Anno primo

Georgii III. Regis.

CAP. VIII.

An Act for the Regulation of His Majesty's Marine Forces while on Shore.



WHEREAS it may be necessary for the Safety of this Kingdom, and the Defence of the Possessions of the Crown of Great Britain, that a Body of Marine Forces should be employed in His Majesty's Fleet and Naval Service, under the Direction of the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral of Great Britain: And whereas the said Marine Forces may frequently be quartered on Shore, where they will not be subject to the Laws relating to the Government of His Majesty's Forces by Sea; yet nevertheless it being requisite, for the retaining of such Forces in their Duty, that an exact Discipline be observed; Preamble.

ſerved; and that Marines who ſhall mutiny, or ſtir up Sedition, or ſhall deſert His Majeſty's Service, be brought to a more exemplary and ſpeedy Puniſhment than the Law will allow; 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 from and after the Twenty fifth Day of March, One thouſand ſeven hundred and ſixty one, if any Perſon being entered or in Pay as an Officer of Marines, or who is, or ſhall be liſted, or in Pay as a Private Man, in any Company of Marines in His Majeſty's Service, and on the Twenty fifth Day of March, One thouſand ſeven hundred and ſixty one, ſhall remain in ſuch Service, or during the Continuance of this Act, ſhall be voluntarily entered, and in Pay, as a Marine Officer or Private Man in His Majeſty's Service, and being ordered or employed in ſuch Service, at any Time, during the Continuance of this Act, on Shore, in any Place within the Realm of Great Britain, or in the Kingdom of Ireland, or in any of His Majeſty's Dominions beyond the Seas reſpectively, ſhall begin, excite, cauſe, or join in any Mutiny or Sedition, in the Company to which he doth or ſhall belong, or in any other Company, Troop, or Regiment, either of Marine or Land Forces, in His Majeſty's Service, or ſhall not uſe his utmoſt Endeavours to ſuppreſs the ſame, or coming to the Knowledge of any ſuch Mutiny, or intended Mutiny, ſhall not without Delay give Information thereof to his Commanding Officer, or ſhall deſert His Majeſty's Service; or being actually entered as a Marine, in any Company, ſhall liſt himſelf in any other Company, Troop, or Regiment, in His Majeſty's Service, without firſt having a Diſcharge in Writing from the Officer commanding in Chief the Company in which he laſt ſerved as a Marine; or ſhall be found ſleeping upon his Poſt, or ſhall leave it before relieved; or ſhall hold Correſpondence with any Rebel, or Enemy of His Majeſty, or give them Advice or Intelligence of any Kind, by any Ways or Means, or in any Manner whatſoever; or ſhall treat with ſuch Rebels or Enemies, or enter into any Condition with them, without His Majeſty's Licence, or Licence of the Lord High Admiral of Great Britain, or of Three or more of the Commiſſioners for executing the Office of Lord High Admiral of Great Britain for the time being; or ſhall ſtrike, or uſe any Violence

After 25 *March*, 1761, during the Continuance of this Act, every Marine Officer and Private Man, on Shore,

who ſhall mutiny, or deſert, &c.

or liſt in any other Regiment, &c.

or ſhall be found ſleeping on, or ſhall deſert, his Poſt,

or hold illegal Correſpondence with the Enemies of His Majeſty,

or ſhall ſtrike,

lence against his superior Officer, being in the Execution of his Office; or shall disobey any lawful Command of his superior Officer; all and every Person and Persons so offending in any or either of the Matters before-mentioned, on Shore, in any Part of this Kingdom or Ireland, or any of His Majesty's Dominions beyond the Seas, shall suffer Death, or such other Punishment as by a Court-martial shall be inflicted.

or disobey his superior Officer; shall suffer Death, or such Punishment as a Court-martial shall inflict.

And be it further enacted by the Authority aforesaid, That it shall and may, from time to time, during the Continuance of this Act, be lawful to and for the said Lord High Admiral, or Three or more of the said Commissioners for executing the said Office of Lord High Admiral for the time being, to grant a Commission under his or their respective Hand or Hands, to any Officer of Marines in His Majesty's Service, not under the Degree of a Field Officer, for the holding a General Court-martial at any Place or Places on Shore, in this Realm or in Ireland, or in any of His Majesty's Dominions beyond the Seas, in every of which Courts-martial all or any of the Offences aforesaid, and all or any other of the Offences herein after specified, shall be tried and proceeded against in such Manner as by this Act is directed.

The Lord High Admiral, or Commissioners for executing that Office, may grant a Commission to hold General Courts-martial, &c.

And be it also enacted, That it shall and may be lawful to and for such Courts-martial respectively, by their Sentence or Judgement, to inflict Corporal Punishment, not extending to Life or Limb, on any Marine for Immorality, Misbehaviour, or Neglect of Duty on Shore, in any Place or Places within this Realm or Ireland, or any of His Majesty's Dominions beyond the Seas, during the Continuance of this Act.

Courts-martial may inflict Corporal Punishment for Immoralities, &c.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Lord High Admiral, or Three or more of the Commissioners for executing the said Office of Lord High Admiral, at any Time during the Continuance of this Act, to make and establish Rules and Articles in Writing under his or their respective Hand or Hands, for the Punishment of Mutiny and Desertion, Immorality, Misbehaviour, and Neglect of Duty in any of His Majesty's Marine Forces while on Shore in any Part of this Realm or Ireland, or any of His Majesty's Dominions beyond the Seas, and for bringing Offenders against the same to Justice, and to erect and constitute Courts-martial, with Power to try, hear, and determine, any Crimes or Offences specified in such Rules and Articles, and inflict Punishments by Sentence or Judgement for the same, according to the true Intent and Meaning of this Act.

Lords, &c. of the Admiralty impowered to make Articles for Punishment of Mutiny and Desertion, &c.

and to constitute Courts-martial.

None to be adjudged of Life or Limb, but for Crimes expreſſed to be ſo puniſhable by this Act.

Provided always, That no Perſon or Perſons ſhall be adjudged to ſuffer any Puniſhment extending to Life or Limb, by the ſaid Rules or Articles within the Kingdom of Great Britain or Ireland, except for ſuch Crime or Crimes as is or are expreſſed to be ſo puniſhable by this Act.

General Court-martial not to conſiſt of leſs than 13, and the Preſident to be a Field Officer, or Officer next in Seniority, not under the Degree of a Captain.

And it is hereby further enacted and declared, That no General Court-martial which ſhall have Power to ſit by virtue of this Act, ſhall conſiſt of a leſs Number than Thirteen, whereof none to be under the Degree of a Commiſſion Officer of Marines; and the Preſident of ſuch Court-martial ſhall not be under the Degree of a Field Officer of Marines, unleſs where ſuch Field Officer cannot be had; in which Caſe, the Marine Officer next in Seniority to ſuch Field Officer, not being under the Degree of a Captain, ſhall preſide at ſuch Court-martial; and that ſuch Court-martial ſhall have Power and Authority, and are hereby required to adminiſter an Oath to every Witneſs, in order to the Examination or Trial of any of the Offences that ſhall come before them.

