ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

CAP. XXI.

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

[23d *March* 1815.]

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

After March 25, 1815, every Marine Officer, Non-commissioned Officer and Private Man,

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, give Information thereof to his Commanding Officer; or ſhall deſert His Majeſty's Service, or being actually entered as a Marine in any Company, ſhall liſt himſelf in any other Company, Troop, or Regiment, or enter as a Seaman in His Majeſty's Service, without firſt having a Diſcharge in Writing from the Officer commanding in Chief the Company in which he laſt ſerved as a Marine, in which Caſe he ſhall be reputed a Deſerter; or ſhall be found ſleeping upon his Poſt; or ſhall leave it before relieved; or ſhall hold Correſpondence with any Rebel or Enemy of His Majeſty, or give them Advice or Intelligence of any Kind, by any Ways or Means, or in any Manner whatſoever; or ſhall treat with ſuch Rebels, or Enemies, or enter into any Condition with them, without His Majeſty's Licence, or Licence of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or Three or more of the Commiſſioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* for the Time being; or ſhall ſtrike or uſe any Violence againſt his Superior Officer being in the Execution of his Office; or ſhall diſobey any lawful Command of his Superior Officer; all and every Perſon and Perſons ſo offending in any or either of the Matters before mentioned, on Shore, in any Part of this Kingdom, or in any other of His Majeſty's Dominions, or in Foreign Parts, 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.

or liſt in any other Regiment, &c.

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

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

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.

Admiralty empowered to make Articles for Puniſhment of

IV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Lord High Admiral, or Three or more of the Commiſſioners for executing the Office of Lord High Admiral, at any Time during the Continuance of this Act, to make and eſtabliſh Rules and Articles in Writing,

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

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 the Court-martial which ſhall paſs Sentence upon ſuch Trial ſhall not think the Offence deſerving of capital Puniſhment, ſuch Court-martial may, inſtead of awarding a corporal Puniſhment, adjudge the Offender, if they ſhall think fit, to be tranſported as a Felon for Life, or for a certain Term of Years, according to the Degree of the Offence: And if ſuch Non-commiſſioned Officer or Marine, having been adjudged to be tranſported as a Felon, ſhall afterwards (without Leave from His Majeſty,

Deſerter may be adjudged to be tranſported;

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

or from the Governor or Commanding Officer of the Place to which he shall have been transported) return into any Part of the United Kingdom of *Great Britain* and *Ireland*, before the Expiration of the Term limited by such Sentence, and shall be convicted thereof in the ordinary Course of Law, he shall suffer Death.

His Majesty, where 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

which shall be specified in such Notification, and shall also make such other Order or Orders, and do all such other Acts consequent upon the same, as any such Justice or Baron is authorized to make or do by an Act passed in the Twenty-fourth Year of His Majesty's Reign, intituled *An Act for the effectual Transportation of Felons and other Offenders, and to authorize the Removal of Prisoners in certain Cases, and for other Purposes therein mentioned*, with respect to Offenders in such Act mentioned, tried at any Court of *Oyer* and *Terminer* or Gaol Delivery in *England*, as in the said Act mentioned; and such Order and Orders so to be made as aforesaid, and all such Acts as shall be so done as aforesaid, shall be obeyed and done by such Person, in whose Custody such Offender shall at that Time be, and all other Persons whom it may concern, and shall be as effectual and have all the same Consequences as any Order made under the Authority of the said Act with respect to any Offender in the said Act mentioned; and every Sheriff, Gaoler, Keeper, Governor, or Superintendant whom it may concern, and all Constables, and other Persons, shall be bound to obey the aforesaid Order and Orders, be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience or interrupting the Execution of the same, as they would be if the same had been made under the Authority of the aforesaid Act; and every Person so ordered to be transported as aforesaid shall be subject respectively to all and every the Provision and Provisions made by Law, and now in force concerning Persons convicted of any Crime and sentenced to be transported, or receiving His Majesty's Pardon on Condition of Transportation.

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

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,

conditional Pardon, not ſuffered to eſcape;

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 Puniſh-'ment 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. In Sentences of Death what Number of Officers shall concur, &c. Hours of Trial.

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, 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. Deserters may be transported for Life, &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 Courts-martial may sentence Offenders to Imprisonment, &c.

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

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.

Original Proceedings, &c. of Courts-martial to be transmitted to the Secretary of the Admiralty, &c.

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.

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

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;

and that no Sentence given by any Court-martial, and ſigned by the Preſident thereof, be liable to be reviſed more than once.

Deſerters beyond Sea, &c. may be tried here.

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.

Not to exempt any on Shore from ordinary Proceſs.

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.

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

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 convicted of criminal Offences not entitled to Pay.

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

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 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.

