

or in order to enlist or enter himself to serve, or with intent to serve in any warlike or military operation whatever, whether by land or by sea, in the service of or for or under in aid of any foreign Prince, state, potentate, colony, province, or part of any province or people, or in the service of or for or under or in aid of any person or persons exercising or assuming to exercise the powers of government in or over any foreign country, colony province, or part of any province or people, either as an officer or a soldier, or in any other military capacity, or as an officer or sailor, or marine, in any such ship or vessel as aforesaid, although no enlisting money or pay or reward shall have been or shall be in any or either of the cases aforesaid actually paid to or received by him, or by any person to or for his use or benefit; or if any person whatever, within the United Kingdom of Great Britain and Ireland, or in any part of His Majesty's Dominions elsewhere, or in any Country, Colony, Settlement, Island, or Place belonging to or subject to His Majesty, shall hire, retain, engage, or procure, or shall attempt or endeavor to hire, retain, engage, or procure any person or persons whatever to enlist, or to enter or engage to enlist, or to serve or be employed in any such service or employment as aforesaid, as an officer, soldier, sailor or marine, either in land or sea service, for or under or in aid of any foreign Prince, State, Potentate, Colony, Province, or part of any Province or people, or for or under or in aid of any person or persons exercising or assuming to exercise any powers of Government as aforesaid, or to go or to agree to go or embark from any part of His Majesty's Dominions, for the purpose or with intent to be so enlisted, entered, engaged, or employed as aforesaid, whether any enlisting money, pay or reward shall have been or shall be actually given or received, or not; in any or either of such cases, every person so offending shall be deemed guilty of a misdemeanor, and upon being convicted thereof, upon any information or indictment shall be punishable by fine and imprisonment, or either of them, at the discretion of the court before which such offender shall be convicted.

III. Provided always, and be it enacted, that nothing in this Act contained shall extend or be construed to extend to render any person or persons liable to any punishment or penalty under this Act, who at any time before the first day of August one thousand eight hundred and nineteen, within any part of the United Kingdom, or the Islands of Jersey, Guernsey, Alderney, or Sark, or at any time before the first day of November one thousand eight hundred and nineteen, in any part or place out of the United Kingdom, or of the said Islands, shall have taken or accepted, or agreed to take or accept any Military commission, or shall have otherwise enlisted into any Military Service as a Commissioned or Non-Commissioned Officer, or shall have enlisted, or entered himself to enlist, or shall have agreed to enlist or to enter himself to serve as a soldier, or shall have served, or having so served shall, after the said first day of August one thousand eight hundred and nineteen, continue to serve in any warlike or military operation, either as an officer or soldier, or in any other military capacity, or shall have accepted, or agreed to take or accept any commission, warrant or appointment as an officer, or shall have enlisted or entered himself to serve or shall have served, or having so served shall continue to serve as a sailor, or marine, or shall have been employed or engaged, or shall have served, or having so served shall, after the said first day of August, continue to serve in and on board any ship or vessel of war, used or fitted out, or equipped or intended for any warlike purpose; or shall have engaged, or contracted or agreed to go, or shall have gone to, or having so gone to shall after the said first day of August, continue in any foreign State, Country, Colony, Province, or part of a Province, or to, or in any place beyond the seas, unless such person or persons shall embark at or proceed from some port or place within the United Kingdom, or the Islands of Jersey, Guernsey, Alderney, or Sark, with

intent to serve as an officer, soldier, sailor, or marine, contrary to the provisions of this Act, after the said first day of August, or shall embark or proceed from some port or place out of the United Kingdom, or the Islands of Jersey, Guernsey, Alderney, or Sark, with such intent as aforesaid, after the said first day of November one thousand eight hundred and nineteen, in any port or place out of the said United Kingdom, or the said Islands, have hired, retained, engaged, or procured, or attempted or endeavored to hire, retain, engage, or procure any person or persons whatever, to enlist or to enter, or to engage to enlist or to serve, or be employed in any such service or employment as aforesaid, as an officer, soldier, sailor or marine, either in land or sea service, or to go, or agree to go or embark for the purpose or with the intent to be so enlisted, entered or engaged or employed, contrary to the prohibitions respectively in this Act contained, anything in this Act contained to the contrary in anywise notwithstanding; but that all and every such persons and person shall be in such state and condition, and no other, and shall be liable to such fines, penalties, forfeitures, and disabilities, and none other, as such person or persons was or were liable and subject to before the passing of this Act, and as such person or persons would have been in, and been liable and subject to, in case this Act and the said recited Acts by this Act repealed had not been passed or made.

IV. And be it further enacted, That it shall and may be lawful for any Justice of the Peace residing at or near to any port or place within the United Kingdom of Great Britain and Ireland, where any offence made punishable by this act as a misdemeanor shall be committed, on information on oath of any such offence, to issue his warrant for the apprehension of the offender, and to cause him to be brought before such Justice, or any Justice of the Peace; and it shall be lawful for the Justice of the Peace before whom such offender shall be brought, to examine into the nature of the offence upon oath, and to commit such person to jail, there to remain until delivered by due course of law, unless such offender shall give bail to the satisfaction of the said Justice, to appear and answer to any information or indictment to be preferred against him, according to law, for the said offence; and that all such offences which shall be committed within that part of the United Kingdom called England, shall and may be proceeded and tried in his Majesty's Court of King's Bench at Westminster, and the Venue in such case laid at Westminster, or at the Assizes or Session of Oyer and Tremier and Gaol Delivery, or at any quarter or general sessions of the Peace in and for the County or Place where such offence was committed; and that all such offences which shall be committed within that part of the United Kingdom called Ireland, shall and may be prosecuted in His Majesty's Court of King's Bench at Dublin, and the Venue be laid at Dublin, or at any Assizes or Session of Oyer and Tremier and Gaol Delivery, or at any quarter or general sessions of the peace in and for the County or place where such offence was committed; and all such offences as shall be committed in Scotland, shall and may be prosecuted in the Court of Justiciary in Scotland, or any other Court competent to try criminal offences committed within the County, Shire, or Stewartry within which such offence was committed; and where any offence made punishable by this act as a misdemeanor shall be committed out of the said United Kingdom, it shall be lawful for any Justice of the Peace residing near to the port or place where such offence shall be committed, on information on oath of any such offence, to issue his warrant for the apprehension of the offender, and to cause him to be brought before such Justice, or any other Justice of the Peace for such place; and it shall be lawful for the Justice of the Peace before whom such offender shall be brought, to examine into the nature of the offence upon oath, and to commit such person to Gaol, there to remain until delivered by due course of law, or otherwise to hold such offender to bail to answer for such offence in the Superior Court competent to try and having jurisdiction to try criminal offences committed in such port or place; and all such offences committed at any place out of the said United Kingdom shall and may be prosecuted and tried in any superior Court of His