Moneys raised on Loan under the Provisions of this Act, also a Return of all Stocks, Loans, Debts, and Liabilities then chargeable on the Revenues of *India*, at home and abroad, up to the latest Period of Time to which such Return can be made out: That all such Returns shall be presented to both Houses of Parliament on or before the First Day of *February* in each Year, if Parliament is then sitting, and if Parliament is not sitting, then such Returns shall be presented within Ten Days of the First Meeting of Parliament after the First Day of *February* in each Year. Moneys raised on Loan, &c., and presented to Parliament.

XV. This Act shall not prejudice or affect any Power of raising or borrowing Money vested in the said Secretary of State in Council at the Time of passing thereof. Saving Powers of the Secretary of State in Council.

CAP. XL.

An Act for the Establishment of a Reserve Volunteer Force of Seamen, and for the Government of the same. [13th *August* 1859.]

'WHEREAS it is expedient that there should be a Reserve Volunteer Force of Seamen for Service in Her Majesty's Fleet in Time of Emergency, and that the Seamen composing such Force should be duly entered and trained:' Be it therefore 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, as follows:

I. It shall be lawful for the Lord High Admiral, or Commissioners for exeeting the Office of Lord High Admiral, to raise and from Time to Time to keep up a Number of Men not exceeding Thirty thousand, to be called "The Royal Naval Volunteers," such Men to be raised by voluntary Entry from among seafaring Men and others who may be deemed suitable for the Services in which such Volunteers may be employed, and to be so raised and entered at such Times and in such Places in the United Kingdom and the Islands of *Man*, *Guernsey*, *Jersey*, *Alderney*, and *Sark*, or any of them, by such Persons and in such Manner as the said Lord High Admiral or Commissioners shall from Time to Time direct. Power to Admiralty to raise "Royal Naval Volunteers," not to exceed 30,000 Men.

II. Every Volunteer raised under this Act shall be entered for the Term of Five Years, and shall continue subject as a Volunteer to the Provisions of this Act during such Term, and no longer, save as herein-after otherwise provided; and at the Expiration of every Fifth Year of the Period of his Service as a Volunteer he shall be entitled to claim his Discharge, save as herein-after provided; but when any Volunteer shall be entitled to claim his Discharge as aforesaid, he shall continue liable to the Provisions of this Act until actually discharged from such Volunteers by the said Lord High Admiral or Commissioners, or by some Officer duly appointed by him or them to give such Discharges. Term of Service.

III. The Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, may cause all or any of the Volunteers under this Act to be instructed, trained, and exercised on shore or on board any Ships or Vessels, or partly on shore and partly on board any Ships or Vessels; and for the Purpose of such Instruction, Training, and Exercise all or any of such Volunteers may be called out, and may be required to attend at such Times and Places, and may be placed under the Command of such Officers as the said Lord High Admiral or Commissioners may think fit, and may form Part of and be under the like Command as the respective Crews of any of Her Majesty's Ships or Vessels of War which the said Lord High Admiral or Commissioners may see fit to cause them to join: Provided always, that no Volunteer shall under this Enactment be required to attend Instruction, Training, and Exercise more than Twenty-eight Days in the whole in any One Year. Volunteers may be trained and exercised for 28 Days in each Year, and on shore or on board Ship.

IV. It shall be lawful for Her Majesty, on such Occasions as She shall deem fit (the Occasion being first communicated to Parliament if Parliament be sitting, or declared in Council Her Majesty may order the Volunteers to

be called into actual Service.

Council and notified by Proclamation if Parliament be not sitting or in being,) to order and direct that the Volunteers under this Act, or so many or such Part of them as Her Majesty may deem necessary, shall be called into actual Service.

Volunteers to be called into actual Service accordingly.

