ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

CAP. XLV.

An Act for defraying, until the Twenty-fifth Day of *March* One thouſand eight hundred and nine, 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 *May* 1808.]

WHEREAS it is neceſſary that Proviſion ſhould be made for defraying the Charge of the Pay and Clothing 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 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 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 Ad-

vance 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 *per* Day for each Adjutant, where an Adjutant, is appointed; and at the Rate of One Shilling and Sixpence *per* Day for each Serjeant, reſident at the Head Quarters of the Regiment, Battalion, or Corps, with the Addition of Two Shillings and Sixpence *per* 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 *per* Day for each Drummer ſo reſident as aforeſaid, with the Addition of Sixpence *per* Day for each Drum Major, where a Drum Major is appointed; and at the Rate of One Shilling and Two-pence *per* Day for each Corporal ſo reſident as aforeſaid; and alſo at the Rate of Four-pence *per* 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 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 *per* Year; and alſo for the Cloathing 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 cloathed 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.

Cloathing.

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 the Sum of 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

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 Proportion hereinbefore 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 Payments of Four Months Pay in Advance, &c. 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, 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 1d. 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 Men's 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, &c. who ſhall pay to the Regimental Clerks the Sum 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, 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 Shilling

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 nine, 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, &c. 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.*

'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 Regi-
'ment of or Allowance as in
' 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 in 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, &c. 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

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, &c. 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 15 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, &c. of the Militia, when not embodied, to be kept in the County Town or where the Lord Lieutenant shall direct, &c.

XXII. And be it further enacted, That the Arms, Accoutrements, Cloathing or 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 Leiutenant 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.

If any Regiment ſhall ceaſe, an Allowance ſhall be made the Adjutant to March 25, 1809.

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 nine.

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 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 eight, 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 Public, 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 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 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 Captains 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 Public; 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.

'So help me God,' Form of Oath.

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 Collectors 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 previous Subalterns to attend the annual Exciſe, on 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.

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

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.

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

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.

Allowances to be paid without Deductions.

XXXI. And be it further enacted, That upon such Certificate as aforesaid of such Justice 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 the 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 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.

Allowance 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 enbodied 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.

Act may be altered or repealed this Seſſion.

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

Continuance of Act.

XXXIV. And be it further enacted, That this Act ſhall continue in force until the Twenty-fifth Day of *March* One thouſand eight hundred and nine, and no longer.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1808.