ANNO QUADRAGESIMO QUINTO

GEORGII III. REGIS.

CAP. LXIII.

An Act for defraying, until the Twenty-fifth Day of *March* One thouſand eight hundred and ſix, the Charge of the Pay and Cloathing of the Militia of *Ireland*; for holding Courts Martial on Serjeant Majors, Serjeants, Corporals, and Drummers, for Offences committed during the Time ſuch Militia ſhall not be embodied; and for making Allowances in certain Caſes to Subaltern Officers of the ſaid Militia during Peace. [27th *June* 1805.]

WHEREAS it is neceſſary that Proviſion ſhould be made for defraying the Charge of the Pay and Cloathing of the Militia in that Part of the United Kingdom called *Ireland*, for One Year, from the Twenty-fifth Day of *March* One thouſand eight hundred and five; 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 for every County, County of a City or Town in *Ireland*, where the Militia is or ſhall be raiſed, the Lords Commiſſioners of His Majeſty's Treaſury in *Ireland* ſhall iſſue and pay out of the

The Treaſurer ſhall iſſue Four Months Pay in Advance for each

County, &c. where Militia is raised.

Rates of Pay.

the Conſolidated Fund of *Ireland* 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 and Sixpence a Day for each Serjeant, reſident at the Head Quarters of the Regiment, Battalion, or Corps, 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 One Shilling a Day for each Drummer ſo reſident as aforeſaid, with the Addition of Sixpence a Day for each Drum Major, where a Drum Major is appointed; and at the Rate of One Shilling and Two-pence a Day for each Corporal ſo reſident as aforeſaid; 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 Mens 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, or County of a City or Town, at the Rate of Fifty Pounds a Year; and alſo for the Clothing of the Militia for ſuch County 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 at the Rate of Two Pounds for each Corporal, when ſuch Serjeants Drummers, Serjeant Majors, Drum Majors, and Corporals, have not been clothed within Two Years; and, with reſpect to the Private Militia Men, at the Rate of One Pound Twelve Shillings for each Private Militia Man.

Allowances for Contingencies.

Salary to the Clerk.

Clothing.

Rates of Pay when on Furlough.

II. Provided always, and be it enacted, That where any Serjeant, Corporal, or Drummer, ſhall be abſent on Furlough or Licence, ſuch Serjeant, Corporal, or Drummer, ſhall, during ſuch Abſence, receive the Rates of Pay following; (that is to ſay), every Serjeant the Sum of One Shilling, every Corporal Eight-pence, and every Drummer the Sum of Sixpence *per* Day reſpectively, and no more.

The Money granted for Pay ſhall be paid to the Agent or Clerk of the Regiment, on Production of his Warrant of Appointment.

III. And be it further enacted, That all Sums of Money granted for the Pay of the Militia of *Ireland* as aforeſaid, ſhall, where the Militia has never been embodied, be paid by the ſaid 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 County, County of a City or Town, 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, under the Hand and Seal of the Commanding Officer of ſuch Regiment or Battalion of Militia for ſuch County, or County of a City or Town; and where the Militia has been embodied, all ſuch Money ſhall be in the like Manner paid into the Hand of ſuch Agent or Agents, Clerk or Clerks, notwithſtanding ſuch Militia ſhall have been diſembodied, according to the Number of Perſons hereby entitled to receive Pay, of which ſuch Regiment or Regiments, Battalion or Battalions ſhall have been or ſhall be legally appointed to conſiſt.

IV. And be it further enacted, That the said 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 of the said Pay in Advance, 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 said Militia, and for the Allowances to the Regimental or Battalion Clerk or Clerks as aforesaid, in the Proportions herein-before mentioned; and the Receipts of such Agent or Agents, Clerk or Clerks, shall be a sufficient Discharge to such Lords Commissioners of His Majesty's Treasury of *Ireland*, for the several Sums of Money so by him or them paid.

Second and Third Payment of Four Months Pay in Advance, etc. to be made.