V. Whenever Her Majesty shall as aforesaid order all or any Number or Part of the Volunteers under this Act to be called into actual Service, the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, shall cause the said Volunteers, or such Number or Part of them as Her Majesty may have ordered, to be called into actual Service accordingly; and the Volunteers so called into actual Service shall be liable to serve on shore or on board any Ships or Vessels, or partly on shore and partly on board any Ships or Vessels, as the said Lord High Admiral or Commissioners may direct; and such Volunteers shall be placed under the Command of such Officers as the said Lord High Admiral or Commissioners may direct, and where he or they may so direct, shall form Part of the Crews, and be under the like Command as the respective Crews of any of Her Majesty's Ships or Vessels of War which the said Lord High Admiral or Commissioners may see fit to cause them to join; and every such Volunteer so called into actual Service shall be liable to such Service for the Term of Three Years from the Time of his coming into actual Service, and at the Expiration of such Period he shall be entitled to be discharged from actual Service: Provided always, that it shall be lawful for Her Majesty, in case She see fit, on any Emergency by Proclamation to declare that such Volunteers as may at the Date of such Proclamation be in actual Service as aforesaid shall continue in such actual Service for the Period of Five Years from the Date of their respectively coming into actual Service, if their Services be so long required, and such Volunteers shall not be entitled to claim their Discharge during such Period, and every such Volunteer who may be in actual Service at the Date of such Proclamation shall be liable to such Service accordingly; and every Volunteer whose Period of actual Service is extended under or in consequence of such Proclamation shall, beyond Three Years from the Date of his coming into actual Service, be entitled to receive for his Services during the extra Period for which they are required beyond such Three Years Twopence *per* Day in addition to his ordinary Pay: Provided also, that in case any such Volunteer be called into actual Service, and shall be detained in such Service for a Period of less than Five Years, he shall, during the Period of Five Years from the Date of his joining the Royal Naval Volunteers, be liable from Time to Time to be again called into actual Service, and to serve therein for such Period as with his former actual Service will make up a Period of Five Years actual Service, but after Three Years actual Service, either continuously or from Time to Time during his Engagement as a Royal Naval Volunteer, he will be entitled as aforesaid to Twopence *per* Day, in addition to his ordinary Pay, for the Period of his actual Service beyond Three Years.

Volunteers to serve in Navy Three Years.

The Service of Volunteers in actual Service may be extended Two Years by Proclamation.

Volunteers whose Services are extended entitled to extra Pay.

As to serving in the Navy at Intervals.

Volunteers when called out to be victualled in the same Manner as Seamen of the Fleet.

VI. The Volunteers under this Act shall, for such Time as they shall be called out for, and shall attend Instruction, Training, and Exercise, be victualled in the same Manner as Seamen of the Fleet; or if trained on shore and not victualled, they shall be entitled to a Money Allowance in lieu of Provisions, at such Rate *per Diem* each as may be established on this Behalf by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral; and for such Time as they shall be in actual Service under this Act they shall be entitled when on shore or afloat to the Pay and other Advantages of Petty Officers or Seamen in the Royal Navy entered for Ten Years continuous and general Service, according to the Ratings which they may be found qualified to fill; and they shall be entitled to such Conduct Money in respect of travelling to and from any Place at which they may be required to attend for Instruction, Training, and Exercise, or for the Purpose of entering into actual Service as aforesaid, as may be allowed by the Regulations made under this Act: Provided always, that any such Volunteer who may be appointed, and be or perform the Duties of a Petty Officer, shall be entitled to the Pay and Allowances of a Petty Officer in the Royal Navy of the same Rank, in lieu of the Pay and Allowances of an Able Seaman in the Navy.

Volunteer exempt from Militia and from being a Peace or Parish Officer;

VII. Every Volunteer under this Act shall, while he shall be such Volunteer, be exempt from Service in the Militia, and from serving as a Peace or Parish Officer, and upon his entering the Royal Naval Volunteers he shall cease to be a Royal Naval Coast Volunteer, if then

then belonging to that Force; and every such Volunteer shall under such Regulations as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, may from Time to Time establish, be eligible for Admission into the Royal Hospital at *Greenwich*, and be thereupon entitled to the same Privileges and Advantages as Men who are, or may be, or have been in Her Majesty's Navy.

and, under certain Regulations, eligible for Greenwich Hospital.

