ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

***

every Marine Officer, Non-commiſſioned Officer, and Private Men on Shore,

who ſhall mutiny or deſert, &c.

or liſt in any other Regiment, &c.

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

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

or ſhall be liſted or in Pay as a Non-commiſſioned Officer or Private Man, in any Diviſion of Royal Marines in His Majeſty's Service, and on the Twenty-fifth Day of *March* One thouſand eight hundred and nine, ſhall remain in ſuch Service, or during the Continuance of this Act, ſhall be voluntarily entered and in Pay, as a Marine Officer or Private Man in His Majeſty's Service; and being ordered or employed in ſuch Service, at any Time during the Continuance of this Act, on Shore in any Place within the ſaid Kingdom, or in any other of His Majeſty's Dominions, ſhall begin, excite, cauſe, or join in any Mutiny or Sedition in the Company to which he doth or ſhall belong, or in any other Company, Troop, or Regiment, either of Marine or Land Forces, in His Majeſty's Service; or ſhall not uſe his utmoſt Endeavours to ſuppreſs the ſame, or coming to the Knowledge of any ſuch Mutiny, or intended Mutiny, ſhall not, without Delay, give Information thereof to his Commanding Officer; or ſhall deſert His Majeſty's Service, or being actually entered as a Marine in any Company, ſhall liſt himſelf in any other Company, Troop, or Regiment, or enter as a Seaman in His Majeſty's Service, without firſt having a Diſcharge in Writing from the Officer commanding in Chief the Company in which he laſt ſerved as a Marine; in which Caſe he ſhall be reputed a Deſerter; or ſhall be found ſleeping upon his Poſt; or ſhall leave it before relieved; or ſhall hold Correſpondence with any Rebel or Enemy of His Majeſty, or give them Advice or Intelligence of any Kind, by any Ways or Means, or in any Manner whatſoever; or ſhall treat with ſuch Rebels or Enemies, or enter into any Condition with them, without His Majeſty's Licence, or Licence of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or Three or more of the Commiſſioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* for the Time being; or ſhall ſtrike or uſe any Violence againſt his ſuperior Officer being in the Execution of his Office; or ſhall diſobey any lawful Command of his ſuperior Officer; all and every Perſon and Perſons ſo offending in any or either of the Matters before mentioned, on Shore, in any Part of this Kingdom, or in any other of His Majeſty's Dominions, ſhall ſuffer Death, or ſuch other Puniſhment as by a Court-martial ſhall be inflicted.

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

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

Courts-martial may inflict Corporal Puniſhment for Immoralities, etc.

III. And be it alſo enacted, That it ſhall and may be lawful to and for ſuch Courts-martial reſpectively, by their Sentence or Judgment, to inflict Corporal Puniſhment not extending to Life or Limb, on any Marine,

Marine, for Immorality, Misbehaviour, or Neglect of Duty, on Shore, in any Place or Places within this Kingdom, or in any other of His Majesty's Dominions during the Continuance of this Act.

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

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

and to constitute Courts-martial.

Punishment.

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

Oaths to be taken by Members of Divisional Courts-martial, etc.

VI. Provided also, and be it further enacted, That in all Trials by any divisional Courts-martial which shall be held by virtue of this Act, or of any Articles of War established in pursuance thereof, every Member assisting at such Trial, before any Proceedings be had thereupon, shall take the Oaths herein-after mentioned 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), 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 Division directing such Court-martial; and every such divisional Court-martial is hereby authorized and directed to administer an Oath to every Witness that shall appear before them.

Deserter may be adjudged to be transported as a Felon;

VII. And be it further enacted and declared, That in the Case of any Non-commissioned Officer or Marine 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 Marine, 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 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, he shall suffer Death.

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

VIII. Provided

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

VIII. Provided always, 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 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.

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 Pleasure thereon, shall be notified by the Admiralty 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.

IX. 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 Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral for the Time being, or any Three or more of them, 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 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

X. 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

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. Pleasure, &c. shall be filed in the Office of the Clerk of the Crown;

XI. 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. who shall, on Application, deliver a Certificate of the Conviction of any such Offender, etc.

XII. 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 aforesaid, and during all the several Proceedings which shall be had for the Purposes aforesaid. Offenders under Sentence of Death, obtaining His Majesty's conditional Pardon, not suffered to escape.

XIII. And it is hereby further enacted and declared, That no General Court-martial which shall have Power to sit by virtue of this Act, shall consist of a less Number than Thirteen, whereof none to be under the Degree of a Commission Officer; and the President of such Court-martial shall not be under the Degree of a Field Officer of Royal Marines, unless where such Field Officer cannot be had; in which case the Marine Officer next in Seniority to such Field Officer, not being under the Degree of a Captain, shall preside at such Court-martial; and that such Court-martial shall have Power and Authority, and are hereby required to administer an Oath to every Witness, in order to the Examination or Trial of any of the Offences that shall come before them. General Court-martial not to consist of less than 13, etc.

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

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

'So help you God.'

'I *A. B.*

'I *A. B.* do swear, That I will duly administer Justice, according to an Act of Parliament now in force, *for the Regulation of His Majesty's Royal Marine Forces while on Shore*, and according to the Rules and Articles made in pursuance of the said Act of Parliament for the Punishment of Mutiny and Desertion, and other Crimes therein respectively mentioned, without Partiality, Favour, or Affection; and if any Doubt shall arise (which is not explained by the said Act of Parliament, or the said Rules and Articles), according to my Conscience, the best of my Understanding, and the Custom of War in like Cases. And I do further swear, That I will not divulge the Sentence of the Court until it shall be approved by the Lord High Admiral, or Three or more of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain*, and *Ireland*; 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.

'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, etc.

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

Hours of Trial.

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

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

Original Proceedings, etc. of Courts-martial to be transmitted to the Secretary

XVI. And be it enacted, That every Judge Advocate, or Person officiating as such at any General Court-martial to be held as aforesaid, do and he is hereby required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the original Proceedings and Sentence of such Court-martial to the Secretary of the

Admiralty for the Time being; which original Proceedings and Sentence shall be by him carefully kept and preserved in the Office of the Admiralty of *Great Britain* and *Ireland*, to the End that the Persons entitled thereto may be enabled, upon Application to the said Office, to obtain Copies thereof, according to the true Intent and Meaning of this Act. of the Admiralty, etc.

