ANNO UNDECIMO

Georgii III. Regis.

CAP. XXXII.

An Act for defraying the Charge of the Pay and Cloathing of the Militia in that Part of *Great Britain* called *England*, for One Year, beginning the Twenty-fifth Day of *March*, One thouſand ſeven hundred and ſeventy-one; for indemnifying the Landholders of the Iſle of *Wight* from the Payment of the Monies due by virtue of an Act of the Ninth Year of His preſent Majeſty; and for other Purpoſes therein mentioned.

WHEREAS it is neceſſary that Pro- Preamble.
viſion ſhould be made for defraying the Charge of the Pay and Cloathing for the Militia, in that Part of Great Britain called England, for One Year, from the Twenty-fifth Day of March, One thouſand ſeven hundred and ſeventy-one; be it therefore 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,

Where the Militia is or shall be raised, the Receiver-general of the County is to issue Four Months Pay in Advance, according to the Establishment of Pay here set down;

That in every County, Riding, or Place, within that Part of Great Britain called England, where the Militia is or shall be raised, the Receiver or Receivers-general of the Land-tax for such County, Riding, or Place respectively, shall issue and pay the whole Sums required, in the Manner, and 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, where an Adjutant is appointed; and at the Rate of One Shilling for each Serjeant, with the Addition of Two Shillings and Sixpence a Week for each Serjeant-major, where a Serjeant-major is appointed; and at the Rate of Sixpence a Day for each Drummer, with the Addition of Sixpence a Day for each Drum-major, where a Drum-major is appointed; and also at the Rate of Sixpence a Month for each Private Man and Drummer, for defraying the contingent Expences of each Regiment, Battalion, and Independent Company of Militia; One Penny whereof shall be applied for defraying the Hospital Expences of each Regiment, Battalion, or Independent Company, during the Time of the Men's being from Home, upon account of their Annual Exercise; and also for Half a Year's Salary for the Clerk of each Regiment or 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 and Five Shillings for each Meeting; and to the several Clerks of the Subdivision Meetings, at the Rate of One Pound and One Shilling for each Meeting; and also for the Cloathing of the Militia for such County, Riding, or Place, after the Rate of Three Pounds and Ten Shillings for each Serjeant, and Two Pounds for each Drummer, with the Addition of One Pound for each Serjeant-major, and each Drum-major; and with respect to the Private Militia Men, where the Militia hath not been cloathed within Three Years, at the Rate of One Pound and Ten Shillings for each Private Man.

with Half a Year's Salary to the Regimental and Battalion Clerks;

and the Allowances to the Clerks of the General and Subdivision Meetings;

and Pay for Cloathing of the Militia.

Provided nevertheless, That in any County, Riding, or Place, where Pay has not yet been issued for the Militia, no Pay shall be issued until His Majesty's

jesty's Lieutenant, or, in his Absence, or in case of a Vacancy by the Death or Removal of his Majesty's Lieutenant, any Three Deputy Lieutenants of any such County, Riding, or Place, shall have certified to the Commissioners of his Majesty's Treasury, and to the Receiver-general of the Land-tax, that Three-fifths of the Number of Private Militia-men of such County, Riding, or Place, have been inrolled, and that Three-fifths of the Proportion of their Commission Officers have accepted their Commissions, and entered their Qualifications as by Law required.

The above Sums are not to be paid, if Pay has not before been issued, till the Lord Lieutenant or Deputies shall have certified to the Treasury and Receivers-general the Inrolment of Three-fifths of the Men and Officers.

