



Militia (City of London) Act 1820

1820 CHAPTER 100

An Act for amending and reducing into One Act of Parliament, Two several Acts, passed in the Thirty-sixth and Thirty-ninth Years of the Reign of His late Majesty King *George* the Third, for the better ordering and further regulating of the Militia of the City of *London*.
[24th July 1820]

WHEREAS an Act was passed in the Thirty-sixth Year of the Reign of His late Majesty King *George* the Third, 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 of the Trained Bands or Militia of the said City*. And whereas another Act was passed in the Thirty-ninth Year Of the Reign of His said late 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 the Militia of the City of London, and for the further regulating the Trained Bands or Militia of the said City :'* And whereas it is expedient that the said recited Act should be repealed, and that further and other Powers and Provisions should be granted and enacted for the raising, training, and regulating of the said Militia:

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,

Recited Acts repealed ; but the Repeal not to annul the Proceedings of the Commissioners of Lieutenancy.

That from and after the passing of this Act, the said recited Acts, passed in the Thirty-sixth and Thirty-ninth Years of the Reign of His said late Majesty, shall be and the same are hereby repealed ; and that instead thereof this Act shall commence and take effect: Provided nevertheless, that the repealing of the said Acts shall not annul or in anywise affect 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.

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

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, the Militia of the said City, once in every Year, and at such other Times, and in such Manner as herein-after directed; and the said Commissioners shall from Time to Time constitute and appoint a Colonel, Lieutenant Colonel, Major, 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.

III Commissions not vacated by Revocation of the Powers of the Commissioners.

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

IV Officers to possess certain Qualifications, and to take the Oaths and subscribe a Declaration as to their Qualification.

And be it further enacted, That every Person 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 or may be directed to possess, by any Act which now is or hereafter may be in force, for regulating the Militia of *England* ; and every Commissioned Officer shall take the Oaths, and make, repeat, and subscribe the Declaration, by any such Act required to be taken, made, repeated, and subscribed ; and the Colonel, Lieutenant Colonel, Major, and Captains in the said Militia, shall be Freemen 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 they possess the Qualifications required by this 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 they possess the Qualifications required by this Act.

V No Bankrupt, &c. to be an Officer in the London Militia.

Provided always, and be it further enacted, That no Person who has been a Bankrupt, or taken the Benefit of any Insolvent Act, or compounded with his Creditors, and not paid Twenty Shillings in the Pound, shall be eligible to be a Commissioned Officer in the said *London* Militia.

VI Establishment of the Militia. Commissions to be inserted in Gazette.

And be it further enacted, That the Number of Private Men serving for the Militia of the City of *London* and the Liberties thereof, shall be Six hundred, to be formed into One Regiment, consisting of Eight Companies, besides a Grenadier and Light Infantry Company; the Field Officers 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 Insertions in the Gazette shall be allowed to the said Clerk in passing his Accounts.

VII Penalty for acting without being qualified, or without delivering in a Description of his Qualification. Moiety of the Penalty to the Person who shall sue. On whom Proof of Qualification shall lie.

And be it further enacted, That if any Person shall execute any of the Powers hereby directed to be executed by the Colonel, Lieutenant Colonel, or Major 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 Lieutenants or Ensigns in the said Militia, without having delivered a specific Description of his Qualification to the said Clerk or Treasurer, if required so to do by the said Commissioners, every such Person shall forfeit and pay the Sum of Fifty Pounds ; and if any Person shall execute any of the Powers hereby directed to be executed by the Colonel, Lieutenant Colonel, Major, Captains, Lieutenants, or Ensigns in the said Militia, after having been a Bankrupt, or after having taken the Benefit of any Insolvent Act, 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 his Bankruptcy, or having taken the Benefit of an Insolvent Act, or compounding with his Creditors,) shall lie upon the Person against whom the same is brought.

VIII Men to be provided by the Wards in certain Proportions.

And be it further enacted, That the Private Men of the said Regiment of Militia, and which shall be distinguished by the Name of *The Royal London Militia*, 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, by the Wards of *Aldersgate Within*, Nine Men; *Aldersgate Without*, Ten Men; *Aldgate*, Thirty Men ; *Bassishaw*, Six Men; *Billingsgate*, Twenty-one Men; *Bishops-gate Within*, Twenty-two Men;

Bishopsgate Without, Twenty-five Men; *Bread Street*, Twelve Men ; *Bridge*, Thirteen Men; *Broad Street*, Twenty-five Men; *Candlewick*, Ten Men; *Castle Baynard*, Twenty-two Men; *Cheap*, Twenty-two Men; *Coleman Street*, Eighteen Men ; *Cordwainer*, Eleven Men ; *Cornhill*, Eighteen Men ; *Cripple-gate Within*, Twenty-two Men ; *Cripplegate Without*, Eighteen Men; *Dowgate*, Fourteen Men; *Farringdon Within*, Forty-two Men; *Farringdon Without*, Ninety-six Men; *Langbourne*, Thirty-four Men; *Lime Street*, Ten Men; *Portsoken*, Twenty-three Men; *Queenhithe*, Ten Men ; *Tower*, Thirty-three Men ; *Vintry*, Eleven Men ; *Walbrook*, Thirteen Men.