V. And be it further 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 Major 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 such Captain or Officer commanding shall, Once in every Year, give in to the Agent or 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:

Agent to pay One Month's Pay in Advance to the Adjutant, and to the Captains Two Months Pay for the Serjeants, etc.

Account of Disbursements.

County of Dr. *Per Contra*, Cr.

	£	s.	d.		£	s.	d.
To Cash received of Mr. Regimental or Battalion Clerk, for Two Months Pay in Advance,				Paid Serjeant for Days full Pay, [*or* on Furlough, *as the Case may be*], from the Day of to the Day of following			
				Ditto as Serjeant-major (if One in the said Company) —			
				Paid Serjeant for Days full Pay, [*or* on Furlough, *as the Case may be*], from the Day of to the Day of following			
				Paid Drummer Days, at from the of to the of following			
				Ditto as Drum-major (if One in the said Company) —			
				Paid Drummer Days, from the of to the of following			
				Paid Corporal Days from the of to the of following — —			

And

Balance to be paid back.

And shall pay back to the said Agent or Clerk, the Surplus (if any) of the Money by him from Time to Time received, and then remaining in his Hands.

On Certificate of Discharge of a Serjeant, etc. no Pay to be issued for him.

VI. Provided always, and be it 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 hath 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.

Agent to pay to the Colonel 1 *d. per* Month for each Private and Drummer for defraying Hospital Expences while absent from Home on annual Exercise, and shall issue Money for the Repair of Arms, etc.

VII. And be it further 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 out and pay such Sums of Money 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 ordered to be paid by such Colonel or Commanding Officer as aforesaid, 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.

Clerk may retain his Salary.

VIII. And be it further enacted, That the said Regiment 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 hereinbefore made for his Salary.

Colonel to certify to the Treasury the Days of Exercise, etc. who shall pay to the Regimental Clerks the Sums herein specified.

IX. 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 the same 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 in *Ireland* 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, and of Four Shillings and Eight-pence *per* Day for each Ensign, and also at the Rate of One Shil-

ling *per* Day for each private Militia Man who ſhall have been choſen by Ballot to be trained and exerciſed, for the Number of Days ſuch Officers and Men ſhall be abſent from Home on Account of ſuch Exerciſe, and alſo at the Rate of One Shilling *per* Day for each private Militia Man who ſhall attend at the Place of annual Exerciſe, but who ſhall not have been ſo choſen by Ballot, to be trained and exerciſed for any Number of Days not exceeding Five, during which ſuch Men ſhall be abſent from Home on Account of their Attendance at ſuch Place of annual 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 an Account of Receipts and Payments.

X. And be it further enacted, That the Captain of each Company ſhall make up an Account of all Monies received and paid by him on Account of ſuch Exerciſe, according to the following Form:

County of Dr.	£.	s.	d.	*Per Contra,* Cr.	£.	s.	d.
To Caſh received of the Regimental or Battalion Agent or Clerk, for Days Pay of Men — —				By my Pay as Captain Paid Lieutenant Paid Enſign Paid Militia Men Days Paid Militia Men Days for their Attendance at the Place of Exerciſe			

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 Account ſhall be allowed as ſufficient Vouchers by the Lords Commiſſioners of His Majeſty's Treaſury in *Ireland*.

While Militia is embodied, Pay and Allowance to ceaſe.

XI. Provided always, and be it enacted, That where any Regiment, or Battalion of Militia, is or ſhall be embodied, or called out into actual Service, and thereby the Officers and private Militia Men are or ſhall be entitled to the ſame Pay as the Officers and private Men in His Majeſty's other 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 Allowances 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.

Agent or Clerk to give Security by Bond.

XII. Provided always, and be it enacted, That the Agent or Clerk of each Regiment or Battalion of Militia in *Ireland*, ſhall give Security to the Lords Commiſſioners of His Majeſty's Treaſury in *Ireland*, 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 Agent or 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 Lords Commissioners of His Majesty's Treasury in *Ireland*, who, in case the said Regimental or Battalion Agent or Clerk shall not duly perform the Conditions comprized in the said Bond, shall, and they are hereby required, forthwith to put the said Bond in Suit in the Name of His Majesty, His Heirs or Successors, the full Costs and Charges of which Suit, in case Judgement shall be given against such Regimental or Battalion Agent or Clerk, shall be paid by him to the said Lords Commissioners of His Majesty's Treasury in *Ireland*.