VIII. All Provisions for the Time being in force for and in relation to the billeting of the Royal Marines shall extend and be applicable to the Volunteers under this Act during such Time as they shall attend Instruction, Training, and Exercise, or be in actual Service; and all Powers and Authorities for or in relation to the billeting of the Royal Marines, which may be exercised by any Colonel, Commandant, or Commanding Officer of any Division of Royal Marines, may, for the Purpose of billeting such Volunteers, be exercised by any Officer in the Royal Navy holding the Rank of Commander, or any higher Rank authorized in this Behalf by the Regulations made under this Act.

Provisions relating to billeting Marines to extend to Volunteers.

IX. It shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, from Time to Time to make Regulations as to the Sums to be paid to Volunteers under this Act, by way of periodical Payment or Allowance, in consideration of their entering under this Act, and to Volunteers or Persons who may have served as Volunteers, in consideration of their re-entering under this Act, such periodical Payment or Allowance, during the Term of Service for which the Volunteer is entered, to be paid in such Portions, at such Times, by such Persons, and under such Conditions as the said Lord High Admiral or the Commissioners may from Time to Time direct: Provided always, that such periodical Payments shall be paid in the United Kingdom, or in the Islands of *Man*, *Guernsey*, *Jersey*, *Alderney*, and *Sark*, and nowhere else, and only to the Volunteer himself, and not to his Attorney, Agent, or Assign.

Admiralty to make Regulations as to Sums to be paid to Volunteers for entering or re-entering under this Act.

X. It shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to grant Pensions to Volunteers under this Act, with the Consent of the Commissioners of Her Majesty's Treasury; and it shall be lawful for the said Lord High Admiral or Commissioners to make Regulations as to the Amount, the Time or respective Times, and the Manner of the Payment of such Pensions, and at what Ages such Pensions shall be payable: Provided always, that any Pension conferred under this Act shall be paid to the Pensioner himself only, and not to his Agent, Attorney, or Assign.

Admiralty to grant Pensions to Volunteers.

XI. Whenever any Emergency shall arise which, in the Opinion of the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, renders it advisable to require the Services in Her Majesty's Navy of any of the Persons who may have been pensioned, and be in the Receipt of Pensions, under this Act, it shall be lawful for such Lord High Admiral or Commissioners to order any of such Persons to join Her Majesty's Navy; and those so ordered shall join such of Her Majesty's Ships or Vessels of War as the said Lord High Admiral or Commissioners may at any Time or Times direct, and shall form the Crews or Parts of the Crews of such Ships or Vessels, and shall continue to serve in Her Majesty's Navy during such Time as such Emergency may in the Opinion of the said Lord High Admiral or Commissioners continue; and while so serving shall be entitled to the same Pay and Allowances, according to their respective Ratings on board such Ships or Vessels, as Petty Officers in Her Majesty's Navy and Men in Her Majesty's Navy entered for Ten Years continuous and general Service, and shall also continue to receive their Pensions.

In Cases of Emergency Pensioners to join Her Majesty's Navy.

XII. All the Laws and Customs for the Time being in force for the Government of Her Majesty's Ships, Vessels, and Forces by Sea, and applicable to any Person in or belonging to the Fleet, or to any Person being in actual Service and Full Pay, and Part of the Crew of any of Her Majesty's Ships or Vessels, shall be applicable in like Manner to every Person pensioned under this Act during such Period as he shall be in actual Service, either on board any Ship or Vessel or otherwise under this Act; and every such Person as aforesaid required to serve in the Navy under this Act who shall not at or within such Time as may be appointed by any Order of the Lord High Admiral, or Commissioners for executing the Office

Laws and Customs in force for the Government of Her Majesty's Fleet to be applicable to Pensioners while on actual Service.

