ANNO QUINQUAGESIMO

GEORGII III. REGIS.

CAP. LXXXVII.

An Act to amend Two Acts, relating to the raiſing Men for the Service of the *Eaſt India* Company, and the Quartering and Billetting ſuch Men; and to Trials by Regimental Courts Martial.

[15th *June* 1810.]

WHEREAS an Act paſſed in the Thirty-ninth Year of the Reign of His preſent Majeſty, intituled, *An Act for the better recruiting the Forces of the* East India *Company:* And whereas an Act paſſed in the Twenty-ſeventh Year of the Reign of His late Majeſty King *George* the Second, intituled, *An Act for puniſhing Mutiny and Deſertion of Officers and Soldiers in the Service of the United Company of Merchants of* England *trading to the* East Indies, *and for the Puniſhment of Offences committed in the* East Indies *or at the Iſland of* Saint Helena: And whereas it would tend to the more ſpeedy recruiting of the Forces of the *Eaſt India* Company, if Men were permitted to enliſt for a limited Time in the Service of the ſaid Company, without engaging to ſerve in His Majeſty's Forces; and Proviſion muſt in ſuch caſe be made for Quartering and Billetting the Men ſo raiſed: And whereas it is alſo expedient that the Proviſions of the ſaid recited Act of His late Majeſty King *George* the Second, as to Trials by Regimental Courts Martial, ſhould be amended in relation to the Members and Witneſſes being ſworn, as now required on ſuch Trials in His Majeſty's Regular Forces; be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent

39 G. 3. c. 109.

27 G. 2. c. 9.

His Majeſty may order any of His Officers to enliſt the Number of Men ſpecified in recited Act of 39 G. 3. c. 109. to ſerve in the Company's Forces in India for Life or a limited Time.

Oaths to be taken as in Schedule.

preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall be lawful for His Majeſty, His Heirs and Succeſſors, to order and cauſe ſuch of His Officers as He ſhall ſee fit, to levy, enliſt, and raiſe ſuch Number of Men, either for Life or limited Service, as His Majeſty ſhall from Time to Time think fit, not exceeding the Number of Men ſpecified in the ſaid recited Act of the Thirty-ninth Year of the Reign of His preſent Majeſty aforeſaid, for the ſpecial Purpoſe of ſerving in the *Eaſt Indies* in the Forces of the ſaid United Company only; and the Recruits to be raiſed for ſuch ſpecial Purpoſe, inſtead of taking the Oath of Fidelity appointed to be taken by the ſaid recited Act of the Thirty-ninth Year aforeſaid, or by any Act in force for the Puniſhment of Mutiny and Deſertion, ſhall take the Oath ſpecified in the Schedule to this Act annexed, marked (A.); and inſtead of the Oath of Service preſcribed by any Act in force for the puniſhing of Mutiny and Deſertion, ſhall take the Oath in the Schedule to this Act annexed, marked (B.); which Oaths ſhall be adminiſtered by all Juſtices of the Peace and Magiſtrates before whom any ſuch Recruits ſhall be carried for the Purpoſe of being atteſted; and the Certificate given upon ſuch Atteſtation, ſhall be in the Form in the Schedule to this Act annexed, marked (C.).

Soldiers to be ſubject to the Mutiny Act till their Embarkation, then to be ſubject to the recited Act of 27 G. 2. c. 9.

II. And be it further enacted, That all Soldiers enliſted into the Service of the ſaid United Company of Merchants, ſhall be trained and diſciplined and ſubject to ſuch Command and Regulations, and at all Times and until their Embarkation be ſubject to all the Proviſions of any Act in force for the Puniſhment of Mutiny and Deſertion, and the better Payment of the Army and their Quarters, and after their Embarkation, to the Proviſions of the ſaid recited Act of the Twenty-ſeventh Year aforeſaid, in like Manner as is preſcribed in the ſaid recited Act of the Thirty-ninth Year aforeſaid; and all the Powers, Authorities, Proviſions, Clauſes, Rules, Regulations, and Reſtrictions, Penalties, and Forfeitures, contained and preſcribed in the ſaid recited Act of the Thirty-ninth Year aforeſaid, ſhall extend and be in full Force as to all Soldiers enliſted under and after the paſſing of this Act into the Service of the ſaid United Company of Merchants, as fully and effectually, as if the ſame were ſeverally and reſpectively repeated and re-enacted in this Act and made Part thereof.

Powers of Acts relating to quartering, &c. to extend to this Act.