May adminiſter an Oath to Witneſſes.

Officers to be ſworn.

Provided always, That in all Trials of Offenders by General Courts-martial, to be held by virtue of this Act, every Officer preſent at ſuch Trial, before any Proceedings be had thereupon, ſhall take the following Oaths upon the Holy Evangeliſts, before the Court, and Judge Advocate, or his Deputy (who are hereby authorized to adminiſter the ſame) in theſe Words; that is to ſay,

The Oath.

YOU ſhall well and truly try and determine according to the Evidence which ſhall be given in the Matter now before you, between our Sovereign Lord the King's Majeſty, and the Priſoner to be tried:

So help you God.

The Oath.

I *A. B.* do ſwear, That I will duly adminiſter Juſtice, according to an Act of Parliament now in Force for the Regulation of His Majeſty's Marine Forces while on Shore, and according to the Rules and Articles made in purſuance of the ſaid Act of Parliament for the Puniſhment of Mutiny and Deſertion, and other Crimes therein reſpectively mentioned, without Partiality, Favour, or Affection; and if any Doubt ſhall ariſe, which is not explained by the ſaid Act of Parliament, or the ſaid Rules and Articles, according to my Conſcience, the beſt of my Underſtanding, and the Cuſtom of War in like Caſes. And I further

ther ſwear, That I will not divulge the Sentence of the Court until it ſhall be approved by the Lord High Admiral, or Three or more of the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain*; neither will I, upon any Account, at any Time whatſoever, diſcloſe or diſcover the Vote or Opinion of any particular Member of the Court-martial, unleſs required to give Evidence thereof, as a Witneſs, by a Court of Juſtice in a due Courſe of Law:

So help me God.

The Judge Advocate to be ſworn.

And ſo ſoon as the ſaid Oaths ſhall have been adminiſtered to the reſpective Members, the Preſident of the Court is hereby authorized and required to adminiſter to the Judge Advocate, or to the Perſon officiating as ſuch, an Oath in the following Words:

The Oath.

I *A. B.* do ſwear, That I will not, upon any Account, at any Time whatſoever, diſcloſe or diſcover the Vote or Opinion of any particular Member of the Court-martial, unleſs required to give Evidence thereof, as a Witneſs, by a Court of Juſtice in a due Courſe of Law:

So help me God.

In Sentences of Death, Nine Officers to concur, &c.

And no Sentence of Death ſhall be given againſt any Offender by any ſuch General Court-martial, as aforeſaid, unleſs Nine Officers preſent ſhall concur therein; and if there be more Officers preſent than Thirteen, then the Judgement ſhall paſs by the Concurrence of Two Thirds of the Officers preſent; and no Proceeding or Trial ſhall be had upon any Offence, but between the Hours of Eight of the Clock in the Morning, and Three in the Afternoon, except in Caſes which require an immediate Example.

Hours of Trial.

The Party tried, intitled to a Copy of the Sentence and Proceedings of the Court-martial.

Provided always, That the Party tried by any General Court-martial to be held as aforeſaid, ſhall be intitled to a Copy of the Sentence and Proceedings of ſuch Court-martial, upon Demand thereof made by himſelf, or by any other Peſon or Perſons on his Behalf (he or they paying reaſonably for the ſame) at any Time not ſooner than Three Months after ſuch Sentence, whether ſuch Sentence be approved or not; any thing in this Act to the contrary notwithſtanding.

Original Proceedings, &c. of Courts-martial, to be tranſmitted to the Secretary of the Admiralty, &c.

And be it enacted by the Authority aforeſaid, That every Judge Advocate, or Perſon officiating as ſuch at any General Court-martial to be held as aforeſaid, do, and he is hereby

hereby required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the Original Proceedings and Sentence of such Court-martial to the Secretary of the Admiralty for the time being; which Original Proceedings and Sentence shall be by him carefully kept and preserved in the Office of the Admiralty of Great Britain, to the end that the Persons intitled thereto may be enabled, upon Application to the said Office, to obtain Copies thereof, according to the true Intent and Meaning of this Act.

None to be tried a Second Time for the same Offence.

Provided always, and be it hereby declared and enacted, That no Marine, either Officer or Private Man, being acquitted or convicted of any Offence at any such Court-martial as aforesaid, shall be liable to be tried a Second Time by the same or any other Court-martial for the same Offence; and that no Sentence given by any Court-martial, and signed by the President thereof, be liable to be revised more than Once.

Sentence not to be revised more than Once.

Deserters beyond Sea, &c. may be tried here or in *Ireland*.

And be it further enacted, That if any Officer or Private Man shall desert His Majesty's Service in any of His Dominions beyond the Seas, or elsewhere beyond the Seas, and shall escape and come into this Realm, or Ireland, before he be tried by a Court-martial for such Offence, and shall be apprehended for the same, such Officer or Private Man shall be tried for the same as if the said Offence had been committed within this Realm.

This Act not to exempt any on Shore from ordinary Process.

Provided always, That nothing in this Act contained shall extend, or be construed to extend, to exempt any Marine, either Officer or Private Man whatsoever, while on Shore, from being proceeded against by the ordinary Course of Law.

Persons acquitted by the Civil Magistrate, may only be cashiered by a Court-martial.

Provided also, and be it further enacted, That no Person or Persons being acquitted or convicted of any Capital Crimes, Violences, or Offences by the Civil Magistrate, shall be liable to be punished by a Court-martial for the same otherwise than by cashiering.

Persons accused of Capital Crimes, &c. to be delivered over to the Civil Magistrate, &c.

Provided also, and be it further enacted, That if any Marine Officer, Non-commission Officer, or Private Man, shall be accused of any Capital Crime, or of any Violence or Offence against the Person, Estate, or Property, of any of His Majesty's Subjects, which is punishable by the known Laws of the Land; the Commanding Officer or Officers of every Company, or Party, is and are hereby required to use his and their utmost Endeavours to deliver over such accused Person to the Civil Magistrate; and shall also be aiding and assisting to the Officers of Justice in the seizing and apprehending such

Offender, in order to bring him to Trial: And if any such Commanding Officer shall wilfully neglect or refuse, upon Application made to him for that Purpose, to deliver over any such accused Person to the Civil Magistrate, or to be aiding and assisting to the Officers of Justice in the apprehending such Offender; every such Officer so offending, and being thereof convicted before any Two or more Justices of the Peace for the County where the Fact is committed, by the Oath of Two credible Witnesses, shall be deemed and taken to be ipso facto cashiered, and shall be utterly disabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in His Majesty's Service; provided the said Conviction be affirmed at the next Quarter Sessions of the Peace for the said County, and a Certificate thereof be transmitted to the Judge Advocate, who is hereby obliged to certify the same to the next Court-martial.

