

ANNO QUADRAGESIMO SEXTO

GEORGII III. REGIS.

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than the uſual Forms of the Law will allow; 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 if any Perſon who is or ſhall be commiſſioned or in Pay as an Officer, or who is or ſhall be liſted or in Pay as a Non-commiſſioned Officer or Soldier, ſhall, at any Time during the Continuance of this Act, begin, excite, cauſe, or join in any Mutiny or Sedition in any Regiment, Troop, or Company, either of His Majeſty's Land or Marine Forces, or ſhall not uſe his utmoſt Endeavours to ſuppreſs the ſame, or coming to the Knowledge of any Mutiny, or intended Mutiny, ſhall not without Delay, give Information thereof to his Commanding Officer; or ſhall miſbehave himſelf before the Enemy; or ſhall ſhamefully abandon or deliver up any Garriſon, Fortreſs, Poſt, or Guard committed to his Charge, or which he ſhall be commanded to defend; or ſhall compel the Governor or Commanding Officer of any Garriſon, Fortreſs, or Poſt, to deliver up to the Enemy, or to abandon the ſame; or ſhall ſpeak Words, or uſe any other Means to induce ſuch Governor or Commanding Officer, or others, to miſbehave before the Enemy, or ſhamefully to abandon or deliver up any Garriſon, Fortreſs, Poſt, or Guard committed to their reſpective Charge, or which he or they ſhall be commanded to defend; or ſhall leave his Poſt before relieved; or ſhall be found ſleeping on his Poſt; or ſhall hold Correſpondence with, or give Advice or Intelligence to any Rebel or Enemy of His Majeſty, either by Letters, Meſſages, Signs, or Tokens in any Manner or Way whatſoever; or ſhall treat or enter into any Terms with ſuch Rebel or Enemy, without His Majeſty's Licence, or Licence of the General, or Chief Commander; 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; or ſhall deſert His Majeſty's Service; all and every Perſon and Perſons ſo offending in any of the Matters before mentioned, whether ſuch Offence ſhall be committed within this Realm, or in any other of His Majeſty's Dominions, or in Foreign Parts, upon Land, or upon the Sea, ſhall ſuffer Death, or ſuch other Puniſhment as by a Court-martial ſhall be awarded.

Every Officer or Private Man, during the Continuance of this Act, who ſhall mutiny or deſert, &c.

or abandon any Fortreſs, &c.

or ſhall induce others to do the like;

or ſhall be found ſleeping upon, 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 may inflict.

II. Provided, and it is hereby declared and enacted, That any Non-commiſſioned Officer or Soldier, inliſted or in Pay in any Regiment, Troop, or Company, who ſhall, without having firſt obtained a regular Diſcharge therefrom, inliſt himſelf in any other Regiment, Troop, or Company, ſhall be deemed to have deſerted His Majeſty's Service, and ſhall in like Manner ſuffer Death, or ſuch other Puniſhment as by a Court-martial ſhall be awarded.

Non-commiſſioned Officers and Soldiers enliſting in any other Regiment, &c. to be deemed Deſerters.

III. And whereas Doubts have ariſen whether Soldiers, who of Right belong to another Corps in which they firſt inliſted, and from which they have not obtained a Diſcharge, may be proceeded againſt and tried for deſerting any Corps in which they may afterwards have inliſted, or for any Crime committed by them whilſt ſerving therein; be it enacted by the Authority aforeſaid, That if any Perſon who is or ſhall be liſted or in Pay, as a Soldier, in any Regiment, Troop, or Company, in His Majeſty's Service, ſhall deſert the ſame, or ſhall, while ſerving therein, commit any Offence againſt this Act, or againſt the Rules or Articles of War, ſuch Perſon ſhall be liable to be tried by a Court-martial, and puniſhed in

Deſerters who ſhall inliſt in another Regiment, &c. may be puniſhed by a Court-martial in ſuch Regiment, &c.

like Manner as if he had originally inlisted in, and of Right belonged to the same, notwithstanding it shall have been discovered or known that he had previously belonged to some other Regiment, Troop, or Company, and had not been discharged therefrom: Provided always, That if such Person shall be claimed by such other Regiment, Troop, or Company, and be proceeded against as a Deserter therefrom, his subsequent Desertion from any One or more Corps in which he may have unwarrantably inlisted, may (unless he shall already have been tried for the same) be given in Evidence as an Aggravation of his Crime; previous Notice being always given to such Deserter of the Fact or Facts intended to be produced in Evidence upon his Trial.

Deserter may be adjudged to be transported as a Felon;

IV. And be it further enacted and declared, That in the Case of any Non-commissioned Officer or Soldier tried and convicted of Desertion, whensoever the Court-martial, which shall pass Sentence upon such Trial, shall not think the Offence deserving of capital Punishment, such Court-martial may, instead of awarding a corporal Punishment, adjudge the Offender, if they shall think fit, to be transported as a Felon for Life, or for a certain Term of Years, according to the Degree of the Offence: And if such Non-commissioned Officer or Soldier, having been adjudged to be transported as a Felon, shall afterwards (without Leave from His Majesty, or from the Governor or Commanding Officer of the Place to which he shall have been transported) return into or be found at large without Leave as aforesaid, or other lawful Cause, within any Part of the United Kingdom of *Great Britain* and *Ireland*, before the Expiration of the Term limited by such Sentence, and shall be convicted thereof in the ordinary Course of Law, every such Person shall be deemed and adjudged guilty of Felony, and shall suffer Death as a Felon without Benefit of Clergy.

and returning or found at large without Leave before Expiration of the Term limited, he shall suffer Death.

His Majesty, where Courts-martial award a capital Punishment, may order Offenders to be transported as Felons, &c.

V. Provided, and be it enacted, That in all Cases wherein a capital Punishment shall have been awarded by a Court-martial, it shall be lawful for His Majesty, instead of causing such Sentence to be carried into Execution, to order the Offender to be transported as a Felon for Life, or for a certain Term of Years, as to His Majesty shall seem meet; and if the Person so transported, in pursuance of such Order from His Majesty, shall afterwards (without Leave from His Majesty, or from the Governor or Commanding Officer of the Place to which he shall have been transported) return into or be found at large without Leave as aforesaid, or other lawful Cause, within any Part of *Great Britain* or *Ireland*, before the Expiration of the Term limited by such Order, and shall be duly convicted thereof, he shall suffer Death as a Felon without Benefit of Clergy.

When His Majesty shall intend such Sentence to be carried into Execution or extend his Mercy to Offenders sentenced to be punished with Death, on Condition of Transportation, such Sentence, with His Majesty's

VI. And be it further enacted, That whenever His Majesty shall intend any such Sentence of a Court-martial to be carried into Execution, or shall be graciously pleased to extend His Mercy, upon Condition of Transportation, to any Offender liable to the Punishment of Death by the Sentence of a Court-martial, such Sentence, together with His Majesty's Pleasure upon the same, shall be notified in Writing by the Judge Advocate General of His Majesty's Forces in *Great Britain* to any Justice of the King's Bench, Common Pleas, or Baron of the Exchequer of the Degree of the Coif, and thereupon such Justice or Baron shall make an Order for the Transportation of such Offender, upon the Terms and for the Time which shall be specified in such Notification, and shall also make such other Order or Orders, and do all such other Acts consequent upon

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Pleasure thereon, shall be notified by the Judge Advocate General to any Justice of the King's Bench, &c. who shall make an Order for the Transportation of such Offenders, in Manner directed by 24 G. 3. c. 56.

the same, as any such Justice or Baron is authorized to make or do by an Act passed in the Twenty-fourth Year of His Majesty's Reign, intituled, *An Act for the effectual Transportation of Felons and other Offenders, and to authorize the Removal of Prisoners in certain Cases; and for other Purposes therein mentioned*, with respect to Offenders in such Act mentioned, tried at any Court of Oyer and Terminer or Gaol Delivery in *England*, as in the said Act mentioned; and such Order and Orders so to be made as aforesaid, and all such Acts as shall be so done as aforesaid, shall be obeyed and done by such Person in whose Custody such Offender shall at that Time be, and all other Persons whom it may concern, and shall be as effectual and have all the same Consequences as any Order made under the Authority of the said Act with respect to any Offender in the said Act mentioned, and every Sheriff, Gaoler, Keeper, Governor, or Superintendant whom it may concern, and all Constables and other Persons, shall be bound to obey the aforesaid Order and Orders, be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience or interrupting the Execution of the same, as they would be if the same had been made under the Authority of the aforesaid Act; and every Person so ordered to be transported as aforesaid, shall be subject respectively to all and every the Provision and Provisions made by Law, and now in force concerning Persons convicted of any Crime and sentenced to be transported, or receiving His Majesty's Pardon on Condition of Transportation.

Such Notification of His Majesty's Pleasure, and Order of the Justices, &c. shall be filed in the Office of the Clerk of the Crown who shall receive a Fee of 2 s. 6 d.

VII. And be it further enacted, That the Justice or Baron who shall make any such Order as aforesaid, under any such Notification of His Majesty's Pleasure as aforesaid, shall direct the said Notification, and his own Order made thereupon, to be filed in the Office of the Clerk of the Crown of His Majesty's Court of King's Bench, and to be there kept of Record; and the said Clerk of the Crown shall receive a Fee of Two Shillings and Sixpence, and no more, for filing the same.

Such Clerk of the Crown shall, on Application, deliver a Certificate of the Conviction of any such Offender, and also of the Order of Transportation.

VIII. And be it further enacted, That the said Clerk of the Crown of His Majesty's Court of King's Bench shall, upon the Application of any such Offender who shall be ordered by His Majesty to be transported as aforesaid, or of any other Person applying on his Behalf, or on the Application of any Person on Behalf of His Majesty, deliver a Certificate in Writing under his Hand, (not taking for the same more than Two Shillings and Sixpence), containing an Account of the Christian Name and Surname of such Offender, of his Offence, of the Place where the Court was held, before whom he was convicted, and of the Terms and Conditions on which His Majesty's Order for such Offender's Transportation was given; which Certificate shall be sufficient Proof of the Conviction and Sentence of such Offender, and also of the Terms on which such Order for his Transportation was given, in any Court, and in any Proceeding wherein it may be necessary to enquire into the same.

Offenders under Sentence of Death obtaining His Majesty's conditional Pardon, shall be subject to the Laws touching the Escape of Felons, &c.

IX. And be it further enacted, That if any Offender, under Sentence of Death by a Court-martial as aforesaid, shall obtain His Majesty's conditional Pardon as aforesaid, all and every the Laws now in force, touching the Escape of Felons under Sentence of Death, shall apply to such Offender, and to all Persons aiding, abetting, or assisting in any Escape, or intended Escape of any such Offender, or contriving any such Escape, from the Time when such Order shall be made by such Justice or Baron as

as aforesaid, and during all the several Proceedings which shall be had for the Purposes aforesaid.

The King may grant a Commission for holding Courts-martial, &c. and may empower the Chief Governor, &c. of Ireland, and the Governor of Gibraltar, &c. to appoint Courts-martial.

X. And be it further enacted by the Authority aforesaid, That His Majesty may, from Time to Time, grant a Commission, under the Royal Sign Manual, for the holding of General Courts-martial within the United Kingdom of *Great Britain* and *Ireland* in like Manner as has been heretofore used; and that His Majesty may likewise, from Time to Time, by His Royal Commission, empower the Chief Governor or Governors of that Part of the United Kingdom of *Great Britain* and *Ireland* called *Ireland*, the Governor of *Gibraltar*, and the Governor of any of His Majesty's Dominions beyond the Seas respectively, or the Person or Persons there commanding in Chief His Majesty's Forces for the Time being, and may also from Time to Time extend His Royal Warrant to the Commander of the Forces in that Part of the said United Kingdom called *Ireland*; and to any General Officer having the Command of a Body of His Majesty's Forces within the United Kingdom of *Great Britain* and *Ireland*, or in any of His Majesty's Dominions or elsewhere beyond the Seas, or to the General Officer commanding such Body of Forces for the Time being, empowering them respectively to appoint General Courts-martial, as well as to authorize any Officer under their respective Command, not below the Degree of a Field Officer, to convene General Courts-martial, as Occasion may require, for the Trial of Offences committed by any of the Forces under their several Command, whether the same shall have been so committed previous to or after such General Officer shall have taken upon himself such Command; all which Courts-martial shall be constituted, and shall regulate their Proceedings according to the several Provisions herein-after specified.

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

XI. And be it further enacted, That it shall and may be lawful to and for such Courts-martial, by their Sentence or Judgement, to inflict corporal Punishment, not extending to Life or Limb, on any Soldier for Immoralities, Misbehaviour, or Neglect of Duty.

None to be tried a Second Time for the same Offence, except in Cases of Appeal.

XII. Provided always, and be it hereby declared and enacted, That no Officer or Soldier, being acquitted or convicted of any Offence, shall be liable to be tried a Second Time by the same or any other Court-martial for the same Offence, unless in the Case of an Appeal from a Regimental to a General Court-martial; and that no Sentence given by any Court-martial, and signed by the President thereof, shall be liable to be revised more than Once.

This Act not to exempt Soldiers from ordinary Proceedings.

XIII. Provided always, That nothing in this Act contained shall extend, or be construed to exempt any Officer or Soldier whatsoever from being proceeded against by the ordinary Course of Law.

Persons accused of capital Crimes, &c. to be delivered over to the civil Magistrate, &c.

XIV. Provided also, That if any Officer, Non-commission Officer, or Soldier, 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 Regiment, Troop, Company, or Party, is and are hereby required to use his 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 apprehend-

ing 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 or assisting to the Officers of Justice in apprehending such Offenders; 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 the United Kingdom of *Great Britain* and *Ireland*, 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 in *London*, if such Conviction shall be affirmed in *Great Britain*, or to the Judge Advocate in *Dublin*, if such Conviction shall be affirmed in *Ireland*; and the said Judge Advocates respectively in *London* or in *Dublin* are hereby obliged to certify the same to the next Court-martial which shall be holden in *London* or in *Dublin* respectively.

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

XV. Provided also, 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.

No Officer or Soldier having been convicted of any criminal Offence, shall be entitled to Pay from his Conviction till his Return to the Regiment.

XVI. Provided always, and be it enacted, That no Officer or Soldier having been convicted in the ordinary Course of Law of any criminal Offence, shall, while under Confinement in consequence thereof, be entitled to any Part of his Pay from the Day on which such Conviction shall have taken place, nor until the Day of his Return to the Regiment, Troop, or Company, to which he shall belong.

General Court-martial not to consist of less than 13 (except in Africa, or in New South Wales, where they are to consist of Five at least); and the President to be a Field Officer, or Officer next in Seniority, not under the Degree of a Captain.

XVII. And it is hereby further enacted and declared, That no General Court-martial which shall be held under the Authority of this Act, shall consist of a less Number than Thirteen Commission Officers; except the same shall be holden in *Africa*, or in *New South Wales*, in which Places such General Court-martial may consist of any Number not less than Five; of whom none shall be under the Degree of a Commission Officer; nor shall the President of any General Court-martial be the Commander in Chief, nor Governor of the Garrison where the Offender shall be tried, nor under the Degree of a Field Officer, unless where a Field Officer cannot be had; nor in any Case whatsoever under the Degree of a Captain; and that all General and other Courts-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.

Courts martial may administer Oaths to Witnesses.

Officers to be sworn.

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

Oaths to be taken by all Members of a General Court-martial.

'YOU shall well and truly try and determine, according to your Evidence in the Matter now before you.

'So help you GOD.'

