ANNO DECIMO TERTIO

Georgii III. Regis.

CAP. XI.

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; 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 Preamble.

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 seventy-three, 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 seventy-three, 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 Three or more of the Commissioners for executing the Office of Lord High Admiral of Great Britain,

After *March* 25, 1773, during the Continuance of this Act, every Marine Officer or Private Man on Shore,

who shall mutiny or desert, &c.

or list in any other Regiment, &c.

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

or hold illegal Correspondence with the Enemies of His Majesty,

Britain, for the Time being; or shall strike, or use any Violence 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 of 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 shall strike, 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 for holding 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 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,

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

haviour, 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.

and to constitute Courts-martial.

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.

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

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; 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.

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

Court-martial may administer an Oath to Witnesses.

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 authorised to administer the same), in these Words; that is to say,

Officers to be sworn.

YOU

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: The Oath.

So help you GOD.

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 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: The Oath.

So help me GOD.

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

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: The Oath.

So help me GOD.

In Sentences of Death, what Number of Officers shall 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 Person 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 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.

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 same Offence had been committed within this Realm. Deserters beyond Sea, &c. may be tried here or in *Ireland*.

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

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

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 seising and apprehending such Offender, in order to bring him to Tryal: 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 Convic- Persons accused of Capital Crimes, &c. to be delivered over to the Civil Magistrate, &c. Penalty on Officers refusing to deliver over Offenders.

tion 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.

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.

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, authorised 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 Allowance 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.

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

And

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 on 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 Dealing shall be more in other Goods and Merchandises 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

Constables, *etc.* to quarter Officers and Men in Inns, Ale-houses, *etc.*

but in no Distillers Houses, or shopkeepers, or in any private Houses.

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

cupier shall sustain thereby: And if any Marine Officer shall take upon him to quarter Private 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 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 in case any Person shall find himself aggrieved, in that such Constable, Tythingman, or Headborough, Chief Officer, or Magistrate (such Chief Officer or Magistrate not being a Justice of the Peace) has quartered or billetted 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.

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

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

Provided nevertheless, and it is hereby enacted, That the Marine Officers and Private Men, so quartered and billetted 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

I

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 billetted 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.

What Innholders may allow Men quartered on them, inſtead of Meat.

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

capable 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 billetted 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 Marines Forces ſhall be quartered, are hereby required to billet ſuch Men ſo exchanged accordingly.

and the Conſtables to billet the ſame accordingly.

No Paymaſter &c. to make Deductions out of Officers or private Men's 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 ſeventy-three, 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 ſeventy-three, other than the uſual Deductions for Cloathing, and Twelvepence 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.

Exception.

And that the Quarters both of the ſaid Marine Officers and Private Men, while on Shore as aforeſaid, may, during

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 seventy-three, 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, Sixpence; nor for One Private Man's Diet and Small Beer, per Diem, Fourpence: 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

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

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

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

Oath the Justices of the Peace at such Sessions are hereby authorised and required to administer), the Paymaster or Person for the Time being authorised to pay the said Marine Forces, is hereby required and authorised (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 authorised to pay the said Marine Forces, is hereby authorised 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 there 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 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

Paymaster to satisfy them out of the Arrears:

And in case of no Arrears due, the Paymaster may deduct out of the next Subsistencemoney.

Officers neglecting to be cashiered.

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

Paymaster to pay the Sum certified for.

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.

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

And be it enacted by the Authority aforesaid, That it shall and may be lawful to quarter 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 billetted, except in the Suburbs of Edinburgh.

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

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 Justice or 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, 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, Liber-

ty, Hundred, Division, or Precinct, then the next Justice or Justices of the Peace for 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

Rates for Carriages.

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

for themſelves or Servants, or ſhall force Horſes from the Owners by themſelves, Servants, or Private Men; every 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 for 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, according 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 and 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 enquired 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 Chattels, rendering the Overplus (if any) to the Owner.

Treaſurers of the County to repay the Conſtables extraordinary Charges.

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

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 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.

And

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 Furnisher 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. Carriages in *Scotland* how to be provided.

And be it enacted by the Authority aforesaid, That if any Officer, Military or Civil, by this Act authorised to quarter Soldiers 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 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. Marines Wives, &c. not to be quartered without Consent. Penalty.