XVII. Provided always, and be it hereby declared and enacted, That no Marine, either Officer or Private Man, being acquitted or convicted of any Offence at any such Court-martial, as aforesaid, shall be liable to be tried a Second Time by the same or any other Court Martial, for the same Offence; and that no Sentence given by any Court-martial, and signed by the President thereof, be liable to be revised more than once. None to be tried a Second Time for the same Offence.

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

XIX. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to exempt any Royal Marine, either Officer or Private Man, whatsoever, while on Shore, from being proceeded against by the ordinary Course of Law. This Act not to exempt any on Shore from ordinary Process.

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

XXI. Provided always, and be it enacted, That no Officer or Marine 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 Company to which he shall belong. Persons convicted of criminal Offences not entitled to Pay.

XXII. Provided also, and be it further enacted, That if any Marine Officer, Non-commission Officer, or Private Man, shall be accused of any Capital Crime, or of any Violence or Offence against the Person, Estate, or Property of any of His Majesty's Subjects, which is punishable by the known Laws of the Land; the Commanding Officer or Officers of every Company or Party is and are hereby required to use his and their utmost Endeavours to deliver over such accused Person to the Civil Magistrate; and shall also be aiding and assisting to the Officers of Justice in the seizing and apprehending such Offender, in order to bring him to Trial: And if any such Commanding Officer shall wilfully neglect or refuse, upon Application made to him for that Purpose, to deliver over any such Persons accused of capital Crimes, etc. to be delivered over to the Civil Magistrate, etc.

Penalty for Refusal.

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

Fictitious Names to be allowed by His Majesty's Order upon the Muster-rolls for the Maintenance of Officers Widows.

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

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

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

XXIV. And whereas there is and may be Occasion for the marching and quartering of the said Royal Marine Forces in several Parts of this Kingdom; be it further enacted, That for and during the Continuance of this Act, and no longer (in pursuance of an Order or Orders in Writing in that Behalf, under the Hand of the said Lord High Admiral, or under the Hands of Three or more of the Commissioners for executing the said Office of Lord High Admiral for the Time being), it shall and may be lawful to and for the Constables, Tythingmen, Headboroughs, and other Chief Officers and Magistrates of Cities, Towns, and Villages, and other Places within *England*, *Wales*, and the Town of *Berwick upon Tweed*, and in their Default or Absence, for any One

One Justice of the Peace inhabiting in or near any such City, Town, Village, or Place, and for no others; and such Constables and other Chief Magistrates, as aforesaid, are hereby required to quarter and billet the Marines, both Officers and Private Men, in His Majesty's Service, in Inns, Livery Stables, Alehouses, Victualling-houses, and the Houses of Sellers of Wine, by Retail, to be drank in their own Houses or Places thereunto belonging, and all Houses of Persons selling Brandy, Strong Waters, Cyder, or Metheglin by Retail, to be drank in Houses, other than and except the House or Houses of any Distillers, who keep Houses or Places for distilling Brandy or Strong Waters, and the House of any Shopkeeper, whose principal Dealings shall be more in other Goods and Merchandize than in Brandy and Strong Waters, (so as such Distillers and Shopkeepers do not permit or suffer Tippling in his or their Houses); and in no other, and in no Private Houses whatsoever, without the Consent of the Occupier; nor shall any more Billets at any Time be ordered than there are effective Royal Marines present to be quartered: And if any Constable, Tythingman, or such like Officer or Magistrate, as aforesaid, shall presume to quarter or billet any such Officer or Private Man in any such Private House, without the Consent of the Occupier; in such Case, such Occupier shall have his or their Remedy at Law against such Magistrate or Officer for the Damages that such Occupier shall sustain thereby: And if any Marine Officer shall take upon him to quarter Private Men otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to any Mayors, Constables, or other Civil Officers before mentioned, tending to deter and discourage any of them from performing any Part of their Duty hereby required or appointed; such Marine Officer shall for every such Offence, (being thereof convicted before any Two or more of the next Justices of the Peace of the County, by the Oath of Two credible Witnesses), be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Military Employment within this Kingdom, or in His Majesty's Service; provided the said Conviction be affirmed at the next Quarter Sessions of the Peace of the said County, and a Certificate thereof be transmitted to the Judge-advocate, who is hereby obliged to certify the same to the next Court martial: And in case any Person shall find himself aggrieved, in that such Constable, Tythingman or Headborough, Chief Officer or Magistrate, (such Chief Officer or Magistrate not being a Justice of the Peace), has quartered or billetted in his House a greater Number of Royal Marines than he ought to bear in Proportion to his Neighbours, and shall complain thereof to One or more Justice or Justices of the Peace of the Division, City, or Liberty, where such Royal Marines are quartered; or in case such Chief Officer or Magistrate shall be a Justice of the Peace, then on Complaint made to Two or more Justices of the Peace of such Division, City, or Liberty, such Justice or Justices respectively shall have, and is or are hereby declared to have, Power to relieve such Person, by ordering such and so many of the said Royal Marines to be removed and quartered upon such other Person or Persons as they shall see Cause; and such other Person or Persons shall be obliged to receive such Royal Marines accordingly.

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

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

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

XXV. Provided nevertheless, and it is hereby enacted, That the Marine Officers and Private Men, so quartered and billetted as aforesaid, shall

Officers and Marines to pay Rates for their Provisions.

ſhall be received and furniſhed with Diet and Small Beer by the Owners of the Inns, Livery Stables, Alehouſes, Victualling-houſes, and the Houſes of Sellers of Wine, by Retail, to be drank in their own Houſes or Places thereunto belonging, and other Houſes in which they are allowed to be quartered and billetted by this Act; paying and allowing for the ſame the ſeveral Rates herein-after mentioned to be payable out of the Subſiſtence Money for Diet and Small Beer.

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

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

Penalty on taking Money to excuſe any Perſons from quartering.

