ANNO TRICESIMO SEXTO

Georgii III. Regis.

CAP. 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.]

Preamble.

WHEREAS an Act was paſſed in the Thirty-fourth Year of the Reign of His preſent Majeſty, 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 re-*'*lates 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*

34 *Geo.* III, Cap. 81, and

35 *Geo.* III, Cap. 27, recited.

'*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and Proviſions in the ſaid Acts contained have been found defective, and it is expedient that the ſaid Acts ſhould be repealed, and further and other Powers and Proviſions granted inſtead thereof, for raiſing, training, and regulating the Trained Bands, or Militia of the City of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in the Thirty-fourth and Thirty-fifth Years of the Reign of His preſent Majeſty, ſhall be and the ſame are hereby repealed, and that inſtead thereof this Act ſhall commence and take Effect: Provided nevertheleſs, that the Militia now raiſed by virtue of the ſaid Acts, ſhall be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 in this Act, in like Manner as the Militia to be raiſed by virtue of this Act are ſubjected thereto.

Recited Acts repealed; but the Militia raiſed by virtue thereof, to be ſubject to the Proviſions of this Act.

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, 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.

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

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 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.

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

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

Commiſſions not vacated by Revocation

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. of the Power of the Commiſſioners.

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, 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 *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. 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. No Bankrupt to be an Officer.

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, 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. Eſtabliſhment of the Militia. 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 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 Field Officers and Captains now holding Commiſſions who have not delivered in their Qualifications, to do ſo in Three

Months on Pain of Diſqualification.

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 delivering in a Deſcription of Qualification.

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

A Moiety of Penalty to the Perſon who ſhall ſue.

On whom Proof of Qualification ſhall lie.

Times of holding Courts of Lieutenancy.

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 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 carrying this Act into Execution.

Men to be provided by the Wards in certain Proportions.

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 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;
Baſſiſhaw, 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;
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;
Farringdon Within, Eighty-four Men;
Farringdon Without, One hundred and ninety-two Men;
Queenhithe, Twenty-one Men;
Vintry, Twenty-three Men;
Walbrook, Twenty-ſeven Men.

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

XI. And be it further enacted, 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, herein-before 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 Deputy, and Common Councilmen of the ſeveral Wards aforeſaid, or 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 Alderman, or Deputy, 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

and 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.

ſioners 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 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),

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.

Penalty on Ward Officers for Default.

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

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

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 at 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 either of the ſaid Caſes, the ſaid Commiſſioners may and are hereby required immediately to iſſue Precepts to the ſaid Alderman, Deputy, and Common Councilmen, of the ſaid Ward 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, or to pay to the ſaid Commiſſioners the Sum of Ten Pounds for each Man, in order that they may provide the ſame; and that if the Alderman, or Deputy, and Common Councilmen, 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

and if they neglect to do ſo, or if the Men be not approved of, *etc.* the Ward to be charged with 10*l.* for

Men, any of them ſhall not be approved of, or ſhall refuſe or 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 ſerve, and be applied as Part of the Regimental Stock Purſe.

each, to be applied by the Commiſſioners in providing the Men.

Surplus of Monies to be applied as Part of the Regimental Stock Purſe.

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 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 ſeveral 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.

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

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 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.

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

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

Rates may be levied by Diſtreſs.

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 Common 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 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 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 authorized and required to 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.

XVI. 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 Councilmen of each reſpective Ward, or the major Part of them, or by a Court of Commiſſioners, in Caſes in which His Majeſty's Commiſſioners ſhall be the Aſſeſſors, by virtue of this Act, by Writing under their Hands, in reſpect to the Poverty of the Party or Parties aſſeſſed, ſuch Collector or Collectors ſhall, for every ſuch Refuſal or Neglect, forfeit and pay any Sum

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

not exceeding 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, 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.

Houſeholders ſerving in their own Right exempted from the Rate.

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 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 Collectors, 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 and 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 herein-after 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-pence in the Pound upon the Money ſo collected.

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

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, 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

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.*

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 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.

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.*

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, 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, 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 the 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.

A Surgeon, Quarter Maſter and Regimental Clerk to be appointed.