IX Commissioners to issue Precepts to the Wards to raise the Men. Oath to be taken by Men. Penalty on Ward Officers for Default.

And be it further enacted, That for the Purpose of raising the said Number of Men by this Act required to be provided, 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 directed to be raised in their respective Wards, to be provided ; and the Aldermen, Deputies, and Common Councilmen of such Wards, or the major Part of them, shall provide the Number of Men directed to be raised in their respective Wards, and who shall be fit and able Men, and be approved by Two or more of the said Commissioners; and the Aldermen or Deputies 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, such Bounty as may be found expedient, to serve in the said Militia for such Ward ; and the said Commissioners shall appoint a Court or Courts to be holden, not less than Twenty Days, nor more than Sixty Days, after issuing such Precepts, to receive a Return of the Names and Places of Abode of such Persons as shall be so provided ; and the Aldermen or Deputies and Common Councilmen of the several Wards aforesaid, or the major Part of them, shall direct the Constables, Beadles, or other Ward Officers, to give Notice in Writing to every Person so provided, personally to appear at such Court or Courts, or before such Commissioners as may be appointed by any 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 shall be attested, and take an Oath in the Words or to the Effect following; that is to say,

“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 Militia of *London*, in any Part of the Kingdom of *Great Britain*, for the Defence of the same, for the Term of Five Years, or for such further Time as the Militia shall remain embodied, if within the Space of Five Years His Majesty shall order and direct the Militia to be drawn out and embodied, unless I shall be sooner discharged.”

And it shall be lawful for any one of the said Commissioners to administer the said Oath ; and in case the said Constable, 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,

X In case of Deficiency of Men, fresh Precepts to be issued for others to be provided, or 15l. to be paid by the Ward for each Man wanting. Surplus of the Monies how to be applied.

And be it further enacted, That if any of the Men provided by or for the several Wards of the said City and Liberties shall not appear, or shall not be approved by Two or more of the said Commissioners, or shall not be duly attested at the Court or Courts, or before the said Commissioners so to be appointed for that Purpose ; or if any Militia Man shall, before the Expiration of the Term for which he was to serve, die or be discharged in pursuance of the Sentence of a Court Martial, or by the Colonel or Commanding Officer of the said Militia, as unfit for Service, or be otherwise regularly discharged ; and when and so often as the Time of Service of any Man serving in the said Militia shall expire, then and in either of the said Cases, the said Commissioners may and are hereby required immediately to issue Precepts to the said Aldermen, Deputies, and Common Councilmen of the Ward or Wards wherein such Deficiency or Vacancy shall happen, requiring them or the major Part of them, within Ten Days next following, to make good such Deficiency or Vacancy, or to provide other Men, or pay to the said Commissioners the Sum of Fifteen 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 respective Wards, or having provided the said Quota or Number of Men, any of them shall not be approved of, or shall refuse or neglect to appear and take the Oath and be attested 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 to the said Commissioners or their Treasurer, the Sum of Fifteen Pounds for every Man not so provided, sworn in, and attested, 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 attested to serve for the same Time and on the same Conditions as if they had been provided by the Aldermen and Deputies 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 said Commissioners of Lieutenancy in aid of the Trophy Tax, and be accounted for accordingly,

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

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 from Time to Time, as Occasion shall require, to make an equal Rate upon all and every Person and Persons, Bodies Politic and Corporate, Guilds, Mysteries, Fraternities, and Brotherhoods, whether Corporate or not Corporate, and the Owners or Occupiers of Public Offices and Buildings, who do or shall inhabit, hold, occupy, possess, or enjoy any Land, House, Shop, Warehouse, Vault, Cellar, or other Tenements or Hereditaments within the said several 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 Politic and Corporate, Guilds, Mysteries, Fraternities, and Brotherhoods, whether Corporate or not Corporate, and the Owners and Occupiers

of Public Offices and Buildings, to defray the Expence of raising and maintaining 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, and all other incidental Charges relating thereto.