'I *A. B.*

'I *A. B.* do ſwear, That I will duly adminiſter Juſtice, according to the Rules and Articles for the better Government of His Majeſty's Forces, and according to an Act of Parliament now in force for the Puniſhment of Mutiny and Deſertion, and other Crimes therein mentioned, without Partiality, Favour, or Affection; and if any Doubt ſhall ariſe which is not explained by the ſaid Articles, or Act of Parliament, according to my Conſcience, the beſt of my Underſtanding, and the Cuſtom of War in the like Caſes: And I further ſwear, That I will not divulge the Sentence of the Court until it ſhall be approved by His Majeſty, or by ſome Perſon duly authorized by Him; neither will I, upon any Account, at any Time whatſoever, diſcloſe or diſcover the Vote or Opinion of any particular Member of the Court-martial, unleſs required to give Evidence thereof as a Witneſs, by a Court of Juſtice, in a due Courſe of Law.

'So help me GOD.'

The Judge-advocate to be ſworn.

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

The Oath, &c.

'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.

And no Sentence of Death ſhall be given againſt any Offender in ſuch Caſe by any General Court-martial, unleſs Nine Officers preſent ſhall concur therein; (except ſuch General Court-martial ſhall be holden in *Africa*, or in *New South Wales*); and in all Caſes where a Court-martial ſhall conſiſt of more Officers than Thirteen, and alſo in *Africa* and in *New South Wales*, when the ſame ſhall conſiſt of a leſſer Number of Officers, then the Judgement ſhall paſs by the Concurrence of Two Thirds, at the leaſt 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: Provided alſo, that all Witneſſes duly ſummoned by the Judge-advocate, or the Perſon officiating as ſuch, ſhall, during their neceſſary Attendance in ſuch Courts, and in going to, and returning from the ſame, be privileged from Arreſt in like Manner as Witneſſes attending any of His Majeſty's Courts of Law are privileged; and that if any ſuch Witneſs ſhall be unduly arreſted, he ſhall be diſcharged from ſuch Arreſt by the Court out of which the Writ or Proceſs iſſued by which ſuch Witneſs was arreſted, or if the Court out of which the Writ or Proceſs iſſued be not ſitting, then by any Judge of the Court of King's Bench, in *London* or in *Dublin*, according as the Caſe ſhall require, upon its being made appear to ſuch Court or Judge by Affidavit in a ſummary Way, that ſuch Witneſs was arreſted in going to or returning from, or attending upon ſuch Court-martial; and that all Witneſſes ſo duly ſummoned as aforeſaid, who ſhall not attend on ſuch Courts, ſhall be liable to be attached in the Court of King's Bench, in *London* or *Dublin* reſpectively, upon Complaint made to the ſaid Court of King's Bench in

Hours of Trial.

Witneſſes attending Court-martial to be privileged from Arreſt.

Witneſſes not attending liable to be attached.

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like Manner as if such Witness had neglected to attend on a Trial in any criminal Proceeding in that Court.

Proceedings in Trials by Courts Martial other than General Courts Martial.

XIX. Provided also, and be it further enacted, That in all Trials by any Courts-martial, other than General Courts-martial, which shall be held by virtue of this Act, or of any Articles of War established by His Majesty in pursuance thereof, every Member assisting at such Trial, before any Proceedings be had thereupon, shall take the following Oaths upon the Holy Evangelists, (which Oaths shall and may be administered by the President of the Court to the other Members thereof, and to the President by any Member, having first taken the said Oaths); that is to say,

Oaths to be taken by the Members of such Courts-martial.

'YOU shall well and truly try and determine, according to your Evidence in the Matter now before you:

'So help you GOD.'

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

'So help me GOD.'

Appointment of President.

And the President of every such Court-martial (not being under the Rank of a Captain) shall be appointed by the Commanding Officer of the Regiment, Detachment, or Brigade, or the Governor or Commander of the Garrison, Fort, Castle, or Barrack, directing such Court-martial.

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

XX. And whereas it may be expedient, in certain Cases, and particularly in such Matters wherein any of His Majesty's Marine Force may be interested, that Officers of the Marines should be associated with Officers of the Land Forces, for the Purpose of holding Courts-martial; be it enacted and declared, That when and as often as it may be necessary, it shall and may be lawful for Officers of the Land and Marine Forces to sit in Conjunction upon Courts-martial, and to proceed in the Trial of any Officer or Soldier of the Land Forces, in like Manner, to all Intents and Purposes as if such Courts-martial were composed of Officers of the Land Forces only; and the Officers of the Land and Marine 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.

Officers of the King's Forces and Officers in the East India Company's Service, may sit in Conjunction at Courts-martial, &c.

XXI. And whereas it may also be expedient, when any of His Majesty's Land Forces are employed in the *East Indies*, that Officers in the Service of the United Company of Merchants of *England* trading to the *East Indies* should, in certain Cases, be associated with Officers of His Majesty's Land Forces, for the Purpose of holding Courts-martial; be it enacted and declared, That when and as often as there may be Occasion, it shall and may be lawful for Officers of His Majesty's Land Forces, and of the Forces in the Service of the United Company of Merchants of *England* trading to the *East Indies*, to sit in Conjunction at Courts-martial, and to proceed in the Trial of any Officer or Soldier, in like Manner, to

all Intents and Purposes, as if such Courts-martial were composed of Officers of His Majesty's Land Forces, or of Officers in the Service of the said United Company only; with this Distinction, that, upon the Trial of any Officer or Soldier of His Majesty's Land Forces, Regard shall be had to the Regulations and Provisions made by or in pursuance of this Act; and the Oaths administered to the several Members of the Court-martial shall be in the Terms by this Act prescribed; and upon the Trial of any Officer or Soldier in the Service of the said United Company, Regard shall be had to the Regulations and Provisions made by or in pursuance of an Act passed in the Twenty-seventh Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the United Company of Merchants of* England *trading to the* East Indies; *and for the Punishment of Offences committed in the* East Indies, *or at the Island of* Saint Helena; and the Oaths administered to the several Members of the Court-martial shall be in the Terms prescribed by the same Act.

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

XXII. Provided always, and be it enacted, That the Party tried by any General Court Martial within *Europe* (except in the Garrison of *Gibraltar*), 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; and in case of Trials by any General Court-martial at *Gibraltar*, at any Time not sooner than Six Months after the Sentence given by such Court-martial; and in the case of Trials by any General Court-martial in His Majesty's other Dominions beyond the Seas, or in Foreign Parts, at any Time not sooner than Twelve Months after the Sentence given by such Court-martial, whether such Sentences be approved or not; any Thing in this Act to the contrary notwithstanding.

Original Proceedings, &c. of Courts-martial to be transmitted to the Judge advocate General in London, or to the Judge-advocate General in Dublin, in Cases where the Courts-martial have been appointed in Ireland.

XXIII. Provided also, and be it enacted by the Authority aforesaid, That every Judge Advocate, or Person officiating as such at any General Court-martial, 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 Judge Advocate General in *London*, unless such Court-martial shall have been appointed in *Ireland*, in which Case they shall be transmitted to the Judge Advocate General for that Part of the United Kingdom, in *Dublin*; and the said Original Proceedings and Sentences are to be carefully kept and preserved in their respective Offices, to the End that the Persons entitled thereto may be enabled, upon Application to such Offices respectively, to obtain Copies thereof, according to the true Intent and Meaning of this Act.

Proceedings of Courts, or Entries, or Copies thereof, not liable to Stamp Duties.

XXIV. Provided also, and be it further enacted and declared, That none of the Proceedings of any General or Regimental Court-martial, nor any Entry or Copy thereof, shall be charged or chargeable with any Stamp Duty whatsoever; any Thing contained in any former Act or Acts to the contrary notwithstanding.

His Majesty empowered to make Articles of War,

XXV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for His Majesty to form, make, and establish

eſtabliſh Articles of War, for the better Government of His Majeſty's Forces; which Articles ſhall be judicially taken Notice of by all Judges, and in all Courts whatſoever.

and to conſtitute, and to authorize others to convene, Courts-martial.

XXVI. And be it further enacted by the Authority aforeſaid, That for bringing Offenders againſt ſuch Articles of War to Juſtice, it ſhall be lawful for His Majeſty to erect and conſtitute Courts-martial, as well as to grant His Royal Commiſſions or Warrants to the Perſons and in the Manner herein-before mentioned and expreſſed for convening and authorizing others to convene Courts-martial; with Power to try, hear, and determine, any Crimes or Offences by ſuch Articles of War, and to inflict Penalties by Sentence or Judgement of the ſame, as well within the United Kingdom of *Great Britain* and *Ireland*, in *Jerſey*, *Guernſey*, *Alderney*, *Sark*, or *Man*, and the Iſlands thereto belonging, as in His Majeſty's Garriſon of *Gibraltar*, and in any of His Majeſty's Dominions beyond the Seas, or elſewhere beyond the Seas.

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

XXVII. Provided always, That no Perſon ſhall, by ſuch Articles of War, be ſubjected to any Puniſhment extending to Life or Limb, within the United Kingdom of *Great Britain* and *Ireland*, *Jerſey*, *Guernſey*, *Alderney*, *Sark*, or *Man*, or any of the Iſles thereto belonging, for any Crime which is not expreſſed to be ſo puniſhable by this Act; nor for ſuch Crimes as are expreſſed to be ſo puniſhable, in any Manner, or under any Regulations, which ſhall not accord with the Proviſions of this Act.

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

XXVIII. Provided alſo, and be it further enacted, That if any Officer or Soldier ſhall, in any of His Majeſty's Dominions beyond the Seas, or elſewhere beyond the Seas, commit any of the Offences triable by Courts-martial by virtue of this Act, and ſhall come or be brought into this Realm, or into *Jerſey*, *Guernſey*, *Alderney*, *Sark*, or *Man*, or the Iſlands thereto belonging, before he be tried by a Court-martial for ſuch Offence; ſuch Officer or Soldier ſhall be tried and puniſhed for the ſame, as if the ſaid Offence had been committed within this Realm.

Muſters to be made Twice a Year.

XXIX. And whereas it is of eſſential Importance, as well to the due Obſervance of publick Economy, as to the Diſcipline of His Majeſty's Forces, that they ſhould be regularly muſtered, and that the Muſters ſhould be taken with the ſtricteſt Accuracy and Exactneſs; be it enacted by the Authority aforeſaid, That Muſters ſhall be made, had, or taken, of every Regiment, Troop, or Company, in His Majeſty's Service, Twice at the leaſt in every Year, at ſuch Times as ſhall be appointed.

No muſter in Weſtminſter, &c. but in the Preſence of Two or more Juſtices.

XXX. And be it further enacted, That no Commiſſary ſhall muſter any Regiment, Troop, or Company, within the City of *Weſtminſter*, and Borough of *Southwark*, and Liberties thereof, but in the Preſence of Two or more Juſtices of the Peace not being Officers of the Army, under the Penalty of Fifty Pounds, and of being diſcharged from his Office; unleſs ſuch Juſtices upon Forty-eight Hours Notice being given to Six of His Majeſty's Juſtices of the Peace, reſiding within the City and Liberties aforeſaid reſpectively, ſhall neglect to attend ſuch Muſter; and in caſe of ſuch Neglect, ſuch Commiſſary may proceed to muſter ſuch Regiment, Troop, or Company; provided that Oath be made before any of His

Majesty's Justices of the Peace, within Forty-eight Hours after such Muster taken, that such Notice was given to Six Justices of the Peace as aforesaid, which Justices so attending are hereby empowered to sign the said Muster-rolls, and to take Cognizance of such Muster and to examine the Truth thereof before they sign the same.

Penalty on giving false Certificates to excuse Soldiers from Musters.

XXXI. And, for preventing of Fraud and Deceit in the mustering of Soldiers, be it further enacted by the Authority aforesaid, That if any Person do make or give, or procure to be made or given, any false or untrue Certificate, whereby to excuse any Soldier for his Absence from any Muster, or any other Service, which he ought to attend or perform, upon Pretence of being employed on some other Duty of the Regiment, or of Sickness, being in Prison or on Furlough; then every such Person, so making, giving, or procuring, such Certificate, shall, for every such Offence, forfeit the Sum of Fifty Pounds, and shall be forthwith cashiered and displaced from his Office, and shall be thereby utterly disabled to have or hold any Military Office or Employment within this Realm, or in His Majesty's Service, and no Certificate shall excuse the Absence of any Soldier but for the Reasons above mentioned or One of them.

Penalty on Officers making false Musters, &c.

XXXII. And be it further enacted by the Authority aforesaid, That every Officer that shall make any false or untrue Muster of Man or Horse, and every Commissary, Muster-master, or other Officer, who shall wittingly or willingly allow or sign the Muster-roll wherein such false Muster is contained, or any Duplicate thereof; and also every Commissary, Muster-master, or other Officer, who shall directly or indirectly take, or cause to be taken, any Sum or Sums of Money, or any other Gratuity, on or for the mustering any Regiment, Troop, or Company, or on or for the signing of any Muster-rolls, or any Duplicate thereof, upon Proof thereof upon Oath made by Two Witnesses before a General Court-martial to be thereupon called, (which is hereby authorized and required to administer such Oath,) 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 the United Kingdom of *Great Britain* and *Ireland*, or in His Majesty's Service.

Penalty on Officers mustering Persons by wrong Names.

XXXIII. And it is enacted, That if any Officer or Commissary shall muster any Person by a wrong Name knowingly, upon Conviction thereof, before a General Court-martial, the said Officer or Commissary shall suffer such Penalties and in such Manner as is directed and inflicted by this Act upon those who shall make false Musters.

Penalty on Persons offering themselves to be falsely mustered.

XXXIV. And be it further enacted, by the Authority aforesaid, That if any Person shall be falsely mustered, or offer himself falsely or deceitfully to be mustered, upon Proof thereof made upon Oath by Two Witnesses, before the next Justice of the Peace for the County where such Muster shall be made, and upon Certificate thereof in Writing, under the Hand of the Commissary of the Musters, or Chief Magistrate as aforesaid, made to such Justice of the Peace, the said Justice is hereby authorized and required to commit such Offender to the House of Correction, there to remain for the Space of Ten Days: And if any Person shall wittingly or

Horses falsely mustered, to be forfeited, &c.

or wilfully lend or furnish any Horse to be mustered, which shall not truly belong to the Trooper or Troop so mustered, the said Horse so falsely mustered shall be forfeited to the Informer, if the same doth belong to the Person lending or furnishing the said Horse; or otherwise, the Person lending or furnishing the said Horse shall forfeit the Sum of Twenty Pounds, upon Oath made by Two Witnesses, before the next Justice of the Peace; which Twenty Pounds shall be levied, by Warrant under the Hand and Seal of the said Justice, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering the Overplus (if any be) to the Owner: And in case such Offender shall not have sufficient Goods and Chattels whereon Distress may be made to the Value of the Penalty to be recovered against him, or shall not pay such Penalty within Four Days after such Conviction; then, and in such Case, such Justice of the Peace shall and may, by Warrant under his Hand and Seal, 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; and the said Forfeiture shall be to such Person or Persons that shall give Information thereof; and the said Informer or Informers, if belonging to the Service, shall have a Right to be discharged forthwith, if he or they shall demand the same.

Forfeiture how to be levied.

Muster-rolls Ten Miles distant from London, to be closed within 24 Hours after the Muster,

and returned within Seven Days, to the Commissary General of Muster, &c.

Penalty.

XXXV. And be it further enacted by the Authority aforesaid, That in *Great Britain* the Deputy or Deputies of the Commissary General shall, upon every Half yearly Muster, taken by him or them respectively of any Regiment, Troop, or Company, in His Majesty's Service at any Place Ten Miles distant from *London*, close the Muster-rolls of the said Regiment, Troop, or Company, within Twenty-four Hours after such Muster shall have been made; and shall return the Rolls so taken, by the Post or other safe Conveyance, within Seven Days after their being closed, to the Office of the Commissary General of Musters, who shall, and he is hereby directed and required to transmit One Set of every of the said Rolls to the Secretary at War, One to the Paymaster General of His Majesty's Land Forces, and One to the Comptroller of the Accounts of the Army, on or before the First Day of *May*, and Twenty-ninth Day of *September*, respectively following such Half-yearly Muster: And no Alterations or Indorsements shall be made in or upon the said Muster-rolls, other than in the Case of Orders of Leave or Dates of Commissions, and other than involuntary Errors or literal Mistakes in writing or transcribing the said Muster-rolls, upon Pain of forfeiting their respective Employments, and the Sum of Twenty Pounds to any Person that will sue for the same, for every such Offence.

