ANNO TRICESIMO QUINTO

# Georgii III. Regis.

## CAP. XXVII.

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.*

[28th *April* 1795.]

Preamble.

14 *Geo.* III, Cap. 81, recited.

WHEREAS an Act was paſſed 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 Proviſions and Regulations in the ſaid Act have been found defective; and it is expedient that the ſaid ſeveral Proviſions and Regulations ſhould be repealed, and further Powers granted for carrying the Purpoſes of the ſaid Act into Execution: Be it therefore enacted by the King's moſt Excellent Majeſty, by and with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 Clauſe in the ſaid recited Act which directs 'That the Private Men to be raiſed by virtue thereof ſhould be choſen by Ballot;' and alſo, the Seven next following Clauſes, containing Proviſions and Regulations relating thereto; and alſo, the Clauſe which enacts 'That if the Alderman, or Deputy, and Common Council, of any Ward, ſhould provide any Volunteer or Volunteers who ſhould be inrolled, and ſhould give to ſuch Volunteer or

Certain Clauſes of recited Act repealed.

Volunteers not exceeding Eight Pounds each Man, to ſerve for ſuch Ward, ſuch Alderman or Deputy, and the major Part of the Common Council, might make a Rate upon the Perſons liable to ſerve or find Subſtitutes for the ſaid Ward, to reimburſe themſelves ſuch Sums of Money as they ſhould have paid to ſuch Volunteers;' and alſo, the Clauſe which enacts, 'That the Commiſſioned and Non-commiſſioned Officers of the ſaid Militia ſhould receive the ſame Pay as thoſe of the other Militia Forces of this Kingdom, and that the Private Men might be put under Stoppages;' and alſo, the Clauſe which enacts, 'That the Non-commiſſioned Officers, Drummers, Fifers, and Private Men of the ſaid Militia, ſhould have an Allowance in lieu of Quarters;' and alſo the Clauſe which enacts, 'That every Militia Man, Subſtitute, or Volunteer, inrolled, and every Serjeant, Corporal, Drummer, and Fifer, raiſed by virtue of the ſaid Act, ſhould be ſubject to every Clauſe, Proviſion, Matter, and Thing, contained in an 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 the Offences therein enumerated, and extends to the ſaid Militia Men, Subſtitutes, and Volunteers, the Bounty and Privileges therein ſet forth;' and alſo, the Clauſe which enacts, 'That the ſaid Militia, having been in actual Service and diſembodied, ſhould be ſubject to the ſame Orders, Directions, and Engagements only, as they were before ſuch actual Service;' and alſo, the Clauſe which provides for defraying the neceſſary Charges of Pay, Cloathing, Trophies, and other incidental Expences of the ſaid Militia; and alſo, the Clauſe which extends the Proviſions of the ſeveral Acts, made in the Thirty-third and Thirty-fourth Years of the Reign of His preſent Majeſty, to the Families of the Non-commiſſioned Officers and Private Men of the ſaid Militia; and alſo, the Clauſe which enacts, 'That when the ſaid Militia ſhould not be embodied, His Majeſty's Commiſſioners of Lieutenancy for the City of *London*, when requiſite and neceſſary, might order the Serjeants and Corporals of the ſaid Two Regiments to have Poſſeſſion of their Cloaths, Arms, and Accoutrements, and with Officers to be kept in conſtant Readineſs to be put under the Orders of the Mayor or other Magiſtrates of the ſaid City, for the Suppreſſion of Riots, or any other requiſite Duty;' and alſo, the Clauſe which directs the Modes of Recovery, and the Application of Fines, Penalties, and Forfeitures by the ſaid Act impoſed, ſhall be, and the ſame are hereby repealed.

Men to be provided in the Proportions following.

II. And be it further enacted, That the Private Men of the Two Regiments of Militia, to be raiſed by virtue of the ſaid Act, paſſed in the laſt Seſſion of Parliament, and 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 Liberties and Precincts within the ſame, in the Proportions following; that is to ſay,

For the *Eaſt Regiment*, by the Wards of
*Aldgate*, Sixty Men;
*Biſſhaw*, Twelve Men;
*Billingſgate*, Forty-one Men;
*Biſhopſgate Within*, Forty-four Men;

*Biſhopſgate Without*, Fifty Men;
*Bridge*, Twenty-ſix Men;
*Broad Street*, Fifty Men;
*Candlewick*, Twenty Men;
*Coleman Street*, Thirty-ſix Men;
*Cornhill*, Thirty-ſix Men;
*Dowgate*, Twenty-ſeven Men;
*Langbourn*, Sixty-ſeven Men;
*Lime Street*, Twenty Men;
*Portſoken*, Forty-five Men; and
*Tower*, Sixty-ſix Men.

