloathing.

Provided always, and be it enacted, That the Commissioners of His Majesty's Treasury, or any Three or more of them, or the said High Treasurer for the time being, shall issue a Warrant or Order, directed to the Receiver or Receivers General of the Land Tax for such County, Riding, or Place, within the Part of Great Britain aforesaid, for which His Majesty's Lieutenant, or, in his Absence, any Three Deputy Lieutenants, shall have certified to the Purpose aforesaid, and received the Cloathing for the Militia of their respective Counties, Ridings, or Places, to make the Issues or Payments aforesaid, without any new Certificate made for that Purpose: All which said Sums of Money, or so much thereof as hath not been advanced by His Majesty as aforesaid, except such as shall be due to the several Clerks of the Meetings aforesaid, shall be paid by the said Receiver or Receivers General of the Land Tax, into the Hands of the Clerk or Clerks of the Battalion or Battalions of Militia belonging to such County, Riding, or Place, upon his or their producing his or their Warrant of Appointment to such Office, under the Hand and Seal of His Majesty's Lieutenant for such County, Riding, or Place, according to the Number of Persons hereby intitled to receive Pay, of which such Battalion or Battalions shall have been appointed to consist; and also within Fourteen Days after the Expiration of the Third Calendar Month from the Time of the said First Payment, to make a Second Payment for Four Calendar Months in Advance; and also within Fourteen Days after Warrants also to be issued for making the regular Payments and Issues, without new Certificates from the Lieutenants or Deputy Lieutenants for that Purpose. The Money to be paid to the Clerks of the Battalions, and 4 Months Pay in Advance, to be paid within 14 Days after the Expiration of every 3 Months.

the Expiration of the Third Calendar Month from the Time of the said Second Payment, to make a Third Payment for Four Calendar Months in Advance; and also within Fourteen Days after the Expiration of the Third Calendar Month from the Time of the said Third Payment, to make a Fourth Payment for Four Calendar Months in Advance; for the Pay and contingent Expences of the Militia, and for the Allowances to the Battalion Clerk or Clerks aforesaid, in the Proportions herein before mentioned: And the Receipts of such Clerk or Clerks shall be a sufficient Discharge to such Receiver or Receivers General of the Land Tax, for the several Sums of Money so by him or them paid.

Clerks Receipts to be a Discharge to the Receivers General.

Clerk to pay 1 Month's Pay in Advance to the Adjutant, 14 Days to the Serjeant Major and Drum Major, and 2 Months in Advance to each Captain for his Company.

And be it enacted, That the Clerk of each Battalion of Militia shall forthwith, after the Receipt of such Sums of Money as aforesaid, pay, or cause to be paid, One Calendar Month's Pay in Advance to the Adjutant, and Fourteen Days Pay in Advance to the Serjeant Major and Drum Major, of such Battalion respectively; and to the Captain or Commanding Officer of each Company belonging to such Battalion, Two Months Pay in Advance for his respective Company, and for the contingent Expences thereof; and so from time to time, so long as any Money on that Account shall remain in his Hands; which Pay the said Captain or Commanding Officer is hereby required to distribute to each Person belonging to his Company, by this Act intitled to receive the same, as it shall become due; and shall Once in every Year give in to the Clerk of the Battalion to which such Company shall belong, an Account of the several Payments he shall have made in pursuance of this Act, and shall pay back to the said Clerk the Surplus, if any, of the Monies by him from time to time received, and then remaining in his Hands; except the Money by this Act allowed for contingent Expences, for the Disposition whereof Provision is herein after made.

Captain to account yearly to the Clerk for the Pay of his Company, and pay over the Balance;

Money allowed for contingent Expences, excepted;

which is also to be accounted for annually, but the Balance to be applied to the general Use of the Battalion.

And be it enacted, That the said Money allowed for contingent Expences, shall Once in every Year be accounted for by the Captain of each Company respectively, in Manner aforesaid; and the Balance thereof shall be by him paid into the Hands of the Clerk of the Battalion to which such Company shall belong, to be applied to the general Use of the said Battalion, as the Field Officers and Captains thereof, or the major Part of them, shall, at a General Meeting, direct.

Clerk to retain Money to make good his own Salary; and discharge the Cloathing Account.

And be it enacted, That the said Clerk may and shall retain to his own Use, out of the Monies so by him received, such further Sums as shall compleat the Allowance herein before made for his Salary; and shall also pay and discharge such Sums of Money as shall be due and owing for, or on Account of, the Cloathing of the said Militia, not exceeding the Rates herein before mentioned, to such Person or Persons as shall produce an Order from

His

His Majesty's Lieutenant, or from the Commanding Officer of such Battalion, for that Purpose.