III. And be it further enacted, That all the Powers, Authorities, Proviſions, Clauſes, Rules, Regulations, and Reſtrictions, and Penalties, and Forfeitures, contained and preſcribed in any Act or Acts of Parliament in force for the Time being, in relation to the quartering and billetting and proviſioning of, and Allowances in reſpect of ſuch quartering and billetting of Soldiers and Officers in His Majeſty's Service, and to the providing of Carriages for the Uſe of Soldiers, ſhall, from and after the paſſing of this Act, extend to all Soldiers enliſted for or transferred into the Service of the ſaid United Company of Merchants, as fully and effectually as if the ſame were ſeverally and ſeparately repeated and re-enacted in this Act, and made Part thereof; any Thing in the ſaid Act of the Thirty-ninth Year aforeſaid, or any other Act or Acts of Parliament to the contrary notwithſtanding.

Men may enliſt for 12 Years, &c.

IV. And whereas it is expedient to allow Men to enliſt in the Service of the ſaid United Company for Twelve Years; be it therefore enacted, That it ſhall be lawful for any Perſon enliſting for limited Service in the Service of the ſaid United Company, to enliſt for Twelve Years, if at the Time of

ſuch enliſting he ſhall be of the Age of Eighteen Years and upwards, and if he ſhall be under Eighteen Years of Age, then for ſuch further Period beyond Twelve Years as ſhall be equal to the Difference between Eighteen Years and the Age of the Perſon ſo enliſting.

V. Provided always, and be it further enacted, That it ſhall be lawful for all Perſons who ſhall have been enliſted for limited Service in the Forces of the ſaid United Company, after the Expiration of the firſt Period for which they ſhall have been ſeverally enliſted, to re-enliſt for ſuch further Period as ſhall be allowed and appointed by any Order of the Governor General in Council in *Bengal*. After the Expiration of the firſt Period the Men may re-enliſt.

VI. And be it further enacted, That it ſhall be lawful for any Perſon ballotted or enrolled to ſerve or ſerving in the Local Militia, to enliſt or enter into the Service of the United Company of Merchants trading to the *Eaſt Indies*, in like Manner and at ſuch Times as any ſuch Perſon might or may enliſt or enter into His Majeſty's Regular Forces. Men ſerving in the Local Militia may enliſt.

VII. And be it further enacted, That all Regimental and Garriſon and other Courts Martial which ſhall be held for the Trial of any Offences committed by the Troops in the Service of the ſaid United Company, ſhall have full Power and are hereby authorized and required to take and adminiſter ſuch Oaths, and to proceed in ſuch Manner in the Trial of Offences, as His Majeſty ſhall from Time to Time think fit to order and direct. His Majeſty may direct the Manner of Trials by Courts Martial.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

I *A. B.* being enliſted to ſerve in the [Infantry *or* Artillery, *as the Caſe may be*] of the *Eaſt India* Company, do ſwear, That I will bear true Allegiance to our Sovereign Lord King *George*, and that I will as in Duty bound defend him in His Perſon, Crown, and Dignity, againſt all His Enemies; and I ſwear, that I will alſo be true to the ſaid United Company, and will duly obſerve and obey all their Orders, and the Orders of their Generals and Officers who ſhall be lawfully ſet over me.

SCHEDULE

SCHEDULE (B.)

I *A. B.* do make Oath, That I am [*or*, have been, *as the Case may be*] [*state Occupation, if any, or state if none*] and to the best of my Knowledge and Belief was born in, [*state County, Parish, or Place, &c.*] and that I am of the Age of Years; that I do not belong to the Militia or to any Regiment in His Majesty's Service, or to His Majesty's Navy or Marines; and that I will serve the United Company of Merchants of *England* trading to the *East Indies* until I shall be duly and legally discharged, [*or, if the Recruit enlists for limited Service, then leave out the Words scored under, and insert*] for the Period of Twelve Years [*if the Person enlisting is of the Age of Eighteen Years or upwards, but if under Eighteen Years, then the Difference between his Age and Eighteen to be added to such Twelve Years, as the Case may be, and such Period to be inserted instead of Twelve Years*] provided the said United Company should for so long require my Service.

SCHEDULE (C.)

I One of His Majesty's Justices of the Peace of [*or*, Chief Magistrate of] Do hereby certify That appeared to be Years old, Feet Inches high, Complexion, Eyes, Hair, came before me at on the Day of and stated himself to be of the Age of Years, and that he had no Rupture, and was not troubled with Fits, and was no ways disabled, by Lameness, Deafness, or otherwise, but had the perfect Use of his Limbs and Hearing, and was not an Apprentice; and acknowledged that he had voluntarily enlisted himself for the Bounty of to serve the United Company of Merchants of *England* trading to the *East Indies*, and did engage to serve for the Period of [*this Blank to be filled up by the Magistrate, either until discharged, or for Years, as in the preceding Form of enlisting*]; and I do hereby certify, That in my Presence the Third and Fourth Articles of the Second Section and First Article of the Sixth Section of the Articles of War against Mutiny and Desertion were read over to him, and he took the Oath of Fidelity mentioned in the Act of the Fiftieth Year of His present Majesty, and also the Oath above set forth; and that he received the Sum of on being attested; and that I have given to the said a Duplicate of this Certificate signed with my Name.

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