

## **Acts of Parliament for regulating the London militia.**

### **Contributors**

Great Britain

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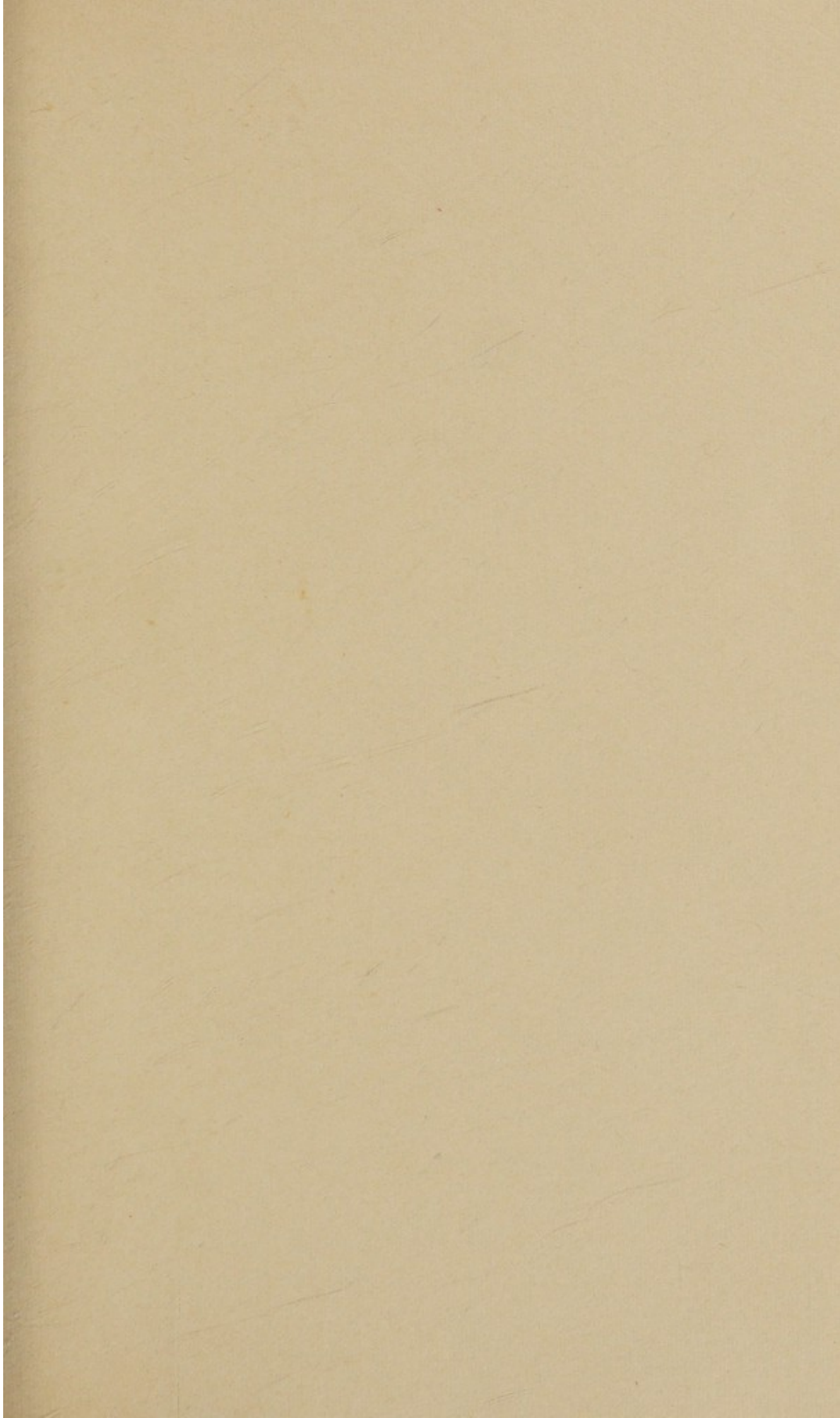
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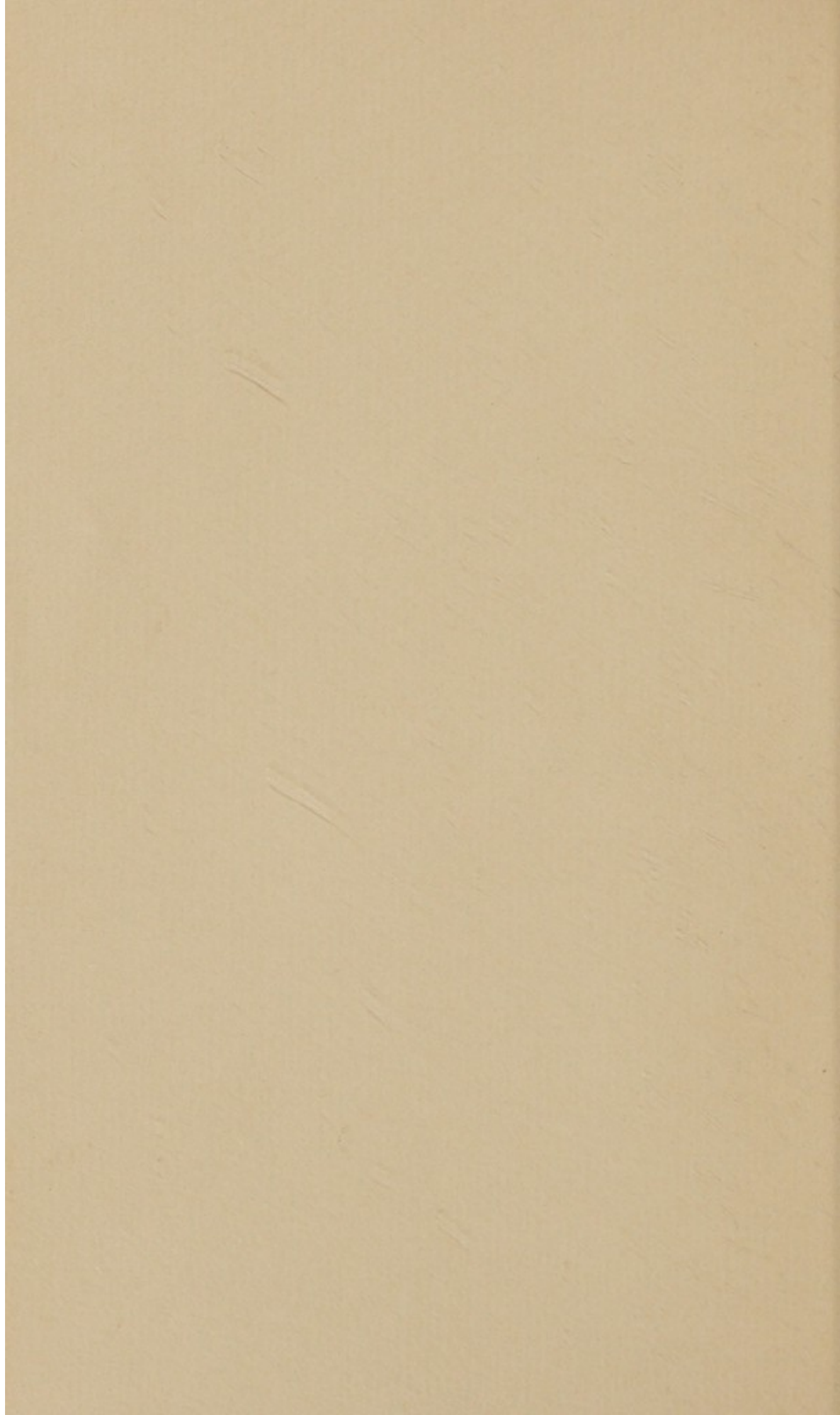


Wellcome Collection  
183 Euston Road  
London NW1 2BE UK  
T +44 (0)20 7611 8722  
E [library@wellcomecollection.org](mailto:library@wellcomecollection.org)  
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ACTS  
OF  
PARLIAMENT,  
FOR  
REGULATING  
THE  
*LONDON MILITIA.*



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LONDON:  
PRINTED IN THE YEAR  
1799.

304759



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ANNO TRICESIMO SEXTO.

GEORGII III. Regis.

---

C A P. XCII.

An Act for amending and reducing into One Act of Parliament Two several Acts, passed in the Thirty-fourth and Thirty-fifth Years of the Reign of His present Majesty, for the better ordering the Militia of the City of *London*; and for the further regulating of the Trained Bands, or Militia, of the said City. [14th *May*, 1796.]

WHEREAS an Act was passed <sup>Preamble.</sup>  
in the Thirty-fourth Year of <sup>34 Geo. III.</sup>  
the Reign of His present Majesty, <sup>Cap. 81, and</sup>  
A 2 intituled,

35 Geo. III.  
Cap. 27, re-  
cited.

intituled, *An Act for amending so much of an Act, passed in the Thirteenth and Fourteenth Years of the Reign of His late Majesty King Charles the Second, intituled, 'An Act for ordering the Forces in the several Counties of this Kingdom, as relates to the Militia of the City of London, and for the better ordering the same:'* And whereas another Act was passed in the Thirty-fifth Year of the Reign of His said present Majesty, intituled, *An Act for altering, amending, and rendering more effectual an Act, made in the last Session of Parliament, intituled, 'An Act for amending so much of an Act, passed in the Thirteenth and Fourteenth Years of the Reign of His late Majesty King Charles the Second, intituled, "An Act for ordering the Forces in the several Counties of this Kingdom, as relates to the Militia of the City of London, and for the better ordering the same:"'* And whereas several of the Powers

and Provisions in the said Acts contained, have been found defective, and it is expedient that the said Acts should be repealed, and further and other Powers and Provisions granted instead thereof, for raising, training, and regulating the Trained Bands, or Militia, of the City of *London*: 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, from and after the passing of this Act, the said Two recited Acts, passed in the Thirty-fourth and Thirty-fifth Years of the Reign of His present Majesty, shall be, and the same are hereby repealed, and that instead thereof this Act shall commence and take Effect: Provided nevertheless, that the Militia now raised by Virtue of the said Acts, shall be subject to the Provisions and Regulations contained

Recited Acts repealed; but the Militia raised by Virtue thereof, to be subject to the Provisions of this Act.

tained in this Act, in like Manner as the Militia to be raised by Virtue of this Act are subjected thereto.

Repeal of re-cited Acts not to annul Proceedings of the Commissioners of Lieutenancy granted by them, if the Officers are qualified; to ascertain which, they are to examine upon Oath.

II. Provided always, and be it further enacted, That the repealing of the said Acts shall not annul any Proceedings had by His Majesty's Commissioners of Lieutenancy for the City of *London*, who are in and by the said Acts appointed and authorized to execute the same, or any Commissions granted by them by Virtue, or under the Authority of the said Acts, provided the Colonels, Lieutenant Colonels, Majors, and Captains, to whom such Commissions have been granted, are qualified as herein-after specified; and in Order to ascertain such Qualifications, the said Commissioners are hereby empowered and directed to examine such Persons respectively on Oath, to be administered by such Commissioners; and the several Persons to whom such Commissions have been granted, shall and may act,

act, if qualified as herein-after expressed, in the Execution of this Act, in like Manner as they might have acted in the Execution of the said former Acts, in Case this Act had not been made.

III. And be it further enacted, That his Majesty's Commissioners of Lieutenancy that now are, and hereafter shall be constituted and appointed for the City of *London*, shall have full Power and Authority, and are hereby required to call together, arm, array, and cause to be trained and exercised, such Persons once in every Year, and at such other Times, and in such Manner as is herein-after directed; and the said Commissioners shall from Time to Time constitute and appoint a proper Number of Colonels, Lieutenant Colonels, Majors, and other Officers, qualified as herein-after directed, to train, discipline, and command the Persons so to be

Commissioners to arm, array, and exercise the Militia, and appoint Officers, who shall have the same Rank as the other Militia Forces.

armed and arrayed, according to the Rules, Orders, and Directions herein-after mentioned; and the Officers so appointed shall have the same Rank in the Army as the Officers of the rest of the Militia Forces of this Kingdom.

Commissions not vacated by Revocation of the Power of the Commissioners.

IV. And be it further enacted, That no Commission of any Officer granted by His Majesty's said Commissioners of Lieutenancy for the City of *London*, in Pursuance of this Act, shall be vacated by Reason of the Revocation, Expiration, or Discontinuance of the Commission by which such Commissioners were appointed.

Officers to possess the same Qualification as for Cities which are Counties of themselves, to take the Oaths, and subscribe a Declaration as to his Qualification.

