

ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

CAP. XVII.

An Act to enable His Majesty to accept the Services of a Proportion of the Militia of the City of *London*, out of the United Kingdom, for the vigorous Prosecution of the War.

[6th *December* 1813.]

WHEREAS it is highly important that the most effectual Measures should be adopted for the vigorous Prosecution of the War upon the Continent of *Europe*: And whereas the City of *London*, notwithstanding the Exemptions from raising Men for Military Service contained in their Charters, are desirous and have voluntarily proposed, That His Majesty should be empowered to accept any Offers of a Proportion of the Officers, Non-commissioned Officers, Drummers, and Private Men of the Two Regiments of Militia of the said City of *London*, to serve in any Part of *Europe*, under certain Regulations, in Addition to the Proportion of the Militia of the United Kingdom, whose Services shall be accepted by His Majesty by virtue of an Act passed in the present Session of Parliament, intituled *An Act to enable His Majesty to accept*

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the Services of a Proportion of the Militia out of the United Kingdom, for the vigorous Profecution of the War: May it therefore pleaſe Your Majeſty that it may be enacted; and be it 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 it ſhall be lawful for His Majeſty to accept the Services, and to employ in any Part of *Europe*, under the Regulations and Reſtrictions ſpecified in this Act, ſuch Part of the preſent Militia of the City of *London*, not exceeding Three-fourths of the Number actually ſerving in each Regiment of ſuch Militia as may make a voluntary Offer, duly certified by their reſpective Commanding Officers, of extending their Services to all Parts of *Europe*, and as His Majeſty may think proper to permit to extend their Services in conſequence of ſuch voluntary Offers as aforeſaid; and it ſhall be lawful for His Majeſty, by any Order ſigned by the Principal Secretary of State, or by His Chief Secretary, directed to the Commanding Officer of each or either of ſuch Regiments, to propoſe to ſuch Regiment reſpectively, or any Part or Parts thereof not exceeding ſuch Proportion as aforeſaid, to extend their Services to all Parts of *Europe*, under ſuch Rules and Regulations as His Majeſty may think fit to appoint.

His Majeſty empowered to accept the voluntary Offers of a Proportion of the London Militia to ſerve in any Part of Europe.

II. Provided always, and be it further enacted, That it ſhall be lawful for His Majeſty to direct that a Bounty, not exceeding Eight Guineas, ſhall be allowed to every Non-commiſſioned Officer, Drummer, and Private Man who ſhall make ſuch voluntary Offer as aforeſaid; and every Non-commiſſioned Officer, Drummer, and Private Man making ſuch voluntary Offer as aforeſaid ſhall take the following Oath; *videlicet*,

Bounty of Eight Guineas to Perſons making voluntary Offer.

Oath.

'I *A. B.* do ſincerely promiſe and ſwear, That I will be faithful and bear true Allegiance to His Majeſty King *George*, His Heirs and Succeſſors, and that I will faithfully ſerve in the *London* Militia in any Part of *Europe* during the Remainder of the War, and until the Expiration of Six Months after the Termination thereof, to be reckoned from the Ratification of any Definitive Treaty of Peace, unleſs I ſhall be ſooner diſcharged.'

Enrolment.

And every Non-commiſſioned Officer, Drummer, and Private Man making ſuch voluntary Offer as aforeſaid, and taking ſuch Oath, ſhall be enrolled to ſerve in the *London* Militia in any Part of *Europe*, according to the Terms of ſuch Oath, and ſuch ſeveral Enrolments ſhall take place, and ſuch Oaths ſhall be adminiſtered, by the Officer commanding the Regiment to which ſuch Non-commiſſioned Officer, Drummer, and Private Man reſpectively ſhall belong, or by the Lord Mayor or any Commiſſioner of Lieutenancy, or Juſtice of the Peace, at ſuch Times and under ſuch Regulations as His Majeſty, by any Order to be ſigned by the Secretary of State or his Secretary, ſhall in that Behalf direct or appoint; and every Non-commiſſioned Officer, Drummer, and Private Man ſo enrolled to ſerve in the *London* Militia in any Part of *Europe*, under the Proviſions of this Act, ſhall be entitled to his Diſcharge at the Expiration of the Period ſpecified in ſuch Oath, without any regard to the Period for which he

