

ANNO TRICESIMO NONO & QUADRAGESIMO

GEORGII III. REGIS.

CAP. C.

An Act to authorize His Majeſty to grant Commiſſions to Natives of the Seven United Provinces, or of the Hereditary States of the Prince of *Orange*, to ſerve on board certain *Dutch* Ships of War, ſurrendered to His Majeſty's Fleet, and in Regiments in the Pay of His Majeſty; and to enable any ſuch Natives to inliſt as Soldiers in ſuch Regiments, under certain Reſtrictions.

[28th *July* 1800.]

Preamble.

WHEREAS his Serene Highneſs the Prince of *Orange* hath engaged to furniſh to His Majeſty, One Ship of Sixty Guns, One Ship of Forty-four Guns, One Ship of Thirty-ſix Guns, and One Sloop of Eighteen Guns, being Four of the Ships or Veſſels of War which ſurrendered to His Majeſty's Fleet, under the Command of Vice-Admiral *Mitchell* in the *Vlieter*, on the Thirtieth Day of *Auguſt* One thouſand ſeven hundred and ninety-nine, to be employed under His Majeſty's Orders, in ſuch Manner and for ſuch Time as hath been agreed upon between His Majeſty and his Serene Highneſs in that Behalf: And whereas it is expedient that the *Dutch* Officers to be employed on board the ſaid Four Ships or Veſſels, ſhould be commiſſioned by His Majeſty, and that ſuch Officers and alſo the Crews of the ſaid Ships, ſhould have and be entitled to the full Benefit of all Captures made by them, in the ſame Manner as the Officers and Crews of His Majeſty's Ships: Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall be lawful to and for all ſuch and ſo many Officers, being Natives of the Seven United Provinces, or of the Hereditary States of his Serene Highneſs the Prince of *Orange*, as ſhall be willing to ſerve His Majeſty, to accept Commiſſions or Letters of Service from His Majeſty, His Heirs and Succeſſors, or from Perſons duly authorized by His Majeſty, to grant ſuch Commiſſions or Letters of Service (which ſaid Commiſſions or Letters of Service, it ſhall be lawful for His ſaid Majeſty or any Perſon duly authorized in that Behalf to grant) to ſerve as Officers on board the ſaid

Officers, being Natives of the Seven United States, may accept Commiſſions from His Majeſty to ſerve on board Four *Dutch* Ships which ſurrendered to His Majeſty's Fleet on *Aug.* 30, 1799;

said Four *Dutch* Ships or Veſſels in the ſame Manner as is uſed in reſpect to Officers in His Majeſty's Naval Service; any Law or Statute to the contrary thereof notwithſtanding: Provided always, That no ſuch Officer when he ſhall be reduced, ſhall be entitled to receive Half-pay; and that no ſuch Officer ſhall be liable to any Pain, Penalty, or Forfeiture whatever, for having accepted a Commiſſion in His Majeſty's Service, by Reaſon of his having profeſſed the Popiſh Religion, and not having declared the ſame at the Time of his accepting ſuch Commiſſion; any Thing in any Act or Acts to the contrary thereof notwithſtanding.

but no ſuch Officer when reduced ſhall receive Half Pay, &c.

II. And be it further enacted, That the Officers, Seamen, Soldiers, and others on board the ſaid Four Ships or Veſſels, ſhall have and be entitled to Prize Money, Head Money, Salvage, and all other Benefit and Advantage to accrue from Prize, in all and every the ſame Caſes, and under the ſame Regulations, Reſtrictions, Penalties, and Forfeitures, as are or may be eſtabliſhed for the Officers, Seamen, Marines, and Soldiers in and on board His Majeſty's Ships of War, whether ſuch Prize Money, Head Money, Salvage, or other Benefit or Advantage ſhall accrue from Captures made ſolely by the ſaid Four Ships or Veſſels or any of them, or by them or any of them in Conjunction with any of His Majeſty's Sea or Land Forces, or with any Private Ship of War or Letter of Marque; and that all ſuch Captures ſhall be proceeded againſt, and in caſe of Condemnation, be entitled to the like Privileges, and ſubject to the like Rules and Regulations, and alſo be appraiſed and ſold in like Manner as if they had been made by any of His Majeſty's Ships; and that the Shares of Prize Money, Head Money, and Salvage ſhall become due and payable to the Treaſurer of the Royal Hoſpital at *Greenwich*, in the like Caſes and under the like Circumſtances, in which Shares of Prize Money, Head Money, and Salvage become due and payable to the ſame, when the Captures or Recaptures have been effected by any of His Majeſty's Ships of War; and that the Agents for Appraiſements and Sales ſhall be ſubject and liable to all ſuch Rules, Regulations, Penalties, and Forfeitures, as if they had been Agents to any of His Majeſty's Ships; and that all the Penalties and Forfeitures above mentioned ſhall be applied in like Manner as if the Subject Matter had related to the Ship's Officers or Seamen of His Majeſty, or to the Captures made by any ſuch Ship's Officers or Seamen; any Law or Uſage to the contrary thereof notwithſtanding.

