

ANNO QUINQUAGESIMO

GEORGII III. REGIS.

CAP. XIV.

An Act for the Regulation of His Majesty's Royal Marine Forces while on Shore. [24th *March* 1810.]

WHEREAS it may be necessary, for the Safety of the United Kingdom and the Defence of the Possessions of the Crown of *Great Britain* and *Ireland*, that a Body of Royal Marine Forces should be employed in His Majesty's Fleet and Naval Service, under the Direction of the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*: And whereas the said Royal Marine Forces may frequently be quartered on Shore, where they will not be subject to the Laws relating to the Government of His Majesty's Forces by Sea; yet nevertheless it being requisite, for the retaining of such Forces in their Duty, that an exact Discipline be observed; and that Marines who shall mutiny or stir up Sedition, or shall desert His Majesty's Service, be brought to a more exemplary and speedy Punishment than the Law will allow; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the Twenty-fifth Day of *March* One thousand eight hundred and ten, if any Person being entered or in Pay as an Officer of Royal Marines, or who is 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 ten, 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

After March 25, 1810, during the Continuance of this Act, every Marine Officer, Non-commissioned Officer and Private Men on Shore,

who shall mutiny or desert, &c.

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.

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.

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.

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

III. And be it also enacted, That it shall and may be lawful to and for such Courts-martial respectively, by their Sentence or Judgment, to inflict Corporal Punishment not extending to Life or Limb, on any Marine for Immorality, Misbehaviour, or Neglect of Duty, on Shore, in any Place or Places within this Kingdom, or in any other of His Majesty's Dominions during the Continuance of this Act.

Courts-martial may inflict Corporal Punishment for Immoralities, 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

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

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 all ſuch Articles of War ſhall from Time to Time, as ſoon after the ſame ſhall have been eſtabliſhed as the ſame can be done, be tranſmitted by the Secretary of the Admiralty for the Time being to the Judges of His Majeſty's Courts at *Weſtminſter* and *Dublin* and into *Scotland* reſpectively.

and to conſtitute Courts-martial.

Articles of War to be tranſmitted to Judges.

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.

Puniſhment.

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.

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

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.

Deſerter may be adjudged to be tranſported as a Felon;

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

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

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

piration 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, etc. 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 Pleasure, etc. shall be filed in the Office of the Clerk of the Crown;

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 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.

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

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

plication 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, not ſuffered to eſcape.

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.

General Court-martial not to conſiſt of leſs than 13, etc.

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 Commiſſioned 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.

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

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.

'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:

'So help you GOD.'

'I *A. B.* do ſwear, That I will duly adminiſter Juſtice, according to an Act of Parliament now in force, *for the Regulation of His Majeſty's 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

'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 particu-'lar 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.

Hours of Trial.

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

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

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 of the Admiralty, etc.

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.

None to be tried a Second Time for the ſame Offence.

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.

Deſerters beyond Sea, etc. may be tried here.

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.

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

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.

Perſons acquitted, etc. by the Civil Magiſtrate, may only be caſhiered.

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 convicted of criminal Offences not entitled to Pay.

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 accuſed of capital Crimes, etc. to be delivered over to the Civil Magiſtrate, etc.

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 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.

Penalty for Refuſal.

XXIII. And

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, etc. to quarter Officers and Men in Inns, Alehouses, etc.

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 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 Con-

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

ſent 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.

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 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.

Officers and Marines to pay Rates for their Proviſions.

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

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

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.

No Paymaſters, etc. to make Deductions out of Officers or Private Men's Pay. Exceptions.

XXIX. And be it further enacted, That from and after the Twenty-fifth Day of *March* One thouſand eight hundred and ten, 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 ten, 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.

Officers to give Notice to Innkeepers of

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

Exciſe better anſwered, be it enacted, That from and after the ſaid Twenty-fifth Day of *March* One thouſand eight hundred and ten, 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 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.

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 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 diſcharged as not paid as this Act directs; in every ſuch Caſe it is hereby further enacted,

On moving from Quarters the Officer to make up Accounts, and give Certifi-

cates for Money due.

That every such Officer shall, before his or their Departure out of his o 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.

Paymaster to pay the Sum certified for.

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

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*.

and in Ireland 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 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 Burthen: And in caſe ſufficient Carriages cannot be provided within any ſuch Riding, City, Liberty, Hundred, Diviſion, or Precinct, then the next Juſtice or Juſtices of the Peace for the County, Riding, or Diviſion, ſhall, upon ſuch Order as aforeſaid being brought, or ſhewn to One or more of them, by any of the Marine Officers aforeſaid, iſſue his or their Warrant or Warrants to the High Conſtables or Petty Conſtables of ſuch next County, Riding, Liberty, Diviſion, or Precinct, for the Purpoſes aforeſaid, to make up ſuch Deficiency: And the aforeſaid Officer or Officers, who, by virtue of the aforeſaid Warrant or Warrants from ſuch Juſtice or Juſtices of the Peace, is or are to demand the Carriage or Carriages therein mentioned of the High Conſtable or Petty Conſtable, to whom the Warrant is directed, is and are hereby required, at the ſame Time, to pay down in Hand to the ſaid Conſtable or Petty Conſtable for the Uſe of the Perſon who ſhall provide ſuch Carriages and Men, the Sum of One Shilling for every Mile any Waggon with Five Horſes ſhall travel; and the Sum of One Shilling for every Mile any Wain with Six Oxen, or Four Oxen with Two Horſes ſhall travel; and the Sum of Nine-pence for every Mile any 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

Rates for Carriages.