And whereas His Majesty hath been graciously pleased, in Compassion to the distressed Condition of several Widows of Officers of the Army, who have lost their Lives in the Service of the late War, or during the late Rebellion, by Orders made under His Royal Sign Manual, to direct His Commissary General of the Musters, to allow upon the Muster-rolls of all the Regiments, Troops, and Companies, a Number of fictitious Names therein mentioned, instead of private Men, in order to raise and settle a Fund for the Maintenance of such Widows of Officers as are or shall be intitled to His Royal Bounty: Therefore, for the more effectually fulfilling His Majesty's said gracious Intentions, with respect to the allowing of fictitious Names upon the Muster-rolls of the said Marine Forces while on Shore, for the Purposes aforesaid; be it further enacted and declared by the Authority aforesaid, That it shall and may be lawful, during the Continuance of this Act, to and for the said Lord High Admiral, or Three or more of the said Commissioners for executing the said Office of Lord High Admiral for the time being, by Orders in Writing under his or their respective Hand or Hands, to direct the Person for the time being authorized to pay the said Marine Forces, to pay over the full Pay of such fictitious Private Men as shall be allowed on the Muster-rolls of the said Marine Forces while on Shore as aforesaid, to the proper Receiver appointed by His Majesty, according to such Orders and Instructions as His Majesty shall be pleased to make, under his Sign Manual, for the Purpose aforesaid; and that no Allow-

Fictitious Names allowed by His Majesty's Order upon the Muster-rolls, for the Maintenance of Officers Widows, not to be construed a false Muster.

Paymaster to pay the full Pay of such Men to the Receiver.

ance of any such fictitious Name upon any Muster-roll of the said Marine Forces while on Shore as aforesaid, shall be construed to be a false Muster; any thing in this or any former Act contained to the contrary notwithstanding.

Constables, &c. to quarter Officers and Men in Inns, Ale-houses, &c.

And whereas there is and may be Occasion for the marching and quartering of the said Marine Forces in several Parts of this Kingdom; be it further enacted by the Authority aforesaid, That for and during the Continuance of this Act, and no longer, in pursuance of an Order or Orders in Writing in that Behalf, under the Hand of the said Lord High Admiral, or under the Hands of Three or more of the Commissioners for executing the Office of Lord High Admiral for the time being, it shall and may be lawful to and for the Constables, Tythingmen, Headboroughs, and other Chief Officers and Magistrates of Cities, Towns, and Villages, and other Places, within England, Wales, and the Town of Berwick upon Tweed, and in their Default or Absence, for any One Justice of the Peace inhabiting in or near any such City, Town, Village, or Place, and for no others; and such Constables, and other Civil Magistrates as aforesaid, are hereby required to quarter and billet the Marines, both Officers and Private Men in his Majesty's Service, in Inns, Livery Stables, Ale-houses, Victualling-houses, and the Houses of Sellers of Wine by Retail to be drank in their own Houses, or Places thereunto belonging, and all Houses of Persons selling Brandy, Strong Waters, Cyder, or Metheglin, by Retail, to be drank in Houses, other than and except the House or Houses of any Distillers, who keep Houses or Places of distilling Brandy and Strong Waters, and the House of any Shopkeeper, whose principal Dealings shall be more in other Goods and Merchandizes than in Brandy and Strong Waters (so as such Distillers and Shopkeepers do not permit or suffer Tippling in his or their Houses) and in no other, and in no private Houses whatsoever, without the Consent of the Occupier; nor shall any more Billets at any Time be ordered, than there are effective Marines present to be quartered; and if any Constable, Tythingman, or such like Officer or Magistrate as aforesaid, shall presume to quarter or billet any such Officer or Private Man in any such private House, without the Consent of the Occupier; in such Case, such Occupier shall have his or their Remedy at Law against such Magistrate or Officer, for the Damage that such Occupier shall sustain thereby; and if any Marine Officer shall take upon him to quarter Private

But in no Distillers Houses, or Shopkeepers, or in any private Houses.

Men

Men otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to any Mayors, Constables, or other Civil Officers before-mentioned, tending to deter and discourage any of them from performing any Part of their Duty hereby required or appointed; such Marine Officer shall, for every such Offence (being thereof convicted before any Two or more of the next Justices of the Peace of the County, by the Oath of Two credible Witnesses) be deemed and taken to be ipso facto cashiered, and shall be utterly disabled to have or hold any Military Employment within this Kingdom, or in his Majesty's Service; provided the said Conviction be affirmed at the next Quarter Sessions of the Peace of the said County, and a Certificate thereof be transmitted to the Judge Advocate, who is hereby obliged to certify the same to the next Court-martial; and in case any Person shall find himself aggrieved, in that such Constable, Tything-man, or Headborough, Chief Officer, or Magistrate (such Chief Officer or Magistrate not being a Justice of the Peace) has quartered or billeted in his House a greater Number of Marines than he ought to bear in Proportion to his Neighbours; and shall complain thereof to One or more Justice or Justices of the Peace of the Division, City, or Liberty, where such Marines are quartered; or in case such Chief Officer or Magistrate shall be a Justice of the Peace, then on Complaint made to Two or more Justices of the Peace of such Division, City, or Liberty, such Justice or Justices respectively shall have, and is or are hereby declared to have Power to relieve such Person, by ordering such and so many of the said Marines to be removed, and quartered upon such other Person or Persons, as they shall see Cause; and such other Person or Persons shall be obliged to receive such Marines accordingly.

Penalty on Officers quartering Private Men contrary to this Act, &c.

Persons aggrieved by being quartered on, may complain to any Justices, and be relieved.

Provided nevertheless, and it is hereby enacted, That the Marine Officers and Private Men so quartered and billeted as aforesaid, shall be received and furnished with Diet and Small Beer by the Owners of the Inns, Livery Stables, Ale-houses, Victualling-houses, and the Houses of Sellers of Wine by Retail, to be drank in their own Houses, or Places thereunto belonging, and other Houses in which they are allowed to be quartered and billeted by this Act; paying and allowing for the same the several Rates herein after-mentioned to be payable out of the Subsistence-money for Diet and Small Beer.

Officers and Marines to be furnished at the Rates herein set for their Provisions.

Provided always, That in case any Innholder or other Person on whom any Non-commission Officers or Private

Men

What Inn-holders may allow Men quarter'd on them, instead of Meat.

Men shall be quartered by virtue of this Act (except on a March, or employed in recruiting; and likewise except the Recruits by them raised, for the Space of Seven Days at most, for such Non-commission Officers and Private Men who are recruiting, and Recruits by them raised) shall be desirous to furnish such Non-commission Officers or Private Men with Candles, Vinegar, and Salt, and with either Small Beer or Cyder, not exceeding Five Pints for each Man per Diem, gratis, and allow to such Non-commission Officers or Private Men the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall give Notice of such his Desire to the Commanding Officer, and shall furnish and allow the same accordingly; then, and in such Case, the Non-commission Officers and Private Men so quartered shall provide their own Victuals; and the Officer to whom it belongs to receive, or who shall actually receive the Pay and Subsistence of such Non-commission Officers and Private Men, shall pay the several Sums herein after-mentioned to be payable out of the Subsistence-money for Diet and Small Beer, to the Non-commission Officers and Private Men aforesaid, and not to the Inn-holder or other Person on whom such Non-commission Officers and Private Men are quartered; any thing herein contained to the contrary notwithstanding.

