ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

****

C A P. XXXIV.

An Act for limiting the Period of Enlistment in Her Majesty's Army. [20th *June* 1867.]

WHEREAS it is expedient to alter the Periods of Enlistment now in use in Her Majesty's Land 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, as follows:

Twelve Years the Limit of Enlistment.

1. From and after the passing of this Act no Person shall be enlisted for the First Term of his Engagement to serve Her Majesty as a Soldier for a longer Period than Twelve Years, to be reckoned from the Day on which the Recruit shall have been attested for Service.

Renewal of Enlistment.

2. Any Person who now has or may hereafter have completed at least Two Thirds of the First Term of his Enlistment may at any Time thereafter, with the Approbation of his Commanding

Officer or other competent Military Authority, be re-engaged for such a Period as shall complete a total Period of Twenty-one Years in Her Majesty's Service.

Continuance in Her Majesty's Service after Twenty-one Years therein.

3. Any Soldier who shall have completed a total Period of Twenty-one Years Service may give Notice to his Commanding Officer of his Desire to continue in Her Majesty's Service; and if his Commanding Officer or other competent Military Authority approves of such Application he may be continued as a Soldier, subject in all respects to the Provisions of this Act and of the Mutiny Act and Articles of War, as if his Term of Service were still unexpired, until he shall have given Three Calendar Months Notice to his Commanding Officer of his Wish to be discharged, and the Expiration of such Notice.

On Expiration of Enlistment, Soldiers on Foreign Stations to be sent home.

4. Any Soldier whose Period of Enlistment or of total Service shall expire while he is serving on any Foreign, Colonial, or *Indian* Station may be detained, and his Service may be prolonged, for such further Period as shall be directed by the Commanding Officer at the Station there, not exceeding Twelve Months; but at the Expiration of such prolonged Service, or sooner, if the said Commanding Officer shall see fit, the Soldier shall, unless he desires to remain there, be sent home at the Public Charge as in the Case of Soldiers invalided, with all convenient Speed, and after his Arrival he shall be discharged.

Unless he desires to remain in the Colony or Possession.

5. If any such Soldier being in any of Her Majesty's Colonies or Possessions abroad desires to remain and to claim his Discharge there, he shall, if such be his Desire, give Notice thereof to the Governor through the Commanding Officer, whereupon it shall be lawful for such Governor, if he sees fit, with the Consent of the Commanding Officer, to permit such Soldier to remain in such Colony as a discharged Soldier, and such Soldier shall have no Claim thereafter to be conveyed to his Home in the United Kingdom or elsewhere.

Rules for reckoning Service.

6. In reckoning the Service of a Soldier for Discharge under the Provisions of this Act there shall be excluded therefrom such Periods of Time during which he has been absent from his Duty for any of the following Causes: Imprisonment for any Cause, save that of Detention awaiting any Trial which results in the Acquittal and Discharge of the Prisoner from Custody, Desertion or Absence without Leave, exceeding Five Days, or as a Prisoner of War, unless

unless in the latter Instance it shall appear to the Satisfaction of a Court-martial to be summoned on his rejoining Her Majesty's Service, that he was not taken Prisoner through his own wilful Neglect of Duty, and that he rejoined as soon as he could and ought to have done.

Discharge on Completion of Service.

7. Every Soldier who shall have completed his Period of Service according to the Provisions of this Act shall be entitled to his Discharge, unless at the Time of the Expiration of such Period of Service he stands charged with the Commission of any Offence, in which Case his Period of Service shall be prolonged, and his Discharge deferred, until he shall have undergone his Trial by Court-martial, and any Punishment awarded against him. Every Soldier, until he has received his Discharge, shall remain subject to all the Provisions of any Act that may be in force for punishing Mutiny and Desertion, and any Articles of War made in pursuance thereof.

Repeal of 10 & 11 Vict c. 37. and 12 & 13 Vict. c. 73. as to Soldiers enlisted under this Act.