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 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

Waggons, etc. 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.

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.

ſions of the Peace for ſuch County or Diſtrict next enſuing the Date of ſuch Order.

Penalty on Conſtables, etc. Neglect.

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

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

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.

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 in 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.

Treaſurer of the County to repay the Conſtables extraordinary Charge,

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, etc. 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

Marines Wives, etc. not to be

pointed 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.

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 ten, 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 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 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.

Penalty on Officers or Marines deſtroying the Game.

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

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

or other public 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 ten, into the Hands of such Person or Persons who shall apprehend or cause to be apprehended, any such Deserter from His Majesty's Service, the Sum of Twenty Shillings for every such Deserter that shall be so apprehended and committed; which Sum of Twenty Shillings shall be satisfied by such Collector or Collectors to whom such Warrant shall be directed, and allowed upon his or their Account.

Penalty on Persons concealing Deserters, &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, &c. of Deserters, &c.

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 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

coverable 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, etc. 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 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*.

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.

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.

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.

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.

Plaintiff giving Notice may file a common Appearance,

and proceed to Judgement and Execution.

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.

Marines while confined for Debt, not to receive Pay.

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

Penalty on Conſtables, etc. neglecting to quarter Marines,

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

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

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.

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

LX. Provided

LX. Provided nevertheleſs, and it is hereby declared, That from and after the Twenty-fifth Day of *March* One thouſand eight hundred and ten, 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: Provided always, that every Non-commiſſioned Officer or Private Marine who ſhall inliſt any Recruit, ſhall, at the Time of ſuch enliſting inquire the Chriſtian and Surname, and Place of Abode of ſuch Recruit, and either take the ſame down in Writing or give the ſame to the Non-commiſſioned Officer commanding the Recruiting Party to be ſo taken down: Provided alſo, that it ſhall be lawful for any Juſtice of the Peace to diſcharge any Perſon who ſhall have haſtily inliſted, and who ſhall apply to him to declare his Diſſent within ſuch Four Days as aforeſaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Diſſent under this Act, notwithſtanding no Officer, Non-commiſſioned Officer, or Private Marine belonging to the Recruiting Party

Clauſe for Relief of Perſons haſtily inliſting themſelves.

ſhall be with the Recruit, if it ſhall appear to ſuch Magiſtrate upon the Examination of ſuch Recruit or of any other Perſon, that the Recruiting Party have left the Place where ſuch Recruit was enliſted, or that ſuch Recruit could not procure any Non-commiſſioned Officer belonging to ſuch Party to go with ſuch Recruit before the Juſtice of the Peace; and the Sum paid by ſuch Recruit upon his Diſcharge ſhall be kept by the Juſtice of the Peace, and paid when demanded to any Perſon belonging to the Recruiting Party, entitled thereto, demanding the ſame.

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, 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; unleſs it ſhall be proved to the Satisfaction of ſuch Juſtice of the Peace, that the true Name and Reſidence of the Perſon enliſted was diſcloſed and known to the Recruiting Party, and that no Notice was given to the Perſon enliſted, or left at his laſt uſual Place of Abode of his having ſo inliſted.

Apprentices taking the Oath mentioned in Schedule (A.) liable to be impriſoned, &c.

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.), 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, whether ſuch Perſon ſhall have been ſo convicted and puniſhed or not 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.

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

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.

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.

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.

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.

Persons employed in the Commissariat Department embezzling Stores may be tried by a Court-martial, &c.

LXVI. And be it further enacted, That every Commission Officer, Storekeeper, or Commissary, or Deputy, or Assistant Commissary, or other Person employed in the Commissariat Department, or in any Manner in the Care or Distribution of any Money, Provisions, Forage or Stores, belonging to His Majesty's Royal Marine Forces, or for their Use, that shall embezzle or fraudulently misapply or cause to be embezzled or fraudulently misapplied, or shall knowingly or wilfully permit or suffer any Money, Provisions, Forage, Arms, Cloathing, Ammunition, or other Military or Royal Marine Stores to be embezzled or fraudulently misapplied, or to be spoiled or damaged, may be tried for the same by and before a General Court Martial, and it shall be lawful for such Court Martial to adjudge any such Person to be transported as a Felon for Life, or for any certain Term of Years, or to suffer such Punishment of Pillory, Fine, Imprisonment, Dismissal from His Majesty's Service, and be incapable of serving His Majesty in any Office, Civil or Military, as any such Court shall think fit, according to the Nature and Degree of the Offence, or that such Person shall forfeit Two hundred Pounds; and that such Person shall in Addition to any other Punishment, make good at his own Expence the Loss and Damage thereby sustained, to be ascer-

tained by such Court Martial, which shall have Power to seize the Goods and Chattels of the Persons so offending, and sell them for the Payment of the said Two 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 (in Addition to any other Punishment or Imprisonment) 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.

Continuance of this Act.

LXVII. 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 ten, until the Twenty-fifth Day of *March* in the Year of our Lord One thousand eight hundred and eleven; and shall be and continue in force within *Ireland*, from the First Day of *April* One thousand eight hundred and ten, until the First Day of *April* One thousand eight hundred and eleven; 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.

SCHEDULES

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 (C.)

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.

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