The Officers and others on board ſuch Ships ſhall be entitled to Prize Money, &c.

III. And be it further enacted, That all Offences committed by any Officer, Seaman, or Soldier belonging to any of the ſaid Four *Dutch* Ships or Veſſels, ſhall be tried and puniſhed in ſuch Manner as the like Offences are or ought to be tried and puniſhed, when committed by any Perſon belonging to His Majeſty's Fleet.

Offences to be tried, as if committed by any Perſon belonging to His Majeſty's Fleet.

IV. Provided nevertheleſs, and be it further enacted, That the Lord High Admiral of *Great Britain*, or the Commiſſioners for executing the Office of the Lord High Admiral of *Great Britain* for the Time being, ſhall cauſe the Articles of War mentioned and contained in a certain Act of Parliament, made and paſſed 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*, to be tranſlated into the *Dutch* Language and printed, and a competent Number of Copies thereof to be delivered to the Captain or Commander of each of the ſaid *Dutch* Ships or Veſſels, which Cap-

Admiralty ſhall cauſe the Articles of War to be printed in the *Dutch* Language; and the Captain of each Ship ſhall affix a Copy on the moſt publick Place therein, and cauſe the ſame to be read over.

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tain or Commander, as ſoon as the Ship or Veſſel by him commanded, ſhall be put into Sea Pay, ſhall cauſe One of the ſaid printed Copies to be hung up and affixed to the moſt publick Place of ſuch Ship or Veſſel, and the ſame to be conſtantly kept up and renewed, and from Time to Time read over in the Preſence of the Officers and Seamen of ſuch Ship or Veſſel, in the ſame Manner as is uſed on board His Majeſty's Ships.

Number of *Dutch* Officers neceſſary to conſtitute a Court-martial.

V. Provided alſo, and be it further enacted, That on every Court Martial for the Trial of any *Dutch* Officer, Seaman, or Soldier belonging to any of the ſaid Four *Dutch* Ships or Veſſels, Three *Dutch* Officers of the Rank or Denomination of a Captain or Commander belonging to the ſaid Ships, if ſo many of ſuch Officers ſhall then be preſent at the Port or Place where ſuch Court Martial ſhall be held, and can attend on ſuch Court Martial, ſhall ſit, and in every Reſpect act as Members at ſuch Court Martial; and if ſo many of ſuch *Dutch* Officers of ſuch Rank as aforeſaid, ſhall not be preſent, or cannot attend on ſuch Court Martial, then ſo many (leſs than Three) as ſhall be preſent and can attend as aforeſaid, ſhall ſit and act as Members of ſuch Court Martial: Provided always, That the whole Number of the Members of any ſuch Court Martial, including ſuch *Dutch* Officers as aforeſaid, who ſhall ſo ſit and act, ſhall not, in any Caſe, exceed Thirteen; and that the like Excuſes ſhall be allowed to any of ſuch *Dutch* Officers for not ſitting at ſuch Court Martial, as is allowed to Officers in His Majeſty's Service; and in caſe no ſuch *Dutch* Officer ſhall be preſent as aforeſaid, or can attend on ſuch Court Martial, then ſuch Court Martial ſhall conſiſt of ſuch Number of *Britiſh* Officers, as by the Law and Uſage of the *Britiſh* Navy would conſtitute or be entitled to ſit at any Court Martial held for the Trial of any Perſons ſerving in the *Britiſh* Navy.

Natives of the Seven United Provinces may accept Commiſſions from His Majeſty to ſerve as Officers or Engineers, to fulfil the Agreement for receiving 6,000 *Dutch* Troops into His Majeſty's Service.