And be it enacted, That all such Sums of Money granted for the Pay of the Militia as aforesaid, except such as shall be due to the several Clerks of the Meetings aforesaid, and except such as shall be due on account of Cloathing, shall, where the Militia has never been embodied, be paid by the said Receiver or Receivers-general of the Land-tax, into the Hands of the Clerk, or Clerks of the Regiments or Battalions of Militia belonging to such County, Riding, or Place, upon his or their producing his or their Warrant or Warrants of Appointments to such Office, under the Hand and Seal of his Majesty's Lieutenant for such respective County, Riding, or Place; and where the Militia has been embodied, into the Hands of the Clerk or Clerks of the Regiments or Battalions, upon his or their producing his or their Warrant or Warrants of Appointment to such Office, under the Hand and Seal of the Colonel, or, where there is no Colonel, of the Commanding Officer of each Regiment or Battalion respectively, notwithstanding such Militia shall have been disembodied; and where the Militia shall be formed into an Independent Company, or Independent Companies, such Sums as aforesaid shall be paid by the said Receiver or Receivers-general of the Land-tax, into the Hands of the respective Captain of each Independent Company of Militia, or to such Person as such respective Captain shall authorise to receive the same, according to the Number of Persons hereby intitled to receive Pay and Cloathing, of which such Regiment or Regiments, Battalion or Battalions, Independent Company or Independent Companies, shall have been appointed to consist, according to the Establishment laid down in an Act passed in the Second Year of the Reign of his present

The Money is to be paid by the Receiver-general to the Clerk of the Regiment or Battalion (except the Allowances to the Clerks of the Meetings) upon producing the Warrant of his Appointment;

and for Independent Companies, to the respective Captains, or to their Order;

according to the Establishment laid down in the Militia Act of 2 Geo. III.

present Majesty, intituled, An Act to explain, amend, and reduce into One Act of Parliament the several Laws now in being relating to the Raising and Training the Militia within that Part of *Great Britain* called *England*; and such Receiver or Receivers-general of the Land-tax shall also, within Fourteen Days after the Expiration of the Third Calendar Month from the Time of the said First Payment, make a Second Payment for Four Calendar Months in Advance; and shall also, within Fourteen Days after the Expiration of the Three Calendar Months from the Time of the said Second Payment, make a Third Payment for Four Calendar Months in Advance, for the Pay and contingent Expences of the Militia, and for the Allowances to the Regimental or Battalion Clerk or Clerks aforesaid, in the Proportions herein before-mentioned; and the Receipts of such Clerk or Clerks, and of such Captain of an Independent Company, or Captains of Independent Companies, or of such Person or Persons as such Captain or Captains shall so authorise to receive such Money as aforesaid, 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.

A Second Payment is also to be made within 3 Months after the First; and a Third within Three Months after the Second.

Receipts of the Persons to whom the Money shall be so paid, discharge the Receivers-general.

And be it enacted, That the Clerk of each Regiment or 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 of such Regiment or Battalion respectively; and to the Captain or Officer commanding each Company belonging to such Regiment or Battalion, Two Months Pay in Advance for the Serjeants and Drummers; and also to the Officer commanding the Company to which the Serjeant-major and Drum-major shall belong, Two Months Pay in Advance for such Serjeant and Drum-major; and so from Time to Time as long as any Money on that Account shall remain in his Hands: Which Pay every such Captain or Officer commanding is hereby required to distribute to such Person belonging to his Company, by this Act intitled to receive the same, as it shall become due; and the Captain of each Independent Company is hereby required to distribute to each Person belonging to his Company intitled thereto, such Money as he shall receive for Pay of his Company by virtue of this Act; and such Captain

The Regimental and Battalion Clerks are to pay in Advance One Month's Pay to the Adjutant; and Two Months Pay to each Captain for the Serjeants and Drummers; and for the Serjeant-major and Drum-major Two Months Pay to be paid to the Commanding Officer of the Company to which they belong:

Captains to distribute the Pay accordingly;

tain or Officer commanding shall, Once in every Year, give in to the Clerk of the Regiment or Battalion to which such Company shall belong, or, if Captain of an Independent Company, to the Receiver-general, an Account of the several Payments he shall have made in pursuance of this Act, according to the following Form: and account for the same yearly to the Clerk; or Receiver-general if an Independent Company, according to the following Form;

County of.

