ANNO QUADRAGESIMO SECUNDO

GEORGII III. REGIS.

C A P. CXVIII.

An Act for defraying the Charge of the Pay of the Militia of *Ireland*, until the Twenty-fifth Day of *March* One thouſand eight hundred and three; and for holding Courts Martial on Serjeant Majors, Serjeants, Corporals, and Drummers, for Offences committed during the Time ſuch Militia ſhall not be embodied. [28th *June* 1802.]

WHEREAS it is neceſſary that Proviſion ſhould be made for defraying the Charge of the Pay of the Militia of that Part of the United Kingdom called *Ireland*, for One Year, from the Twenty-fifth Day of *March* One thouſand eight hundred and two; 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 the Lords Commiſſioners of His Majeſty's Treaſury in that Part of the United Kingdom called *Ireland*, ſhall iſſue in Money out of the Conſolidated Fund of *Ireland* the Sums required, to the Agent or Agents or to the Clerk or Clerks of ſuch Regiments or Battalions of Militia as ſhall be raiſed, which they are to apply 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, from the Date of his Commiſſion, where an Adjutant is

The *Iriſh* Treaſury ſhall iſſue the Money required, to the Agent or Clerks of the Regiments of Militia as ſhall be raiſed, which they ſhall apply in Manner herein directed.

is appointed; and at the Rate of One Shilling and One Penny for each Serjeant, from the Day of his Enliſtment, with the Addition of Two Shillings and Sixpence a Week for each Serjeant Major and Quarter Maſter Serjeant, where a Serjeant Major and Quarter Maſter Serjeant are appointed; and at the Rate of Eight-pence a Day for each Drummer, from the Day of his Enliſtment, with the Addition of Sixpence a Day for each Drum Major, where a Drum Major is appointed; and at the Rate of Eight-pence a Day for each Corporal, from the Date of his Enliſtment; and alſo at the Rate of Four-pence a Month for each Private Man and Drummer, for defraying the contingent Expences of each Regiment and Battalion of Militia; One Penny whereof ſhall be applied for defraying the Hoſpital Expences of each Regiment or Battalion, during the Time of the Men's being from Home upon Account of their annual Exercile; and alſo for Half a Year's Salary for the Clerk of each Regiment or Battalion of Militia belonging to ſuch County, or County of a City, at the Rate of Fifty Pounds a Year.

Such Agents or Clerks to produce their Warrant of Appointment to the Treaſury, who ſhall iſſue the Pay of Militia at the Periods herein ſtated.

II. And be it enacted, That all ſuch Sums of Money granted for the Pay of the Militia of *Ireland* as aforeſaid, ſhall be paid by the Lords Commiſſioners of His Majeſty's Treaſury in *Ireland* into the Hands of the Agent or Agents, or the Clerk or Clerks of the Regiment or ſeparate Battalion of Militia belonging to ſuch Counties, or County of a City, or Town, upon producing his or their Warrant or Warrants of Appointment to them, under the Hand and Seal of the Colonel, or where there is no Colonel, under the Hand and Seal of the Commanding Officer of ſuch Regiment or Battalion of Militia for ſuch County, County of a City, or Town; and ſuch Lords Commiſſioners of His Majeſty's Treaſury in *Ireland* ſhall alſo, within Fourteen Days after the Expiration of the Third Calendar Month from the Time of ſuch Firſt Payment, make a Second Payment for Four Calendar Months in Advance; and ſhall alſo, within Fourteen Days after the Expiration of Three Calendar Months from the Time of ſuch 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 Agent or Agents, or Clerk or Clerks, ſhall be a ſufficient Diſcharge to the Lords Commiſſioners of His Majeſty's Treaſury, for the ſeveral Sums of Money ſo by them paid.

Agents, *etc.* to pay in Advance One Month's Pay to the Adjutant, and Two Months Pay to each Captain for the Serjeants, *etc.* and for the Serjeant Major and Drum Major Two Months Pay. Captains to account for the ſame yearly,

III. And be it enacted, That the Agent or Clerk of each Regiment or Battalion of the Militia of *Ireland* 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 Officer commanding each Company belonging to ſuch Regiment or Battalion, Two Months Pay in Advance for the Serjeants, Drummers, and Corporals; and alſo to the Officer commanding the Company to which the Serjeant Major and Drum Major ſhall belong, Two Months Pay in Advance for ſuch Serjeant and Drum Major; and ſo from Time to Time, as long as any Money on that Account ſhall remain in his Hands: Which Pay every ſuch Captain or Officer commanding is hereby required to diſtribute to each Perſon belonging to his Company, by this Act entitled to receive the ſame, as it ſhall become due; and ſhall, Once in each Year, give in to the Clerk of the Regiment or

Battalion to which such Company shall belong, an Account of the several Payments he shall have made in pursuance of this Act, 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 the Lords Commissioners, of His Majesty's Treasury in *Ireland* [*as the Case shall be*] for Two Months Pay in Advance, ——					Paid Serjeant for Days Pay, from the Day of to the Day of following ——				
					Ditto as Serjeant-major (if One in the Company) ——				
					Paid Serjeant for Days Pay, from the Day of to the Day of following ——				
					Paid Drummer Days, at *per* Day from the Day of to the Day of following ——				
					Ditto as Drum-major (if One in the Company) ——				
					Paid Drummer Days, from the Day of to the Day of following				
					Paid Corporal Days from the Day of to the Day of following ——				

And shall pay back to the said Clerk, or to the Lords Commissioners of His Majesty's Treasury (as the Case shall be), the Surplus (if any), by him from Time to Time received, and then remaining in his Hands. and pay back the Surplus.