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

XXVIII. And whereas His Majesty has been graciously pleased, in Compassion to the distressed Condition of several Widows of Officers of the Army, who have lost their Lives in the Service of the late War, or during the late Rebellion, by Orders made under His Royal Sign Manual, to direct His Commissary General of the Musters to allow, upon the Muster-rolls of all the Regiments, Troops, and Companies, a Number of fictitious Names therein mentioned, instead of Private Men, in order to raise and settle a Fund for the Maintenance of such Widows of Officers as are or shall be entitled to His Royal Bounty: Therefore, for the more effectually fulfilling His Majesty's said gracious Intentions with respect to the allowing of fictitious Names upon the Muster-rolls of the said Royal Marine Forces while on Shore, for the Purposes aforesaid; be it further

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

enacted and declared, That it shall and may be lawful, during the Continuance of this Act, to and for the said Lord High Admiral, or Three or more of the said Commissioners for executing the said Office of Lord High Admiral for the Time being, by Orders in Writing under his or their respective Hand or Hands, to direct the Person for the Time being authorized to pay the said Royal Marine Forces, to pay over the full Pay of such fictitious Private Men as shall be allowed on the Muster-rolls of the said Royal Marine Forces while on Shore as aforesaid, to the proper Receiver appointed by His Majesty, according to such Orders and Instructions as His Majesty shall be pleased to make under His Sign Manual, for the Purpose aforesaid; and that no Allowance of any such fictitious Name upon any Muster-roll of the said Royal Marine Forces while on Shore as aforesaid, shall be construed to be a false Muster; any Thing in this Act, or any former Act, contained to the contrary notwithstanding.

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

XXIX. 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

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

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 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.

XXX. 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.

XXXI. 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

Officers and Marines to pay Rates for their Proviſions.

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

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

XXXII. 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, 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.

XXXIII. 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,

and the Constables to billet the same accordingly.

XXXIV. 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.

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

XXXV. And be it further enacted, That from and after the Twenty-fifth Day of *March* One thousand eight hundred and fifteen, no Paymaster or other Officer or Person whatsoever, shall receive any Fees, or make any Deductions whatsoever, out of the Pay of any Marine, either Officer or Private Man, in His Majesty's Service; or from their Agents, which shall grow due from and after the said Twenty-fifth Day of *March* One thousand eight hundred and fifteen, other than the usual Deductions for

Cloathing and Twelve-pence in the Pound to be disposed of as His Majesty shall think fit, and the One Day's Pay of the Officers now paid to the Paymaster of Widows' Pensions, and such other necessary Deductions as shall from Time to Time be directed by the said Lord High Admiral, or Three or more of the Commissioners for executing the Office of Lord High Admiral for the Time being, to be signified by their Secretary for the Time being under his Hand.

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

XXXVI. 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 fifteen, 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 quartere 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.

XXXVII. 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 at the Union direct,

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

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

XXXIX. 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.

XL. 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-commiſſion Officer or Private Marine have either Wife or Child or Children, to be ſummoned before them, in the Town or Place where ſuch Non-commiſſion Officer or Marine ſhall be quartered, in order to make Oath of the Place

of

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.

XLI. And be it further enacted, That for the better and more regular Proviſion of Carriages for His Majeſty's Royal Marine Forces in their Marches, or for their Arms, Clothes, and Accoutrements in *England*, *Wales*, and the Town of *Berwick-upon-Tweed*, all Juſtices of the Peace, within the ſeveral Counties, Ridings, Diviſions, Shires, Liberties, and Precincts, being duly required thereunto by the ſaid Lord High Admiral, or Three or more of the Commiſſioners for executing the ſaid Office of Lord High Admiral for the Time being, by an Order in Writing under his or their reſpective Hand or Hands, ſhall, as often as ſuch Order ſhall be brought and ſhewn unto One or more ſuch Juſtice or Juſtices by the Officer or Officers of the Company or Companies of Royal Marines ſo ordered to march, iſſue out his or their Warrant or Warrants to the High Conſtables, or Petty Conſtables, of the Diviſion, Riding, City, Liberty, Hundred or Precinct, from, through, near, or to which ſuch Company or Companies ſhall be ordered to march, requiring them to make ſuch Proviſion for Carriages, with able Men to drive the ſame, as ſhall be mentioned in the ſaid Warrant, allowing them ſufficient Time to do the ſame, that the neighbouring Parts may not always bear the Burthen; and in caſe ſufficient Carriages cannot be provided within any ſuch Riding, City, Liberty, Hundred, Diviſion, or Precinct, then the next Juſtice or Juſtices of the Peace for the County, Riding, or Diviſion, ſhall, upon ſuch Order as aforeſaid being brought, or ſhewn to One or more of them, by any of the Marine Officers aforeſaid, iſſue his or their Warrant or Warrants, to the High Conſtables or Petty Conſtables of ſuch next County, Riding, Liberty, Diviſion, or Precinct, for the Purpoſes aforeſaid, to make up ſuch Deficiency; and the aforeſaid Officer or Officers, who, by virtue of the aforeſaid Warrant or Warrants from ſuch Juſtice or Juſtices of the Peace, is or are to demand the Carriage or Carriages therein mentioned of the High Conſtable or Petty Conſtable, to whom the Warrant is directed, is and are hereby required at the ſame Time, to pay down in Hand to the ſaid Conſtable or Petty Conſtable for the Uſe of the Perſon who ſhall provide ſuch Carriages and Men, the 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; every ſuch Officer for every ſuch Offence ſhall forfeit the Sum of Five Pounds; Proof thereof being made upon Oath before Two of His Majeſty's Juſtices of the Peace for the ſame County or Riding, who are to certify the ſame to the proper Paymaſter of His Majeſty's Royal Marine Forces, who is hereby required to pay the aforeſaid Sum of Five Pounds, according to Order and Appointment under the Hands and Seals of ſuch Juſtices of the Peace; and is alſo hereby empowered to deduct the ſame out of ſuch Officer's Pay.