		Per Contra	Cr.
To Cash received of Mr. Regimental or Battalion Clerk, or Receiver-general (*as the Case shall be*) for Two Months Pay in Advance. ——		Paid Serjeant for Days Pay from the of to the of following —— ——	
		Ditto as Serjeant Major (if One in the Company)	
		Paid Serjeant for Days Pay from the of to the of following —— ——	
		Paid Drummer Days at Sixpence, from the of to the of following ——	
		Ditto as Drum Major (if One in the Company)	
		Paid Drummer Days from the of to the of following	

And shall pay back to the said Clerk, or to the Receiver-general, as the Case shall be, the Surplus (if any) of the Money by him from Time to Time received, and then remaining in his Hands. and pay back the Surplus Monies in his Hands.

Provided always, and be it hereby further enacted, That in case the Commanding Officer of any Regiment, Battalion, or Independent Company of Militia, shall certify, in Writing, to the Clerk of the same, that he hath discharged any Serjeant or Drummer as unfit for the Service; that in such Case, no Pay be issued for the Person so discharged, until another be duly appointed by him; and that no Payment be made to any Serjeant or Drummer who hath been so discharged, or who has not previously been approved of by the Commanding Officer, in case of Vacancy by Death, or otherwise. On Discharge of Serjeants or Drummers as unfit for Service, no Pay to be issued till others are appointed; nor any Payment made to such as are discharged, or who have not been approved by the Commanding Officer.

And be it enacted, That the Clerk of each Regiment or Battalion of Militia, out of the Money hereby directed to be issued and paid to him for defraying the contingent Expences of each Regiment or Battalion, shall, yearly and every Year, pay to the Colonel or Officer commanding such Regiment or Battalion, One Penny The Clerks are likewise to pay out of the Sums allowed for contingent Expences, 1 *d.* *per* Man for Hospital Charges;

Penny a Month for each Private Man and Drummer, for defraying the Hospital Expences of each respective Company of such Regiment or Battalion during the Time of the Men's being absent from Home, upon account of their Annual Exercise; and shall, from Time to Time, issue out and pay such Sums of Money as may be necessary for the Repair of Arms, and the Carriage and Removal thereof, upon an Order in Writing signed by the Colonel or Officer commanding such Regiment or Battalion; and apply, dispose of, and pay, the Residue of such Money, for the general Use and Benefit of each such respective Regiment or Battalion, in such Manner as the Field Officers and Captains thereof, or the greater Part of them, shall direct; and shall, yearly and every Year, make up an Account of all such Money, and the Expenditure thereof, and deliver the same to the Colonel or Officer commanding such Regiment or Battalion, to be by him examined, allowed, and signed; which Account so allowed and signed shall be, and it is hereby directed to be, the proper Voucher and Acquittal of such Clerk, for the Application and Disposal of such Money.

and the Sums necessary for the Repair of Arms, and Carriage thereof.

Residue to be applied for the Benefit of the Regiment, &c. as the Field Officers and Captains shall direct.

Account of the said Sums to be made up yearly, &c.

And be it enacted, That the Money hereby directed to be issued for the contingent Expences of each Independent Company of Militia, shall be, in like Manner, applied to the particular Use of such respective Independent Company by the Captain thereof; and shall, yearly and every Year, be in like Manner accounted for to the Receiver-general of the Land-tax of the County or Place to which such Independent Company shall belong; whose Allowance of such Account shall, in like Manner, be the proper Voucher for the Expenditure and Disposition thereof.

Money allowed for contingent Expences of Independent Companies to be applied, and accounted for, by the Captains.