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

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 Alderman 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.

XIII Rates may be levied by Distress. No Distress to be made out of the City, unless Warrant be backed by a Magistrate of the County, &c.

And be it further enacted, That if any Person or Persons, Bodies Politic and Corporate, Guilds, Mysteries, Fraternities, and Brotherhoods, whether Corporate or not Corporate, or the Owners and Occupiers of Public Offices and Buildings, who shall be rated and assessed by virtue and in pursuance of this Act, shall refuse or neglect by the Space of Fourteen Days next after his or their respective Rate or Rates, Assessment or Assessments, shall be due and demanded by the Collector or Collectors, authorized and appointed either by the Alderman or his Deputy and 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, and neglect to make the Rate Of 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, Hereditaments, 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 at the next Court of Mayor and Alderman 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 is 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 on 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 Parts 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; and 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 or 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.

XIV Penalty for not making Distress nor backing Warrants, or neglecting to aid in making Distress.

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 Assessors by virtue of this Act, by Writing under their Hands, in respect of the Poverty of the Party or Parties assessed, such Collector or Collectors shall, for every such Refusal or Neglect, forfeit and pay any Sum 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.

XV Aldermen, &c. to be the Ward Assessors, and to appoint Collectors with an Allowance.

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 the Person and Persons, Bodies Politic and Corporate, Guilds, Mysteries, Fraternities and Brotherhoods, whether Corporate or not Corporate, and the Owners or Occupiers of Public 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.

XVI If the Aldermen, &c. neglect to provide Men, or pay or levy Rates, the Commissioners may levy and apply them ; to be made from the last Assessment of the Land Tax or Watch Rate ; and may call for the last Assessments from the Clerk, who shall produce it and give Copies on Penalty of 20l.

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 the Time of Service of any Man being expired, or 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 Fifteen Pounds for every Man not so

provided or supplied as aforesaid ; and if th6 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 at their Option, either upon the Clerk to the Commissioners of, the Land Tax for the City of *London* to produce before them the Book or Books containing the last Assessment or Assessments of the Land Tax upon each and every of the Wards in the said City, or upon the several Ward Clerks of the said City, to produce before them the Book or Books containing the last Rate or Rates for defraying the Expence of paving, lighting, and cleansing the said City; and the said Clerk or Clerks is or are hereby respectively required to produce the said Assessments or Rates when called upon, and also to furnish the said Commissioners with Copies of such Parts as may be by them required of him or them, upon receiving a reasonable Compensation or Allowance for his or their Trouble therein ; and in case he or they or any of them shall neglect or refuse to produce such Book or Books, Rate or Rates, or to furnish such Copies, he or they respectively 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.

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

Arid be it further enacted, That in case any Militia Man serving in the said Militia, shall desert or absent himself from his Duty, and shall not return or be taken within the Space of Three Calendar Months from the Time of his so deserting or absenting himself then, upon Certificate thereof from the Commanding Officer of the said Militia to the said Commissioners of Lieutenancy, at any of their Courts of Lieutenancy, the said Commissioners shall and are hereby required out of the Trophy Tax raised for the said City, within Ten Days next following, to provide another Man in the Place of him so deserting; and in case such Militia Man shall at any Time return or be taken, he shall, notwithstanding any Person shall have been provided to serve in his room, be compelled to serve in the same Manner and for the same Time, as if no Person had been provided in his room.

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

And be it further enacted, That in case any of the Privates serving in the said Militia shall be promoted to the Rank of Serjeants or Corporals therein, and the Commanding Officer of the ,said Militia shall certify such Promotion to the said Commissioners, then the said Commissioners shall and are hereby required, out of the Trophy, Tax raised for the said City, to provide another Man or Men to serve in the lieu and stead of such Private or Privates so promoted.

XIX Commissioners to appoint an Adjutant, Surgeon, Paymaster and Quartermaster.

And be it further enacted, That the said Commissioners shall appoint an Adjutant, Surgeon, Paymaster and Quartermaster to the said Militia, under the like Regulations as other Officers of the same Rank are now or hereafter shall be appointed, under and by virtue of any Act or Acts for regulating the other Militia Forces of this Kingdom ; and all such Officers shall receive the same Pay, Allowances and Appointments, as Officers of the same Rank receive and are entitled to in the other Militia Forces of this Kingdom.

XX Proportion of Non-commissioned Officers and Drummers. Oath.