V. And be it further enacted, That every Person so to be appointed an Officer of the said Militia, in Pursuance of this Act, shall possess the like Qualification, with Respect to Property, as those of the same Rank in all Cities and Towns which are Counties within themselves, are directed to possess by an Act,

Act, passed in the Twenty-sixth Year of the Reign of His present Majesty, intituled, *An Act for amending and reducing into One Act of Parliament the Laws relating to the Militia in that Part of Great Britain called England*; and every Commissioned Officer shall take the Oaths, and make, repeat, and subscribe the Declaration by the said Act required to be taken, made, repeated, and subscribed; and every Colonel, Lieutenant-Colonel, Major, and Captain in the said Militia, shall be a Freeman of the City of *London*, and shall also take an Oath, and subscribe a Declaration before the said Commissioners, who are hereby authorized and directed to administer the said Oath, and receive the said Declaration, that he possesses the Qualifications required by the said Act; and every Lieutenant and Ensign in the said Militia shall be a Freeman, or the Son of a Freeman, of the City of  
of

No Bankrupt  
to be an Officer.

Establishment  
of the Militia.

of *London*, and shall also take (if required by the said Commissioners) an Oath, and subscribe a Declaration before the said Commissioners, who are hereby authorized to administer the said Oath, and receive the said Declaration, that he possesses the Qualifications required by the said Act: Provided always, that no Person who has been a Bankrupt, or compounded with his Creditors, and not paid Twenty Shillings in the Pound, shall be eligible to be a Commissioned Officer in the said *London* Militia.

VI. And be it further enacted, That the Number of Private Men, to be raised, by Virtue of this Act, for the Militia of the City of *London*, and Liberties thereof, shall be One Thousand and Two Hundred, to be formed into Two Regiments, consisting each of Eight Companies, besides a Grenadier and Light Infantry Company. The Field Officers of each Regiment shall be One Colonel,

Colonel, One Lieutenant-Colonel, and One Major; and there shall be One Captain, One Lieutenant, and One Ensign, to each Company, except to the Grenadier and Light Infantry Companies, to each of which there shall be appointed Two Lieutenants instead of One Lieutenant and One Ensign; and the Clerk of the said Commissioners shall cause to be inserted in the *London Gazette*, the Date of the Commissions, and Names and Rank of the Officers, together with the Names of the Officers in whose Room they are appointed, in like Manner as Commissions in the Army are published from the War Office; and the Expence of such Insertion in the *Gazette*, for each Commission, shall be allowed to the said Clerk in passing his Accounts.

Commissions  
to be inserted  
in the Gazette.

Expence of  
Insertion to be  
allowed the  
Clerk.

VII. And be it further enacted, That every Officer now holding a Commission as Colonel, Lieutenant-Colonel, Major, or Captain, in the said

Field Officers  
and Captains  
now holding  
Commissions,  
who have not  
delivered in

their Qualifications, to do so in Three Months on Pain of Disqualification.

faid Militia, who hath not delivered a specific Description of his Qualification, herein-before mentioned, for enabling him to hold such Commission, to the Clerk or Treasurer to the said Commissioners, shall, within Three Calendar Months after the passing of this Act, deliver such specific Description of his Qualification for holding such Commission to the said Clerk or Treasurer, who shall forthwith lay the same, or a true Copy thereof, before the said Commissioners; and in Case any such Officer shall not deliver such specific Description of his Qualification, as aforesaid, to the Clerk or Treasurer, within the Time before limited for that Purpose, his Commission shall be void, and he shall be incapable of being or serving as an Officer in the said Militia again in the same or any higher Rank.

Penalty for acting without being qualified, or without de-

VIII. And be it further enacted, That if any Person shall execute  
any

any of the Powers hereby directed to be executed by Colonels, Lieutenant-Colonels, or Majors in the said Militia, not being qualified as aforesaid, or without having delivered a specific Description of his Qualification to the Clerk or Treasurer to the said Commissioners, every such Person shall forfeit and pay the Sum of Two Hundred Pounds; and if any Person shall execute any of the Powers hereby directed to be executed by Captains in the said Militia, not being qualified as aforesaid, or without having delivered a specific Description of his Qualification to the said Clerk or Treasurer, every such Person shall forfeit and pay the Sum of One Hundred Pounds; and if any Person shall execute any of the Powers hereby directed to be executed by Colonels, Lieutenant-Colonels, Majors, Captains, Lieutenants, or Ensigns in the said Militia, after having been a Bankrupt, or after having  
compounded

livering in a  
Description of  
Qualification.

A Moiety of  
Penalty to the  
Person who  
shall sue.

On whom  
Proof of Qua-  
lification shall  
lie.

Times of hold-  
ing Courts of  
Lieutenancy.

compounded with his Creditors, and not paid Twenty Shillings in the Pound, every such Person shall forfeit and pay the Sum of One Hundred Pounds, One Moiety of which said several and respective Penalties shall go to the Use of the Person who shall sue for the same; and in every Action, Suit, or Information, brought against any Person for acting as Colonel, Lieutenant-Colonel, Major, or Captain in the said Militia, not being qualified as aforesaid, the Proof of his Qualification (except as to Bankruptcy, or compounding with his Creditors) shall lie upon the Person against whom the same is brought.

IX. And be it further enacted, That the said Commissioners shall, and are hereby required and empowered to hold a Court of Lieutenancy for the said City, on the First *Wednesday* next after the passing of this Act, and afterwards to hold two Courts of Lieutenancy  
in

in each Year for the said City ;  
 (that is to say) One Court to be  
 holden on the Third *Wednesday* in  
*January*, and One Court on the  
 Third *Wednesday* in *June*, and to  
 hold Courts from Time to Time, as  
 often as they shall think expedient,  
 and to issue such Precepts at the  
 said Courts as may be requisite and  
 necessary for the Purpose of carry-  
 ing this Act into Execution.

X. And be it further enacted,  
 That the Private Men of the Two  
 Regiments of Militia to be raised  
 by Virtue of this Act, and which  
 shall be distinguished by the Names  
 of the *East* and *West Regiments*,  
 shall be provided by the several  
 Wards of the City, and the Li-  
 berties and Precincts within the  
 same in the Proportions following ;  
 (that is to say)

Men to be pro-  
 vided by the  
 Wards in cer-  
 tain Proporti-  
 ons.

FOR

FOR THE  
**East Regiment,**

BY THE WARDS OF

Aldgate	<i>Sixty Men</i>
Bassishaw	<i>Twelve Men</i>
Billingsgate	<i>Forty-one Men</i>
Bishopsgate Within	<i>Forty-four Men</i>
Bishopsgate Without	<i>Fifty Men</i>
Bridge	<i>Twenty-six Men</i>
Broad-Street	<i>Fifty Men</i>
Candlewick	<i>Twenty Men</i>
Coleman-Street	<i>Thirty-six Men</i>
Cornhill	<i>Thirty-six Men</i>
Dowgate	<i>Twenty-seven Men</i>
Langbourn	<i>Sixty-seven Men</i>
Lime-Street	<i>Twenty Men</i>
Portfoken	<i>Forty-five Men</i>
Tower	<i>Sixty-six Men</i>

AND FOR THE

**West Regiment,**

BY THE WARDS OF

Aldersgate Within & St. Martin's le Grand	} <i>Eighteen Men</i>
Aldersgate Without	<i>Twenty-one Men</i>
Bread-Street	<i>Twenty-four Men</i>
Castle Baynard	<i>Forty-four Men</i>
Cheap	<i>Forty-four Men</i>
Cordwainer	<i>Twenty-two Men</i>
Cripplegate Within	<i>Forty-four Men</i>
Cripplegate Without	<i>Thirty-six Men</i>
Farringdon Within	<i>Eighty-four Men</i>
Farringdon Without	{ <i>One Hundred and Ninety-two Men</i>
Queenhithe	<i>Twenty-one Men</i>
Vintry	<i>Twenty-three Men</i>
Walbrook	<i>Twenty-seven Men.</i>

XI. And be it further enacted, Commissioners to issue Precepts to the Aldermen, &c. to cause the Men to be raised, to whom they may give 10<sup>l</sup>. Bounty.  
 That the said Commissioners, at their Courts, shall, and are hereby required, to issue Precepts to the Aldermen, Deputies, and Common Councilmen of the several Wards of the said City and Liberties thereof, requiring them to cause the Number of Men, hereinbefore appointed to be raised in their respective Wards, to be provided; and the Aldermen, or Deputies, and Common Councilmen of the several Wards aforesaid, or the major Part of them, shall provide the Number of Men directed to be raised in their respective Wards, who shall be fit and able Men, and be approved by Two or more of the said Commissioners, and who shall not have more than One Child born in Wedlock at the Time of his Inrolment, and who shall reside in the said City, or within Three Miles thereof; and the Aldermen, or Deputies, and Common Councilmen of the several Wards aforesaid, or

B the

the major Part of them, shall, and are hereby authorized and empowered to give unto such Men, so to be provided, any Sum or Sums of Money, not exceeding Ten Pounds to each Man, to serve in the Militia for each Ward; and the said Commissioners shall appoint a Court or Courts to be holden, not less than Twenty Days or more than Sixty Days after issuing such Precepts, to receive a Return of the Names and Places of Abode of such Persons as shall be so provided; and the Aldermen, or Deputies, and Common Councilmen of the several Wards aforesaid, or the major Part of them, shall direct the Constables, Beadles, or other Ward Officers, to give Notice, in Writing, to every Person so provided, personally to appear at such Court or Courts, or before such Commissioners as may be appointed by such Court or Courts, to receive, inspect, and attest them, which Notice shall be given at his or their usual Place  
of

To appoint a Court to receive Returns of Men provided.

Aldermen to direct the Ward Officers to give Notice to the Persons provided to attend at the Court, &c.

of Abode, at least Six Days before the Time appointed for their said Appearance; and such Constable, Beadle, or other Officer, shall appear at such Court or Courts, or before such Commissioners to be appointed as aforesaid, and make Return on Oath of the Days when such Notices were served; and every Person so provided shall, upon such Notice, appear at such Court, or before such Commissioners to be appointed as aforesaid, and if approved, there take an Oath in the Words, or to the Effect following; (that is to say)

‘ **I** *A. B.* do sincerely promise and  
 ‘ I swear That I will be faithful  
 ‘ and bear true Allegiance to His  
 ‘ Majesty King *George*; and I do  
 ‘ swear, that I am a Protestant,  
 ‘ and that I will faithfully serve in  
 ‘ the Militia of *London*, within the  
 ‘ Kingdom of *Great Britian*, for  
 ‘ the Defence of the same, during

Oath to be  
 taken by Per-  
 sons approved.

B 2

‘ the

‘ the Term of Five Years, for  
 ‘ which I am inrolled, unless I shall  
 ‘ be sooner discharged.’

To be inrolled  
 to serve for  
 Five Years.

Penalty on  
 Ward Officers  
 for Default.

And every such Person shall be inrolled (in a Roll to be then and there prepared for that Purpose) to serve in the Militia of the City of *London*, as a Private Man, for the Space of Five Years; and it shall be lawful for any one of the said Commissioners to administer the said Oath; and in Case the said Constables, Beadles, or other Ward Officers, or any of them, shall neglect or refuse to give the said Notice, in Writing, in Manner aforesaid, to every Person so provided to appear as aforesaid, or shall neglect or refuse to appear and make Return on Oath of the Service of such Notice in Manner aforesaid, every such Constable, Beadle, or other Ward Officer so neglecting or refusing in either or both of the said Cases, shall forfeit and pay, for each Offence,

fence, any Sum not exceeding the Sum of Forty Shillings.

XII. And be it further enacted, That if any of the Men provided by or for the several Wards in the said City and Liberties, shall not appear, or shall not be approved by Two or more of the said Commissioners, or if, through Neglect, Mistake, or any other Cause, the full Number of Men appointed to be raised in any of the said Wards shall not be duly inrolled at the Court or Courts, or before the said Commissioners so to be appointed for that Purpose, or if any Militia Man shall, before the Expiration of the Term for which he was to serve, die, or be discharged in pursuance of the Sentence of a Court Martial, or by the Colonel or Commanding Officer of the Regiment to which he shall belong, with the Consent in Writing of Two or more of the said Commissioners, as unfit for Service, or be otherwise regularly discharged; then, and in

In Case of Deficiency of Men, the Commissioners to issue Precepts to the Aldermen, &c. to provide others, or pay 10*l.* for each Man wanting;

either of the said Cafes, the said Commissioners may, and are hereby required immediately to iffue Precepts to the said Alderman, Deputy, and Common-Councilmen, of the said Ward wherein such Deficiency or Vacancy fhall happen, requiring them, or the major Part of them, within Ten Days next following, to make good fuch Deficiency or Vacancy, or to provide other Men, or to pay to the said Commissioners the Sum of Ten Pounds for each Man, in Order that they may provide the fame; and that if the Alderman, or Deputy, and Common-Councilmen of any of the Wards aforefaid, or the major Part of them, fhall omit or refufe to provide the Quota or Number of Men herein appointed to be raifed by or for their faid refpective Wards, or having provided the faid Quota, or Number of Men, any of them fhall not be approved of, or fhall refufe or neglect

and if they neglect to do fo, or if the Men be not approved of, &c. the Ward to be charged with 10*l.* for each, to be applied by the Commiffioners in providing the Men.

neglect to appear and take the Oath, and be inrolled as herein-before mentioned, or shall die, or be discharged, and others shall not be provided in their Stead, as aforesaid, the said Ward shall, in Lieu thereof, be charged with, and pay the Sum of Ten Pounds for every Man not so provided, sworn in, attested, and inrolled; which Sum or Sums of Money shall be applied by the said Commissioners in providing Men for the Wards which shall have paid the same, who shall be sworn in and inrolled to serve for the same Time, and on the same Conditions, as if they had been provided by the Alderman, or Deputy, and Common-Councilmen of such Wards respectively, as herein-before is directed. And if any Surplus of such Monies shall remain, the same shall be paid to the Colonel, or such Officer as he shall appoint, of the Regiment for which such Person shall

Surplus of  
Monies to be  
applied as Par  
of the Regi-  
mental Stock  
Purse.

serve, and be applied as Part of the Regimental Stock Purse.