Office of Lord High Admiral, made under this Act, appear for the Purpose of entering into actual Service, or join any of Her Majesty's Ships or Vessels which he may be required to join for that Purpose, shall be liable to be apprehended and punished in the same Manner as any Person belonging to Her Majesty's Navy, and deserting or improperly absenting himself from Duty.

Admiralty to make Regulations as to the Manner or Form in which Volunteers shall be entered to serve.

XIII. It shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, from Time to Time to make Regulations as to the Manner or Form in which Volunteers under this Act shall be entered to serve; and generally as to the entering and re-entering of Men as such Volunteers; and as to the Arms, Clothing, and Accoutrements with which such Volunteers are to be provided; and for forming such Volunteers into Divisions or Classes, or other Bodies, and assigning Numbers to them; and as to the Manner in which Notices of the Times and Places at which such Volunteers may be required to attend Instruction, Training, and Exercise; and for the Purpose of their entering into actual Service under the Provisions of this Act; and for securing and enforcing the Attendance, good Conduct, and Discipline of and among such Volunteers; and for imposing Fines or Forfeitures of Pay, Allowances, or Pensions for Misconduct and Breach of Discipline or of any such Regulations; and as to the Pay and Allowances to Officers commanding such Volunteers; and generally as to all other Matters and Proceedings under this Act.

Admiralty may discharge Volunteers.

XIV. It shall be lawful for the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, in his or their Discretion at any Time to discharge any of the Volunteers raised under this Act.

Laws relating to the Government of the Navy extended to Volunteers during Exercise, and to such Volunteers and others when in actual Service.

XV. All the Laws and Customs for the Time being in force for the Government of Her Majesty's Ships, Vessels, and Forces by Sea, and applicable to any Person in or belonging to the Fleet, or to any Person being in actual Service and Full Pay, and Part of the Crew of any of Her Majesty's Ships or Vessels, shall be applicable in like Manner to every Volunteer under this Act during such Period as he shall be on board any Ship or Vessel for the Purpose of Instruction, Training, and Exercise, or shall be otherwise under Instruction, Training, and Exercise; and to every such Volunteer during such Time as he shall be in actual Service either on board any Ship or Vessel or otherwise under this Act; and to all Officers having any Command over any such Volunteers during the Time of Instruction, Training, and Exercise, or while in actual Service; and the said Volunteers under this Act shall while in actual Service have the same Privileges of making Allotments of Wages and of making Remittances, and otherwise have the Benefit of and be subject to the Provisions of the Laws relating to the Pay of the Royal Navy in like Manner as Officers and Men of their respective Ratings in Her Majesty's Navy; and the Laws concerning the Discharge of Seamen serving on board Her Majesty's Ships, and becoming entitled to be discharged, shall be applicable to and for the Discharge of any of the said Volunteers.

Penalty on joining the Forces as a new Volunteer more than once during the same Period.

XVI. If any Person shall enter or attempt to enter the Royal Naval Volunteers as a new Volunteer more than once during the whole or any Part of the same Period of Service, he shall for every such Act forfeit and pay any Sum not exceeding Twenty Pounds.

Information to be transmitted by Shipping-master.

XVII. Every Shipping-master acting under "The Merchant Shipping Act, 1854," shall give all the Assistance in his Power towards carrying into effect the Objects of this Act in such Manner as the Board of Trade, at the Instance of the Lords Commissioners of the Admiralty, may direct; and every such Shipping-master shall for this Purpose have the Power to call for such Answers or Information concerning Reserve Men from the Masters of and other Persons belonging to *British* Merchant Ships as may be necessary or desirable in order to enable him to render such Assistance as aforesaid, or to make any Returns which the Board of Trade or the Lords Commissioners of the Admiralty may require; and every Master of or other Person belonging to a *British* Merchant Ship, who when duly called on by the Shipping-master, omits or refuses to give any such Answer or Information as aforesaid which it is in his Power to give, shall be liable to a Penalty not exceeding Five Pounds.