IV. Provided always, and be it hereby further enacted, That in case the Commanding Officer of any Regiment or Battalion of Militia, shall certify in Writing, to the Agent or Clerk of the same, that he had discharged any Serjeant, Corporal, or Drummer, in such Case no Pay shall be issued for such Serjeant, Corporal, or Drummer, until another be duly appointed. On Discharge of Serjeants or Drummers as unfit for Service no Pay to be issued, till others are appointed.

V. And be it enacted, That the Agent or Clerk of each Regiment or Battalion of Militia in *Ireland*, out of the Money hereby directed to be issued and paid to him for defraying the contingent Expences of each Regiment or Battalion, shall yearly and every Year pay to the Colonel or Officer commanding such Regiment or Battalion, One Penny a Month for each Private Man and Drummer, for defraying the Hospital Expences of each respective Company of such Regiment or Battalion, during the Time of the Mens being absent from Home upon Account of their annual Exercise; and shall, from Time to Time, issue and pay such Sums of Money as Agents, *etc.* to pay to the Commanding Officer, out of contingent Money, 1 *d.* a Month for each Private Man and Drummer, for defraying Hospital Expences; and

also Money for repairing Arms, *etc.*

as may be neceſſary for the Repair of Arms, and the Carriage and Removal thereof, upon an Order in Writing, ſigned by the Colonel or Officer commanding ſuch Regiment or Battalion; and after Payment of ſuch Sums as ſhall be ſo ordered by ſuch Colonel or Commanding Officer as aforeſaid to be paid, he ſhall yearly and every Year make up an Account of all ſuch Money, and the Expenditure thereof, and of the Balance remaining in his Hands, which ſaid Balance ſhall form a Stock Purſe for the Uſe of the Regiment, and he ſhall tranſmit ſuch Account to the Colonel or Commanding Officer of ſuch Regiment or Battalion, to be by him examined, allowed, and ſigned; and the Account ſo allowed and ſigned ſhall be, and is hereby directed to be, the proper Voucher and Acquittal of ſuch Agent or Clerk for the Application and Diſpoſal of ſuch Money.

When the Days of Exerciſe of the Militia are fixed, and certified with certain Particulars to the Treaſury, Pay after the Rates herein ſpecified ſhall be iſſued to the Agent, *etc.*

VI. And be it further enacted, That whenever the Governor or Governors, or Deputy Governors, at a General Meeting to be held for any County, County of a City, or Town in *Ireland*, ſhall have fixed the Days of Exerciſe for the Militia, the Colonel or Commanding Officer ſhall, as ſoon as may be, certify to the Lords Commiſſioners of His Majeſty's Treaſury in *Ireland*, ſpecifying the Number of Men, and the Number of Days ſuch Men are to be abſent from Home on Account of ſuch Exerciſe, not exceeding in the Whole Twenty-eight Days; and the Lords Commiſſioners of His Majeſty's Treaſury are hereby required, within Fourteen Days after the Receipt of ſuch Certificate, to iſſue and pay out of the Conſolidated Fund of *Ireland*, to the Agents or Clerks of the ſeveral Regiments or Battalions, at the Rate of Ten Shillings *per* Day for the Captain of each Company, and at the Rate of Five Shillings and Eight-pence *per* Day for each Lieutenant not holding a Second Commiſſion in the Regiment or Battalion, and of Four Shillings and Eight-pence *per* Day for each Enſign not holding a Second Commiſſion in the Regiment or Battalion; but if any of the Lieutenants or Enſigns of the Regiment or Battalion ſhall hold a Second Commiſſion in the ſame, then the Pay of ſuch Lieutenant or Enſign ſhall be at the Rate of Four Shillings and Eight-pence *per* Day for the Lieutenant, and of Three Shillings and Eight-pence *per* Day for the Enſign, and alſo at the Rate of One Shilling *per* Day for each Private Militia Man, 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 Agents or Clerks are hereby required forthwith to pay to each Captain of the ſaid Regiments or Battalions the Proportion of Pay belonging to each Captain, and likewiſe the Pay belonging to their reſpective Companies.

Captains to make up Accounts of the Money they receive on Account of Exerciſe.

VII. 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.
To Caſh received of the Regimental or Battalion Agent or Clerk, or the Lords Commiſſioners of His Majeſty's Treaſury [*as the Caſe ſhall be*] for Days Pay of Men			

Per Contra, Cr.

