ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

CAP. XXIII.

An Act for the regulating of His Majesty's Royal Marine Forces while on Shore. [20th *March* 1812.]

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 twelve, 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 twelve, 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

After March 25, 1812, during the Continuance of this Act, every Marine Officer, Non-commissioned Officer and Private Man on Shore,

who shall mutiny or desert, &c.

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

or list in any other Regiment, etc.

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.

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

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 hereinafter specified, shall be tried and proceeded against in such Manner as by this Act is directed.

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

III. And be it also enacted, That it shall and may be lawful to and for such Courts-martial respectively, by their Sentence or Judgement, 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.

Lords of the Admiralty empowered to make Articles for Punishment

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,

Writing, under his or their respective Hand or Hands, for the Punishment of Mutiny and Desertion, Immorality, Misbehaviour, and Neglect of Duty, in any of His Majesty's Royal Marine Forces, while on Shore, in any Part of this Kingdom, or in any other of His Majesty's Dominions, or in Foreign Parts, 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.

ment of Mutiny and Desertion, etc

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.

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

VI. Provided also, and be it further enacted, That in all Trials by any Divisional or Detachment 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); that is to say,

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

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

Oaths.

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

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 or Detachment directing such Court-martial; and every such Divisional or Detachment Court-martial is hereby authorized and directed to administer an Oath to every Witness that shall appear before them.

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,

Deserter may be adjudged to be transported as a Felon;

and returning without Leave before Expiration of

or

the Term limited, he shall suffer Death.

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.

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

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

When His Majesty shall intend such Sentence to be carried into Execution, or extend his Mercy to Offenders sentenced to be punished with Death, on Condition of Transportation, such Sentence, with His Majesty's Pleasure thereon, shall be notified by the Admiralty to any Justice of the King's Bench, &c. who shall make an Order for the Transportation of such Offenders, in Manner directed by 24 G. 3. c. 56.

IX. And be it further enacted, That whenever His Majesty shall intend any such Sentence of a Court-martial to be carried into Execution, or shall be graciously pleased to extend His Mercy, upon Condition of Transportation, to any Offender liable to the Punishment of Death by the Sentence of a Court-martial, such Sentence, together with His Majesty's Pleasure upon the same, shall be notified in Writing by the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral for the Time being, or any Three or more of them, to any Justice of the King's Bench, Common Pleas, or Baron of the Exchequer of the Degree of the Coif, and thereupon such Justice or Baron shall make an Order for the Transportation of such Offender, upon the Terms and for the Time which shall be specified in such Notification, and shall also make such other Order or Orders, and do all such other Acts consequent upon the same, as any such Justice or Baron is authorized to make or do by an Act passed in the Twenty-fourth Year of His Majesty's Reign, intituled *An Act for the effectual Transportation of Felons and other Offenders, and to authorize the Removal of Prisoners in certain Cases, and for other Purposes therein mentioned*, with respect to Offenders in such Act mentioned, tried at any Court of *Oyer* and *Terminer* or Gaol Delivery in *England*, as in the said Act mentioned; and such Order and Orders so to be made as aforesaid, and all such Acts as shall be so done as aforesaid, shall be obeyed and done by such Person in whose Custody such Offender shall at that Time be, and all other Persons whom it may concern, and shall be as effectual and have all the same Consequences as any Order made under the Authority of the said Act with respect to any Offender in the said Act mentioned; and every Sheriff, Gaoler, Keeper, Governor, or Superintendant whom it may concern, and all Constables, and other Persons, shall be bound to obey the aforesaid Order and Orders, be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience or interrupting the Execution of the same, as they would be if the same had been made under the Authority of the aforesaid Act; and every Person so ordered to be transported as aforesaid shall be subject respectively to all and every the Provision and Provisions made by Law, and now in force concerning Persons convicted of any Crime and sentenced to be transported,

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

Offenders under Sentence of Death, obtaining His Majesty's conditional Pardon, 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, except in Cases where serving beyond the Seas, &c.

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; except Courts-martial to be holden on any Officer, Non-commissioned Officer, or Private Marine, who may be serving on Shore in any Place beyond the Seas and out of His Majesty's Dominions or out of the *East Indies*, in which Cases any General Court-martial may consist of any Number not less than Seven, 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. And be it further enacted, 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 particular Member of the Court-martial, unless required to give Evidence 'thereof, as a Witness, by a Court of Justice, in a due Course of 'Law.

'So help me GOD.'

In Sentences of Death, what Number of Officers shall concur, etc.

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

Hours of Trial.

Courts-martial may sentence Offenders to Imprisonment, &c.