And be it further enacted by the Authority aforesaid, That the Officer commanding every Regiment, Battalion, or Independent Company of Militia, which shall be raised and trained pursuant to the Laws now in Force, shall, and they are hereby respectively required, from Time to Time, within Thirty Days after the Exercising of every such Regiment, Battalion, or Independent Company shall be finished, pursuant to the Directions of the Laws now in being in that Respect, transmit to the proper Auditor of His Majesty's Court of Exchequer a compleat Return, signed by such Officer commanding, of the several Officers, Non-commissioned Officers, and Private Men, who were actually inrolled, and did serve

Commanding Officers to transmit to the Court of *Exchequer* Returns of the Officers and Private Men inrolled, and serving at the Annual Exercise.

in every such Regiment, Battalion, or Independent Company, at the Time the same were so exercised as aforesaid, in like Manner and Form as is required to be made to One of His Majesty's Principal Secretaries of State.

Clerk to retain Money in his Hands for his own Salary.

And be it enacted, That the said Regimental or Battalion Clerk may and shall retain to his own Use, out of the Money so by him received, such further Sums as shall complete the Allowance herein before made for his Salary.

When the Ld. Lieuts. or Deputies shall have fixed the Days of Exercise,

they are to certify the same to the Receiver-general, specifying the Number of Men, and Days they shall be absent from Home.

Receiver-general to issue thereupon Pay for Officers and Men to the Regimental Clerk, &c.

And be it further enacted, That whenever His Majesty's Lieutenant, or any Three or more Deputy-lieutenants of any County, Riding, or Place, shall have fixed the Days of Exercise for the Militia, he or they shall, as soon as may be, certify the same to the Receiver-general of such County, Riding, or Place, specifying the Number of Men, and the Number of Days such Men are to be absent from Home on account of such Exercise; and such Receiver-general is hereby required, within Fourteen Days after the Receipt of such Certificate, to issue and pay to the Clerk of the several Regiments or Battalions, at the Rate of Seven Shillings and Sixpence per Day for the Captain of each Company, and at the Rate of Three Shillings and Sixpence per Day for each Lieutenant, and of Three Shillings per Day for each Ensign; and also at the Rate of One Shilling per Day for each private Militia-man, with the Addition of Sixpence per Day for each Corporal of the Militia, so to be called out to Exercise, for the Number of Days such Officers and Men shall be absent from Home on account of such Exercise; and in such Counties where there shall be Independent Companies only, the Receiver-general of each such respective County shall issue and pay to the Captains of the Independent Companies at the Rate of Seven Shillings and Sixpence per Day for each Captain, Three Shillings and Sixpence per Day for each Lieutenant, and Three Shillings per Day for each Ensign; and also at the Rate of One Shilling per Day for each private Militia-man, with the Addition of Sixpence per Day for each Corporal of the Militia, so to be called out to Exercise, for the Number of Days such Officers and Men shall be absent from Home on account of such Exercise; and the said Regimental or Battalion Clerks are hereby required forthwith to pay to each Captain of the said Regiments or Battalions the

Where there shall be Independent Companies only, the Receiver-general is to issue Pay to the Captains, according to the Rate here set down.

Clerk to pay over the Money to the respective Captains.

Proportion of Pay belonging to each Captain, and likewise the Pay belonging to their respective Companies.

Captains to make up their Account according to the following Form;

And be it further enacted, That the Captain of each Company shall make up an Account of all Monies received and paid by him on account of such Exercise, according to the following Form:

County of Dr.		*Per Contra* Cr.	
To Cash received of the Regimental or Battalion Clerk, or Receiver General *(as the Case shall be)* for Days Pay of Men		By my Pay as Captain Paid Lieutenant Paid Ensign Paid Militia Men Days Paid additional Pay to Corporals Days	

to be signed by them, and countersigned by the Commanding Officer, and delivered, with the Balance, to the Clerk, or Receiver-general.

Which Account shall be signed by the said Captain, and countersigned by the Commanding Officer; and such Captain shall, within Ten Days after the Time such Exercise is finished, deliver such Account, and pay the Balance, if there be any due, to the Regimental or Battalion Clerk; or, if Captain of an Independent Company, to the Receiver-general: And such Accounts shall be allowed as sufficient Vouchers in the passing of the Accounts of such Receiver-general, at the Receipt of His Majesty's Exchequer.