Aldermen, &c.  
to make a Rate  
to defray the  
Expences of  
raising Men.

XIII. And be it further enacted, That the Aldermen, or Deputies, and Common Councilmen of the several Wards of the said City and Liberties, or the major Part of them, shall, and they are hereby authorized and empowered to make an equal Rate upon all and every Person and Persons, Bodies Politick and Corporate, Guilds, Mysteries, Fraternities, and Brotherhoods, whether Corporate or not Corporate, and the Owners or Occupiers of Publick Offices and Buildings, who do or shall inhabit, hold, occupy, possess, or enjoy, any Land, House, Shop, Warehouse, Vault, Cellar, or other Tenement or Hereditament, within their said several and respective Wards, and the Liberties and Precincts within the same, (Regard being had in making the said Rate to the Abilities of, and likewise to the Rent paid by the said several  
Person

Person and Persons, Bodies Politick and Corporate, Guilds, Mysteries, Fraternities, and Brotherhoods, whether Corporate or not Corporate, and the Owners and Occupiers of Publick Buildings), to defray the Expences of raising the Quota or Number of Men to serve in the said Militia herein-before directed to be provided by or for the severall and respective Wards aforesaid, as well as the Expence of filling up such Vacancies as may happen by Death or Discharge, as herein-before mentioned, and all other incidental Charges relating thereto.

XIV. And be it further enacted, That in Case any Person or Persons shall think him, her, or themselves aggrieved by any Rate or Assessment to be made as aforesaid, it shall and may be lawful for them respectively to appeal to the Court of Mayor and Aldermen of the said City, whose Decision shall be final and conclusive: Provided always, that

Appeal from Rates may be made to the Court of Mayor and Aldermen.

that Notice of such Appeal shall be left in Writing at the Office of the Town Clerk of the said City, within Ten Days after the Sum so rated and assessed shall be demanded; and such Appeal shall be made to the next Court of Mayor and Aldermen of the said City, after such Notice shall be so left as aforesaid.

Rates may be  
levied by  
Distress.

XV. And be it further enacted, That if any Person or Persons, Bodies Politick and Corporate, Guilds, Mysteries, Fraternities, and Brotherhoods, whether Corporate or not Corporate, or the Owners and Occupiers of Publick Offices and Buildings, who shall be rated and assessed by Virtue or in Pursuance of this Act, shall refuse or neglect, by the Space of Fourteen Days next after his, her, or their respective Rate or Rates, Assessment or Assessments, shall be due, and demanded by the Collector or Collectors authorized and appointed, either by the Alderman, or his Deputy, and the Com-  
mon

mon Councilmen for the Time being in each Ward, or the major Part of them, or by the said Commissioners, in Case the said Alderman, Deputy, and Common Councilmen, or the major Part of them, shall refuse, omit, or neglect to make the Rate or Assessment, and appoint such Collectors as herein-after directed to collect and receive the same (such Demand being left in Writing by the said Collector or Collectors, at the Land, House, Shop, Warehouse, Vault, Cellar, or other Tenement, Hereditament, Premises, or other Property, possessed, rented, or occupied by him, her, or them) to pay such Rate or Rates, Assessment or Assessments, so demanded as aforesaid; unless Notice of Appeal shall have been left as aforesaid, or if any such Notice be left, and if such Appeal shall not be made accordingly to the next Court of Mayor and Aldermen of the said City as aforesaid, then,

then, and in every such Case, it shall and may be lawful to and for such Collector or Collectors, every or any of them, having a Warrant or Warrants under the Hand and Seal of the Mayor, or any other Magistrate of the said City, which Warrant or Warrants the said Collector and Collectors is and are hereby required to apply for, and the Mayor or any other Magistrate of the said City are hereby authorized and required to grant, and with the Assistance of a Constable, or any Peace Officer of the Ward, County, City, or Liberty, where the Person or Persons, Party or Parties, so refusing or neglecting, shall reside, there to seize and distrain any of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay; and if the same shall not be replevied, or such Rate or Assessment paid, within Five Days next after such Distress made, together with  
the

the Costs and Charges thereof, then to appraise and sell so much and such Part of the said Goods and Chattels as shall be sufficient to pay the said Rate or Assessment, and the Costs and Charges attending such Distress and Sale, returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels, the said Costs and Charges to be settled and allowed by the said Mayor, or other Magistrate, who shall have granted such Warrant or Warrants respectively: Provided always, that no such Distress shall, by Virtue of this Act, be made out of the Limits of the said City and Liberties thereof, unless such Warrant or Warrants respectively shall be first backed or countersigned by some Magistrate of the County, City, or Liberty where such Distress is proposed to be made, which Warrant or Warrants any Magistrate who shall be applied to for that Purpose, shall forthwith, and is hereby

No Distress to be made out of the Limits of the City, unless the Warrant be backed by a Magistrate of the Place.

hereby authorized and required to back or counterfign without Fee or Reward.

Penalty for not making Distrefs, not backing Warrants, or neglecting to aid in making Distrefs.

XVI. And be it further enacted, That if any fuch Collector or Collectors fhall refuse or neglect to apply for fuch Warrant or Warrants as aforefaid, or to make fuch Distrefs and Sale, purfuant to the Directions of this Act, except in Cafes where fuch Distrefs fhall be difpenfed with by the Alderman, or his Deputy, and the Common Councilmen of each refpective Ward, or the major Part of them, or by a Court of Commiffioners, in Cafes in which His Majesty's Commiffioners fhall be the Affeffors, by Virtue of this Act, by Writing under their Hands, in Refpect to the Poverty of the Party or Parties affeffed, fuch Collector or Collectors fhall, for every fuch Refufal or Neglect, forfeit and pay any Sum not exceeding the Sum of Five Pounds; and if any Justice of the Peace, upon fuch

such Application to him made to back or countersign such Warrant or Warrants as aforesaid, shall refuse or neglect so to do, such Justice shall, for every such Refusal or Neglect, forfeit and pay the Sum of Five Pounds; and if any Constable be called upon by any Collector or Collectors, having such Warrant or Warrants, and shall refuse or neglect to aid and assist him or them in making such Distress and Sale, he shall, for every such Offence, forfeit and pay any Sum not exceeding the Sum of Forty Shillings.

XVII. Provided always, and be it further enacted, That if any Inhabitant, Householder, of any Ward, shall offer himself, and voluntarily serve in his own Right as a Private in the said Militia (being approved of, sworn in, and inrolled as aforesaid) for the Term of Five Years, he shall be exempt from paying the said Rate for any House or Premises he shall then or in future inhabit

Householders serving in their own Right, exempted from the Rate.

within

within the said City and Liberties, any Thing in this Act contained to the contrary notwithstanding.

Alderman, &c.  
to be the Ward  
Assessors, and  
to appoint Col-  
lectors, with an  
Allowance.

XVIII. And be it further enacted, That the Alderman, or his Deputy, and the Common Councilmen for the Time being, in each Ward within the said City or Liberties, or the major Part of them, shall be the Assessors in their respective Wards to charge all and every Person and Persons, Bodies Politick and Corporate, Guilds, Mysteries, Fraternities, and Brotherhoods, whether Corporate or not Corporate, and the Owners or Occupiers of Publick Offices and Buildings, liable to be rated in their respective Wards as herein-before directed; and shall likewise be the Assessors of the Trophy Tax hereinafter directed to be continued to be raised and paid, and shall appoint proper Persons to collect the said Rates and Taxes, and pay or allow unto such Collectors any Sum or Sums of Money, not exceeding  
Three-

Three-pence in the Pound upon the Money so collected.

XIX. And be it further enacted, That if the Alderman, or Deputy, and Common Councilmen of any Ward, or the major Part of them, shall refuse or neglect to provide all or any of the Men to be raised by such Ward as herein-before directed, or to supply such Vacancies as may happen from Death or Discharge as aforesaid, according to the Precepts issued to them for that Purpose, or shall neglect or refuse to pay the Sum of Ten Pounds for every Man not so provided or supplied as aforesaid; and if the said Alderman, or Deputy, and Common Councilmen of any Ward, or the major Part of them, shall neglect or refuse to make, levy, and raise, the said Rates, or to assess and levy the Proportion of the Trophy Tax of such Ward, the said Commissioners shall, and are hereby further authorized to make, assess, levy,

C . and

If the Alderman, &c. neglect to provide Men, or pay for them, or levy Rates, the Commissioners may levy and apply such Rates;

and may call  
for the last  
Assessment to  
the Land Tax  
from the  
Clerk, who  
shall produce  
it, and give  
Copies, on  
Penalty of 20*l.*

and raise the said Rates, and also the Proportion of the Trophy Tax of such Ward, the Alderman, or Deputy, and Common Councilmen of which shall make such Default, in like Manner and with the like Powers and Authorities as the said Alderman, or Deputy, and Common Councilmen are hereby empowered to make, raise, levy, and assess the same; and the better to enable the said Commissioners to make the said Rates, and assess the said Tax, they are hereby authorized and empowered, if they find it requisite and necessary so to do, to call upon the Clerk to the Commissioners of the Land Tax for the City of *London*, to produce before them the Book or Books containing the last Assessment or Assessments to the Land Tax upon each and every of the Wards in the said City; and the said Clerk is hereby required to produce the same when called upon, and also to furnish the said Commissioners

missioners with Copies of such Parts thereof as may be by them required of him, upon receiving a reasonable Compensation or Allowance for his Trouble therein; and in Case he shall neglect or refuse to produce such Book or Books, or furnish such Copies, he shall, for every such Neglect or Refusal, forfeit and pay not exceeding the Sum of Twenty Pounds; and the said Commissioners shall apply the said Rates, when received and recovered, in providing the Quota of Men, or so many of them as shall be wanting, for the Ward so neglecting or refusing, and to the other Purposes of this Act.

XX. And be it further enacted, That the said Commissioners may and shall appoint One proper Person to be Adjutant to each Regiment of the said Militia, and such Person, if appointed out of His Majesty's other Forces, shall, during his Service in the said Militia, Commissioners to appoint an Adjutant to each Regiment, who, if from the Army, shall preserve his Rank, and may hold a Subaltern's Commission, and have Brevet Rank of Captain, without

the requisite  
Qualification,  
&c.

preserve his Rank in the same Manner as if he had continued in that Service ; and the said Commissioners may give any such Adjutant a Commission of Lieutenant or Ensign, although such Adjutant may not have the Qualification required by this Act for a Lieutenant or Ensign ; and it shall be lawful for the said Commissioners, on the Recommendation of the Colonel or Commanding Officer of either Regiment, to appoint the Adjutant of such Regiment to the Rank of Captain by Brevet, provided such Adjutant has served Five Years in the Rank of Lieutenant, either in the Militia, or in any of His Majesty's other Forces, although such Adjutant may not have the Qualification required by this Act for Captains: Provided always, that no such Appointment to the Rank of Captain shall be valid, unless in the Instrument granting the same, it shall be specified in what Regiment or Battalion,

talion, and whether of the Militia or of His Majesty's other Forces, such Adjutant hath served in the Rank of Lieutenant, and what was or were the Date or Dates of his Commission or Commissions: Provided also, that no Adjutant so appointed to the Rank of Captain shall, by the Date of such Appointment as aforesaid, or otherwise, be entitled to rank above, or to command any Captain of a Company in the said Militia, nor shall, by Virtue of such Appointment, be entitled to receive any greater Pay than that of a Lieutenant, together with his Pay as Adjutant.

XXI. And be it further enacted, That the said Commissioners may appoint a Surgeon and Quarter-Master to each Regiment, and also a Regimental Clerk to each Regiment, who shall execute the Office of Pay-Master: Provided always, that no Adjutant, Surgeon, Quarter-Master, or Regimental Clerk, shall

A Surgeon,  
Quarter-Mas-  
ter, and Regi-  
mental Clerk,  
to be appointed.

No Adjutant,  
&c. to be  
Captain of a  
Company.

be capable of being appointed Captain of a Company ; and no Person holding a Commission of Captain of a Company shall be capable of being appointed Adjutant, Surgeon, Quarter-Master, or Regimental Clerk : Provided nevertheless, that any Regimental Clerk may be appointed Captain-Lieutenant.