XV. Provided always, and be it further enacted, That it shall be lawful for any General or other Court-martial to sentence any Non-commission Officer or Private Marine to Imprisonment in any House of Correction,

Common

Common Gaol, or Public Prison; and all Gaolers and Keepers of such Houses of Correction or Prisons shall receive into their Custody and keep in Confinement, for such Time as they shall be respectively required so to do, any Non-commissioned Officer or Private Marine who may have been sentenced to Imprisonment by any General or other Court-martial, and shall provide a proper Place for the Confinement of any such Non-commissioned Officer or Private Marine, according to the Sentence of such Court, during the Period of his Imprisonment, upon receiving an Order in Writing from the Commanding Officer of the Division at which such General or other Court-martial shall have been held; and every Gaoler and Keeper of a House of Correction or Prison who shall refuse to receive and to confine any such Non-commissioned Officer or Private Marine in Manner as aforesaid shall forfeit, for every such Offence, the Sum of One hundred Pounds, to be recovered by Action of Debt or Information for the Use of His Majesty.

Pay to be forfeited during Imprisonment.

XVI. And be it further enacted, That every Non-commissioned Officer or Private Marine, to be imprisoned as aforesaid, shall forfeit all Right to any Pay, from the Day of his Commitment, during the Time of such Imprisonment; and also that, during the Continuance of any such Imprisonment, the Gaoler or Keeper of such Prison or House of Correction shall receive the Sum of Nine-pence *per Diem* out of the Subsistence of such Non-commissioned Officer or Private Marine, during the Time that such Non-commissioned Officer or Private Marine shall continue in Custody, which said Sum the Lords Commissioners of the Admiralty are hereby authorized and required to cause to be paid by the Paymaster of Royal Marines to the said Gaoler or Keeper aforesaid, upon receiving an Application in Writing to their Secretary, signed by any Justice of the Peace for the County or Riding in which such Gaol, Prison, or House of Correction shall be locally situate, together with a Copy of the Order under which the said Non-commissioned Officer or Private Marine was confined: Provided always, that it shall be lawful for the Lords Commissioners of the Admiralty for the Time being, if they should think fit, to order the Issue and Payment of the Surplus of such Pay, or any Portion thereof, or of any Arrears thereof, to or on account of such Non-commissioned Officer or Private Marine during or after the Expiration of the Period of his Imprisonment.

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

XVII. And be it enacted, 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 Courts-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.

XVIII. 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

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.

XIX. 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.

XX. And be it further enacted, That if any Officer or Private Man, in any of His Majeſty's Dominions beyond the Seas, or elſewhere beyond the Seas, commit any of the Offences for which he may be liable to be tried by Courts-martial, by virtue of this Act, 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.

XXI. 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.

XXII. 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.

XXIII. 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.

XXIV. Provided alſo, and be it further enacted, That if any Marine Officer, Non-commiſſioned 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*

Penalty for Refuſal.

facto

facto cashiered, and shall be utterly disabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in His Majesty's Service; provided the said Conviction be affirmed at the next Quarter Sessions of the Peace for the said County, and a Certificate thereof be transmitted to the Judge Advocate, who is hereby obliged to certify the same to the next Court-martial.

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

XXV. 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.

XXVI. 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

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

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

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

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

Officers and Marines to pay Rates for their Provisions.

XXVII. 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.

XXVIII. Provided

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

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

XXIX. 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.

Penalty on taking Money to excuse any Person from quartering.

XXX. 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.

Commanding Officer may exchange Marines in their Quarters,

and the Constables to billet the same accordingly.

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

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

the Paymaster of Widow's 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 Subsistence-money in their Hands.

XXXII. And that the Quarters both of the said Marine Officers and Private Men, while on Shore as aforesaid, may, during the Continuance of this Act, be duly paid and satisfied, and His Majesty's Duties of Excise better answered, be it enacted, That, from and after the said Twenty-fifth Day of *March* One thousand eight hundred and twelve, 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

Rates of Subsistence to be paid to Innkeepers, &c. 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.

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.

Officers neglecting, to be cashiered.

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

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

Paymaster to pay the Sum certified for.

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

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

XXXV. 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.

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

XXXVI. 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

Two Justices may summon Marines having Wife or

Children to make Oath of their laſt Settlement.

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.

XXXVII. 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

Rates for Carriages.