Allowance of 5 *l.* 5 *s.* to be paid to the Clerks of the General Meetings,

And be it enacted, That the said Receiver or Receivers General of the Land Tax shall pay to the Clerk of the General Meetings his Allowance, or such Part thereof as hath not been satisfied out of the Money advanced by His Majesty as aforesaid, at the Rate of Five Pounds Five Shillings for each Meeting, upon his producing an Order or Orders for that Purpose from His Majesty's Lieutenant, or from Three Deputy Lieutenants assembled at some General Meeting or Meetings; and shall also pay to each and every the Clerks of the Subdivision Meetings their several Allowances, or such thereof as have not been satisfied out of the Money advanced by His Majesty as aforesaid, at the Rate of One Pound One Shilling for each Meeting; upon his or their producing an Order or Orders from One or more Deputy Lieutenant or Deputy Lieutenants, assembled in the several Subdivision Meetings; which said Order shall be to the said Receiver or Receivers General of the Land Tax, a sufficient Discharge for the Payment of such Allowances, and be allowed in his or their Account.

and of 1 *l.* 1 *s.* to the Clerks of the Subdivision Meetings, for each Meeting.

Clerk of the Battalion to give Security:

Provided always, and be it enacted, That the Clerk of each Battalion of Militia shall give Security to his Majesty's Lieutenant of the County, Riding, or Place, to which such Battalion shall belong, by a Bond to His Majesty in the Penalty of One Half of the Sum required for the whole Year's Charge of the Battalion of Militia to which such Clerk shall belong, for duly answering and paying such Sums as he shall have from time to time received, and for duly accounting for the same, and for Performance of the Trust hereby in him reposed; which said Bond shall be lodged in the Hands of the Receiver or Receivers General of the Land Tax for the respective County, Riding, or Place, who, in case the said Battalion Clerk shall not duly perform the Conditions comprized in the said Bond, shall, and is hereby required forthwith to put the said Bond in Suit, in the Name of His Majesty, His Heirs, and Successors; the Full Costs and Charges of which Suit shall be paid by the said Battalion Clerk to the said Receiver or Receivers General of the Land Tax, who shall likewise be intitled to and receive, to his or their own Use, at the Rate of Five Pounds per Centum out of all such Monies as shall be by him or them recovered thereon, and shall account for the Residue thereof with the proper Auditor of His Majesty's Revenue; the said Receiver or Receivers General of the Land Tax charging himself or themselves therewith, upon the next Account of the Land Tax to be by him or them passed.

The Bond to be lodged with the Receiver General; and on Nonperformance of the Conditions to be put in Suit by him, who is to receive Full Costs of Suit, and 5 *l. per Cent.* of the Money recovered thereon;

Residue to be accounted for to the Auditor of the Exchequer.

And be it enacted, That the Clerk of every Battalion of Militia, in every County, Riding, and Place, within the Part of Great Britain aforesaid, shall, between the Twenty fifth Day of March and the Twenty fifth Day of

Clerk of the Battalion to render an Account to the Receiver General of the Monies received and disbursed, with Vouchers for the same, and pay over the Balance; the said Account to be transmitted to the Auditor.

June, in the Year One thousand seven hundred and sixty, deliver to the Receiver or Receivers General of the Land Tax for the County, Riding, or Place, to which such Battalion shall belong, a fair Account in Writing of all Monies by him received and disbursed, for the Service of the preceding Year, in pursuance of this Act, with proper Vouchers for the same, and shall pay back to the said Receiver or Receivers General of the Land Tax, any Surplus of such Moneys that shall be then in his Hands; which said Accounts, signed by the said Battalion Clerk respectively, shall be transmitted, by the said Receiver or Receivers General of the Land Tax, into the Office of the proper Auditor of His Majesty's Revenue.

Lieutenant neglecting to take proper Security, or lodge the same with the Receiver General, is made answerable for any Loss of the publick Money,

And be it enacted, That in case His Majesty's Lieutenant of any County, Riding, or Place, within the Part of Great Britain aforesaid, shall neglect to take such Security as aforesaid from the Clerk or Clerks of his or their respective Battalion or Battalions of Militia, or to deposit the same in the Hands of the Receiver or Receivers General of the Land Tax for the same County, Riding, or Place, such His Majesty's Lieutenant shall be answerable to such Receiver or Receivers General of the Land Tax, for any Loss of publick Moneys sustained by the Default of such Clerk or Clerks.

Recovery of Penalties, &c.

Provided always, and be it enacted, That all Penalties, all Costs and Charges of Suit, and all Sums of Money, for which any Person or Persons is or are by this Act made answerable, may and shall be recovered in any of His Majesty's Courts of Record at Westminster, by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Wager of Law, or Protection, nor more than One Imparlance shall be allowed.

No Fee to be paid for issuing Warrants for Payment Money.

Provided always, and be it enacted, That no Fee or Gratuity whatsoever shall be given or paid, for or upon account of any Warrant or Sum of Money, which shall be issued in relation to, or in pursuance of, this Act.

FINIS.