Penalty on taking Money to excuse any Person from quartering.

Provided always, and be it enacted by the Authority aforesaid, That if any Marine Officer shall take, or cause to be taken, or knowingly suffer to be taken, any Money of any Person for excusing the quartering of Officers or Private Men, or any of them, in any House allowed by this Act, every such Officer shall be cashiered, and be incapable of serving in any Military Employment whatsoever.

Commanding Officer may exchange Marines in their Quarters.

And whereas it may be for the Benefit of the Service, for the Commanding Officer to have a Power to exchange the Billets or Quarters of Marines, quartered in the same Town or Place; be it therefore enacted by the Authority aforesaid, That the Commanding Officer of Marines, in any Town or Place where such Marine Forces are quartered, shall, and he is hereby declared to have Power, from time to time, to exchange any Marine or Marines quartered in such Town or Place, for any other Marine or Marines quartered in the same Town or Place, provided the Number of Men do not exceed the Number at that Time billeted on such Houses respectively, where such Men shall be exchanged; and the Constables, Tythingmen, Headboroughs, and other Chief Officers and Magistrates, of the Cities, Towns, and Villages, or other Places where any of the said Marine Forces shall

Constables to billet the same accordingly.

be quartered, are hereby required to billet such Men so exchanged accordingly.

No Paymaster, &c. to make Deductions out of Officers or Private Mens Pay.

And be it further enacted by the Authority aforesaid, That from and after the Twenty fifth Day of March, One thousand seven hundred and sixty one, no Paymaster, or other Officer or Person whatsoever, shall receive any Fees, or make any Deductions whatsoever out of the Pay of any Marine, either Officer or Private Man, in His Majesty's Service, or from their Agents, which shall grow due from and after the said Twenty fifth Day of March, One thousand seven hundred and sixty one; other than the usual Deductions for Cloathing, and Twelve Pence in the Pound to be disposed of as His Majesty shall think fit, and the One Day's Pay in the Year for the Use of the Royal Hospital at Chelsea, and such other necessary Deductions as shall, from time to time, be directed by the said Lord High Admiral, or Three or more of the Commissioners for executing the Office of Lord High Admiral for the time being, by Order in Writing under his or their respective Hand or Hands.

Exceptions.

Officers to give Notice to Innkeepers of Subsistence-money in their Hands.

And that the Quarters both of the said Marine Officers and Private Men, while on Shore, as aforesaid, may, during the Continuance of this Act, be duly paid and satisfied, and His Majesty's Duties of Excise better answered, be it enacted by the Authority aforesaid, That from and after the said Twenty fifth Day of March, One thousand seven hundred and sixty one, every Officer or other Person to whom it belongs to receive, or that shall actually receive, the Pay or Subsistence-money, for One or more particular Company or Companies of the said Marine Forces, or otherwise, shall immediately, upon each Receipt of every particular Sum which shall, from time to time, be paid, returned, or come to his or their Hands, on account of Pay or Subsistence, give publick Notice thereof to all Persons keeping Inns, or other Places where Officers or Private Men are quartered by virtue of this Act; and shall also appoint the said Innkeepers, and others, to repair to their Quarters at such Times as they shall appoint, for the Distribution and Payment of the said Pay or Subsistence-money to such Officers or Private Men, which shall be within Four Days at the farthest after the Receipt of the same, as aforesaid; and the said Innkeepers, and others, shall then and there acquaint such Officer or Officers with the Accounts or Debts (if any shall be) between them and the Officers and Private Men so quartered in their respective Houses; which Accounts the said Officer or Officers is or are hereby required to accept of,

and immediately pay the same, before any Part of the said Pay or Subsistence be distributed either to the Officers or Private Men: Provided the said Accounts exceed not, for One Marine Commission Officer under the Degree of a Captain, for such Officer's Diet and Small Beer, per Diem, One Shilling; and if such Officer shall have a Horse or Horses, for each such Horse or Horses, for their Hay and Straw, per Diem, Six Pence; nor for One Private Man's Diet and Small Beer, per Diem, Four Pence; and if any Officer or Officers, as aforesaid, shall not give Notice as aforesaid, and shall not immediately, upon producing such Account stated, satisfy, content, and pay the same; upon Complaint and Oath made thereof, by any Two Witnesses, at the next Quarter Sessions for the County or City wherein such Quarters were (which Oath the Justices of the Peace at such Sessions are hereby authorized and required to administer) the Paymaster or Person for the time being authorized to pay the said Marine Forces is hereby required and authorized (upon Certificate of the said Justices before whom such Oath was made, of the Sum due upon such Accounts, and the Persons to whom the same is owing) to pay and satisfy the said Sums out of the Arrears due to the said Marine Officer or Officers, upon Penalty that such Paymaster or Person shall forfeit their respective Place or Places of Paymaster or otherwise, and be discharged from holding the same for the future: And in case there shall be no Arrears due to the said Officer or Officers, then the said Paymaster or Person for the time being authorized to pay the said Marine Forces, is hereby authorized and required to deduct the Sums he shall pay, pursuant to the Certificate of the said Justices, out of the next Pay or Subsistence-money of the Company to which such Officer or Officers shall belong; and such Officer or Officers shall, for such their Offence, or for neglecting to give Notice of the Receipt of such Pay or Subsistence-money, as aforesaid, be deemed and taken, and are hereby declared ipso facto cashiered. And where it shall happen that the Subsistence-money due to any Marine Officer or Private Man shall, by Occasion of any Accident, not be paid to such Officer or Private Man, or such Officer or Private Man shall neglect to pay the same, so that Quarters cannot be, or are not paid, as this Act directs; in every such Case it is hereby further enacted, That every such Officer shall, before his or their Departure out of his or their Quarters, where such Company shall remain for any Time whatsoever, make up the Accounts, as this Act directs, with every

Rates of Subsistence to be paid to Innkeepers, &c. for Marines Quarters.

Officers not giving Notice of Subsistence-money, and paying Quarters,

Paymaster to satisfy them out of the Company's next Pay,

and Officer to be cashiered.

On moving from Quarters, the Officer to make up Accounts, and give Certificates for Money due, &c.

every Person with whom such Company shall have quartered, and sign a Certificate thereof, and give the said Certificate, so by him signed, to the Party to whom such Money is due, with the Name of such Company to which he or they shall belong; to the end the said Certificate may be forthwith transmitted to the proper Paymaster of the Marines, who is hereby required immediately to make Payment thereof to the Person or Persons to whom such Money shall be due, to the end the same may be applied to such Company, under Pain as is before in this Act directed for Nonpayment of Quarters.

Paymaster to pay the Sum certified for.