Recital of the Petition of Right 3 Car. &c.

XXXVI. And whereas by the *Petition of Right*, in the Third Year of King *Charles* the First, it is enacted and declared, that the People of the Land are not by the Laws to be burthened with the Sojourning of Soldiers against their Wills; and by a Clause in an Act of the *British* Parliament, made in the One and-thirtieth Year of the Reign of King *Charles* the Second, for granting a Supply to His Majesty of Two hundred and six thousand four hundred sixty-two Pounds Seventeen Shillings and Threepence, for paying and disbanding the Forces, it is declared and enacted, that no Officer, Civil or Military, nor other Person whatsoever, should from thenceforth presume to place, quarter, or billet, any Soldier or Soldiers

diers upon any Subject or Inhabitant of this Realm, of any Degree, Quality, or Profeſſion whatſoever, without his Conſent; and that it ſhall and may be lawful for any Subject, Sojourner, or Inhabitant, to refuſe to quarter any Soldier or Soldiers, notwithſtanding any Demand or Warrant, or Billetting whatſoever: But foraſmuch as at this Time, and during the Continuance of this Act, there is and may be Occaſion for the marching and quartering of Regiments, Troops, and Companies, in ſeveral Parts of the United Kingdom of *Great Britain* and *Ireland*; be it further enacted by the Authority aforeſaid, That, for and during the Continuance of this Act, and no longer, it ſhall and may be lawful to and for the Conſtables Tithingmen, 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 Officers and Soldiers 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; other than and except Perſons who keep Taverns only, being Freemen of the Company of Vintners of the City of *London*, who were admitted to the Freedom before the Fifth Day of *July* One thouſand ſeven hundred and fifty-ſeven, or who ſince have or ſhall hereafter be admitted to their Freedom of the ſaid Company in Right of Patrimony or Apprenticeſhip, notwithſtanding ſuch Perſons who keep Taverns only have taken out Victualling Licences; 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 for 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; nor ſhall any more Billets at any Time be ordered than there are effective Soldiers preſent to be quartered; all which Billets when made out by ſuch Chief Magiſtrates or Conſtables, ſhall be delivered into the Hands of the Commanding Officer preſent. And if any Conſtable, Tythingman, or ſuch like Officer or Magiſtrate, as aforeſaid, ſhall preſume to quarter or billet any ſuch Officer or Soldier in any ſuch private Houſe, without the Conſent of the Owner or Occupier, in ſuch Caſe ſuch Owner or Occupier ſhall have his or their Remedy at Law againſt ſuch Magiſtrate or Officer, for the Damage that ſuch Owner or Occupier ſhall ſuſtain thereby: And if any Military Officer ſhall take upon him to quarter Soldiers otherwiſe than is limited and allowed by this Act, or ſhall uſe or offer any Menace or Compulſion to or upon 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 Military Officer ſhall for every ſuch Offence, (being thereof convicted before any Two or more of the 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

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

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

Penalty on Conſtables, &c. quartering Soldiers in private Houſes, &c.

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

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, in *London*, 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 billeted in his Houſe a greater Number of Soldiers 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 Soldiers 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 Juſtices reſpectively ſhall have, and have hereby Power to relieve ſuch Perſon, by ordering ſuch and ſo many of the Soldiers 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 Soldiers accordingly.

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

XXXVII. Provided alſo, and be it further enacted, That no Juſtice or Juſtices of the Peace, having or executing any Military Office or Commiſſion in that Part of *Great Britain* called *England*, ſhall and may, during the Continuance of this Act, directly or indirectly, be concerned in the quartering, billetting, or appointing any Quarters for any Soldier or Soldiers in the Regiment, Troop, or Company, under the immediate Command or Commands of ſuch Juſtice or Juſtices, according to the Diſpoſition made for quartering of any Soldier or Soldiers by virtue of this Act; but that all Warrants, Acts, Matters, or Things, executed or appointed by ſuch Juſtice or Juſtices of the Peace, for or concerning the ſame, ſhall be void; any Thing in this Act contained to the contrary notwithſtanding.

No Juſtice having any Military Office in England to be concerned in billetting his Soldiers.

XXXVIII. And be it further enacted and declared by the Authority aforeſaid, That whenever any Order ſhall iſſue for the quartering or billetting the Officers or Soldiers of His Majeſty's Regiments of Foot-guards, within the City and Liberties of *Weſtminſter*, and Places adjacent, lying in the County of *Middleſex* and in the County of *Surrey*, and in the Borough of *Southwark* in the ſaid County of *Surrey*, the High Conſtables ſhall deliver out Precepts to the ſeveral Petty Conſtables, Headboroughs, or Tithingmen, of each Pariſh, Ward, Hamlet, and Diſtrict, within their reſpective Diviſions to billet and quarter ſuch Officers and Soldiers of His Majeſty's Regiments of Foot-guards on ſuch Houſes only as by this Act is limited within their reſpective Pariſhes, Hamlets, or Diſtricts; and ſuch Petty Conſtables, Headboroughs, and Tythingmen, ſhall, in purſuance thereof, billet and quarter every ſuch Officer and Soldier in ſuch Houſes ſo ſubjected thereto by this Act, equally and proportionably, according to the Number of ſuch Officers and Soldiers ſo to be billetted and quartered, and of the Houſes ſo ſubjected to receive them; and ſuch Officers and Soldiers of the Foot-guards ſhall be quartered within the ſaid City and Liberties of *Weſtminſter* and the Places adjacent, lying in the ſaid County of *Middleſex*, (except the City of *London*), and in the ſaid County of *Surrey*, and in the ſaid Borough of *Southwark* in the ſaid County of *Surrey*, in the

Conſtables, &c. may iſſue Precepts for billetting Soldiers in Weſtminſter, &c

the ſame Manner, and under the ſame Regulations, as in other Parts of *England*, in all Caſes for which particular Proviſion is not made by this Act.

Conſtables, &c. in Weſtminſter, &c. to deliver Liſts at Quarter Seſſions on Oath, of Inhabitants and Soldiers quartered in their reſpective Diviſions;

XXXIX. And, for the better preventing Abuſes in billetting and quartering ſuch Officers and Soldiers in the ſaid City and Liberties of *Weſtminſter*, and Parts adjacent, lying in the ſaid County of *Middleſex*, and in the ſaid County of *Surrey*, and in the ſaid Borough of *Southwark* in the ſaid County of *Surrey*, be it enacted by the Authority aforeſaid, That the Petty Conſtables, Headboroughs, and Tithingmen, of their reſpective Pariſhes, Wards, Hamlets, and Diſtricts, within the ſame, ſhall, at every General Quarter Seſſions of the Peace to be holden for the ſaid City and Liberties of *Weſtminſter*, in the ſaid County of *Middleſex*, and the ſaid County of *Surrey*, and the ſaid Borough of *Southwark* in the ſaid County of *Surrey* reſpectively, make and deliver to the Juſtices then in open Seſſions aſſembled, upon Oath (which Oath they the ſaid Juſtices are hereby authorized and required to adminiſter) true Liſts ſigned by them reſpectively, of all ſuch Houſes, together with the Number of all ſuch Perſons reſpectively inhabiting the ſame, within his or their Pariſh, Ward, Hamlet, or Diſtrict reſpectively, as are ſubject and liable by this Act to receive ſuch Officers and Soldiers, together with the Names and Rank of all ſuch Officers and Soldiers as are quartered and billetted in each Houſe reſpectively; and ſuch Liſts ſhall remain with the Clerks of the Peace of the ſaid City and Liberties of *Weſtminſter*, the ſaid County of *Middleſex*, the ſaid County of *Surrey*, and the ſaid Borough of *Southwark* in the ſaid County of *Surrey* reſpectively, to the Intent that all and every Perſon and Perſons may be at Liberty to inſpect the ſame without any Fee or Reward; and ſuch Clerk ſhall forthwith, from Time to Time, make and deliver to every or any Perſon or Perſons who ſhall require the ſame, true Copies of all and every or any ſuch Liſts, upon being paid Two-pence a Sheet for each and every ſuch Copy ſo taken, each Sheet to be computed at and contain One hundred and fifty Words: And if Default or Neglect ſhall be made by any Petty Conſtable, Headborough, or Tithingman, of any ſuch Pariſh, Ward, Hamlet, or Diſtrict in the delivering ſuch Liſts to the Juſtices at their Quarter Seſſions as aforeſaid; or if he or they ſhall ſo deliver, or cauſe to be delivered in, any falſe or defective Liſt not including and ſpecifying therein all and every ſuch Houſe and Houſes ſo liable by this Act to receive ſuch Officers and Soldiers or the Names and Rank of all ſuch Officers and Soldiers as are quartered and billetted in each Houſe reſpectively; ſuch Petty Conſtable, Headborough, and Tithingman, or any of them ſo offending therein, ſhall, for each ſuch Offence, forfeit each the Sum of Five Pounds, to the Uſe of the Poor of ſuch reſpective Pariſhes, Wards, Hamlets, and Diſtricts; to be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant or Warrants under the Hand and Seal, or Hands and Seal, of One or more of His Majeſty's Juſtice or Juſtices of the Peace for the ſaid City and Liberties of *Weſtminſter*, for the ſaid County of *Middleſex*, and for the ſaid County of *Surrey*, and for the ſaid Borough of *Southwark* in the ſaid County of *Surrey* reſpectively (which Warrant or Warrants the ſaid Juſtice or Juſtices is and are hereby empowered and required to make and iſſue); and for Want of ſufficient Diſtreſs to be found for that Purpoſe,

to be inſpected without Fee.

Copies of ſuch Liſts to be wrote by the Clerk at 2d. per Sheet, containing 150 Words.

Penalty on Default.

Penalty on giving defective Liſts.

How to be levied.

poſe, the ſaid Juſtice or Juſtices is and are hereby empowered and required, by Warrant or Warrants, under his or their Hands and Seals, to commit the Perſon or Perſons ſo offending to the common Gaol of the ſaid City of *Weſtminſter*, the ſaid County of *Middleſex*, the ſaid County of *Surrey*, or the ſaid Borough of *Southwark* in the ſaid County of *Surrey*, there to remain for any Time to be limited by ſuch Juſtice or Juſtices, not exceeding Three Months nor leſs than One Month, without Bail or Mainprize.

Officers, Men, and Horſes, belonging to the Horſe or Dragoons, and alſo Bat and Baggage Horſes, &c. how to be quartered, &c.

XL. And be it further enacted by the Authority aforeſaid, That the Officers, Men, and Horſes, belonging to His Majeſty's Horſe or Dragoons, and alſo all Bat and Baggage Horſes belonging to any of His Majeſty's other Forces, and alſo the Horſes belonging to Staff and Field Officers in His Majeſty's Forces when upon actual Service, not exceeding for each Officer the Number for which Forage is or ſhall be allowed by His Majeſty's Regulations, ſhall and may be quartered and billetted in the Inns, Livery Stables, Alehouſes, Victualling Houſes, and other Houſes in which Officers and Soldiers are by this Act allowed to be quartered and billetted, and that they ſhall be received and furniſhed by the Owners or Occupiers of ſuch Inns, Livery Stables, Alehouſes, Victualling Houſes, and other Houſes in which they are ſo allowed to be quartered and billetted, with Diet and Small Beer, and with Stables, and Hay and Straw for ſuch Horſes, 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, and Hay and Straw for ſuch Horſes.

Dragoons, &c. quartered on Perſons who have no Stables, may be removed to thoſe who have Stables, &c.

XLI. Provided always, and be it further enacted by the Authority aforeſaid, That when any of His Majeſty's Horſe or Dragoons, or any other Horſes as aforeſaid, ſhall be quartered or billetted upon the Owner or Owners, Occupier or Occupiers, of any Alehouſe, Victualling Houſe, or other Houſe in which Officers or Soldiers may be quartered by virtue of this Act, who have no Stables; then, and in ſuch Caſe, and upon Complaint made by the Perſon or Perſons having no Stables to Two or more Juſtices of the Peace of the Diviſion, City, or Liberty, where ſuch Horſe or Dragoons, or other Horſes, ſhall be ſo quartered and billetted, and upon his or their making ſuch Allowance in lieu of his or their quartering ſuch Horſe or Dragoons, or other Horſes, as ſuch Juſtices ſhall think reaſonable, it ſhall and may be lawful for ſuch Juſtices to order the Men and their Horſes, or ſuch Horſes only, as the Caſe may be, to be removed and quartered upon ſome other Perſon or Perſons who by this Act are liable to have Officers and Soldiers quartered and billetted upon them who have Stables, and to order and ſettle a proper Allowance to be made by the Perſon or Perſons having no Stables in lieu of his or their quartering ſuch Horſe or Dragoons, or other Horſes, ſo to be removed as aforeſaid; and alſo to order and direct that ſuch Allowance ſhall be paid by the Perſon or Perſons from whom ſuch Men and Horſes ſhall be removed, to or amongſt the Perſon or Perſons to whom ſuch Men and Horſes ſhall be ſo removed as aforeſaid, or be applied in the furniſhing of Quarters for the Reception of ſuch Men and Horſes, as the Caſe may require, and as ſuch Juſtices ſhall think fit.

Dragoons, &c. and their Horſes, to be billetted in the ſame Houſes.

XLII. And whereas great Inconveniences have ariſen, and may ariſe in ſuch Places where Horſe or Dragoons are or may be quartered by the billetting of the Men and their Horſes at different Houſes, and often at great Diſtances from one another, contrary to the true Intent and Meaning of this Act; be it therefore enacted by the Authority aforeſaid, That in all Places where Horſe or Dragoons ſhall be quartered or billetted in purſuance of this Act, for the future, the Men and their Horſes ſhall be billetted in one and the ſame Houſe, (except in caſe of Neceſſity); and that in no other Caſe whatſoever there be leſs than One Man billetted where there ſhall be One or Two Horſes, nor leſs than Two Men where there ſhall be Four Horſes, and ſo in Proportion for a greater Number; and in ſuch Caſe each Man ſhall be billetted as near his Horſe as poſſible.

Manner of changing Men and Horſes.

XLIII. And whereas ſome Doubts have ariſen, whether Commanding Officers of any Regiment, Troop, or Company, may exchange any Men or Horſes quartered in any Town or Place, with another Man or Horſe quartered in the ſame Place, for the Benefit of the Service; be it declared and enacted by the Authority aforeſaid, That ſuch Exchange as above mentioned may be made by ſuch Commanding Officers reſpectively, provided the Number of Men or Horſes do not exceed the Number at that Time billetted on ſuch Houſe or Houſes; and the Conſtables, Tithingmen, Headboroughs, and other Chief Officers, and Magiſtrates of the Cities, Towns, and Villages, or other Places where any Regiment, Troop, or Company, ſhall be quartered, are hereby required to billet ſuch Men and Horſes ſo exchanged accordingly.

Penalty on taking Money to excuſe any Perſon from quartering.

XLIV. Provided always, and be it enacted by the Authority aforeſaid, That if any 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 Soldiers, 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.

