

The Quartering Act of 1765

March 24, 1765

AN ACT to amend and render more effectual, in his Majesty's dominions in America, *an act passed in this present session of parliament, intituled, An act for punishing mutiny and desertion, and for the better payment of the army and their quarters.*

WHEREAS ... [by the Mutiny Act of 1765] ... several regulations are made and enacted for the better government of the army, and their observing strict discipline, and for providing quarters for the army, and carriages on marches and other necessary occasions, and inflicting penalties on offenders against the same act, and for many other good purposes therein mentioned; but the same may not be sufficient for the forces that may be employed in his Majesty's dominions in America: *and whereas, during the continuance of the said act, there may be occasion for marching and quartering of regiments and companies of his Majesty's forces in several parts of his Majesty's dominions in America: and whereas the publick houses and barracks, in his Majesty's dominions in America, may not be sufficient to supply quarters for such forces: and whereas it is expedient and necessary that carriages and other conveniences, upon the march of troops in his Majesty's dominions in America, should be supplied for that purpose: be it enacted ...,*

That for and during the continuance of this act, and no longer, it shall and may be lawful to and for the constables, tithingmen, magistrates, and other civil officers of villages, towns, townships, cities, districts, and other places, within his Majesty's dominions in *America*, and in their default or absence, for any one justice of the peace inhabiting in or near any such village, township, city, district or place, and for no others; and such constables ... and other civil officers as aforesaid, are hereby required to billet and quarter the officers and soldiers, in his Majesty's service, in the barracks provided by the colonies; and if there shall not be sufficient room in the said barracks for the officers and soldiers, then and in such case only, to quarter and billet the residue of such officers and soldiers for whom there shall not be room in such barracks, in inns, livery stables, ale houses, victuallinghouses, 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 of rum, brandy, strong water, cyder or metheglin, by retail, to be drank in houses; and in case there shall not be sufficient room for the officers and soldiers in such barracks, inns, victualling and other publick ale houses, that in such and no other case, and upon no other account, it shall and may be lawful for the governor and council of each respective province in his Majesty's dominions in *America*, to authorize and appoint, and they are hereby directed and empowered to authorize and appoint, such proper person or persons as they shall think fit, to take, hire and make fit, and, in default of the said governor and council appointing and authorizing such person or persons, or in default of such person or persons so appointed neglecting or refusing to do their duty, in that case it shall and may be lawful for any two or more of his Majesty's justices of the peace in or near the said villages, towns, townships, cities, districts, and other places, and they are hereby required to take, hire and make fit for the reception of his Majesty's forces, such and so many uninhabited houses, outhouses, barns, or other buildings, as shall be necessary, to quarter therein the residue of such officers and soldiers for whom there should not be room in such barracks and publick houses as aforesaid....

II

And it is hereby declared and enacted, That there shall be no more billets at any time ordered, than there are effective soldiers present to be quartered therein: and in order that this service may be effectually provided for, the commander in chief in *America*, or other officer under whose orders any regiment or company shall march, shall, from time to time, give ... as early notice as conveniently may be, in writing, signed by such commander or officer of their march, specifying their numbers and time of marching as near as may be, to the respective governors of each province through which they are to march....

III

[Military officers taking upon themselves to quarter soldiers contrary to this act, or using any menace to a civil officer to deter them from their duty, to be cashiered. Persons aggrieved by being quartered on may complain to the justices, and be relieved.]

V

Provided nevertheless, and it is hereby enacted, That the officers and soldiers so quartered and billeted as aforesaid (except such as shall be quartered in the barracks, and hired uninhabited houses, or other buildings as aforesaid) shall be received and furnished with diet, and small beer, cyder, or rum mixed with water, by the owners of the inns, livery stables, alehouses, victuallinghouses, and other houses in which they are allowed to be quartered and billeted by this act; paying and allowing for the same the several rates herein after mentioned to be payable, out of the subsistence money, for diet and small beer, cyder, or rum mixed with water.

VI

Provided always, That in case any innholder, or other person, on whom any non commission 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 commission officers and soldiers who are recruiting, and recruits by them raised) shall be desirous to furnish such noncommission officers or soldiers with candles, vinegar, and salt, and with small beer or cyder, not exceeding five pints, or half a pint of rum mixed with a quart of water, for each man *per diem, gratis*, and allow to such noncommission officers or soldiers 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 ... the non commission officers and soldiers so quartered shall provide their own victuals; and the officer to whom it belongs to receive, or that actually does receive, the pay and subsistence of such non commission officers and soldiers, shall pay the several sums herein after mentioned to be payable, out of the subsistence money, for diet and small beer, to the non commission officers and soldiers aforesaid....

VII

And whereas there are several barracks in several places in his Majesty's said dominions in *America*, or some of them, provided by the colonies, for the lodging and covering of soldiers in lieu of quarters, for the ease and conveniency as well of the inhabitants of and in such colonies, as of the soldiers; it is hereby further enacted, That all such officers and soldiers, so put and placed in such barracks, or in hired uninhabited houses, outhouses, barns, or other buildings, shall, from time to time, be furnished and supplied there by the persons to be authorized or appointed for that purpose by the governor and council of each respective province, or upon neglect or refusal of such governor and council in any province, then by two or more justices of the peace residing in or near such place, with fire, candles, vinegar, and salt, bedding, utensils for dressing their victuals, and small beer or cyder, not exceeding five pints, or half a pint of rum mixed with a quart of water, to each man, without paying any thing for the same....

XXX

And be it further enacted ... That this act ... shall continue and be in force in all his Majesty's dominions in *America* from [March 24, 1765] until [March 24, 1767].

