Anno ſexto

Georgii III. Regis.

CAP. XXX.

An Act for applying the Money granted in this Seſſion of Parliament, for defraying the Charge of the Pay and Cloathing of the Militia of that Part of *Great Britain* called *England*, for One Year, beginning the Twenty fifth Day of *March*, One thouſand ſeven hundred and ſixty ſix; and for explaining, amending, and rendering more effectual, ſeveral Acts of Parliament paſſed in the Second, Fourth, and Fifth Years of the Reign of His preſent Majeſty, relating to the raiſing and training the Militia within that Part of *Great Britain* called *England*.

WHEREAS the Sum of One hundred and fifty thouſand Pounds has been granted to His Majeſty, for defraying the Charge of the Pay and Cloathing for the Militia, for One Year, from the Twenty fifth Day of March, One thouſand ſeven hundred and ſixty ſix: 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 Preamble.

sent 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 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 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 Six Pence 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 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 been embodied, or having not been embodied, hath not been cloathed within Three Years, at the Rate of One Pound Ten Shillings for each Private Man.

Where the Militia is or shall be raised, the Receiver General of the County is to issue 4 Months Pay in Advance, according to the Establishment of Pay here set down;

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.

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Provided

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 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 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 Ld Lieut. or Deputies ſhall have certified to the Treaſury and Receivers General 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, 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 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, 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

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 Independant Companies, to the reſpective Captains, or to their Order;

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.

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 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.

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

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; Captain to pay for each Man 1 *d. per* Month out of the contingent Money, towards Charges of the Hospital; and for the Serjeant-major and Drum-major; to be paid to the Commanding Officer of the Company to which they belong: 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

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 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; out of which said contingent Money each Captain shall pay to the Commanding Officer of each Regiment or Battalion One Penny a Month for each Private Man and Drummer, for the defraying the Expences of the Hospital; 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 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:

County

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 Six Pence, 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 Six Pence *per* Month each			

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 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 direct; 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 by virtue of this Act; and the said Money allowed for the contingent Expences of each Independant Company of Militia, shall be respectively applied to the particular Use of such Independant Company, by the Captain thereof.

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

and applied to the general Use of the Regiment, &c.

Captains of Independant 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.

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

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,

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.

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 Six Pence per Day for the Captain of each Company, and at the Rate of Three Shillings and Six Pence 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 Six Pence 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 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 Six Pence per Day for each Captain, Three Shillings and Six Pence 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 Six Pence 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 the Proportion of Pay belonging 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.

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

Where there shall be Independant 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.

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		Paid Militia Men Days Paid additional Pay to Corporals Days	

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 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, at the Receipt of His Majesty's Exchequer.

to be signed by them, and countersigned by the Commanding Officer, and delivered, with the Balance, to the Clerk, or Receiver General. Accounts allowed sufficient Vouchers.

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

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.

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.

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 Dep. Lieutenants.

Orders to discharge Receivers General.

Provided always, and be it enacted, That the Clerk of each Regiment or Battalion of Militia, shall give

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

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 or themselves therewith, upon the next Account of the Land Tax to be by him or them passed.

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.

The Regimental and Battalion Clerks, and Captains of Independant 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 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 sixty six, 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

and pay over the Balance to the Receivers General;

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

Tax, into the Office of the proper Auditor of His Majeſty's Revenue.

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, 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 receiving his Half-pay; 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 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, without taking any other Oath; any Law, Uſage, or Cuſtom, to the contrary thereof notwithſtanding.

Within 30 Days after exerciſing any Regiment, &c. a Return is to be made by the Commanding Officer, to One of the Secretaries of State,

And be it further enacted by the Authority aforeſaid, That the Commanding Officers of every Regiment, Battalion, or Independant 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 Independant Company, ſhall be finiſhed, purſuant to the Directions of the Laws now in being in that Reſpect, tranſmit to

One

of the Officers and Men enrolled, and serving at the Time of such Exercise.