And be it further enacted, That Serjeants, Corporals and Drummers, shall be appointed to the said Militia, in the same Proportions and under the like Regulations as is directed by any Act which now is or hereafter shall be in force for regulating the Militia of *England*; and all Serjeants, Corporals, and Drummers shall take the following Oath ; that is to say,

“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 Militia of *London* in any Part of the Kingdom of *Great Britain*, for the Defence of the same, until I shall be legally discharged.”

XXI Militia to be exercised Twenty-eight successive Days annually.

And be it further enacted, That the said Militia, or at least One Half thereof appointed as aforesaid, shall, when disembodied, be trained and exercised Once in every Year for Twenty-eight Days together; at such Time and Place 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, the Officers, Non-commissioned Officers, Drummers, and Privates of the said Militia, shall be subject to the same Laws, Rules, and Regulations, as the other Militia Forces of this Kingdom now are or hereafter shall be subject to, when called out for their annual Exercise.

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

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, at least Ten Days before the Time appointed for the annual Exercise, transmit to the Colonel of the said Militia, 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 Enrolment of all Persons enrolled to serve in the said Militia, and shall in like Manner cause a Duplicate of Such List to be sent to the Adjutant

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

And be it further enacted, That the Arms, Accoutrements, Clothing, and Stores belonging to the said Militia, when not on Duty or embodied, shall be kept in such convenient Place as the said Commissioners shall appoint.

XXIV Pay of the Militia.

And be it further enacted, That the Commissioned and Non-Commissioned Officers, Drummers, and Private Men of the said Militia, shall receive the same Pay, Clothing and Contingencies and in like Manner, as those of the other Militia Forces of this Kingdom, and no other ; and that the Pay, Clothing, Money, Contingent Expences, and Allowances of the said Militia, when disembodied-, shall be issued in the same Manner as is or shall be directed by any Act which now is or hereafter shall be in force for defraying the Charges of the Pay and Clothing of the Militia of *Great Britain*, and the same shall be subject to the Regulations directed by or contained in any such Act.

XXV State of the Regiment, when called out to annual Exercise, to be returned to the Commissioners.

And Be it further enacted, That the Colonel or other Commanding Officer of the said Militia shall and is hereby required, as often as the same shall be called out to annual Exercise, as before directed, and within Fourteen Days after the Time of assembling, to return to the said Commissioners a true State of such Regiment; and in case, the Colonel or Commanding Officer of the said Militia, 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.

XXVI In case of Invasion, &c His Majesty may order the Militia to be embodied.

And be it further enacted That in all Cases in which His Majesty is or shall be authorized to draw out and embody the Militia of *England*, it shall be lawful for His Majesty 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 deem necessary, and in such Manner as shall be best adapted to the Danger, and to put the same under the Command of such General Officers as His Majesty shall be pleased to appoint, and to direct the said Militia to be led by its respective Officers into any Part of *Great Britain*, for the repelling and Prevention of any Invasion, and for the Suppression, of any Rebellion or Insurrection within the same.

XXVII Allowance in lieu of Quarters.

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 and Fifers, and Private Men serving in the said Militia, shall, when embodied or called out for annual Exercise or in any Manner be in actual Service within the City of *London* or Liberties thereof and the Non-commissioned Officers, Drummers, and Fifers of the said Militia shall, when disembodied, be allowed in lieu of Quarters at the Rate of One Shilling and Nine-pence per Week each Man, to provide Lodgings, 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 *bonâ fide* resided within the said City, or within One

Mile thereof, then and in such Case such Serjeant, Corporal, Drummer or Fifer, shall not be entitled to the said Allowance or any Part thereof.

XXVIII Allowance to Non-commissioned Officers, &c. When disembodied, to be paid out of Trophy Tax.

And be it further enacted, That when the said Militia shall be disembodied, the said Allowance of One Shilling and Nine-pence a Week in lieu of Quarters to the Non-commissioned Officers, Drummers, and Fifers serving therein, shall be charged upon and be defrayed out of the Trophy Tax raised for the said City.

XXIX When Militia embodied &c. Commissioners may appoint an Agent.

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, it shall be lawful for the said Commissioners to appoint an Agent to the said Militia, and the said Commissioners shall take Security from such Agent.

XXX Empowering the Lord Mayor, or any Three Magistrates, to call out permanent Staff for Suppression of Riots, &c.