VI. And whereas an Agreement has been ſigned, by His Majeſty's Commands, between his Serene Highneſs the Prince Stadtholder and the Right Honourable Lord *Grenville*, One of His Majeſty's Principal Secretaries of State, for receiving into His Majeſty's Pay and Service a Body of Troops not exceeding Six thouſand Men, conſiſting of Natives of the Seven United Provinces, or of Subjects of the Hereditary States of his Serene Highneſs the Prince of *Orange* as aforeſaid: And whereas it is expedient to enable His Majeſty to fulfil the Terms of the ſaid Agreement, and to make Proviſion for the due Regulation and Government of the ſaid Troops; be it therefore enacted, That it ſhall be lawful for ſuch Perſons who are Natives of the Seven United Provinces, or are Subjects of the Hereditary States of his Serene Highneſs the Prince of *Orange*, as ſhall be willing to ſerve His Majeſty, to enliſt as Soldiers, and to accept Commiſſions or Letters of Service, to ſerve as Officers or Engineers, from His Majeſty, His Heirs and Succeſſors, or from any Perſons duly authorized by His Majeſty, to grant ſuch Commiſſions or Letters of Service, which Commiſſions and Letters of Service, it ſhall be lawful for His ſaid Majeſty, or for any Perſon duly authorized in that Behalf as aforeſaid to grant: Provided alſo, That no ſuch Officer when he ſhall be reduced, ſhall be entitled to receive Half Pay: Provided nevertheleſs, That when any ſuch Officer ſhall be rendered incapable of Military Service, by Wounds or Infirmities, contracted while he ſhall be diſcharging his Military Duty during the Period of his continuing to ſerve as ſuch Officer under the Proviſions of this Act; then and in ſuch Caſe, it ſhall be lawful for His Majeſty to make ſuch Proviſion for ſuch Officer as He ſhall think proper and neceſſary, ſo that ſuch Proviſion ſhall in no Caſe exceed the Half Pay of the Rank in

No ſuch Officer, when reduced, ſhall be entitled to Half Pay; but if rendered incapable of Service while diſcharging his Duty, His Majeſty may provide for him, &c.

in the *Britiſh* Service, ſimilar to what ſuch Officer ſhall have held at the Time of becoming ſo incapable a aforeſaid: Provided alſo, That no ſuch Perſon as aforeſaid ſhall be liable to any Pain, Penalty, or Forfeiture whatever, for having accepted any ſuch Commiſſion, or inliſted as a Soldier in any ſuch Regiment as aforeſaid, by Reaſon of his having profeſſed the Popiſh Religion, and not having declared the ſame at the Time of his inliſting.

His Majeſty may bring ſuch Troops to *Great Britain* for Rendezvous, *&c.*

VII. Provided always, and be it further enacted, That it ſhall be lawful for His Majeſty, in every Caſe where He ſhall deem it neceſſary or expedient, to bring any ſuch Troops as aforeſaid, to any Port or Place in *Great Britain* for the Purpoſe of Rendezvous, or with a View to Operations abroad, and alſo to land ſuch Troops in any Part of *Great Britain* for Health or Exerciſe, ſo that there ſhall not be, within this Kingdom, more in the Whole than Six thouſand Men at any One Time; any Thing herein contained to the contrary notwithſtanding: Provided nevertheleſs, That ſuch Troops ſhall not, excepting during their March from one Part of *Great Britain* to another, be ſtationed at any greater Diſtance from the Sea Coaſt than Twenty Miles: Provided alſo, That ſuch Troops ſhall in no Caſe be billetted or quartered, either during their March or otherwiſe, but ſhall be encamped or ſtationed in Barracks, as may be moſt expedient.

Officers and Soldiers ſhall be ſubject to the Articles of War eſtabliſhed by His Majeſty, *etc.*

VIII. And be it further enacted, That all ſuch Officers and Soldiers aforeſaid reſpectively ſhall, whilſt in His Majeſty's Service as aforeſaid, be ſubject and liable to ſuch Articles of War as His Majeſty ſhall think fit to eſtabliſh for the better Government of ſuch Forces, and for bringing Offenders againſt the ſame to Juſtice; and for conſtituting Courts Martial, with Power to try, hear, and determine any Crimes or Offences by ſuch Articles of War, and inflict Penalties by Sentence or Judgement of the ſame: Provided always, That no Officer ſhall, by ſuch Articles of War, be ſubject to any Puniſhment extending to Life or Limb, for any Crime which is not expreſſed to be ſo puniſhable by an Act of this Seſſion of Parliament, (intituled, *An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters*), nor for ſuch Crimes as are expreſſed to be ſo puniſhable in the ſaid Act, in any Manner, or under any Regulations which ſhall not accord with the Proviſions of the ſaid Act: Provided alſo, That every Perſon who ſhall be enliſted as a Soldier under the Authority of this Act, ſhall be atteſted in ſuch Manner as His Majeſty ſhall direct by ſuch Articles of War, and not otherwiſe; and that ſuch Officers and Soldiers reſpectively ſhall take ſuch Oath for their Fidelity, during their Continuance in His Majeſty's Service, as His Majeſty ſhall in like Manner direct, and no other.

Continuance of Act.

IX. And be it further enacted, That this Act ſhall be in force, and have Continuance during the Term of the ſaid Agreements reſpectively ſigned by His Majeſty's Commands between his Serene Highneſs the Prince Stadtholder and the Right Honourable Lord *Grenville*, and from the End thereof to the End of the then next Seſſion of Parliament.

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