ſhall have been enrolled to ſerve in the Militia of the City of *London*, by virtue of Two ſeveral Acts of Parliament, one of them paſſed in the Thirty-ſixth Year of the Reign of His preſent Majeſty, intituled *An Act for amending and reducing into One Act of Parliament Two ſeveral Acts paſſed in the Thirty-fourth and Thirty-fifth Years of the Reign of His preſent Majeſty, for the better ordering the Militia of the City of* London, *and for the further regulating of the Trained Bands or Militia of the ſaid City*; and the other of them paſſed in the Thirty-ninth Year of the Reign of His preſent Majeſty, intituled *An Act to explain and amend an Act paſſed in the Thirty-ſixth Year of the Reign of His preſent Majeſty, intituled* '*An Act for amending and reducing into One Act of Parliament Two ſeveral Acts paſſed in the Thirty-fourth and Thirty-fifth Years of the Reign of His preſent Majeſty, for the better ordering of the Militia of the City of* London, *and for the further regulating the Trained Bands or Militia of the ſaid City.*'

Commanding Officers to explain that the Offer is to be voluntary.

III. And be it further enacted, That no Perſon ſerving in the *London* Militia ſhall be compelled to make ſuch Offer, or be engaged to ſerve out of the United Kingdom, except by his own Conſent, and no Commanding Officer ſhall certify according to this Act any voluntary Offer before he ſhall have explained to every Perſon offering to ſerve, that the Offer is to be purely voluntary on his Part.

Services of One Field Officer may be accepted with 300 Men, and Proportion of other Officers, according to the Eſtabliſhment.

IV. And be it further enacted, That it ſhall be lawful for His Majeſty to accept the Services of One Field Officer of each or either Regiment of *London* Militia, in which Three hundred Private Men ſhall offer to extend their Service under this Act, and in caſe no Field Officer of either Regiment from which ſuch Numbers of Men reſpectively ſhall ſo volunteer as aforeſaid, ſhall offer to extend his Services with ſuch Men, it ſhall be lawful for His Majeſty to give the Rank of Field Officer to any Captain in ſuch Regiment reſpectively who may offer to extend his Services with ſuch Men, and it ſhall alſo be lawful for His Majeſty to accept the Services of ſuch Proportion of other Officers, Non-commiſſioned Officers, and Drummers, with any ſuch Numbers of Private Men as are allowed to ſuch Numbers of Men reſpectively in the Eſtabliſhment of the ſaid Regiments of *London* Militia, by virtue of the ſaid Acts of the Thirty-ſixth and Thirty-ninth Years of the Reign of His preſent Majeſty.

His Majeſty may form the Militia for Extended Service into ſuch Proviſional Regiments as He may think fit.

V. And be it further enacted, That it ſhall be lawful for His Majeſty from Time to Time to form the Officers, Non-commiſſioned Officers, Drummers, and Private Men, who ſhall ſo extend their Services from the ſaid Regiments of *London* Militia, into ſuch Proviſional Regiments or Battalions as may be deemed moſt expedient for His Majeſty's Service, either by themſelves or together with the Officers, Non-commiſſioned Officers, Drummers, and Private Men, who ſhall have extended their Services from the Regiments of Militia of the United Kingdom: Provided always, that in all Caſes in which a Field Officer of Militia ſhall have volunteered for Extended Service in any Part of *Europe*, the Officer having the Chief Command in ſuch Proviſional Battalion ſhall be a Field Officer of Militia.

VI. Provided

Officer of Militia not to take any higher Rank than Lieutenant Colonel.

VI. Provided always, and be it further enacted, That no Officer of the *London* Militia ſhall, while out of the United Kingdom upon any ſuch Extended Service, rank with the Officers of His Majeſty's Regular Forces higher than as a Lieutenant Colonel of the Militia.

In caſe ſufficient Officers do not volunteer, His Majeſty may appoint Officers.

VII. Provided always, and be it further enacted, That in caſe the Number of Officers of each Rank ſo volunteering to extend their Services to any Part of *Europe*, and accepted by His Majeſty, ſhall not be in due Proportion to the Number of Men ſo volunteering from the ſame Regiment, it ſhall be lawful for His Majeſty to appoint any fit and proper Perſons to be Officers in ſuch Proviſional Battalions of Militia, without regard to the Qualifications now required by Law for ſuch Officers in the Militia, and from Time to Time to ſupply any Vacancies which may occur in ſuch Proviſional Battalions of Militia, in conſequence of the Death, Reſignation, or Diſmiſſal of any ſuch Officer who ſhall have been ſo appointed by His Majeſty: Provided always, that no Perſon ſo appointed by His Majeſty ſhall hold a Commiſſion in any ſuch Proviſional Battalion of higher Rank than that of a Subaltern, unleſs he ſhall at the Time of ſuch Appointment have been an Officer in His Majeſty's Regular Forces or Militia: Provided always, that nothing herein contained ſhall be conſtrued to affect the Appointment of Officers as eſtabliſhed by the ſaid Acts of the Thirty-ſixth and Thirty-ninth Years of the Reign of His preſent Majeſty, in any Caſe of Vacancy which may occur in conſequence of the Death, Reſignation, or Diſmiſſal of any *London* Militia Officer who may have volunteered for Extended Service in *Europe*.

