

ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

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CAP. LXIII.

An Act for limiting the Time of Service in the Royal Marine Forces. [2d *July* 1847.]

WHEREAS it is expedient to amend the System of Enlistment now in Use in the Royal Marine Forces: Be it enacted by the Queen'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 after the passing of this Act no Person shall be enlisted to serve in the Royal Marine Forces as a Marine for a longer Term than Twelve Years, to be reckoned from the Day on which the Recruit shall have been attested, if he shall have stated himself to be then of the Age of Eighteen Years, or if not, then from the Day on which he will complete the Age of Eighteen Years, to be reckoned according to the Age stated in his Attestation.

After passing of this Act the Period for Enlistment for a Marine limited.

II. And be it enacted, That such of the Questions relative to Enlistment as are contained in the Schedule of an Act passed in the present Session of Parliament, intituled *An Act for the Regulation of Her Majesty's Royal Marine Forces while on Shore*, as relates to the

Repealing certain Questions in Schedule to 10 & 11 Vict. c. 13., and

substituting those contained in Schedule (A.) to this Act annexed.

the enlisting and attesting of Marines shall be repealed, and that in all Cases of Enlistment to serve in the Royal Marine Forces the Questions directed to be put on the Attestation of Recruits as to their Willingness to serve shall be in the Form contained in Schedule (A.) hereto annexed.

Marines on Completion of Term of limited Service may be re-engaged.

III. And be it enacted, That any Marine at any Time during the last Six Months of the Term of limited Service for which he shall have first engaged, or after the Completion of such Term, may, if approved by his Commanding Officer or other competent Authority as a fit Person to continue in Her Majesty's Service as a Marine, be re-engaged to serve for the further Term of Twelve Years in the Royal Marine Forces, upon making a Declaration in the Form given in the Schedule marked (B.), and annexed to this Act, before any One of Her Majesty's Justices of the Peace in *Great Britain* or *Ireland*, or if not in *Great Britain* or *Ireland*, before any Person duly appointed by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, in that Behalf, or who, under any Act now in force or which shall hereafter be in force for the Regulation of Her Majesty's Royal Marine Forces while on Shore, has or shall have Power to enlist and attest out of *Great Britain* and *Ireland* any Marines or Persons desirous of enlisting or re-enlisting into the Royal Marine Forces.

As to the Enlistment of Marines ordered on Foreign Service.

IV. Provided also, and be it enacted, That any Marine who shall be ordered on Foreign Service, and who is within Three Years of the Expiration of his first Engagement, shall be at liberty, with the Approbation of his Commanding Officer, to re-engage, before he embarks for such Foreign Service, for such Period as shall complete a total Service of Twenty-four Years, according to the Form given in Schedule (B.), and annexed to this Act.

If Terms of limited Services expire while Marines are on any Foreign Station, they may be prolonged for a further Time.

V. Provided always, and be it enacted, That if either the First or Second Term of limited Service for which any Marine shall have so engaged shall expire while he is serving on any Foreign Station, the said First or Second Term of limited Service may be prolonged for such further Time, not exceeding Two Years, as shall be directed by the Commanding Officer on such Foreign Station; and that any Marine who shall give Notice to his Commanding Officer, after completing his Second Term of limited Service, that he is desirous of continuing in Her Majesty's Service as a Marine, and being approved by his Commanding Officer or other competent Authority, may be continued in such Service as a Marine so long as he shall desire to be so continued, and until the Expiration of Three Calendar Months after he shall have given Notice to his Commanding Officer of his Wish to be discharged, and for that Purpose shall be considered in all respects during such Time as if his Term of Service were still unexpired.

If at the Expiration of such Terms of Service Marines are

VI. Provided also, and be it enacted, That if at the Expiration of such First or Second Term of limited Service, or of such Term of prolonged Service, any Marine entitled to his Discharge being on any Foreign Station shall not be willing to re-engage or to continue in

Her Majesty's Service, his Commanding Officer shall, as in the Case of Marines invalided, take the usual Measures, with all convenient Despatch, for the Conveyance of such Marine to *England*, and on the Arrival of such Marine in *England* he shall be finally discharged: Provided always, that during such Time as may elapse between the Expiration of such Terms of Service as aforesaid and his final Discharge in *England* such Marine shall remain subject to the same Discipline as fully as he may have been subject thereto before the Expiration of such Terms of Service: Provided also, that if at the Expiration of any such First or Second Term of limited Service, or of such Term of prolonged Service, any Marine being in any of Her Majesty's Colonies shall claim his Discharge, and shall signify to the Governor of such Colony through the Commanding Officer of such Marine his Desire to remain in such Colony, it shall be lawful for such Governor, if he shall think fit, with the Consent of such Commanding Officer, to permit such Marine to remain therein, and thereupon such Marine shall be finally discharged, and shall not be entitled to claim to be conveyed to *England* at the public Charge at any future Period.

unwilling to re-engage themselves, they shall be conveyed home.