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

Commanding Officer may exchange Marines in their Quarters,

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

and the Conſtables to billet the ſame accordingly.

XXIX. And

XXIX. And be it further enacted, That from and after the Twenty-fifth Day of *March* One thouſand eight hundred and nine, no Paymaſter, or other Officer or Perſon whatſoever, ſhall receive any Fees, or make any Deductions whatſoever, out of the Pay of any Marine, either Officer or Private Man, in His Majeſty's Service; or from their Agents, which ſhall grow due from and after the ſaid Twenty-fifth Day of *March* One thouſand eight hundred and nine, other than the uſual Deductions for Clothing and Twelve-Pence in the Pound to be diſpoſed of as His Majeſty ſhall think fit, and the One Day's Pay of the Officers now paid to the Paymaſter of Widows Penſions and ſuch other neceſſary Deductions as ſhall, from Time to Time, be directed by the ſaid Lord High Admiral, or Three or more of the Commiſſioners for executing the Office of Lord High Admiral for the Time being, by Order in Writing under his or their reſpective Hand or Hands.

No Paymaſter, &c. to make Deductions out of Officers or Private Men's Pay.

Exceptions.

XXX. And that the Quarters both of the ſaid Marine Officers and Private Men, while on Shore as aforeſaid, may, during the Continuance of this Act, be duly paid and ſatisfied, and His Majeſty's Duties of Exciſe better anſwered, be it enacted, That from and after the ſaid Twenty-fifth Day of *March* One thouſand eight hundred and nine, every Officer or other Perſon to whom it belongs to receive, or that ſhall actually, receive, the Pay or Subſiſtence-money, for One or more particular Company or Companies of the ſaid Royal Marine Forces, or otherwiſe ſhall immediately upon each Receipt of every particular Sum which ſhall, from Time to Time, be paid, returned, or come to his or their Hands, on account of Pay or Subſiſtence, give public Notice thereof to all Perſons keeping Inns or other Places where Officers or Private Men are quartered by virtue of this Act; and ſhall alſo appoint the ſaid Innkeepers, and others, to repair to their Quarters at ſuch Times as they ſhall appoint for the Diſtribution and Payment of the ſaid Pay or Subſiſtence-money to ſuch Officers or Private Men, which ſhall be within Four Days at the fartheſt after the Receipt of the ſame, as aforeſaid; and the ſaid Innkeepers, and others, ſhall then and there acquaint ſuch Officer or Officers with the Accounts or Debts (if any ſhall be), between them and the Officers and Private Men ſo quartered in their reſpective Houſes; which Accounts the ſaid Officer or Officers is or are hereby required to accept of, and immediately pay the ſame before any Part of the ſaid Pay or Subſiſtence be diſtributed either to the Officers or Private Men; Provided the ſaid Accounts exceed not, for One Marine Commiſſion Officer under the Degree of a Captain, for ſuch Officer's Diet and Small Beer, *per Diem*, One Shilling; and if ſuch Officer ſhall have a Horſe or Horſes, for each ſuch Horſe or Horſes, for their Hay and Straw, *per Diem*, Sixpence; nor for One Private Man's Diet and Small Beer, *per Diem*, Four Pence: And if any Officer or Officers, as aforeſaid, ſhall not give Notice as aforeſaid, and ſhall not immediately, upon producing ſuch Account ſtated, ſatisfy, content, and pay the ſame, upon Complaint and Oath made thereof by any Two Witneſſes, at the next Quarter Seſſions for the County or City wherein ſuch Quarters were, (which Oath the Juſtices of the Peace at ſuch Seſſions are hereby authorized and required to adminiſter), the Paymaſter, or Perſon for the Time being authorized to pay the ſaid Royal Marine Forces, is hereby required and

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

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

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

The Paymaſter to ſatisfy them out of the Arrears.

and authorized (upon Certificate of the ſaid Juſtices, before whom ſuch Oath was made, of the Sum due upon ſuch Accounts, and the Perſons to whom the ſame is owing) to pay and ſatisfy the ſaid Sums out of the Arrears due to the ſaid Marine Officer or Officers, upon Penalty that ſuch Paymaſter or Perſon ſhall forfeit their reſpective Place or Places of Paymaſter or otherwiſe, and be diſcharged from holding the ſame for the future: And in caſe there ſhall be no Arrears due to the ſaid Officer or Officers, then the ſaid Paymaſter, or Perſon for the Time being authorized to pay the ſaid Royal Marine Forces, is hereby authorized and required to deduct the Sums he ſhall pay, purſuant to the Certificate of the ſaid Juſtices, out of the next Pay or Subſiſtence-money of the Company to which ſuch Officer or Officers ſhall belong; and ſuch Officer or Officers ſhall, for ſuch their Offence, or for neglecting to give Notice of the Receipt of ſuch Pay or Subſiſtence-money as aforeſaid, be deemed and taken, and are hereby declared *ipſo facto* caſhiered.

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

Officers neglecting, to be caſhiered.

XXXI. And where it ſhall happen that the Subſiſtence-money due to any Marine Officer or Private Man ſhall, by Occaſion of any Accident, not be paid to ſuch Officer or Private Man, or ſuch Officer or Private Man ſhall neglect to pay the ſame, ſo that Quarters cannot be or are not paid as this Act directs; in every ſuch Caſe it is hereby further enacted, That every ſuch Officer ſhall, before his or their Departure out of his or their Quarters, where ſuch Company ſhall remain for any Time whatſoever, make up the Accounts, as this Act directs, with every Perſon with whom ſuch Company ſhall have quartered, and ſign a Certificate thereof, and give the ſaid Certificate, ſo by him ſigned, to the Party to whom ſuch Money is due, with the Name of ſuch Company to which he or they ſhall belong; to the End the ſaid Certificate may be forthwith tranſmitted to the proper Paymaſter of the Royal Marines, who is hereby required immediately to make Payment thereof to the Perſon or Perſons to whom ſuch Money ſhall be due, to the End the ſame may be applied to ſuch Company, under Pain as is before in this Act directed for Non-payment of Quarters.

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

Paymaſter to pay the Sum certified for.

