ANNO QUINQUAGESIMO SECUNDO

# GEORGII III. REGIS.

## CAP. CXI.

### An Act for defraying the Charge of the Pay and Clothing of the Militia and Local Militia in *Great Britain* for the Year One thousand eight hundred and twelve. [9th *July* 1812.]

WHEREAS it is neceſſary that Proviſion ſhould be made for defraying the Charge of the Pay and Cloathing of the Regular Militia (when diſembodied) and Local Militia in *Great Britain*, for One Year from the Twenty-fifth Day of *December* One thouſand eight hundred and eleven: Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That in every County, Riding, or Place in *England*, and in every County, Stewartry, City, or Place in *Scotland*, where the Regular Militia or Local Militia is or ſhall be raiſed, the Secretary at War for the Time being is hereby authorized and empowered, and required to cauſe to be iſſued and paid the whole Sum required for the Regular Militia (when diſembodied) and Local Militia reſpectively, in the Manner and for the ſeveral Uſes herein-after mentioned; (that is to ſay), for the Pay of the ſaid Regular Militia or Local Militia at the Rate of Eight Shillings a Day for each Adjutant, where an Adjutant is appointed; and at the Rate of Five Shillings a Day for each Quarter Maſter, where the Eſtabliſhment of the Regiment, Battalion, or Corps to which he is appointed ſhall exceed Three hundred and ſixty Private Men; and at the Rate of Three Shillings a Day to ſuch Quarter Maſter, where the Eſtabliſhment ſhall not exceed that Number; and at the Rate of One Shilling

The Secretary at War to iſſue the Sum neceſſary for the Pay of the Regular and Local Militia, and for Cl thing, according to the Rates herein mentioned.

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, where a Serjeant Major is appointed; and at the Rate of One Shilling and Two-pence a Day for each Corporal so resident as aforesaid, 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 also at the Rate of Three-pence *per* Man for each Private Man and Drummer, for defraying the contingent Expences of each Regiment, Battalion, or Corps; and also for the Clothing of the Regular Militia (when disembodied) or Local Militia for such County, Riding, Stewartry, City, or Place, at the Rate of Four Pounds Nine Shillings and One Penny for each Serjeant Major, Three Pounds Nine Shillings and One Penny for each Serjeant, One Pound Nineteen Shillings and One Penny for each Corporal, Four Pounds and Ten-pence for each Drum Major, Three Pounds and Ten-pence for each Drummer, and One Pound Eighteen Shillings and Seven-pence for each Private Man; and that such Serjeant Majors, Drum Majors, Serjeants, Corporals, and Drummers, who may be retained on constant Pay, and resident at Head Quarters, shall be clothed Once in Two Years; and that such Serjeants, Corporals, and Drummers of Local Militia, beyond the regular Establishment of the permanent Staff thereof as may be serving on Reduced Pay, under the Provisions of an Act passed in the Fiftieth Year of His present Majesty, intituled *An Act to amend several Acts relating to the Local Militia of* Great Britain, shall be entitled to new Cloathing when their present Cloathing shall have been actually and necessarily worn for Two Years: Provided always, that when any Serjeant, Corporal, or Drummer shall be absent on Furlough or Licence, such Serjeant, Corporal, or Drummer shall, during such Absence, receive Pay at the following Rates instead of those above mentioned; (that is to say), every Serjeant the Sum of One Shilling a Day, every Corporal the Sum of Eight-pence *per* Day, and every Drummer the Sum of Sixpence *per* Day respectively, and no more; and it shall be lawful for the Secretary at War to cause any such Pay to be from Time to Time issued in Advance, for any Period not exceeding Four Months from the Time for which such Advances shall be made.

Rates of Pay to Serjeants, Corporals, and Drummers, when absent on Furlough.

Allowance to Surgeons.