	£.	s.	d.
By my Pay as Captain			
Paid Lieutenant			
Paid Enſign			
Paid Militia Men 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 ſuch Exerciſe ſhall be finiſhed, deliver ſuch Account, and pay the Balance, (if there be any due), to the Regimental or Battalion Agent or Clerk; and ſuch Accounts ſhall be allowed as ſufficient Vouchers by the Lords Commiſſioners of His Majeſty's Treaſury.

While the Militia are embodied, and receiving Pay as the other Forces, the Pay granted by this Act not to be allowed.

VIII. Provided always, and be it enacted, That where any Regiment or Battalion of Militia, is or ſhall be embodied, and called out into actual Service, whereby the Officers and Private Militia Men ſhall be entitled to the ſame Pay as the Officers and Private Men in His Majeſty's Regiments of Foot, all Pay as aforeſaid, whether to the Adjutants, Serjeants, Private Militia Men, or others, and all Money allowed as aforeſaid for the contingent Expences of ſuch Regiment or Battalion of Militia, and alſo the Allowance to the Agent or Clerk of ſuch Regiment or Battalion, ſhall, during ſuch Time of actual Service, and until ſuch Regiment or Battalion ſhall be diſembodied and return Home, ceaſe and not be paid.

The Lord Lieutenant may forbid the raiſing or embodying the Militia of any County.

IX. And be it enacted, That if it ſhall be deemed inexpedient by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* in Council, to raiſe, embody, or continue the Militia in any County or Counties, it ſhall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for the Time being, by and with the Advice of the Privy Council, to forbid the raiſing or embodying of the Militia of ſuch County or Counties, and to ſtay all Proceedings therein for ſuch Time as ſhall be deemed expedient.

Serjeants, Corporals, and Drummers ſhall be ſubject to the Mutiny Act; and Courts Martial may be held on them while Regiment is not embodied.

X. And be it further enacted, That every Serjeant Major, Serjeant, Corporal, Drum Major, and Drummer of the Militia of *Ireland*, ſhall be at all Times ſubject to any Act which ſhall be in force for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, and to the Articles of War, under the Command of the Colonel or other Commandant of the Regiment, Battalion, or Corps to which he belongs; and it ſhall be lawful for the Colonel or other Commandant of any Regiment, Battalion, or Corps of Militia to direct the holding of Courts Martial as herein-after directed for the Trial of any Serjeant Major, Serjeant, Corporal, Drum Major, or Drummer of ſuch Regiment, Battalion, or Corps, by either a General or Regimental Court Martial, for any Offence againſt the ſaid Act or Articles of War, committed during the Time ſuch Regiment, Battalion, or Corps ſhall not be embodied; but ſo that no Puniſhment ſhall extend to the Loſs of Life or Limb.

Colonel, *etc.* may order Officers of the Regiment reſident within Five Miles of the Place to attend ſuch Courts Martial, *&c.*

XI. And be it further enacted, That it ſhall be lawful for the Colonel or other Commandant, and in his Abſence for the Senior Field Officer of the Regiment, Battalion, or Corps to which the Perſon on whom ſuch Court Martial is to be held ſhall belong, to order any Officers of the Militia of the County, Riding, or Place to which ſuch Regiment, Battalion, or Corps ſhall belong, actually reſident within the Town where ſuch Serjeant Major, Serjeant, Corporal, Drum Major, or Drummer is to be tried, or within Five Miles thereof, to attend and aſſiſt as Members of ſuch Court Martial, who ſhall thereupon attend at the Time required, and aſſiſt accordingly; but no Officer ſhall be entitled to receive Pay for any ſuch Attendance: Provided always, that no Sentence of any Court Martial, held as aforeſaid, on any Serjeant Major, Serjeant, Corporal, Drum Major, or

Drummer, ſhall be put in Execution until it ſhall have been confirmed by the Colonel or other Commandant, or by the Field Officer by whoſe Order ſuch Court Martial was aſſembled.

Serjeants, &c. may be reduced to Privates to ſerve for a limited Time.

XII. And be it further enacted, That any Serjeant, Corporal, or Drummer of the Militia may, by Sentence of a Court Martial, be reduced to the Condition of a Private Militia Man, to ſerve as ſuch during any Time not exceeding Fifteen Months, in caſe the Regiment, Battalion, or Corps to which he belongs ſhall not be then embodied or called out into actual Service; and in caſe the Regiment, Battalion, or Corps to which he belongs ſhall be then embodied, or called out into actual Service, to ſerve as aforeſaid, until the diſembodying of the ſaid Regiment, Battalion, or Corps; after which Time, or at the End of the ſaid Fifteen Months, as the Caſe may be, if not regularly re-appointed to the Rank of a Non-commiſſioned Officer or Drummer, he ſhall be diſcharged from the Service.

Act may be altered or repealed this Seſſion.

XIII. And be it enacted, That this Act may be varied, altered, or repealed, by any Act or Acts to be made in this preſent Seſſion of Parliament.

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