And be it further enacted, That when the Regiment shall be disembodied, the Lord Mayor for the Time being, or any Three Magistrates of the said City, shall have Power and Authority to call out the Whole of the Permanent Staff in the Receipt of Daily Pay, or any Part thereof, for the Suppression of Riots, or any other Duty for which their Services may be required, for the better Preservation of the Peace of the said City and during the Time of their being so called out, they shall be entitled to the same Pay and Allowances as when embodied, and shall also be subject to the Mutiny Act; and the Lord Mayor, or other Magistrates so calling out the said Permanent Staff, or any Part thereof, shall make a Report of his or their having so called out the same, and of his, or their Reasons for so doing, to the next Court of Lieutenancy to be held after such calling out.

XXXI Permanent Staff to continue for One Month after passing this Act; and Non-commissioned Officers, &c. desirous of serving in the Regiment to be raised by this Act, at Liberty to do so, with Consent of the Commanding Officer.

Provided also, and be it further enacted, That the Permanent Staff of the said Two Regiments of *London Militia*, now receiving Pay, shall continue to receive such Pay, and to be subject to the Provisions of the said Two Acts of the Thirty-sixth and Thirty-ninth Years of the Reign of His late Majesty, for One Calendar Month after the passing of this Act; and that" from and after the Expiration of the said Month this Act shall commence and take Effect, with regard to the Permanent Staff of the said Regiment to be raised by virtue of this Act, and the Pay to be received by such Staff: Provided always, that the Serjeant Majors, Serjeants, Corporals, Drum Majors and Drummers, now on Permanent Pay, in the said Two Regiments, and who may be desirous to serve in the said Regiment to be raised by virtue of this Act, and who shall take the Oath hereby required to be taken by Serjeants, Corporals, and Drummers, shall with the Approbation of the Commanding Officer of the said Regiment, but not otherwise, be at Liberty so to do; but no Vacancy occasioned by the Death, Discharge, or Removal of any such Serjeant, Corporal, or Drummer shall be filled up, until the Number of such

Serjeants, Corporals, and Drummers shall be reduced below the Number of Serjeants, Corporals, and Drummers which the said Regiment is allowed by virtue of this Act.

XXXII Pay received by Adjutants, Surgeons, Paymasters and Quartermasters, as Staff Officers in the present Militia, and also Allowances received by lieutenants, Ensigns, and Surgeons Mates, to be continued under the like Regulations as they now receive the same.

And whereas in consequence of the Repeal by this Act of the said Two Acts passed in the Thirty-sixth and Thirty-ninth Years of the Reign of His late Majesty King *George* the Third, the Adjutants, Surgeons, Paymasters, and Quartermasters of the said Two Regiments of *London* Militia, who are now receiving Pay as Staff Officers of the said Regiments, and the Lieutenants, Ensigns, and Surgeons Mates of the said Two Regiments, who are now entitled to an Allowance, as having been actually serving in the said Militia at the Time of its being disembodied, under and by virtue of the annual Act passed to defray the Charge of the Pay, Clothing-and contingent Expences of the disembodied Militia of *Great Britain*, will cease to be entitled to such Pay and Allowances, unless Provision is made to the contrary by this Act; and it is just that such Persons should continue to receive the same Pay and Allowances, under the like Regulations and Restrictions as they now receive the same ; be it therefore further enacted, That every Adjutant, Surgeon; Paymaster, and Quartermaster, now serving in the said Two Regiments of *London* Militia, and receiving Pay, and who shall not be elected or appointed to any Commission or Office in the Regiment to be raised under and by virtue of this Act, and every Lieutenant, Ensign, and Surgeon's Mate now serving in the said Regiments, and receiving any Allowance by virtue of any Act now in force for defraying the Charge of the Pay, Clothing, and contingent Expences of the disembodied Militia of *Great Britain*, shall continue to be entitled to receive the same Pay or Allowance as he now receives, subject to such Regulations and Restrictions as now or hereafter shall be in force in relation thereto, by any Act or Acts for defraying of the Charge of the Pay, Clothing, and contingent Expences of the disembodied Militia of *Great Britain*; and such Pay and Allowances shall be issued to the Paymaster of the Regiment to be raised by virtue of this Act, and shall be by him paid to the several Persons who shall be entitled to receive the same, in the like Manner as the present Pay and Allowances are issued to the respective Paymasters of the said Two Regiments, and under the like Regulations, or such other Regulations as may be directed by any future Act or Acts, having relation to the disembodied Militia of *Great Britain*: Provided nevertheless, that nothing contained in this Act shall be deemed to disqualify the Adjutants, Surgeons, Paymasters, or Quartermasters now serving and entitled to receive disembodied Pay, from being re-appointed to the same Rank which they now hold, and from executing the Duties thereof; any thing contained in this Act to the contrary notwithstanding.