And for the *Weſt Regiment*, by the Wards of
*Alderſgate Within*, and *Saint Martins le Grand*, Eighteen Men;
*Alderſgate Without*, Twenty-one Men;
*Bread Street*, Twenty-four Men;
*Caſtle Baynard*, Forty-four Men;
*Cheap*, Forty-four Men;
*Cordwainer*, Twenty-two Men;
*Cripplegate Within*, Forty-four Men;
*Cripplegate Without*, Thirty-ſix Men;
*Farringden Within*, Eighty-four Men;
*Farringden Without*, One hundred and ninety-two Men;
*Queenhith*, Twenty-one Men;
*Vintry*, Twenty-three Men; and
*Walbrook*, Twenty-ſeven Men.

Commiſſioners of Lieutenancy to iſſue Precepts to the Aldermen, &c. to cauſe the reſpective Number of Men to be raiſed, to whom they may give 10*l.* Bounty.

III. And be it further enacted, That His Majeſty's Commiſſioners of Lieutenancy that now are or hereafter ſhall be conſtituted and appointed for the City of *London*, at their Annual Court in *January*, ſhall, and are hereby required to iſſue Precepts to the ſaid Aldermen, Deputies, and Common Council Men of the ſaid Wards of the ſaid City and Liberties thereof, requiring them to cauſe the Number of Men, herein-before appointed to be raiſed in their reſpective Wards, to be provided; and the Aldermen, or Deputy, and Common Council Men, 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 the Adjutant or other Officer appointed by the ſaid Commiſſioners for that Purpoſe, and who ſhall have not more than One Child born in Wedlock, and who ſhall reſide in the ſaid City or within Three Miles thereof; and the Alderman, or Deputy, and Common Council Men of the ſeveral Wards aforeſaid, or the major Part of them, ſhall, and are hereby authoriſed 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 Forty Days, after iſſuing ſuch Precepts, to receive a Return of ſuch Perſons as ſhall be ſo provided; and the Alderman, or Deputy, and Common Council Men 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 to appear at the ſaid Court, which Notice ſhall be given at his or their uſual Place of Abode, at leaſt Six Days before ſuch Court; and ſuch Conſtable, Beadle, or other Officer, ſhall attend the ſaid Court, and

Commiſſioners to appoint a Court to receive Returns of Men provided.

Aldermen, &c. to direct the Conſtables to give Notice to the Perſons provided to appear at the Court, &c.

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, and if approved as aforeſaid there take an Oath in the Words or to the Effect following; that is to ſay,

Oath to be taken by Perſons approved,

'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 in the Militia of '*London*, within the Kingdom of *Great Britain*, for the Defence of the 'ſame, during the Term of Five Years, for which I am enrolled, unleſs 'I ſhall be ſooner diſcharged.'

who ſhall be enrolled to ſerve Five Years.

And every ſuch Perſon ſhall be enrolled (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.

Commiſſioners may iſſue Precepts to the Aldermen, &c. to fill up Deficiencies.

