ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

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CAP. XI.

An Act for the regulating of His Majesty's Royal Marine Forces while on Shore.

[22d *March* 1816.]

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, or sent to do Duty on board Transport Ships or Merchant Ships or Vessels, 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 sixteen, 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 sixteen shall remain in such Service, or during the Continuance of this Act shall be voluntarily

After March 25, 1816, every Marine Officer, Non-commissioned Officer and Private Man,

voluntarily entered and in Pay as a Marine Officer or Private Man in His Majeſty's Service; and being ordered or employed in ſuch Service, at any Time during the Continuance of this Act, on Shore in any Place within the ſaid Kingdom, or in any other of His Majeſty's Dominions, or in Foreign Parts, or on board any Tranſport Ship or Merchant Ship or Veſſel, ſhall

who ſhall mutiny or deſert, &c.

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,

or liſt in any other Regiment, &c.

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

or ſhall be found ſleeping on or ſhall deſert his Poſt, &c.

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

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

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, or on board any Tranſport Ship or Merchant Ship or Veſſel, ſhall ſuffer Death, or ſuch other Puniſhment as by a Court-martial ſhall be inflicted.

The Admiralty may grant a Commiſſion for holding a General Court-martial, &c.

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

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

III. And be it alſo enacted, That it ſhall and may be lawful to and for ſuch Courts-martial reſpectively, by their Sentence or 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, or in Tranſports or Merchants Ships or Veſſels, during the Continuance of this Act.

IV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Lord High Admiral, or Three or more of the Commiſſioners for executing the Office of Lord High Admiral, at any Time during the Continuance of this Act, to make and eſtabliſh Rules and Articles in Writing under his or their reſpective Hand or Hands; which Articles ſhall be judicially taken Notice of by all the Judges, and in all Courts whatſoever, 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, or in Tranſport or Merchant Ships or Veſſels, 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.

Admiralty empowered to make Articles for Puniſhment of Mutiny and Deſertion, &c.

and to conſtitute Courts-martial.

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

Puniſhment.

VI. Provided alſo, and be it further enacted, That in all Trials by any Diviſional 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 truly 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 caſe of any Non-commiſſioned Officer or Marine tried and convicted of Deſertion, whenſoever

Deſerter may be adjudged to be tranſported;

whenſoever the Court-martial which ſhall paſs Sentence upon ſuch Trial ſhall not think the Offence deſerving of capital Puniſhment, ſuch Court-martial may, inſtead of awarding a corporal Puniſhment, adjudge the Offender, if they ſhall think fit, to be tranſported as a Felon for Life, or for a certain Term of Years, according to the Degree of the Offence: And if ſuch Non-commiſſioned Officer or Marine, having been adjudged to be tranſported as a Felon, ſhall afterwards (without Leave from His Majeſty, or from the Governor or Commanding Officer of the Place to which he ſhall have been tranſported) return into any Part of the United Kingdom of *Great Britain* and *Ireland*, before the Expiration of the Term limited by ſuch Sentence, and ſhall be convicted thereof in the ordinary Courſe of Law, he ſhall ſuffer Death.

and returning before Expiration of the Term limited, he ſhall ſuffer Death.

His Majeſty, where a capital Puniſhment is awarded, may order Offenders to be tranſported.

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.

Court may ſentence Deſerters to ſerve for Life, &c.

IX. Provided alſo, and be it further enacted, That if any Non-commiſſioned Officer or Marine ſo convicted of Deſertion, ſhall appear to have enliſted for a limited Term of Years, it ſhall be lawful for ſuch Court to ſentence any ſuch Non commiſſioned Officer or Marine ſo enliſted, to ſerve for Life as a Soldier, or for any Number of Years beyond the Period for which ſuch Non-commiſſioned Officer or Marine ſhall have enliſted, or generally, in any Regiment or Corps which His Majeſty ſhall pleaſe to direct; and any Non-commiſſioned Officer or Marine may, in any Caſe, in addition to any Service, be further adjudged to forfeit all Benefit or Advantage as to Increaſe of Pay, or as to Penſion or Diſcharge, which might otherwiſe have accrued to ſuch Non-commiſſioned Officer or Marine from the Length or Nature of his Service.

or order them to be marked.

X. And be it further enacted, That it ſhall be lawful for any Court-martial before which any Non-commiſſioned Officer or Marine ſhall be tried and convicted of Deſertion, to direct, if it ſhall ſo think fit, in addition to any other Puniſhment ſuch Court may award for any ſuch Deſertion, that ſuch Deſerter be marked on the left Side Two Inches below the Arm Pit with the Letter (D.), ſuch Letter not to be leſs than Half an Inch long, and to be marked upon the Skin with Ink or Gunpowder or other Preparation ſo as to be viſible and conſpicuous and not liable to be obliterated.

How Order for Tranſportation ſhall be proceeded in.

XI. 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 any Act or Acts of Parliament in force at the Time of making any ſuch Orders in relation to the Tranſportation of Offenders; and ſuch Order and Orders ſo to be made, and all ſuch Acts as ſhall be ſo done as aforeſaid, ſhall be obeyed and done by ſuch Perſon in whoſe Cuſtody ſuch Offender ſhall at that Time be, and all other Perſons whom it may concern, and ſhall be as effectual and have all the ſame Conſequences as any Order made under the Authority of the ſaid Act with reſpect to any Offender in the ſaid Act mentioned; and every Sheriff, Gaoler, Keeper, Governor, or Superintendant whom it may concern, and all Conſtables, and other Perſons, ſhall be bound to obey the aforeſaid Order and Orders, be aſſiſtant in the Execution thereof, and be liable to the ſame Puniſhment for Diſobedience or interrupting the Execution of the ſame, as they would be if the ſame had been made under the Authority of the aforeſaid Act; and every Perſon ſo ordered to be tranſported as aforeſaid ſhall be ſubject reſpectively to all and every the Proviſion and Proviſions made by Law, and now in force concerning Perſons convicted of any Crime and ſentenced to be tranſported, or receiving His Majeſty's Pardon on Condition of Tranſportation.

Order to be filed in the Office of the Clerk of the Crown;

XII. 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, &c.

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

Offenders under Sentence of Death, obtaining His Majesty's conditional Pardon, not suffered to escape.

XIV. 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.

XV. 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.

XVI. 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.'

And

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 Judge Advocate to be ſworn.

'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. The Oath.

'So help me GOD.'