Agent or Clerk to deliver to the Treasury Account of their Receipts and Disbursements, and pay Balances.

XIII. And be it further enacted, That the Agent or Clerk of every Regiment or Battalion of Militia, in every County, County of a City or Town in *Ireland*, shall, between the Twenty-fifth Day of *March* and the Twenty-fourth Day of *June* One thousand eight hundred and six, deliver to the Lords Commissioners of His Majesty's Treasury in *Ireland*, a fair Account in Writing of all Monies by him received and disbursed for the Service of the said Militia for the preceding Year in pursuance of this Act, with proper Vouchers for the same, and shall pay to the said Lords Commissioners of His Majesty's Treasury in *Ireland* any Surplus of such Monies which shall then be in his Hands.

Recovery of Penalties and Costs.

XIV. Provided always, and be it enacted, That all Penalties and Costs and Charges of Suit, and all Sums of Money to or for which any Person or Persons is or are by this Act made answerable or liable, shall be paid in *Irish* Currency, and shall and may be recovered in any of His Majesty's Courts of Record at *Dublin*, by Action of Debt, Bill, Plaint, or Information, wherein no Essoign, Wager of Law, or Protection, nor more than One Imparlance, shall be allowed.

No Fee payable for any Warrant.

XV. Provided also, 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.

Persons on Half Pay, or entitled to Allowance as having served in the Horse Guards, etc. serving in the Militia, may receive the same on taking the following Oath.

XVI. Provided also, and be it enacted, That any Person being on Half Pay, or being entitled 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 empowered, 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 entitled 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 empowered to administer the same.

'I *A. B.* do ſwear, That I had not between the
and the any Place or Employment of Profit,
'Civil or Military, under His Majeſty, beſides my Allowance of Half
'Pay as reduced in late Regi-
'ment of or Allowance as in
'his late Troop of Horſe Guards or
'Regiment of Horſe reduced, ſave and except my Subſiſtence as a
'Captain, Lieutenant, or Enſign, [*as the Caſe may be*], for ſerving in the
'Militia of the County of

'So help me GOD.'

And taking the ſaid Oath ſhall be ſufficient to entitle ſuch Perſon to receive his Half Pay or the ſaid Allowance, without taking any other Oath; any Law, Uſage, or Cuſtom to the contrary notwithſtanding.

Treaſury, on receiving a Warrant from the Colonel certifying the Receipt of the Cloathing, to ſhall iſſue Money for the Payment.

XVII. And be it further enacted, That the Lords Commiſſioners of His Majeſty's Treaſury in *Ireland*, as ſoon as they ſhall receive a Warrant under the Hand of the Colonel or Commanding Officer of the reſpective Regiments or Battalions of the Militia of *Ireland*, certifying the Receipt of the Cloathing, which Certificate ſhall ſpecify the Number of Serjeants, Corporals, Drummers, and Private Men for whom the ſame ſhall have been ſupplied, and an Order from the ſaid Colonel or Commanding Officer for Money due on Account thereof, payable to the Perſon or Perſons who furniſhed the ſaid Cloathing, ſhall pay the Sum mentioned in ſuch Order to the Perſon entitled to receive the ſame, provided the ſaid Cloathing ſhall not exceed the Allowance herein-before directed; and ſuch Warrant and Order, together with the Receipt of the Perſon receiving the ſaid Money, ſhall be a ſufficient Voucher to the Lords Commiſſioners of His Majeſty's Treaſury in *Ireland* for ſuch Payment.

His Majeſty or the Lord Lieutenant may forbid the raiſing of Militia in any County.

XVIII. And be it further enacted, That if it ſhall be deemed inexpedient by His Majeſty or 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 in *Ireland*, it ſhall be lawful for His Majeſty, or for the ſaid Lord Lieutenant or other Chief Governor or Governors for the Time being, by and with the Advice of the Privy Council of *Ireland*, 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.