IV. 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 the Adjutant, or other Officer appointed by the ſaid Commiſſioners to examine them, 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 enrolled at the Court or Courts 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 appointed a Serjeant, Corporal, or Drummer, in the ſaid Militia, or be diſcharged in purſuance of the Sentence of a Court Martial, or be otherwiſe regularly diſcharged, then and in either of the ſaid Caſes the ſaid Commiſſioners may, and are hereby required, immediately to iſſue Precepts to the ſaid Aldermen, Deputies, and Common Council Men, of the ſaid Wards wherein ſuch Deficiency or Vacancy ſhall happen, requiring them, or the major Part of them, within Ten Days next following, to make good ſuch Deficiency or Vacancy, or to provide other Men, and ſo as often as may be neceſſary and expedient for carrying the Purpoſes of the ſaid Act paſſed in the laſt Seſſion of Parliament, and of this Act, into Execution; and that if the Alderman, or Deputy, and Common Council Men, of any of the Wards aforeſaid, or the major Part of them, ſhall omit or refuſe to provide the Quota or Number of Men herein appointed to be raiſed by or for their ſaid reſpective Wards, or, having provided the ſaid Quota or Number of Men, any of them ſhall not be approved, or ſhall refuſe or neglect to appear and take the Oath, and be enrolled as hereinbefore mentioned, or ſhall die, or be promoted or diſcharged, and others ſhall not be provided in their Stead as aforeſaid, the ſaid Ward ſhall in lieu thereof be charged with, and become liable to pay the Sum of Ten Pounds for every Man not ſo provided, ſworn in, and enrolled, which Sum or Sums of Money ſhall be applied by the ſaid Commiſſioners in providing Men for the Wards which ſhall have paid ſuch Sum or Sums of Money, who ſhall be ſworn in and enrolled to ſerve for the ſame Time, and on the ſame Conditions, as if they had been provided by the Alderman, or Deputy, and Common Council Men 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 ſerve, and be applied as Part of the Regimental Stock Purſe.

Wards not raiſing their Quota, or not filling up Vacancies, to pay 10*l.* *per* Man.

Surplus Money to be Part of the Regimental Stock Purſe.

V. And

V. And be it further enacted, That the Alderman, or Deputy, and Common Council Men, 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 and Perſons, Bodies Politick and Corporate, Guilds, Myſteries, Fraternities, and Brotherhoods, whether Corporate or not Corporate, and the Owners and Occupiers of Publick Offices and Buildings), to defray the Expences of raiſing their Quota or Number of Men to ſerve in the ſaid Militia hereinbefore directed to be provided by or for the ſeveral and reſpective Wards aforeſaid, and all other incidental Charges relating thereto.

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

VI. 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 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.

Perſons aggrieved may appeal to the Court of Mayor, &c.

VII. 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 or Occupiers of Publick Offices and Buildings, who ſhall be rated and aſſeſſed by virtue or in purſuance of the ſaid Act paſſed in the laſt Seſſion of Parliament, or 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 to collect and receive the ſame, (ſuch Demand being left in Writing at the Land, Houſe, Shop, Warehouſe, Vault, Cellar, or other Tenement, Hereditament, Premiſes, or other Property, poſſeſſed, rated, or occupied by him, her, or them), to pay ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, ſo demanded as aforeſaid, and no Notice of Appeal ſhall be left as aforeſaid, or ſuch Notice being ſo left, if ſuch Appeal ſhall not be made to the next Court of Mayor and Aldermen of the ſaid City after ſuch Notice ſhall be ſo left as aforeſaid, 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

Rates may be levied by Diſtreſs.

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 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, with 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 of the ſaid City, who ſhall have granted ſuch Warrant or Warrants reſpectively: Provided alſo, that no ſuch Diſtreſs ſhall, by virtue of the ſaid Act, paſſed in the laſt Seſſion of Parliament, or 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 back or counterſign without Fee or Reward.

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

*Penalty on Collectors not making Diſtreſs, Juſtices not backing Warrants, and Conſtables neglecting to aid in making Diſtreſs.*

VIII. And be it further enacted, That if any ſuch Collector or Collectors ſhall refuſe or neglect to apply for ſuch Warrant or Warrants as aforeſaid, or to make ſuch Diſtreſs and Sale, purſuant to the Directions of this Act, except in Caſes where ſuch Diſtreſs ſhall be diſpenſed with by the Alderman, or his Deputy, and the Common Council Men, of each reſpective Ward, or the major Part of them, by Writing under their Hands, in reſpect of the Poverty of the Party or Parties aſſeſſed, ſuch Collector or Collectors ſhall, for every ſuch Refuſal or Neglect, forfeit and pay the Sum of Five Pounds; and if any Juſtice of the Peace, upon 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, 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 the Sum of Forty Shillings.

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

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

*Aldermen, &c. to be the Aſſeſſors, and to appoint Collectors, &c.*

X. And be it further enacted, That the Alderman, or his Deputy, and the Common Council Men, 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

reſpective Wards as herein-before directed, and ſhall likewiſe be the Aſſeſſors of the Trophy Tax herein-after directed to be continued to be raiſed and paid, and ſhall appoint proper Perſons to collect the ſaid Rates and Tax, and pay or allow unto ſuch Collectors any Sum or Sums of Money, not exceeding Three-pence in the Pound, upon the Money ſo collected.

