ANNO TRICESIMO OCTAVO

GEORGII III. REGIS.

****

C A P. LV.

An Act for augmenting the Number of Field Officers, and other Officers of Militia; and for making other Provisions concerning the Militia Forces of this Kingdom. [21ft *June* 1798.]

Preamble.

WHEREAS the Militia Forces of this Kingdom having been confiderably augmented during the prefent War, it is expedient that the Number of Field Officers, and other Officers for the Command of the feveral Regiments, Battalions, and Companies, of which fuch Militia may confift, fhould be increafed as the Exigency of the Service may require; may it therefore pleafe Your Majefty that it may be enacted; and be it enacted by the King's moft Excellent Majefty, by and with the Advice and Confent of the Lords Spiritual and Temporal, and Commons, in this prefent Parliament affembled, and by the Authority of the fame, That it fhall be lawful for His Majefty, by any Order fignified by His Majefty's Secretary of State, at any Time during the prefent War, to direct the Number of Officers in any Regiment or Battalion in actual Service, to be augmented by the Appointment of fuch Officers, and of fuch Rank refpectively as the Exigency of the Service may require, and alfo to direct proper Officers to be appointed to any additional Companies; and the Lieutenants, and alfo the Deputy Lieutenants authorized to act in the Stead of the Lieutenants upon the Vacancy of the Office or Abfence of the Lieutenant of the feveral Counties, Ridings, and Places, in that Part of *Great Bri-*

His Majefty may direct the Number of Field and other Officers in any Regiment, *&c.* to be augmented,

tain called *England*, ſhall proceed forthwith in purſuance of His Majeſty's Orders, to do all ſuch Acts as ſhall be neceſſary for the Purpoſe of making ſuch Augmentation of Field Officers and other Officers as aforeſaid; and the Perſons who ſhall be ſo appointed Field Officers and other Officers of any Regiment or Battalion of Militia, in purſuance of this Act, ſhall be entitled to ſuch Pay during Service, and to all other Emoluments and Advantages, as the Field Officers and other Officers of Militia now appointed of the ſame Rank reſpectively are by Law entitled unto; any Thing in any Act contained to the contrary thereof notwithſtanding.

Who ſhall be entitled to ſuch Pay, &c. as thoſe already appointed.

II. And be it further enacted, That any Militia Officer of any Militia Regiment, Battalion, or Independent Company, who may have accepted, or ſhall, during the Continuance of the preſent War, accept, a Commiſſion or Appointment of the ſame Rank in any other Militia Regiment, Battalion, or Independent Company, ſhall continue to rank in the general Service according to the Date of his Firſt Commiſſion or Appointment in the Militia.

Any Militia Officer accepting a Commiſſion of the ſame Rank in another Regiment, to rank according to the Date of his Firſt Commiſſion.

III. And be it further enacted, That whenever it ſhall be judged expedient to reduce the Number of Field Officers, or of other Officers, in any Regiment or Battalion of Militia, the Reduction of Officers ſhall take place from the Youngeſt of each Rank reſpectively; and that in caſe any Officer, being duly qualified according to the Act paſſed in the Twenty-ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act to amend, and reduce into One Act of Parliament, the Laws relating to the Militia in that Part of* Great Britain *called* England, ſhall be ſo reduced, ſuch Officer ſhall, notwithſtanding ſuch Reduction, be competent to ſucceed to any Vacancy which may occur in ſuch Regiment or Battalion of Militia, of an equal Rank with that which ſuch Officer filled at the Time ſuch Reduction took place.

When a Reduction is to be made of the Officers in any Regiment, it ſhall take place from the Youngeſt of each Rank, &c.

IV. Be it alſo, and it is hereby enacted, That in all Caſes where it may be found neceſſary to appoint a Second Adjutant to any Regiment of Militia, it ſhall be lawful for the Lieutenant of the County, Riding, or Place, to grant to ſuch Second Adjutant, unleſs His Majeſty ſhall diſapprove the ſame, the Rank of Lieutenant by Brevet; or if he ſhall have ſerved in His Majeſty's other Forces, any Rank which he may have held therein, not exceeding that of Captain Lieutenant by Brevet alſo.

Where a Second Adjutant is appointed to any Regiment, a certain Brevet Rank alſo to be given him.

V. And be it further enacted, That if any Perſon enrolled in the Supplementary Militia for any County, Riding, or Place, in purſuance of Two Acts paſſed in the Thirty-ſeventh Year of the Reign of His preſent Majeſty, or either of them, ſhall have enliſted in any Regiment of His Majeſty's other Forces, or ſhall have entered into any of His Majeſty's Ships of War, previous to the Fifteenth Day of *May* One thouſand ſeven hundred and ninety-eight, and ſhall be actually ſerving in ſuch Regiment or Ship of War, it ſhall be lawful for the Lieutenant of the County, Riding, or Place, where ſuch Perſon was ſo enrolled, or in his Abſence for any Three Deputy Lieutenants of ſuch County, Riding, or Place, and he and they is and are hereby required, on Proof of ſuch Enliſtment and Service, by the Certificate of the Colonel or Commanding Officer of the Regiment into which ſuch Perſon ſhall have enliſted

County Lieutenant, on Proof, by Certificate of the Commanding Officer, of Perſons enrolled in the Supplementary Militia having enliſted into the Army, or entered into the Navy, previous to *May* 15, 1798, to diſcharge ſuch Perſons from the Militia.

and ſhall be ſerving, or on Proof of ſuch Entrance and Service, by the Certificate of the Captain or Commanding Officer of the Ship in which ſuch Perſon ſhall have entered, and ſhall be ſerving, to diſcharge ſuch Perſon from the ſaid Supplementary Militia, and to cauſe the Name of ſuch Perſon to be ſtruck out of the Roll or Liſt of the Supplementary Militia ſerving for ſuch County, Riding, or Place; but nevertheleſs, the County, Riding, or Place, for which any Perſon ſo diſcharged was enrolled, ſhall not be obliged to ballot for any other Man in the Room of the Militia Man ſo diſcharged, and every Perſon ſo diſcharged ſhall be freed and exonerated from all Pains and Penalties incurred by reaſon of ſuch Enliſtment or entering into His Majeſty's Navy; any Statute to the contrary thereof notwithſtanding.

The County, &c. not obliged to ballot for the Men ſo diſcharged.

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