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

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

XXXIII. And be it further enacted, That it ſhall and may be lawful to quarter Officers and Marines in *Ireland* in ſuch 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 Marines

and in Ireland as the Laws in force at the Union direct.

quartered there, as by the ſaid Laws in force at the Time of the ſaid Union was provided; and that if any Perſon in *Ireland*, liable to have Officers and Marines quartered and billetted on him, ſhall refuſe to receive or victual any ſuch Officer or Marine ſo quartered and billetted upon him or her as aforeſaid, or ſhall refuſe to furniſh any ſuch Officer or Marine ſo quartered or billetted in ſuch Manner as by the ſaid Laws in force in *Ireland* at the Time of the ſaid Union was provided, every ſuch Perſon ſo refuſing ſhall be ſubject and liable to all ſuch Penalties as any Perſon ſo refuſing was liable to under or by virtue of any Laws in force in *Ireland* at the Time of the ſaid Union.

Two Juſtices may ſummon Marines having Wife or Children to make Oath of their laſt Settlement.

XXXIV. And be it further enacted, 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 Marine ſhall be quartered in that Part of *Great Britain* called *England*, in caſe ſuch Non-commiſſion Officer or Private Marine have either Wife or Child or Children, to be ſummoned before them in the Town or Place where ſuch Non-commiſſion Officer or Marine 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 Marines 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 Marine 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 Marine 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.

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

XXXV. And be it further enacted, That, for the better and more regular Proviſion of Carriages for His Majeſty's Royal Marine Forces in their Marches, or for their Arms, Clothes, and Accoutrements in *England*, *Wales*, and the Town of *Berwick upon Tweed*, all Juſtices of the Peace, within the ſeveral Counties, Ridings, Diviſions, Shires, Liberties, and Precincts, being duly required thereunto by the ſaid Lord High Admiral, or Three or more of the Commiſſioners for executing the ſaid Office of Lord High Admiral for the Time being, by an Order in Writing, under his or their reſpective Hand or Hands, ſhall as often as ſuch Order ſhall be brought and ſhewn unto One or more ſuch Juſtice or Juſtices, by the Officer or Officers of the Company or Companies of Royal Marines ſo ordered to march, iſſue out his or their Warrant or Warrants to the High Conſtables, or Petty Conſtables, of the Diviſion, Riding, City, Liberty, Hundred, or Precinct, from, through, near, or to which ſuch Company or Companies ſhall be ordered to march, requiring them to make ſuch Proviſion for Carriages, with able Men to drive the ſame, as ſhall be mentioned in the ſaid Warrant, allowing them ſufficient Time to do the ſame, that the neighbouring Parts may not always bear the Bur-

then: And in case sufficient Carriages cannot be provided within any such Riding, City, Liberty, Hundred, Division, or Precinct, then the next Justice or Justices of the Peace for the County, Riding, or Division, shall, upon such Order as aforesaid being brought, or shewn to One or more of them, by any of the Marine Officers aforesaid, issue his or their Warrant or Warrants to the High Constables or Petty Constables of such next County, Riding, Liberty, Division, or Precinct, for the Purposes aforesaid, to make up such Deficiency: And the aforesaid Officer or Officers, who, by virtue of the aforesaid Warrant or Warrants from such Justice or Justices of the Peace, is or are to demand the Carriage or Carriages therein mentioned of the High Constable or Petty Constable, to whom the Warrant is directed, is and are hereby required, at the same Time, to pay down in Hand to the said Constable or Petty Constable for the Use of the Person who shall provide such Carriages and Men, the Sum of One Shilling for every Mile any Waggon with Five Horses shall travel; and the Sum of One Shilling for every Mile any Wain with Six Oxen, or Four Oxen with Two Horses shall travel; and the Sum of Nine-pence for every Mile any Waggon with Narrow Wheels or any Cart with Four Horses respectively, carrying not less than Fifteen hundred Weight shall travel; 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 Horses and Oxen and Men according to the Warrant aforesaid, who are hereby required to provide and furnish the same accordingly; and no Person owning or driving, or causing to be driven, any such Waggon, Wain, Cart, or other Carriage, shall be subject to any Penalty or Forfeiture, nor shall any such Waggon, Wain, Cart, or other Carriage be stopped or detained by Reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner of any such Waggon, Wain, Cart, or other Carriage, to put any additional Number of Horses or Oxen to those prescribed or paid for under this Act, any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or any particular Highway or Road, to the contrary notwithstanding: And if any Marine Officer or Officers, for the Use of whose Company or Companies the Carriage was provided, shall force and constrain any Waggon, Wain, Cart, or Carriage, to travel more than One Day's Journey, or shall not discharge the same in due Time for their Return Home, or shall suffer any Marine or

Rates for Carriages.

Waggons, &c. not to be stopped on account of Weight or Number of Horses.

Penalty on Officer forcing Waggons to travel more than One Day's Journey, etc.

or Servant (except such as are sick), or any Woman, to ride in the Waggon, Wain, Cart, or Carriage aforesaid; or shall force any Constable or Petty Constable, by Threatenings or menacing Words, to provide Saddle Horses for themselves or Servants, or shall force Horses from the Owners, by themselves, Servants, or private Men; every such Officer for every such Offence shall forfeit the Sum of Five Pounds, Proof thereof being made upon Oath before Two of His Majesty's Justices of the Peace for the same County or Riding, who are to certify the same to the proper Paymaster of His Majesty's Royal Marine Forces, who is hereby required to pay the aforesaid Sum of Five Pounds, according to Order and Appointment under the Hands and Seals of such Justices of the Peace; and is also hereby empowered to deduct the same out of such Officer's Pay: Provided always, that in Cases where the Day's March of the Marines 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, Nine-pence, and Six-pence *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 to specify a Period for which it shall be in force.