Penalty on Conſtables, &c. taking Money to excuſe any Perſon from quartering;

XLV. And be it further enacted by the Authority aforeſaid, That if any High Conſtable, Conſtable, Borſholder, 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 Officers or Soldiers, ſhall neglect or refuſe to quarter or billet ſuch Officers or Soldiers when thereunto required, in ſuch Manner as is by this Act directed, provided ſufficient Notice be given before the Arrival of ſuch Troops; 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 Soldier; or in caſe any Victualler, or any other Perſon liable by this Act to have any Officer or Soldier billetted or quartered on him or her, ſhall refuſe to receive or victual any ſuch Officer or Soldier 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-after reſpectively directed to be furniſhed or allowed to Non-commiſſioned Officers or Soldiers ſo quartered or billetted on him or her, as aforeſaid; or ſhall neglect or refuſe to furniſh good and ſufficient Stables, together with

and on Victuallers refuſing to quarter Soldiers.

good and ſufficient Hay and Straw for each Horſe ſo quartered or billetted on him or her, as aforeſaid, at the Rate herein-after mentioned, and ſhall be thereof convicted, before 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 of Money not exceeding Five Pounds nor leſs than Forty Shillings, (as the ſaid Juſtice or Juſtices, before whom the Matter ſhall be heard, ſhall in his or their Diſcretion think fit); to be levied, by Diſtreſs and Sale of the Goods of the Perſon offending, by Warrant under the Hand and Seal, or Hands and Seals, of ſuch Juſtice or Juſtices before whom ſuch Offender ſhall be convicted, or of One or more of them, to be directed to any other Conſtable within the County, City, or Liberty, or to any of the Overſeers of the Poor of the Pariſh where the Offender ſhall dwell; which ſaid Sum of Five Pounds, or the ſaid Sum not exceeding Five Pounds nor leſs than Forty Shillings, when levied, ſhall be applied, in the Firſt Place, in making ſuch Satisfaction to any Soldier for the Expence he may have been put to by reaſon of his not being billetted or quartered as aforeſaid, as ſuch Juſtice or Juſtices ſhall order and direct; and the Remainder ſhall be paid to the Overſeers of the Poor of the Pariſh wherein the Offence ſhall be committed, or to ſome One of them, for the Uſe of the Poor of the ſaid Pariſh.

Juſtices may order Conſtables to give an Account of the Number of Soldiers quartered, etc.

XLVI. And, for the better preventing Abuſes in quartering or billetting the Soldiers 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 Soldiers 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 Soldiers who ſhall be quartered or billetted by them, and alſo the Names of the Houſekeepers or Perſons upon whom every ſuch Officer or Soldier 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 Soldiers 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.

Officers and Soldiers to pay Rates for their Diet.

XLVII. Provided nevertheleſs, and it is hereby enacted, That the Officers and Soldiers 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 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.

XLVIII. Provided

If Innholders furnish the Men quartered on them with Candles, Vinegar, and Salt, gratis, &c. the Men (except when on a March, &c.) shall provide their own Victuals and Small Beer.

XLVIII. 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 Soldiers who are recruiting, and the Recruits by them raised), shall be desirous to furnish such Non-commission Officers and Soldiers with Candles, Vinegar, and Salt, *gratis*, and allow to such Non-commission Officers or Soldiers 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 Soldiers so quartered shall provide their own Victuals and Small Beer; and the Officer to whom it belongs to receive, or that does actually receive, the Pay and Subsistence of such Non-commission Officers and Soldiers, 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 Soldiers as aforesaid, and not to the Innholder or other Person, on whom such Non-commission Officers and Soldiers are quartered; any Thing herein contained to the contrary notwithstanding.

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

XLIX. And that the Quarters both of Officers and Soldiers may hereafter 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 Twenty-fourth Day of *June* One thousand eight hundred and six, every Officer to whom it belongs to receive, or that does actually receive, the Pay or Subsistence-money, either for a whole Regiment, or particular Troops and Companies, 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 Soldiers 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 the Officers or Soldiers, 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 Soldiers 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 Soldiers: Provided the said Accounts exceed not, for a Commission Officer of Horse, being under the Degree of a Captain, for such Officer's Diet and Small Beer, *per Diem*, Two Shillings; nor for One Commission Officer of Dragoons, being under the Degree of a Captain, for such Officer's Diet and Small Beer, *per Diem*, One Shilling; nor for One Commission Officer of Foot, under the Degree of a Captain, for such Officer's Diet and Small Beer, *per Diem*, One Shilling; nor for One Light Horseman's Diet and Small Beer, *per Diem*, Seven-pence; nor for One Dragoon's Diet and Small Beer, *per Diem*, Seven-pence; nor for One Foot Soldier's Diet and Small Beer, *per Diem*, Five-pence; nor for each Horse

Rates of Subsistence to be paid to Innkeepers, *etc.* for Soldiers Quarters.

Horſe which ſhall be quartered under the Authority of this Act for Hay and Straw for ſuch Horſe, *per Diem*, Sixpence: 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 where ſuch Quarters were, (which Oath the Juſtices of the Peace at ſuch Seſſions are hereby authorized and required to adminiſter), the Paymaſter, or Paymaſters of His Majeſty's Guards and Garriſons, and Marines are hereby required and authorized (upon Certificate of the ſaid Juſtices before whom ſuch Oath was made, of the Sum due upon ſuch Accounts and the Perſons to whom the ſame is owing), to pay and ſatisfy the ſaid Sums out of the Arrears due to the ſaid Officer or Officers, upon Penalty that ſuch Paymaſter or Paymaſters ſhall forfeit their reſpective Place or Places of Paymaſter or Paymaſters, 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 Paymaſters are hereby authorized and required to deduct the Sums he or they ſhall pay, purſuant to the Certificate of the ſaid Juſtices, out of the next Pay or Subſiſtence-money of the Regiment to which ſuch Officer or Officers ſhall belong; and ſuch Officer or Officers ſhall, for every ſuch 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 Officer or Soldier ſhall, by Occaſion of any Accident, not be paid to ſuch Officer or Soldier, or ſuch Officer or Soldier ſhall neglect to pay the ſame, ſo that Quarters cannot be or are not paid as this Act directs; and where any Horſe, Foot, or Dragoons, ſhall be upon their March, ſo that no Subſiſtence can then be remitted to them, to make Payment as this Act directs, or they ſhall neglect to pay the ſame; 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 Regiment, Troop, or Company, ſhall remain for any Time whatſoever, make up the Accounts, as this Act directs, with every Perſon with whom ſuch Regiment, Troop, or 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 Regiment, Troop, or Company, to which he or they ſhall belong; to the End the ſaid Certicficate may be forthwith tranſmitted to the Paymaſter of His Majeſty's Guards and Garriſons, or to the Paymaſter of the Marines, who are 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 Regiment, Troop, or Company, reſpectively, under Pain as is before in this Act directed for Non-payment of Quarters.

Penalty Officers not giving Notice, and not ſatisfying Accounts.

On Nonpayment of Quarters, the Officer to make up Accounts, &c.

L. And be it enacted by the Authority aforeſaid, That if any Officer, Military or Civil, by this Act authorized 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, Man, or Maid Servants, of any Officer or Soldier, in any ſuch Houſes, againſt the Conſent of the Owners; the Party offending, if an Officer of the Army,

Soldiers Wive, &c. not to be quartered without Conſent.

Penalty.

Army, ſhall upon Complaint and Proof thereof made to the Commander in Chief of the Army, 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.

Cauſe relating to Soldiers Settlements for their Wives and Children when quartered in England.

LI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Two or more Juſtices of the Peace for the County, Town, or Place, where any Non-commiſſion Officer or Soldier ſhall be quartered, in that Part of *Great Britain* called *England*, in caſe ſuch Non-commiſſion Officer or Private Soldier have either Wife or Child or Children, to cauſe ſuch Non-commiſſion Officer or Soldier to be ſummoned before them, in the Town or Place where ſuch Non-commiſſion Officer or Soldier ſhall be quartered, in order to make Oath of the Place of their laſt legal Settlement, (which Oath the ſaid Juſtices are hereby empowered to adminiſter); and ſuch Non-commiſſion Officers and Private Soldiers as aforeſaid are hereby directed to obey ſuch Summons, and to make Oath accordingly; and ſuch Juſtices are hereby required to give an atteſted Copy of ſuch Affidavit ſo made before them to the Perſon making the ſame, to be by him delivered to his Commanding Officer, in order to be produced when required; which atteſted Copy ſhall be at any Time admitted in Evidence, as to ſuch laſt legal Settlement, before any of His Majeſty's Juſtices of the Peace, or at any General or Quarter Seſſion of the Peace: Provided always, That in caſe any Non-commiſſion Officer or private Soldier ſhall be again ſummoned to make Oath as aforeſaid, then, on ſuch atteſted Copy of the Oath by him formerly taken being produced by him, or by any other Perſon on his Behalf, ſuch Non-commiſſion Officer or Soldier ſhall not be obliged to take any other or further Oath with regard to his legal Settlement, but ſhall leave a Copy of ſuch atteſted Copy of Examination, if required.

For the providing Carriages for the Forces marching in England.

LII. And be it further enacted by the Authority aforeſaid, That for the better and more regular Proviſion of Carriages for His Majeſty's 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 an Order from His Majeſty, or the General of His Forces, or the Maſter General or Lieutenant General of His Majeſty's Ordnance, or other Perſon duly authorized in that Behalf, ſhall as often as ſuch Order is brought and ſhewn unto One or more of them by the Quartermaſter, Adjutant, or other Officer or Non-commiſſioned Officer of the Regiment, Detachment, Troop, or Company, ſo ordered to march, iſſue out his or their Warrants to the Conſtables, or Petty Conſtables, of the Diviſion, Riding, City, Liberty, Hundred, and Precinct, from, through, near, or to which ſuch Regiment, Detachment, Troop, or Company ſhall be ordered to march; requiring them to make ſuch Proviſion of Carriages, with able Men to drive the ſame, as is mentioned in the ſaid Warrant,

allowing them ſufficient Time to do the ſame, that the neighbouring Parts may not always bear the Burthen; and ſpecifying in the ſaid Warrants the Place or Places to which the ſaid Carriages ſhall by virtue of ſuch Order as aforeſaid, be required to travel, and which ſhall not exceed One Day's Journey, unleſs in any Caſe of Neceſſity where the Day's March of the Troops is preſcribed in the Order produced to the Magiſtrate, and where the ſame does not exceed Twenty-five Miles: And in caſe ſufficient Carriages cannot be provided within any ſuch Liberty, Diviſion, or Precinct, then the next Juſtice or Juſtices of the Peace of the County, Riding, or Diviſion, ſhall, upon ſuch Order as aforeſaid, being brought or ſhewn to One or more of them by any of the Officers aforeſaid, iſſue his or their Warrant to the 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 from the Juſtices of the Peace, are to demand the Carriage or Carriages therein mentioned of the 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 or carrying not leſs than Fifteen hundred Weight ſhall travel; and the Sum of Sixpence for every Mile every Cart or other Carriage, with leſs than Four Horſes, and not carrying Fifteen hundred Weight ſhall travel; or any further Sum not exceeding Four-pence for every Mile any Waggon with Five Horſes, or any Wain with Six Oxen, or with Four Oxen and Two Horſes ſhall travel; and not exceeding Three-pence for every Mile any Cart with Four Horſes or carrying not leſs than Fifteen hundred Weight ſhall travel; and not exceeding Two-pence for every Mile any Cart or Carriage with leſs than Four Horſes and not carrying Fifteen hundred Weight ſhall travel; according as the ſame ſhall be fixed and ordered by the Juſtices of the Peace for any County or Diſtrict aſſembled at any General Seſſions of the Peace for ſuch County or Diſtrict, the ſaid Juſtices having regard to the Price of Hay and Oats at the Time of fixing ſuch additional Rates; 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 Military Officer or Officers, for the Uſe of whoſe Regiment, Detachment, Troop, or Company the Carriage was provided, ſhall force and conſtrain any Waggon, Wain, Cart, or Carriage, to travel beyond the Diſtance ſpecified in the Magiſtrate's Warrant, or ſhall not diſcharge the ſame in due Time for their Return Home on the ſame Day, if it be practicable, or ſhall ſuffer any Soldier 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

Warrants to ſpecify the Places to which the Carriages, ſhall travel &c.

Rates for Carriages.

Penalty on Officers forcing Waggons to travel more than Magiſtrate's Warrant ſpecifies.

for themſelves, or Servants, or ſhall force Horſes from the Owners, by themſelves, Servants, or Soldiers; 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 of the ſame County or Riding, who are to certify the ſame to the Paymaſter-general, or other reſpective Paymaſter of His Majeſty's 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 the aforeſaid Juſtices of the Peace of the ſame County or Riding, and is hereby empowered to deduct the ſame out of ſuch Officer's Pay: Provided always, that in Caſes where the Day's March of the Troops ſhall be ſuch, either owing to the Diſtance of Place, State of the Roads, or Seaſon of the Year, as not to admit of the Return of the Carriages on the ſame Day on which they ſhall have been impreſſed, ſuch further Compenſation ſhall be made and paid in like Manner to the Owners of the ſaid Carriages as ſhall be deemed reaſonable, by the Magiſtrate who granted the Warrant for impreſſing them, not exceeding the uſual Rate and Hire of ſuch Carriages: Provided alſo, that every Order of the Juſtices aſſembled at any General Seſſions of the Peace fixing a further Sum to be paid for the Hire of Carriages as aforeſaid, in Addition to the cuſtomary Rates of One Shilling, and Ninepence, and Sixpence *per* Mile reſpectively, ſhall ſpecify the Period for which the ſame ſhall be in force, and which ſhall not in any Caſe exceed Ten Days beyond the General Seſſions of the Peace for ſuch County or Diſtrict next enſuing the Date of ſuch Order.

Further Compenſation to be made for Carriages in Caſes where they cannot return the ſame Day on which impreſſed.

Order of Juſtices for Payment of additional Rates ſhall ſpecify the Period for which it ſhall be in Force, not to exceed 10 Days.

LIII. And whereas it may ſometimes become neceſſary, in Caſes of Emergency, to provide proper and ſpeedy Means for the Carriage and Conveyance not only of the Arms, Cloaths, Accoutrements, Tents, Baggage, and other Equipage of and belonging to His Majeſty's Forces in their Marches, but alſo of the Officers, Soldiers, Servants, Women, Children, and other Perſons of and belonging to ſuch Forces: And whereas it is expedient that Proviſion ſhould be made for enforcing prompt Obedience to ſuch Orders as His Majeſty may in ſuch Caſes think fit to iſſue in purſuance of the Powers by Law veſted in him for the Advancement of the general Good and publick Welfare of the Realm; be it therefore further enacted by the Authority aforeſaid, That it ſhall be lawful for His Majeſty, by His Order, diſtinctly ſtating that ſuch Caſe of Emergency doth exiſt, ſignified by the Secretary at War for the Time being to any General or Field Officer commanding His Majeſty's Forces in any Diſtrict or Place, or to the Commiſſary General of Stores and Proviſions at Home, to authorize ſuch General or Field Officers or Commiſſary General as aforeſaid, by Writing under his Hand, reciting ſuch Order of His ſaid Majeſty, to require all Juſtices of the Peace within their ſeveral Counties, Ridings, Diviſions, Cities, Liberties, and Precincts in *England*, *Wales*, and Town of *Berwick-upon-Tweed*, to iſſue his or their Warrant or Warrants for any of the Purpoſes herein-after mentioned; and ſuch Juſtice or Juſtices ſhall, when and as often as ſuch Requiſition in Writing as laſt mentioned ſhall be brought and ſhewn unto any One or more of ſuch Juſtices, by the Quarter-Maſter, Adjutant, or other Officer of the Regiment, Detachment, Troop, or Company, ſo ordered to be conveyed, or by any Officer in the Department of the ſaid Commiſſary General,

In Caſes of Emergency the Secretary at War, by Order of His Majeſty, may authorize a General or Field Officer, or the Commiſſary General of Stores and Proviſions to require Juſtices to iſſue Warrants for providing Saddle Horſes and Four-wheeled Carriages, let to Hire, and alſo Veſſels uſed in Canals or navigable Rivers, with Men and Horſes.

