ANNO TRICESIMO QUINTO

Georgii III. Regis.

CAP. VII.

An Act for the Regulation of His Majesty's Marine Forces while on Shore. [5th *March* 1795.]

Preamble.

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 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 ninety-five, 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 ninety-five, 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 any other of His Majesty's Dominions, 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,

After *March* 25, 1795, during the Continuance of this Act, every Marine Officer and Private Man on Shore,

who shall mutiny or desert, &c.

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* 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 or either of the Matters before mentioned, on Shore, in any Part of this Kingdom, or in any other of His Majeſty's Dominions, ſhall ſuffer Death, or ſuch other Puniſhment as by a Court-martial ſhall be inflicted.

or liſt in any other Regiment, &c.

or ſhall be found ſleeping on, or ſhall deſert his Poſt, or hold Correſpondence with the Enemies of His Majeſty;

or ſhall ſtrike or diſobey his ſuperior Officer;

ſhall ſuffer Death, or ſuch Puniſhment as a Court-martial ſhall inflict.

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

II. 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 any other of His Majeſty's Dominions; 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.

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

III. 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 in any other of His Majeſty's Dominions, during the Continuance of this Act.

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

IV. 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, and Neglect of Duty, in any of His Majeſty's Marine Forces while on Shore, in any Part of this Realm, or in any other of His Majeſty's Dominions, 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

and to conſtitute Courts-martial.

Articles, and inflict Puniſhments, by Sentence or Judgement for the ſame, according to the true Intent and Meaning of this Act.

V. 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*, 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.

VI. 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; and the Preſident to be a Field Officer, or Officer next in Seniority, not under the Degree of a Captain. Courts-martial may adminiſter Oaths to Witneſſes.

VII. 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 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: Judge's Charge before 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

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, what Number of Officers ſhall concur, &c.

Hours of Trial.

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.

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

VIII. Provided always, That the Party tried by any General Court-martial, to be held as aforeſaid, ſhall be entitled 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.

IX. 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 entitled 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.

Sentence not to be reviſed more than Once.

X. 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.

Deſerters beyond Sea, &c. may be tried here.

XI. 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 or be brought into this Realm, 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.

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

XII. 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.

XIII. 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, &c. by the Civil Magiſtrate, may only be caſhiered by a Court-martial.

XIV. 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.

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

Penalty on Officers refuſing to deliver over Offenders.

XV. 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 entitled 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

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.

any Thing in this or any former Act contained to the contrary notwithſtanding.

Conſtables, &c. to quarter Officers and Men in Inns, Alehouſes, &c.

XVI. 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 Chief 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, Alehouſes, 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 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, 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,

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

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

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

hours, 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.

Officers and Marines to pay Rates for their Provisions.

XVII. 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, Alehouses, 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 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.

If Innholders refuse to furnish the Men quartered on them with Meat, they shall allow them Candles, Small Beer, &c. *gratis*.

XVIII. 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.

XIX. 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,

XX. 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

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 Marine 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.

XXI. And be it further enacted by the Authority aforeſaid, That, from and after the Twenty-fifth Day of *March* One thouſand ſeven hundred and ninety-five, 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 ninety-five, other than the uſual Deductions for Clothing, 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.

Exception.

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

XXII. 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 ninety-five, 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

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

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*, 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 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 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.

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

Paymaſter to ſatisfy them out of the Arrears:

And in caſe of no Arrears due, the Paymaſter may deduct out of the next Subſiſtence-money.

Officers neglecting, to be caſhiered.

XXIII. 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 be due, to the End the ſame may be applied to ſuch Company, under Pain as is before in this Act directed for Non-payment of Quarters.

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

Paymaſter to pay the Sum certified for.

XXIV. 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*.

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

XXV. And

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

XXV. 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, and 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, Liberty, 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 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

Rates for Carriages.

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

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 Order and Appointment under the Hands and Seals of ſuch Juſtices of the Peace; and is alſo hereby empowered to deduct the ſame out of ſuch Officer's Pay.