II. And be it further enacted, That there shall be granted to the Surgeon of each Regiment, Battalion, or Corps of Regular Militia when disembodied, a Sum of Money in Addition to his Pay, after the Rate of One Guinea for every One hundred Men of each such Regiment, Battalion, or Corps, for the Expence of necessary Medicines for the Sick Non-commissioned Officers, Drummers, and Private Men of such Regiment, Battalion, or Corps, during the Period or Periods of Assembly for annual Exercise or Training; and to the Surgeon of each Regiment, Battalion, or Corps of Local Militia, the Sum of Five Shillings and Three-pence for every Day's Training for the same Purpose, as also to the Surgeon of Regular Militia when disembodied, and to the Surgeon of Local Militia respectively, an Allowance of Sixpence *per* Month for each of the Non-commissioned Officers and Drummers of any such Regiment, Battalion, or Corps on constant Pay at Head Quarters, for the Expence of necessary Medicines and Attendance given to the Non-commissioned Officers and Drummers on constant Pay at Head Quarters, while such Regiment, Battalion, or Corps is not called out for annual Training and Exercise.

III. And

III. And be it further enacted, That the Quarter Maſter or Battalion Clerk to each Regiment, Battalion, or Corps of Militia, or Local Militia, ſhall have the Charge and Care of the Arms, Accoutrements, Clothing, Neceſſaries and other Stores under the Superintendence of the Colonel or Commandant; and ſhall out of the Money hereby directed to be iſſued and paid for defraying the contingent Expences of ſuch Regiment, Battalion, or Corps, from Time to Time iſſue out and pay ſuch Sums of Money as may be neceſſary for the Repair of Arms, upon an Order in Writing ſigned by the Colonel or other Commandant, and after Payment of ſuch Sums as ſhall be drawn upon him by the Colonel or other Commandant as aforeſaid, he ſhall Three Times in the Year make up Accounts of all ſuch Money, and the Expenditure thereof, and the Balance remaining in his Hands; which ſaid Balance ſhall form a Stock Purſe for the Uſe of the Regiment, Battalion, or Corps, and tranſmit the ſame to the Colonel or other Commandant of ſuch Regiment, Battalion, or Corps, to be by him examined, allowed, and ſigned; and the ſaid Accounts ſo allowed and ſigned, ſhall be and are hereby directed to be the proper Vouchers and Acquittal of ſuch Quarter Maſter or Battalion Clerk, for the Application and Diſpoſal of ſuch Money.

Quarter Maſter or Battalion Clerk to have the Charge of Arms, Clothing, &c. and to account Three Times a Year for the contingent Money iſſued to him.

Balance to form a Stock Purſe for the Uſe of the Regiment, &c.

IV. And be it further enacted, That the Officers and Non-commiſſioned Officers and Private Men of the Regular Militia and Local Militia, when not drawn out and embodied, ſhall be entitled to the ſame Pay and Allowance as the Regular Militia when drawn out and embodied: Provided always, that the ſaid Pay and Allowances ſhall only extend to ſuch Period or Periods for which the ſaid Regular Militia or Local Militia ſhall be called out for the Purpoſe of annual Exerciſe or Training, or when called out for ſuppreſſing Riots or Tumults, excluſive of the Days of arriving at and Departure from, and marching to and from the Place appointed for Exerciſe; any Thing in any Act or Acts of Parliament to the contrary notwithſtanding.

Pay to Militia (when not embodied) to be only during the Period when called out for annual Exerciſe or Training, &c.

V. And be it further enacted, That all Sums of Money granted for the Pay, Clothing, and contingent Expences for the Regular Militia (when diſembodied), and Local Militia as aforeſaid, ſhall be iſſued and paid under the Direction of the Secretary at War, who is hereby empowered to iſſue ſuch Regulations as he may deem it expedient to adopt from Time to Time in that Behalf.

Money for Pay and Clothing to be iſſued under the Direction of the Secretary at War.

VI. And whereas in purſuance of an Act paſſed in the preſent Seſſion of Parliament, intituled *An Act for increaſing the Rates of Subſiſtence to be paid to Innkeepers and others on quartering Soldiers*, certain increaſed Rates are allowed for the Payment of Innholders and others on whom Non-commiſſioned Officers and Private Soldiers may, by virtue of an Act paſſed alſo in the preſent Seſſion of Parliament for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, be quartered in that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, the Dominion of *Wales*, and the Town of *Berwick-upon-Tweed*: And whereas the Officers, Non-commiſſioned Officers, Drummers, and Private Men of the ſaid Regular Militia, if diſembodied, and the Local Militia, when called out to annual Exerciſe, are required by Law to be quartered and billetted in Inns, Livery Stables, Alehouſes, Victualling Houſes, and all Houſes of Perſons ſelling Brandy, Strong Waters, Cyder, Wine;

52 G. 3. c. 43.

Allowance to Innholders.