Juſtices on Requiſition to iſſue Warrants for providing them, ſpecifying the Diſtance they are to go.

General, to iſſue out his or their Warrant or Warrants to the Conſtables, or Petty Conſtables, of the County, Diviſion, Riding, City, Liberty, Hundred, and Precinct, from, through, near, or to which ſuch Regiment, Detachment, Troop, or Company ſhall be ſo ordered to be conveyed, requiring them to make ſuch Proviſion not only of Waggons, Wains, and Carts kept by, or belonging to, any Perſon or Perſons, and for any Uſe or Purpoſe whatſoever, but alſo of Saddle Horſes, Coaches, Chaiſes, and other Four-wheeled Carriages uſually let to Hire, or kept for that Purpoſe; and alſo of Boats, Barges, and other Veſſels, uſed for the Carriage of Coals, Stone, Lime, Manure, or of Goods, Wares, or Merchandizes, or any other Articles or Commodity whatſoever, upon any Canal or navigable River, with able Men and Horſes to drive, navigate, and draw the ſame, as ſhall be mentioned in the ſaid Warrant or Warrants, therein ſpecifying the Place or Diſtance to which ſuch Horſes, Carriages, Boats, Barges, or other Veſſels and Men ſhall go and be conveyed, and allowing ſuch Conſtables ſufficient Time to make ſuch Proviſion, that the neighbouring Parts may not always bear the Burthen; and in caſe ſuch ſufficient Carriages, Horſes, Boats, Barges, or other Veſſels, and Men cannot be provided within any ſuch County, Riding, Diviſion, Hundred, City, Liberty, or Precinct, then the next Juſtice or Juſtices of the Peace of the next County, Riding, Diviſion, City, Liberty, or Precinct, ſhall upon ſuch Requiſition in Writing as laſt aforeſaid being brought or ſhewn to any One or more of them, by any of the Officers aforeſaid, iſſue his or their Warrant or Warrants to the Conſtables, or Petty Conſtables, of ſuch next County, Riding, City, Liberty, Diviſion, Hundred, or Precinct, for the Purpoſes laſt aforeſaid, to make up ſuch Deficiency; and the aforeſaid Officer or Officers who, by virtue of the aforeſaid Warrant or Warrants from the Juſtice or Juſtices of the Peace, are to demand the Carriages, Horſes, Boats, Barges, or other Veſſels therein mentioned, of the Conſtable or Petty Conſtable to whom the ſaid Warrant or Warrants ſhall be 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 or Perſons who ſhall provide ſuch Carriages, Horſes, Boats, Barges, or other Veſſels, and Men, ſuch reaſonable Sum and Sums of Money, as the ſaid Juſtice or Juſtices ſhall in and by his or their ſaid Warrant or Warrants order and direct, not exceeding the uſual Rate and Hire of ſuch and the like Carriages, Horſes, Boats, Barges, or other Veſſels, and Men, according to the Length of the Journey or Voyage in each particular Caſe, but making no Allowance for Poſt Horſe Duty, or Turnpike, Canal, River, or Lock Tolls (which Duty or Tolls are hereby declared not to be demandable or payable in ſuch and the like Caſes, for any ſuch Carriages, Horſes, Boats, Barges, and other Veſſels, whilſt employed in ſuch Service or returning therefrom); for which ſaid reſpective Sum and Sums ſo received, the ſaid Conſtable or Petty Conſtable is hereby required to give a Receipt in Writing, but without any Stamp, to the Perſon or Perſons paying the ſame; and ſuch Conſtable or Petty Conſtable ſhall order and appoint ſuch Perſon or Perſons having ſuch Horſes, Carriages, Boats, Barges, or other Veſſels, and Men, within their reſpective Liberties, as they ſhall think proper, to provide and furniſh ſuch Horſes, Carriages, Boats, Barges, or other Veſſels, and Men, according to the Warrant or Warrants aforeſaid, who are hereby required to provide and furniſh the ſame accordingly; and it ſhall and may be lawful in ſuch Caſes, to and for all and every Military Officer

Officers demanding them, to pay for their Hire ſuch Sums as the Juſtices ſhall direct, not exceeding the uſual Rates, but making no Allowance for Poſt Horſe Duty or Tolls, which in ſuch Caſes are not demandable.

Conſtables to give a Receipt without Stamp; and to order the Horſes, &c. to be provided.

Military Officers may convey on them Arms,

Officer and Officers, for the Uſe of whom, or of whoſe Regiment, Detachment, Troop, or Company, ſuch Horſes, Carriages, Boats, Barges, or other Veſſels ſhall be provided in ſuch Caſes, to carry and convey, and permit to be carried and conveyed, on the ſame reſpectively, not only the Arms, Cloaths, Accoutrements, Baggage, Tents, and other Equipage of ſuch Regiment, Detachment, Troop, or Company, but alſo the Officers, Soldiers, Servants, Women, Children, and other Perſons of and belonging to the ſame; any Thing herein contained to the contrary thereof notwithſtanding: But if any ſuch Officer or Officers ſhall force and conſtrain any Horſe, Carriage, Boat, Barge, or other Veſſel, to travel or proceed beyond the Diſtance or Place to be allowed and ſpecified in ſuch Warrant or Warrants, without the ſpecial Licence or Order of One or more other ſuch Juſtice or Juſtices of the Peace in that Behalf, and which Licence or Order One or more of ſuch Juſtices is and are hereby authorized and required to give and make at his and their reaſonable Diſcretion, 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 of the ſame County or Riding, Diviſion, City, Liberty, or Precinct, who are to certify the ſame to the Paymaſter General, or other reſpective Paymaſter of His Majeſty's 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 the aforeſaid Juſtices of the Peace of the ſame County, Riding, Diviſion, City, Liberty, or Precinct, and who is hereby empowered to deduct the ſame out of ſuch Officer's Pay.

Cloaths, Accoutrements, Baggage, Equipage, Officers, Soldiers, Servants, Women, Children, and other Perſons.

Penalty on Officers forcing Horſes, &c. to travel beyond the Diſtance ſpecified in Warrant, without Licence.

LIV. 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 Thirty hundred Weight; any Thing in this Act contained to the contrary notwithſtanding.

No Waggons, &c. to carry above 30 Hundred Weight.

LV. And be it further enacted by the Authority aforeſaid, That if any High Conſtable, or Petty Conſtable, ſhall wilfully neglect or refuſe to execute ſuch Warrant or Warrants of the Juſtices of the Peace, as ſhall be directed unto them for providing Carriages, Horſes, Boats, Barges, and other Veſſels, as aforeſaid; or ſhall demand or receive for the Uſe of the Owners furniſhing ſuch Waggons, Wains, Carts, or Carriages, more than the accuſtomed Rates *per* Mile, of One Shilling, Nine-pence, or Sixpence, according to the Size of the reſpective Carriages as aforeſaid, unleſs any further Sums, not exceeding the Amount herein-before ſpecified, ſhall have been previouſly fixed and ordered by the Juſtices at any General Seſſions of the Peace aſſembled as aforeſaid; or if any Perſon or Perſons, appointed by ſuch Conſtable or Petty Conſtable, to provide or furniſh any Carriage, and Man, Horſe, Boat, Barge, or other Veſſel, ſhall refuſe or neglect to provide the ſame; or if ſuch Perſon or Perſons, or any other Perſon or Perſons whatſoever, ſhall wilfully do any Act or Thing, whereby the Execution of the ſaid Warrant 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 Five Pounds, nor leſs than Forty Shillings, to the Uſe of the Poor of ſuch Pariſh or Pariſhes adjoining to the Pariſh where ſuch Offence ſhall be committed,

Penalty on Conſtables, &c. for Neglect.

committed, as ſhall be fixed upon by the Juſtice or Juſtices by whom ſuch Offence ſhall be enquired of, heard, and determined: And all and every ſuch Offence and Offences ſhall and may be enquired of, heard, and finally determined, by any One of His Majeſty's Juſtices of the Peace, dwelling in or near the Place where ſuch Offence ſhall be committed; who has 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 Owners.

Officers and Soldiers, etc. on Duty, and Carriages, employed in His Majeſty's Service, exempted from Payment of Tolls,

LVI. And whereas in conſequence of certain Exemptions from Toll, expreſsly allowed by ſeveral Acts of Parliament for His Majeſty's Forces on their March, or on Duty, and for the Horſes and Carriages attending them, Doubts have ariſen whether in all Caſes not ſo exempted, the Officers and Soldiers, and the Carriages, and Horſes, Boats, Barges, and other Veſſels belonging to His Majeſty or employed in His Service, and returning therefrom, may not be charged with the Payment of Tolls; therefore for obviating ſuch Doubts, it is hereby enacted and declared, That all His Majeſty's Officers and Soldiers, and their Horſes, on Duty, or on their March, and all Carriages and Horſes belonging to His Majeſty, or employed in His Service, and returning therefrom, and alſo all Boats, Barges, and other Veſſels belonging to His Majeſty, or employed in His Service, when conveying the Officers, Soldiers, Servants, Women, Children, or other Perſons of or belonging to His Majeſty's Forces, and alſo the Arms, Clothes, Accoutrements, Tents, Baggage, and other Equipage, of or belonging to His Majeſty's Forces on their Marches, or returning therefrom, were and are, and ſhall be exempted from Payment of any Duties and Tolls otherwiſe demandable by virtue of any Act of Parliament already made, or hereafter to be made, for Perſons, Horſes, Carriages, or Veſſels, paſſing Turnpike Roads, Bridges, Rivers, Canals, or Locks, unleſs by ſuch Act it has been or ſhall be expreſsly provided that the ſaid Officers, Soldiers, Carriages, Horſes, and Veſſels, are and ſhall be liable equally with others to the Duties and Tolls therein authorized to be demanded and taken.

Unleſs where it is provided that they are liable with others.

Treaſurer of the County to repay the Conſtables extraordinary Charges.

LVII. And whereas the reſpective Sums of Money, by this Act appointed to be paid to the Conſtables by the Officers demanding ſuch Carriages, Horſes, Boats, Barges, or other Veſſels, may not, in many Caſes, be ſufficient to anſwer the Charge and Expence of providing the ſame, inſomuch that the ſaid Conſtables may frequently be at great Charges, over and above what is received by them of the ſaid Officers, to the great Burthen of the Townſhip of which he is Conſtable, or elſe the Perſons providing ſuch Carriages are grievouſly oppreſſed: For Remedy whereof, and that the ſaid 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, Horſes, Boats, Barges, and other Veſſels, over and above what was or ought to have been paid by the Officer requiring ſuch Carriages, Horſes, Boats, Barges, and other Veſſels, 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 Ways by and through which ſuch Carriages, Horſes, Boats, Barges, and other Veſſels, are to travel and paſs.

The Money for that Purpoſe how to be raiſed.

LVIII. 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, Horſes, Boats, Barges, and other Veſſels 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 County Gaols and Bridges, to ſatisfy the ſaid extraordinary Charge of Carriages, Horſes, Boats, Barges, and other Veſſels.

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

LIX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to quarter Officers and Soldiers in *Scotland*, in ſuch and the like Places and Houſes as they might have been quartered in by the Laws in force in *Scotland* at the Time of its Union with *England*; and that the Poſſeſſors of ſuch Houſes ſhall only be liable to furniſh the ſaid Officers and Soldiers quartered there, as by the ſaid Laws in force at the Time of the ſaid Union was provided; and that no Officer ſhall be obliged to pay for his Lodging where he ſhall be regularly billetted, except in the Suburbs of *Edinburgh*.

Carriages, in Scotland, how to be provided.

LX. And be it further enacted, That the Carriages for the Service of the Forces from Time to Time 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 its Union with *England*.

How the Troops are to pay in paſſing over Ferries in Scotland.

LXI. And be it further enacted, That where any Troops or Parties upon Command have Occaſion in their March to paſs regular Ferries in that Part of *Great Britain* called *Scotland*, it ſhall and may be lawful for the Commanding Officer either to paſs over with his Party as Paſſengers, or to hire the Ferry-boat entirely to himſelf and his Party, debarring others for that Time, in his Option; and in caſe he ſhall chuſe to take Paſſage for himſelf and Party as Paſſengers, he ſhall only pay for himſelf and for each Perſon, Officer, or Soldier under his Command, Half of the ordinary Rate payable by ſingle Perſons at any ſuch Ferry; and in caſe he ſhall hire the Ferry-boat for himſelf and Party he ſhall pay Half of the ordinary Rate for ſuch Boat or Boats; and in ſuch Places where there are no regular Ferries, but that all Paſſengers hire Boats at the Rate they can agree for; Officers, with or without Parties, are to agree for Boats at the Rate as other Perſons do in the like Caſes.

Officers and Soldiers to be quartered in Ireland, as the

LXII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to quarter Officers and Soldiers in *Ireland*, in ſuch and

Laws in force at the Time of the Union direct.

and the like Places and Houſes as they might have been quartered in by the Laws in force in *Ireland* at the Time of its Union with *Great Britain*; and that the Poſſeſſors of ſuch Houſes ſhall only be liable to furniſh the ſaid Officers and Soldiers quartered there, as by the ſaid Laws in force at the Time of the ſaid Union was provided.

Carriages in Ireland, how to be provided.

LXIII. And be it further enacted, That the Carriages for the Service of the Forces, from Time to Time quartered or marching in *Ireland*, ſhall be provided in like Manner, and at the Rates, and the Furniſher of ſuch Carriages ſhall be paid as was directed by the Laws in force in *Ireland* at the Time of its Union with *Great Britain*.

Lord Lieutenant may appoint a Perſon to ſign Marching Routes.

LXIV. And be it further enacted, That it ſhall be lawful for the Lord Lieutenant or other Chief Governor for the Time being, of *Ireland*, to depute by Warrant under his Hand and Seal, ſome proper Perſon to ſign Routes for the marching of any of His Majeſty's Forces in *Ireland* in the Name of ſuch Lord Lieutenant or Chief Governor.

Penalty on Officers or Soldiers deſtroying the Game.

LXV. And for the better Preſervation of 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-fourth Day of *June* One thouſand eight hundred and ſix, 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, Pidgeon, or any other Sort of Fowls, Poultry, or Fiſh, or His Majeſty's Game, within the United Kingdom of *Great Britain* and *Ireland*, 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 authorized to hear and determine the ſame; (that is to ſay), every Officer ſo offending ſhall for every ſuch Offence, forfeit the Sum of Five Pounds, to be diſtributed among the Poor of the Place where ſuch Offence ſhall be committed; and every Officer commanding in Chief upon the Place, for every ſuch Offence committed by any Soldier 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.

Clauſe for Relief of Perſons haſtily inliſting themſelves.