XXXVI. And be it enacted, That if any High Constable, or Petty Constable shall wilfully neglect or refuse to execute any such Warrant of the said Justice or Justices of the Peace as shall be directed unto such Constable or Petty Constable, for providing Carriages as aforesaid; or 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 Six-pence 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 and furnish any Carriage and Man, shall refuse or neglect to provide the same; or any other Person or Persons whatsoever shall wilfully do any Act or Thing, whereby the Execution of any such Warrant or Warrants shall be hindered or frustrated; every such Constable, or other Person or Persons so offending, shall, for every such Offence, forfeit any Sum not exceeding Five Pounds, nor less than Forty Shillings, to the Use of the Poor of such Parish or Parishes adjoining to the Parish where any such Offence shall be 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 be enquired of, heard, and fully determined, by Two of His Majesty's Justices of the Peace, dwelling in or near the Place where such Offence shall be committed; who have hereby Power to cause the said Penalty to be levied by Distress and Sale of the Offender's

Penalty on Constables, &c. Neglect.

Offender's Goods and Chattels, rendering the Overplus (if any) to the Owner.

Officers and Marines, &c. and Carriages employed in His Majeſty's Service, exempted from Payment of Tolls, &c.

XXXVII. And whereas, in conſequence of certain Exemptions from Tolls 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 Marines, 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 Marines, 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, Marines, Servants, Women, Children, or other Perſons, of or belonging to His Majeſty's Royal Marine Forces, or the Arms, Clothes, Accoutrements, Tents, Baggage, and other Equipage, of or belonging to His Majeſty's Royal Marine 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, Royal Marines, Carriages, Horſes, and Veſſels, are and ſhall be liable equally with others to the Duties and Tolls therein authorized to be demanded and taken.

Treaſurer of the County to repay the Conſtables extraordinary Charge.

XXXVIII. And whereas the reſpective Sums of Money, by this Act appointed to be paid to the Conſtables by the Officers demanding ſuch Carriages, may not, in many Caſes, be ſufficient to anſwer the Charge and Expence of providing the ſame, whereby the ſaid Conſtables may be frequently at great Charges, over and above what is received by them of the ſaid Officers, to the great Burthen of the Townſhips of which they are reſpectively Conſtables, or elſe the Perſons furniſhing ſuch Carriages may be grievouſly oppreſſed; to prevent which, and that ſuch Overplus Charge may be borne by each County or Riding at the general Charge of ſuch County or Riding, be it further enacted, That the Treaſurer or Treaſurers of each reſpective County or Riding ſhall, without Fee or Reward, pay unto ſuch Conſtable all and every ſuch reaſonable Sum or Sums of Money, ſo by him paid or laid out for ſuch Carriages, over and above what was or ought to have been paid by the Marine Officer requiring ſuch Carriages, out of the public Stock of ſuch County or Riding, according to ſuch Rates, Orders, Rules, and Directions, as the ſaid Juſtices of the Peace, in their Quarter Seſſions aſſembled, within their reſpective Juriſdictions ſhall from Time to Time, during the Continuance of this Act, make, direct, and appoint, (which Orders ſhall be made without Fee or Reward), Regard being always had to the Seaſon of the Year, and the Length and Condition of the Roads through which ſuch Carriages are to travel.

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

XL. Provided always, and be it further enacted, That no Waggon, Wain, Cart, or Carriage, impressed by Authority of this Act, shall be liable or obliged, by virtue of this Act, to carry above Twenty Hundred Weight; any Thing in this Act contained to the contrary notwithstanding. No Waggon, &c. liable to carry above 20 Hundred Weight.

XLI. And be it further enacted, That the Carriages for the Service of the Royal Marine Forces quartered or marched in *Scotland*, shall be provided in like Manner, and at the Rates, and the Furnisher of such Carriages shall be paid, as was directed by the Law in force in *Scotland* at the Time of the Union, with regard to the furnishing Carriages for Land Forces. Carriages in Scotland,

XLII. And be it further enacted, That the Carriages for the Service of the Royal Marine 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*. and in Ireland how to be provided.

XLIII. And be it further enacted, 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, Men or Maid Servants, of any Officer or Marine, in any such Houses, against the Consent of the Owners; the Party offending if an Officer of the Royal Marines, shall upon Complaint and Proof thereof made to the Commissioners for executing the Office of Lord High Admiral, or Judge-advocate, be *ipso facto* cashiered; and if a Constable, Tythingman, or other Civil Officer, he shall forfeit to the Party aggrieved Twenty Shillings, upon Complaint and Proof thereof made to the next Justice of the Peace; to be levied by Warrant of such Justice, by Distress and Sale of his Goods, rendering the Overplus to the Party, after deducting reasonable Charges in taking the same. Marines Wives, &c. not to be quartered without Consent. Penalty.

XLIV. And, for the better Preservation of the Game in or near such Place where any Officers or Marines shall at any Time be quartered, be it enacted, That, if from and after the said Twenty-fifth Day of *March* One thousand eight hundred and nine, any Officer or Marine shall, without Leave of the Lord of the Manor, under his Hand and Seal first had and obtained, take, kill, or destroy, any Hare, Coney, Pheasant, Partridge, Pigeon, or any other Sort of Fowls, Poultry or Fish, or His Majesty's Game, within the Kingdom of *Great Britain*, and upon Complaint thereof shall be, upon Oath of One or more credible Witness or Witnesses, convicted before any Justice or Justices of the Penalty on Officers or Marines destroying the Game.

Peace, who is and 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 Marine under his Command ſhall forfeit the Sum of Twenty Shillings, to be paid and diſtributed in Manner aforeſaid: And, if upon Conviction made by the Juſtices of the Peace, and Demand thereof alſo made by the Conſtable or Overſeers of the Poor, ſuch Officer ſhall refuſe or neglect, and not within Two Days pay the ſaid reſpective Penalties, ſuch Officer ſo refuſing or neglecting ſhall forfeit, and he is hereby declared to have forfeited his Commiſſion, and his Commiſſion is hereby declared to be null and void.