Wine, or Metheglin by Retail; be it enacted, That the Innholders and others on whom the ſaid Non-commiſſioned Officers, Drummers, and Private Men of the Regular Militia (when diſembodied), or Local Militia ſhall be ſo quartered and billetted, ſhall be entitled to and receive the ſame Rates of Allowance for each Serjeant Major, Drum Major, Serjeant, Corporal, Drummer, and Private Man ſo quartered and billetted upon them, during the Time of their remaining aſſembled for Exerciſe as aforeſaid, and under the ſame Rules and Regulations as ſuch Innholders or others may now, by the above-mentioned Act for the Relief of Innkeepers, demand and receive for the Non-commiſſioned Officers, Drummers, and Private Soldiers of the Regular Infantry, in the reſpective Caſes of their furniſhing them with Diet and Small Beer, or ſupplying them in lieu thereof with the Articles ſpecified in the ſaid Act for puniſhing Mutiny and Deſertion; and the Secretary at War is hereby authorized and required to ſupply the neceſſary Funds to defray the Charge of the Allowances ſo to be made to the ſaid Innholders and others: Provided always, that each of the Non-commiſſioned Officers, Drummers, and Private Men who ſhall be furniſhed with Diet and Small Beer as aforeſaid, ſhall contribute towards the Expence thereof, the like Proportion of his Pay and Beer Money, as is or ſhall be contributed in the like Caſe by the Non-commiſſioned Officers, Drummers, and Soldiers of the Regular Infantry.

Perſons on Half Pay ſerving in the Local Militia may receive the Pay allowed by this Act.

VII. Provided always, and be it further enacted, That any Perſon being on Naval or Military Half Pay, or being entitled to any Allowance as having ſerved in any of His Majeſty's Forces, or Navy or Marines, and ſerving in the Local Militia, ſhall and may; and he is hereby empowered to receive and take the Subſiſtence Money by this Act directed to be paid to Field Officers, Captains, Lieutenants, Enſigns, Adjutants, Quarter Maſters, Surgeons; and the receiving and taking any ſuch Subſiſtence Money by any ſuch Field Officer, Captain, Lieutenant, Enſign, Quarter Maſter, Surgeon, ſhall not be deemed receiving or taking of 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 a
'Reduced in His Majeſty's Navy, [*or*, in the Marines], [*or*,
'in late Regiment of ], [*or*, Allowance as
'in late Troop of Horſe Guards], [*or*, Regiment of
'Horſe reduced], ſave and except my Subſiſtence [as a Field Officer,
'Captain, Lieutenant, Enſign, Adjutant, or Quarter Maſter, Surgeon, *as*
'*the Caſe may be*], for ſerving in the Local Militia of the County of

And the 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.

Receiving Chelſea Penſions not to affect Pay.

VIII. Provided always, and be it further enacted, That no Non-commiſſioned Officer or Private Man in the Regular Militia, or Local Militia, entitled to receive any *Chelſea* Penſions or Allowance, ſhall forfeit or loſe his Right to the ſame by reaſon of his ſerving and receiving Pay in the Regular Militia or Local Militia.

IX. And

IX. And whereas Perſons appointed to act as Adjutants in the Regular or Local 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 Regular Militia, who ſhall have ſerved faithfully either in His Majeſty's Regular Forces or in the Regular or Local Militia, for the full Term of Thirty Years in the Whole, Fifteen of which he ſhall have ſerved as an Adjutant of Regular or Local Militia, ſhall by Age or Infirmity be rendered unfit for further Service, he ſhall, on producing to the Receiver General of the Land Tax for the County, Riding, or Place to which ſuch Regular or Local Militia ſhall belong if in *England*, or to the Receiver General for *Scotland* if in *Scotland*, 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 Receivers General aforeſaid reſpectively 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* Day: 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 as an Adjutant of Regular or Local Militia, or who ſhall hold any Office or Employment of Profit, Civil or Military, under His Majeſty, except as Regimental or Battalion Clerk of any Regiment, Battalion, or Corps of Regular or Local Militia: Provided alſo, that no ſuch Adjutant ſhall loſe any Right he may have to Half Pay, by reaſon of receiving ſuch Allowance as aforeſaid, but ſhall be entitled to receive ſuch Half Pay as well as ſuch Allowance.