LXVI. Provided nevertheleſs, and it is hereby enacted and declared by the Authority aforeſaid, That, from and after the ſaid Twenty-fourth Day of *June* One thouſand eight hundred and ſix, when and as often as any Perſon or Perſons ſhall be inliſted as a Soldier or Soldiers in His Majeſty's Land Service, he or they ſhall, within Four Days, but not ſooner than Twenty-four Hours, after ſuch inliſting reſpectively, be carried before ſome Juſtice of the Peace of any County, Riding, City, or Place, or Chief Magiſtrate of any City or Town Corporate, reſiding or being next to, or in,

in the Vicinity of the Place where such Person or Persons shall have been inlisted, and not being an Officer in the Army, 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 inlisting 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 read over, or in his own Presence cause to be read over, to such Person or Persons the Third and Fourth Articles of the Second Section, and the First Article of the Sixth Section of the Articles of War against Mutiny and Desertion, and to tender and administer to such Person or Persons respectively, not only the Oath of Fidelity mentioned in the said Articles of War, but also the Oath mentioned in the Schedule to this Act annexed, marked (A.); and if such Person or Persons shall take the said Oaths, then such Justice or Chief Magistrate shall, and he is hereby required forthwith to certify under his Hand the inlisting and swearing together with the Place of the Birth, Age, and Calling, if known, of such Person or Persons, in the Form mentioned in the Schedule to this Act annexed, marked (B.) except in the Case of Recruits inlisted to serve either in His Majesty's Troops, or in the Forces of the *East India* Company, according as His Majesty shall think fit, in pursuance of an Act passed in the Thirty-ninth Year of the Reign of His Majesty, intituled, *An Act for better recruiting the Forces of the* East India *Company*, in which Case every such Recruit shall, instead of the said Oath of Fidelity, and of the Oath contained in the Schedule (A.) to this Act annexed, take the Oath of Allegiance directed by the said Act of the Thirty-ninth of His Majesty, and contained in the Schedule to this Act annexed, marked (C.); and the Justice or Chief Magistrate shall certify such Inlistment and Swearing accordingly in the Form mentioned in the Schedule to this Act annexed, marked (D.); and if any such Person or Persons, so to be certified, shall wilfully 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 said Oath of Fidelity; and every Military Officer that shall act contrary hereto, or offend herein, shall incur the like Penalty and Forfeiture as is by this Act to be inflicted upon any Officer for making a false and untrue Muster; and the Penalty and Forfeiture shall be levied and recovered in the same Manner as any Penalties or Forfeitures are by this Act to be levied or recovered.

Such Persons not paying the Money within the limited Time to be deemed to be enlisted; in which Case, or if they enlist, the Justices to read over to them the 3d and 4th Articles of the 2d Section, and the 1st Article of the 6th Section of the Articles of War, and to administer the Oath of Fidelity, and the Oath annexed in Schedule (A.)

Justices to certify the Inlistment in the Form in Schedule (B.)

Recruits inlisted under 39 G. 3. c. 109, for the East India Company's Service, &c. shall take the Oath of Allegiance contained in Schedule (C.) and Justices to certify the Inlistment in the Form in Schedule (D.)

Such Persons refusing to take the Oath of Fidelity, may be confined.

Penalty on Officers acting contrary hereto.

LXVII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall receive the Inlisting Money from any Officer (knowing it to be such), and shall abscond, or refuse to go before such Justice or Chief Magistrate, in order to declare his Assent or Dissent as aforesaid;

Persons refusing the said Relief, to be proceeded against as if duly inlisted.

aforeſaid; ſuch Perſon or Perſons ſhall be deemed and taken to be inliſted to all Intents and Purpoſes whatſoever; and ſhall and may be proceeded againſt as if he or they had taken the Oaths directed by this Act to be taken before ſuch Juſtice or Chief Magiſtrate.

Penalty on Apprentices inliſting themſelves.

LXVIII. And be it further enacted, That if any Perſon duly bound as an Apprentice, ſhall enliſt as a Soldier in His Majeſty's Land Service, and ſhall ſtate to the Juſtice of the Peace, or Magiſtrate before whom he ſhall be carried, that he is not an Apprentice, every ſuch Perſon ſo offending ſhall be deemed guilty of a Miſdemeanor, and being thereof duly convicted, ſhall be and is hereby declared to be ſubject and liable to be impriſoned in any Gaol or Houſe of Correction, and kept to hard Labour for Two Years, and ſhall, after the Expiration of his Apprenticeſhip, be liable to ſerve as a Soldier in any Regiment of His Majeſty's regular Forces; and if, on the Expiration of his Apprenticeſhip, he ſhall not deliver himſelf to ſome Officer authorized to receive Recruits, may be taken as a Deſerter from His Majeſty's Forces.

Maſters, to entitle them to claim Apprentices, ſhall take the Oath mentioned in Schedule (E.) within One Month after Apprentices ſhall have abſconded.

LXIX. And be it further enacted, That no Maſter ſhall be entitled to claim any Apprentice who ſhall, after the paſſing of this Act, enliſt as a Soldier in His Majeſty's Land Service, unleſs ſuch Maſter ſhall within One Calendar Month after ſuch Apprentice ſhall have abſconded or left his Service, go before ſome Juſtice of the Peace or Magiſtrate, and before ſuch Juſtice of the Peace or Magiſtrate take the Oath mentioned in the Schedule to this Act annexed, marked (E.), and produce the Certificate of ſuch Juſtice of the Peace or Magiſtrate of his having taken ſuch Oath, which Certificate ſuch Juſtice of the Peace or Magiſtrate is hereby required to give in the Form and Schedule to this Act annexed marked (F.)

No Perſon, except an Apprentice, liable to be arreſted or taken out of the Service on account of any Breach of Contract to ſerve a Maſter.

LXX. Provided always, and it is hereby further enacted, That no Perſon whatever, except an Apprentice, who has enliſted or ſhall enliſt himſelf into His Majeſty's Service as a Soldier as aforeſaid, ſhall be liable to be arreſted or taken out of His Majeſty's Service by reaſon of the Warrant of any Magiſtrate or Magiſtrates on account of any Breach of Contract or Engagement to ſerve or work for any Maſter or Employer whatſoever.

Where any Corps beyond Seas ſhall be relieved in order to return Home, ſuch of the Men as ſhall chuſe may be inliſted, and incorporated with thoſe appointed to remain; the Occaſion of quitting ſuch former Corps to be recited in the Inliſting Certificate.

LXXI. And be it further enacted, That when and as often as any Regiment or Company ſhall be relieved at any Station or Place beyond the Seas, in order to their Return to *Great Britain* or *Ireland*, it ſhall and may be lawful for any Officer or Officers, thereunto authorized by the Commander in Chief at ſuch Station or Place reſpectively, to enliſt as many of the Soldiers belonging to ſuch Regiment or Company, returning to *Great Britain* or *Ireland*, as ſhall be willing, and who ſhall appear to be fit for Service, and to incorporate them in any Regiment or Company which ſhall be appointed to remain; and every Soldier ſo enliſted ſhall be, and is hereby deemed to be, diſcharged from the Regiment or Company in which he before ſerved; and the Occaſion of his quitting ſuch former Corps ſhall be recited in the inliſting Certificate; a Duplicate, or an atteſted Copy whereof, ſhall be delivered to ſuch Soldier, to protect

protect him from being anyways moleſted upon Suſpicion of his having deſerted.

LXXII. And be it further enacted, That every Soldier entitled to his Diſcharge under any Orders or Regulations made by His Majeſty, or upon the Expiration of any Period for which he ſhall have engaged to ſerve, ſhall, if then ſerving abroad, be ſent to *Great Britain* or *Ireland*, free of Expence, and be entitled on his Return to, and have and receive Marching Money, from the Place of his being landed to the Pariſh or Place in which he ſhall have been originally enliſted, at the Rate of Twelve Miles for each Day's March, with the uſual Number of halting Days; and every Soldier ſo entitled to his Diſcharge, who ſhall be diſcharged at any Place in the United Kingdom, other than that in which he ſhall have been atteſted, ſhall be entitled to the like Marching Money, from the Place of his Diſcharge to the Place of his Atteſtation as aforeſaid.

Soldiers entitled to Diſcharge to be ſent Home free of Expence, and have Conduct and Marching Money Home.

LXXIII. And whereas ſeveral Soldiers, being duly liſted, do afterwards deſert, and are often found wandering, or otherwiſe abſenting themſelves illegally from His Majeſty's Service, it is hereby further enacted, That it ſhall and may be lawful for the Conſtable, Headborough, or Tithingman, of the Town or Place where any Perſon, who may be reaſonably ſuſpected to be ſuch a Deſerter, ſhall be found, or for any Officer or Soldier in His Majeſty's Service, to apprehend, or cauſe ſuch ſuſpected Perſon to be apprehended, and to bring or cauſe him to be brought before any Juſtice of the Peace, living in or near ſuch Town or Place, who hath hereby Power 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 liſted Soldier, and ought to be with the Troop or 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 the Houſe of Correction, or other publick Priſon, in ſuch Town or Place where ſuch Deſerter ſhall be apprehended; or to the *Savoy*, in caſe ſuch Deſerter ſhall be apprehended within the City of *London* or *Weſtminſter*, or Places adjacent; or to the Provoſt Marſhal in caſe ſuch Deſerter ſhall be apprehended within the City or Liberties of *Dublin*, or Places adjacent; and tranſmit an Account thereof to the Secretary at War for the Time being in *London*, or if the Deſerter be apprehended in *Ireland*, to the Chief Secretary to the Chief Governor or Governors thereof, to the End that ſuch Perſon may be removed by an Order from the Office of the ſaid Secretary at War, or Chief Governor or Governors, and proceeded againſt according to Law: And the Keeper of every Gaol, Houſe of Correction, or Priſon, in which ſuch Deſerter ſhall at any Time be confined, ſhall receive ſuch Subſiſtence for the Maintenance of ſuch Deſerter during the Time that he ſhall continue in his Cuſtody, as by His Majeſty's Regulations is or ſhall from Time to Time be directed in that Behalf, but ſhall not be entitled to any Fee or Reward on Account of the Impriſonment of ſuch Deſerter; and the Keeper of every Gaol, Houſe of Correction, or other publick Priſon, ſhall, and he is hereby required to receive and confine ſuch Deſerter while on the Road from the Place

Juſtices may commit Deſerters.

where he was apprehended to the Place to which he is to be conveyed, either by Warrant of the ſaid Juſtice, or by Order from the Office of the Secretary of War, or of the Chief Governor or Governors of *Ireland*, and ſhall not be entitled to any Fee or Reward on Account of the Impriſonment of the ſaid Deſerter; any Law, Uſage, or Cuſtom, to the contrary notwithſtanding.

Reward for taking up Deſerters.

LXXIV. And, for the better Encouragement of any Perſon or Perſons to ſecure or apprehend ſuch Deſerters from His Majeſty's Service, 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 in *Great Britain* where any Deſerter ſhall be apprehended, or in *Ireland*, to the Collector or Collectors of His Majeſty's Revenue in the Diſtrict where any Deſerter ſhall be apprehended, for paying, out of the Land-Tax Money or Revenue ariſen or to ariſe, in the Year One thouſand eight hundred and ſix, into the Hands of ſuch Perſon or Perſons as ſhall apprehend, or cauſe to be apprehended, any Deſerter from His Majeſty's Service, the Sum of Twenty Shillings for every ſuch Deſerter as ſhall be 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.

LXXV. Provided always, and be it enacted, That if any Perſon ſhall harbour, conceal, or aſſiſt any Deſerter from His Majeſty's Service, knowing him to be ſuch, the Perſon ſo offending ſhall forfeit, for every ſuch Offence, the Sum of Twenty Pounds; and upon Conviction, by the Oath of One or more credible Witneſs or Witneſſes, before any of His Majeſty's Juſtices of the Peace, the ſaid Penalty of Twenty Pounds ſhall be levied, by Warrant under the Hand of ſuch Juſtice of the Peace, by Diſtreſs and Sale of the Goods and Chattels of the Offender; One Moiety of the ſaid Penalty to be paid to the Informer, and the other Moiety to be paid to the Officer to whom any ſuch Deſerter did belong: And in caſe any ſuch Offender, who ſhall be convicted as aforeſaid of harbouring, concealing, or aſſiſting any ſuch Deſerter, ſhall not have ſufficient Goods and Chattels whereon Diſtreſs may be made, to the Value of the Penalty awarded againſt him or her for ſuch Offence, or ſhall not pay ſuch Penalty within Four Days after ſuch Conviction, then, and in ſuch Caſe, ſuch Juſtice of the Peace ſhall and may, by Warrant under his Hand and Seal, commit ſuch Offender to the Common Gaol, there to remain without Bail or Mainprize, for the Space of Six Months: Provided alſo, that if any Perſon ſhall knowingly detain, buy, or exchange, or otherwiſe receive from any Soldier or Deſerter, or any other Perſon, upon any Account or Pretence whatſoever, any Arms, Clothes, Caps, or other Furniture, belonging to the King, or any Meat, Drink, Beer, or other Proviſion, provided under any Regulations relating thereto, or any ſuch Articles belonging to any Soldier or Deſerter, as are generally deemed Regimental Neceſſaries, according to the Cuſtom of the Army, being provided for the Soldier, and paid for by Deductions out of his Pay, or cauſe the Colour of any ſuch Clothes to be changed, the Perſon ſo offending ſhall forfeit for every ſuch Offence the Sum of Five Pounds; or if any Perſon ſhall buy or receive any Oats, Hay, Straw,

Penalty on Perſons receiving any Arms, Clothes, &c. of Soldiers or Deſerters, &c.

Straw, or other Forage, provided for the Use of any Horse or Horses, belonging to His Majesty's Service, from any Dragoon, or other Soldier, knowing him to be such, or shall move, procure, counsel, solicit, or entice any Dragoon, or other Soldier, knowing him to be such, to sell or otherwise dispose of any such Oats, Hay, Straw, or other Forage as aforesaid, the Person so offending 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 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 Hand of such Justice 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, and One Moiety of the said last-mentioned Penalty of Five Pounds to be paid to the Informer, and the Residue of the said respective Penalties to be paid to the Officer to whom any such Deserter or Soldier did belong; and in case any such Offender who shall be convicted as aforesaid of having knowingly received any Arms, Clothes, Caps, or other Furniture, belonging to the King, or any such Meat, Drink, Beer, or other Provisions, or any such Articles generally deemed Regimental Necessaries, or of having caused the Colour of such Clothes to be changed, or of having bought or received any Oats, Hay, Straw, or other Forage, provided for the Use of any Horse or Horses belonging to His Majesty's Service from any Dragoon or other Soldier, knowing him to be such, or of having moved, procured, councelled, solicited, or enticed, any Dragoon or other Soldier, knowing him to be such, to sell or otherwise dispose of any such Oats, Hay, Straw, or other Forage, as aforesaid, 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 of the Peace shall and may, by Warrant under his Hand and Seal, 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 or privately whipped, at the Discretion of such Justice. and on Persons buying or receiving Oats, Hay, or Forage, provided for His Majesty's Service.

LXXVI. Provided always, That no Commission Officer shall break open any House to search for Deserters without Warrant from a Justice of the Peace; and that every Commission Officer who shall without Warrant from One or more of His Majesty's Justices of the Peace, (which said Warrants the said Justice or Justices are hereby empowered to grant), forcibly enter into, or break open, the Dwelling House or Outhouses of any Person whomsoever, under Pretence of searching for Deserters, shall, upon due Proof thereof, forfeit the Sum of Twenty Pounds. Penalty on Officer breaking open any House without Warrant.

LXXVII. And whereas Soldiers, absent from their Regiments on Furlough granted to them by their Commanding Officers, are sometimes prevented by Sickness, or other unavoidable Casualty from returning to their Duty before the Expiration of the Time limited by such Furlough, and Doubts have arisen whether, in such Cases, the Extension of a Soldier's Furlough by a Justice of the Peace, be sanctioned by legal Authority, and effectual for preventing such Soldier from being apprehended upon Suspicion Justices may grant an Extension of Furlough to any Non-commissioned Officer or Soldier applying for the same, on Account of Sickness, &c.

cion of his having deſerted his Regiment; be it further enacted, That any Juſtice of the Peace may and he is hereby authorized to grant, in Writing under his Hand, an Extenſion of Furlough to any Non-commiſſioned Officer or Soldier applying for the ſame, on Account of Sickneſs, or other Caſualty, which to ſuch Juſtice ſhall, on due Enquiry, appear to render ſuch Extenſion neceſſary; and that ſuch Non-commiſſioned Officer or Soldier, during the Period to which his Furlough ſhall have been ſo extended as aforeſaid by a Juſtice of the Peace, ſhall not be liable to be apprehended or otherwiſe moleſted on the Ground of his having deſerted the Regiment to which he ſhall appear by his Furlough to belong, or of criminally abſenting himſelf from the ſame: Provided always, that nothing in this Act contained ſhall be conſtrued to exempt any Non-commiſſioned Officer or Soldier, whoſe Furlough ſhall have been ſo extended as aforeſaid, from being proceeded againſt and puniſhed according to the Proviſions of this Act, ſhould it thereafter appear that ſuch Non-commiſſioned Officer or Soldier had obtained the Extenſion of his Furlough by falſe Repreſentation made to the Juſtice of the Peace, or in applying for and obtaining the ſame, had committed any Offence to the Prejudice of good Order and Military Diſcipline.