Conſtable for the Uſe of the Perſon who ſhall provide ſuch Carriages and Men, the Sum of One Shilling for every Mile any Waggon with Five Horſes ſhall travel; and the Sum of One Shilling for every Mile any Wain with Six Oxen, or Four Oxen with Two Horſes, ſhall travel; and the Sum of Nine-pence for every Mile any Waggon with Narrow Wheels or any Cart with Four Horſes reſpectively, carrying not leſs than Fifteen Hundred Weight ſhall travel; the Sum of Sixpence for every Mile every Cart or other Carriage, with leſs than Four Horſes, and not carrying Fifteen Hundred Weight, ſhall travel; or any further Sum not exceeding Four-pence for every Mile any Waggon with Five Horſes, or any Wain with Six Oxen, or with Four Oxen and Two Horſes, ſhall travel; and not exceeding Three-pence for every Mile any Cart with Four Horſes or carrying not leſs than Fifteen hundred Weight, ſhall travel; and not exceeding Two-pence for every Mile any Cart or Carriage with leſs than Four Horſes, and not carrying Fifteen Hundred Weight, ſhall travel; according as the ſame ſhall be fixed and ordered by the Juſtices of the Peace for any County or Diſtrict aſſembled at any General Seſſions of the Peace for ſuch County or Diſtrict, the ſaid Juſtices having regard to the Price of Hay and Oats at the Time of fixing ſuch additional Rates, for which reſpective Sums ſo received, the ſaid Conſtable or Petty Conſtable is hereby required to give a Receipt in Writing to the Perſon or Perſons paying the ſame; and ſuch Conſtable or Petty Conſtable ſhall order and appoint ſuch Perſon or Perſons having Carriages, within their reſpective Liberties, as they ſhall think proper, to provide and furniſh ſuch Carriages and Horſes and Oxen and Men according to the Warrant aforeſaid, who are hereby required to provide and furniſh the ſame accordingly; and no Perſon owning or driving, or cauſing to be driven, any ſuch Waggon, Wain, Cart, or other Carriage, ſhall be ſubject to any Penalty or Forfeiture, nor ſhall any ſuch Waggon, Wain, Cart, or other Carriage be ſtopped or detained by reaſon of any Weight in any ſuch Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horſes or Oxen; but it ſhall be lawful for any Owner of any ſuch Waggon, Wain, Cart, or other Carriage, to put any additional Number of Horſes or Oxen to thoſe preſcribed or paid for under this Act, any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or any particular Highway or Road, to the contrary notwithſtanding; and if any Marine Officer or Officers, for the Uſe of whoſe Company or Companies the Carriage was provided, ſhall force and conſtrain any Waggon, Wain, Cart or Carriage to travel more than One Day's Journey, or ſhall not diſcharge the ſame in due Time for their Return Home, or ſhall ſuffer any Marine or 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 Threatnings 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:

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

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

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

Order of Justices for Payment of additional Rates shall specify the Period for which it shall be in force.

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 Sixpence *per* Mile respectively, shall specify the Period for which the same shall be in force, and which shall not in any Case exceed Ten Days beyond the General Sessions of the Peace for such County or District next ensuing the Date of such Order.

Penalty on Constables, &c. Neglect.

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

XXXIX. 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.

XL. 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.

XLI. And in caſe the ſaid publick Stock of the County or Riding be not ſufficient (over and above the other Purpoſes for which it was raiſed) to ſatisfy the extraordinary Charge of Carriages 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.

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

No Waggon, &c. liable to carry above 20 Hundred Weight.

XLIII. And

Carriages in Scotland,

XLIII. 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.

and in Ireland how to be provided.

XLIV. 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*.

Marines Wives, &c. not to be quartered without Consent.

XLV. And be it further enacted, That if any Officer, Military or Civil, by this Act authorized to quarter Soldiers in any Houses hereby appointed for that Purpose, shall, at any Time during the Continuance of this Act, quarter any of the Wives, Children, Men or Maid Servants, of any Officer or Marine, in any such Houses, against the Consent of the Owners; the Party offending, if an Officer of the Royal Marines, shall upon Complaint and Proof thereof made to the Commissioners for executing the Office of Lord High Admiral, or Judge Advocate, be *ipso facto* cashiered; and if a Constable, Tithingman, 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.

Penalty.

Penalty on Officers or Marines destroying the Game.

XLVI. 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 twelve, 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, Pidgeon, 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.