Allowance to Adjutants in the Regular Militia, who, from Age and Infirmity, are unfit to ſerve.

Allowance not to affect Half Pay.

X. And be it further enacted, That in caſe any Regiment, Battalion, Corps, or Independent Company ſhall have already ceaſed and determined, or been reduced in its Eſtabliſhment, or ſhall ceaſe and determine, or be reduced in its Eſtabliſhment, during the Continuance of this Act, the Sum of Three Shillings *per Diem* ſhall be paid to ſuch Perſon as has actually ſerved as Adjutant to ſuch Regiment, Battalion, Corps, or Independent Company, from the Twenty-fifth Day of *March* One thouſand eight hundred and twelve, or from the Time ſuch Regiment, Battalion, Corps, or Independent Company ſhall ceaſe and determine, or be reduced in its Eſtabliſhment, as the Caſe may be, to the Twenty-fifth Day of *March* One thouſand eight hundred and thirteen: Provided always, that no ſuch reduced Adjutant ſhall loſe any Right he may have to Half Pay by reaſon of receiving ſuch Allowance as laſt aforeſaid, but ſhall be entitled to receive ſuch Half Pay as well as ſuch Allowance.

Perſons ſerving as Adjutants in Regiments, &c. whoſe Eſtabliſhment is reduced, to be allowed 3s. per Day.

XI. And whereas Perſons appointed to act as Surgeons in the Regular 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 Surgeon of Regular Militia, having faithfully ſerved in the Militia for the full Term of Thirty Years, ſhall by Age or Infirmity be rendered unfit for further Service, he ſhall, on producing to the Receiver General of the Land Tax for the County, Riding, or Place to which ſuch Regular Militia ſhall belong, if in *England*, or to the Receiver General for *Scotland* if in *Scotland*, a Certificate of ſuch Service of Thirty Years as aforeſaid, from the Commanding Officers of the different Corps to which he ſhall have be-

Surgeons after 30 Years Service, to receive an Allowance of 3s. per Day.

longed, be entitled to receive, and the Receivers General aforeſaid reſpectively ſhall be, and they are hereby authorized and required to pay ſuch Perſon producing ſuch Certificate as aforeſaid, an Allowance at the Rate of Three Shillings a Day: Provided always, that no Perſon ſhall be entitled to receive ſuch Allowance as aforeſaid who ſhall hold any Office or Employment of Profit, Civil or Military, under His Majeſty.

Receivers General of the Land Tax to pay the Money required for the Allowances to the Clerks of the General and Subdiviſion Meetings;

XII. And be it further enacted, That in every County, Riding, or Place in *England* where the Regular Militia or Local Militia is or ſhall be raiſed, the Receiver or Receivers General of the Land Tax for ſuch County, Riding, or Place reſpectively, and in every County, Stewartry, City, or Place in *Scotland*, where the Regular Militia or Local Militia is or ſhall be raiſed, the Receiver General for *Scotland* ſhall iſſue and pay the whole Sums required for the reſpective Allowances to the Clerks of the General Meetings, and Clerks of the ſeveral Subdiviſion Meetings in *England*, at the Rates following; that is to ſay, to the Clerk of the General Meetings, at the Rate of Five Pounds Five Shillings for each Meeting; and to the ſeveral Clerks of the Subdiviſion Meetings, at the Rate of One Pound One Shilling for each Meeting; and ſuch further Allowance ſhall be made to ſuch reſpective General and Subdiviſion Clerks, for their Expences and Trouble in amending the Returns of Perſons returned liable to ſerve in the Regular Militia or Local Militia, by taking out the Names of all Perſons who may appeal, and whoſe Appeals or Claims of Exemption have been allowed, and inſerting the Names of any Perſons that ſhall have been omitted to be inſerted; and in numbering the Returns and making out the Tickets for the Ballot, after the Rate of One Pound Fifteen Shillings for every One thouſand Names of Perſons returned liable to ſerve; and alſo for the actual Expences incurred by ſuch reſpective Clerks, and for Printing and Stationary uſed for the Purpoſe of this Act, as to the Lord Lieutenants or Deputy Lieutenants of the reſpective Counties, Ridings, Cities, or Places ſhall appear reaſonable and proper; and in caſe the Orders made by the Lord Lieutenants or Deputy Lieutenants for the Payment of ſuch further Allowances as aforeſaid ſhall be confirmed at a General Meeting conſiſting of not leſs than Five Deputy Lieutenants, but not otherwiſe.