Regimental Clerk may be Captain Lieutenant,

Pay of Adjutants, Regimental Clerks, Quarter-Masters, Serjeant Majors, &c.

XXII. And be it further enacted, That every Adjutant, Regimental Clerk, and Quarter-Master, to be appointed by Virtue of this Act, shall receive the usual Pay of such Offices and Appointments in other Militia Forces, or such other Allowance as the said Commissioners shall think proper and adequate to the Service ; and that Serjeant Majors, Serjeants, Corporals, Drum and Fife Majors, and Drummers and Fifers, shall receive the same Pay as those of the rest of the Militia Forces of this Kingdom ; and the said Commissioners may make such Civil Appointments as they

Civil Appointments may be made.

they shall see necessary for carrying the Purposes of this Act into Execution.

XXIII. And be it further enacted, That the Pay of the said Militia shall be issued by the Treasurer appointed by the said Commissioners in the same Manner as the Receiver-General of the Land Tax for every County, Riding, or Place, within that Part of *Great Britain* called *England*, where the Militia is raised, are directed to issue the Pay of such Militia by any Act which now is, or hereafter shall be in Force for defraying the Charge of the Pay and Clothing of the Militia, in that Part of *Great Britain* called *England*, and the same shall be subject to the Regulations directed by or contained in any such Act ; and the Regimental or Battalion Clerks appointed to the said Militia, shall give Security by Bond to the said Commissioners, in like Manner as the Clerk of each Regiment or Battalion

Pay of the Militia to be issued by the Treasurer, as by the Receiver General of the Land Tax, to County Militia.

Regimental Clerks to give Security as in other Regiments ;

and pay Balances to the Treasurer.

Costs of Suit recoverable as by the Militia Act.

talion of Militia is directed by any such Act to give Security to His Majesty, which Bonds shall be lodged with the said Treasurer, and put in Suit by him in the Name of the said Commissioners, in the same Manner as is directed by such Act, and he shall be entitled to the like Costs, and Five Pounds *per Centum* on the Money recovered, as thereby directed, and the Residue shall be accounted for by him to the said Commissioners; and the said Regimental or Battalion Clerks shall annually deliver in their Accounts, and pay the Balances in their Hands to the said Treasurer, in the same Manner as the Clerk of every Regiment or Battalion of Militia is directed by such Act to deliver in his Accounts, and pay the Balance in his Hands to the Receiver-General of the Land Tax for each County; and all Costs and Charges of Suit shall be recoverable in like Manner as by the said Act is directed.

XXIV.

XXIV. And be it further enacted, That no Officer, who is entitled to Half Pay, shall be deemed or taken to forfeit or quit such Half Pay during the Time he shall serve as Lieutenant, Ensign, Adjutant, Regimental Clerk, Pay-Master, Quarter-Master, or Surgeon, in the said Militia; but that the same shall nevertheless continue, and instead of the Oath directed by the Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, to be taken by such Officer, he shall take the following Oath; that is to say,

Officers on Half Pay serving as Lieutenants, &c. may receive it on taking the following

‘ I *A. B.* do swear, That I had Oath.  
 ‘ not, between  
 ‘ any  
 ‘ Place or Employment of Profit,  
 ‘ Civil or Military, under His  
 ‘ Majesty besides my Allowance of  
 ‘ Half Pay as a reduced  
 ‘ in late Regiment  
 ‘ of save and except  
 ‘ my

‘ my Pay as Lieutenant, Ensign,  
 ‘ Adjutant, Regimental Clerk, Pay-  
 ‘ Master, Quarter-Master, *or*, Sur-  
 ‘ geon, [*as the Case may be*], for  
 ‘ serving in the said Militia.’

And the taking of the said Oath, without taking any other Oath, shall be sufficient to entitle such Person to receive his Half Pay.

Proportions of  
 Non-commis-  
 sioned Officers  
 and Drum-  
 mers, and  
 when to be  
 clothed.

XXV. And be it further enacted, That Serjeants, Corporals, and Drummers, shall be appointed to the said Militia as follows: that is to say, there shall be Three Serjeants, Three Corporals, and Two Drummers, to each Company, with the Addition of One Drummer to each of the Flank Companies; and such Serjeants, Corporals, and Drummers, shall be new clothed, when not in actual Service, Once in Two Years, or oftener if necessary, at the Discretion of the said Commissioners; and all Serjeants and Corporals shall take

Non-commis-  
 sioned Officers  
 to take the

take the following Oath; that is <sup>following</sup> to say, Oath.

‘ I *A. B.* do sincerely promise and  
 ‘ swear, That I will be faithful,  
 ‘ and bear true Allegiance to His  
 ‘ Majesty King *George*; and I do  
 ‘ swear, that I am a Protestant, and  
 ‘ that I will faithfully serve as a  
 ‘ Serjeant *or* Corporal [*as the Case*  
 ‘ *may be*], in the said Militia, within  
 ‘ the Kingdom of *Great Britain*,  
 ‘ for the Defence of the same, until  
 ‘ I shall be legally discharged.’

And the Colonel of each Regiment may appoint a Serjeant-Major out of the Serjeants, and a Drum-Major out of the Drummers; and all Serjeants, Corporals, and Drummers, having received any Pay as such in the said Militia, shall be deemed to be engaged, and compellable to serve in the said Militia until they shall be legally discharged: Provided always, that every Serjeant,

Colonel may  
 appoint a Ser-  
 jeant Major  
 and Drum-  
 Major.

Non-commissioned Officers and Drummers, having received Pay, compellable to serve; to live within a certain Distance; and shall not be Publicans.

Colonel may discharge Non-commissioned Officers and Drummers, and the Captain may fill up Vacancies.

jeant, Corporal, and Drummer, appointed in the said Militia, shall reside in the City of *London*, or within One Mile thereof: And provided also, that no Person who shall keep any House of public Entertainment, or who shall sell Ale, or Wine, or Brandy, or other Spirituous Liquors, by Retail, shall be capable of being appointed, or serving as a Serjeant, Corporal, or Drummer, in the said Militia.

XXVI. And be it further enacted, That any Serjeant, Corporal, Drummer, or Fifer, may be discharged by the Colonel, or by the Commanding Officer, (with the Consent of the Captain of the Company), and that the Captain, with the Approbation of the Commanding Officer, may appoint any proper Person in the Room of every Serjeant, Corporal, Drummer, or Fifer, who shall die, desert, or be discharged; all which Serjeants and Corporals so appointed shall take

take the like Oath as is hereinbefore required to be taken by Sergeants and Corporals.

XXVII. And be it further enacted, That in Case the Colonel and other Officers of both or either Regiment of the said Militia shall be desirous of keeping up a greater Number of Drummers than Two for each Company, to be employed as Fifers or Musicians for the Use of the said Militia, and shall be willing to defray the Expence of such additional Drummers, it shall and may be lawful for the Colonel of each or either Regiment to engage any additional Number of Drummers to act as Fifers or Musicians in their respective Regiments; and all such Drummers so engaged to serve in the said Militia, shall be deemed as Drummers in said Militia, within the Meaning of this Act, to all Intents and Purposes whatsoever, and shall be subject to the same Orders, Regulations, Penalties,

Officers may keep Musicians as extra Drummers, paying the Expence.

nalties, and Punishments, as other Drummers of Militia are by this Act subject to, and shall continue to serve as Drummers so long as they shall receive the same Pay and Clothing as other Drummers have, or better Clothing in Lieu thereof, and no longer.

Militia to be exercised 28 successive Days annually, and subject to the Mutiny Act.

XXVIII. And be it further enacted, That the said Militia, or at least Half thereof, appointed as aforesaid, shall be trained and exercised Once in every Year for Twenty-eight Days together, at such Time and Place (not exceeding the Distance of Five Miles from the City of *London*, or as to Four Days, Part of the said Twenty-Eight Days, not exceeding Ten Miles from the said City) as shall be appointed by the said Commissioners; and during such Time as the said Militia shall be assembled for the Purpose of being trained and exercised, all the Clauses, Provisions, Matters, and Things, contained

tained in any Act of Parliament which shall then be in Force for the punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, shall be in Force with Respect to the said Militia, and all the Officers, Non-commissioned Officers, and Private Men of the same, shall be subject and liable thereto, in all Cases whatsoever; but so that no Punishment shall extend to Loss of Life or Limb.

XXIX. And be it further enacted, That Notice of the Time and Place of Exercise of the said Militia shall be sent by the Clerk of the said Commissioners to the Ward Clerks, Beadles, or other Officers of the several Wards of the said City, with Directions to cause such Notice to be affixed on the Doors of the Churches or Chapels in their respective Wards; and all such Militia Men shall duly attend at the Time and Place of Exercise, according

Notice of the Time and Place of Exercise to be affixed on the Church Doors, and Lists of the Men enrolled to be sent by the Clerk to the Colonel, &c.

ing

ing to such Notice ; and the said Clerk shall, Ten Days at least before the Time appointed for the annual Exercise, transmit to the Colonel of each Regiment, (or to such Person as shall be by him appointed to receive the same) a full and true List, specifying the Name, Place of Abode, and Date of Inrolment, of all Persons inrolled to serve in their respective Regiments, and shall in like Manner cause a Duplicate of such List to be transmitted to the Adjutant of each Regiment.

Adjutants, &c.  
to be subject to  
the Mutiny  
Laws.

XXX. And be it further enacted, That every Adjutant, Serjeant Major, Serjeant, Corporal, Drum Major, Drummer, and Fifer, of the said Militia, shall be at all Times subject to any Act which shall be in Force for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, and to the Articles of War, and shall be under Command of the Colonel of the Regiment

ment to which he belongs; and it shall be lawful for the Colonel to direct the holding of Courts Martial, whenever such Regiment shall be embodied, or called out for the Purpose of Annual Exercise, for the Trial of any Serjeant Major, Serjeant, Corporal, Drum Major, or Drummer, of such Regiment, for any Offence committed during the Time such Regiment was not embodied or so called out; but no Punishment shall extend to the Loss of Life or Limb.

Colonel may direct the holding Courts Martial when the Regiment is embodied, for Trial of Serjeant Majors, &c. for previous Offences.

XXXI. Repealed.

XXXII. And be it further enacted, That the Arms, Accoutrements, and Clothing belonging to the said Militia, when not on Duty or embodied, shall be kept in such convenient Place as the said Commissioners shall appoint; and that new Clothes shall be provided for the Private Militia Men at least once in every Five Years, when not embodied for actual Service.

Arms, &c. to be kept where the Commissioners shall appoint.

Privates to be clothed every Five Years, when not embodied.

D XXXIII.

Pay of the  
Militia.

Men may be  
put under  
Stoppages.

XXXIII. And be it further enact-  
ed, That the Commissioned and  
Non-commissioned Officers of the  
said Militia shall receive the same  
Pay as those of the other Militia  
Forces of this Kingdom, and no  
other; and when assembled for the  
Purpose of being trained and exer-  
cised, the Private Men shall receive  
One Shilling *per* Day each Man;  
during which Time it shall be  
lawful for the Captain or Com-  
manding Officer of every Company  
to put the Militia Men of his Com-  
pany under Stoppages, not exceed-  
ing Sixpence *per* Day, for the  
Purpose of providing them with  
Linen, and also with Stockings  
and other Necessaries, and for de-  
fraying the Expence of repairing  
any Arms which shall have been  
broken or damaged by any such  
Militia Man's Neglect. Provided  
always, That every such Captain,  
or Commanding Officer, shall ac-  
count with each Militia Man for  
such

fuch Stoppage, and, after having deducted what shall have been laid out and paid for the Purposes aforesaid, shall pay the Sum remaining (if there shall be any) into the Hands of the Militia Man to whom the same belongs, before such Militia Man shall be dismissed from such Training and Exercise.

XXXIV. And, in Order to prevent the Privileges of the said City from being infringed by the Billeting or Quartering of Soldiers therein, be it further enacted, That the Non-commissioned Officers, Drummers, Fifers, and Private Men, serving in the said Militia, shall, when embodied or called out for Annual Exercise, or when ordered out by the said Commissioners, or by the Lord Mayor for the Time being, or other Magistrates, as herein-after directed, or in any Manner be in actual Service within the City of *London*, or Liberties thereof, be allowed, in Lieu of Quarters, at the

Allowance in  
Lieu of Quar-  
ters.

D 2                      Rate

Serjeants, &c.  
not residing  
within the pre-  
scribed Limits,  
not entitled to  
any Allowance.

Rate of One Shilling and Nine-  
pence *per* Week each Man, to pro-  
vide Lodging, in Addition to their  
Pay: Provided always, that if it  
shall appear that any or either  
of the said Serjeants, Corporals  
Drummers, or Fifers, have not ac-  
tually and *bona fide* resided within  
the said City, or within One Mile  
thereof, according to the Provisions  
of this Act, then, and in such Case,  
such Serjeant, Corporal, Drummer,  
or Fifer shall not be entitled to the  
said Allowance, or to any Part  
thereof.

Commissioners  
to appoint  
Treasurers and  
Clerks.

