Anno octavo

# Georgii III. Regis.

## CAP. XX.

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 ſixty eight.

WHEREAS it is neceſſary that Preamble.
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 ſixty eight; 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 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,

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;



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vance, 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 and Five Shillings for each Meeting; and to the several Clerks of the Subdivision Meetings, at the Rate of One Pound and One Shilling for each Meeting; and also for the Cloathing of the Militia for such County, Riding, or Place, after the Rate of Three Pounds and Ten Shillings for each Serjeant, and Two Pounds for each Drummer, with the Addition of One Pound for each Serjeant Major, and each Drum Major; and with respect to the Private Militia Men, where the Militia hath been embodied, or having not been embodied, hath not been cloathed within Three Years, at the Rate of One Pound and Ten Shillings for each Private Man.

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

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

and pay for Cloathing of the Militia.

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

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.

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

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.

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;

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.

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;

Clerk to pay over the Money to the respective Captains.

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.

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<br>Paid additional Pay to Corporals Days | |

Which

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 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 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 eight, 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, 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 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.

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

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.

nel 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*, 1769.

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 nine.

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FINIS.