Non-commiſſioned Officers and Drummers ſubject at all Times to the Mutiny Act.

XIX. And be it further enacted, That every Serjeant Major, Serjeant, Corporal, Drum Major, and Drummer of the Militia of *Ireland*, ſhall at all Times be 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 they reſpectively belong; 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

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 within Five Miles of the Place to attend a Court Martial.

XX. 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 such 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.

Non-commissioned Officers or Drummers may be reduced to the Ranks for Fifteen Months.

XXI. 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.

Arms, etc. of the Militia, when not embodied, to be kept in the County Town or where the Lord Lieutenant shall direct, etc.

XXII. And be it further enacted, That the Arms, Accoutrements, Cloathing, and other Stores, belonging to every Regiment, Battalion, or Corps of Militia in *Ireland*, when not embodied, shall be kept in some convenient House or Place in the County Town, or in some other Town within the County, which Town the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being shall direct; and it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors to order and direct a convenient and proper Place for that Purpose to be provided or built in the County Town, or such other Town as shall be so appointed, if such convenient and proper Place cannot otherwise be found or procured therein; and the Hire or Cost of such House or Place shall be defrayed by the County, and the necessary Sum for that Purpose shall be raised by Presentment of the Grand Jury

of the said County, and which Presentment the Grand Jury of the County is hereby authorized and required to pass on a Certificate signed by the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, and specifying the Cost incurred or to be incurred in building such House or Place, or the Rent agreed to be paid for the same; which Certificate shall be transmitted by such Chief Secretary to the Clerk of the Crown for such County at any Time prior to the First Day of the Assizes for such County, or if in the County or County of the City of *Dublin*, then prior to the First Day of the presenting Term: Provided, that in no Case any greater Rent than Forty Pounds *Irish* Currency shall be presented by such Grand Jury for the annual Rent of such Place, nor a greater Sum than Two hundred Pounds *Irish* Currency shall be required for building such House: Provided also, that the Grand Juries of such Counties shall be entitled to purchase Ground for building and erecting such House in the same Manner as they are now by Law entitled to purchase Grounds for building County Gaols.

Expence of Houses for keeping Arms and Stores to be raised by the Counties.

XXIII. And whereas, before the passing of this Act, several Houses and Places have been taken and provided, by the Order of the Lord Lieutenant, for keeping the said Arms and Stores, in several Counties in *Ireland*, and no Provision has yet been made for defraying the Expences thereof; be it enacted, That the several Grand Juries, at the next Assizes after the passing of this Act or within the County of *Dublin* and the County of the City of *Dublin*, at the next presenting Term after the passing of this Act, shall present a Sum of Money not exceeding in any County the Sum of Forty Pounds *Irish* Currency, for defraying the Rent and Expence of such Houses and Places as have been so provided and taken as aforesaid; which said Sum shall be raised and paid by the several Treasurers of the respective Counties in *Ireland* to the different Commanding Officers of the Militia of the said Counties, to be by them applied for the Purposes aforesaid.

Adjutants, after 30 Years Service, 15 of which as Adjutants of Militia, entitled to receive a certain Allowance.

XXIV. And whereas Persons appointed to act as Adjutants in the Militia may, by Age or Infirmity, be rendered incapable of doing the Duty thereof, and it is expedient that some Provision should be made for them in Consideration of their former Services; be it enacted, That if any Adjutant of Militia, who shall have served faithfully either in His Majesty's Regular Forces or in the Militia for the full Term of Thirty Years in the Whole, Fifteen of which he shall have served as an Adjutant of Militia, shall, by Age or Infirmity, be rendered unfit for further Service, he shall, on producing to the Lords Commissioners of His Majesty's Treasury in *Ireland* a Certificate of such Service of Thirty Years as aforesaid from the Commanding Officers of the different Corps to which he shall have belonged, be entitled to receive, and the said Lords Commissioners of His Majesty's Treasury in *Ireland* shall be, and they are hereby authorized and required, to pay to such Person producing such Certificate as aforesaid an Allowance at the Rate of Six Shillings *per Diem*: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid, who shall have served for a less Term than Fifteen Years in the Militia, or who shall hold any Office or Employment of Profit, Civil or Military, under His Majesty.