XXXV. And for the better and  
more speedy Execution of the Pre-  
mises, be it further enacted, That  
the said Commissioners shall, and  
are hereby required to appoint One  
or more Treasurer or Treasurers,  
Clerk or Clerks, for receiving and  
paying such Monies as shall be re-  
ceived or levied by Virtue of this  
Act, and of all which Receipts  
and Disbursements the said Trea-  
surer

furer or Treasurers, Clerk or Clerks,  
 are Once in every Year to give  
 their Accounts in Writing, and  
 upon Oath, to the said Commiffion-  
 ers; which Oath the said Commif-  
 fioners are hereby empowered and  
 required to administer; and that a  
 Duplicate of the said Accounts, so  
 far as the same relates to the Re-  
 ceipts and Disbursements of the  
 Trophy Tax by the said Commif-  
 fioners, be annually certified on  
 Oath, and delivered by the said  
 Clerk or Treasurer, to the Mayor,  
 Aldermen, and Commons of the  
 City of *London*, in Common Coun-  
 cil affembled, previous to the mak-  
 ing of any new Rate or Affeffment  
 of the Trophy Tax.

Account of  
 Trophy Tax  
 to be delivered  
 annually to the  
 Corporation  
 before a new  
 Rate is made.

XXXVI. Provided always, and be  
 it further enacted, That the said  
 Commiffioners fhall, and they are  
 hereby required to take fuch Security  
 from the Treasurer or Treasurers,  
 Clerk or Clerks, to be appointed  
 by Virtue of this Act, for the

Security to be  
 taken from  
 Treasurers and  
 Clerks.

due Execution of their respective Offices, as shall be satisfactory to the said Commissioners.

In Case of Invasion, &c.  
His Majesty may order the Militia to be embodied, subject to the Mutiny Laws.

XXXVII. And be it further enacted, That in all Cases of actual Invasion, or upon imminent Danger thereof, and in all Cases of Rebellion or Insurrection, it shall be lawful for his Majesty (the Occasion being first communicated to Parliament, if the Parliament shall be then sitting, or declared in Council, and notified by Proclamation, if no Parliament shall be then sitting or in being), to order and direct the said Commissioners, with all convenient Speed, to draw out and embody the said Militia, or such Part as His Majesty shall in his Wisdom judge necessary, and in such Manner as shall be best adapted to the Circumstances of the Danger; and the Officers, Non-commissioned Officers, Drummers, Fifers, and Private Men of the said Militia shall, from the Time of their being drawn out and embodied,

died, as aforesaid, and until they shall by His Majesty's Orders be disembodied, be subject and liable to all the Provisions contained in any Act of Parliament which shall be then in Force for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, and such Act shall be in Force with Respect to the said Militia, and shall extend to all the Officers, Non-commissioned Officers, Drummers, Fifers, and Private Men, in all Cases whatsoever.

XXXVIII. And whereas the Militia of this Kingdom is now drawn out and embodied, be it therefore further enacted, That it shall and may be lawful for His Majesty, by Warrant under his Sign Manual, at any Time within Twelve Calendar Months from and after the passing of this Act, to draw out and embody the said Militia of the City of *London*, or such Part thereof as His Majesty shall in his

His Majesty, within Twelve Months from passing this Act, may draw out the Militia;

Wisdom judge necessary, subject to the Restrictions and Regulations herein-after directed; and from the Time of their being so drawn out and embodied, and until they shall by His Majesty's Orders be disembodied, the Officers, Non-commissioned Officers, Drummers, Fifers, and Private Men of the said Militia, shall be subject and liable to the same Penalties as are herein-before directed in other Cases when the said Militia shall be embodied.

and when drawn out, to be entitled to the same Pay as other Regiments of Foot; and the Non-commissioned Officers and Privates to *Chelsea Hospital.*

XXXIX. And be it further enacted, That, from the Date of His Majesty's Warrant for the embodying and drawing out of the said Militia into actual Service, and until they shall be disembodied by His Majesty's Orders, the Officers, Non-commissioned Officers, and Private Men of the same, shall be entitled to the same Pay as the Officers, Non-commissioned Officers, and Private Men of His Majesty's other Regiments of Foot receive, and no other; and

and if any Non-commissioned Officer or Private Man of the said Militia shall be maimed or wounded in actual Service, he shall be equally entitled to the Benefit of *Chelsea* Hospital with any Non-commissioned Officer or Private Man belonging to any of His Majesty's Forces.

XL. And be it further enacted, That when the said Militia shall be drawn out and embodied as aforesaid, it shall be lawful for His Majesty to put One Regiment of the said Militia under the Command of such General Officers as His Majesty shall be pleased to appoint, and to direct the said Regiment to be led by its respective Officers, for the repelling and preventing any Invasion, and for the Suppression of any Rebellion or Insurrection, to any Place not exceeding the Distance of Twelve Miles from the said City, or to the nearest Place of Encampment beyond the said

When drawn out, His Majesty may put One Regiment under the Command of General Officers, to be led to a certain Distance.

faid Distance of Twelve Miles; and the other Regiment shall remain in the City of *London*, or the Liberties or Suburbs thereof, for the Defence of the said City, and Liberties, and Suburbs.

Commissioners  
may appoint an  
Agent.

XLI. And be it further enacted, That when the said Militia shall be embodied or drawn out into actual Service, and during the Time they shall continue in actual Service, the said Commissioners may appoint an Agent to the said Militia, and the said Commissioners shall take Security from such Agent.

Militia Men  
subject to  
26 *Geo.* III.  
Cap. 107, as  
far as relates to  
Penalties for  
not attending  
Annual Exer-  
cise, for desert-  
ing, &c.

XLII. And be it further enacted, That every Militia Man, being sworn in and inrolled, and every Serjeant, Corporal, Drummer, and Fifer, raised by Virtue of this Act, or by Virtue of the said Two several Acts, passed in the Thirty-fourth and Thirty-fifth Years of the Reign of His present Majesty, for better ordering the said Militia, shall be subject to every Clause, Provision, Matter,

Matter, and Thing, contained in the said Act of the Twenty-sixth Year of the Reign of His present Majesty, intituled, *An Act for amending and reducing into One Act of Parliament the Laws relating to the Militia in that Part of Great Britain called England*, as far as relates to the Penalties and Punishments of Militia Men, Serjeants, Corporals, and Drummers, for not attending the Annual Exercise, for deserting during it, for not appearing when ordered to be embodied, for inlisting into the Army, or offering so to inlist, or inlisting into any other Militia; or for selling or pawning their Arms, Accoutrements, or Clothes, or neglecting or refusing to return them in good Order, and shall be proceeded against in Manner directed by the said Act; and all Provisions and Directions in the said Act, for the Apprehension and Pursuit of Deserters, shall be deemed to extend to this Act; and the said

Militia

Militia Men shall be entitled to the same Bounty when ordered to march to any Encampment, by His Majesty's Orders, as is granted by the said Act to other Militias on being marched out of their respective Counties; and every Person having served in the said Militia, when embodied and drawn out into actual Service, being a married Man, may set up and exercise any Trade in any Town or Place in *Great Britain*, as directed by the said Act.

Married Militia Men may set up in any Part of *Great Britain*.

Militia when disembodied liable only to the Orders they were subject to before drawn out.

XLIII. And be it further enacted, That when the said Militia, or any Part thereof, having been so embodied and drawn out into actual Service, as aforesaid, shall be again disembodied, and the Officers and Private Men thereof dismissed to return to their several Places of Abode, the Officers, Non-commissioned Officers, Drummers, and Private Men, shall be subject only to the same Orders, Directions, and Engagements as they are made sub-  
ject

ject to under this Act, before being so embodied and drawn out into actual Service, as aforesaid.

XLIV. Repealed.

XLV. Provided always, That any thing in this Act contained shall not extend to annul or affect the Rate or Assessment of the Trophy Tax heretofore made, by Virtue of His Majesty's Warrant for raising the said Tax for One Year, commencing from *Christmas* One Thousand Seven Hundred and Ninety-two, or so much thereof as now remains uncollected, or not accounted for to the said Commissioners.

Act not to affect the Trophy Tax, commencing *Christmas* 1792

XLVI. And be it further enacted, That when the said Militia shall not be embodied according to the Provisions of this Act, it shall and may be lawful for the said Commissioners, when and so often as it shall seem to them requisite and necessary, to order the Serjeants, Corporals, and Privates of the said Two Regiments, or either of them, or so many of them as to the said Commissioners

The Commissioners may order the Militia, when not embodied, to be trained and reviewed, and to be kept in Readiness to be put under the Orders of the Lord Mayor or Magistrates;

missioners may seem expedient, to be put in Possession of their Clothes, Arms, and Accoutrements, and to be inspected, trained, and reviewed so often as the said Commissioners shall think fit and necessary, and with their proper Officers, or such Officers as they shall appoint, to be kept in constant Readiness to be put under the Orders of the Lord Mayor, or any Three or more of the Magistrates of the said City, who shall have Power and Authority to call out the whole of the said Officers, Serjeants, Corporals, and Privates, or any Part of them, for the Suppression of Riots, or any other Duty for which they may be required, for the better Preservation of the Peace of the said City.

who may call  
the Whole or  
Part out for  
Suppression of  
Riots;

XLVII. Provided always, That it shall and may be lawful, in Case of any sudden Emergency, for the said Lord Mayor, or any Three or more of the Magistrates of the City of *London* for the Time being, by

an Order in Writing to the Colonel or Colonels, or Commanding Officers of both or either of the said Regiments, to call out the Whole of the said Officers, Serjeants, Corporals, and Privates, or any Part of them, for the Suppression of any Riots or Tumults, or for the more effectually guarding against the same, and to order the said Officers, Serjeants, Corporals, and Privates, to be put into Possession of their Clothes, Arms, and Accoutrements, for the Purposes aforesaid; and the said Colonel or Commanding Officer, upon Receipt of the said Order, shall immediately obey the same to the best of his Power, and appoint a proper Commanding Officer to command and lead forth the said Serjeants, Corporals, Drummers, and Privates so called out by the said Order: Provided that in any such Case it shall be incumbent upon the said Lord Mayor, within Twenty-four Hours after the making

in which Case a Court of Lieutenancy is to be summoned, to whom the Reasons for so doing are to be reported.

ing and sending of such Order, to summon and hold a Court of Lieutenancy, and to such Court, or to the First Court that shall be holden after the making and issuing such Order, the Lord Mayor, or the Magistrates making and issuing such Order, shall report his or their Proceedings, and Reasons for calling out of the said Officers, Serjeants, Corporals, and Privates, or such Part of them as may have been so called out; and the said Court shall thereupon make such further Order therein, with Respect to the continuing out or calling in the said Officers, Se jeants, Corporals, or Privates, or such of them as may have been called out as aforesaid, as they shall deem expedient: Provided that in Case a sufficient Number of His Majesty's Commissioners of Lieutenancy shall not assemble to make a Court within the said Twenty-four Hours, that then and in that Case the said Lord Mayor shall issue forth

If a sufficient Number of Commissioners to make a Court shall not attend, a fresh Summons to be issued.

forth a fresh Summons to hold a Court within Twenty-four Hours after the issuing such fresh Summons, and in Case the said Court shall not assemble within the said next Twenty-four Hours, that then and in that Case the said Lord Mayor shall continue to issue a fresh Summons once in every Twenty-four Hours, until a sufficient Number of Commissioners of Lieutenancy shall have assembled to make a Court of Lieutenancy; and that in the meantime, and until the assembling and holding the said Court, it shall be lawful for the said Lord Mayor, in Case the Order was issued by or from the Lord Mayor, or if issued by Three or more Magistrates, then by the Magistrates who issued such Order, to continue out on Duty, or to dismiss the said Commanding Officers, Serjeants, Corporals, Drummers, and Privates, or so many of them as he or they shall think expedient; and the said

E

Officers

Officers and Men, when so called out in either Case, as aforesaid, and those who shall by the said Commissioners be put in Possession of their Clothes, Arms, and Accoutrements, to be kept in constant Readiness as aforesaid, shall be subject to the Penalties and Provisions of any Act that shall be then in Force for the Punishment of Mutiny and Desertion, and for the better payment of the Army and their Quarters, and to be entitled to the same Pay as when assembled for their Annual Exercise.

Penalty on Militia Men for not appearing when called out by the Commissioners, the Lord Mayor, or Magistrates.