If Marines desire to remain in the Colony, Governor, &c. may permit them to doso.

VII. And be it enacted, That if the Term for which any Non-commissioned Officer or Marine shall have been enlisted or re-engaged, or for which his Term of Service may have been prolonged as aforesaid, shall expire after any Offence committed by him, and before he has been tried or punished for the same, such Non-commissioned Officer or Marine shall, notwithstanding the Expiration of his Term of Service, be deemed and taken to be still in the Royal Marine Forces for the Purpose of undergoing his Trial and Punishment, but for no other Purpose: Provided always, that no Non-commissioned Officer or Marine shall be so tried after the Expiration of his Service, except by a Naval Court-martial, or by a General or District or Garrison Court-martial, as the Case may require.

If Term of Enlistment of Marine expire after any Offence committed, &c., he shall be deemed to be in the Service till after Trial, &c. for the same.

VIII. And be it enacted, That if any Non-commissioned Officer or Marine shall have been absent from his Duty during any Portion of the Time limited by his Enlistment or Re-engagement or Prolongation of Service by reason of his Imprisonment, whether under Sentence of a Court-martial or of any other Court duly authorized to pass such Sentence, or by reason of his Confinement for Debt, or by reason of his Desertion, such Portion of his Time shall not be reckoned as a Part of the limited Service for which such Non-commissioned Officer or Marine was enlisted or re-engaged, or for which his Term of Service may have been prolonged as aforesaid; and if any Non-commissioned Officer or Marine shall have been absent from his Duty during any Portion of the Time limited by his Enlistment or Re-engagement or Prolongation of Service by reason of his having been made a Prisoner of War, the Circumstances under which he was so made a Prisoner shall, on his rejoining Her Majesty's Service, be subjected to Inquiry by a Court-martial; and if it shall appear to the Satisfaction of the Court that he was taken Prisoner through his own wilful Neglect of his Duty, or that he has or has not returned to his Duty so soon as he could and ought to have returned, the Court may by its Sentence direct that all or any Part of the Time during which such

If Marines are absent from Duty by reason of Imprisonment, &c., such Portion of Time not to be reckoned as Part of limited Enlistment.

such Non-commissioned Officer or Marine shall have been so absent may be deducted from his Term of Service.

Period at which Act to take effect.

IX. And be it enacted, That this Act shall take effect from and after the First Day of *August* One thousand eight hundred and forty-seven.

Act may be amended, &c.

X. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

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SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

QUESTIONS to be put separately by the JUSTICE to a RECRUIT on ENLISTING.

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?
8. Are you willing to be attested to serve in the Royal Marine Forces for the Term of [*this Blank to be filled up by the Justice with Twelve Years if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Twelve Years*], provided Her Majesty should so long require your Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station?
9. At what Place, on what Day, at what Hour of the Day, and by whom were you enlisted?
10. For what Bounty did you enlist?
11. Have you any Objection to make to the Manner of your Enlistment?
12. Do you now belong to the Militia?
13. Do you belong to any Regiment, or to the Marines, Ordnance, or Navy, or to the Forces of the East India Company?
14. Have you ever served in the Army, Marines, Ordnance, or Navy, or in the Forces of the East India Company?*
15. Have you ever been rejected as unfit for Her Majesty's Service, or for the Service of the East India Company, upon any prior Enlistment?

Note.—The Justice is directed, first, to ascertain that Twenty-four Hours have elapsed since the Enlistment took place; and in putting the Twelfth Question to the Recruit, and before he receives his Answer, distinctly to apprise the Recruit that if he belongs to the Militia and denies the Fact he is liable to Six Months Imprisonment.

* If so, the Recruit is to state the Particulars of his former Service, and the Cause of his Discharge, and is to produce the Certificate of his Discharge, if he has it with him.

SCHEDULE (B.)

I, do declare, That I am at present [*or* was, *as the Case may be*,] in the Division of the Royal Marine Forces; that I enlisted on the Day of for a Term of Years; that I am of the Age of Years; and that I will serve Her Majesty, Her Heirs and Successors, as a Marine for a further Term of Years [*to be filled up with Twelve Years, and in the Case of a Marine about to embark for Foreign Service, with such Number of Years as shall be required to complete a total Service of Twenty-four Years*], provided my Services should so long be required, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

Declared before me

Signature of Marine.
Signature of Witness.

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