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 Judgment 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: Provided alſo, that all Witneſſes duly ſummoned by the Judge Advocate or the Perſon officiating as ſuch ſhall, during their neceſſary Attendance in ſuch Courts, and in going to and returning from the ſame, be privileged from Arreſt in like Manner as Witneſſes attending any of His Majeſty's Courts of Law are privileged, and that if any ſuch Witneſs ſhall be unduly arreſted, he ſhall be diſcharged from ſuch Arreſt by the Court out of which the Writ or Proceſs iſſued by which ſuch Witneſs was arreſted; or if the Court out of which the Writ or Proceſs iſſued be not ſitting, then by any Judge of the Court of King's Bench in *London* or in *Dublin*, or the Court of Seſſions in *Scotland*, or Courts of Law in the *Weſt Indies*, according as the Caſe ſhall require, upon its being made appear to ſuch Court or Judge by Affidavit in a ſummary Way that ſuch Witneſs was arreſted in going to or returning from or attending upon ſuch Court-martial; and that all Witneſſes ſo duly ſummoned as aforeſaid, who ſhall not attend on ſuch Court, ſhall be liable to be attached in the Court of King's Bench in *London* or *Dublin*, or Court of Seſſion in *Scotland*, or Courts of Law in the *Weſt Indies* reſpectively, upon Complaint made to the ſaid Courts of King's Bench or Court of Seſſion in *Scotland*, or Courts of Law in the *Weſt Indies*, in like Manner as if ſuch Witneſs had neglected to attend on a Trial in any Criminal Proceeding in that Court.

In Sentences of Death what Number of Officers ſhall concur, &c.

Hours of Trial.

Witneſſes during their Attendance privileged from Arreſt.

XVII. And be it further enacted and declared, That in 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, according to the Nature of the Offence, if they ſhall think fit, to be tranſported as a Felon for Life or for a certain Term of Years; and if ſuch Non-commiſſioned Officer or Marine, having been adjudged to be tranſported as a Felon, ſhall afterwards (without Leave from His Majeſty, or from the Governor or Commanding Officer of the Place to which he ſhall have been tranſported) return into or be found at large without Leave as aforeſaid, or other lawful Cauſe, within any Part of the United Kingdom of *Great Britain* and *Ireland*, or in any of His Majeſty's Poſſeſſions Abroad, Deſerters may be tranſported for Life, &c.

Abroad, other than the Place to which he ſhall have been tranſported, before the Expiration of the Term limited by ſuch Sentence, and ſhall be convicted thereof in the ordinary Courſe of Law, every ſuch Perſon ſhall be deemed and adjudged guilty of Felony, and ſhall ſuffer Death as a Felon without Benefit of Clergy.

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

XVIII. Provided always, and be it further enacted, That it ſhall be lawful for any General or other Court-martial to ſentence any Non-commiſſioned Officer or Private Marine to Impriſonment in any Houſe of Correction, Common Gaol, or Public Priſon, or in any other Place which ſuch Court may deem fit and convenient for that Purpoſe; 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, or until diſcharged, 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.

XIX. And be it further enacted, That every Non-commiſſioned Officer or Private Marine, to be impriſoned as aforeſaid, ſhall forfeit all Right of 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 in any Gaol, Houſe of Correction, or Place of Military Confinement.

The Party tried entitled to a Copy of the Sentence and Proceedings of the

XX. 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. Court-martial.

XXI. And be it enacted, That every Judge Advocate, or Person officiating as such at any General Court-martial to be held as aforesaid, do, and he is hereby required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the original Proceedings and Sentence of such Court-martial to the Secretary of the Admiralty for the Time being; which original Proceedings and Sentence shall be by him carefully kept and preserved in the Office of the Admiralty of *Great Britain* and *Ireland*, to the End that the Persons entitled thereto may be enabled, upon Application to the said Office, to obtain Copies thereof, according to the true Intent and Meaning of this Act. Original Proceedings, &c. of Courts-martial to be transmitted to the Secretary of the Admiralty, &c.

XXII. 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; unless in the Case of an Appeal from a Divisional to a General Court-martial, and that no Sentence given by any Court-martial, and signed by the President thereof, be liable to be revised more than once. None to be tried a Second Time for the same Offence, unless in case of Appeal.

XXIII. 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. Persons offending beyond Sea, &c. may be tried here.

XXIV. 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. Not to exempt any on Shore from ordinary Process.

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

XXVI. Provided always, and be it enacted, That no Officer or Marine having been convicted in the ordinary Course of Law of any criminal Offence, shall, while under Confinement in consequence thereof, be entitled to any Part of his Pay from the Day on which such Conviction shall have taken place, nor until the Day of his Return to the Company to which he shall belong. Persons convicted of criminal Offences not entitled to Pay.

XXVII. 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 Persons accused of capital Crimes, &c. to be delivered over to the Civil

Magiſtrate, &c.

every Company or Party is and are hereby required, to uſe his and their utmoſt Endeavours to deliver over ſuch accuſed Perſon to the Civil Magiſtrate; and ſhall alſo be aiding and aſſiſting to the Officers of Juſtice in the ſeizing and apprehending ſuch Offender, in order to bring him to Trial: And if any ſuch Commanding Officer ſhall wilfully neglect or refuſe, upon Application made to him for that Purpoſe, to deliver over any ſuch accuſed Perſon to the Civil Magiſtrate, or to be aiding and aſſiſting to the Officers of Juſtice in the apprehending ſuch Offender; every ſuch Officer ſo offending, and being thereof convicted, before any Two or more Juſtices of the Peace for the County where the Fact is committed, by the Oath of Two credible Witneſſes, ſhall be deemed and taken to be *ipſo facto* caſhiered, and ſhall be utterly diſabled to have or hold any Civil or Military Office or Employment within this Kingdom; or in His Majeſty's Service; provided the ſaid Conviction be affirmed at the next Quarter Seſſions of the Peace for the ſaid County, and a Certificate thereof be tranſmitted to the Judge Advocate, who is hereby obliged to certify the ſame to the next Court-martial.

Penalty for Refuſal.

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

XXVIII. 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* and *Wales*, and the Town of *Berwick-upon-Tweed*, and in their Default or Abſence, for any One Juſtice of the Peace inhabiting in or near any ſuch City, Town, Village, or Place, and for no others; and ſuch Conſtables and other Chief Magiſtrates, as aforeſaid, are hereby required to quarter and billet the Marines, both Officers and Private Men, in His Majeſty's Service, in Inns, Livery Stables, Alehouſes, Victualling-houſes, and the Houſes of Sellers of Wine by Retail, to be drank in their own Houſes or Places thereunto belonging, and all Houſes of Perſons ſelling Brandy, Strong Waters, Cyder, or Metheglin by Retail, to be drank in their own Houſes, other than and except Canteens held and occupied under the Authority of the Commiſſioners for the Affairs of Barracks, or of the Department of the Ordnance or of the Lords Commiſſioners of the Admiralty, and 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 her Remedy at Law againſt ſuch Magiſtrate or Officer for the Damages that ſuch Occupier ſhall ſuſtain thereby; and if any Marine Officer ſhall take

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

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.