XLVIII. And be it further enacted, That every Militia Man who shall not appear when called out by the said Commissioners, or Lord Mayor, or any Three or more Magistrates, as aforesaid, for the Suppression of Riots, or any other Duty, for the Preservation of the Peace of the said City, within the Times hereafter mentioned, after Notice shall have been given or left

at

at his last or usual Place of Abode, shall be subject to the following Penalties; (that is to say), every Serjeant, Corporal, Drummer, and Fifer, who shall not appear at the Place, and within Two Hours of the Time appointed by the said Notice, shall forfeit the Sum of Forty Shillings, if not within Four Hours, Five Pounds, and if not within Six Hours, to be deemed a Defeater, and proceeded against as such; and that every Private Man in the said Militia, who shall be receiving Pay at the Time of being so ordered out, who shall not appear at the Time and Place appointed for that Purpose within Two Hours of the Time appointed by the said Notice, shall forfeit the Sum of Twenty Shillings, and if not within Four Hours, Fifty Shillings, and if not within Six Hours, to be deemed a Defeater, and proceeded against as such; and that every Private Man of the said Militia, who shall not be

receiving Pay at the Time of being so ordered out, who shall not appear at the Time and Place appointed by the said Notice, shall forfeit the Sum of Ten Shillings, and if not within Twelve Hours, Twenty Shillings, and if not within Twenty-four Hours, to be deemed a Deserter, and proceeded against as such: Provided always, that no Prosecution or Proceeding shall be had or commenced against any such Private Militia Man not receiving Pay at the Time of being called out as aforesaid, without the Order of the said Court of Lieutenancy.

The Alderman,  
&c. to divide  
the Quota of  
Men amongst  
the Parishes,  
and specify for  
which each  
serves, that the  
Parish Officers  
may be resorted  
to for defraying  
the Expences of  
their Families,  
&c.

XLIX. And in Order that the Families of Persons serving in the said Militia may have the Relief hereinafter directed, be it further enacted, That the Alderman, or Deputy, and Common Councilmen of each of the said Wards, or the major Part of them, shall divide the Quota of Men raised in each Ward, whether the same shall have been raised  
by

by the said Aldermen, Deputy, or Common Councilmen, or the major Part of them, or by the said Commissioners by Virtue of this Act, amongst the Parishes within such Ward, and specify for which Parish each Man serves, in Order that the Churchwardens or Overseers of the Poor of such Parish may be resorted to for defraying the Expences of providing for the Families of such Persons serving in the Militia, as may become entitled to Relief in Manner as by this Act directed: And in Case the Alderman, or Deputy, and Common Councilmen of either or any of the said Wards, or the major Part of them, shall omit or neglect to divide the said Quotas of Men among the Parishes in such respective Wards, in Manner herein-before directed, the said Commissioners shall, and are hereby required, authorized, and empowered, to make such Division for such Ward or Wards,

and to order the Parish or Parishes for which such Person or Persons shall be allotted to serve, to be entered upon the Roll herein-before directed to be provided for the Inrolment of the said Militia Men, in Order that the Churchwardens or Overseers of the Poor of such Parish or Parishes may be resorted to for defraying the Expences of providing for the Families of such Persons serving in the said Militia, as may become entitled to Relief, in Manner as by this Act is directed; and the Clerk of the said Commissioners is hereby required to deliver to the Churchwardens or Overseers of the Parishes and Liberties of the said City, from Time to Time, Lists of the said Men that are allotted to such Parishes and Liberties, as aforesaid.

L. Repealed.

Treasurer to be reimbursed by the Parish to which the Men are allotted,

LI. Provided always, and be it enacted, That in such Cases in which the said Treasurer shall reimburse to any Overseer or Overseers of  
of

of the Poor of any Parish, Liberty, Tything, Township, or Vill, any Sum or Sums of Money, paid in Pursuance of the Directions of this Act, on Account of the weekly Allowance to the Family of any of the Persons aforesaid, serving in the said Militia, who shall not be allotted or belong to the Parish or Liberty where such Family shall dwell, the Money so reimbursed by the said Treasurer shall be repaid him by the Overseer or Overseers of the Parish or Liberty to which such Militia Man shall be allotted or belong, and the said Treasurer shall lay an Account of the Monies so paid by him before the Justices of the Peace for the said City, at their next General or Quarter Sessions, for their Allowance thereof; and the said Justices shall, and they are hereby required to allow the same accordingly, and forthwith to make an Order for the Overseers of the

Poor of the Parish or Liberty to

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which

which such Militia Man shall be allotted or belong, to make good the same to the said Treasurer out of the Poor's Rates of such Parish or Liberty; and all Payments so made by such Overseer or Overseers, in Pursuance of such Order or Orders of such Justice or Justices, shall be allowed and passed in their respective Accounts.

Penalty of 10*l.*  
on Parish Offi-  
cers for not  
paying Money  
ordered by Jus-  
tices, which  
may be levied  
by Distress.

LII. And be it further enacted, That if any Churchwarden or Overseer of the Poor shall, on Demand made in Pursuance of any Order of any Justice or Justices of the Peace, to be granted in either Case as aforesaid, for the Payment of any Sum of Money, and after the producing of the said Order to him, refuse or neglect to pay and satisfy the Sum or Sums of Money directed to be paid in or by such Order, every such Churchwarden or Overseer of the Poor so refusing or neglecting to make such Payment, shall, for every such Neglect, forfeit and pay  
any

any Sum not exceeding the Sum of Ten Pounds, to be recovered upon the Oath of one or more credible Witnesses or Witnesfes, or by the Confession of the Party accused, before the Justice making such Order, or any other Justice of the Peace of the County, City, or Place where the Offence shall be committed; which said Justice is hereby authorized and required, upon any Information exhibited, or Complaint made in that Behalf, to summon the Party accused, and to examine into the Matter of Facts, and upon due Proof thereof as aforesaid, to give Judgment for such Penalty, to be levied by Distress and Sale of the Offender's Goods and Chattels, in Case the same shall not be forthwith paid, by Warrant under the Hand and Seal of such Justice, causing the Overplus, if any, after deducting the Charges of such Distress and Sale, to be rendered to the Party; and the Penalty

Application of  
Penalty.

so

so adjudged, shall be paid, One Moiety thereof to the Party aggrieved, and the other Moiety thereof to the Poor of the Parish.

Appeal may be made to the Quarter Sessions, who may finally determine the Matter, and award Costs.

LIII. And be it further enacted, That if any Person shall find himself aggrieved by any such Order of any Justice or Justices of the Peace for the Payment of any such Sum of Money as aforesaid, it shall and may be lawful for such Person to appeal to the Justices of the Peace, at the next General or Quarter Sessions of the Peace of the same County, Riding, Division, City, or Place, when any Demand, in Pursuance of such Order, shall be made as aforesaid, who are hereby empowered to hear and finally determine the same; and it shall be lawful for the said Justices, at such Sessions, to award and order, where they shall see Occasion, the Payment of such Sum and Sums of Money, which such Appellant, as Churchwarden or Overseer of the Poor, ought to have

have paid in Purfuance of fuch Order made by Virtue of this Act, and hath neglected to pay, in Manner aforefaid; and in every fuch Cafe the faid Juftices, at the faid General or Quarter Sefſions, may award and order to the Party for whom, and in whoſe Behalf fuch Appeal ſhall be determined, or to whom Notice of Appeal ſhall have been given, fuch Coſts and Charges in the Law as they ſhall think reaſonable: Provided always, that the reſpective Allowances, which may be made as aforefaid to the Families of Serjeants, Corporals, Drummers, and Fifers, and of Perſons ſerving in the ſaid Militia, ſhall not occaſion fuch Families to be removable, or compelled to be ſent to any Workhouſe or Poor-houſe; nor ſhall fuch Serjeants, Corporals, Drummers, and Fifers, and Private Men, ſerving in the ſaid Militia, be thereby deprived of their legal Settlements elſewhere, nor of

Allowances to Families not to compel them to be ſent to Workhouſes, nor to deprive the Husbands of their legal Settlements or Right of voting for Members of Parliament.

of their Right of voting for the Election of Members to serve in Parliament.

Adjutants to have the same Allowances as in other Regiments.

Serjeants may receive their Allowance on the Establishment of *Chelsea*.

LIV. And be it further enacted, That the Adjutants appointed or to be appointed to the said Militia, who shall by Age or Infirmity be rendered unfit for further Services, shall be entitled to the same Provision as is allowed to other Adjutants of Militia by any Act that now is or hereafter shall be in Force for defraying the Charge of the Pay and Clothing of the Militia in that Part of *Great Britain* called *England*; and that any Person being a Serjeant on the Establishment of *Chelsea*, at an Allowance of Twelve-pence *per* Day, and being appointed to serve in the said Militia, shall and may receive the said Allowance of Twelve-pence *per* Day, together with his Pay from the said Militia, in like Manner as in other Militia Forces; and any Person who shall have

have served as a Serjeant, Corporal, or Drummer, in the said Militia, who shall be discharged for Age or Infirmary, shall, on a Recommendation from the Commanding Officer of the Regiment to which he belongs, and a Court of the said Commissioners, be equally entitled to the Benefit of *Chelsea Hospital* with the Serjeants, Corporals, and Drummers, of the other Militia Forces of this Kingdom.

Non-commissioned Officers and Drummers entitled to the Benefit of *Chelsea Hospital*.

LV. And be it further enacted, That the Acceptance of a Commission in the said Militia shall not vacate the Seat of any Member returned to serve in Parliament; and that no Person being an Officer in the said Militia shall be compelled to serve the Office of Sheriff.

Acceptance of Commissions not to vacate Seats in Parliament.

Officers not liable to serve as Sheriffs.

LVI. Provided always, and be it further enacted, That no Officer or Private Militia Man of the said Militia shall be liable to any Penalty or Punishment, for or on Account of his Absence during the Time he shall be going to vote at any Election of

Militia Men who are Voters, not punishable for going to Elections.

of a Member to serve in Parliament, or during the Time he shall be returning from such Election.

A State of the Regiment when called out to Annual Exercise, to be returned to the Commissioners on Penalty of 100*l*.

LVII. And be it further enacted, That the Colonel or other Commanding Officer of each Regiment, shall and is hereby required as often as the said Regiment shall be called out to Annual Exercise, as before directed, to return to the said Commissioners a true State of such Regiment; and in Case the Colonel or Commanding Officer of either or both Regiments shall refuse or neglect, for the Space of Three Calendar Months after the said Annual Exercise, so to do, he shall, for every such Offence, forfeit and pay the Sum of One Hundred Pounds.

No Serjeant, &c. compellable to serve as a Peace or Parish Officer, or in the Navy.

LVIII. And be it further enacted, That no Serjeant, Corporal, Drummer, or Fifer, of the said Militia, or any Private Man, from the Time of his Inrolment, until he shall be regularly discharged from the said Militia,

Militia, shall be compelled to serve as a Peace Officer or Parish Officer, or to serve in any of His Majesty's Sea Forces.

LIX. And be it further enacted, That the Provisions of an Act, passed in the Twenty-fourth Year of the Reign of His late Majesty King George the Second, intituled, *An Act for the rendering Justices of the Peace more safe in the Execution of their Office, and for indemnifying Constables and others acting in Obedience to their Warrants*, shall extend to the said Mayor and Aldermen, and also to His Majesty's said Commissioners, and the Assessors, and Collectors, in the Execution of this Act, or any other which relates to the said Militia, in like Manner and as fully and effectually as the same extends to Justices of the Peace acting in the Execution of their Office.

LX. And be it further enacted, That no Officer serving in the said Militia, shall sit on any Court Mar-

24 Geo. II.  
Cap. 44, to  
extend to the  
Mayor, Alder-  
men, Com-  
missioners,  
Assessors, and  
Collectors.

Officers of Mi-  
litia to sit only  
on Trials of  
Officers and  
Soldiers of  
other Militia  
Regiments, &c.

tial upon the Trial of any Officer or Soldier serving in any of His Majesty's Forces, other than Militia Forces; nor shall any Officer serving in any of his Majesty's Forces, other than the Militia Forces, sit on any Court Martial upon the Trial of any Officer or Private Man serving in the said Militia.

Act not to pre-  
judice the  
Rights of the  
City.

LXI. And, in Order that the Rights and Privileges of the City of *London* may not be infringed, be it further enacted, That this Act, or any Thing herein contained, shall not diminish, or be prejudicial to the Rights, Privileges, Immunities, and Exemptions, to which the Mayor and Commonalty, and Citizens of the City of *London*, or the Freemen, Citizens, or Inhabitants of the said City, or the Suburbs and Liberties of the same, or of all privileged Places within the Limits and Precincts thereof, as well within the Liberties as without, are entitled to enjoy by Prescription, Act of

of Parliament, Charter, or Usage; but the said Mayor and Commonalty, and Citizens, and Freemen, Citizens, and Inhabitants of the said City, shall and may continue to enjoy all and singular the said Rights, Liberties, Usages, Customs, Privileges, Immunities, and Exemptions, in as full, ample, and beneficial a Manner as if this Act had not been made.

LXII. And whereas the said Militia being an Amendment or Regulation of the ancient Trained Bands of the City of *London*, be it enacted, That the said Militia already raised, and to be raised by Virtue of this Act, shall possess and enjoy all and singular the Rights and Privileges which were possessed and enjoyed by the ancient Trained Bands of the City of *London*, and which are not varied, altered, or taken away by this Act,

LXIII. And be it further enacted, that all Fines, Penalties, and Forfeitures

Militia to enjoy  
the Rights of  
the Trained  
Bands.