Accounts allowed sufficient Vouchers.

During the Time the Troops are embodied, and called out into actual Service, and receive Pay as the King's other Forces, all Pay and Allowances from the Receivers-general is to cease.

Provided always, and be it enacted, That where any Regiment, Battalion, or Independent Company of Militia, is or shall be embodied, and called out into actual Service, and thereby the Officers and Private Militia-men are or shall be intitled to the same Pay as the Officers and Private Men in His Majesty's other Regiments of Foot receive, all Pay from the Receiver or Receivers-general of the Land-tax for the County, Riding, or Place, to which such Regiment, Battalion, or Independent Company of Militia shall belong, whether to the Adjutants, Serjeants, Private Militia Men, or others; and all Money allowed as aforesaid for the contingent Expences of such Regiment, Battalion, or Independent Company of Militia; and also the Allowance to the Clerk of such Regiment or Battalion, shall, during such Time of actual Service, and until such Regiment, Battalion, or Independant Company shall be disembodied, and return Home, cease, and not be paid.

And

And be it enacted, That the said Receiver or Receivers of the Land-tax shall pay to the Clerk of the General Meetings his Allowance, at the Rate of Five Pounds and 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 of the Clerks of the Subdivision Meetings their several Allowances, at the Rate of One Pound and 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 or Orders 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.

Receivers-general to pay the Allowances to Clerks of the General Meetings, and to the Clerks of the Subdivision Meetings, upon producing Orders from the Lieutenant or Deputy-lieutenants;

which Orders to be a Discharge to Receivers-general.

Provided always, and be it enacted, That the Clerk of each Regiment or Battalion of Militia shall give Security to the Receiver or Receivers-general of the Land-tax of the County, Riding, or Place, to which such Regiment or 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 Regiment or Battalion of Militia to which such Clerk shall belong, for duly answering and paying such Sums as he shall, from Time to Time, have 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 Regimental or Battalion Clerk shall not duly perform the Conditions comprised 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, in case Judgement shall be given against such Regimental or Battalion Clerk, shall be paid by him 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,

Regimental and Battalion Clerks to give Security for paying and accounting for the Monies received by them;

the Bonds to be lodged with the Receivers-general, and put in Suit by them on Non-performance of the Conditions;

and they are intitled thereupon to Full Costs and Charges,

and 5 *l. per Cent.* of the Money recovered;

the Residue to be accounted for to the Auditor.

with, upon the next Account of the Land-tax to be by him or them paſſed.

The Regimental and Battalion Clerks, and Captains of Independent Companies, are to deliver in Accounts of their Receipts and Diſburſements,

And be it enacted, That the Clerk of every Regiment or Battalion of Militia, and the Captain of every Independent Company 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-fourth Day of June, One thouſand ſeven hundred and ſeventy-one, deliver to the Receiver or Receivers-general of the Land-tax for the County, Riding, or Place, to which ſuch Regiment, Battalion, or Independent Company 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 Monies that ſhall then be in his Hands; which ſaid Accounts, ſigned by ſuch Regimental or Battalion Clerk, or by ſuch Captain of an Independent Company 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.

and pay over the Balance to the Receivers-general;

who are to tranſmit the Accounts into the Auditor's Office.

