

QUARTERING SOLDIERS

THIRD AMENDMENT

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

IN GENERAL

There has been no Supreme Court explication of this Amendment, which was obviously one guarantee indicating a preference for the civilian over the military.¹

¹ In fact, save for the curious case of *Engblom v. Carey*, 677 F.2d 957 (2d Cir. 1982), on remand, 572 F. Supp. 44 (S.D.N.Y. 1983), *aff'd per curiam*, 724 F.2d 28 (2d Cir. 1983), there has been no judicial explication of the Amendment at all.