Recovery and  
Application of  
Penalties.

feitures by this Act imposed, which shall exceed the Sum of Twenty Pounds, shall be recoverable by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, wherein no Privilege, Protection, Wager of Law, or more than One Imparlance shall be allowed; and that all Fines, Penalties, and Forfeitures, by this Act imposed, which shall not exceed the Sum of Twenty Pounds, shall, on Proof upon Oath of the Offence before the Mayor or any other Magistrate of the said City, or any Justice of the Peace for the County, Liberty, or Place, where the Offence shall be committed, be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of the said Mayor, Magistrate, or other Justice, rendering the Overplus (if any) on Demand, after deducting the Charges of such Distress and Sale, to the  
Person

Person whose Goods and Chattels shall have been so distrained and sold; and for Want of sufficient Distress the said Mayor, Magistrate, or Justice, is hereby required in all Cases (when no particular Time of Commitment is by this Act directed) to commit such Offender to Prison where the Offence shall have been committed, for any Time not exceeding Three Calendar Months; and the Money arising by all such Fines, Penalties, and Forfeitures, the Application whereof is not otherwise particularly directed by this Act, shall be paid to the Treasurer appointed by the said Commissioners, to be applied for the general Purposes of this Act.

LXIV. And be it further enacted, Distress not unlawful for Want of Form.  
That where any Distress shall be made for any Sum or Sums of Money to be levied by Virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a  
F 2                      Trespasser

Trespasser or Trespassers, on Account of any Default or Want of Form in any Proceedings relating thereto; nor shall the Party or Parties be deemed a Trespasser or Trespassers, *ab initio*, on Account of any Irregularity which shall be afterwards done or committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity, may recover full Satisfaction for the special Damage by an Action on the Case.

No Rate or Proceeding to be quashed for Want of Form, or removable by *Certiorari*, &c.

LXV. Provided always, and be it further enacted, That no Rate or Assessment, nor any Order to be made, or Proceeding to be had, or any other Matter or Thing to be done, transacted in, or relating to the Execution of this Act, by the said Court of Mayor and Aldermen, or by His Majesty's Commissioners of Lieutenancy for the Time being, or the Assessors or Collectors acting under the Authority of this Act, or by the Court of Quarter Sessions  
of

of the said City, shall be vacated or quashed for Want of Form only, or be removed or removable by *Certiorari*, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law, Statute, or Usage, to the contrary notwithstanding: Provided always, that no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity, Trespass, or other Proceedings, if Tender of sufficient Amends shall have been made by or on the Behalf of the Party or Parties, who shall have committed or caused to be committed any such Irregularity, Trespass, or wrongful Proceedings, before such Action brought; and in Case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where any such Action shall depend, at any Time before Issue joined, to pay into

the Court such Sum of Money as he or they shall think fit, whereupon such Proceedings, or Order, and Judgments shall be had, made, and given, in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of  
Actions.

LXVI. And be it further enacted, That if any Action shall be brought against any Person for any Thing done in Pursuance of this Act, such Action or Suit shall be commenced within Six Calendar Months next after the Fact committed, and not afterwards, and shall be laid in the County or Place where the Cause of Complaint did arise, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act, and the Special Matter in Evidence at any Trial to be had thereupon; and if the Jury shall find for the Defendant or Defendants in any Action or Suit, or  
if

General Issue.

if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his or their Action or Suit, after the Defendant or Defendants shall have appeared, or if on Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and have the like Remedy for the same as any Defendant hath in any other Cases to recover Costs by Law.

LXVII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

of the Plaintiff or Plaintiffs shall be  
admitted, or otherwise his or  
their Action of Law, after the De-  
clarator or Defendants shall have  
appeared, or if on Demand Judge  
shall be given against the De-  
clarator or Defendants shall have  
Table Costs, and have the like  
Remedy for the same as any De-  
clarator had in any other Case to  
recover Costs by Law.

Public Act.

Section LXVII. And be it further enacted,  
That this Act shall be deemed and  
taken to be a Public Act and shall  
be published in the Votes of as  
such by all Judges, Justices, and  
other Persons & Members without  
specially providing the same.

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 ANNO TRICESIMO NONO

 GEORGII III. Regis.
 

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## CAP. LXXXII.

An Act to explain and amend an Act, passed in the Thirty-sixth Year of the Reign of His present Majesty, intituled, *An Act for amending, and reducing into One Act of Parliament, Two several Acts, passed in the Thirty-fourth and Thirty-fifth Years of the Reign of His present Majesty, for the better ordering the Militia of the City of London, and for the further regulating the Trained Bands or Militia of the said City.*

[12th July, 1799.]

**W**HEREAS an Act was passed Preamble.  
 in the Thirty-sixth Year of  
 the Reign of His present Majesty, 36 Geo. III.  
 intituled, *An Act for amending, and* Cap. 92, re-  
*reducing into One Act of Parliament,* cited.  
*Two several Acts, passed in the*  
*Thirty-*

*Thirty fourth and Thirty-fifth Years of the Reign of His present Majesty, for the better ordering the Militia of the City of London, and for the further regulating of the Trained Bands or Militia of the said City: And whereas there are great Deficiencies of Men in the Two Regiments of London Militia, arising from Desertion, and there is no Provision made in the said Act for supplying such Deficiencies, and it is expedient that some further and other Powers should be granted for carrying the Purposes of the said Act into Execution; be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the present Deficiencies in the said Two Regiments of Militia shall be supplied by the several Wards of the said City, and the Liberties and Precincts within the same, in the Proportions following; that is to say,*

The present Deficiencies in the Militia to be supplied in the Proportions following.

FOR THE  
East Regiment,

BY THE WARDS OF

Aldgate	<i>Fourteen Men</i>
Bassishaw	<i>Three Men</i>
Billingsgate	<i>Nine Men</i>
Bishopsgate Within	<i>Ten Men</i>
Bishopsgate Without	<i>Eleven Men</i>
Bridge	<i>Six Men</i>
Broad-Street	<i>Eleven Men</i>
Candlewick	<i>Five Men</i>
Coleman-Street	<i>Eight Men</i>
Cornhill	<i>Eight Men</i>
Dowgate	<i>Six Men</i>
Langbourn	<i>Sixteen Men</i>
Lime-Street	<i>Five Men</i>
Portfoken	<i>Ten Men</i>
Tower	<i>Sixteen Men</i>

AND FOR THE

West Regiment,

BY THE WARDS OF

Aldersgate Within & } St. Martin'sle Grand }	<i>Four Men</i>
Aldersgate Without	<i>Five Men</i>
Bread-Street	<i>Six Men</i>
Castle Baynard	<i>Ten Men</i>
Cheap	<i>Ten Men</i>
Cordwainer	<i>Five Men</i>
Cripplegate Within	<i>Ten Men</i>
Cripplegate Without	<i>Eight Men</i>
Farringdon Within	<i>Nineteen Men</i>
Farringdon Without	<i>Forty-four Men</i>
Queenhithe	<i>Five Men</i>
Vintry	<i>Five Men</i>
Walbrook	<i>Six Men.</i>

Commissioners  
of Lieutenancy  
to issue Pre-  
cepts to the re-  
spective Wards,  
to raise their  
Proportions.

II. And be it further enacted,  
That His Majesty's Commissioners  
of Lieutenancy for the City of *Lon-*  
*don*, at any of their Courts of Lieute-  
nancy, shall, and they are hereby  
required to issue Precepts to the  
Aldermen, Deputies, and Common  
Councilmen of the several Wards of  
the said City, and the Liberties and  
Precincts within the same, requir-  
ing them to cause the Number of  
Men, herein-before appointed to  
be raised in their respective Wards,  
to be provided; and the Aldermen,  
or Deputies, and Common Coun-  
cilmen of the several Wards afore-  
said, or the major Part of them,  
shall provide the Number of Men  
directed to be raised in their re-  
spective Wards, in the same Man-  
ner, and with the same Powers, and  
under and subject to the several  
Clauses, Regulations, Provisions,  
Directions, Matters, and Things in  
the said Act contained, with Respect  
to the raising of the Number of Men  
thereby

thereby ordered and directed to be raised.

III. And be it further enacted, That in Case any Militia Man serving in the said Militia shall desert or absent himself from his Duty, and shall not return or be taken within the Space of Three Calendar Months from the Time of his so deserting or absenting himself, then, upon Certificate thereof from the Commanding Officer of the Regiment to which such Militia Man shall belong, to the said Commissioners of Lieutenancy, at any of their Courts of Lieutenancy, the said Commissioners shall and are hereby required, out of the Trophy Tax raised for the said City, within Ten Days next following, to provide another Man in the Place of him so deserting; and in Case such Militia Man shall at any Time return, or be taken, he shall, notwithstanding any Person shall have been provided to serve in his Room, be compelled

If Deserters or Absentees be not taken, or do not return in Three Months, the Commissioners to provide other Men out of the Trophy Tax.

Deserters, if taken, to be compelled to serve.

compelled to serve in the same Manner, and for the same Term, as if no Person had been provided in his Room.

Commissioners  
to provide out  
of the Trophy  
Tax Men to  
serve instead of  
those promoted.

IV. And be it further enacted, That in Case any of the Privates serving in the said Militia shall be promoted to the Rank of Serjeants or Corporals therein, and the Commanding Officer of the Regiment in which such Private or Privates shall serve, shall certify such Promotion to the said Commissioners, then the said Commissioners shall and are hereby required, out of the Trophy Tax raised for the said City, to provide another Man or Men to serve in the Lieu and Stead of such Private or Privates so promoted; and all such Men as shall be so provided by the said Commissioners, as well as all such as have been heretofore raised by the said Commissioners in Lieu of Deserters, and also such as shall be hereafter raised either by the Aldermen,

men, or Deputies, and Common Council, or by the said Commissioners, in Pursuance of this Act, in Lieu of Deserters, shall be allotted to the same Parishes as the Men were in whose Room they are or shall be respectively raised, and shall be entitled to the same Benefits in Consequence of such Allotment as other Men serving in the said Militia are, or shall be by Virtue of the said Act, or of this present Act.

V. And be it further enacted, That in Addition to the Number of Serjeants by the said Act directed to be appointed to the said Militia, there shall be added One Serjeant to act as Serjeant Major, and One other Serjeant to act as Quarter-Master Serjeant, to each of the said Regiments, over and above the Proportion of Serjeants and Corporals by the said Act directed.

VI. And be it further enacted, That the Clause in the said Act which directs that Serjeants or Corporals

A Serjeant Major, and a Quarter-Master Serjeant, to be added to each Regiment.

Clause 31, of recited Act repealed.

Non-commis-  
sioned Officers  
may be reduced  
to Privates for  
a certain Time.

Corporals of the said Militia, may, by Sentence of a Court Martial, be reduced to Privates, shall be, and the same is hereby repealed; and, in Lieu thereof, be it enacted, That any Serjeant or Corporal of the said Militia may, by Sentence of a Court Martial, be reduced to the Condition of a Private Soldier of the said Militia, to serve as such during any Time not exceeding Fifteen Calendar Months, if the Regiment shall not be then embodied or in actual Service; but if the Regiment shall be then embodied, or in actual Service, to serve as aforesaid until the same shall be disembodied, after which Time, or at the End of the said Fifteen Calendar Months, as the Case may be, if not regularly re-appointed to the Rank of a Non-commissioned Officer, he shall be discharged from the Service.

Clause 44 of  
recited Act  
repealed.

VII. And be it further enacted, That the Clause in the said Act which

which directs how the Charges of Pay, Clothing, Trophies, and other incidental Expences of the said Militia are to be defrayed, shall be and the same is hereby repealed; and, in Lieu thereof, be it enacted, That for defraying the necessary Charges of Pay, Clothing, Trophies, and other incidental Expences of the said Militia, it shall be lawful for the said Commissioners to continue to raise and levy, in every Year, the Proportion of One Month's Tax, amounting to Four Thousand Six Hundred and Sixty-six Pounds, Thirteen Shillings, and Fourpence, which the said City hath been used to pay by Virtue of an Act of Parliament, passed in the Thirteenth and Fourteenth Years of the Reign of His late Majesty King *Charles the Second*, intituled, *An Act for ordering the Forces in the several Counties of this Kingdom*; and the said Commissioners shall be accountable for the same, in Manner directed

How the Pay,  
&c. of the  
Militia is to be  
defrayed.

