

" Regiment; the regiment of horse, now or late of Charles, Lord " Gerrard of Brandon;" the foot regiments of George, Earl of Dunbarton, Lord James Douglas, and Colonel Dungan (commanded by Lt.-Col. Lawrence Demsy), and those of Edward, Lord Morpeth, Sir Henry Goodrick, Sir John Fenwick, Col. Edward Villiers, and Henry, late Lord O'Bryen (commanded by Lt.-Col. Thos. Salusbury), of each of which last five regiments only two companies are mentioned in the Act; as also the Grenadier Companies of Capt. Edw. Boteler, Capt. George Rattery (commanded by Ensign Menaken), and Capt. Thomas Hawley (instead of Capt. George Wingfield in the Act). The additional surgeon to the Isle of Wight is not in the Bill. The name of Sir Thomas Player, as one of the Commissioners in § XXV., is wanting in the Bill. The payment of arrears to General Officers appointed since 29th Sept. 1677 is provided for. Claims for arrears are to be presented through the regimental Colonels and Paymasters direct to the Commissioners; no deductions for clothes, as in § XXVII., are mentioned, and paragraphs 2, 3, and 4 are wanting. The Commissioners for disbanding are to have 1*d.* in the £. Soldiers continuing together above ten to be felons. Soldiers enlisted since 1 Nov. 1678 are excluded from the indemnity of § 29. Finally, provision is made for the proper delivery up of all arms, &c. (except swords) to the Master of the Ordnance, by the troops now serving in the Netherlands, before landing; for the quartering of the troops near their landing-place to await their being paid off and disbanded; and for the payment of sick officers and soldiers left behind. § XXXII. is wanting in the Bill. *Parchment Collection.* [Brought from the Commons and read 1^a this day, reported with amendments on the 20th (L. J., XIII. 419, 425), and passed, but dropped with the Session after several conferences with the Commons. On the 18th, in Committee of the whole House, it was resolved, after a long Debate, upon a vote, to pay the money into Exchequer instead of the Chamber of London, and consequential amendments were made. It was then agreed that a distinction be observed of the English, Scottish, and Irish nobility in the clause enumerating the forces to be disbanded, and a Sub-Committee was appointed to word the amendments, assisted by C. J. Scroggs and Justice Atkins. On the 19th the Sub-Committee reported, and the opinion of the Judges was desired upon the penalty for soldiers keeping together after being disbanded. Thereupon C. J. North gave his opinion that, as the clause was penned, it reached to any new commission as well as to old. The last part of the clause, concerning the coming together of 10 after they were disbanded, was not within the Act. Justice Athins said the clause did not disable the King to grant hereafter any new commission, nor any person, after disbanding, to take one. It was fit some words of explanation should be added. Baron Thursland said the punishment in the clause was so great that the clause ought not to bear a dubious interpretation, and that therefore it ought to be so plain that the people who were to obey might understand, and that therefore the clause ought by some words to be explained. It was then referred to the Judges present to word a clause to the effect of the present debate, and offer it to the Committee to-morrow, as also a clause of indemnity to officers and soldiers, which had been read "again and again," and the Proviso excluding certain soldiers therefrom was agreed to be left out. The Sub-Committee were then instructed to rectify the business of the E. Bath's Company at Plymouth and of L. Arundel of Trerice at Pendennis. On the 20th the part of the companies at Pendennis and Plymouth to be disbanded was restricted to the men raised since 29 Sep. 1677; the clause as to soldiers

keeping together was agreed to be left out (it was reinserted in an amended form on Report, see MS. Min., 20 Dec.), and the clause of indemnity was agreed to as amended by the Judges. MS. Min., 18, 19, and 20 Dec. The Exam. Book, on 26th, gives the Lords' Reasons for insisting on their amendments, which were ordered to be reported on 28th, and are set out *in extenso* in L. J., XIII. 443.

Annexed:—

(a.) 20 Dec. Lords' Amendments in Committee, reported this day, with the Commons' resolutions marked thereon. L. J., XIII. 424-5. *In extenso.*

(b.) 28 Dec. Proviso as follows:—"Provided always that nothing " in this Act contained shall extend or be construed to extend " to debar or lessen his Majesty's legal power and authority in " and over the militia and forces of this kingdom, but that his " said power and authority shall remain entirely the same after " the disbanding of the said army as it was before the passing " of this Act, and that all officers, soldiers and other persons " shall remain and be subject to his Majesty's lawful authority " and commands in the same manner as they were before the " passing of this Act, and not liable to any penalties and " forfeitures for obeying or executing the same, anything in " this Act to the contrary notwithstanding." [In E. Anglesey's handwriting. Ordered by the House this day to be prepared by him and D. Bucks and E. Essex. On the Proviso being reported to the House this day the words in Italics were altered to "raising the said army." L. J., XIII. 446 and MS. Min. of date.]

62. Dec. 16. E. Northampton's Privilege. — Petition of John Stannion, Thomas Julian, James Stannier, Thomas Brawne, John Harriott, Henry Lamson and William Knight, signed by John Brockett, their Attorney, setting forth that they had employed one John Robinson, an Attorney or Clerk of the Court of Common Pleas, to procure for them a lease of the Manor of Brigstock in the County of Northampton, part of the Queen's Jointure. They had given Bonds for the payment of the fine for the lease, and were being sued by Robinson on those Bonds, though they had offered payment of his outlay. On Petitioners filing their Bill against Robinson to prevent his extortionate proceedings, he sheltered himself under the protection of James, Earl of Northampton, who refused to withdraw it. Pray to be allowed to proceed against Robinson notwithstanding. [Viset. Halifax having moved the House this day upon a petition which he received at the door, the above petition was read, and after debate, the petitioners were ordered to attend E. Northampton, who stated that Robinson was his menial servant and no Attorney. MS. Min. of date. Comp. L. J., XIII. 426, and MS. Min., 20 Dec.]

63. Dec. 17. Papists in London (John Mawson). — Petition of Thomas Earl Rivers and Sir Wm. Walter, Bart., on behalf of themselves and John Mawson of the Parish of St. Dunstons in the West, London, Goldsmith, praying that the time granted to Mawson by the Orders of the House of the 6th Decr. to come to his shop and pay his creditors, may be extended, in order that he may be enabled to get in money due to him and pay his just debts to Petitioners and others, with whom he has always dealt honestly and justly. See L. J., XIII. 405, 420. [Read this day.]