One of His Majesty's Principal Secretaries of State a compleat Return, signed by every such Commanding Officer, of the several Officers, Non-commissioned Officers, and Private Men, who were actually inrolled, and did serve, in every such Regiment, Battalion, or Independant Company, at the Time the same were so exercised as aforesaid, in Manner and Form following;

Return of a Regiment of Militia at Annual Exercise.

	Commissioned Officers							Staff Officers	Non Commissioned Officers			Private
	Colonel	Lieutenant Colonel	Major	Captains	Captain Lieutenant	Lieutenants	Ensigns	Adjutant	Serjeants	Corporals	Drummers	Private
Present												
Absent												
Wanting to compleat												

And whereas it sometimes happens, that Persons engaged to serve in the Militia, for a certain Time, do enlist in His Majesty's Regular Forces, whereby the Regiment, into which they enlist themselves, is defrauded of the enlisting Money, and other Inconveniencies ensue; to prevent the same more effectually for the future, be it therefore enacted, That from and after the Twenty fourth Day of June, One thousand seven hundred and sixty six, any Militia Man enlisting himself into any of His Majesty's other Forces shall, over above any Penalty or Punishment to which such Militia Man is now liable, be deemed to be legally enlisted; and shall, from the Day in which his Engagement to serve in the Militia shall end, belong, as a Soldier, to such Corps of his Majesty's other Forces into which he shall have enlisted during the Time that he was engaged to serve in the said Militia; and shall, till regularly discharged, be liable to all the Duties of a Soldier, and to all the Pains and Penalties

Militia Man enlisting into any of the King's other Forces, after compleating his Time of Service in the Militia, is to serve as a Soldier in the Corps into which he enlisted.

Penalties inflicted by the Act for puniſhing Mutiny and Deſertion, and the better Payment of the Army and its Quarters.

Receiver General upon receiving a Warrant from the Commanding Officer, 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 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, 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*, 1767.

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 ſixty ſeven.

Recital of Clauſes in Act 2 *Geo.* III.

And whereas by an Act made in the Second Year of his preſent Majeſty's Reign, 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 enacted, That in all Counties and Places where the Militia ſhall not have been raiſed in purſuance of the former Acts relating thereto, and where it ſhould not be raiſed in purſuance of the ſaid Act, the Sum of Five Pounds ſhould be annually paid, in lieu of every Private Man to be raiſed within the ſame; and his Majeſty's Lieutenant of every ſuch County, Riding, or Place, or Three or more Deputy Lieutenants, at the Expiration of every Year in which ſuch Militia ſhould not have been raiſed, from and after paſſing the ſaid Act, ſhould, from Year to Year, certify the ſame in Writing under his or their Hands, and alſo the whole Amount of the ſeveral Sums of Five Pounds per Man, to be raiſed on ſuch County, to the Juſtices at their General Quarter Seſſions next held after the End of the ſaid Year; and that the ſaid Juſtices ſhould thereupon forthwith rate and aſſeſs on ſuch County, Riding, or Place,