No Volunteer liable to Proceſs unleſs for ſome criminal Matter;

or unleſs for a real Debt of the Value of 20l.

Oath of the Debt to be made before a Judge,

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

LXXVIII. And, to prevent, as far as may be, any unjuſt or fraudulent Arreſts that may be made upon Soldiers, 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 or ſhall be liſted, or who ſhall liſt and enter himſelf as a Volunteer, in His Majeſty's Service as a Soldier, 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 ſued 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 Soldier 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 Soldier, ſo arreſted was legally inliſted as a Soldier 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.

Plaintiff may file a Common Appearance.

LXXIX. And, to the End that honeſt Creditors, who aim only at the Recovery of their juſt Debts due to them from Perſons entering into and liſting 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 eaſy 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 Liſting, 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 liſted as aforeſaid; this Act, or any Thing herein, or any former Law or Statute, to the contrary notwithſtanding.

Soldiers while confined for Debt, not to receive Pay.

LXXX. And be it enacted by the Authority aforeſaid, That, from the paſſing of this Act, no Soldier, 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, Troop, or Company, to which he ſhall belong.

Officer embezzling, &c. Military Stores,

LXXXI. And be it further enacted by the Authority aforeſaid, That every Commiſſion Officer, Storekeeper, or Commiſſary, that ſhall embezzle or miſapply or cauſe to be embezzled or miſapplied, or ſhall wilfully or through Neglect, ſuffer any Proviſions, Forage, Arms, Clothing, Ammunition, or other Military Stores, to be ſpoiled or damaged, upon Proof thereof, upon Oath made by Two Witneſſes, before a General Court-martial, (which is hereby authorized and required to adminiſter ſuch Oath) ſhall be forthwith diſmiſſed His Majeſty's Service, and forfeit the Sum of One hundred Pounds; and is hereby required to make good, at his own Expence, the Loſs and Damage thereby ſuſtained, to be aſcertained by ſuch Court-martial, which ſhall have Power to ſeize the Goods and Chattels of the Perſon ſo offending, and ſell them for the Payment of the ſaid One hundred Pounds, and ſuch Damage: And if ſufficient Goods and Chattels cannot be found and ſeized, then the Perſon ſo offending ſhall be committed to Priſon or the Common Gaol, there to remain for Six Months without Bail or Mainprize, and until he ſhall pay ſuch Deficiency; and after the ſaid Sum ſhall be recovered and levied, the ſame ſhall be applied and diſpoſed of as His Majeſty ſhall direct and appoint.

to be caſhiered, and forfeit 100l. and the Damage to be made good by Sale of his Goods and Chattels: For want of Diſtreſs the Offender to be committed.

Application of the Forfeiture.

Non-commiſſion Officers embezzling

LXXXII. And be it further enacted by the Authority aforeſaid, That every Non-commiſſion Officer, who ſhall be convicted, at a General or Regimental

Soldier's Pay, &c. to be reduced, etc.

Regimental Court-martial, of having embezzled or misapplied any Money with which he may have been entrusted for the Payment of the Men under his Command, or for inlisting Men into His Majesty's Service, shall be reduced to serve in the Ranks as a Private Soldier, and be put under Stoppages until the Money be made good, and suffer such corporal Punishment (not extending to Life or Limb) as the Court-martial shall think fit.

No Paymaster, etc to make Deduction out of Officers or Private Mens Pay.

LXXXIII. And be it further enacted by the Authority aforesaid, That, from and after the said Twenty-fourth Day of *June* One thousand eight hundred and six, no Paymaster General or Paymaster of the Army, Paymaster of the Marines, Secretary at War, Commissary, Muster Master, Paymaster of a Corps or District, or any other Officer whatsoever, or their Under Officers, shall receive any Fees, or make any Deductions whatsoever out of the Pay of any Officer or Soldier in His Majesty's Army, or from their Agents, which shall grow due from and after the said Twenty-fourth Day of *June* One thousand eight hundred and six, other than the usual Deductions allowed by His Majesty's Regulations, and such other necessary Deductions as shall, from Time to Time, be directed by His Majesty, under His Royal Sign Manual.

Exception.

Treasury may issue out the Money due for Clothing every Two Months.

LXXXIV. And, for the Encouragement of the due and well clothing of the Troops, be it hereby further enacted, That the Lord High Treasurer, or the Commissioners of the Treasury for the Time being, may, if he or they see convenient, at the End of every Two Months, issue the Money due for the Clothing of the several Regiments, Troops, and Companies, notwithstanding the Muster-Rolls have not been duly returned; and the respective Paymasters are hereby directed to make Deductions of all Off-reckonings, and to pay the same to such Person or Persons only as have a regular Assignment for Clothes by him or them delivered to the said Regiment, Troop, or Company; and the Receipt of such Person or Persons having or being lawfully entitled to such Assignment, to be from Time to Time taken for the same; and when no such Assignment appears, the Off-reckonings to remain in the Hands of the said Paymaster respectively, for the Use of the Regiment, Troop, or Company, until a new Contract for Clothing, and Assignment is made.

Paymaster to deduct the Off-reckonings,

Penalty on Agents, etc. detaining Officers or Soldiers Pay.

LXXXV. And be it further enacted, That if any Paymaster, Agent, or Clerk of any Garrison, Regiment, Troop, or Company shall wilfully detain or withhold, by the Space of One Month, the Pay of any Officer or Soldier (Clothes and all other just Allowances being deducted), after such Pay shall be by him or them received; or if any Officers, having received their Soldiers Pay, shall refuse to pay each Non-commissioned Officer and Soldier their respective Pay, when it shall become due, according to the several Rates established by His Majesty's Orders, then upon Proof thereof before a Court-martial as aforesaid, to be for that Purpose duly held and summoned, every such Paymaster, Agent, Clerk, or Officer, so offending, shall be discharged from his Employment, and shall forfeit to the Informer upon Conviction before the said Court, One hundred Pounds, to be levied as aforesaid; and the Informer, if a Soldier, (if he demands it), shall be, and he is hereby discharged from

from any further Service; any Thing in this Act contained to the contrary notwithstanding.

Penalty on Agents disobeying of Orders.

LXXXVI. And, for the better Execution hereof, and that a true and regular Account may be kept and rendered by the Agents of the several Regiments and Independent Troops and Companies, the said Agents are hereby required and directed to observe such Orders and Directions as shall from Time to Time be given by His Majesty, under His Sign Manual, or by His Majesty's Chief Governor or Governors of *Ireland*, or by the Lord Treasurer, or Commissioners of the Treasury for the Time being; and if any Agent shall refuse or neglect to observe and comply with such Orders and Directions, he shall be discharged from his Office, and be utterly disabled to have or hold any such Office in His Majesty's Service.

Paymasters, &c. to account with Executors.

LXXXVII. Provided always, and be it enacted by the Authority aforesaid, That every present and future Paymaster, Agent, or Clerk, of any Garrison, Regiment, Troop, or Company, who is or shall be liable to account with any of the Executors and Administrators of every Officer or Soldier, for any of the Pay of such Officer or Soldier by him or them received, shall on reasonable Demand made by such Executor or Administrator deliver a just and true Account to any such Executor or Administrator of such Sum or Sums of Money as he or they shall have so respectively received for such Officer or Soldier, and for which they ought so to account as aforesaid, such Executor or Administrator paying for the same; and shall account with such Executor or Administrator for the same; and that every such Paymaster, Agent, or Clerk of any Garrison, Regiment, Troop, or Company, offending herein, shall forfeit the like Penalties, and to be recovered in like Manner, as appointed by this Act, for such Colonels or Agents not giving due Accounts of or for the Pay of the said Officers or Soldiers, to and for such Officers and Soldiers themselves.

Officers, &c. of the Trains of Artillery, &c. subject to this Act.

LXXXVIII. And whereas it may otherwise be doubted, whether the Officers and Persons serving in the Royal Artillery, and those hired to be employed in the Trains of Artillery, or the Officers serving in the Corps of Royal Engineers, or the Officers and Persons serving in the Corps of Royal Military Surveyors and Draftsmen, or the Corps of Royal Military Artificers and Labourers, or the Master Gunners, and Gunners under the Ordnance, be within the Intent and Meaning of this Act; it is hereby enacted by the Authority aforesaid, That the Officers and Persons serving and hired to be employed, or who shall serve and be hired to be employed in the Royal Artillery, and in the several Trains of Artillery, and all Officers serving or who shall serve in the Corps of Royal Engineers, and all Officers and Persons serving or who shall serve in the Corps of Royal Military Surveyors and Draftsmen, or in the Corps of Royal Military Artificers and Labourers, and all Master Gunners, and Gunners who now are or shall be under the Ordnance, shall be at all Times subject to all the Penalties and Punishments mentioned in this Act, and shall, in all Respects whatsoever, be holden to be within the Intent and Meaning of every Part of this Act, during the Continuance of the same, and shall be quartered and billetted together with the Horses employed

ployed for the Service of the ſaid Corps in the ſame Manner and under the ſame Penalties and Regulations as are directed by this Act to be obſerved in quartering and billetting the Officers, Soldiers, and Horſes of His Majeſty's other Forces; and all Innkeepers and others on whom the Officers and Perſons ſerving in the ſaid Corps, and the Horſes employed therein, ſhall be legally quartered, refuſing to receive and provide for them as is directed for the Officers, Soldiers, and Horſes of His Majeſty's other Forces, ſhall be ſubject to the ſame Penalties as in the Caſe of His Majeſty's other Forces.

American Troops acting in Conjunction with His Majeſty's other Forces, liable to the ſame Martial Laws.

LXXXIX. And whereas great Miſchief and Inconvenience may ariſe if it ſhould be doubted whether Troops in Pay, raiſed in any of His Majeſty's Provinces in *America*, by Authority of the reſpective Governors or Governments thereof, are, while acting in Conjunction with His Majeſty's other Forces under the Command of an Officer having a Commiſſion immediately from His Majeſty, liable to the ſame Rules and Articles of War, and the ſame Penalties and Puniſhments, as His Majeſty's other Forces are ſubject to: To prevent ſuch Miſchief, and to remove all Doubts, be it declared and enacted by the Authority aforeſaid, That all Officers and Soldiers of any Troops, being muſtered and in Pay, which are or ſhall be raiſed in *America* as aforeſaid, ſhall at all Times and in all Places, when they happen to join or act in Conjunction with His Majeſty's other Forces, be liable to Martial Law and Diſcipline, in like Manner, to all Intents and Purpoſes, as His Majeſty's other Forces are, and ſhall be ſubject to the ſame Trial, Penalties, and Puniſhments.

Officers and Soldiers of the American Troops ſent over to Great Britain,

to be quartered and billetted as His Majeſty's other Forces, and under the ſame Regulations and Penalties.

XC. And whereas the Officers and Soldiers of the ſaid Troops, being taken Priſoners in *America*, are frequently ſent over to *Great Britain* in a very diſtreſſed Condition: And whereas their Pay is not ſufficient to provide them with neceſſary Lodgings and Accommodations; be it enacted by the Authority aforeſaid, That, during the Continuance of this Act, it ſhall be lawful for the Conſtables, and other Civil Magiſtrates, within *England*, *Wales*, and the Town of *Berwick-upon-Tweed*, to quarter and billet the Officers and Soldiers of the ſaid *American* Troops in all ſuch Houſes as are liable by this Act to receive the Officers and Soldiers of His Majeſty's other Forces; and the ſaid Conſtables and other Civil Magiſtrates, are hereby required to quarter and billet the Officers and Soldiers of the ſaid *American* Troops in the ſame Manner, and under the ſame Regulations and Penalties, as are directed by this Act to be obſerved in quartering and billetting the Officers and Soldiers of His Majeſty's other Forces; and all Perſons on whom the Officers and Soldiers of the ſaid Troops ſhall be legally quartered, refuſing to receive and provide for them, as is directed for the Officers and Soldiers of His Majeſty's other Forces, ſhall be ſubject to the ſame Penalties as in the Caſe of His Majeſty's other Forces.

This Act not to extend to the Militia further than is directed by the Militia Laws.

XCI. Provided always, and be it further enacted, That nothing in this Act contained ſhal extend, or be anyways conſtrued to extend, to concern any of the Militia Forces in *Great Britain* or *Ireland*, or in *Jerſey*, *Guernſey*, *Alderney*, *Sark*, or *Man*, or the Iſlands thereto belonging, excepting only in ſuch Caſe wherein, by any Act or Acts for regulating any of the Militia Forces in *Great Britain* or *Ireland*, the Proviſions contained

in this Act, or in any Act for punishing Mutiny and Desertion, which shall be then in force, are extended and meant to take place in respect to the Officers and Soldiers of the Militia in *Great Britain* and *Ireland*; and also except so far as relates to the mustering of the said Militia Forces according to the Provisions herein-after mentioned. Exception.

XCII. And, for the better ascertaining the Number of effective Men, of the Regiments of Militia, when embodied and in actual Service, be it enacted by the Authority aforesaid, That, from and after the passing of this Act, every Regiment or Corps of Militia and Fencible Men, when embodied and in actual Service, shall be regularly mustered by Commissaries appointed for that Purpose, in the same Manner and as often as the Rest of the Army is usually mustered; and the Magistrates shall have the same Powers and Authorities, and both Officers and Men shall be subject to the same Regulations, Restrictions, and Penalties, as are imposed on the Officers and Soldiers of the Rest of the Army by virtue of this Act. Militia and Fencible Men when in actual Service to be regularly mustered, &c.

XCIII. And be it further enacted by the Authority aforesaid, That this Act shall be construed to extend to the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, as to the Clauses therein for mustering and paying, and to the Provisions for the Trial and Punishment of Officers and Soldiers, who shall be charged with Mutiny or Desertion, or any other of the Offences which are by this Act declared to be punishable by the Sentence of a General Court-martial; and also to the Clauses which relate to the Punishment of Persons who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Clothes, Caps, or other Furniture, belonging to the King, or any such Articles generally deemed Regimental Necessaries, from any Soldier or Deserter, or who shall cause the Colour of such Clothes to be changed. In what Cases this Act shall extend to Jersey, Guernsey, &c.

XCIV. And be it further enacted by the Authority aforesaid, That if any Action, Bill, Plaint, or Suit, shall be brought against any Person or Persons, for any Act, Matter, or Thing, to be acted or done in pursuance of this Act, it shall and may be lawful to and for all and every Person and Persons, sued as aforesaid, to plead thereunto the General Issue, that he or they are not Guilty, and to give such Special Matter in Evidence to the Jury which shall try the Issue; which Special Matter being pleaded had been a good and sufficient Matter in Law to have discharged the said Defendant or Defendants of the Trespass or other Matter laid to his or their Charge: And if the Verdict shall pass with the said Defendant or Defendants in any such Action, the Plaintiff or Plaintiffs therein become Nonsuit, or suffer any Discontinuance thereof; that in every such Case the Justice or Justices, or such other Judge, before whom the said Matter shall be tried, shall, by force and virtue of this Act, allow unto the Defendant or Defendants his or their Treble Costs, which he or they shall have sustained by reason of their wrongful Vexation in Defence of the said Action or Suit; for which the said Defendant or Defendants shall have the like Remedy as in other Cases where Costs by the Laws of this Realm are given to Defendants. Persons sued may plead the General Issue. Treble Costs.