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

XLV. And whereas ſeveral Marines, who being duly entered may afterwards deſert, and be found wandering, or otherwiſe abſenting themſelves illegally from His Majeſty's Service; it is hereby further enacted, That it ſhall and may be lawful to and for the Conſtable, Headborough, or Tythingman, of the Town or Place where any Perſon, who may reaſonably be ſuſpected to be ſuch a Deſerter, ſhall be found, or for any Marine Officer or Marine 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 is hereby empowered and required to examine ſuch ſuſpected Perſon; and if, by his Confeſſion, or the Teſtimony of One or more Witneſs or Witneſſes upon Oath, or by Knowledge of ſuch Juſtice of the Peace, it ſhall appear or be found that ſuch ſuſpected Perſon is a Marine duly entered, and ought to be with the Company to which he belongs, ſuch Juſtice of the Peace ſhall forthwith cauſe him to be conveyed to the Gaol of the County or Place where he ſhall be found; or to the Houſe of Correction or other publick Priſon, in ſuch Town or Place where ſuch Deſerter ſhall be apprehended; or to the *Savoy*, in caſe ſuch Deſerter ſhall be apprehended within the Cities of *London* or *Weſtminſter*, or Places adjacent; and tranſmit an Account thereof to the Secretary of the Admiralty for the Time being, to the End ſuch Perſon may be proceeded againſt according to Law: And the Keeper of every Gaol, Houſe of Correction or Priſon, ſhall receive the full Subſiſtence of ſuch Deſerter, during the Time he ſhall continue in his Cuſtody, for the Maintenance of ſuch Deſerter; but ſhall not be entitled to any Fee or Reward on account of the Impriſonment of any ſuch Deſerter; any Law, Uſage, or Cuſtom, to the contrary notwithſtanding.

and tranſmit an Account to the Secretary of the Admiralty.

Gaol Keeper to receive the Subſiſtence of Deſerters.

Reward for taking up Deſerters.

XLVI. And, for the better Encouragement of any Perſon or Perſons to ſecure or apprehend ſuch Deſerter, be it further enacted, 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 ſuch Deſerter ſhall be apprehended, or in *Ireland*, to the Collector or Collectors of His Majeſty's Revenue in the Diſtrict where ſuch 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 nine, into the Hands of ſuch Perſon or Perſons who ſhall apprehend or cauſe to be apprehended, any ſuch Deſerter from His

His Majeſty's Service, the Sum of Twenty Shillings for every ſuch Deſerter, that ſhall be ſo apprehended and committed; which Sum of Twenty Shillings ſhall be ſatisfied by ſuch Collector or Collectors to whom ſuch Warrant ſhall be directed, and allowed upon his or their Account.

Penalty on Perſons concealing Deſerters, &c.

XLVII. Provided always, and be it enacted, That if any Perſon ſhall harbour, conceal, or aſſiſt, any Deſerter from His Majeſty's Royal Marine 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.

Penalty on Perſons receiving the Arms, Clothes, etc. of Deſerters, etc.

XLVIII. And be it further enacted, That if any Perſon ſhall knowingly detain, buy, or exchange, or otherwiſe receive any Arms, Clothes, Caps, or other Furniture, belonging to the King, from any Marine or Marine Deſerter, or any other Perſon, upon any Account or Pretence whatſoever, or any ſuch Articles belonging to any Marine or Marine Deſerter, as are generally deemed Regimental Neceſſaries, according to the Cuſtom of the Royal Marine Corps (being provided for the Marine, and paid for by the Deductions out of his Pay,) or cauſe the Colour of ſuch Clothes to be changed, every ſuch Perſon ſo offending, ſhall forfeit for every ſuch Offence the Sum of Five Pounds; and upon Conviction by the Oath of One or more credible Witneſs or Witneſſes before any One or more of His Majeſty's Juſtices of the Peace, the ſaid Penalty ſhall be levied by Warrant under the Hands of the ſaid Juſtice or Juſtices of the Peace, by Diſtreſs and Sale of the Goods and Chattels of the Offender, One Moiety thereof to be paid to the Informer, and the other Moiety to be paid to the Officer to whom any ſuch Marine did or doth 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 Articles as are generally deemed Regimental Neceſſaries, or of having cauſed the Colour of ſuch Clothes to be changed, contrary to the Intent of this Act, ſhall not have ſufficient Goods and Chattels, whereon Diſtreſs may be made to the Value of the Penalty recovered 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 or Juſtices of the Peace ſhall and may, by Warrant under his or their Hand and Seal, or Hands

and

and Seals, either commit such Offender to the Common Gaol, there to remain without Bail or Mainprize for the Space of Three Months, or cause such Offender to be publickly or privately whipped at the Discretion of such Justice or Justices.

Penalty for persuading Marines to desert.

XLIX. And be it further enacted, That if any Person or Persons shall in any Part of His Majesty's Dominions, directly or indirectly, persuade or procure any Marine 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 One hundred 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 One hundred Pounds to pay and satisfy the same, or if from the Circumstances and Heinousness of the Crime, it shall appear to the Court before which the said Conviction shall be made as aforesaid, that any such Forfeiture is not a sufficient Punishment for such Offence, it shall be lawful for such Court to commit any such Offender to Prison, there to remain for any Time not exceeding Twelve 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.

How such Penalty shall be recovered.

L. And be it further enacted, That all Penalties by this Act imposed for persuading or procuring any Marine to desert, within that Part of *Great Britain* called *England*, may and shall be sued for, and be recoverable in any of His Majesty's Courts of Record at *Westminster*, and for such like Offences as shall be committed in that Part of *Great Britain* called *Scotland*, shall be sued for and recoverable in His Majesty's Court of Exchequer in *Scotland*; and for such like Offences as shall be committed in *Ireland*, shall be sued for and recoverable in any of His Majesty's Courts of Record in *Dublin*; and for any such like Offences as shall be committed in any of the Dominions of His Majesty, shall and may be sued for and recoverable in any Court of Record of His Majesty in the Place where the Offence shall have been committed, and for such like Offences as shall have been 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 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 contained in an Act passed in the First Year of King *George* the First to the contrary thereof in anywise notwithstanding.

Penalties for Offences committed in Ireland, &c. how to be sued for.

LI. 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 committed 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

Ile 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*.

Deſerters ſurrendering to be deemed enliſted.

LII. And be it further enacted, That any Perſon who ſhall voluntarily ſurrender or deliver himſelf up as a Deſerter from His Majeſty's Royal Marine Forces, ſhall be deemed to have been duly inliſted and to be a Marine, and ſhall be liable to ſerve in His Majeſty's Royal Marine Forces whether ſuch Perſon ſhall have been ever actually inliſted as a Marine or not.