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

XI. And be it further enacted, That if the Alderman, or Deputy, and the Common Council Men of any Ward, or the major Part of them, ſhall refuſe or neglect to provide the Men to be raiſed by ſuch Ward as herein-before directed, 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 as aforeſaid; and if the ſaid Alderman, or Deputy, and Common Council Men, of any Ward, or the major Part of them, ſhall neglect or refuſe to levy and raiſe the ſaid Rate, or to aſſeſs the Proportion of the Trophy Tax of ſuch Ward, the ſaid Commiſſioners ſhall and are hereby further authorized to aſſeſs, levy, and raiſe, the ſaid Rate, and alſo the Proportion of the Trophy Tax of ſuch Ward, the Alderman, or Deputy, and Common Council Men of which ſhall make ſuch Default, in like Manner as the ſaid Alderman, or Deputy, and Common Council Men, are hereby empowered to raiſe and levy the ſame; 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.

Pay of the Militia.

Men may be put under Stoppages.

XII. And be it further enacted, 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 when aſſembled for the Purpoſe of being trained and exerciſed, the Private Men ſhall receive One Shilling *per* Day each Man, during which Time it ſhall be lawful for the Captain or Commanding Officer of every Company to put the Militia Men of his Company under Stoppages, not exceeding Sixpence *per* Day, for the Purpoſe of providing them with Linen, and alſo with Stockings and other Neceſſaries, and for defraying 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 account with each Militia Man for ſuch 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.

Non-commiſſioned Officers, &c. to have an Allowance in lieu of Quarters.

XIII. And, in order to prevent the Privileges of the ſaid City from being infringed by the billetting or quartering of Soldiers within the ſaid City, be it further enacted, That the Non-commiſſioned Officers, Drummers, Fifers, and Private Men, ſerving in the ſaid Militia, ſhall, when embodied for Annual Exerciſe or otherwiſe, be in actual Service within the City of *London*, be allowed, in lieu of Quarters, at the Rate of One Shilling and Nine-pence *per* Week each Man, to provide Lodging, in Addition to their Pay.

Commiſſioners to take Security from Treaſurers and Clerks.

XIV. Provided always, and be it further enacted, That the ſaid Commiſſioners ſhall, and they are hereby required to take ſuch Security from the

Treaſurer or Treaſurers, Clerk or Clerks, to be appointed by virtue of the ſaid Act, for the due Execution of their reſpective Offices, as ſhall be ſatisfactory to the ſaid Commiſſioners.

Militia Men, &c. ſubject to 26 *Geo.* III, as far as relates to Penalties for not attending Annual Exerciſe, &c., and entitled to the Bounty granted thereby when on Service beyond the Limits of the City; and being married may ſet up in any Place.

XV. 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, ſhall be ſubject to every Clauſe, Proviſion, 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 enliſt, or enliſting into any other Militia, or for ſelling or pawning their Arms, Accoutrements, or Cloaths, or neglecting or refuſing to return them in good Order, and ſhall be proceeded againſt in Manner directed by the ſaid Act; and the ſaid Militia Men ſhall be entitled to the ſame Bounty, when ordered out into actual Service beyond the Limits of the ſaid City, or Liberties thereof, as is granted by the ſaid Act; and every Perſon having ſerved in the ſaid Militia, when 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.

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

XVI. And be it further enacted, That when the ſaid Militia, or Part thereof, having been ſo drawn out into actual Service as aforeſaid, ſhall be again duly 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 to the ſame Orders, Directions, and Engagements only as they are made ſubject to under the Proviſions of the ſaid Act paſſed in the laſt Seſſion of Parliament, and of this Act, before they were ſo drawn out into actual Service as aforeſaid.

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

XVII. And be it further enacted, That, for defraying the neceſſary Charges of Pay, Cloathing, 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, in Manner herein-before directed, the Proportion of One Month's Tax, amounting to Four thouſand ſix hundred and ſixty-ſix Pounds Thirteen Shillings and Four-pence, which the ſaid City hath been uſed to pay by virtue of the ſaid 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 the Kingdom*, and ſhall be accountable for the ſame; and in Addition thereto, the Receiver General of the Land Tax for the ſaid City ſhall, and he is hereby required to iſſue and pay annually, to the Treaſurer appointed by the ſaid Commiſſioners, ſo much Money as ſhall be neceſſary, in Aid of the Trophy Tax, towards the ſaid Expence of training, exerciſing, paying, and keeping in Readineſs, and other incidental Expences of the ſaid Militia; and the Receipt of the ſaid Treaſurer ſo appointed ſhall be a ſufficient Diſcharge to the ſaid Receiver General for the Money ſo to be iſſued and paid by him.