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 seventy-three, any Officer or Soldier 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 authorised to hear and determine the same; (that is to say,) Every Officer so offending shall, for every such Offence, forfeit Penalty on Officers and Marines destroying the Game.

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 and neglect, and not within Two Days pay the said respective Penalties, such Officer so refusing or neglecting shall forfeit, and he is hereby declared to have forfeited, his Commission, and his Commission is hereby declared to be null and void.

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

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 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 Cities 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 Gaol, House of Correction, or

Justices may commit Deserters,

and transmit an Account to the Secretary of the Admiralty.

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 any such Deserter; any Law, Usage, or Custom, to the Contrary notwithstanding. Gaol-keeper to receive the Subsistence of 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 seventy-three, 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. Reward for taking up Deserters.

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, 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 Chattels of the Offender; One Moiety Penalty on Persons concealing Deserters, or buying their Arms, Clothes, &c.

of

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 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 having caused the Colour of such Clothes to be changed, contrary to the Intent of this Act, shall not have sufficient Goods and Chattels 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 whipped, at the Discretion of such Justice or Justices.

This Act to extend to Deserters, &c. in *Ireland*.

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.

Continuance of this Act.

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 seventy-three, until the Twenty-fifth Day of March, in the Year of our Lord One thousand seven hundred and seventy-four.

And,

And, in order to prevent all Doubts which may arise in relation to punishing Offences committed against former Acts of Parliament made for the Regulation of the Marine Forces while on Shore; be it enacted by the Authority aforesaid, That all Crimes and Offences which have been committed against any of the former Acts in that Behalf, shall and may, during the Continuance of this present Act, be inquired of, heard, tried, determined, adjudged, and punished, before and by the like Courts, Persons, Powers, Authorities, Ways, Means, and Methods, as the like Crimes and Offences committed against this present Act may be inquired of, heard, tried, determined, adjudged, and punished.

Offences against former Acts may be inquired of, and punished, as under this Act;

Provided always, That no Person shall be liable to be tried or punished for any Offence against any of the said former Acts, which shall appear to have been committed more than Three Years before the issuing of the Commission or Warrant for such Trial; except only for the Offence of Desertion.

provided no Person be liable to be tried for Offences committed Three Years before issuing the Warrant for Trial; except in Cases of Desertion only.

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 authorised 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

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,

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 listed 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.

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

otherwise Prisoner to be discharged with Costs.

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 ac-

Plaintiff giving Notice, may file a Common Appearance,

count of any Debt whatsoever, so as to intitle 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.

and proceeed 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 billetting, 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 billetted or quartered on him or her, shall refuse to receive or victual any such Officer or Marine so quartered or billetted 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 or so quartered or billetted 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, 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

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.

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 billetting 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 billetted by them, and also the Names of the Housekeepers or Persons upon whom every such Officer or Private Man shall be quartered or billetted, 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 billetted, and that he or they may thereby be the better enabled to prevent or punish all Abuses in the quartering or billetting of them.

Clause for Relief of Persons hastily listing themselves.

Provided nevertheless, and it is hereby declared by the Authority aforesaid, That from and after the Twenty-fifth Day of March, One thousand seven hundred and seventy-three, 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 and 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

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hold any Civil or Military Office or Employment within this Kingdom, or in His Majesty's Service.

As often as it shall be necessary, Officers of the Marine and Land Forces may sit in Conjunction upon Courts-martial;

And whereas it may be expedient in certain Cases, particularly where a sufficient Number of Marine Officers cannot be conveniently assembled, or in Matters wherein any of His Majesty's Land Forces may be interested, that Officers of the Land Forces should be associated with the Marine Officers for the Purpose of holding Courts-martial; be it enacted and declared, That when and as often as it shall be necessary, it shall and may be lawful for Officers of the Marine and Land Forces to sit in Conjunction upon Courts-martial, and to proceed in the Trial of any Marine Officer or Private Man, in like Manner, to all Intents and Purposes, as if such Courts-martial were composed of Marine Officers only; and the Officers of the Marine and Land Forces are, in such Cases, to take Rank according to the Seniority of their Commissions in either Service.

taking Rank according to the Seniority of their Commissions.

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.

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FINIS.