ANNO DECIMO TERTIO

Georgii III. Regis.

CAP. XXIII.

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-three.

WHEREAS it is neceſſary that Proviſion 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-three; 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, 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 Preamble.

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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;

the Land-tax of 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 Independant Company of Militia; One Penny whereof shall be applied for defraying the Hospital Expences of each Regiment, Battalion, or Independant 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 Five Shillings for each Meeting; and to the several Clerks of the Subdivision Meetings, at the Rate of One Pound 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 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 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

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

Where Pay has not been issued no Pay to be 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 Appointment 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 Independant Company or Independant 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 Independant Company of Militia, or to such Person as such respective Captain shall authorise to receive the same, according to the Number of Per-

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 Orders;

sons hereby intitled to receive Pay and Cloathing, of which such Regiment or Regiments, Battalion or Battalions, Independant Company or Independant 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 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 Independant Company, or Captains of Independant 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.

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

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 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

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:

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 Independant 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 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 Independant 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:

Captains to distribute the Pay accordingly;

and account for the same yearly to the Clerk; or Receiver-general if an Independant Company, according to the following Form;

County of	Dr.	*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 may 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 Independant 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

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.

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.

The Clerks are likewise to pay out of the Sums allowed for contingent Expences, 1 *d. per* Man for Hospital Charges;

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 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.*

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

And be it enacted, That the Money hereby directed to be issued for the contingent Expences of each Independant Company of Militia, shall be, in like Manner, applied to the particular Use of such respective Independant 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 Independant Company shall belong; whose Allowance

Allowance of such Account shall, in like Manner, be the proper Voucher for the Expenditure and Disposition thereof.

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 Countries where there shall be Independant Companies only, the Receiver-general of each such respective County shall issue and pay to the Captains of the Independant 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

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.

to pay to each Captain of the said Regiments or Battalions the 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 counterfigned by the Commanding Officer,

and delivered, with the Balance, to the Clerk,

or Receiver-general.

Accounts allowed sufficient Vouchers.

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 Independant Company, to the Receiver-general: And such Accounts shall be allowed as sufficient Vouchers in the passing of the Accounts of such Receiver-general, by the proper Auditor of his Majesty's Court of Exchequer.

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 Independant 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 Independant 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 Independant

Independant 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.

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;

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 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 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.

which Orders to be a Discharge to Receivers-general.

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

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,

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;

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

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

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 Residue to be accounted for to the Auditor.

And be it enacted, That the Clerk of every Regiment or Battalion of Militia, and the Captain of every Independant 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-three, deliver to the Receiver or Receivers General of the Land-tax for the County, Riding, or Place, to which such Regiment, Battalion, or Independant 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 Independant 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.

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

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

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 Captains, 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 or 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 in late Regiment of (or Allowance as in late Troop of Horſe Guards, or Regiment of Horſe reduced) ſave and except my Subſiſtence as a Captain 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,

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

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.

If any Regiment, &c. shall cease, 3 s. *per Diem* is to be paid to the Adjutant from such Time to 25 *March*, 1773.

And be it further enacted by the Authority aforesaid, That in case any Regiment, Battalion, or Independant 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 Independant Company, from the Time such Regiment, Battalion, or Independant Company, shall cease, to the Twenty-fifth Day of March, One thousand seven hundred and seventy-four.

Militia in any County, &c. being a Company of Light Infantry, His Majesty's Lieutenant impowered to appoint a Captain and Two Lieutenants.

And be it further enacted, That it shall and may be lawful to and for His Majesty's Lieutenant of any County, Riding, or Place, wherein the Regiment or Battalion of Militia belonging to any such County, Riding, or Place, there now is or hereafter shall be, a Company of Light Infantry, to appoint a Captain and Two Lieutenants to such Company; any Restriction in any former Act relating to the Militia, to the Contrary notwithstanding.

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FINIS.