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by

by the said Act of the Thirty-sixth Year of the Reign of his present Majesty; and that no Warrant shall be issued for the raising of any Trophy Money till the Justices of the Peace, or the major Part of such Justices, at some General or Quarter Sessions for the said City, shall have examined and allowed the Accounts of the Trophy Money last raised, levied, and collected, and certified such Examination of the said Accounts under the Hands and Seals of Three or more of such Justices to the said Commissioners; and if at any Time the said Proportion of One Month's Tax as aforesaid shall not be sufficient for the several Purposes aforesaid, or if at any Time, on Account of the said Proportion of One Month's Tax as aforesaid not being due, and in a Course of Payment, the said Commissioners shall not have sufficient Funds in their Hands to answer the several Purposes aforesaid, then the Receiver

ceiver-General of the Land Tax for the said City shall, and he is hereby required to issue and pay, from Time to Time, to the Treasurer appointed by the said Commissioners, upon his producing an Order of the Court of Lieutenancy for that Purpose, signed by Nine Commissioners, so much Money as shall be necessary for the Purposes of training, exercising, paying, clothing, employing, and keeping in Readiness the said Militia, and other incidental Expences relating thereto; and the Receipt of the said Treasurer, indorsed on the said Order, shall be a sufficient Discharge to the said Receiver-General for the Money so to be issued and paid by him: Provided always, that of all such Sums of Money as shall be issued and paid by the said Receiver-General, for the Purposes aforesaid, the said Commissioners shall, Once in every Year, certify an Account, under the Hands of any Nine or more

of them, of the Expenditure thereof, to the said Receiver-General; and the said Receiver-General shall not issue and pay to the said Commissioners, in any succeeding Year, any further or other Sums of Money, until such Time as the Accounts of the Expenditure of all Sums of Money received by them of him, in the preceding Year, shall have been duly certified to him as aforesaid, as also that the said Commissioners have used all due Diligence in the Collection and obtaining Payment of the said Proportion of One Month's Tax as aforesaid.

Collectors of  
the Month's  
Tax neglecting  
their Duty, may  
be fined.

VIII. And be it further enacted, That if any of the Collectors, duly appointed for the Collection of the said Proportion of One Month's Tax as aforesaid, shall neglect or refuse to perform his Duty in the Collection thereof, or having collected the same, shall neglect or refuse to pay the same to the Treasurer

furer appointed by the said Com-  
 missioners, it shall be lawful for any  
 of His Majesty's Justices of the  
 Peace for the said City, to summon  
 the Party before him or them, and  
 to fine him for such his Neglect or  
 Refusal, any Sum not exceeding  
 the Sum of Twenty Pounds, to be  
 levied by Distress and Sale of the  
 Offender's Goods and Chattels (in  
 Case such Fine shall not be forth-  
 with paid), by Warrant under the  
 Hand and Seal, or Hands and Seals,  
 of any One or more of the said Jus-  
 tices, causing the Overplus, if any,  
 after deducting the Charges of such  
 Distress and Sale, to be rendered to  
 the Party; and the Penalty so ad-  
 judged, shall be paid to the Trea-  
 surer to the said Commissioners, to  
 be applied by him as they shall  
 direct.

IX. And be it further enacted, Clause 50 of  
 recited Act,  
 repealed from  
 Aug. 1. next.  
 That the Clause in the said Act of  
 the Thirty-sixth Year of the Reign  
 of his present Majesty, which  
 directs

directs Relief to be given to the Families of Persons serving in the said Militia, when embodied and called into actual Service, and ordered to march in Manner therein mentioned, shall be, and the same is, from and after the First Day of *August* next, hereby repealed.

If Non-commissioned Officers, Drummers, or Privates, when ordered to march, leave Families behind them, they shall be relieved by the Parish Officers out of the Poor Rates.

X. And whereas the Families of Men serving in the said Militia, when embodied and called out into actual Service, and ordered to march, may become chargeable to the Parishes and Liberties whereunto they are allotted; and the Families of Serjeants, Corporals, Drummers, and Fifers, serving therein, when embodied and called out into actual Service, and ordered to march, may become chargeable to the Parish to which they belong, and it is necessary Provision should be made for such Families; be it therefore enacted, That, from and after the said First Day of *August* next, if any Person serving in the said Militia,

Militia, or any Person serving in the Room or Place of any Man originally inrolled to serve therein, or any Serjeant, Corporal, Drummer, or Fifer, serving therein, shall, when embodied and called out into actual Service, and ordered to march, leave a Family unable to support themselves, and residing in the said City, or within Three Miles thereof, the Churchwarden or Churchwardens, or Overseer or Overseers of the Poor of the Parish or Liberty to which such Person shall be allotted, shall, by Order of the Lord Mayor, or any other Magistrate of the City of *London*, out of the Rates for the Relief of the Poor of such Parish or Liberty, pay to such Family such Weekly Allowance, as to the said Lord Mayor, or the said other Magistrate shall seem expedient, not exceeding the Rate of One Shilling and Sixpence per Week for each and every Child born in Wedlock, and under the

G 4

G 4

Age

not exceed  
1/6 p wk  
each child

*Up to  
Wife.*

Age of Ten Years; and not exceeding the Rate of Two Shillings *per* Week for the Wife of such Militia Man, whether she shall or shall not have any Child or Children, and provided she does not follow the Regiment;—and in every Parish or Liberty where the Money arising by such Rates shall not be sufficient for the Purposes aforesaid, a new Rate or Rates, shall be made for raising a Sum sufficient for that Purpose; and in Case any Serjeant, Corporal, Drummer, or Fifer, serving in the said Militia, who shall not be allotted to any Parish or Liberty, or whose Allotment shall have ceased by Promotion as aforesaid, shall, when embodied and called out into actual Service, and ordered to march, leave a Family unable to support themselves, who shall not belong to the Parish, Liberty, Tything, or Township, where they shall dwell at the Time of being so embodied and called out  
into

into actual Service, and ordered to march as aforesaid, then the Churchwarden or Churchwardens, or Overseer or Overseers of the Poor of the Parish, Liberty, Tything, or Township, where such Family shall dwell, shall, by the Order of some One Justice of the Peace of the respective County, City, Division, or Place, out of the Rates for the Relief of the Poor of such Parish, Liberty, Tything, or Township, pay to such Family such Weekly Allowance as to such Justice shall seem expedient, not exceeding the said Rate of One Shilling and Sixpence *per* Week for each Child born in Wedlock, and under the Age of Ten Years, and not exceeding the said Rate of Two Shillings *per* Week for the Wife of such Serjeant, Corporal, Drummer, or Fifer, whether she shall or shall not have any Child or Children, and provided she does not follow the Regiment; and in every Parish, Liberty, Tything, or Township, where

If the Family does not belong to the Parish, the Treasurer to the Commissioners to reimburse the Allowance to it.

Families of Men not residing within certain Limits, not entitled to Relief, and of Men hereafter inrolled, only for one Child.

where the Money arising by such Rates shall not be sufficient for such Purpose, a new Rate or Rates shall be made for raising a Sum sufficient for that Purpose; and every such Weekly Allowance shall be forthwith reimbursed to the Churchwarden or Churchwardens, or Overseer or Overseers of such Parish, Liberty, Tything, or Township, by the Treasurer to the said Commissioners, on his or their producing and leaving with him a Certificate of the Order of the Justice, allowing such Relief; which Certificate the said Justice is hereby required to grant accordingly.

XI. Provided always, and be it further enacted, That such Families of the Men, serving in the said Militia, as shall not reside within the City of *London*, or within the Distance of Three Miles therefrom, shall not be entitled to any Relief under the said Act of the Thirty-sixth Year of the Reign of his present

present Majesty, or of this Act; and that the Families of Person hereafter to be inrolled to serve in the said Militia, shall not be entitled to such Relief for more than One Child born in Wedlock previous to the Time of the Inrolment of such Persons respectively; and that no Order for the Relief of the Family of any Man serving in the said Militia shall be valid and effectual, unless Certificates of the Marriage and Baptism (or of Marriage only in the Case of a Wife) shall be annexed to such Order for Relief; any Thing in the last-mentioned Act contained to the contrary notwithstanding.

XII. And be it further enacted, That the said Commissioners, at their said Courts, shall, and they are hereby required, Forty Days at the least before the Time of Service of any Man or Men serving in the said Militia shall be expired, to issue a Precept or Precepts to the Alder-  
The Commissioners, Forty Days before the Time of Service of any Man is expired, shall issue a Precept for providing another Man in his Room.  
 man,

man, Deputy, and Common Councilmen of the Ward of the said City, for which such Man or Men shall be serving, requiring them to provide another Man or Men in the Room of such Man or Men, whose Time of Service shall be so expiring; and the Alderman, or Deputy, and Common Councilmen of such Ward, or the major Part of them, shall provide the Man, or the Number of them specified in such Precept or Precepts accordingly, in the same Manner, and under and subject to the same Rules and Regulations, and with the like Powers and Authorities as are specified and contained in the said Act of the Thirty-sixth Year of the Reign of his present Majesty, for the raising of Men to serve in the said Militia; and the Commanding Officer of each of the said Regiments is hereby empowered, from Time to Time, to discharge any Man or Men of his Regiment  
whose

whose Time of Service will expire within Forty Days then next ensuing, and to receive any other Militia Man or Men in his or their Room, who shall have taken the Oaths, and been inrolled according to the Directions of the said Act.

XIII. And be it further enacted, That if any Churchwarden or Overseer of the Poor shall, on Demand made in Pursuance of any Order of the Justices of the Peace for the said City, made at their General or Quarter Sessions, for the Payment of any Sum of Money, and after the producing of the said Order to him, refuse or neglect to pay and satisfy the Sum or Sums of Money directed to be paid in or by such Order, every such Churchwarden or Overseer of the Poor shall be subject to the same Penalty, and to be recovered and applied in like Manner, as is directed by the said Act in Cases where any Churchwarden or Overseer of the Poor shall

Parish Officers refusing to pay Money ordered at the Sessions, shall be liable to Penalty, and if they feel aggrieved, may appeal to the next Sessions.

shall refuse to pay any Money directed to be paid by the Order of any Justice or Justices of the Peace; and if any such Churchwarden or Overseer of the Poor shall feel himself aggrieved by any such Order of the said Justices of the Peace for the said City, made at their said General or Quarter Sessions, it shall and may be lawful for such Person to appeal therefrom to the next General or Quarter Sessions of the Peace for the said City, in the like Manner as is directed by the said Act in Cases of Appeal from the Order of any Justice or Justices of the Peace.

If the Treasurer to the Commissioners shall refuse to reimburse the Parish Officers Money paid to any Families not belonging to the Parish, he shall forfeit  
10l.

XIV. And be it further enacted, That if the Treasurer to the said Commissioners shall at any Time refuse to reimburse any Churchwarden or Overseer of the Poor of any Parish, Liberty, Township, or Tything, any Sum or Sums of Money paid by him in Pursuance of  
5 any

any Order of any Justices of the Peace, for the Relief of the Family of any of the Persons serving in the said Militia, such Persons not being allotted to any Parish or Liberty, and not belonging to such Parish, Liberty, Township, or Tything, having, at the Time the same shall be demanded, Funds in his Hands applicable for that Purpose, the said Treasurer so refusing shall for every such Refusal forfeit any Sum not exceeding Ten Pounds, to be recovered by the Adjudication of the Lord Mayor, or other Magistrate of the said City, in like Manner as is directed by the said Act, in Cases where any Churchwarden or Overseer of the Poor shall refuse to pay any Money directed to be paid by any Order of any Justice or Justices of the Peace.

XV. And whereas by Virtue and under the Authority of the said Act of the Thirteenth and Fourteenth Years of the Reign of His late

*Mr. Gregg,*  
late Muster  
Master of the  
Trained Bands,  
to be paid 75*l.*  
yearly out of  
the Month's

Tax, until  
appointed to  
some Office.

late Majesty King *Charles* the Second, a Muster Master for the Purposes of mustering the Trained Bands of the City of *London*, and examining their Arms and Accoutrements, had always been appointed, which Office became unnecessary by the passing of the Act of the Thirty-fourth Year of the Reign of His present Majesty, for the better ordering of the Militia of the City of *London*; and it is just and reasonable that the Person who was Muster Master at the Time of the passing of the said last mentioned Act, should have some Indemnity in Lieu of such Office, as has been given to Muster Masters of His Majesty's Forces on their Offices being abolished; be it therefore enacted by the Authority aforesaid, That *Thomas Gregg*, the Person who was Muster Master to the said Trained Bands at the Time of the passing of the said last mentioned Act, shall receive and be paid out  
of

of the said Proportion of One Month's Tax as aforesaid, the Sum of Seventy-five Pounds yearly, for and during the Term of his natural Life, to be paid to him Half-yearly by the Treasurer to the said Commissioners, out of the Produce of the said Proportion of One Month's Tax, or until he shall be appointed by the said Commissioners to some Office of not less than equal Value; the said Payment to be computed and commence from the Time of the passing of the said Act of the Thirty-fourth Year of the Reign of His present Majesty.

XVI. And be it further enacted, That the said Act of the Thirty-sixth Year of the Reign of His present Majesty, and all and every the Clauses, Powers, Provisions, Directions, Penalties, Matters, and Things therein contained, so far as the same are applicable, and not hereby repealed, shall be applied

Recited Act,  
as far as applicable,  
to extend to this  
Act.

H

plied

plied and put in Execution, with Respect to this Act, in as full and ample a Manner as if they were here again at large repeated and re-enacted in the Body of this Act.

Publick Act.

XVII. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

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