XVIII. And

XVIII. And be it further enacted, That when the ſaid Militia ſhall not be embodied, according to the Proviſions of the ſaid Act paſſed in the laſt Seſſion of Parliament, and 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 ſo many as to them may ſeem fit, to be put in Poſſeſſion of their Cloaths, Arms, and Accoutrements, 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 Mayor or other Magiſtrates of the ſaid City, who ſhall have Power and Authority to call out the Whole of the ſaid Serjeants, Corporals, and Privates, or any Part of them, for the Suppreſſion of Riots, or any other requiſite Duty for which they may be wanted, the ſaid Officers and Men, when ſo called out, to be ſubject to the ſame Penalties as are herein-before directed when the ſaid Militia ſhall be actually embodied; and the ſaid Commiſſioners may order the ſaid Serjeants, Corporals, and Privates, to be inſpected and exerciſed ſo often as they ſhall think proper and neceſſary.

The Commiſſioners, when the Militia is not embodied, may order the Non-commiſſioned Officers, &c. with Officers, to be put under the Orders of the Magiſtrates of the City, &c.

XIX. And be it further enacted, That every Clauſe, Proviſion, Matter, and Thing, contained in an Act of Parliament, paſſed in the Thirty-third Year of the Reign of His preſent Majeſty, intituled, *An Act to provide for the Families of Perſons choſen by Lot to ſerve in the Militia of this Kingdom, and of Subſtitutes ſerving therein; and to explain and amend an Act of Parliament, paſſed in the Twenty-ſixth Year of His preſent Majeſty's Reign, intituled, 'An Act for amending, and reducing into One Act of 'Parliament, the Laws relating to the Militia of that Part of* Great Britain *'called* England;' and alſo in an Act, paſſed in the Thirty-fourth Year of the Reign of His preſent Majeſty, intituled, *An Act to amend an Act, paſſed in the laſt Seſſion of Parliament, intituled, 'An Act to provide for 'the Families of Perſons choſen by Lot to ſerve in the Militia of this King-'dom, and of Subſtitutes ſerving therein; and to explain and amend an Act 'of Parliament, paſſed in the Twenty-ſixth Year of His preſent Majeſty, 'intituled, "An Act for amending, and reducing into One Act of Parlia-"ment, the Laws relating to the Militia of that Part of* Great Britain *"called* England;" and alſo an Act, made in the laſt Seſſion of Parliament, intituled, *An Act for augmenting the Militia,* ſhall be deemed to extend to the Families of the ſaid Serjeants, Corporals, Drummers, Fifers, and Private Men, of the ſaid Militia.

33 *Geo.* III, Cap. 8.

34 *Geo.* III, Cap. 47, and

34 *Geo.* III, Cap. 16; to extend to the Families of City Militia.

XX. And, in order that the Families of Perſons ſerving in the ſaid Militia may have the Relief directed in and by the ſaid Acts of Parliament, paſſed in the Thirty-third and Thirty-fourth Years of the Reign of His preſent Majeſty; be it further enacted, That the Alderman, or Deputy, and Common Council Men, of each of the ſaid Wards, or the major Part of them, ſhall divide the Quota of Men to be raiſed in each Ward 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 the ſaid Acts are directed; and every Perſon ſerving in the ſaid Militia ſhall be conſidered, with reſpect to ſuch Relief, as a Subſtitute ſerving in the Militia of any of the Counties of this Kingdom; and in caſe the Alderman, or Deputy,

The Aldermen, &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.

and Common Council Men, of either of the ſaid Wards, or the major Part of them, ſhall omit or neglect to divide the Quota of Men among the Pariſhes in ſuch reſpective Wards, the ſaid Commiſſioners ſhall, and are hereby authoriſed and empowered, to make ſuch Diviſion for ſuch Ward or Wards, and to order the Pariſh for which ſuch Perſons ſhall be allotted to ſerve to be entered upon the Roll herein-before directed to be provided, as well as the Name of every Perſon to be inrolled as herein-before is mentioned.