XVIII. In

XVIII. In case any Officer, Serjeant, or other Person enlist any Man to serve in Her Majesty's Regular Forces, or in Her Majesty's *Indian* Forces, or in the Militia, or in the Royal Naval Coast Volunteers, who at the Time of such enlisting is entered to serve as a Volunteer under this Act, such enlisting shall be null and void; and in case any Person enter any Man to serve as a Volunteer under this Act who at the Time of such entering is enrolled to serve in the Militia, or belongs to the Royal Naval Coast Volunteers, such entering shall be null and void; and any such Volunteer under this Act offering himself to be enlisted in Her Majesty's Regular Forces, or in Her Majesty's *Indian* Forces, or who shall be enlisted or enrolled or offer himself to be enlisted or enrolled as a Militiaman, or to serve in the Royal Naval Coast Volunteers, and every Militiaman or any Royal Naval Coast Volunteer offering himself to be entered as a Volunteer under this Act, shall, on Conviction thereof, upon the Oath of One Witness before any Justice of the Peace in or near to the Place where the Offence shall be committed, or where the Offender may at any Time happen to be, be committed to the Common Gaol or House of Correction for any Term not exceeding Six Months; and any Officer or other Person knowingly enlisting or enrolling any Volunteer under this Act to serve in Her Majesty's Regular Forces, or in Her Majesty's *Indian* Forces, or in the Militia, or in the Royal Naval Coast Volunteers, or knowingly entering any Militiaman or Royal Naval Coast Volunteer to serve as a Volunteer under this Act, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds: Provided always, that Men may, on their Application to that Effect, be discharged by proper Authority from the Royal Naval Coast Volunteers to be enrolled as Volunteers under this Act.

Enlistment of Volunteers under this Act in Her Majesty's Regular or Indian Forces, or in the Militia, or Naval Coast Volunteers, and entering of Militia as Naval Coast Volunteers under this Act to be void.

Punishment of Persons offending.

XIX. Any Volunteer under this Act who shall sell, pawn, or lose any of his Arms, Clothes, Accoutrements, or Ammunition, Slops or Necessaries, or any of such Articles provided for him under this Act, or refuse or neglect to return the same in good Order to any Person appointed by or under the Authority of the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, to receive the same, shall for every such Offence forfeit any Sum not exceeding Three Pounds; and every Person who shall knowingly and wilfully buy, take in exchange, receive in pledge, or otherwise receive or conceal any Arms, Clothes, Accoutrements, or Ammunition, or Slops or Necessaries belonging to any such Volunteer or provided for him under this Act, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, and the treble Value of all or any of the Articles so bought, taken in exchange, received, or concealed; and if any Person shall prove on Oath before a Justice of the Peace or Person exercising like Authority, that there is reasonable Cause to suspect that any Person has in his or her Possession, or on his or her Premises, any such Arms, Clothes, Accoutrements, or Ammunition, or Slops or Necessaries, such Justice or Person may and he is hereby required to grant a Warrant to search for such Arms, Clothes, Accoutrements, and Ammunition, and Slops and Necessaries, as in the Case of stolen Goods; and if upon Search any such Articles shall be found, the same shall and may be seized by the Officer charged with the Execution of such Warrant, or any Person aiding him therein, who shall bring the Offender in whose Possession or upon whose Premises the same shall be found before such Justice or Person, to be dealt with according to Law.

Penalty on selling or buying Arms, &c. of Volunteers.

XX. Every Volunteer under this Act, unless absent from the United Kingdom, in conformity with the Regulations that may be made at any Time or Times by the aforesaid Lord High Admiral or Commissioners, or labouring under any Infirmity incapacitating him, who shall not attend at any Time and Place, or on board the Ship at or on board of which he shall be appointed to attend or join for the Purpose of Instruction, Training, and Exercise, according to the Provisions of this Act, Notice of his being required so to attend or join having been given in such Manner as may be provided by any Regulations made under this Act, and any Volunteer who having so attended or joined afterwards deserts or absents himself during the Time of such Instruction, Training, and Exercise, shall be subject to a Penalty not exceeding Twenty Pounds.

Penalty on Volunteer for not attending Training and Exercise.