And whereas, by an Act made in the laſt Seſſion of this preſent Parliament, intituled, An Act for defraying the Charge of the Pay and Cloathing of the Militia in that Part of *Great Britain* called *England*, for One Year, beginning the Twenty-fifth Day of *March*, One thouſand ſeven hundred and ſeventy, it is enacted, (amongſt other Things) That in every County, Riding, or Place, within that Part of Great Britain called England, where the Militia was or ſhould be raiſed, the Receiver or Receivers-general of the Land-tax for ſuch County, Riding, or Place reſpectively, ſhall iſſue and pay the whole Sums required, in the Manner and for the ſeveral Uſes therein mentioned; and that the Receipts of the Clerk or Clerks of the Regiments or Battalions of Militia belonging to ſuch County, Riding, or Place, and of ſuch Captain of an Independent Company, or Captains of Independent Companies, or of ſuch Perſon or Perſons as ſuch Captain or Captains ſhall authoriſe to receive ſuch Money as aforeſaid, ſhall be a ſufficient Diſcharge to ſuch Receiver or Receivers-general of the Land-tax for the ſeveral Sums of Mo-

ney so by him or them paid; and also that the Accounts of all Monies received and paid by the Captain of each Company being made up, signed, and the Balance paid in the Form and Manner therein particularly directed, shall be allowed as sufficient Vouchers in the passing of the Accounts of such Receiver-general, at the Receipt of His Majesty's Exchequer.

No Account of any Receiver, &c. of the Land-tax, for Monies issued, to be stopped in the Court of *Exchequer*; but the Receipts of the Clerks of the several Regiments for Officers Pay to be allowed as sufficient Vouchers.

And whereas Doubts have arisen whether the passing of the Accounts of such Receiver or Receivers-general of the Land-tax ought not to be stayed in and by the Course of His Majesty's Court of Exchequer, in Cases where the Receipts produced for the Monies issued and paid by them to such Clerks of the several Regiments or Battalions, and to the Captains of the Independent Companies respectively, for and on Account of the Pay of the respective Officers of such Regiments, Battalions, or Companies, do not correspond with the Return in and by the said recited Act required to be made and transmitted to the proper Auditors of His Majesty's said Court of Exchequer, of the several Officers, Non-commissioned Officers, and Private Men, who were actually inrolled and did serve in every such Regiment, Battalion, or Independent Company, in like Manner and Form as is required to be made to One of His Majesty's principal Secretaries of State; be it therefore enacted and declared by the Authority aforesaid, That no Accounts of such Receiver or Receivers-general of Land-tax shall or may be stopped or delayed in the said Court of Exchequer for such Cause as aforesaid, but that the said Receipts of such Clerks of the several Regiments or Battalions of Militia, and of such Captains of the Independent Companies, or Persons authorised by them, as aforesaid, for or on account of the Pay of such Officers respectively, issued and paid by such Receivers as aforesaid, are and shall be allowed as sufficient Vouchers in the passing of the Accounts of such Receiver-general, at the Receipt of His Majesty's Exchequer, and the same shall be passed accordingly, without Delay.

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 at Law, or Protection, or more than One Imparlance, shall be allowed.

No Fee payable for any Warrant or Sum of Money issued in pursuance of this Act.

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.

Officers on Half-pay serving in the Militia may receive the Subsistence-money payable to Lieutenants or Ensigns,

Provided always, and be it enacted, That any Person being on Half-pay, or being intitled to any Allowance, as having served in any of either of the Two Troops of Horse Guards, or Regiment of Horse reduced, and serving in the Militia, shall and may, and he is hereby impowered to receive and take the Subsistence-money by this Act directed to be paid to Captains, Lieutenants, or Ensigns; and the receiving and taking such Subsistence-money by any such Captain, Lieutenant, or Ensign, shall not be deemed a receiving or taking Pay, so as in any Manner to prevent such Person on Half-pay, or being intitled to any such Allowance, from receiving his Half-pay, or such Allowance; and such Person shall take the following Oath before some Justice of the Peace, who is hereby impowered to administer the same;

they taking the following Oath before a Justice.

The Oath.

I A B do swear, That I had not, between the any Place or Employment of Profit, Civil or Military, under His Majesty, besides my Allowance of Half-pay as a reduced late Regiment of or Allowance as in late Troop of Horse Guards, or Regiment of Horse reduced) save and except my Subsistence as a Lieutenant or Ensign (*as the Case may be*), for serving in the Militia of the County of

And the taking the said Oath shall be sufficient to intitle such Person to receive his Half-pay, or the said Allowance, without taking any other Oath; any Law, Usage, or Custom, to the Contrary thereof notwithstanding.