XXXIII Officers now holding Commissions to retain the same Rank in the Army, if appointed to Commissions in the Militia.

And be it further enacted, That all Officers who now hold any Commission in either of the Two Regiments of *London* Militia raised by virtue of the said Two Acts passed in the Thirty-sixth and Thirty-ninth Years of the Reign of His said late Majesty, and who shall be appointed to any Commission in the Militia to be raised by virtue of this Act, shall, during the Time they shall respectively hold such Commission, retain the same Rank in the Army as they now hold.

XXXIV Militia to enjoy the same Rights to the Artillery Ground as the former Militia.

And be it further enacted, That the Militia to be raised by virtue of this Act shall possess and enjoy the same Rights and Privileges as are reserved or granted to the Militia raised by virtue of the said Two Acts passed in the Thirty-sixth and Thirty-ninth Years of the Reign of His said late Majesty, by any Lease or Leases, granted by the Mayor, Commonalty, and Citizens of *London*, under which the Honourable the Artillery Company now possess and enjoy the Artillery Ground, situate in the Parish of *Saint Luke* in the County of *Middlesex*.

XXXV How the Charges of the Militia are to be defrayed.

And be it further enacted, That for defraying the necessary Charges and incidental Expences of the said Militia, it shall be lawful for the said Commissioners to continue to raise and levy as heretofore, in every Year, 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 no Warrant shall be issued for the raising of any Trophy Money, till the Justices of the Peace, or the major Part of such Justices, at some General or Quarter Sessions for the said City, shall have examined and allowed the Accounts of the Trophy Money last raised, levied, and collected, and certified such Examination of the said Accounts, under the Hands and Seals of Three or more of such Justices, to the said Commissioners; and the said Justices are hereby required forthwith to examine the said Accounts accordingly.

XXXVI Commissioners to appoint a Treasurer and Clerk. Account of Trophy Tax to be delivered to the Corporation before a new Rate is made.

And, for the better and more speedy Execution of the Premises, be it further enacted, That the said Commissioners shall and are hereby required to appoint One or more Treasurer Or Treasurers, Clerk or Clerks, for receiving and paying such Monies as shall be received or levied by virtue of this Act, and of all which Receipts and Disbursements the said Treasurer or Treasurers, Clerk or Clerks, are, before any new Trophy Tax is raised, 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 Accounts, so far as the same relates to the Receipts and Disbursements of the Trophy Tax by the said Commissioners, shall be certified on Oath, and delivered by the said Clerk or Treasurer to the 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.

XXXVII Security to be taken from Treasurer and Clerk.

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; and the said Commissioners may make such other Civil Appointments as they may see necessary for carrying the Purposes of this Act into Execution.

XXXVIII Collectors of the Month's Tax neglecting their Duty to be fined.

And be it further enacted, That if any of the Collectors duly appointed for the Collection of the said Proportion of One Month's Tax as aforesaid, shall neglect or refuse to perform his Duty in the Collection thereof, or having collected the same, shall neglect or refuse to pay the same to the Treasurer appointed by the said Commissioners, it shall be lawful for any of His Majesty's Justices of the Peace for the said City, to summon the Party before him or them, and to fine him for such Neglect or Refusal any Sum not exceeding the Sum of Twenty Pounds, to be levied by Distress and Sale of the Offenders Goods and Chattels (in case such Fine shall not be forthwith paid), by Warrant under the Hand and Seal, or Hands and Seals of any One or more of the said Justices, 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 to the said Treasurer to the said Commissioners, to be applied by him as they shall direct.

XXXIX Commissioners may build an Head Quarters, and defray the Expences out of the Trophy Tax.

And whereas it is necessary that the said Militia should be provided with an Head Quarters and other proper Accommodations and Conveniences for their assembling and mounting Guard when embodied, and for the depositing and safe Custody of the Arms, Accoutrements, Clothing, and Stores of the said Militia when disembodied, and for their assembling for their annual Exercise and for other Military Purposes be it therefore further enacted, That it shall and may be lawful for His Majesty's said Commissioners of Lieutenancy for the City of *London*, and they are hereby authorized and empowered to pay, expend, and apply so much of the Trophy Tax to be hereafter raised in and for the City of *London*, under and by virtue of the said Acts passed in the Thirteenth and Fourteenth Years of the Reign of His late Majesty King *Charles* the Second, and of this Act, as may be necessary and expedient in, for, and towards the providing and building of an Head Quarters and other necessary Accommodations and Conveniences for the several Purposes aforesaid, and in the necessary Expences attendant thereon, and in keeping the same in Repair ; and all Payments to be made by the said Commissioners for the several Purposes aforesaid by virtue of this Act, shall from Time to Time be allowed in their Accounts of the Expenditure of the Trophy Money raised in the said City ; and the Justices of the Peace acting for the said City, in examining and allowing the said Accounts, pursuant to the Directions contained in this Act, are hereby directed and required to allow the same accordingly.