XXIX. And as very great Detriment and Inconvenience ariſe to the Service from the diſperſing and billetting of Marines when on a March at a great Diſtance from the Place or Places where they are meant to be quartered, by reaſon of which they are placed wide of their intended Route for the next Day's March; be it therefore enacted, That at no Time when Marines are on a March ſhall any of them be billetted above One Mile from the Place or Places mentioned in the Route.

Marines not to be billetted above One Mile from the Place mentioned in the Route.

XXX. 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 that are or ſhall be eſtabliſhed by any Act or Acts of Parliament in force in that reſpect.

Officers and Marines to pay Rates for their Proviſions.

XXXI. 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-commiſſioned Officers and Private Men who are recruiting, and Recruits by them raiſed), ſhall be deſirous to furniſh ſuch Non-commiſſioned Officers and Private Men with Candles, Vinegar, and Salt,

If Innholders refuſe to furniſh the Men quartered on them with Meat, they ſhall allow them

Candles, Small Beer, &c. gratis.

Salt, and with either Small Beer or Cyder, not exceeding Five Pints for each Man *per Diem, gratis*, and allow to ſuch Non-commiſſioned 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-commiſſioned 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-commiſſioned Officers and Private Men, ſhall pay the ſeveral Sums that are or ſhall be eſtabliſhed by any Act or Acts of Parliament in force in that Behalf to the Non-commiſſioned Officers and Private Men aforeſaid, and not to the Innholder or other Perſon, on whom ſuch Non-commiſſioned Officers and Private Men are quartered; any Thing herein contained to the contrary notwithſtanding.

Penalty on taking Money to excuſe any Perſon from quartering.

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

Commanding Officer may exchange Marines in their Quarters,

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

and the Conſtables to billet the ſame accordingly.

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

XXXIV. 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 ſixteen, 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; and if any Officer or Officers as aforeſaid ſhall not give Notice as aforeſaid, and ſhall not, immediately upon producing ſuch Account ſtated, ſatisfy, content, and pay the ſame, upon Complaint and Oath made thereof by any Two Witneſſes, at the next Quarter Seſſions for the County or City wherein ſuch Quarters were (which Oath the Juſtices of the Peace at ſuch Seſſions are hereby authorized and required to adminiſter), the Paymaſter or Perſon for the Time being authorized to pay the ſaid Royal Marine Forces is hereby required and authorized (upon Certificate of the ſaid Juſtices, before whom ſuch Oath was made, of the Sum due upon ſuch Accounts, and the Perſons to whom the ſame is owing) to pay and ſatisfy the ſaid Sums out of the Arrears due to the ſaid Marine Officer or Officers, upon Penalty that ſuch Paymaſter or Perſon ſhall forfeit their reſpective Place or Places of Paymaſter or otherwiſe, and be diſcharged from holding the ſame for the future; and in caſe there ſhall be no Arrears due to the ſaid Officer or Officers, then the ſaid Paymaſter, or Perſon for the Time being authorized to pay the ſaid Royal Marine Forces, is hereby authorized and required to deduct the Sums he ſhall pay, purſuant to the Certificate of the ſaid Juſtices, out of the next Pay or Subſiſtence-money of the Company to which ſuch Officer or Officers ſhall belong; and ſuch Officer or Officers ſhall, for ſuch their Offence, or for neglecting to give Notice of the Receipt of ſuch Pay or Subſiſtence-money as aforeſaid, be deemed and taken, and are hereby declared *ipſo facto* caſhiered.

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

XXXV. 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.

Paymaſter to pay the Sum certified for.

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

XXXVI. 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 Union direct,

land at the Time of the Union; and that the Poſſeſſors of ſuch Houſes ſhall only be liable to furniſh the ſaid Marine Officers and Private Men quartered there, as by the ſaid Laws in force at the Time of the Union was provided with reſpect to the Officers and Private Men of the Land Forces; and that no ſuch Marine Officer ſhall be obliged to pay for his Lodging, where he ſhall be regularly billetted, except in the Suburbs of *Edinburgh*.

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

XXXVII. And be it further enacted, That it ſhall and may be lawful to quarter Officers and Marines in *Ireland* in ſuch and the like Places and Houſes as they might have been quartered in, by the Laws in force in *Ireland* at the Time of its Union with *Great Britain*, and that the Poſſeſſors of ſuch Houſes ſhall only be liable to furniſh the ſaid Officers and Marines quartered there, as by the ſaid Laws in force at the Time of the ſaid Union was provided; and that if any Perſon in *Ireland* liable to have Officers and Marines quartered and billetted on him, ſhall refuſe to receive or victual any ſuch Officer or Marine ſo quartered and billetted upon him or her as aforeſaid, or ſhall refuſe to furniſh any ſuch Officer or Marine ſo quartered or billetted, in ſuch Manner as by the ſaid Laws in force in *Ireland* at the Time of the ſaid Union was provided, every ſuch Perſon ſo refuſing ſhall be ſubject and liable to all ſuch Penalties as any Perſon ſo refuſing was liable to under or by virtue of any Laws in force in *Ireland* at the Time of the ſaid Union.

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

XXXVIII. And be it further enacted, That it ſhall and may be lawful for any Two or more Juſtices of the Peace for the County, Town, or Place, where any Non-commiſſioned Officer or Marine ſhall be quartered in that Part of *Great Britain* called *England*, in caſe ſuch Non-commiſſioned 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 on their Marches.

