Anno ſecundo

Georgii III. Regis.

CAP. XXXV.

An Act for applying the Money granted in this Seſſion of Parliament, towards defraying the Charge of the Pay of the Militia of that Part of *Great Britain* called *England*, when unembodied, and of the Cloathing of the Part of the ſaid Militia now unembodied, for One Year, beginning the Twenty fifth Day of *March*, One thouſand ſeven hundred and ſixty two.



WHEREAS the Sum of Twenty thouſand Pounds has been granted to His Majeſty, upon Account, towards defraying the Charge of Pay and Cloathing for the unembodied Militia, for One Year, from the Twenty fifth Day of March, One thouſand ſeven hundred and ſixty two: In order therefore that the Charge of Pay and Cloathing for ſuch 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 Preamble.

Where the Militia is or shall be raised, but not embodied, the Receiver General of the County is to issue 4 Months Pay in Advance, according to the Establishment of Pay here set down;

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, and is or shall be not embodied, the Receiver or Receivers General of the Land Tax of such County, Riding, or Place respectively, shall, during the Time that such Militia shall continue not embodied, 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 Six Pence a Week for each Serjeant Major, where a Serjeant Major is appointed; and at the Rate of Six Pence a Day for each Drummer, with the Addition of Six Pence a Day for each Drum Major, where a Drum Major is appointed; and also at the Rate of Five Pence a Month for each Private Man and Drummer, for defraying the contingent Expences of each Regiment, Battalion, or Independent Company of Militia; 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 already been cloathed, or 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.

The above Sums are not to be paid, if Pay has not before been issued, till the Ld. Lieut. or Deputies shall have certified to the Treasury and Receivers General

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

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 Inrolment of 3 Fifths of the Men and Officers.

And be it enacted, That all such Sums of Money 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 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 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 authorize 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; 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 Third Calendar Month 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 authorize 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.

The Money is to be issued by the Receivers 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;

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

The Regimental and Battalion Clerks are to pay in Advance One Month's Pay

to the Adjutant; and 2 Months Pay to each Captain, for the Serjeants, Drummers, and contingent Expences of the said Company; and for the Serjeant-major and Drum-major; and to the Commanding Officer of the Company to which they belong:

be paid, One Calendar Month's Pay in Advance to the Adjutant of such Regiment or Battalion respectively; and to the Captain or Commanding Officer of each Company belonging to such Regiment or Battalion, Two Months Pay in Advance for the Serjeants, Drummers, and the contingent Expences of his respective Company; and also to the Commanding Officer of 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, so long as any Money on that Account shall remain in his Hands: Which Pay every such 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 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:

Captains to distribute the Pay accordingly, and account for the same yearly to the Clerk or Receiver General, if an Independent Company, according to the following Form;

County of

Dr.	£.	s.	d.	Per Contra	Cr.	£.	s.	d.
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 6*d.* 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				
				Two Months Contingencies for Men and Two Drummers at 5*d.* per Month each				

and pay back the Surplus Monies in his Hands, except the contingent Expences, which is to be accounted for,

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, except the Money by this Act allowed for contingent Expences, which shall Once in every Year be accounted for by the Captain of each Company respectively, in Manner aforesaid, and the Balance

thereof

thereof shall be by him paid into the Hands of the Clerk of the Regiment or Battalion to which such Company shall belong, to be applied to the general Use of the said Regiment or Battalion, as the Field Officers and Captains thereof, or the greater Part of them, shall, at a General Meeting, direct; 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 by virtue of this Act; and the said Money allowed for the contingent Expences of each Independent Company of Militia shall be respectively applied to the particular Use of such Independent Company by the Captain thereof.

and applied to the general Use of the Regiment.

Captains of Independent Companies to distribute the Pay to their Men, and apply the Money allowed for contingent Expences.

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; and such Regimental or Battalion Clerk shall pay to such Person or Persons as shall produce an Order from His Majesty's Lieutenant, or from the Commanding Officer of such Regiment or Battalion, such Sums of Money as shall be due and owing for or on account of the Cloathing of the said Regiments or Battalions, not exceeding the Rates herein before mentioned.

Clerk to retain Money in his Hands for his own Salary, and discharge the Cloathing Bills.

And be it further enacted by the Authority aforesaid, That whenever His Majesty's Lieutenant together with Two or more Deputy Lieutenants, and on the Death or Removal, or in the Absence, of His Majesty's Lieutenant, 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, or to the Captains of the Independent Companies, as the Case shall be, at the Rate of One Shilling per Day for each Private Militia Man, with the Addition of Six Pence per Day for each Corporal of the Militia, so to be called out to Exercise, for the Number of Days such Militia 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

When the Lord Lieutenant and 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 the Men to the Regimental Clerks, &c.

who is to pay over the same to the respective Captains.

or

Battalions the Proportion of Pay belonging to their respective Companies.

Captains to make Field Returns to the Commanding Officer, and keep Accompt of every Day's Exercise, to be examined and compared with the Return.

And be it further enacted, That during the Time of such Exercise as aforesaid, the Captains of every Company shall make a Field Return, to be delivered to the Commanding Officer, and likewise keep an Account of every Day's Exercise; which Account shall, at the End of the Time of Exercise, be examined by the Commanding Officer, and compared with the said Return.

Captains to make up their Accounts 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.	£.	s.	d.	Per Contra	Cr.	£.	s.	d.
To Cash received of Regimental or Battalion Clerk, or Receiver General, as the Case shall be, for Days Pay of Men				Paid Militia Men at Exercise Days Paid paid ditto for Days to Corporals				

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 of such Exercise, deliver such Account, and pay the Ballance, if any there be 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.

to be signed by them, and countersigned by the Commanding Officer,

and delivered with the Ballance, to the Clerk, or Receiver General.

Accounts allowed sufficient Vouchers.

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 Adjutant, 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 Independent Company shall be disembodied, and

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

and returned Home by Order of their Commanding Officers, cease, and not be paid.

The Clerk of the General Meetings is to be paid his Allowance, upon producing an Order from the Ld. Lieut. or 3 Deputies;

and the Clerks of the Subdivision Meetings upon producing a like Order from 3 D. Lieut.

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 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.

Orders to discharge Receivers General.

Regimental and Battalion Clerks 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 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, 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

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

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.

himself or themselves therewith 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, in the Year One thousand seven hundred and sixty three, 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.

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, or more than One Imparlance, shall be allowed.

No Fee payable for an 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.

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FINIS.