8. After the passing of this Act every Person enlisting or re-enlisting or any Soldier re-engaging into Her Majesty's Service shall be subject to the Provisions of this Act; and the Provisions of the Act of the Session holden in the Tenth and Eleventh Years of Her Majesty's Reign, Chapter Thirty-seven, intituled *An Act for limiting the Term of Service in the Army*, and of the Act of the Session holden in the Twelfth and Thirteenth *Victoria*, Chapter Seventy-three, intituled *An Act to limit the Enlistment in the Artillery and other Ordnance Corps*, shall be then wholly repealed as to such Persons and Soldiers.

Forms of Attestation.

9. The Forms to be used on the Attestation of a Soldier, and on renewing his Service, or on re-engaging, under this Act, shall be such as are set forth in the Schedule hereto, or as are prescribed in the Mutiny Act for the Time being in force.

Enlistment for particular Arm of or for general Service.

10. Every Person enlisting under this Act shall be enlisted for some particular Arm or Branch of Service, and if he shall enlist for Cavalry or Infantry he shall be at liberty to declare and state the particular Regiment of Cavalry or Infantry into which he desires to enlist, and he shall be attested for the same and be sent thereto with all convenient Speed; but if no such Statement or Declaration be made by such Person at the Time of his Attestation as aforesaid, then he shall be attested for general Service, and it shall be lawful for the Military Authorities, at any Time within Twelve Months after his Attestation, to attach him to such Regiment as to them shall seem to be most fitting and convenient

convenient for Her Majesty's Service; provided always, that after the Recruit shall have been attached to any Regiment he shall not be removed or transferred therefrom save and except under the Provisions of the Mutiny Act for the Time being in force.

Short Title.

11. This Act shall be cited as The Army Enlistment Act, 1867.

SCHEDULE referred to in the foregoing Act.

DECLARATION to be made by RECRUIT on ATTESTATION.

I now residing in the Parish of in the County of , do solemnly and sincerely declare, That to the best of my Knowledge and Belief I was born in the Parish of (*a*) in or near the Town of (*b*) in the County of (*c*) , and am Years of Age; that I am of the Trade or Calling of [*or* of no Trade or Calling, *as the Case may be*]; that I am not an Apprentice; that I am not married; that I do not belong to the Militia, or to the Naval Coast Volunteers, or to any Portion of Her Majesty's Land or Sea Forces; that I have never served Her Majesty by Land or Sea in any Military or Naval Employment whatsoever, except ; that I have never been marked with the Letter D; that I have never been rejected as unfit for Her Majesty's Service on any previous Enlistment; that I was enlisted at on the Day of 186 , at o'Clock M. by of , and that I have read [*or* had read to me] the Notice then given to me, and understood its Meaning; that I enlisted for a Bounty of and a free Kit, and have no Objection to make to the Manner of my Enlistment; that I am willing to be attested to serve in the Regiment of [*instead of the Words* "in the Regiment," *any Words may be substituted which are applicable to the Case as in or for general Service in that Command or Branch of the Service for which the Enlistment may be made*] for the Term of Twelve Years, provided Her Majesty should so long require my Services, and also for such further Term, not exceeding Twelve Months, as shall be directed by the Commanding Officer on any Foreign Station.

_____ *Signature of Recruit.*

_____ *Signature of Witness.*

Note (*a*), (*b*), (*c*). These Blanks need not be filled up if the Recruit is unable to give the requisite Information.

DECLARATION to be made by a SOLDIER, or PERSON having been a SOLDIER, on renewing his Service.

I do declare, That I am at present [*or* was, *as the Case may be*,] in Captain Company in the Regiment [*the foregoing Portion of this Declaration may be altered to suit each particular Case*]; 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, for a further Term of Years [*to be filled up with such Number of Years as shall be required to complete a total Service of Twenty-one Years in the Army*], provided my Services should so long be required, and also for such further Term, not exceeding Twelve Months, as shall be directed by the Commanding Officer on any Foreign Station.

Declared before me

Signature of Soldier.

Signature of Witness.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.