XXXIX. 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,

Precincts, being duly required thereunto by the ſaid Lord High Admiral, or Three or more of the Commiſſioners for executing the ſaid Office of Lord High Admiral for the Time being, by an Order in Writing under his or their reſpective Hand or Hands, ſhall, as often as ſuch Order ſhall be brought and ſhewn unto One or more ſuch Juſtice or Juſtices by the Officer or Officers of the Company or Companies of Royal Marines ſo ordered to march, iſſue out his or their Warrant or Warrants to the High Conſtables, or Petty Conſtables, of the Diviſion, Riding, City, Liberty, Hundred or Precinct, from, through, near, or to which ſuch Company or Companies ſhall be ordered to march, requiring them to make ſuch Proviſion for Carriages, with able Men to drive the ſame, as ſhall be mentioned in the ſaid Warrant, allowing them ſufficient Time to do the ſame, that the neighbouring Parts may not always bear the Burthen; and in caſe ſufficient Carriages cannot be provided within any ſuch Riding, City, Liberty, Hundred, Diviſion, or Precinct, then the next Juſtice or Juſtices of the Peace for the County, Riding, or Diviſion, ſhall, upon ſuch Order as aforeſaid being brought, or ſhewn to One or more of them, by any of the Marine Officers aforeſaid, iſſue his or their Warrant or Warrants, to the High Conſtables or Petty Conſtables of ſuch next County, Riding, Liberty, Diviſion, or Precinct, for the Purpoſes aforeſaid, to make up ſuch Deficiency; and the aforeſaid Officer or Officers, who, by virtue of the aforeſaid Warrant or Warrants from ſuch Juſtice or Juſtices of the Peace, is or are to demand the Carriage or Carriages therein mentioned of the High Conſtable or Petty Conſtable, to whom the Warrant is directed, is and are hereby required at the ſame Time, to pay down in Hand to the ſaid Conſtable or Petty Conſtable for the Uſe of the Perſon who ſhall provide ſuch Carriages and Men, the reſpective Sums herein-after mentioned, for which reſpective Sums ſo received, the ſaid Conſtable or Petty Conſtable is hereby required to give a Receipt in Writing to the Perſon or Perſons paying the ſame; and ſuch Conſtable or Petty Conſtable ſhall order and appoint ſuch Perſon or Perſons having Carriages, within their reſpective Liberties, as they ſhall think proper, to provide and furniſh ſuch Carriages and Horſes and Oxen and Men according to the Warrant aforeſaid, who are hereby required to provide and furniſh the ſame accordingly; and no Perſon owning or driving, or cauſing to be driven, any ſuch Waggon, Wain, Cart, or other Carriage, ſhall be ſubject to any Penalty or Forfeiture, nor ſhall any ſuch Waggon, Wain, Cart, or other Carriage be ſtopped or detained by reaſon of any Weight in any ſuch Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horſes or Oxen; but it ſhall be lawful for any Owner of any ſuch Waggon, Wain, Cart, or other Carriage, to put any additional Number of Horſes or Oxen to thoſe preſcribed or paid for under this Act, any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or any particular Highway or Road, to the contrary notwithſtanding; and if any Marine Officer or Officers for the Uſe of whoſe Company or Companies the Carriage was provided, ſhall force and conſtrain any Waggon, Wain, Cart, or Carriage to travel more than One Day's Journey, or ſhall not diſcharge the ſame in due Time for their return Home, or ſhall ſuffer any Marine or Servant (except ſuch as are ſick), or any Woman to ride in the Waggon, Wain, Cart, or Carriage aforeſaid; or ſhall force any Conſtable or Petty Conſtable, by Threatenings or menacing Words, to provide Saddle Horſes for themſelves or Servants, or ſhall force Horſes from the Owners, by themſelves, Servants, or Private Men;

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.

every

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.

Rates of Carriage.

XL. And be it further enacted, That the Sums to be paid into the Hands of ſuch Conſtable or Petty Conſtable in *England*, *Wales*, and *Berwick-upon-Tweed*, ſhall be according to the following Rates; that is to ſay, The Sum of One Shilling for every Mile any Waggon with Four or more Horſes, or any Wain with Six Oxen, or Four Oxen with Two Horſes, ſhall travel; and the Sum of Nine-pence for every Mile any Cart with Four Horſes, or carrying not leſs than Fifteen Hundred Weight, ſhall travel; and the Sum of Sixpence for every Mile any 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 Four or more 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 other 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: Provided always, that in Caſes where the Day's March ſhall exceed Fifteen Miles, 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 Magiſtrates who granted the Warrant for impreſſing them not exceeding the uſual Rate and Hire of ſuch Carriages: Provided always, that every Order of the Juſtices aſſembled at any General Seſſions of the Peace, fixing a further Sum to be paid for the Hire of Carriages as aforeſaid in Addition to the cuſtomary Rates of One Shilling and 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, and a Copy of every ſuch Order ſigned by the Chairman or preſiding Magiſtrate and one other Juſtice of the Peace or Magiſtrate at the Quarter Seſſions at which the ſame ſhall be made, ſhall within Three Days after the making thereof be tranſmitted to the Secretary of the Admiralty, and no ſuch Order ſhall be valid or effectual unleſs a Copy thereof be ſo ſigned and tranſmitted as aforeſaid: Provided alſo, that in every Caſe of any increaſed Rate being allowed for the Hire of any Carriage, the Juſtice of the Peace granting or ſigning ſuch Warrant ſhall inſert in his own Hand the Amount of ſuch increaſed Rate for each Deſcription of Carriage as ſo authorized by the Juſtices at the Quarter Seſſions as aforeſaid, and ſuch Warrant ſhall be given to the Officer or Non-commiſſioned Officer commanding the Regiment, Corps, Company, Detachment, or Party requiring ſuch Carriages, as

his Voucher for the Payment of ſuch increaſed Rate; and no increaſed Rate ſhall be demanded, but ſuch as ſhall be ſo inſerted by the Juſtice in the Warrant.

Penalty on Conſtables, &c. Neglect.

XLI. 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.

XLII. 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.

XLIII. 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.

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

The Money for that Purpoſe how to be raiſed.

XLV. 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.

XLVI. 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 Laws in force in *Scotland* at the Time of the Union, with regard to the furniſhing Carriages for Land Forces.

Carriages in Scotland,

XLVII. 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

and in Ireland, how to be provided.

niſher 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.

XLVIII. 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.

XLIX. 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 ſixteen, any Officer or Marine ſhall, without Leave of the Lord of the Manor, under his Hand and Seal firſt had and obtained, take, kill, or deſtroy, any Hare, Coney, Pheaſant, Partridge, Pigeon, or any other Sort of Fowls, Poultry, or Fiſh, or His Majeſty's Game, within the Kingdom of *Great Britain*, and upon Complaint thereof ſhall be, upon Oath of One or more credible Witneſs or Witneſſes, convicted before any Juſtice or Juſtices of the Peace, who is and are hereby empowered and authorized to hear and determine the ſame; (that is to ſay), every Officer ſo offending ſhall, for every ſuch Offence, forfeit the Sum of Five Pounds, to be diſtributed among the Poor of the Place where ſuch Offence ſhall be committed; and every Officer commanding in Chief upon the Place, for every ſuch Offence committed by any Marine under His Command, ſhall forfeit the Sum of Twenty Shillings, to be paid and diſtributed in Manner aforeſaid; and if, upon Conviction made by the Juſtices of the Peace, and Demand thereof alſo made by the Conſtable or Overſeers of the Poor, ſuch Officer ſhall refuſe or neglect, and not within Two Days pay the ſaid reſpective Penalties, ſuch Officer ſo refuſing or neglecting ſhall forfeit, and he is hereby declared to have forfeited his Commiſſion, and his Commiſſion is hereby declared to be null and void.