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

Regimental Clerk may be Captain Lieutenant.

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 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.

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

Civil Appointments may be made.

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 Cloathing 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 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.

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.

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 Oath.

'I *A. B.* do ſwear, That I had 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 Pay as Lieutenant, [Enſign, Adjutant, Regi-
'gimental Clerk, Paymaſter, Quarter Maſter, *or*, Surgeon, *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-commiſſioned Officers and Drummers, and when to be cloathed.

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 cloathed, 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 the following Oath; (that is to ſay),

Non commiſſioned Officers to take the following 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.'

Colonel may appoint a Serjeant Major and Drum Major.

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, 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 publick 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.

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.

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 the like Oath as is herein-before required to be taken by Serjeants and Corporals.

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

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, 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 Cloathing as other Drummers have, or better Cloathing 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 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.

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

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 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 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.

Non-commiſſioned Officers may be reduced to Privates.

XXXI. And be it further 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 Months, after which Time, if not regularly re-appointed to the Rank of a Non-commiſſioned Officer, he ſhall be diſcharged from the Service.

XXXII. And

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

XXXII. And be it further enacted, That the Arms, Accoutrements, and Cloathing, 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 Cloaths ſhall be provided for the Private Militia Men, at leaſt Once in every Five Years, when not embodied for actual Service.

Privates to be clothed every Five Years when not embodied.

Pay of the Militia.

Men may be put under Stoppages.

XXXIII. 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 no other; 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.

Allowance in lieu of Quarters.

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 Rate of One Shilling and Nine-pence *per* Week each Man, to provide 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 actually 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.

Serjeants, &c. not reſiding within the preſcribed Limits, not entitled to any Allowance.

Commiſſioners to appoint Treaſurers and Clerks.

XXXV. And for the better and more ſpeedy Execution of the Premiſes, be it further enacted, That the ſaid Commiſſioners ſhall be and are hereby required to appoint One or more Treaſurer or Treaſurers, Clerk or Clerks, for receiving and paying ſuch Monies as ſhall be received or levied by virtue of this Act, and of all which Receipts and Diſburſements the ſaid Treaſurer or Treaſurers, Clerk or Clerks, are Once in every Year to give their Accounts in Writing, and upon Oath, to the ſaid Commiſſioners, which Oath the ſaid Commiſſioners are hereby empowered and required to adminiſter; and that a Duplicate of the ſaid Account, ſo far as the ſame relates to the Receipts and Diſburſements of the Trophy Tax by the ſaid Commiſſioners, be annually certified on Oath, and delivered by the ſaid Clerk or Treaſurer to the

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

Mayor, Aldermen, and Commons of the City of *London*, in Common Council aſſembled, previous to the making of any new Rate or Aſſeſſment of the Trophy Tax.

Security to be taken from Treaſurers and Clerks.

XXXVI. 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 this Act, for the 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 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.

His Majeſty within 12 Months from paſſing this Act may draw out the Militia;

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 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 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 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

Hoſpital with any Non-commiſſioned Officer or Private Man belonging to any of His Majeſty's Forces.

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

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 of 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 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 Exerciſe, for deſerting, &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, 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 Cloaths, 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 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 ſubject to under this Act, before being ſo embodied and drawn out into actual Service as aforeſaid.

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

XLIV. 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 raiſe and levy in every Year, to commence and be computed from the Twenty-fifth Day of *December* One thouſand ſeven hundred and ninety-five, 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 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, 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 Treaſurers 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, in Aid of the Trophy Tax, towards the Expence of training, exerciſing, paying, 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.

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

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.

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;

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 may ſeem expedient, to be put in Poſſeſſion of their Cloaths, 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 the 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

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 Cloaths, 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 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, Serjeants, 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 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 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 Cloaths, 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.

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

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

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 his laſt or uſual Place of Abode, ſhall be ſubject to the following Penalties; (that is to ſay), every Serjeant, Corporal, Drummer,

mer, 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 Deſerter, 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 Deſerter, 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 herein-after 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 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 Aldermen, 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.