Officers, whoſe Offers of Extended Service are accepted, entitled to Half Pay.

Penſions to Widows of Officers killed on Service.

VIII. And be it further enacted, That all Commiſſioned Officers of the *London* Militia whoſe Offers of extending their Services to all Parts of *Europe* under the Proviſions of this Act ſhall be accepted by His Majeſty, ſhall be entitled to Half Pay, according to the Ranks in which their Services ſhall be accepted, to ſerve out of the United Kingdom, in like Manner, and under ſuch and the like Circumſtances, as Officers of His Majeſty's Regular Forces; and the Widows of all ſuch Commiſſioned Officers killed in ſuch Extended Service ſhall be entitled to receive ſuch Penſions for Life as are given to Widows of His Majeſty's Regular Forces: Provided always, that no Officer who ſhall be appointed to ſupply any Vacancy which may ariſe in the Militia on ſuch Extended Service, ſhall be entitled to ſuch Half Pay, unleſs he ſhall actually join the Militia upon ſuch Extended Service.

Militia on Extended Service ſubject to Mutiny Act.

IX. And be it further enacted, That all Officers, Non-commiſſioned Officers, Drummers, and Private Men of the *London* Militia, extending their Services to any Part of *Europe*, ſhall, upon leaving the United Kingdom upon ſuch Extended Service, and during ſuch Service until their Return to the United Kingdom, be ſubject to all the Laws in force for the Puniſhment of Mutiny and Deſertion, in like Manner, in every Reſpect, as His Majeſty's Regular Forces; and all Officers of His Majeſty's Regular Forces ſhall be entitled to ſit in any Court Martial upon the Trial of any Officer, Non-commiſſioned Officer, Drummer, or Private

Man of the *London* Militia, while ſo ſerving out of the United Kingdom under this Act; and all Officers of the *London* Militia ſhall, during ſuch Extended Service, be entitled to ſit in any Court Martial upon the Trial of any Officer, Non-commiſſioned Officer, or Soldier, of His Majeſty's Regular Forces; any Thing in any Act or Acts of Parliament to the contrary notwithſtanding.

To continue Militia, and remain ſubject to Militia Regulations.

X. Provided always, and be it further enacted, That all the *London* Militia enrolled and formed for Extended Service as Militia to any Part of *Europe* under this Act, ſhall, notwithſtanding ſuch Extenſion of Service, remain ſubject to all the Proviſions and Regulations contained in the ſaid Acts of the Thirty-ſixth and Thirty-ninth Years of the Reign of His preſent Majeſty, (except in ſuch Caſes as are in this Act particularly ſpecified,) and ſhall be entitled to all ſuch Privileges and Immunities, and to ſuch Proviſions for their Wives and Families as they would have been entitled to by virtue of ſuch Acts if they had continued ſerving as the *London* Militia in the United Kingdom.

Regulations for retaining any Officers, Non-commiſſioned Officers, and Drummers, as Supernumeraries.

XI. And be it further enacted, That it ſhall be lawful for His Majeſty, from Time to Time, to make ſuch Regulations as His Majeſty may deem moſt expedient, in relation to the retaining upon the Eſtabliſhment of the *London* Militia, as Supernumeraries or otherwiſe, any Officers, Non-commiſſioned Officers, and Drummers of each or either Regiment of *London* Militia as may not ſo volunteer to extend their Service to any Part of *Europe*, or as may not be ſo employed upon ſuch Extended Service, any Thing in the ſaid recited Act or Acts of Parliament of the Thirty-ſixth and Thirty-ninth Years of the Reign of His preſent Majeſty to the contrary notwithſtanding.

Rights of the City not prejudiced.

XII. 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 may be altered this Seſſion.

XIII. Provided always, and be it further enacted, That this Act, or any of the Proviſions thereof, may be altered, varied or repealed by any Act or Acts to be made in this preſent Seſſion of Parliament.

Public Act.

XIV. And be it further enacted, That this Act ſhall be deemed and taken to be a Public Act, and ſhall be judicially taken notice of as ſuch by all Judges, Juſtices, and others, without being ſpecially pleaded.

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