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

L. 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 Tithingman, of the Town or Place where any Perſon who may reaſonably be ſuſpected to be ſuch a Deſerter ſhall be found, or if no ſuch Conſtable, Headborough, or Tithingman can be immediately met with, then 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,

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, whether ſuch Company ſhall be employed on board any of His Majeſty's Ships or Veſſels, or quartered on ſhore, or employed on board any Tranſport Ship, or Merchant Ship or Veſſel, ſuch Juſtice of the Peace ſhall without Fee or Reward to himſelf or Clerk 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 public Priſon in ſuch Town or Place where ſuch Deſerter ſhall be apprehended; or to the *Savoy*, in caſe ſuch Deſerter ſhall be apprehended within the Cities of *London* or *Weſtminſter*, or Places adjacent: and tranſmit an Account thereof to the Secretary of the Admiralty for the Time being, and to the Commandant of the Diviſion to which the ſaid Deſerter may belong, 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: Provided always, that it ſhall be lawful for the Secretary of the Admiralty for the Time being, if he ſhould think fit to order the Iſſue and Payment of any Arrears of Pay, or of the Surplus of ſuch Pay or any Portion thereof, to or on account of ſuch Non-commiſſioned Officer or Marine during or after the Expiration of his Period of Impriſonment in any Gaol or Houſe of Correction or other public Priſon.

and tranſmit an Account to the Secretary of the Admiralty, &c.

Gaol Keeper to receive the Subſiſtence of Deſerters.

Reward for taking up Deſerters.

LI. 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 ſixteen, 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 Three Pounds, for every ſuch Deſerter that ſhall be ſo apprehended and committed; which Sum of Three Pounds ſhall be ſatisfied by ſuch Collector or Collectors to whom ſuch Warrant ſhall be directed, and allowed upon his or their Account; the Magiſtrate informing the Commandant of the Diviſion to which ſuch Deſerter may belong, that the ſame may be charged againſt his Pay and Subſiſtence.

Perſons confeſſing themſelves Deſerters to be deemed duly enliſted.

LII. And be it further enacted, That any Perſon who ſhall voluntarily ſurrender or deliver himſelf up as a Deſerter from His Majeſty's Royal Marine Forces, or, who, upon being apprehended for Deſertion, or any other Offence, ſhall, in the Preſence of the Magiſtrate confeſs himſelf to be a Deſerter from ſuch Forces, ſhall be deemed to have been duly enliſted, and to be a Marine, and ſhall be liable to ſerve, whether ſuch Perſon ſhall have been ever actually enliſted as a Marine or not.

LIII. And be it further enacted, That the Receipts taken from the Perſon or Perſons who ſhall have apprehended or cauſed to be apprehended any ſuch Deſerter or Deſerters as aforeſaid, together with Warrants in Writing of the Juſtice or Juſtices of the Peace to the Collector or Collectors of the Land Tax, or in *Ireland* to the Collector or Collectors of His Majeſty's Revenue, for Payment of the Sums therein mentioned, being produced, tranſmitted to, or delivered at the Pay Office of His Majeſty's Navy, if the Deſerter belongs to one of His Majeſty's Ships or Veſſels, or at the Pay Office of His Majeſty's Royal Marine Forces, if the Marine be employed on Shore, or in a Tranſport or Merchant Ship or Veſſel, by the Receiver General of the Land Tax in that Part of the United Kingdom of *Great Britain* and *Ireland* called *Great Britain*, or by the Commiſſioners of the Revenue in *Ireland*, ſhall be immediately paid by the Treaſurer of the Navy or Paymaſter of the ſaid Royal Marine Forces or other proper Officer in that Behalf, to the ſaid Receiver General or Commiſſioners of the Revenue, as the Caſe may be, or to their reſpective Order, in Reimburſement of ſuch Sum or Sums of Money ſo to be paid by the ſaid Collectors as aforeſaid. Rewards for taking Deſerters to be repaid by the proper Officers.

LIV. And be it further enacted, That the ſaid Treaſurer of the Navy, Paymaſter of Royal Marines, or other proper Officer, ſhall immediately, or as ſoon as conveniently may be after ſuch Payment and Reimburſement to the ſaid Receiver General or Commiſſioners of the Revenue, as aforeſaid, charge or cauſe to be charged againſt the Pay and Subſiſtence of every ſuch Marine, for whoſe Apprehenſion ſuch Reward or Sum of Three Pounds ſhall have been paid as aforeſaid, the Amount of ſuch Reward or Rewards reſpectively, and which Amount ſhall and may be ſtopped and retained out of ſuch Pay and Subſiſtence accordingly, any Thing herein contained to the contrary thereof in anywiſe notwithſtanding. Such Rewards to be a Charge on the Pay and Subſiſtence of the Deſerters.

LV. Provided always, and be it enacted, That if any Perſon ſhall harbour, conceal, or aſſiſt any Deſerter from His Majeſty's Royal Marine Service, knowing him to be ſuch, the Perſon ſo offending ſhall forfeit for every ſuch Offence the Sum of Twenty Pounds; and upon Conviction, by the Oath of One or more credible Witneſs or Witneſſes, before any of His Majeſty's Juſtices of the Peace, the ſaid Penalty of Twenty Pounds ſhall be levied, by Warrant under the Hand of ſuch Juſtice of the Peace, by Diſtreſs and Sale of the Goods and Chattels of the Offender, One Moiety of the ſaid Penalty to be paid to the Informer, and the other Moiety to be paid to the Paymaſter of the Royal Marine Forces, and ſhall be credited by ſuch Paymaſter in his public Accounts, and a Report of the Penalty being adjudged ſhall be made to the Secretary of the Admiralty by the Juſtice of the Peace by whom the ſame ſhall have been impoſed; 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 concealing Deſerters, etc.

Recruits discharged previous to March 25, 1816, before the Expiration of 24 Hours after Inliſtment, not to be proceeded againſt as Deſerters.