XXV. And

If any Regiment shall cease, an Allowance shall be made the Adjutant to *March* 25, 1806.

XXV. And be it further enacted, That in case any Regiment or Battalion 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 or Battalion from the Time such Regiment or Battalion shall cease to the Twenty-fifth Day of *March* One thousand eight hundred and six.

Annual Allowances to be made to Subaltern Officers after disembodying of Militia.

XXVI. And whereas it is expedient to make some Addition to the Pay of certain Subaltern Officers of the Militia Forces of *Ireland* during Peace, under certain Regulations; be it therefore further enacted, That, from and after the disembodying of the Militia Forces in *Ireland*, certain annual Allowances, over and above the Pay to which during Peace they are now entitled, shall for the future be allowed and paid to Subaltern Officers of the said Militia, of the Descriptions, to the Amount, under the Restrictions, and in the Manner herein-after expressed; (that is to say), to every Subaltern of the said Militia, who shall have at any Time previous to the Expiration of Four Months from the passing of an Act of the last Session of Parliament, intituled, *An Act for defraying, until the Twenty-fifth Day of* March *One thousand eight hundred and five, the Charge of the Pay and Cloathing of the Militia of* Ireland; *for holding Courts Martial on Serjeant Majors, Serjeants, Corporals, and Drummers, for Offences committed during the Time such Militia shall not be embodied; and for making Allowances in certain Cases to Subaltern Officers of the said Militia during Peace*, been appointed to a Commission in the said Militia, or who, previous to the Expiration of Four Months from the passing of this Act, shall be appointed to a Commission, and who is now serving and shall continue, or who shall have continued faithfully to serve in the same Corps, until the disembodying thereof, the following annual Allowances, over and above the Pay to which they may be by Law entitled during Peace, shall be allowed and paid over and above any Deduction of any Kind, or for any Purpose whatsoever; (that is to say), to a Lieutenant Twenty-five Pounds *per Annum*, and to an Ensign Twenty Pounds *per Annum*, in the Manner herein-after mentioned.

Exceptions.

XXVII. Provided always, and be it further enacted, That no Person who is or shall at any Time hereafter become possessed of such an Estate or Income, as would by Law entitle him to hold a Captain's Commission in the Militia of a County at large in *Ireland*, or who is or shall be at any Time hereafter appointed Adjutant or Battalion Clerk in any Regiment or Battalion of the said Militia, nor any Person deriving in any Way whatsoever, otherwise than as a Subaltern of the said Militia, any Income, Stipend, or Allowance whatsoever from the Publick, nor any Officer on the Full or Half Pay of the Navy, Army, or Marines, who shall also hold a Subaltern's Commission in the said Militia, shall have or be in anywise entitled to the said annual Allowance, or any Part or Share thereof; any Thing herein contained to the contrary thereof in anywise notwithstanding.

Subalterns claiming Allowances to

XXVIII. And be it further enacted, That the Subaltern Officers of the Militia of *Ireland*, who shall claim under the Authority of this Act to receive

receive either of the said annual Allowances, shall, previous to receiving the same, and in order to entitle themselves thereto, annually take and subscribe an Oath before some One of His Majesty's Justices of the Peace for the County, or County of a City, or County of a Town in *Ireland*, to which such Regiment or Battalion in which they serve shall belong, in the Words or to the Effect following; (*videlicet*), take the following Oath.

'I *A. B.* do swear, That I am serving as a Subaltern Officer in the Regiment or Battalion of the Militia of *Ireland*, and that I am not in my own Right, or in Right of my Wife, nor have been since the disembodying of the said Regiment or Battalion in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of such an annual Value above Reprizes, as would qualify me to hold a Captain's Commission in the Militia of a County at large in *Ireland*; that I am not, nor have been, since the disembodying of the said Regiment or Battalion, an Adjutant or Battalion Clerk in any Regiment or Battalion of the Militia of *Ireland*; that I do not hold or enjoy, nor have held or enjoyed, nor does nor has any Person for me hold or enjoy, or held or enjoyed, since the disembodying the said Regiment or Battalion, any Office or Income whatsoever from the Publick; and that I am not entitled either to the Full or Half Pay of the Navy, Army, or Marines, nor have been since the disembodying of the said Regiment or Battalion. Oath.