Offence againſt former Acts may be enquired of and puniſhed as under this Act.

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

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

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

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; otherwiſe the Priſoner to be diſcharged with Coſts.

LV. And to prevent, as far as may be, any unjuſt or fraudulent Arreſts that may be made upon Marines, whereby His Majeſty, and the Publick may be deprived of their Service, it is hereby further enacted, That no Perſon whatſoever who is entered, or ſhall enter himſelf as a Volunteer in His Majeſty's Service as a Marine, during the Continuance of this Act, ſhall be liable to be taken out of His Majeſty's Service by any Proceſs or Execution whatſoever, other than for ſome criminal Matter, unleſs for a real Debt, or other juſt Cauſe of Action, and unleſs before the taking out of ſuch Proceſs or Execution, (not being for a criminal Matter), the Plaintiff or Plaintiffs therein, or ſome other Perſon or Perſons on his or their Behalf, ſhall make Affidavit before One or more Judge or Judges of the Court of Record, or other Court, out of which ſuch Proceſs or Execution ſhall iſſue, or before ſome Perſon authorized to take Affidavits in ſuch Courts, that to his or their Knowledge the original Sum juſtly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants, in the Action or Cauſe of Action on which ſuch Proceſs ſhall iſſue, or the original Debt for which ſuch Execution ſhall be iſſued out, amounts to the Value of Twenty Pounds at leaſt, over and above all Coſts of Suit in the ſame Action, or in any other Action on which the ſame ſhall be grounded; a Memorandum of which Oath ſhall be marked on the Back of ſuch Proceſs or Writ, for which Memorandum or Oath no Fee ſhall be taken: And if any Perſon ſhall nevertheleſs be arreſted contrary to the Intent of this Act, it ſhall and may be lawful for One or more Judge or Judges of ſuch Court, upon Complaint thereof made by the Party himſelf, or by any his Superior Officer, to examine into the ſame by the Oath of the

Parties, or otherwiſe, and by Warrant under his or their Hands and Seals, to diſcharge ſuch Marine ſo arreſted contrary to the Intent of this Act, without paying any Fee or Fees, upon due Proof made before him or them that ſuch Marine ſo arreſted was legally liſted as a Marine in His Majeſty's Service, and arreſted contrary to the Intent of this Act; and alſo to award to the Party ſo complaining ſuch Coſts as ſuch Judge or Judges ſhall think reaſonable; for the Recovery whereof he ſhall have the like Remedy that the Perſon who takes out the ſaid Execution might have had for his Coſts, or the Plaintiff in the like Action might have had for the Recovery of his Coſts in caſe Judgement had been given for him with Coſts againſt the Defendant in the ſaid Action.

Plaintiff giving Notice may file a Common Appearance,

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

and proceed to Judgement and Execution.

Marines while confined for Debt, not to receive Pay.

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

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

LVIII. And be it further enacted, That if any High Conſtable, Conſtable, Beadle, or other Officer or Perſon whatſoever, who, by virtue or colour of this Act, ſhall quarter or billet, or be employed in quartering or billetting any Marine Officers or Private Men, ſhall neglect or refuſe for the Space of Two Hours to quarter or billet ſuch Officers or Marines, when thereunto required, in ſuch Manner as is by this Act directed, provided ſufficient Notice be given before the Arrival of ſuch Forces; or ſhall receive, demand, contract, or agree for any Sum or Sums of Money, or any Reward whatſoever, for or on Account of excuſing, or in order to excuſe any Perſon or Perſons whatſoever from quartering or receiving into his, her, or their Houſe or Houſes, any ſuch Officer or Marine; or in caſe any Victualler, or any other Perſon liable by this Act to have any Officer or Marine billetted or quartered on him or her, ſhall refuſe to receive or victual any ſuch Officer or Marine ſo quartered or billetted upon him or her as aforeſaid; or ſhall refuſe to furniſh or allow, according to the Directions of this Act, the ſeveral Things herein-before reſpectively directed to be furniſhed or allowed to Non-commiſſion Officers or Marines ſo quartered or billetted on him

or taking Money to excuſe any Perſon from quartering; and on Victuallers refuſing to receive Marines.

or

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

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

LIX. And for the better preventing Abuſes in quartering or billetting the Royal Marines in purſuance of this Act, be it further enacted, 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 Royal Marines in purſuance of this Act, to give an Account in Writing, unto the ſaid Juſtice or Juſtices requiring the ſame, of the Number of Officers and Private Men who ſhall be quartered or billetted by them, and alſo the Names of the Houſe-keepers or Perſons upon whom every ſuch Officer or Private Man ſhall be quartered or billetted, together with an Account of the Street or Place where every ſuch Houſe-keeper dwells, and of the Signs (if any) belonging to their Houſes; to the End it may appear to the ſaid Juſtice or Juſtices where ſuch Officers and Private Men are quartered or billetted, and that he or they may thereby be the better enabled to prevent or puniſh all Abuſes in the quartering or billetting of them.

Clauſe for Relief of Perſons haſtily inliſting themſelves.