XLVII. And

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

XLVII. And whereas several Marines, who being duly entered, may afterwards desert, and be found wandering, or otherwise absenting themselves illegally from His Majesty's Service; it is hereby further enacted, That it shall and may be lawful to and for the Constable, Headborough, or Tythingman, of the Town or Place, where any Person, who may reasonably be suspected to be such a Deserter shall be found, or for any Marine Officer or Marine to apprehend or cause such suspected Person to be apprehended, and to bring or cause him to be brought before any Justice of the Peace living in or near such Town or Place, who is hereby empowered and required to examine such suspected Person; and if by his Confession, or the Testimony of One or more Witness or Witnesses upon Oath, or by Knowledge of such Justice of the Peace, it shall appear or be found that such suspected Person is a Marine duly entered, and ought to be with the Company to which he belongs, such Justice of the Peace shall forthwith cause him to be conveyed to the Gaol of the County or Place where he shall be found; or to the House of Correction or other publick Prison in such Town or Place where such Deserter shall be apprehended; or to the *Savoy*, in case such Deserter shall be apprehended within the Cities of *London* or *Westminster*, or Places adjacent; and transmit an Account thereof to the Secretary of the Admiralty for the Time being, to the End that 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.

XLVIII. 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 twelve, 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.

XLIX. 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

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, etc.

L. 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.

LI. 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.

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

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

LIII. 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.

LIV. 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 enlisted 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 enlisted as a Marine or not.

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

LV. 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 enquired of, heard, tried, determined, adjudged, and punished, before and by the like Courts, Persons, Powers, Authorities, Ways, Means, and Methods, as the like Crimes

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.

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

No Volunteer liable to Proceſs unleſs for ſome criminal Matter, or unleſs for a real Debt of the Value of 20l.

Oath of the Debt to be made before a Judge,

and a Memorandum thereof marked on the Back of the Proceſs; otherwiſe the Priſoner to be diſcharged with Coſts.

LVII. And to prevent, as far as may be, any unjuſt or fraudulent Arreſts that may be made upon Marines, whereby His Majeſty and the Publick may be deprived of their Service, it is hereby further enacted, That no Perſon whatſoever who is entered, or ſhall enter himſelf as a Volunteer in His Majeſty's Service as a Marine, during the Continuance of this Act, ſhall be liable to be taken out of His Majeſty's Service by any Proceſs or Execution whatſoever, other than for ſome criminal Matter, unleſs for a real Debt, or other juſt Cauſe of Action, and unleſs before the taking out of ſuch Proceſs or Execution (not being for a criminal Matter), the Plaintiff or Plaintiffs therein, or ſome other Perſon or Perſons on his or their Behalf ſhall make Affidavit before One or more Judge or Judges of the Court of Record, or other Court, out of which ſuch Proceſs or Execution ſhall iſſue, or before ſome Perſon authorized to take Affidavits in ſuch Courts, that to his or their Knowledge the original Sum juſtly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants, in the Action or Cauſe of Action on which ſuch Proceſs ſhall iſſue, or the original Debt for which ſuch Execution ſhall be iſſued out, amounts to the Value of Twenty Pounds at leaſt, over and above all Coſts of Suit in the ſame Action, or in any other Action on which the ſame ſhall be grounded; a Memorandum of which Oath ſhall be marked on the Back of ſuch Proceſs or Writ, for which Memorandum or Oath no Fee ſhall be taken; and if any Perſon ſhall nevertheleſs be arreſted contrary to the Intent of this Act, it ſhall and may be lawful for One or more Judge or Judges of ſuch Court upon Complaint thereof made by the Party himſelf, or by any his ſuperior Officer, to examine into the ſame by the Oath of the Parties, or otherwiſe, and by Warrant under his or their Hands and Seals, to diſcharge ſuch Marine ſo arreſted contrary to the Intent of this Act, without paying any Fee or Fees, upon due Proof made before him or them that ſuch Marine ſo arreſted was legally liſted as a Marine in His Majeſty's Service, and arreſted contrary to the Intent of this Act; and alſo to award to the Party ſo complaining ſuch Coſts as ſuch Judge or Judges ſhall think reaſonable; for the Recovery whereof he ſhall have the like Remedy that the Perſon who takes out the ſaid Execution might have had for his Coſts, or the Plaintiff in the like Action might have had for the Recovery of his Coſts, in caſe Judgement had been given for him, with Coſts, againſt the Defendant in the ſaid Action.

Plaintiff giving Notice may file a common Appearance,

LVIII. 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

Writing of the Cauſe of Action to ſuch Perſon or Perſons ſo entered, or left at his or their Place of Reſidence before ſuch Entering, to file a Common Appearance in any Action to be brought for or upon Account of any Debt whatſoever, ſo as to entitle ſuch Plaintiff to proceed therein to Judgement and Outlawry, and to have an Execution thereupon, other than and againſt the Body or Bodies of him or them ſo entered as aforeſaid; this Act, or any Thing herein, or any former Law or Statute to the contrary notwithſtanding.

and proceed to Judgment and Execution.