who ſhall produce the Order for receiving Payment.

XIII. And be it enacted, That the Receivers General in *England* ſhall pay to the Clerk of the General Meetings his Allowance, at the Rate of Five Pounds and Five Shillings for each Meeting, or ſuch further Allowance as may be made as herein-before directed, upon his producing an Order or Orders for that Purpoſe from His Majeſty's Lieutenant, or from Three Deputy Lieutenants aſſembled at ſome General Meeting or Meetings; and ſhall alſo pay to each and every of the Clerks of the Subdiviſion Meetings their ſeveral Allowances at the Rate of One Pound and One Shilling for each Meeting, or ſuch further Allowance as may be made as herein-before directed, upon his or their producing an Order or Orders from One or more Deputy Lieutenant or Deputy Lieutenants, aſſembled in the ſeveral Subdiviſion Meetings; which ſaid Order or Orders, ſpecifying the Day or Days of Meeting, at what Place or Places and for what Purpoſe or Purpoſes the ſaid General and Subdiviſion Meeting or Meetings have been aſſembled and held, together with the Clerks Receipt or Receipts for the Sums ſo claimed, ſhall be to the Receivers General in *England* reſpectively, a ſufficient Diſcharge for the Payment of ſuch Allow-

ances, and be allowed in their Accounts; and that the ſeveral Allowances to Clerks of General and Subdiviſion Meetings, for their Trouble and Expences in the Execution of this Act in *Scotland*, ſhall be paid and defrayed in the ſame Manner in which Schoolmaſters, Conſtables, and other Perſons employed in the Execution of an Act, paſſed in the Forty-ſecond Year of the Reign of His preſent Majeſty, intituled *An Act to raiſe and eſtabliſh a Militia Force in* Scotland, are directed to be paid for their Trouble and Expences. 42 G. 3. c. 91.

XIV. Provided always, and be it further enacted, That it ſhall be lawful for the Agent General of Volunteers and Local Militia, and he is hereby required, to repay any Sum of Money which may have been paid for the Stamp Duty, on any Commiſſion of any Officer in the Local Militia, under ſuch Regulations, and in ſuch Manner, as the Secretary at War ſhall appoint. Stamp Duty on Commiſſions in the Local Militia to be repaid.

XV. And be it further enacted, That all Bills, Drafts, and Orders drawn for the Pay or Allowance of the Regular Militia (when diſembodied,) or Local Militia under this Act, may or ſhall be drawn upon unſtamped Paper; and no ſuch Bill, Draft, or Order ſhall be void, by reaſon of being ſo drawn or written on unſtamped Paper. Bills, &c. drawn for Pay or Allowances need not be on ſtamped Paper.

XVI. Provided always, and be it enacted, That no Fee or Gratuity whatſoever ſhall be given or paid for or upon account of any Warrant or Sum of Money which ſhall be iſſued in relation to or in purſuance of this Act. No Fees to be taken.

XVII. Provided always, and be it enacted, That all Penalties and Coſts and Charges of Suit, and all Sums of Money for which any Perſon or Perſons is or are by this Act made anſwerable, may and ſhall be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, or in His Majeſty's Court of Exchequer in *Scotland*, according as the Caſe may require, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoign, Wager of Law, or Protection, or more than One Imparlance ſhall be allowed. Where Penalties may be ſued for.

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