LVI. And whereas many Juſtices and Chief Magiſtrates have erroneouſly diſcharged Recruits before the Expiration of Twenty-four Hours after the Time of their Enliſtment: And whereas ſuch Recruits are in conſequence liable to be treated as Deſerters through ſuch Error of the Juſtice or Chief Magiſtrate, and without any Evil Intention on their own Part; be it therefore enacted, That no ſuch Recruit who ſhall have been ſo erroneouſly diſcharged by a Juſtice or Chief Magiſtrate previous to the Twenty-fifth Day of *March* One thouſand eight hundred and ſixteen, ſhall be liable on that Account to be proceeded againſt as having abſconded or deſerted from His Majeſty's Service.

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

LVII. 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 Paymaſter of the Royal Marine Forces, who ſhall report the ſame to the Secretary of the Admiralty, and credit the ſame in his public Accounts; 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 publicly or privately whipped, at the Diſcretion of ſuch Juſtice or Juſtices.

Falſe Oaths Perjury.

LVIII. And be it further enacted, That any Perſon taking a falſe Oath in any Caſe wherein an Oath is required to be taken by this Act ſhall be deemed guilty of wilful and corrupt Perjury, and being thereof duly convicted ſhall be liable to ſuch Pains and Penalties as by any Laws now in force any Perſons convicted of wilful and corrupt Perjury are ſubject and liable to.

Furlough extended in caſe of Sickneſs, etc.

LIX. And whereas Marines abſent on Furlough granted to them by their Commanding Officers are ſometimes prevented by Sickneſs, or other unavoidable Caſualty, from returning to their Duty before the Expiration of the Time limited by ſuch Furlough; and Doubts have ariſen whether

in ſuch Caſes the Extenſion of a Marine's Furlough by a Juſtice of the Peace be ſanctioned by legal Authority, and effectual for preventing ſuch Marine from being apprehended upon Suſpicion of his having deſerted; be it further enacted, That any Inſpecting Field Officer, ſtationed on the Recruiting Service, or any Officer of the Rank of Captain or of ſuperior Rank, or any Adjutant of Local Militia within the Diſtrict; or in caſe there be no ſuch Officer as aforeſaid within a convenient Diſtance, that any Juſtice of the Peace may and he is hereby authorized to grant in Writing under his Hand an Extenſion of Furlough to any Non-commiſſioned Officer or Marine applying for the ſame on account of Sickneſs or other Caſualty which ſhall on due Enquiry appear to render ſuch Extenſion neceſſary; and that every ſuch Officer or Juſtice of the Peace, who ſhall grant to any Non-commiſſioned Officer or Marine an Extenſion of Furlough as aforeſaid, ſhall immediately certify the ſame, with the Cauſe of its being ſo granted, to the Secretary of the Admiralty, and the Commandant of the Diviſion to which the ſaid Marine may belong, and that ſuch Non-commiſſioned Officer or Marine during the Period to which his Furlough ſhall have been ſo extended as aforeſaid ſhall not be liable to be apprehended or otherwiſe moleſted on the ground of his having deſerted, or of criminally abſenting himſelf from his Diviſion: Provided always, that nothing in this Act contained ſhall be conſtrued to exempt any Non-commiſſioned Officer or Marine, whoſe Furlough ſhall have been ſo extended as aforeſaid, from being proceeded againſt and puniſhed according to the Proviſions of this Act, ſhould it thereafter appear that ſuch Non-commiſſioned Officer or Marine had obtained the Extenſion of his Furlough by falſe Repreſentation made to ſuch Officer or Juſtice of the Peace as aforeſaid, or in applying for and obtaining the ſame, had committed any Offence to the Prejudice of good Order and Military Diſcipline: Provided alſo, that no ſuch Furlough ſhall be extended by any Juſtice of the Peace for any longer Period than One Month, unleſs with the Approbation of the General Officer commanding the Diſtrict where ſuch Marine ſhall be.

Order to be made for Pay due for the Period of the extended Furlough.

LX. Provided always, and be it further enacted, That in all Caſes in which any Extenſion of Furlough ſhall be granted as aforeſaid in *England*, and upon the Requeſt of any ſuch Non-commiſſioned Officer or Marine to whom the ſame ſhall be granted, it ſhall be lawful for the Juſtice of the Peace granting the ſame, or where the ſame ſhall be granted by any ſuch Officer as aforeſaid, for any Juſtice of the Peace, upon the Production of a Certificate in Writing from ſuch Officer, which he is hereby required to give, to make an Order in Writing in the Form in the Schedule to this Act annexed, marked (D.), under his Hand, upon the Churchwardens and Overſeers of the Poor of the Pariſh, Townſhip, or Place wherein ſuch Non-commiſſioned Officer or Marine ſhall reſide, requiring them to pay to ſuch Non-commiſſioned Officer or Marine any Sum of Money directed in ſuch Order, not exceeding what the Pay of ſuch Non-commiſſioned Officer or Marine ſhall amount to for the Period to which ſuch Furlough ſhall be extended as aforeſaid; ſuch Juſtice of the Peace taking particular Care to ſtate upon the Furlough in Words, the Amount ſo directed by him to be paid, and the Periods from and to which the ſame has been ordered to be iſſued, both incluſive, corroborating the Statement of his Signature, and further ſpecifying upon the Order to the Pariſh Officer the Date of the Furlough originally granted; and the Name of the Commanding Officer by whom ſigned, and the ſame ſo authorized ſhall be

paid

paid accordingly upon Production and Delivery to him of ſuch Order by any ſuch Pariſh Officer out of any Money in his Hands applicable to the Relief of the Poor; and the ſame ſo advanced by ſuch Pariſh Officer ſhall, upon the Production and Delivery of ſuch Order to the Collector of Exciſe of the Diſtrict within which ſuch Pariſh, Townſhip, or Place ſhall be ſituated, or any Perſon officiating for ſuch Collector, be repaid to ſuch Pariſh Officer to be applied to the Relief of the Poor by ſuch Collector of Exciſe or other Perſon out of any Public Monies in his Hands, and the ſame ſhall be allowed in his Accounts; and ſuch Orders of Juſtices ſhall be taken as Caſh in the Payment of Duties of Exciſe received by him, and all Sums of Money ſo advanced out of any Duties of Exciſe ſhall be repaid to the Account of the ſaid Duties by the Paymaſter of the Royal Marines, to any Perſon or Perſons authorized by the Commiſſioners of Exciſe in *England*, or any Three or more of them, to draw for and receive the ſame: Provided always, that if any Juſtice of the Peace ſhall not think fit to make ſuch Order for paying any ſuch Money as aforeſaid, he ſhall ſtate his Reaſons for ſuch Refuſal in Writing at the Back of the Furlough.