And be it enacted by the Authority aforesaid, That it shall and may be lawful to quartter Officers and Private Men of His Majesty's Marine Forces in Scotland, in such and the like Places and Houses as Officers and Private Men of the Land Forces might have been quartered in by the Laws in Force in Scotland at the Time of the Union; and that the Possessors of such Houses shall only be liable to furnish the said Marine Officers and Private Men quartered there, as by the said Laws in Force at the Time of the Union was provided, with respect to the Officers and Private Men of the Land Forces; and that no such Marine Officer shall be obliged to pay for his Lodging, where he shall be regularly billeted, except in the Suburbs of Edinburgh.

Officers, *&c.* to be quartered in *Scotland*, as the Laws in Force at the Union direct.

And be it further enacted by the Authority aforesaid, That for the better and more regular Provision of Carriages for His Majesty's Marine Forces in their Marches, or for their Arms, Clothes, or Accoutrements, in England, Wales, and the Town of Berwick upon Tweed, all Justices of the Peace, within their several Counties, Ridings, Divisions, Shires, Liberties, and Precincts, being duly required thereunto by the said Lord High Admiral, or Three or more of the Commissioners for executing the Office of Lord High Admiral for the time being, by an Order in Writing under his or their respective Hand or Hands, shall, as often as such Order shall be brought and shewn unto One or more such Justices, by the Officer or Officers of the Company or Companies of Marines so ordered to march, issue out his or their Warrant or Warrants to the High Constables or Petty Constables of the Division, Riding, City, Liberty, Hundred, or Precinct, from, through, near, or to which such Company or Companies shall be ordered to march; requiring them to make such Provision for Carriages with able Men to drive the same, as shall be mentioned in the said Warrant,

Justices to order Constables to provide Carriages for the Marine Forces on their March.

Warrant, allowing them sufficient Time to do the same, that the neighbouring Parts may not always bear the Burthen; and in case sufficient Carriages cannot be provided within any such Riding, City, Liberty, Hundred, Division, or Precinct; then the next Justice or Justices of the Peace of the County, Riding, or Division, shall, upon such Order as aforesaid being brought or shewn to One or more of them, by any of the Marine Officers aforesaid, issue his or their Warrant or Warrants to the High Constables or Petty Constables of such next County, Riding, Liberty, Division, or Precinct, for the Purposes aforesaid, to make up such Deficiency: And the aforesaid Officer or Officers, who by virtue of the aforesaid Warrant or Warrants from such Justice or Justices of the Peace, is or are to demand the Carriage or Carriages therein mentioned, of the High Constable or Petty Constable to whom the Warrant is directed, is and are hereby required at the same Time to pay down in Hand to the said Constable or Petty Constable, for the Use of the Person who shall provide such Carriages and Men, the Sum of One Shilling for every Mile any Waggon with Five Horses shall travel; and the Sum of One Shilling for every Mile any Wain with Six Oxen, or Four Oxen with Two Horses, shall travel; and the Sum of Nine Pence for every Mile any Cart with Four Horses shall travel; and so in Proportion for less Carriages; for which respective Sums so received, the said Constable or Petty Constable is hereby required to give a Receipt in Writing to the Person or Persons paying the same: And such Constable or Petty Constable shall order and appoint such Person or Persons, having Carriages within their respective Liberties, as they shall think proper, to provide and furnish such Carriages and Men, according to the Warrant aforesaid, who are hereby required to provide and furnish the same accordingly: And if any Marine Officer or Officers, for the Use of whose Company or Companies the Carriage was provided, shall force and constrain any Waggon, Wain, Cart, or Carriage, to travel more than One Day's Journey, or shall not discharge the same in due Time for their Return Home, or shall suffer any Marine or Servant (except such as are sick) or any Woman to ride in the Waggon, Wain, Cart, or Carriage aforesaid, or shall force any Constable or Petty Constable, by Threatenings or menacing Words, to provide Saddle Horses for themselves or Servants, or shall force Horses from the Owners by themselves, Servants, or Private Men; every such

Rates for Carriages.

Penalty on Officers forcing Waggons to travel more than One Day's Journey, &c.

such Officer, for every such Offence, shall forfeit the Sum of Five Pounds; Proof thereof being made upon Oath before Two of His Majesty's Justices of the Peace of the same County or Riding, who are to certify the same to the proper Paymaster of His Majesty's Marine Forces, who is hereby required to pay the aforesaid Sum of Five Pounds accordingly to the Order and Appointment under the Hands and Seals of such Justices of the Peace, and is also hereby impowered to deduct the same out of such Officer's Pay.

Penalty on Constables, &c. Neglect.

And be it enacted by the Authority aforesaid, That if any High Constable or Petty Constable shall wilfully neglect or refuse to execute any such Warrant of the said Justice or Justices of the Peace, as shall be directed unto such Constable or Petty Constable for providing Carriages as aforesaid; or if any Person or Persons, appointed by such Constable or Petty Constable to provide or furnish any Carriage and Man, shall refuse or neglect to provide the same; or any other Person or Persons whatsoever shall wilfully do any Act or Thing, whereby the Execution of any such Warrant or Warrants shall be hindered or frustrated; every such Constable, or other Person or Persons so offending, shall, for every such Offence, forfeit any Sum not exceeding Forty Shillings, nor less than Twenty Shillings, to the Use of the Poor of the Parish where any such Offence shall be committed: And all and every such Offence and Offences shall and may be inquired of, heard, and fully determined, by Two of His Majesty's Justices of the Peace, dwelling in or near the Place where such Offence shall be committed, who have hereby Power to cause the said Penalty to be levied by Distress and Sale of the Offender's Goods and Chatties, rendering the Overplus (if any) to the Owner.

And whereas the respective Sums of Money by this Act appointed to be paid to the Constables by the Officers demanding such Carriages, may not, in many Cases, be sufficient to answer the Charge and Expence of providing the same, whereby the said Constables may be frequently at great Charges, over and above what is received by them of the said Officers, to the great Burthen of the Township of which they are respectively Constables, or else the Persons furnishing such Carriages may be grievously oppressed; to prevent which, and that such overplus Charge may be borne by each County or Riding, at the general Charge of such County or Riding, be it further enacted by the Authority aforesaid, That the Treasurer or Treasurers of each respective County or Riding shall, without Fee or Reward, pay unto such Constable all and

Treasurers of the County to repay the Constable's extraordinary Charges.

every such reasonable Sum or Sums of Money, so by him paid or laid out for such Carriages, over and above what was or ought to have been paid by the Marine Officer requiring such Carriages, out of the publick Stock of such County or Riding, according to such Rates, Orders, Rules, and Directions, as the said Justices of the Peace, in their Quarter Sessions assembled, within their respective Jurisdictions, shall, from time to time, during the Continuance of this Act, make, direct, and appoint (which Orders shall be made without Fee or Reward) Regard being always had to the Season of the Year, and the Length and Condition of the Roads through which such Carriages are to travel.

The Money for those Purposes how to be raised.