Receiver-general, upon receiving a Warrant from the Commanding Officer,

And be it further enacted by the Authority aforesaid, That the Receiver-general of the Land-tax, so soon as he shall receive a Warrant under the Hand of the Colonel or Commanding Officer of their respective Regiments or Battalions, certifying the Receipt of the

Cloathing,

Cloathing, and an Order from the said Colonel or Commanding Officer for the Money due on account of the same, payable to the Person or Persons who furnished the said Cloathing, shall pay the Sum mentioned in such Order to the Person intitled to receive the same; and such Warrant and Order, together with the Receipt of the Person receiving the said Money, shall be a sufficient Discharge to such Receiver-general.

certifying the Receipt of the Cloathing and an Order for Payment, is to pay the same accordingly.

And be it further enacted by the Authority aforesaid, That in case any Regiment, Battalion, or Independent Company, shall cease and determine during the Continuance of this Act, the Sum of Three Shillings per Diem shall be paid to such Person as has actually served as Adjutant to such Regiment, Battalion, or Independent Company, from the Time such Regiment, Battalion, or Independent Company, shall cease, to the Twenty-fifth Day of March, One thousand seven hundred and seventy-two.

If any Regiment, &c. shall cease, 3 s. *per Diem* is to be paid to the Adjutant from such Time to 25 *March*, 1772.

And whereas by an Act made in the Ninth Year of His present Majesty, intituled, An Act for explaining, amending, and continuing an Act made in the Second Year of His present Majesty, intituled, *An Act to explain, amend, and reduce into One Act of Parliament, the several Laws now in being, relating to the raising and training the Militia within that Part of Great Britain called England*; it is, amongst other Things, enacted, That His Majesty's Lieutenant, or the Deputy-lieutenants for every County or Place within that Part of Great Britain called England, where the Militia has been or shall be raised, shall yearly, and every Year, on or before the Twenty-fifth Day of December, certify to the Clerk of the Peace of every County or Place respectively, that the Militia of such County or Place hath been raised, and when, and at what Time, the same was first raised, the Names, Number, and Rank of Officers, and the Number of Private Men of the Militia in the Year when such Certificate is made, and the respective Times of such Militia being trained and exercised in the Year in which such Certificate is made; which Certificate shall, by the Clerk of the Peace who shall receive the same, be delivered to the Justices of the Peace at their General Quarter-sessions, to be held next after the Twenty-fifth Day of December in every Year, or the Day on which such Sessions shall be opened, and shall file the same amongst the Records of such Sessions, so that the true State of the Militia in each County may appear:

His Majesty's Lieutenant, or Deputies, shall, yearly, before 25 *December*, certify to the Clerks of Peace that such Militia hath been raised.

Certificate to be delivered to the Justices, at their General Quarter-sessions,

and filed among the Records.

And

Counties, where Militia shall not be raised, to pay 5 *l.* for each Militia-man.

Lieutenant, *&c.* making Default in Certificates for any County, Justices to assess such County in 5 *l. per* Man;

to be levied as County Rates by Act 12 *Geo.* II.

And it is further enacted, That in all Counties and Places where the Militia shall not be raised the Sum of Five Pounds, shall be annually paid for and in lieu of every Private Militia-man, directed to be raised within the same; and that in every County and Place where no such Certificate shall be made by His Majesty's Lieutenant, or the Deputy-lieutenants, in Manner herein before directed, and the same shall be certified by the Clerk of the Peace, the Justices of the Peace of every such County and Place shall, and they are hereby required, at their said General Quarter-sessions of the Peace, to be held next after the Twenty-fifth Day of December in every Year, to rate and assess the Sum of Five Pounds per Man upon such County and Place, in such and the same Manner, and according to such and the same Proportions, upon every Town, Parish, and Place, within each respective County and Place; and to be levied, collected, received, and paid, and to be accounted for in such Manner, and by such Means, with such Powers of Distress and other Remedies for enforcing the Collection and Payment thereof, and for punishing all Persons whose Duty it shall be to collect or account for the same, and shall make Default therein, as the County Rates have been usually, or may by an Act made in the Twelfth Year of the Reign of His late Majesty, intituled, An Act for the easy assessing, collecting, and levying of County Rates, or by any other Act or Acts of Parliament, be assessed, collected, received, levied, paid, and accounted for, within the said County.