the Sums mentioned in ſuch Certificate; the ſame to be aſſeſſed, collected, levied, paid, and accounted for, in the ſame Manner, in all Reſpects, as the County Rates are, by an Act of the Twelfth Year of the Reign of his late Majeſty King George the Second, or any other Act or Acts of Parliament, to be rated, aſſeſſed, collected, levied, paid, and accounted for; and that the ſaid Rates ſhould be paid by the Treaſurer of ſuch County to the Receiver General thereof, whoſe Receipt ſhould be a ſufficient Diſcharge for ſuch Payment: And whereas
Act 4 *Geo.* III. by another Act made in the Fourth Year of the Reign of His preſent Majeſty, intituled, An Act to explain and amend 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; it is enacted, That where the Militia had not been raiſed, or ſhould not be raiſed, for any County or Riding within which any City, or Town, or Place, ſhall not be rated to the County Rate, the ſaid Payment of Five Pounds per Man upon the whole Number of Private Men, to be directed to be raiſed within any County or Riding, ſhould be apportioned between ſuch County, City, Town, or Place, in the Proportion their reſpective Quota's paid to the Land Tax bear to each other: And that the Sums ſo apportioned ſhould be paid out of the Poors Rate collected within ſuch City, Town, or Place, in Manner preſcribed by the ſaid Acts of the Second Year of his ſaid Majeſty's Reign, by the Churchwardens and Overſeers of the Poor, to the Treaſurer of the County, who is to pay over the ſame to the Receiver General thereof, together with the Proportion of the ſaid Sum of Five Pounds per Man, to be paid by ſuch County, Riding, or
and Act 5 *Geo.* III. Place: And whereas by another Act made in the Fifth Year of his preſent Majeſty's Reign, intituled, An Act to explain, amend, and enforce, the ſeveral Laws now in being relating to the Raiſing and Training the Militia within that Part of *Great Britain* called *England*, it is enacted, That the Lieutenants of every County, Riding, or Place, wherein the Militia ſhould not have been raiſed, or ſhould not continue to be raiſed, in purſuance of the ſeveral Acts for raiſing and training the Militia, ſhould certify under their Hands yearly, to the Juſtices at their General Quarter Seſſions to be held next after the Second Tueſday in May in each Year, that the Militia had not been raiſed for ſuch County or Place the preceding Year, and the whole Amount of the ſeveral Sums of

Five

Five Pounds per Man, to be raiſed on ſuch County or Place; and in that Caſe, of the Abſence of His Majeſty's Lieutenant in Parts beyond the Seas, Three or more Deputy Lieutenants ſhould be appointed to certify as aforeſaid; and if there ſhould be no Lieutenant, then Three or more Deputy Lieutenants to be appointed by His Majeſty's Sign Manual, ſhould be authorized to proceed in the Execution of the ſaid Acts; and in caſe His Majeſty's Lieutenant ſhould be beyond the Seas, and no Deputy Lieutenants ſhould be appointed to certify as aforeſaid, then the Clerk of the Peace for each County, Riding, or Place, ſhould make ſuch Certificate as aforeſaid; and the ſaid Act contains ſeveral Directions for enforcing the Payment of the ſaid Five Pounds per Man, by ſuch Counties or Places where the Militia have not been raiſed, or ſhall not continue to be raiſed, in purſuance of the ſaid Acts: And whereas the ſaid ſeveral Acts have been found defective and ineffectual, and, notwithſtanding the Direction therein, ſeveral of the Counties, within that Part of Great Britain called England, have neither raiſed any Militia, nor paid the ſaid Five Pounds per Man per Annum, according to the Directions of the ſaid ſeveral Acts, whereby they avoid contributing equally to the Support of Government with ſuch Counties as have raiſed and trained the Militia in Compliance with the Directions of the ſaid Acts: And whereas it is juſt and reaſonable that all His Majeſty's Subjects ſhould contribute equally to the Support of His Majeſty's Government, and the Defence of theſe Kingdoms; be it therefore enacted by the Authority aforeſaid, That ſo much of the ſaid ſeveral in Part recited Acts as directs the ſaid Certificates to be made by His Majeſty's Lieutenants, or Deputy Lieutenants, or Clerks of the Peace, where the Militia hath not been raiſed in purſuance of the ſaid Acts, and the Time of making ſuch Certificate, ſhall be, and the ſame is hereby declared to be, repealed.

So much of the recited Acts, as directs Certificates to be made by the Lieutenants, Dep. Lieuts. or Clerks of the Peace, where the Militia hath not been raiſed, &c. is repealed.