LIX. 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.

LX. And be it further enacted, That every Gaoler, to whom any Notice ſhall have been given that any Perſon in his Cuſtody for any Offence is a Marine, and liable to ſerve His Majeſty, on the Expiration of his Impriſonment, ſhall give One Month's Notice to the Secretary of the Admiralty before the Day on which the Impriſonment of ſuch Perſon will expire, according to his Commitment or Sentence, of the Period of Expiration of ſuch Impriſonment.

Notice to be given to the Secretary of the Admiralty of the Expiration of the Impriſonment.

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

Penalty on Conſtables, etc. neglecting to quarter Marines;

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

Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices before whom such Offender shall be convicted, or of One or more of them, to be directed to any other Constable within the County, City, or Liberty, or to any of the Overseers of the Poor of the Parish where the Offender shall dwell; and the said Sum of Five Pounds, or the said Sum not exceeding Five Pounds nor less than Forty Shillings, when levied, to be paid to the Overseers of the Poor of the Parish where the Offence shall be committed, or to some One of them, for the Use of the Poor of such Parish.

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

LXII. 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 Housekeepers 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 Housekeeper dwells, and of the Signs (if any) belonging to their Houses, to the End it may appear to the said Justice or Justices where such Officers and Private Men are quartered or billetted, and that he or they may thereby be the better enabled to prevent or punish all Abuses in the quartering or billetting of them.

Clause for Relief of Persons hastily inlisting themselves.

LXIII. Provided nevertheless, and it is hereby declared, That from and after the Twenty-fifth Day of *March* One thousand eight hundred and twelve, 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 in 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 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 inlisted, 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: Provided always, that in every Case wherein any Person shall have received Inlisting Money, and shall have absconded, or have absented himself from the Party as aforesaid, so that it shall not be possible immediately to apprehend him, and bring him before a Magistrate, the Officer or Non-commissioned Officer commanding the Party, shall produce to the Magistrate, before whom the Recruit would regularly have been brought for Attestation, a Certificate of the Name and Place of Residence of such Person, and the Magistrate to whom the Certificate shall be produced, shall, after satisfying himself that the Person who had absconded cannot be found and apprehended, transmit a Duplicate thereof to the Lords of the Admiralty or their Secretary, in order that in the Event of such Person being afterwards apprehended and reported as a Deserter, the Facts of his having received enlisting Money and having absconded may be ascertained before he be finally adjudged to be a Deserter as having been duly enlisted.

Person receiving Inlisting Money absconding, or refusing to go before Magistrate, shall be deemed inlisted.

LXIV. And be it further enacted, That if any Person or Persons shall receive the inlisting Money from any Officer (knowing it to be such), and shall abscond or refuse to go before such Justice or Chief Magistrate, or if any Person having received any such Inlisting Money as aforesaid, shall thereafter absent himself from the Recruiting Party with which he inlisted, or Person with whom he inlisted, and shall not voluntarily return to such Recruiting Party or Person inlisting 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 inlisted, 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 inlisting 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 inlisted was disclosed and known to the Recruiting Party, and that no Notice was given to the Person inlisted 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.

LXV. 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.

LXVI. And be it further enacted, That no Master shall be entitled to claim any Apprentice who shall, after the passing of this Act, enlist as a 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, not having been above the Age of Fourteen when so bound, and if in *Ireland*, for the full Term of Five Years at the least, not having been above the Age of Sixteen when so bound, 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.).

LXVII. And

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

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

taking Rank according to the Seniority of their Commissions.

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

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

LXIX. 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 ascertained by such Court-martial; which shall have Power to seize the Goods and Chattels of the Person so offending, and sell them for the Payment of the said

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

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.

LXX. 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 twelve, until the Twenty-fifth Day of *March* in the Year of our Lord One thouſand eight hundred and thirteen; and ſhall be and continue in force within *Ireland*, from the Firſt Day of *April* One thouſand eight hundred and twelve, until the Firſt Day of *April* One thouſand eight hundred and thirteen; and that this Act, ſo far as relates to the Allowances to be made for the quartering of Royal Marines, and providing for their Horſes, may be altered and varied by any Act or Acts to be made in this Seſſion of Parliament.

Act, in Part, may be altered this Seſſion.

SCHEDULE

SCHEDULES to which this Act refers.

SCHEDULE (A.)

FORM OF OATH.

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

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

Witneſs preſent.

SCHEDULE (B.)

FORM OF MASTER'S OATH.

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

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

SCHEDULE (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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1812.