And whereas, in pursuance of the several Acts of Parliament for raising the Militia of Great Britain, the Governor of the Isle of Wight did duly appoint Deputy-lieutenants, for putting the same into Execution within the same Island: And whereas in the Year One thousand seven hundred and seventy, a Majority of Officers were also appointed, and many other Steps were taken for raising the Militia of the said Island: And whereas in January last the Militia-men of the said Island were sworn in and inrolled, notwithstanding which the said Militia was not so complete as to enable the Governor of the said Island to certify to the Clerk of the Peace, at the General Quarter-sessions of the Peace for the County of Southampton, held next after the Twenty-fifth Day of December, in the Year One thousand seven hundred and seventy, so that such Certificate might be filed amongst the Records of such Sessions,

sions, as by the said Act of his present Majesty is directed and required: And whereas by such Certificate not being filed in due Time, the Landholders of the said Island may be liable to pay Five Pounds per Man for every private Militia-man directed to be raised within the said Island: And whereas the Militia of the said Island is now complete as prescribed by the said Acts, and is now ready to be called out, trained, and exercised; be it enacted by the Authority aforesaid, That the Landholders of the said Island shall be, and they are hereby indemnified from the said Payment of Five Pounds per Man, which may have been incurred by the Militia of the said Island not having been so completely raised, trained, and exercised, as to have enabled the Governor of the same to have sent the Certificate above required, to be filed in due Time at the General Quarter-sessions of the Peace for the County of Southampton, held next after the Twenty-fifth Day of December, in the Year One thousand seven hundred and seventy; and nothing in the said Act of the Ninth of his present Majesty, or in any other Act made for raising and training the Militia in that Part of Great Britain called England, shall extend, or be construed to extend, to subject the said Landholders of the said Island to the Payment of the said Five Pounds per Man, which may have been incurred by the Certificate as above required not being in due Time filed at the General Quarter-sessions.

Landholders of the *Isle of Wight* indemnified from the Payment of 5 *l. per* Man.

And whereas it is proper that Officers should be appointed to such Companies of the Militia of any County, Riding, or Place, as are raised in those Districts near which such Officers do respectively reside, be it hereby enacted, That when the Command of Companies, or other Commissions, do become vacant by Resignation, or otherwise, the Lieutenant of such County, Riding, or Place, shall make such a Distribution of Officers to the respective Companies as he shall judge most fit and proper as aforesaid.

Commissions becoming vacant, Lieutenant to make Distribution as he shall judge proper.

And whereas Doubts have been conceived whether any Militia-man who hath been inrolled in a different Hundred, Rape, Wapentake, Division, or Place, of the same County from that in which he is bound to serve for himself, or as a Substitute, could be compelled to serve as such within the Provisions of the Acts now in Force for raising the Militia of this Kingdom; be it hereby declared and enacted, That

Militia-men inrolled in different Hundreds, &c. from that in which they were bound to serve, considered as legal Inrolments.

such Inrolment is a legal and valid Inrolment; and that every Man who hath taken the Oath required, and subscribed the County Roll in the Presence of One Deputy-lieutenant of the same County, and the Clerk of the General Meetings, or his Deputy, shall be deemed a Militia-man to all Intents and Purposes whatsoever, as if Three or more Deputy-lieutenants had been actually present at such Inrolment.

FINIS.