His Majeſty may make further Orders reſpecting ſuch Payments.

LXI. Provided always, and be it further enacted, That it ſhall be lawful for His Majeſty to make any ſuch further or other Regulations for the advancing of any ſuch Sums of Money in all ſuch Caſes of Extenſion of Furlough, and for the Reimburſement thereof, as may be from Time to Time neceſſary for the carrying the ſame into Effect, and inſuring the immediate Advance of ſuch Money, where neceſſary, in *Great Britain* or *Ireland*, and the due and regular Reimburſement thereof.

Penalty for perſuading Marines to deſert.

LXII. 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 Penalties ſhall be recovered.

LXIII. 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

chequer 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 Offence 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.

LXIV. 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.

LXV. 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;

LXVI. 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 and Offences committed against this present Act may be enquired of, heard, tried, determined, adjudged, and punished.

if committed within Three Years, except for Desertion.

LXVII. 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 Debt of 20l.

LXVIII. And to prevent, as far as may be, any unjust or fraudulent Arrests that may be made upon Marines, whereby His Majesty and the Public 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

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 Judgment had been given for him, with Coſts, againſt the Defendant in the ſaid Action.

Plaintiff giving Notice may file a common Appearance,

LXIX. And, to the end that honeſt Creditors, who aim only at the Recovery of their juſt Debts due to them from Perſons entered as Marines in His Majeſty's Service, may not be hindered from ſuing for the ſame, but on the contrary may be aſſiſted and forwarded in their Suits; and inſtead of an Arreſt, which may at once hurt the Service, and occaſion a great Expence and Delay to themſelves, may be enabled to proceed in a more ſpeedy and cheap Method, be it further enacted, That it ſhall and may be lawful to and for any Plaintiff or Plaintiffs, upon Notice firſt given in Writing of the Cauſe of Action to ſuch Perſon or Perſons ſo entered, or left at his or their Place of Reſidence before ſuch entering, to file a Common Appearance in any Action to be brought for or upon Account of any Debt whatſoever, ſo as to entitle ſuch Plaintiff to proceed therein to Judgment 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.

Marines while confined for Debt not to receive Pay.

LXX. 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.

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

LXXI. 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.

Penalty on Conſtables, etc. neglecting to quarter Marines;

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

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

Juſtices may order Conſtables to give

LXXIII. And, for the better preventing Abuſes in quartering or billetting the Royal Marines in purſuance of this Act, be it further enacted, That

an Account of the Number of Officers and Private Men, and where quartered.

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 enliſting themſelves.

LXXIV. Provided nevertheleſs, and it is hereby declared, That from and after the Twenty-fifth Day of *March* One thouſand eight hundred and ſixteen, 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 Enliſting reſpectively, be carried or go with ſome Officer, Non-commiſſioned Officer or Marine belonging to the Recruiting Party by which he ſhall be enliſted, or with the Perſon employed on the Recruiting Service with whom he ſhall have enliſted, 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 enliſted, 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 Enliſting; and upon ſuch Declaration, and returning the Enliſting 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 enliſted 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 enliſted, 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 enliſted 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 enliſted; 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 enliſted, 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 enliſt 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 enliſted, 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 enliſted, or that ſuch Recruit could not procure any Non-commiſſioned Officer belonging to ſuch Party to go with ſuch Recruit before the Juſtice of the Peace; and the Sum paid by ſuch Recruit upon his Diſcharge ſhall be kept by the Juſtice of the Peace, and paid when demanded to any Perſon belonging to the Recruiting Party, entitled thereto, demanding the ſame: Provided always, that in every Caſe wherein any Perſon ſhall have received Enliſting 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.

Service to be to His Majeſty's Heirs and Succeſſors.

LXXV. And whereas it is highly expedient, that no doubt ſhould remain as to the Service of Royal Marines by reaſon of any Omiſſion of His Majeſty's Heirs and Succeſſors in any Oath of Atteſtation; be it therefore declared and enacted, That any Oath and Atteſtation of Service heretofore or hereafter taken and made to His Majeſty, is and ſhall be deemed and conſtrued to be an Oath of Service to His Majeſty's Heirs and Succeſſors as the Sovereign of the Realm for the Time being, as fully and effectually, and to all Intents and Purpoſes whatſoever, as if the Words, Heirs and Succeſſors, had been inſerted in any ſuch Oath or Atteſtation.

Perſons receiving Enliſting Money abſconding,

LXXVI. And be it further enacted, That if any Perſon or Perſons ſhall receive the Enliſting Money from any Officer (knowing it to be ſuch), and ſhall

or refuſing to go before a Magiſtrate, ſhall be deemed enliſted.

ſhall abſcond or refuſe to go before ſuch Juſtice or Chief Magiſtrate, or if any Perſon having received any ſuch Enliſting Money as aforeſaid, ſhall thereafter abſent himſelf from the Recruiting Party with which he enliſted, or Perſon with whom he enliſted, and ſhall not voluntarily return to ſuch Recruiting Party or Perſon enliſting him, to go before ſome Juſtice of the Peace or Magiſtrate under the Proviſions of this Act, within ſuch Period of Four Days as aforeſaid, ſuch Perſon ſhall be deemed to be enliſted, and a Marine in His Majeſty's Service, as fully to all Intents and Purpoſes as if he had been duly atteſted, and may be apprehended and puniſhed as a Deſerter, or for being abſent without Leave under any Articles of War made for Puniſhment of Mutiny and Deſertion; nor ſhall any ſuch Perſon who ſhall not have remained with, or who ſhall not have returned to ſuch Recruiting Party or Perſon enliſting him as aforeſaid, be entitled to be diſcharged or be diſcharged by any Juſtice of the Peace or Magiſtrate after the Expiration of ſuch Four Days as aforeſaid, unleſs it ſhall be proved to the Satisfaction of ſuch Juſtice of the Peace that the true Name and Reſidence of the Perſon enliſted was diſcloſed and known to the Recruiting Party, and that no Notice was given to the Perſon enliſted or left at his laſt uſual Place of Abode of his having ſo enliſted.

Concealing Infirmity.

LXXVII. And be it further enacted, That if any Perſon who ſhall enliſt into His Majeſty's Marine Forces, and who ſhall be diſcovered to be incapable of active Service, by reaſon of any Infirmity, which ſhall have been concealed by ſuch Perſon, or not declared before the Juſtice of the Peace at the Time of his Atteſtation, and mentioned at the Foot thereof, may be transferred into any Garriſon, or Veteran, or Invalid Battalion, or into His Majeſty's Regular Forces, and ſhall be entitled to receive ſuch Proportion or Reſidue of Bounty only as ſhall be allowed by His Majeſty, by any Regulation made in that Behalf, in lieu and inſtead of the Bounty upon which ſuch Man ſhall have been enliſted, any Thing in any Act or Acts of Parliament or any Rules and Regulations relating to Soldiers or Marines to the contrary notwithſtanding.