And in case the said publick Stock of the County or Riding be not sufficient (over and above the other Purposes for which it was raised) to satisfy the extraordinary Charge of Carriages before-mentioned; it is hereby further enacted, That the said Justices of the Peace in the General Quarter Sessions shall have Power, from time to time, to raise Monies upon the respective Counties or Ridings in such Manner as they now raise Monies for building or repairing County Gaols and Bridges, to satisfy the said extraordinary Charge of Carriages.

No Waggon, &c. to carry above 20 hundred Weight.

Provided always, and be it further enacted, That no Waggon, Wain, Cart, or Carriage, impressed by Authority of this Act, shall be liable or obliged, by virtue of this Act, to carry above Twenty hundred Weight; any thing in this Act contained to the contrary notwithstanding.

Carriages in *Scotland* how to be provided.

And be it further enacted, That the Carriages for the Service of the Marine Forces quartered or marching in Scotland, shall be provided in like Manner, and at the Rates, and the Furniture of such Carriages shall be paid, as was directed by the Law in Force in Scotland, at the Time of the Union, with Regard to the furnishing Carriages for Land Forces.

Marines Wives, &c. not to be quartered without Consent.

And be it enacted by the Authority aforesaid, That if any Officer, Military or Civil, by this Act authorized to quarter Marines in any Houses hereby appointed for that Purpose, shall at any Time, during the Continuance of this Act, quarter any of the Wives, Children, Men or Maid-servants of any Officer or Marine in any such Houses, against the Consent of the Owners; the Party

Penalty.

offending, if an Officer of the Marines, shall, upon Complaint and Proof thereof made to the Commissioners for executing the Office of Lord high Admiral, or Judge Advocate, be ipso facto cashiered; and if a Constable, Tythingman, or other Civil Officer, he shall forfeit to the Party aggrieved Twenty Shillings, upon Complaint

and Proof thereof made to the next Juſtice of the Peace, to be levied by Warrant of ſuch Juſtice, by Diſtreſs and Sale of his Goods, rendering the Overplus to the Party, after deducting reaſonable Charges in taking the ſame.

And for the better Preſervation of the Game, in or near ſuch Place, where any Officers or Soldiers ſhall at any Time be quartered; be it enacted by the Authority aforeſaid, That if, from and after the ſaid Twenty fifth Day of March, One thouſand ſeven hundred and ſixty one, any Officer or Marine ſhall, without Leave of the Lord of the Manor, under his Hand and Seal, firſt had and obtained, take, kill, or deſtroy, any Hare, Coney, Pheaſant, Partridge, Pigeon, or any other Sort of Fowls, Poultry, or Fiſh, or his Majeſty's Game, within the Kingdom of Great Britain; and upon Complaint thereof ſhall be, upon Oath of One or more credible Witneſs or Witneſſes, convicted before any Juſtice or Juſtices of the Peace, who is and are hereby impowered and authorized to hear and determine the ſame; (that is to ſay) every Officer ſo offending ſhall, for every ſuch Offence, forfeit the Sum of Five Pounds, to be diſtributed among the Poor of the Place where ſuch Offence ſhall be committed; and every Officer commanding in Chief upon the Place, for every ſuch Offence committed by any Marine under his Command, ſhall forfeit the Sum of Twenty Shillings, to be paid and diſtributed in Manner aforeſaid: And if, upon Conviction made by the Juſtices of the Peace, and Demand thereof alſo made by the Conſtable or Overſeers of the Poor, ſuch Officer ſhall refuſe or neglect, and not within Two Days pay the ſaid reſpective Penalties, ſuch Officer ſo refuſing or neglecting ſhall forfeit, and is hereby declared to have forfeited, his Commiſſion, and his Commiſſion is hereby declared to be null and void.

Penalty on Officers or Marines deſtroying the Game.

And whereas ſeveral Marines who being duly entered may afterwards deſert, and be found wandering, or otherwiſe abſenting themſelves illegally from his Majeſty's Service; it is hereby further enacted, That it ſhall and may be lawful to and for the Conſtable, Headborough, or Tythingman of the Town or Place, where any Perſon, who may be reaſonably ſuſpected to be ſuch a Deſerter, ſhall be found, to apprehend, or cauſe him to be apprehended, and to cauſe ſuch Perſon to be brought before any Juſtice of the Peace, living in or near ſuch Town or Place, who is hereby impowered and required to examine ſuch ſuſpected Perſon; and if by his Confeſſion, or the Teſtimony of One or more Witneſs or Witneſſes upon Oath, or by the Knowledge of ſuch Juſtice of the Peace, it ſhall appear or be found, that ſuch ſuſpected Perſon is a Marine

Conſtables may apprehend Deſerters, and carry them before a Juſtice.

Justice to commit them,

Marine duly entered, and ought to be with the Company to which he belongs; such Justice of the Peace shall forthwith cause him to be conveyed to the Gaol of the County or Place where he shall be found; or to the House of Correction, or other publick Prison in such Town or Place where such Deserter shall be apprehended; or to the Savoy, in case such Deserter shall be apprehended within the City of London, or Westminster, or Places adjacent; and transmit an Account thereof to the Secretary of the Admiralty for the time being, to the end such Person may be proceeded against according to Law: And the Keeper of such Goal, House of Correction, or Prison, shall receive the full Subsistence of every such Deserter, during the Time he shall continue in his Custody, for the Maintenance of such Deserter; but shall not be intitled to any Fee or Reward, on account of the Imprisonment of such Deserter; any Law, Usage, or Custom, to the contrary notwithstanding.

and transmit an Account to the Secretary of the Admiralty.

Gaol-keeper to receive the Subsistence of Deserters.

Reward for taking up Deserters.

And, for the better Encouragement of any Person or Persons to secure or apprehend such Deserters; be it further enacted by the Authority aforesaid, That such Justice of the Peace shall also issue his Warrant in Writing to the Collector or Collectors of the Land Tax Money of the Parish or Township where such Deserter shall be apprehended, for paying out of the Land Tax Money arisen or to arise in the Year One thousand seven hundred and fifty one, into the Hands of such Person or Persons who shall apprehend, or cause to be apprehended, any such Deserter from His Majesty's Service, the Sum of Twenty Shillings for every such Deserter that shall be so apprehended and committed; which Sum of Twenty Shillings shall be satisfied by such Collector or Collectors to whom such Warrant shall be directed, and allowed upon his or their Account.

Penalty on Persons concealing Deserters, or buying their Arms, Clothes, &c.