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

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

Rates of Carriage.

XLII. 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,

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 Magiſtrate 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 Ninepence 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.

XLIII. 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.

XLIV. 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.

XLV. 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,

Treaſurer of the County to repay the Conſtables extraordinary Charge.

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.

The Money for that Purpoſe how to be raiſed.

XLVI. 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.

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

XLVII. 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.

Carriages in Scotland,

XLVIII. 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.

and in Ireland, how to be provided.

XLIX. And be it further enacted, That the Carriages for the Service of the Royal Marine Forces from Time to Time quartered or marching in *Ireland*, ſhall be provided in like Manner, and at the Rates, and the Furniſher of ſuch Carriages ſhall be paid as was directed by the Laws in force in *Ireland* at the Time of its Union with *Great Britain*.

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

Penalty.

L. 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 on Officers or Marines deſtroying the Game.

LI. 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 fifteen, 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

manding 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;

LII. 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 Tithing Man, 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, 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, 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.

Gaol Keeper to receive the Subſiſtence of Deſerters.

Reward for taking up Deſerters.

LIII. 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 fifteen, 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.

Perſons confeſſing themſelves Deſerters to be deemed duly enliſted.

LIV. And be it further enacted, That any Perſon who ſhall voluntarily ſurrender or deliver himſelf up as a Deſerter from His Majeſty's Royal Marine Forces, 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.

Rewards for taking Deſerters to be repaid by the proper Officers.

LV. 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.

Such Rewards to be a Charge on the Pay and Subſiſtence of the Deſerters.

LVI. 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 any wiſe notwithſtanding.

Penalty on Perſons concealing Deſerters, etc.

LVII. 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 receiving the Arms, Clothes, etc. of Deſerters, etc.

LVIII. 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.

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

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 ſtationed 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 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 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 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

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 uſed 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 be liable to be taken out of His Majeſty's Service by any Proceſs or Execution whatſoever, other than for ſome Criminal Matter, unleſs for a

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

Plaintiff giving Notice may file a common Appearance,

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 Judgement and Outlawry, and to have an Execution thereupon, other than and againſt the Body or Bodies of him or them ſo entered as aforeſaid; this Act, or any Thing herein, or any former Law or Statute to the contrary notwithſtanding.

and proceed to Judgment and Execution.

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.

LXXI. And

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 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 an Account of the Number of Officers and Pri-

LXXIII. And, for the better preventing Abuses in quartering or billetting the Royal Marines in pursuance of this Act, be it further enacted, That it shall and may be lawful to and for any One or more Justice or Justices of the Peace within their respective Counties, Cities, or Liberties, by Warrant or Order, under his or their Hand and Seal, or Hands and Seals, at any Time or Times during the Continuance of this Act, to require and command

vate Men, and where quartered.

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 fifteen, 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 diſ-

placed 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.

Persons receiving Enlisting Money absconding, or refusing to go before a Magistrate, shall be deemed enlisted.

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

ſaid, 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.

LXXVI. 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.

LXXVII. 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.

LXXVIII. 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.

LXXIX. And be it further enacted, That no Maſter ſhall be entitled to claim any Apprentice who ſhall, after the paſſing of this Act, enliſt as a Royal Marine in His Majeſty's Service, unleſs ſuch Apprentice ſhall have been bound to him in *England* for the full Term of Seven Years, not having been above the Age of Fourteen when ſo bound, and if in *Ireland*, for the full Term of Five Years at the leaſt, not having been above the Age of Sixteen when ſo bound, and unleſs ſuch Maſter ſhall, within One Calendar Month after ſuch Apprentice ſhall have abſconded or left his Service, go before ſome Juſtice of the Peace or Magiſtrate, and

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.

LXXX. 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 Four Years in *Scotland*.

Persons hired by the Year enlisting to be entitled to a Proportion of their Wages.

LXXXI. 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 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.

LXXXII. 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,

ſary, 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.

LXXXIII. 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 Courts-martial, &c.

LXXXIV. 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.

LXXXV. And

LXXXV. 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 fifteen, until the Twenty-fifth Day of *March* in the Year of our Lord One thousand eight hundred and sixteen; and shall be and continue in force within *Ireland*, from the First Day of *April* One thousand eight hundred and fifteen, until the First Day of *April* One thousand eight hundred and sixteen; 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 fifteen, until the Twenty-fifth Day of *May* One thousand eight hundred and sixteen; 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 fifteen, to the Twenty-fifth Day of *July* One thousand eight hundred and sixteen; and shall be and continue in force in all other Places from the Twenty-fifth Day of *September* One thousand eight hundred and fifteen, to the Twenty-fifth Day of *September* One thousand eight hundred and sixteen; 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. Continuance of this Act. 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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