Penalty for ſuch Concealment.

LXXVIII. Provided always, and be it further enacted, That it ſhall be lawful for any Two Juſtices of the Peace, or Magiſtrates, before whom any Perſon ſhall be brought who has enliſted, and who ſhall be proved upon Oath before them and convicted of having wilfully concealed any Infirmity, upon being atteſted, or of having knowingly, wilfully, and deſignedly made any ſuch falſe Repreſentation as aforeſaid, to adjudge ſuch Perſon to be a Rogue and Vagabond, and ſuch Perſon ſhall thereupon be ſubject to ſuch Puniſhment as by and under any Statutes or Laws now in force may be inflicted upon Rogues, Vagabonds, and Vagrants and incorrigible Rogues, to be adjudged by the Juſtices of the Peace or Magiſtrates ſo convicting any ſuch Perſon as aforeſaid.

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

LXXIX. And be it further enacted, That if any Perſon duly bound as an Apprentice ſhall enliſt 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.

LXXX. 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*, or in the Iſlands of *Guernſey*, *Jerſey*, *Alderney*, *Sark* or *Man*, 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).

Apprentices in Scotland, &c.

LXXXI. And be it further enacted, That no Maſter in *Scotland* ſhall be entitled to claim any Apprentice who ſhall, after the paſſing of this Act, enliſt as a Marine, unleſs ſuch Apprentice ſhall have been bound to him for the full Term of at leaſt Four Years by a regular Contract or Indenture of Apprenticeſhip duly extended, ſigned, and teſted, and binding on both Parties by the Law of *Scotland*, prior to the Period of Enliſtment, and unleſs ſuch Contract or Indenture ſo duly executed ſhall within Three Months after the Commencement of the Apprenticeſhip, and before the Period of Enliſtment, have been produced to a Juſtice of the Peace of the County wherein the Parties reſide, and there ſhall have been indorſed thereon by ſuch Juſtice, a Certificate or Declaration ſigned by him, ſpecifying the Date when and the Perſon by whom ſuch Contract or Indenture ſhall have been ſo produced, which Certificate or Declaration ſuch Juſtice of the Peace is hereby required to indorſe and ſign, and unleſs ſuch Apprentice ſhall when claimed by ſuch Maſter be under Twenty-one Years of Age, 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, and before ſuch Juſtice of the Peace take the Oath mentioned in the Schedule to this Act annexed, marked (B.), and produce the Certificate of ſuch Juſtice of the Peace of his having taken ſuch Oath, which Certificate ſuch Juſtice of the Peace is hereby required to give in the Form in the Schedule to this Act annexed marked (C.): Provided always, that any Maſter of an Apprentice indentured for the Sea Service ſhall be entitled to claim and recover any ſuch Apprentice in the Form and Manner above directed, notwithſtanding ſuch Apprentice may have been bound for a leſs Term than Seven Years in *England*, Five Years in *Ireland*, or in the Iſlands of *Guernſey*, *Jerſey*, *Alderney*, *Sark*, or *Man*, or Four Years in *Scotland*.

Perſons hired by the Year enliſting to be

LXXXII. Provided always, and be it further enacted, That if any Perſon who ſhall have been hired to ſerve any Maſter for a Year, or otherwiſe, ſhall

entitled to a Proportion of their Wages.

ſhall before the Expiration of his Time of Service under ſuch Hiring enliſt into His Majeſty's Royal Marine Forces, ſuch Perſon ſhall be entitled to ſuch Proportion of Wages as the Magiſtrate ſhall think proper from his Maſter for the Time he has actually ſerved under ſuch Hiring; notwithſtanding he ſhall have failed in conſequence of ſuch enliſting in completing the full Term of Service agreed for under ſuch Hiring, and the Magiſtrate ſhall give an Order and take ſuch other Steps as ſhall be neceſſary to enforce the Payment of ſuch Proportion within Five Days after the Amount ſhall have been declared by ſuch Magiſtrate.

Officers of the Marine and Land Forces may ſit in Conjunction upon Courts-martial.

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

Marine borne as Part of the Complement of any Ship liable to be governed by the Rules eſtabliſhed by 22 G. 2.

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

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

LXXXV. 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, Clothing, 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 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.

LXXXVI. 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 ſixteen, until the Twenty-fifth Day of *March* in the Year of our Lord One thouſand eight hundred and ſeventeen; and ſhall be and continue in force within *Ireland*, from the Firſt Day of *April* One thouſand eight hundred and ſixteen, until the Firſt Day of *April* One thouſand eight hundred and ſeventeen; and ſhall be and continue in force within the Garriſon of *Gibraltar*, and in *Spain* or *Portugal*, from the Twenty-fifth Day of *May* One thouſand eight hundred and ſixteen, until the Twenty-fifth Day of *May* One thouſand eight hundred and ſeventeen; and ſhall be and continue in force in all other Parts of *Europe* where Royal Marine Forces may be ſerving, and in the *Weſt Indies* and *North America* and *Cape of Good Hope*, from the Twenty-fifth Day of *July* One thouſand eight hundred and ſixteen, to the Twenty-fifth Day of *July* One thouſand eight hundred and ſeventeen; and ſhall be and continue in force in all other Places from the Twenty-fifth Day of *September* One thouſand eight hundred and ſixteen, to the Twenty-fifth Day of *September* One thouſand eight hundred and ſeventeen; 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 preſent Seſſion of Parliament.

Act, in Part, may be altered this Seſſion.

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

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.

SCHEDULE (D.)

To the [Churchwarden or Overſeer] of the [Pariſh, Townſhip, or Place.]

YOU are hereby required to pay to *A. B.* [*deſcribe whether Non-commiſſioned Officer, &c.*] within named, on Furlough from the Day of to the Day of ſigned by [*Commanding Officer ſigning the Furlough*] the Sum of out of any Money now in your Hands, or out of the Firſt Money which ſhall come to your Hands, in reſpect of the Rates for the Relief of the Poor, being at the Rate of *per* Day, from the Day of to the Day of both incluſive; and for ſo doing this ſhall be your Warrant, and paſs as ſuch for your Re-payment under the Marine Mutiny Act. Witneſs my Hand the Day of

C. D. Juſtice of the Peace for

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