If Non-commiſſioned Officers, Drummers, or Privates, when ordered to march, ſhall

L. Whereas the Families of Perſons ſerving in the ſaid Militia, when embodied and called into actual Service, and ordered to march, may become chargeable to the Pariſhes or Liberties whereunto they are allotted, by the Regulation of this Act, and the Families of Serjeants, Corporals, Drum-

leave Families behind them, the Overſeers, by Order of a Juſtice, to relieve them weekly out of the Poor Rates.

Drummers, and Fifers, ſerving therein, when embodied and called 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 by the Authority aforeſaid, That if any Perſon ſerving in the ſaid 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, the Overſeer or Overſeers of the Poor of the Pariſh, Liberty, Tything, or Townſhip, where the Family of ſuch Militia Man ſhall dwell, ſhall, by the Order of ſome One Juſtice of the Peace, 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 ordinary Price of One Day's Labour, for each and every Child born in Wedlock, and under the Age of Ten Years, and 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, Liberty, Tything, or Townſhip, 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 ſuch Militia Man ſhall not be allotted to the Pariſh or Liberty where his Family ſhall dwell, or the Family of any ſuch Serjeant, Corporal, Drummer, or Fifer, ſhall not belong to the Pariſh, Liberty, Tything, or Townſhip, where ſuch Family ſhall dwell at the Time of marching as aforeſaid, then every ſuch Weekly Allowance ſhall be forthwith reimburſed to the 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 the ſaid Treaſurer a Certificate of the Order of the Juſtice allowing ſuch Relief, which Certificate the ſaid Juſtice is hereby required to grant accordingly.

Treaſurer to the Commiſſioners to reimburſe Pariſh Officers, if the Men are not allotted to the Pariſh where the Family dwells, &c.

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 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 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.

LII. And

Penalty of 10*l.* on Pariſh Officers for not paying Money ordered by Juſtices, 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 Sum not exceeding the Sum of Ten Pounds, to be recovered, upon the Oath of One or more credible Witneſs or Witneſſes, 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 Judgement 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 ſo adjudged ſhall be paid, One Moiety thereof to the Party aggrieved, and the other Moiety thereof to the Poor of the Pariſh.

Application of Penalty.

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 paid in purſuance of ſuch Order made by virtue of this Act, and hath neglected to pay, in Manner aforeſaid; and in every ſuch Caſe the ſaid Juſtices, at the ſaid General or Quarter Seſſions, may award and order to the Party for whom and in whoſe Behalf ſuch Appeal ſhall be determined, or to whom Notice of Appeal ſhall have been given, ſuch Coſts and Charges in the Law as they ſhall think reaſonable: Provided always, that the reſpective Allowances, which may be made as aforeſaid to the Families of Serjeants, Corporals, Drummers, and Fifers, and of Perſons ſerving in the ſaid Militia, ſhall not occaſion ſuch Families to be removable, or compelled to be ſent to any Workhouſe or Poor Houſe, nor ſhall ſuch Serjeants, Corporals, Drummers, and Fifers, and Private Men, ſerving in the ſaid Militia, be thereby deprived of their legal Settlements elſewhere, nor of their Right of voting for the Election of Members to ſerve in Parliament.

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.

Adjutants to have the ſame Allowances as in other Regiments.

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 Cloathing

Cloathing 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 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 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.

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

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

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

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.

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

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

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

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.

24 *Geo.* II, Cap. 44, to extend to the Mayor, Aldermen, Commiſſioners, Aſſeſſors, and Collectors.

LX. And be it further enacted, That no Officer ſerving in the ſaid Militia ſhall ſit on any Court Martial upon the Trial of any Officer

Officers of City Militia to ſit only on

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. Trials of Officers and Soldiers of other Militia Regiments, &c.

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 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. Act not to prejudice the Rights of the City.

LXII. And whereas the ſaid Militia being an Amendment of 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. Militia to enjoy the Rights of the Trained Bands.

LXIII. And be it further enacted, That all Fines, Penalties, and Forfeitures 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 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. Recovery and Application of Penalties.

Diſtreſs not unlawful for Want of Form.

LXIV. 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 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 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 removeable 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 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 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.

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 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 Plaintiffs, 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.

General Iſſue.

Treble Coſts.

LXVII. And

LXVII. 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. Publick Act.

FINIS.