And be it further enacted, That if any Person shall harbour, conceal, or assist any Deserter from His Majesty's Marine Service, knowing him to be such; the Person so offending shall forfeit, for every such Offence, the Sum of Five Pounds; or if any Person shall knowingly detain, buy, or exchange, or otherwise receive, any Arms, Clothes, Caps, or other Furniture belonging to the King, from any Marine or Marine Deserter, upon any Account or Pretence whatsoever, or cause the Colour of such Clothes to be changed; every such Person so offending in each, any, or either of the Cases aforesaid, shall forfeit for every such Offence the Sum of Five Pounds; and upon Conviction by the Oath of One or more credible Witness or Witnesses, before any One or more of His Majesty's Justices of the Peace,

Peace, the ſaid reſpective Penalties of Five Pounds, and Five Pounds, ſhall be levied by Warrant under the Hands of the ſaid Juſtice or Juſtices of the Peace, by Diſtreſs and Sale of the Goods and Chattles of the Offender; One Moiety of the ſaid firſt-mentioned Penalty of Five Pounds to be paid to the Informer, by whoſe Means ſuch Deſerter ſhall be apprehended; and One Moiety of the ſaid laſt-mentioned Penalty of Five Pounds to be paid to the Informer; and the Reſidue of the ſaid reſpective Penalties to be paid to the Officer to whom any ſuch Deſerter or Marine did or doth belong: And in caſe any ſuch Offender, who ſhall be convicted, as aforeſaid, of harbouring or aſſiſting any ſuch Deſerter or Deſerters; or having knowingly received any Arms, Clothes, Caps, or other Furniture belonging to the King; or of having cauſed the Colour of ſuch Clothes to be changed, contrary to the Intent of this Act, ſhall not have ſufficient Goods and Chattles, whereon Diſtreſs may be made, to the Value of the Penalties recovered againſt him for ſuch Offence, or ſhall not pay ſuch Penalties within Four Days after ſuch Conviction; then, and in ſuch Caſe, ſuch Juſtice or Juſtices of the Peace ſhall and may, by Warrant under his or their Hand and Seal, or Hands and Seals, either commit ſuch Offender to the Common Gaol, there to remain without Bail or Mainprize for the Space of Three Months, or cauſe ſuch Offender to be publickly whipt, at the Diſcretion of ſuch Juſtice or Juſtices.

Provided always, That ſo much of this Act as relates to the Puniſhment of ſuch who ſhall harbour, conceal, or aſſiſt Deſerters, or ſhall knowingly detain, buy, exchange, or otherwiſe receive, any Arms, Clothes, Caps, or other Furniture belonging to the King, from any Marine or Marine Deſerter, or cauſe the Colour of ſuch Clothes to be changed, ſhall extend, to all Ends and Purpoſes whatſoever, to Ireland, and ſhall be put in Execution in that Kingdom, by all Juſtices of the Peace, and other Officers reſpectively, according to the Tenor, and during the Continuance of this Act. This Act to extend to Deſerters, &c. in *Ireland*.

And be it further enacted by the Authority aforeſaid, That this Act, and every thing herein contained, ſhall be and continue in Force from the ſaid Twenty fifth Day of March, in the Year of our Lord One thouſand ſeven hundred and ſixty one, until the Twenty fifth Day of March, in the Year of our Lord One thouſand ſeven hundred and ſixty two. Continuance of this Act.

And to prevent, as far as may be, any unjuſt or fraudulent Arreſts that may be made upon Marines, whereby

His Majesty and the Publick may be deprived of their Service; it is hereby further enacted by the Authority aforesaid, That no Person whatsoever, who is entered, or shall enter himself as a Volunteer in His Majesty's Service, as a Marine, during the Continuance of this Act, shall be liable to be taken out of His Majesty's Service by any Process or Execution whatsoever, other than for some criminal Matter, unless for a real Debt, or other just Cause of Action; and unless, before the taking out of such Process or Execution (not being for a criminal Matter) the Plaintiff or Plaintiffs therein, or some other Person or Persons on his or their Behalf, shall make Affidavit before One or more Judge or Judges of the Court of Record, or other Court, out of which such Process or Execution shall issue, or before some Person authorized to take Affidavits in such Courts, that to his or their Knowledge the original Sum, justly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants, in the Action or Cause of Action on which such Process shall issue, or the original Debt for which such Execution shall be issued out, amounts to the Value of Ten Pounds at least, over and above all Costs of Suit in the same Action, or in any other Action on which the same shall be grounded; a Memorandum of which Oath shall be marked on the Back of such Process or Writ; for which Memorandum or Oath no Fee shall be taken: And if any Person shall nevertheless be arrested contrary to the Intent of this Act, it shall and may be lawful for One or more Judge or Judges of such Court, upon Complaint thereof made by the Party himself, or by any his superior Officer, to examine into the same by the Oath of the Parties, or otherwise, and by Warrant under his or their Hands and Seals, to discharge such Marine so arrested contrary to the Intent of this Act, without paying any Fee or Fees, upon due Proof made before him or them, that such Marine so arrested, was legally entered as a Marine in His Majesty's Service, and arrested contrary to the Intent of this Act, and also to award to the Party so complaining, such Costs as such Judge or Judges shall think reasonable: For the Recovery whereof, he shall have the like Remedy that the Person who takes out the said Execution might have had for his Costs, or the Plaintiff in the like Action might have had for the Recovery of his Costs, in case Judgement had been given for him with Costs against the Defendant in the said Action.

No Volunteer liable to Process, unless for some criminal Matter,

or unless for a real Debt of the Value of 10 *l.*

Oath of the Debt to be made before a Judge,

and a Memorandum thereof marked on the Back of the Process;

otherwise Prisoner to be discharged, with Costs.

And

And to the end that honeſt Creditors, who aim only at the Recovery of their juſt Debts due to them from Perſons entered as Marines in His Majeſty's Service, may not be hindered from ſuing for the ſame, but on the contrary may be aſſiſted and forwarded in their Suits; and inſtead of an Arreſt, which may at once hurt the Service, and occaſion a great Expence and Delay to themſelves, may be enabled to proceed in a more ſpeedy and cheap Method; be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Plaintiff or Plaintiffs, upon Notice firſt given in Writing of the Cauſe of Action to ſuch Perſon or Perſons ſo entered, or left at his or their laſt Place of Reſidence before ſuch Entering, to file a Common Appearance in any Action to be brought for or upon account of any Debt whatſoever, ſo as to entitle ſuch Plaintiff to proceed therein to Judgement and Outlawry, and to have an Execution thereupon, other than againſt the Body or Bodies of him or them ſo entered as aforeſaid; this Act, or any thing herein, or any former Law or Statute, to the contrary notwithſtanding.

Plaintiff giving Notice, may file a Common Appearance,

and proceed to Judgement and Execution.

And be it further enacted by the Authority aforeſaid, That if any High Conſtable, Conſtable, Bedel, or other Officer or Perſon whatſoever, who, by virtue or colour of this Act, ſhall quarter or billet, or be employed in quartering or billeting, any Marine, Officers, or Private Men, ſhall neglect or refuſe, for the Space of Two Hours, to quarter or billet ſuch Officers or Marines when thereunto required, in ſuch Manner as is by this Act directed, provided ſufficient Notice be given before the Arrival of ſuch Forces; or ſhall receive, demand, contract, or agree for any Sum or Sums of Money, or any Reward whatſoever, for or on account of excuſing, or in order to excuſe any Perſon or Perſons whatſoever from quartering or receiving into his, her, or their Houſe or Houſes any ſuch Officer or Marine; or in caſe any Victualler, or any other Perſon, liable by this Act to have any Officer or Marine billeted or quartered on him or her, ſhall refuſe to receive or victual any ſuch Officer or Marine ſo quartered or billeted upon him or her as aforeſaid; or ſhall refuſe to furniſh or allow, according to the Directions of this Act, the ſeveral Things herein before reſpectively directed to be furniſhed or allowed to Non-commiſſion Officers and Marines ſo quartered or billeted on him or her as aforeſaid, at the Rate herein before-mentioned, and ſhall be thereof convicted before any One or more Juſtice or Juſtices of the Peace of the County, City, or Liberty, within which ſuch Offence ſhall be committed,

Penalty on Conſtables, &c. neglecting to quarter Marines.