'So help me GOD.'

Which Oath, so taken and subscribed, shall be by the said Justice forthwith certified and transmitted, and he is hereby required to certify and transmit the same to the Collector of Excise of the District in which the County, County of a City, or County of a Town shall be situate, to which such Regiment or Battalion of Militia in which such Subaltern Officer shall be then serving shall belong, to be by him filed and preserved for the Purposes herein-after mentioned. Justices to transmit Oaths to the Collector of Excise.

XXIX. And be it further enacted, That every Subaltern Officer of the said Militia who shall be entitled, or claim to be entitled to the Benefits of this Act, shall regularly attend the annual Exercise and Training of the Regiment or Battalion to which he belongs, during the Whole of the Twenty-eight Days by Law required for that Purpose, and shall, during that Time, punctually do and perform his Duty as a Subaltern Officer of such Regiment or Battalion, on Pain of forfeiting the said annual Allowance, as well as the Rest of his Pay, and every Part thereof which may be due for the current Year, in which he shall neglect or refuse to attend; and Certificates of his having so attended and performed his Duty, signed by the Commanding Officer of the Regiment or Battalion to which he may belong, shall be transmitted by the said Commanding Officer to the Collector of Excise of the District in which the County, County of a City, or County of a Town is situate, to which such Regiment or Battalion in which such Subaltern Officer is then serving shall belong, to be by the said Collector received pre- Subalterns to attend the annual Exercise, in Pain of forfeiting the Allowance and their Pay. Certificates of such Attendance to be transmitted by the Commanding Officer to the Collector of Excise of the District.

vious to any such Subaltern Officer being entitled to demand or receive the said annual Allowance, or any Part thereof; and in case any such Subaltern Officer, claiming to be entitled to such annual Allowance, shall be by his Commanding Officer permitted or suffered, for any special Cause or unavoidable Necessity, to be absent during the Whole or any Part of such annual Exercise, (in which Case it shall be lawful for such Commanding Officer to grant such Leave of Absence, and for such Subaltern Officer who may be so permitted to be absent, to demand and receive the said annual Allowance, and every Part thereof, in like Manner as if he had attended during the Whole of the annual Exercise), the Reasons for such Absence, as well as the Duration thereof, shall be carefully and truly specified in the Certificates before mentioned, signed by the Commanding Officer, to be by him transmitted as soon as conveniently may be to the Collector of Excise for the District in which such County, County of a City, or County of a Town to which such Regiment or Battalion shall belong is situate, and to the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being.

In case of Leave of Absence, the Reason for granting it to be inserted in the Certificate.

XXX. Provided always, and be it further enacted, That in case any Regiment or Battalion of the said Militia, after the disembodying thereof, at any Time shall not be called out for the annual Exercise and Training thereof, every Subaltern Officer belonging to any such Regiment or Battalion, and coming within the Descriptions of this Act, who shall have taken the Oath herein-before mentioned, before any such Justice of the Peace as aforesaid, shall be entitled to the said annual Allowance, as if such Subaltern Officer had regularly attended the annual Exercise and Training of such Regiment or Battalion during the Whole of the Twenty-eight Days by Law required for that Purpose, and as if a Certificate of such Attendance, signed by the Commanding Officer of such Regiment or Battalion had been transmitted to the Collector of Excise for the District in which such County, County of a City, or County of a Town to which such Regiment or Battalion shall belong is situate, according to the Directions of this Act; any Thing contained in this Act to the contrary notwithstanding.

If Militia be not called out to annual Exercise, the Subalterns still to be entitled to Allowance.