And be it further enacted by the Authority aforeſaid, That His Majeſty's Lieutenant, or Three Deputy Lieutenants, for every County, Riding, or Place, within that Part of Great Britain called England, where the Militia has been or ſhall have been 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, Riding, or Place reſpectively, that the Militia of ſuch County, Riding, or Place, hath been raiſed; and when, and at what Time the ſame was firſt raiſed; the Number and Rank of Officers, and the Number of Private

Where the Militia has been, or ſhall be raiſed, the Lieuts. or Dep. Lieuts. are to certify the ſame yearly to the Clerks of the Peace, with ſuch other Particulars as are here mentioned;

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 be by the Clerk of the Peace, who ſhall receive the ſame, 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, on 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.

and the Clerks are to deliver the ſame to the Juſtices at their General Quarter Seſſions,

and file them among the Records of ſuch Seſſions:

Provided always, and be it further enacted, That in every County, Riding, or Place, wherein no ſuch Certificate from His Majeſty's Lieutenant, or Three Deputy Lieutenants, ſhall be delivered to the Clerk of the Peace as aforeſaid, that the Clerk of the Peace of every ſuch County, Riding, or Place, ſhall, and is hereby required, at the General Quarter Seſſions of the Peace to be held next after the Twenty fifth Day of December in ſuch Year, to certify under his Hand and Seal, to the Juſtices of the Peace ſo aſſembled at their ſaid General Quarter Seſſions, on the Day ſuch Seſſions ſhall be opened, that he hath not received from His Majeſty's Lieutenant of the ſaid County, Riding, or Place, or any Three Deputy Lieutenants thereof, any ſuch Certificate as is herein before directed to be by them made; and ſuch Clerk of the Peace is hereby directed to file ſuch Certificate amongſt the Records of ſuch Seſſions.

And where no ſuch Certificate ſhall be delivered from the Lieut. or Dep. Lieuts. the Clerks of the Peace are to certify the ſame to the ſaid Seſſions,

and file ſuch Certificates;

And it is hereby enacted, That in every County, Riding, and Place, in which no ſuch Certificate ſhall be made by His Majeſty's Lieutenant, or Three Deputy Lieutenants, in Manner herein before directed, and the ſame ſhall be certified by the Clerk of the Peace as aforeſaid, the Juſtices of the Peace of every ſuch County, Riding, or Place, ſhall, and they are hereby required at their ſaid General Quarter Seſſion 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, Riding, or Place, in ſuch and the ſame Manner, according to ſuch and the ſame Proportions upon every Town, Pariſh, and Place, within each reſpective County, Riding, or Place, to be collected, levied, received, and accounted for, in ſuch Manner, and by ſuch Means, as the County Rates have been uſually, or may, by an Act made in the Twelfth Year of the Reign of His late Majeſty King George the Second, intituled, An Act for the more eaſy aſſeſſing, collecting, and levying, the County Rates; or by the Acts of the Second, Fourth, and Fifth

and the Juſtices are thereupon to aſſeſs 5*l. per* Man upon ſuch County or Place,

to be levied and accounted for as the County Rates,

according to Act 12 *Geo.* II. or Acts 2, 4, & 5 *Geo.* III.

Fifth Years of His present Majesty's Reign, for explaining, amending, and enforcing, the several Laws relating to the Raising and Training the Militia within that Part of Great Britain called England, be assessed, collected, levied, received, and accounted for; which said Payment of Five Pounds per Man shall be, and is hereby declared to be, in full Discharge for the Neglect and Failure of not having raised and trained the Militia for such County, Riding, or Place, for the Year then next preceding; and the Treasurer or Treasurers of the County, Riding, or Place, who shall receive the said Five Pounds per Man, is and are hereby required to pay the same to the Receiver General of the Land Tax for such County, Riding, or Place, within One Calendar Month after he or they shall have received the same; and the respective Receivers General of the Land Tax shall give a Receipt for the same to the Person paying such Money, whose Receipt shall be a sufficient Discharge for such Payment; and shall, within Ten Days after the Receipt of such Sum and Sums of Money, certify such Receipt to the Lord High Treasurer, or the Lords Commissioners of His Majesty's Treasury for the time being, and shall pay the same into the Receipt of His Majesty's Exchequer, and in the same Manner as he is required to pay in the Taxes or Duties, commonly called The Land Tax.

the said Payment to be in full Discharge for Neglect of not raising and training the Militia.