Penalty on taking Money to excuſe any Perſon from quartering;

and on Victuallers refuſing to receive Marines.

committed, either by his own Confeſſion, or by the Oath of One or more credible Witneſs or Witneſſes (which Oath the ſaid Juſtice or Juſtices is and are hereby impowered to adminiſter) every ſuch High Conſtable, Conſtable, Bedel, or other Officer or Perſon ſo offending, ſhall forfeit, for every ſuch Offence, the Sum of Five Pounds, or any Sum of Money not exceeding Five Pounds, nor leſs than Forty Shillings (as the ſaid Juſtice or Juſtices, before whom the Matter ſhall be heard, ſhall, in his or their Diſcretion, think fit) to be levied by Diſtreſs and Sale of the Goods of the Perſon offending, by Warrant under the Hand and Seal, or Hands and Seals, of ſuch Juſtice or Juſtices, before whom ſuch Offender ſhall be convicted, or of One or more of them, to be directed to any other Conſtable within the County, City, or Liberty, or to any of the Overſeers of the Poor of the Pariſh where the Offender ſhall dwell; and the ſaid Sum of Five Pounds, or the ſaid Sum not exceeding Five Pounds, nor leſs than Forty Shillings, when levied, to be paid to the Overſeers of the Poor of the Pariſh where the Offence ſhall be committed, or to ſome One of them, for the Uſe of the Poor of ſuch Pariſh.

To prevent Abuſes in quartering, Juſtices may order Conſtables to give an Account of the Number of Officers, and Private Men, and where quartered.

And, for the better preventing Abuſes in quartering or billeting the Marines, in purſuance of this Act; be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any One or more Juſtice or Juſtices of the Peace, within their reſpective Counties, Cities, or Liberties, by Warrant or Order under his or their Hand and Seal, or Hands and Seals, at any Time or Times during the Continuance of this Act, to require and command any High Conſtable, Conſtable, Bedel, or other Officer, who ſhall quarter or billet any Marines in purſuance of this Act, to give an Account in Writing unto the ſaid Juſtice or Juſtices requiring the ſame, of the Number of Officers and Private Men who ſhall be quartered or billeted by them, and alſo the Names of the Houſekeepers or Perſons upon whom every ſuch Officer or Private Man ſhall be quartered or billeted, together with an Account of the Street or Place where every ſuch Houſekeeper dwells, and the Signs (if any) belonging to their Houſes; to the end it may appear to the ſaid Juſtice or Juſtices where ſuch Officers and Private Men are quartered or billeted, and that he or they may thereby be the better enabled to prevent or puniſh all Abuſes in the quartering or billeting of them.

Provided nevertheleſs, and it is hereby declared by the Authority aforeſaid, That from and after the Twenty fifth Day

Day of March, One thouſand ſeven hundred and ſixty one, when and as often as any Perſon or Perſons ſhall be inliſted as a Marine or Marines in His Majeſty's Service, he and they ſhall, within Four Days, but not ſooner than Twenty four Hours, after ſuch Inliſting reſpectively, be carried before the next Juſtice of the Peace of any County, Riding, City, or Place, or Chief Magiſtrate of any City or Town Corporate (not being an Officer of Marines) and before ſuch Juſtice or Chief Magiſtrate, he or they ſhall be at Liberty to declare his or their Diſſent to ſuch Inliſting; and upon ſuch Declaration, and returning the Inliſting-money, and alſo each Perſon ſo diſſenting paying the Sum of Twenty Shillings for the Charges expended or laid out upon him, ſuch Perſon or Perſons ſo inliſted ſhall be forthwith diſcharged and ſet at Liberty, in the Preſence of ſuch Juſtice or Chief Magiſtrate; but if ſuch Perſon or Perſons ſhall refuſe or neglect, within the Space of Twenty four Hours, to return and pay ſuch Money, as aforeſaid, he or they ſhall be deemed and taken to be inliſted, as if he or they had given his or their Aſſent thereto before the ſaid Juſtice or Chief Magiſtrate; or if ſuch Perſon or Perſons ſhall declare his or their having voluntarily inliſted himſelf or themſelves, then ſuch Juſtice or Chief Magiſtrate ſhall, and he is hereby required forthwith to certify under his Hand, that ſuch Perſon or Perſons is or are duly inliſted; ſetting forth the Place of the Birth, Age, and Calling of him or them reſpectively (if known) and that the Second and Third Sections of the Articles of War for the better Government of His Majeſty's Marine Forces while on Shore in Great Britain or Ireland, were read to him or them, and that he or they had taken the Oath of Fidelity mentioned in the Twelfth Section of the ſaid Articles of War; and if any ſuch Perſon or Perſons, ſo to be certified as duly inliſted, ſhall refuſe to take the ſaid Oath of Fidelity before the ſaid Juſtice or Chief Magiſtrate, it ſhall and may be lawful for ſuch Officer, from whom he has received ſuch Money as aforeſaid, to detain or confine ſuch Perſon or Perſons, until he or they ſhall take the Oath before required; and every Officer of Marines that ſhall act contrary hereto, or offend herein, upon Proof thereof upon Oath made by Two Witneſſes before a General Court-martial to be thereupon called, ſhall, for ſuch Offence, be forthwith caſhiered and diſplaced from ſuch his Office, and ſhall be thereby utterly diſabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in His Majeſty's Service.

Clauſe for Relief of Perſons haſtily liſting themſelves.

Marine Forces being borne as Part of the Complement of any Ships of War are liable to be governed by the Rules established by Act 22 Geo. II.

Provided always, and it is hereby declared, That all His Majesty's Marine Forces, as well Officers as Private Men, shall, from time to time, during their being respectively borne as Part of the Complement of any of His Majesty's Ships or Vessels, be subject or liable in like Manner, in all Respects, as any Officers or Seamen employed in His Majesty's Sea Service are subject and liable to be governed and proceeded against and punished for Offences committed by them during the Time they shall be borne as Part of the Complement of such Ships or Vessels, according to the Purport, Tenor, Effect, and true Intent and Meaning of an Act of Parliament made in the Twenty second Year of the Reign of His late Majesty King George the Second, intituled, An Act for amending, explaining, and reducing into One Act of Parliament, the Laws relating to the Government of His Majesty's Ships, Vessels, and Forces by Sea; this present Act or any thing herein contained notwithstanding,

FINIS.