XL And may accept Leases, &c. in the Name of their Treasurer.

And be it further enacted, That for the several Purposes aforesaid, His Majesty's said Commissioners of Lieutenancy for the said City are hereby authorized and empowered from Time to Time to accept and take in the Name of their Treasurer for the Time being, and his Successors, any Grant, Demise, Lease or Agreement of Ground and Premises whereon to erect and build such Head Quarters as aforesaid, and to charge and make liable the said Trophy Tax, with the Payment of such Rent, Fine, or Acknowledgment as may be by them deemed a proper Rent or Compensation for such Land and Premises, and to authorize and empower such Treasurer, on their Behalf, to enter into proper Covenants and Agreements for the Purposes aforesaid, and to execute a Counterpart or Counterparts of any such Grant, Demise, Lease, or Agreement, and such Treasurer shall be indemnified and saved harmless by the said Commissioners by virtue of this Act.

XLI Stock and Money in the Hands of the Executors of Edward Wigan, &c. may be applied towards building an Head Quarters.

And whereas there is now standing in the Books of the Governor and Company of the Bank of *England*, a Sum of Three Pounds per Cent. Consolidated Bank Annuities, in the Names of *Nathaniel Newnham*, *Edward Wigan*, and *Christopher Porter*, Esquires, who are all now dead ; and the said *Edward Wigan* was the Survivor ; and *Jane Wigan*, Widow, *Edward Wigan*, Esquire, and *John Alfred Wigan*, Esquire, are the Executors of the said *Edward Wigan* ; and there is also a Sum of Money accrued, due for Dividends on the said Sum of Three Pounds per Cent. Consolidated Bank Annuities; and there is a further Sum invested in Exchequer Bills, which are in the Possession or Power of the said *Jane Wigan*, *Edward Wigan*, and *John Alfred Wigan*, and there is likewise a Sum of Money in the Hands of Messrs. *Everett*, *Walker*, *Maltby*, *Ellis*, and Company, Bankers, standing in the Names of the said *Nathaniel Newnham*, *Edward Wigan*, and *Christopher Porter*: And whereas the said several Sums of Money have arisen from Savings made in the West Regiment of *London* Militia in recruiting Men to serve in the said Regiment, and from Dividends and Interest thereon, and it is doubtful whether any Person has now any legal Claim to the said several Sums : And whereas it is considered, that if the said several Sums of Money and Securities were to be paid and transferred to the said Commissioners to be by them applied in aid of the Expence of building an Head Quarters for the *London* Militia, subject nevertheless to such Claims (if any) as any Person or Persons may have on the same, it would be a fit and proper Appropriation of the same ; and the said *Jane Wigan*, *Edward Wigan*, and *John Alfred Wigan*, the Executors of the said *Edward Wigan*, maybe willing and desirous so to apply the same, or some Part thereof, on their being tully indemnified and discharged from all Claims and Demands in respect thereof, or of so much thereof as they may think fit so to apply; be it therefore further enacted, That it shall be lawful for the said *Jane Wigan*, *Edward Wigan*, and *John Alfred Wigan*, and the Survivors or Survivor of them, if they shall so think fit, at any Time after the passing of this Act to pay and transfer to the Treasurer of the said Commissioners for the Time being, the said several Sums of Money and Securities, or any Part thereof, and any further Sums that may become due for Dividends or Interest on the said Stock the Securities, or any Part thereof, before they shall so transfer or pay the same ; and every such Transfer and Payment shall be a full Discharge and Indemnity to the said *Jane Wigan*, *Edward Wigan*, and *John Alfred Wigan*, and the Survivors and Survivor of them, for having made the same ; and every such Transfer and Payment may be pleaded in Bar to any Action or Suit that may be commenced or prosecuted against them, their Executors or Administrators, in respect of the said several Sums of Money, Securities, Dividends, and Interests, and of their having so transferred and paid the same ; but in case it shall appear to the said Commissioners, that any Person or Persons hath or have any Claims or Demands upon or in respect of the said several Sums of Money and Securities, or such Part thereof as may be paid or transferred to their said Treasurer, it shall be lawful for the said Commissioners to allow, satisfy, and discharge any such Claims or Demands, or to compound the same ; and any Person or Persons having or making any such Claim or Demand shall be at liberty, if he or they shall so think fit, and it shall be necessary, to bring any Action, or file any Bill in Equity against the said Treasurer to the said Commissioners for the Time being, and all other proper and necessary Parties for the Purpose of establishing such Claim or Demand ; and the said Sums of Money and Securities in the Hands of the said Treasurer shall be subject and liable to the Payment of such Claims and Demands, and to all Costs incurred in the substantiating and Recovery of the same, in like Manner as if no such Transfer and Payment of the same had been made by the said *Jane Wigan*, *Edward Wigan*, and *John Alfred Wigan*, or the Survivors or Survivor of them, to the said Treasurer- to the said Commissioners ;