XXI. If any such Volunteer (being in the United Kingdom, and not labouring under any Infirmity incapacitating him) required to serve in the Navy under this Act shall not at or

Persons not attending when called into

actual Service may be apprehended and punished as Deserters from the Navy.

or within such Time as may be appointed by any Order of the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral made under this Act, appear for the Purpose of entering into actual Service, or join any of Her Majesty's Ships or Vessels which he may be required to join for that Purpose, every such Person so offending shall be liable to be apprehended and punished in the same Manner as any Person belonging to Her Majesty's Navy deserting or improperly absenting himself from Duty.

Penalty for inducing Volunteers to absent themselves, or harbouring or employing Volunteers absenting themselves.

XXII. Every Person who by Words or other Means shall persuade any Volunteer under this Act to desert from the Royal Naval Volunteers, or to be improperly absent from his Duty, shall forfeit and pay any Sum not exceeding Twenty Pounds for every such Act, and every Person who shall assist or procure any such Volunteer to desert, or to be improperly absent as aforesaid, or shall conceal or employ or continue to conceal or employ any such Volunteer, knowing him to be such a Deserter or so improperly absent, shall for every such Offence forfeit and pay any Sum not exceeding Thirty Pounds.

Recovery of Penalties.

XXIII. No Man by reason of his entering or serving as a Volunteer under this Act shall lose or forfeit, or be deemed to have lost or forfeited, any Interest he may possess, or may have possessed at the Time of his being so entered or serving, in any Friendly or Benefit Society, any Laws, Rules, or Regulations of such Society to the contrary notwithstanding; and in case any Dispute shall arise between any such Society and any such Man by reason of such Entry or Service, it shall be considered as being a Dispute directed by the Rules of such Society to be decided by Justices of the Peace, pursuant to the Provisions of the Acts in force relating to Friendly Societies.

Summary Jurisdiction.

XXIV. All Offences for which any pecuniary Penalty or Forfeiture is by this Act imposed shall and may be heard and determined by any Justice of the Peace in or near to the Place where the Offence shall be committed, or where the Offender may at any Time happen to be, and all such Penalties and Forfeitures, and any Forfeiture of treble Value, and also the reasonable Costs attending the Prosecution, to be duly ascertained and awarded by such Justice, shall and may be enforced and recovered in the same Manner as any pecuniary Penalties may be recovered in *England* or *Wales*, under the Provisions of an Act passed in the Twelfth Year of Her Majesty's Reign, intituled *An Act to facilitate the Performance of Duties of Justices of the Peace out of Sessions within* England *and* Wales, *with respect to summary Convictions and Orders*: Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned, with or without Hard Labour, for any Time not exceeding Six Months, which said Act shall be used and applied in *Scotland* and in *Ireland* for the Recovery of all such pecuniary Penalties and Forfeitures, and Forfeitures of treble Value, as fully to all Intents as if such Act had extended to *Scotland* and *Ireland*, anything in the said Act, or in an Act passed in a Session holden in the Fourteenth and Fifteenth Years of Her Majesty's Reign, intituled *An Act to consolidate and amend the Acts regulating the Proceedings of Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions, in* Ireland, or in any other Act to the contrary notwithstanding.

11 & 12 Vict. c. 43.

14 & 15 Vict. c. 93.

Appropriation of Penalties.

XXV. One Moiety of every such Penalty or Forfeiture not including the treble Value of any Articles shall go to the Person who shall inform or sue for the same, and the other Moiety, together with the treble Value of any Articles, or where the Offence shall be proved by the Person who shall inform, then the whole of the Penalty and such treble Value shall be paid over and applied in such Manner as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, shall direct, anything in an Act passed in the Sixth Year of the Reign of King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, or in any other Act of Parliament to the contrary notwithstanding; and every Justice who shall adjudge any Penalty under this Act shall within Four Days thereafter at the farthest report the same and his Adjudication thereof to the Secretary of the Admiralty.

5 & 6 W. 4. c. 76.