Treaſurer to pay Monies for Relief of Families of Militia Men, &c.

XXI. Provided always, and be it further enacted, That the Treaſurer for the Time being to be appointed by the ſaid Commiſſioners ſhall defray the Monies directed to be paid by the Order of any Juſtice of the Peace, for the Relief of the Families of the ſaid Militia Men, inſtead of the Chamberlain of the ſaid City; and that the ſaid Treaſurer ſhall have the ſame Remedy over againſt the Churchwardens or Overſeers of the Poor for the Pariſh for which the Militia Man whoſe Family is relieved ſhall be allotted, for Re-payment of the Money, as the Chamberlain of the ſaid City would have under or by virtue of the ſaid Acts of Parliament, or either of them; any Thing therein contained to the contrary notwithſtanding.

Adjutants to have the ſame Allowance as thoſe of the other Militia;

XXII. 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 an Act, paſſed in the Thirty-third Year of His preſent Majeſty, intituled, *An Act for defraying the Charge of Pay and Cloathing of the Militia in that Part of* Great Britain *called* England, *for One Year, beginning with the Twenty-fifth Day of* March *One thouſand ſeven hundred and ninety-three; and for making Proviſion for Adjutants who have ſerved a certain Time in the Militia*; and that any Perſon being a Serjeant on the Eſtabliſhment of *Chelſea*, at an Allowance of Twelve-pence a Day, and being appointed to ſerve in the ſaid Militia, ſhall and may receive the ſaid Allowance of Twelve-pence a Day, together with his Pay from the ſaid Militia, in like Manner as in other Militia Forces; and any Perſon who ſhall have ſerved as a Serjeant, Corporal, or Drummer, in the ſaid Militia, who ſhall be diſcharged for Age or Infirmity, ſhall, on a Recommendation from the Commanding Officer of the Regiment to which he belongs, and 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.

and Serjeants; &c. entitled to the Benefit of *Chelſea Hoſpital*.

24 *Geo.* II, Cap. 44, to extend to the Mayor, Aldermen, &c.

XXIII. 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 acting 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 extend to Juſtices of the Peace acting in the Execution of their Office.



XXIV. And

Commiſſioners, after paſſing this Act, may hold General Courts, &c.

XXIV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, immediately after the paſſing of this Act, to hold ſuch General Courts, and to iſſue ſuch Precepts, for the Purpoſe of carrying this Act into Execution, in like Manner as is herein-before directed to be done at the Annual General Courts.

Act not to prejudice the Rights of the City,

XXV. Provided always, and 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 of 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 Parliament, Charter, or Uſage; but the ſaid Mayor and Commonalty, and Citizens, and the 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.

Recovery and Application of Penalties.

XXVI. And be it further enacted, That all Fines, Penalties, and Forfeitures by the ſaid Act, paſſed in the laſt Seſſion of Parliament, and 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 the ſaid Act and 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 whoſe Goods and Chattels ſhall be ſo diſtrained and ſold; and for Want of ſufficient Diſtreſs, the ſaid Mayor, Magiſtrate, or other Juſtice, is hereby required in all Caſes, when no particular Time of Commitment is herein-before 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 the ſaid Act or this Act, ſhall be paid to the Regimental Clerk of that Regiment where ſuch Offences ſhall have been committed, and ſhall be made Part of the Publick Stock of that Regiment.

Diſtreſs not unlawful for Want of Form, &c.

XXVII. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of the ſaid Act, paſſed in the laſt Seſſion of Parliament, or of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a 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 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 removeable by *Certiorari*, &c.

XXVIII. 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 or transacted in or relating to the Execution of the said Act, passed in the last Session of Parliament, or of this Act, by the said Court of Mayor and Aldermen, or by His Majesty's Commissioners of Lieutenancy for the Time being, shall not be vacated or quashed for Want of Form only, or be removed or removeable 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 be made by or on the Behalf of the Party or Parties who shall have committed, or cause 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 Orders and Judgements, 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, &c.

XXIX. 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

General Issue

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 such Action or Suit, or 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 Judgement shall be given against the Plaintiff or Plain-

Treble Costs.

tiffs, the Defendant or Defendants shall have Treble Costs, and have the like Remedy for the same as any Defendant hath in other Cases to recover Costs by Law.

Publick Act.

XXX. 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.

FINIS.