Treasurer of the County to pay the Money to the Receiver General;

who is to certify the Receipt thereof to the Treasury, and pay over the Money into the Exchequer.

Provided always, and be it further enacted by the Authority aforesaid, That no Fee or Gratuity whatsoever shall be given or paid for or upon account of any Warrant which shall be made out for any Sum of Money which shall be received by such Receiver General, or paid into His Majesty's Exchequer, or issued thereout, in relation to, or in pursuance of, this Act.

No Fee to be given for Money paid to the Receiver General, or into the Exchequer, or issued thereout.

And be it further enacted by the Authority aforesaid, That such Clerks of the Peace of each respective County, Riding, or Place, shall, and they are hereby required, within Fourteen Days next after the General Quarter Sessions of the Peace to be held after the Twenty fifth Day of December yearly, to transmit to the Lord High Treasurer, or the Commissioners of His Majesty's Treasury, for the time being, and also to the Receiver General of the Land Tax for such County, Riding, or Place, a Copy, signed by such Clerk of the Peace, of every Certificate which shall have been delivered in pursuance of this Act; and in case no such Certificate shall have been delivered in, then such Clerks of the Peace shall certify to the Lord High Treasurer, or to the Commissioners of His Majesty's Treasury, and also to such Receiver General, that no such Certificate from His Majesty's Lieute-

Clerks of the Peace are to transmit to the Treasury, and Receivers General, Copies of the Certificates delivered in pursuance of this Act;

and where none such are delivered, to certify the same accordingly;

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nant, or any Three Deputy Lieutenants, hath been received by him, and that he hath certified the same to the Justices of such General Quarter Sessions; and shall also certify what Proceedings have been had at such General Quarter Sessions, in relation to the assessing and rating the said Sum of Five Pounds per Man where the Militia shall not have been raised.

together with the Proceedings of the Sessions, in relation to assessing the Penalty.

Clerk of the Peace neglecting his Duty in the Premisses, forfeits 500*l.*

And be it further enacted by the Authority aforesaid, That if any Clerk of the Peace shall refuse or neglect to receive, deliver, file, make, record, or transmit, such Certificates as aforesaid, or any of them, according to the true Intent and Meaning of this Act; every such Clerk of the Peace so offending shall, for every such Offence, forfeit and pay the Sum of Five hundred Pounds, to any Person who shall inform or sue for the same in any of his Majesty's Courts of Record at Westminster, or the Courts of Great Sessions in the Principality of Wales, or the Courts of the Counties Palatine of Chester, Lancaster, and Durham; wherein no Essoin, Protection, Wager of Law, nor more than One Imparlance, shall be allowed; and shall also forfeit his Office, and shall be rendered incapable of having, receiving, or holding, such Office for the future, or any other Place or Office of Trust, Civil or Military, under the Government.

and his Office, and is disabled.

Where there shall be a Failure of raising or paying the Sums chargeable for not raising the Militia, the Receiver General is to certify the same into the Court of Exchequer;

and Process is to issue thereupon against the Treasurer of the County;

who is to pay such Sums into the Exchequer, out of the County Stock;