XXXI. And be it further enacted, That upon such Certificate as aforesaid of such Justices of the Peace and Commanding Officer as aforesaid, or where any Regiment or Battalion shall not have been called out to their annual Exercise as aforesaid, upon Certificate of any such Justice of Peace only being produced to or received by the respective Collectors, it shall and may be lawful for such Collectors and they are hereby authorized and required to pay to the said Subaltern Officers, according to their respective Commissions of Lieutenant or Ensign, the annual Allowance above mentioned, in Addition to their Pay, without any Deduction whatsoever, out of any publick Monies in their Hands; all which Monies so paid by such Collectors shall be allowed them in their Accounts; the Certificates before-mentioned to be by them

Allowances to be paid without Deductions.

them preſerved and produced as Vouchers for the Payments from Time to Time made by them in purſuance of this Act.

Subalterns not attending when called upon, to forfeit their Claims.

XXXII. And be it further enacted, That the Subaltern Officers of the ſaid Militia, entitled or claiming to be entitled to the Benefits of this Act, ſhall at all Times be liable to ſerve in the reſpective Regiments or Battalions to which they belong, whenever the ſame ſhall be embodied, or called out upon actual Service; and in caſe of Neglect or Refuſal to attend when called upon, or in caſe any ſuch Subaltern Officer ſhall a Second Time neglect or refuſe to attend, and perform his Duty at the annual Exerciſe as before directed, each and every ſuch Subaltern Officer ſhall forfeit his and their Claim to the ſaid annual Allowance, and every Part thereof, in all Time to come, and ſhall alſo be conſidered as having reſigned and vacated his and their Commiſſion and Commiſſions to all Intents and Purpoſes whatſoever.

Allowances to be paid by Collectors on Production of Certificates;

but not to be paid while the Militia is embodied.

Allowances to extend only to a certain Number.

XXXIII. And be it further enacted, That the ſaid ſeveral annual Allowances ſhall be paid to the Perſons reſpectively entitled thereto, by the Collectors, upon the Production of the before mentioned ſeveral Certificates, as ſoon after the Times of the annual Exerciſe and Training as may be convenient or practicable: Provided always, that nothing in this Act contained ſhall extend, or be conſtrued to extend, to prevent any Subaltern Officer entitled to the Benefit of this Act, from receiving the Pay allowed by Law for his Attendance at ſuch annual Exerciſe as before mentioned, over and above the ſaid annual Allowance: Provided alſo, that nothing in this Act ſhall extend, or be conſtrued to extend, to entitle any Subaltern Officer as aforeſaid to the ſaid annual Allowance, or any Part thereof, during the Time the Regiment or Battalion to which he belongs ſhall be embodied or called out on actual Service: Provided alſo, that this Act, and the Benefits and Allowances therein contained, ſhall not extend, or be conſtrued to extend, to more than Ten Lieutenants in any Regiment containing more than Ten Companies; to more than Nine Lieutenants in any Regiment containing more than Eight and leſs than Eleven Companies; to more than Eight Lieutenants in any Regiment or Battalion containing more than Six and leſs than Nine Companies; to more than Five Lieutenants in any Regiment or Battalion conſiſting of Six or of a leſs Number of Companies.

Senior Lieutenant to have the Preference, and the Junior to ſucceed on Vacancies.

XXXIV. And be it further enacted, That in caſe in any Regiment or Battalion of the ſaid Militia, at the Time of diſembodying thereof, there ſhall happen to be a greater Number of Lieutenants, coming within the Deſcription of this Act, than can be entitled to claim the Benefits thereof, within the true Intent and Meaning of the foregoing Proviſo, the Senior Lieutenants of ſuch Number ſhall always be preferred, and ſhall be alone entitled to demand and receive the before mentioned Allowances, and that the Junior Lieutenants ſhall ſucceed to ſuch Allowances in Rotation as Vacancies may happen among the ſaid Senior Lieutenants from Time to Time.

Continuance of Act.

XXXV. And be it further enacted, That this Act shall continue in force until the Twenty-fifth Day of *March* One thousand eight hundred and six, and no longer; and may be varied, altered, or repealed, by any Act or Acts to be made in this present Session of Parliament.

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