Penalty on Conſtables, &c. Neglect.

XXVI. 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.

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

XXVII. 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 Townſhips 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 that Purpose how to be raised.

XXVIII. 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.

XXIX. 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.

XXX. 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.

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

Penalty.

XXXI. 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, Tithingman, 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.

Penalty on Officers or Marines destroying the Game.

XXXII. 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 ninety-five, 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 empowered and authorised 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 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.

XXXIII. 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 Tithingman, of the Town or Place where any Perſon, who may reaſonably be 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 empowered 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 Priſon, ſhall receive the full Subſiſtence of ſuch Deſerter during the Time he ſhall continue in his Cuſtody, for the Maintenance of ſuch Deſerter; but ſhall not be entitled to any Fee or Reward on Account of the Impriſonment of any ſuch Deſerter; any Law, Uſage, or Cuſtom, to the contrary notwithſtanding.

Juſtices to commit them,

and tranſmit an Account to the Secretary of the Admiralty.

Gaol Keeper to receive the Subſiſtence of Deſerters.

Reward for taking up Deſerters.

XXXIV. And, for the better Encouragement of any Perſon or Perſons to ſecure or apprehend ſuch Deſerter, 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 ninety-five, 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

XXXV. And be it further enacted, That if any Perſon ſhall harbour, conceal, or aſſiſt any Deſerter from His Majeſty's Marine Service, knowing

receiving their Arms, Clothes, &c.

ing 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, or any other Person, upon any Account or Pretence whatsoever, or any such Articles belonging to any Marine or Marine Deserter, as are generally deemed Regimental Necessaries, according to the Custom of the Marine Corps, (being provided for the Marine, and paid for by the Deductions out of his Pay), 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 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 any such Articles as are generally deemed Regimental Necessaries; 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 or her 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.

Continuance of this Act.

XXXVI. 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 ninety-five, until the Twenty-fifth Day of *March* in the Year of our Lord One thousand seven hundred and ninety-six.

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

XXXVII. 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 enquired 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

Act may be enquired of, heard, tried, determined, adjudged, and punished.

XXXVIII. Provided always, That no Person shall be liable to be tried or punished for any Offence committed 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.

XXXIX. 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 Twenty 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.

No Volunteer liable to Process unless for some criminal Matter, or unless for a real Debt of the Value of 20 *l.*

Oath of the Debt to be made before a Judge,

and a Memorandum thereof marked on the Back of the Process; otherwise the Prisoner to be discharged with Costs.

XL. 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

Plaintiff giving Notice may file a Common Appearance,

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.

and proceed to Judgement and Execution.

Marines, while confined for Debt, not to receive Pay.

XLI. And be it further enacted, That, from the paſſing of this Act, no Marine, being arreſted or confined for Debt in any Priſon, Gaol, or other Place, ſhall be entitled to any Part of his Pay from the Day of ſuch Arreſt or Confinement, until the Day of his Return to the Regiment or Company, to which he ſhall belong.

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

XLII. And be it further enacted by the Authority aforeſaid, That if any High Conſtable, Conſtable, Beadle, 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 Marines 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 empowered to adminiſter), every ſuch High Conſtable, Conſtable, Beadle, or other Officer or Perſon ſo offending, ſhall forfeit, for every ſuch Offence, the Sum of Five Pounds, or any Sum 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 Over-

of taking Money to excuſe any Perſon from quartering;

and on Victuallers refuſing to receive Marines.

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.

XLIII. 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, Beadle, 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 of 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 inliſting themſelves.

XLIV. 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 ninety-five, 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, 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

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.

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

XLV. 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.

XLVI. 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.

Act, in Part, may be altered this Seſſion.

XLVII. Provided always, and be it enacted, That this Act, ſo far as relates to the Allowances to be made for the quartering of Marines, and providing for their Horſes, may be altered and varied by any Act or Acts to be made in this Seſſion of Parliament.

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FINIS.