And be it further enacted by the Authority aforesaid, That in case there shall be any Failure of raising or paying the several Sums of Money charged by this or the said former Acts upon any County, Riding, or Place, where the Militia shall not have been raised; the Receiver General of such County, Riding, or Place, respectively, shall, on or before the Twenty fourth Day of June in every Year, certify under his Hand to the Barons of the Court of Exchequer each particular County, Riding, Division, or Place, where such Failure of Payment hath happened; whereupon the said Court of Exchequer shall forthwith award the proper Process to issue against the Treasurer or Treasurers of such County, Riding, Division, or Place, where such Failure shall have happened, in the same Manner as any Person or Persons is or are liable to Process for Failure of Payment of the Rates and Duties commonly called The Land Tax, for paying the said Sum of Five Pounds per Man; which said Sum every such Treasurer and Treasurers is and are hereby directed and required to pay into the Receipt of His Majesty's Exchequer, out of the County Stock then in his, her, or their Hands; and if he or they shall not then have sufficient for that Purpose, out of the First Money which shall come to his

his or their Hands of the ſaid County Stock; and the Auditor of His Majeſty's Exchequer, into whoſe Office ſuch Sum or Sums ſhall be paid, purſuant to the Directions of this Act, ſhall, and is hereby required to give to ſuch Treaſurer or Treaſurers, or other Perſon or Perſons paying the ſame on his or their Behalf, a Receipt for the ſame ſigned by ſuch Auditor; which Receipt ſo ſigned ſhall be, and is hereby enacted to be, a ſufficient Diſcharge to ſuch County, Riding, Diviſion, or Place, for ſuch Sum or Sums of Money ſo paid into the Receipt of His Majeſty's Exchequer.

and the Auditor is to give a Receipt for the ſame.

And be it further enacted, That the Sollicitor to the Lord High Treaſurer, or to the Commiſſioners of His Majeſty's Treaſury for the time being, ſhall, and he is hereby directed and required, with all due Diligence, to proſecute with Effect ſuch Treaſurer or Treaſurers as ſhall make Default in Payment as aforeſaid.

Sollicitor to the Treaſury is to proſecute to Effect Treaſurers making Default.

And be it further enacted by the Authority aforeſaid, That the Juſtices of the Peace for ſuch County, Riding, or Diviſion, at their next General Quarter Seſſions to be holden after any ſuch Payment made by any Treaſurer or Treaſurers as aforeſaid, ſhall, and they are hereby required, to aſſeſs, and cauſe to be levied, a ſufficient Sum of Money to reimburſe ſuch Treaſurer or Treaſurers all ſuch Sum or Sums of Money as he or they ſhall have paid on ſuch Account; to be aſſeſſed, collected, and levied, in the ſame Manner as other County Rates are directed to be aſſeſſed, collected, and levied.

Juſtices at their General Quarter Seſſions are to aſſeſs a Sum ſufficient for reimburſing the Treaſurers

Provided always, and it is hereby enacted, That the Juſtices of the Peace for ſuch County, Riding, or Diviſion, at their ſaid General Quarter Seſſions, ſhall, and are hereby impowered, to aſſeſs and levy, on every City, Town, and Place, which is not contributary to, or doth not pay to, the County Rates of ſuch County, Riding, or Diviſion reſpectively, ſuch Proportion of the Money ſo paid by ſuch Treaſurer or Treaſurers in Manner herein directed, according to the Proviſions and Directions of an Act made in the Fourth Year of his preſent Majeſty's Reign, for explaining and enforcing the ſeveral Laws now in being relating to the Raiſing and Training the Militia for and in that Part of Great Britain called England.

The Aſſeſſments to be made according to the Proviſions in the Act of 4 *Geo.* III.

And be it further enacted by the Authority aforeſaid, That all ſuch Sum or Sums of Money as ſhall be raiſed and paid into His Majeſty's Exchequer at Weſtminſter, in purſuance of and by virtue of this Act, and in manner herein before directed, ſhall be kept ſeparate and apart

The Money paid into the Exchequer, to be kept ſeparate and apart from all other Monies;

and to be applied as is directed by Act 2 Geo. III.

apart from all other Monies; and shall be paid, applied, and disposed of, in such Manner as is directed in and by an Act of the Second Year of His present Majesty's Reign, for explaining, amending, and reducing into One Act of Parliament, the several Laws then in being, relating to the Raising and Training the Militia within that Part of Great Britain called England.

FINIS.