LX. Provided nevertheleſs, and it is hereby declared, That from and after the Twenty-fifth Day of *March* One thouſand eight hundred and nine, when and as often as any Perſon or Perſons ſhall be enliſted as a Marine or Marines in His Majeſty's Service, he and they ſhall, within Four Days, but not ſooner than Twenty-four Hours, after ſuch Inliſting reſpectively, be carried or go with ſome Officer, Non-commiſſioned Officer, or Marine, belonging to the Recruiting Party by which he ſhall be inliſted, or with the Perſon employed on the Recruiting Service with whom he ſhall have inliſted, 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 the Vicinity of the Place where ſuch Perſon or Perſons ſhall have been inliſted, and not being an Officer of Royal Marines, and before ſuch Juſtice or Chief Magiſtrate he or they ſhall be at Liberty to declare his or their Diſſent to ſuch Inliſting; and upon ſuch Declaration,

and returning the Inliſting Money, and alſo each Perſon ſo diſſenting paying the Sum of Twenty Shillings for the Charges expended or laid out upon him, ſuch Perſon or Perſons ſo inliſted ſhall be forthwith diſcharged and ſet at Liberty, in the Preſence of ſuch Juſtice or Chief Magiſtrate; but if ſuch Perſon or Perſons ſhall refuſe or neglect, within the Space of Twenty-four Hours, to return and pay ſuch Money as aforeſaid, he or they ſhall be deemed and taken to be inliſted, as if he or they had given his or their Aſſent thereto before the ſaid Juſtice or Chief Magiſtrate; and if ſuch Perſon or Perſons ſhall declare his or their having voluntarily inliſted himſelf or themſelves, then ſuch Juſtice or Chief Magiſtrate ſhall; and he is hereby required forthwith to certify under his Hand, that ſuch Perſon or Perſons is or are duly inliſted; ſetting forth the Place of the Birth, Age, and Calling, of him or them reſpectively, (if known), and that the Second and Third Sections of the Articles of War, for the better Government of His Majeſty's Royal Marine Forces while on Shore, were read to him or them, and that he or they had taken the Oath of Fidelity mentioned in the Twelfth Section of the ſaid Articles of War, and alſo the Oath mentioned in the Schedule to this Act annexed, marked (A.); and if any ſuch Perſon or Perſons, ſo to be certified as duly inliſted, ſhall refuſe to take the ſaid Oath of Fidelity before the ſaid Juſtice or Chief Magiſtrate, it ſhall and may be lawful for ſuch Officer, from whom he has received ſuch Money as aforeſaid, to detain or confine ſuch Perſon or Perſons until he or they ſhall take the Oath before required; and every Officer of Royal Marines that ſhall act contrary hereto, or offend herein, upon Proof thereof, upon Oath made by Two Witneſſes, before a General Court-martial to be thereupon called, ſhall, for ſuch Offence, be forthwith caſhiered and diſplaced from ſuch his Office, and ſhall be thereby utterly diſabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in His Majeſty's Service.

Perſons receiving Inliſting Money.

LXI. And be it further enacted, That if any Perſon or Perſons ſhall receive the enliſting Money from any Officer (knowing it to be ſuch) and ſhall abſcond or refuſe to go before ſuch Juſtice or Chief Magiſtrate, or if any Perſon having received any ſuch enliſting Money as aforeſaid, ſhall thereafter abſent himſelf from the recruiting Party with which he enliſted, or Perſon with whom he enliſted, and ſhall not voluntarily return to ſuch recruiting Party or Perſon enliſting him to go before ſome Juſtice of the Peace or Magiſtrate under the Proviſions of this Act within ſuch Period of Four Days as aforeſaid, ſuch Perſon ſhall be deemed to be enliſted and a Marine in His Majeſty's Service as fully to all Intents and Purpoſes as if he had been duly atteſted and may be apprehended and puniſhed as a Deſerter, or for being abſent without Leave under any Articles of War made for Puniſhment of Mutiny and Deſertion, and it ſhall not be neceſſary for any recruiting Party or Perſon employed in enliſting, to give any Notice to any ſuch Perſon, or to go after any ſuch Perſon for the Purpoſe of carrying ſuch Perſon before any Juſtice or Magiſtrate as aforeſaid, nor ſhall any ſuch Perſon who ſhall not have remained with, or who ſhall not have returned to ſuch recruiting Party or Perſon enliſting him as aforeſaid be entitled to be diſcharged or be diſcharged by any Juſtice of the Peace or Magiſtrate after the Expiration of ſuch Four Days as aforeſaid.

Apprentices taking the Oath mentioned in-

LXII. And be it further enacted, That if any Perſon duly bound as an Apprentice ſhall inliſt as a Royal Marine in His Majeſty's Service, and ſhall take the Oath mentioned in the Schedule to this Act annexed marked (A).

(A.), every such Person so offending, 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 may be indicted and punished for obtaining Money under false Pretences, and shall after the Expiration of his Apprenticeship be liable to serve as a Marine; 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 Royal Marine Forces.

Schedule (A.) liable to be imprisoned, &c.

LXIII. And be it further enacted, That no Master shall be entitled to claim any Apprentice who shall, after the passing of this Act, inlist as a Royal Marine in His Majesty's Service, unless such Apprentice shall have been bound to him in *England* for the full Term of Seven Years, and if in *Ireland* for the full Term of Five Years at the least, and 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 (B.), 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 in the Schedule to this Act annexed marked (C.).

Masters claiming Apprentices to take the Oath mentioned in Schedule (B.) &c.

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

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

taking Rank according to the Seniority of their Commissions.

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

Marine Forces being borne as Part of the Complement of any Ships of War, are liable to be governed by the Rules established by 22 G. 2.

Continuance of this Act.

LXVI. And be it further enacted, That this Act and every Thing herein contained, shall be and continue in force within *Great Britain*, from the said Twenty-fifth Day of *March* in the Year of our Lord One thousand eight hundred and nine, until the Twenty-fifth Day of *March* in the Year of our Lord One thousand eight hundred and ten; and shall be and continue in force within *Ireland*, from the First Day of *April* One thousand eight hundred and nine, until the First Day of *April* One thousand eight hundred and ten; and that this Act, so far as relates to the Allowances to be made for the quartering of Royal Marines, and providing for their Horses, 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

SCHEDULES to which this Act refers.

SCHEDULE (A.)

FORM OF OATH.

I do make Oath, That I am by Trade a and, to the beſt of my Knowledge and Belief, was born in the Pariſh of in the County of and that I have no Rupture, nor ever was troubled with Fits, and am no Ways diſabled by Lameneſs, or otherwiſe, but have the perfect Uſe of my Limbs; that I am not an Apprentice, and that I do not belong to the Militia, or to any Regiment in His Majeſty's Service, or to His Majeſty's Navy or Royal Marines. As Witneſs my Hand at the Day of One thouſand eight hundred and

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

Witneſs preſent,

SCHEDULE (B.)

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 Seven 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 (G.)

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 on 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 Seven 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1809.