XCV. And

All Suits to be brought in ſome of the Courts of Record at Weſtminſter, or in Dublin, or the Court of Seſſion in Scotland.

XCV. And be it further enacted by the Authority aforeſaid, That every Bill, Plaint, Action, or Suit againſt any Perſon or Perſons, for any Act, Matter, or Thing, to be acted or done in purſuance of this Act, or againſt any Member or Miniſter of a Court-martial, in reſpect of any Sentence of ſuch Court, or of any Thing done by virtue or in purſuance of ſuch Sentence, ſhall be brought in ſome of the Courts of Record at *Weſtminſter*, or in *Dublin*, or the Court of Seſſion in *Scotland*, and in no other Court whatſoever.

Penalties againſt an Act 1 Geo. I. for puniſhing Perſons ſeducing Soldiers to deſert, where to be ſued for in England and Scotland.

XCVI. And whereas by an Act of the *Britiſh* Parliament, made in the Firſt Year of the Reign of King *George* the Firſt, intituled, *An Act for the more effectual and exemplary Puniſhment of ſuch Perſons as ſhall ſeduce Soldiers to deſert; or, being Papiſts, ſhall inliſt themſelves in His Majeſty's Service in* Great Britain *or* Ireland, *or in the Iſlands of* Jerſey *or* Guernſey, it is enacted, That any Perſon or Perſons whatſoever, who ſhall, directly or indirectly, perſuade or procure, or endeavour to perſuade or procure, any Soldier or Soldiers in the Service of His Majeſty, or of His Heirs or Succeſſors, to deſert; ſuch Perſon or Perſons ſo offending, and being thereof lawfully convicted, ſhould forfeit the Sum of Forty Pounds; and that if ſuch Offender ſhall not have ſufficient to pay the ſame, or if from the Circumſtances and Heinouſneſs of the Crime it ſhall be thought proper and convenient, the Court before which the ſaid Conviction ſhall be made, may award the Offender to Priſon, there to remain for any Time not exceeding Six Months, and alſo to ſtand in the Pillory for One Hour: Now be it enacted, That for ſuch Offences as ſhall be committed againſt the ſaid recited Act within that Part of *Great Britain* called *England*, the Penalties thereby enacted ſhall be ſued for and be recoverable in any of His Majeſty's Courts of Record at *Weſtminſter*; and for ſuch Offences againſt the ſaid Act as ſhall be committed in that Part of *Great Britain* called *Scotland*, the ſame ſhall be ſued for and be recoverable in His Majeſty's Court of Exchequer in *Scotland*; and for ſuch Offences againſt the ſaid Act as ſhall be committed within the Iſland of *Guernſey*, the ſame ſhall be ſued for and be recoverable in the Royal Court of *Guernſey*; and for ſuch Offences againſt the ſaid Act as ſhall be committed within the Iſland of *Jerſey*, the ſame ſhall be ſued for and be recoverable in the Royal Court of *Jerſey*; any Thing in the ſaid recited Act to the contrary thereof in anywiſe notwithſtanding.

Penalties on Perſons perſuading Soldiers to deſert in Ireland, &c.

XCVII. And be it further enacted, That any Perſon or Perſons who ſhall, in that Part of the United Kingdom called *Ireland*, or in the Iſles of *Alderney*, *Sark*, or *Man*, by Words or other Means whatſoever directly or indirectly, perſuade or procure any Soldier or Soldiers in the Service of His Majeſty, His Heirs or Succeſſors, to deſert or leave ſuch Service as aforeſaid, every ſuch Perſon or Perſons ſo offending as aforeſaid, and being thereof lawfully convicted, ſhall, for every ſuch Offence, forfeit to His Majeſty, His Heirs or Succeſſors, or to any other Perſon or Perſons who ſhall ſue for the ſame, the Sum of Forty Pounds; and if it ſhall happen that any ſuch Offender ſo convicted as aforeſaid, hath not any Goods and Chattels, Lands or Tenements, to the Value of Forty Pounds, to pay and ſatisfy the ſame, or if from the Circumſtances and Heinouſneſs of the Crime it ſhall be thought proper and convenient, the Court before which the ſaid Conviction ſhall be made as aforeſaid, ſhall award

award the said Offender to Prison, there to remain for any Time not exceeding Six Months, without Bail or Mainprize, and also to stand in the Pillory for the Space of One Hour, in some Market Town next adjoining to the Place where the Offence was committed in open Market there, or in the Market Town itself where the said Offence was committed.

Penalties for such Offences where to be sued for.

XCVIII. And be it further enacted, That for such of the said Offences as shall be committed within that Part of the United Kingdom called *Ireland*, the Penalties herein enacted shall be sued for and be recoverable in any of His Majesty's Courts of Record in *Dublin*; and for such of the said Offences as shall be commited within the Isles of *Alderney* and *Sark*, the Penalties herein enacted shall be sued for and be recoverable in the Royal Court of *Guernsey*; and for such of the said Offences as shall be committed within the Isle of *Man*, the Penalties herein enacted shall be sued for and be recoverable in any of the Courts of Record in the said Island, or in any of His Majesty's Courts of Record at *Westminster*.

Limitation of Actions.

XCIX. Provided always, and be it further enacted by the Authority aforesaid, That no such Action shall be brought, or Prosecution carried on by virtue of this Act, for the Penalties aforesaid, unless the same be commenced within Six Months after the Offence is committed.

Offences against former Mutiny Acts punishable by this Act.

C. And, in order to prevent all Doubts that may arise in relation to punishing Crimes and Offences committed against former Acts of Parliament made in *Great Britain* and *Ireland* respectively, *for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters*, or against any of the Articles of War made and established by virtue of the same; be it enacted by the Authority aforesaid, That all Crimes and Offences which have been committed against any Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, or against any of the Articles of War made and established by virtue of the same, shall and may, during the Continuance of this Act, be enquired of, heard, tried, and 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 Act may be enquired of, heard, tried, determined, adjudged, and punished: And the Proceedings of a Court-martial upon any Trial, begun under the Authority of such former Act, shall not be discontinued by the Expiration of the same, but it shall be lawful to proceed to Judgement upon such Trial, and to carry such Judgement into Execution, in like Manner as if the Proceedings had been commenced under the Authority of this Act.

None liable to be tried, &c. for Offences against former Acts which were committed Three Years before issuing the Warrant for Trial; unless

CI. Provided always, That no Person shall be liable to be tried and punished, for any Offence against any of the said Acts, or Articles of War, which shall appear to have been committed more than Three Years before the issuing of the Commission or Warrant for such Trial; unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period; in which Case such Person shall be liable to be

He has absented himself, &c.

be tried at any Time not exceeding Two Years after the Impediment ſhall have ceaſed.

Form of Conviction

CII. And, for the more eaſy Conviction of Offenders againſt this Act, be it enacted, That in caſe any Perſon ſhall be convicted of any Offences by which they ſhall become liable to any of the pecuniary Penalties under this Act, the following ſhall be the Form of Conviction:

'County of } BE it remembered, That on the Day of in the Year of our Lord at 'in the County aforeſaid, *A. B.* came before us *C. D.* and *E. F.* 'Two of His Majeſty's Juſtices of the Peace in and for the ſaid 'County, and informed us, upon Oath, that *G. H.* of 'on the Day of now 'laſt paſt, at in the ſaid County, did '(*here ſet forth the Fact in the Manner deſcribed in the Statute*); 'whereupon the ſaid *G. H.* after being duly ſummoned to an'ſwer the ſaid Charge, appeared before us the ſaid Juſtices on 'the Day of at 'in the ſaid County, and having heard the Charge contained 'in the ſaid Information, declared that he was not guilty of 'the ſaid Offence; but the ſame being fully proved upon the 'Oath of *I. K.* a credible Witneſs, it manifeſtly appears to 'us the ſaid Juſtices, that he the ſaid *G. H.* is guilty of the 'ſaid Offence charged upon him in the ſaid Information. It 'is therefore conſidered and adjudged by us, the ſaid Juſtices, 'that he the ſaid *G. H.* be convicted and we do hereby con'vict him of the Offence aforeſaid; and we do hereby de'clare and adjudge that the ſaid *G. H.* hath forfeited the Sum 'of for the Offence 'aforeſaid, to be diſtributed as the Law directs, according to 'the Statute in that Caſe made and provided.

'Given, *et cetera.*'

Continuance of this Act.

CIII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be and continue in force, within *Great Britain*, from the Twenty-fourth Day of *June* in the Year of our Lord One thouſand eight hundred and ſix, until the Twenty-fifth Day of *March* in the Year of our Lord One thouſand eight hundred and ſeven; and ſhall be and continue in force within *Ireland*, from the Thirtieth Day of *June* in the Year of our Lord One thouſand eight hundred and ſix, until the Firſt Day of *April* in the Year of our Lord One thouſand eight hundred and ſeven; and ſhall be and continue in force in *Jerſey*, *Guernſey*, *Alderney*, *Sark*, and *Man*, and the Iſlands thereto belonging, as to ſuch Parts thereof as relate to thoſe Places reſpectively, from the Thirty-firſt Day of *July* in the Year of our Lord One thouſand eight hundred and ſix, until the Firſt Day of *May* in the Year of our Lord One thouſand eight hundred and ſeven; and ſhall be and continue in force within the Garriſon of *Gibraltar* and in His Majeſty's other Dominions, or elſewhere beyond the Seas, from the Twenty-fourth Day of *March* in the Year of our Lord One thouſand eight hundred and ſeven, until the Twenty-fifth Day of *March* in the Year of our Lord One thouſand eight hundred and eight.

CIV. Provided always, and be it enacted, That this Act, so far as relates to the Allowances to be made for the quartering of Soldiers and providing for their Horses, or for the Provision of Carriages, Horses, Boats, Barges, or other Vessels, and Men, may be altered and varied by any Act or Acts to be made in this Session of Parliament. Act, in Part, may be altered this Session.

SCHEDULE (A.)

FORM OF OATH.

I do make Oath, that I am or have been (*as the Case may be*), [*state Occupation, if any, or state if of none*], and to the best of my Knowledge and Belief was born in [*state County, Parish, Place, &c.*], and that I am of the Age of Years; that I do not belong to the Militia, or to any other Regiment, or to His Majesty's Navy or Marines, and that I will serve His Majesty for the Period of [*This Blank to be filled up by the Magistrate with Seven Years for Infantry, Ten Years for Cavalry, and Twelve Years for the Artillery, if the Person enlisting is of the Age of Eighteen Years or upwards; but if under Eighteen Years, then the Difference between his Age and Eighteen to be added to such Seven, Ten, or Twelve Years, as the Case may be*] Years, provided His Majesty should for so long require my Service; and also for such further Term, not exceeding Six Months, as shall be directed by the Commanding Officer on any Foreign Station, and not exceeding Three Years as shall be directed by any Proclamation of His Majesty: Provided always, that in the latter Case the said additional Period shall determine whenever Six Months of continued Peace, to be reckoned from the Ratification of any Definitive Treaty, shall have elapsed subsequent to the Expiration of the said [Seven, Ten, *or* Twelve, *as the Case may be*] Years.

SCHEDULE

SCHEDULE (B.)

FORM OF JUSTICE'S CERTIFICATE.

I *A. B.* One of His Majeſty's Juſtices of the Peace of (or Chief Magiſtrate of) do hereby certify, that *C. D.* appearing to be Years old, Feet Inches high, Complexion, Eyes, Hair, came before me at on the Day of One thouſand eight hundred and and ſtated himſelf to be of the Age of Years, and that he had no Rupture, and was not troubled with Fits, and was no ways diſabled by Lameneſs, Deafneſs, or otherwiſe, but had the perfect Uſe of his Limbs and Hearing, and was not an Apprentice; and acknowledged that he had voluntarily enliſted himſelf to ſerve His Majeſty King *George* the Third, in the Regiment of commanded by and did engage to ſerve for the Period of [*This Blank to be filled up by the Magiſtrate with Seven Years for Infantry, Ten Years for Cavalry, and Twelve Years for the Artillery, if the Perſon enliſting is of the Age of Eighteen Years or upwards; but if under Eighteen Years, then the Difference between his Age and Eighteen to be added to ſuch Seven, Ten, or Twelve Years, as the Caſe may be*] Years, provided His Majeſty ſhould for ſo long require his Service; and alſo for ſuch further Period as His Majeſty ſhall pleaſe to direct, not to exceed in any Caſe Three Years, and to determine whenever Six Months ſhall have elapſed of continued Peace ſubſequent to the Expiration of the Term of [*Seven, or Ten, or Twelve*] Years. And I do hereby certify, That in my Preſence the Third and Fourth Articles of the Second Section, and the Firſt Article of the Sixth Section of the Articles of War againſt Mutiny and Deſertion were read over to him, and that he took the Oath of Fidelity mentioned in the ſaid Articles of War, and alſo the Oath above ſet forth; and that I have given to the ſaid *C. D.* a Duplicate of this Certificate, ſigned with my Name.

SCHEDULE (C.)

Oath of Allegiance, 39° *Geo.* III. c. 109.

I *A. B.* being inliſted to ſerve, either in His Majeſty's Troops, or in the Forces of the *Eaſt India* Company, according as His Majeſty ſhall think fit, do ſwear, That I will bear true Allegiance to our Sovereign Lord King *George*, and that I will, as in my Duty bound, defend him in His Perſon, Crown, and Dignity, againſt all His Enemies; and that ſo long as I ſhall remain in His Majeſty's Service, I will duly obſerve and

obey His Majesty's Orders and the Orders of the Generals and Officers set over me by His Majesty; and that if His Majesty shall please to appoint me to serve in the Forces of the United Company of Merchants of *England*, trading to the *East Indies*, then I swear that I will also be true to the said United Company, and will duly observe and obey all their Orders, and the Orders of their Generals and Officers, who shall be lawfully set over me.

SCHEDULE (D.)

To wit. } I Peace of One of His Majesty's Justices of the certify, That aged Years Feet Inches high Complexion Eyes Hair, came before me at on the Day of One thousand eight hundred and and acknowledged that he had voluntarily inlisted himself for the Bounty of to serve either in His Majesty's Army, or in the Forces of the *East India* Company, according as His Majesty shall think fit to order. And I further certify, That, in my Presence, the Third and Fourth Articles of the Second Section, and the First Article of the Sixth Section of the Articles of War, against Mutiny and Desertion, were read over to him; that he took the Oath of Allegiance prescribed by the Act of 39° *Geo.* III. c. 109. to be taken instead of the Oath of Fidelity mentioned in the said Articles of War, and also the Oath above set forth; and that he received the Sum of on being attested.

SCHEDULE (E.)

FORM OF MASTER'S OATH.

I of do make Oath, That I am by Trade a and that was bound to serve as an Apprentice to me in the said Trade, by Indenture, dated the Day of for the Term of Years; and that the said did on or about the Day of abscond and quit my Service without my Consent, and that, to the best of my Knowledge and Belief, the said is aged about Years. Witness my Hand, at the Day of One thousand eight hundred and

Sworn before me at this Day of One thousand eight hundred and }

SCHEDULE (F.)

FORM OF JUSTICE'S CERTIFICATE.

To wit. } I *A. B.* One of His Majesty's Justices of the Peace of certify, That of came before me at the Day of One thousand eight hundred and and made Oath, that he was by Trade a and that was bound to serve as an Apprentice to him in the said Trade by Indenture, dated the Day of for the Term of Years; and that the said Apprentice did, on or about the Day of abscond and quit the Service of the said without his Consent, and that to the best of his Knowledge and Belief the said Apprentice is aged about Years.

A. B.

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