and after Satisfaction of all such Claims and Demands, and Payment of all such Costs as aforesaid (if any such shall be made and incurred), then the said Commissioners are hereby required to pay and apply the Residue of the said Sums of Money and Securities ; or in case no such Claims or Demands shall be made or substantiated, then the Whole of the said several Sums of Money and Securities, and all future Dividends and Interest that may arise from the same, in aid of the Expence of building an Head Quarters for the said Militia.

XLII Powers of the General Militia Act to apply to this Act, so far as the same are not altered hereby. The Wives and Families of Non-commissioned Officers, &c. not to have Allowance.

And be it further enacted, That from and after the passing of this Act, all the Powers and Authorities, Clauses, Provisions, Rules, and Regulations of any Act or Acts of Parliament that now is or are or hereafter shall be in force for regulating the Militia in *England*, or the Pay of the same, and for the regulating of the Number of Officers, Non-commissioned Officers, Drummers, and Fifers, to be serving in the said Militia, and in all other Respects whatsoever, so far as the same are not altered or varied by this Act, and can be made applicable thereto, shall extend and be applied and be put in force as to the Militia to be raised by virtue of this Act, and as to the Officers, Serjeants, Corporals, Drummers, and Private Men thereof, as fully and effectually to all Intents and Purposes whatsoever, as if the same were severally and separately re-enacted in and made Part of the Body of this Act; and that from and after the passing of this Act, the several Powers and Authorities given, granted, and contained in the said Act passed in the Thirteenth and Fourteenth Years of the Reign of King *Charles* the Second, so far as the same are repugnant to this Act, shall no longer be applied or put into Execution with respect to the City of *London* : Provided always, that nothing in the said Acts contained, or any of them, shall extend or be construed to extend to entitle the Wives and Families of the Serjeants, Corporals, Drummers, Fifers, and Private Men of the said Militia, or any of them, to any Maintenance or Allowance whilst the said Militia shall be embodied, or otherwise be in actual Service, by reason of such Serjeant, Corporal, Drummer, Fifer, or Private Man being serving in the said Militia,

XLIII 24 G.2 c.44 to extend to the Mayor and Aldermen, Commissioners, Assessors, and Collectors.

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

XLIV Act not to prejudice the Rights of the City.

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, and Inhabitants of the said City, or the Suburbs and Liberties of the same, or of all

privileged Places within the Limits and Precincts of the same, 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 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.

XLV Times of holding Courts of Lieutenancy.

And be it further enacted, That the said Commissioners shall and are hereby required and empowered to hold Courts of Lieutenancy for the said City from Time to Time, as often as they shall think expedient, and to issue such Precepts at the said Courts, and to make such Orders as shall be requisite and necessary for the Purpose of carrying this Act into Execution.

XLVI Recovery and Application of Penalties.

And be it further enacted, That all Fines, Penalties, and Forfeitures by this Act directed, 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, nor more than One Imparance 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, shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of the said Mayor, Magistrate, or other Officer, 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 Offences 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 Purposes of this Act.

XLVII Distress not unlawful for Want of Form.

And be it further enacted, That when 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 Defect 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 afterwards be 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.

XLVIII No Rate or Proceedings to be quashed or vacated for Want of Form, or be removable by Certiorari, &c.

Provided always, and be it further enacted, That no Rate or Assessment, nor any Order to be made, or Proceedings to be had, or any other Matter or Thing to be done or 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 Mayor and Aldermen 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, in 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 of Parties who shall have committed or caused to be committed any such Irregularity, Trespass, or wrongful Proceedings, before such Action brought in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where my such Action shall depend at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall think fit, whereupon such Proceedings or Order and Judgment 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,

XLIX Limitations of Actions. General Issue. Treble Costs.

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 Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and have the like Remedy for the same as any Defendant hath in any other Cases to recover Costs by Law.

L Public Act.

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.