ANNO VICESIMO QUARTO & VICESIMO QUINTO

VICTORIÆ REGINÆ.

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CAP. LXXIV.

An Act to render lawful the Enlistment of Persons transferred from the *Indian* to the General Forces of Her Majesty, and to provide in certain respects for the Rights of such Persons.

[6th *August* 1861.]

WHEREAS by a General Order of his Excellency the Governor General of *India* in Council, dated at *Fort William*, of the Tenth Day of *April* One thousand eight hundred and sixty-one, certain Conditions were prescribed and Offers made to the *European* Officers and Men of the *Indian* Forces of Her Majesty, in order to facilitate the Amalgamation of the said Forces with Her Majesty's General Forces: And whereas certain Parts of the said Conditions and Offers cannot be carried into Effect without the Authority of Parliament: 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:

Enlistment of Soldiers transferred from the Indian to the General Forces of

1. If any Soldier of Her Majesty's *European* Forces in *India* has volunteered or shall volunteer from the said Forces to enlist in any Regiment of Her Majesty's General Army, and has made or shall make the Declaration provided by the said Order of the Governor General,

Her Majesty to be valid for the unexpired Portions of the Service of such Soldiers.

General, and contained in the Schedule of this present Act, or to the like Effect, any such Enlistment is declared to be and shall be as valid and effectual, for the unexpired Portion of the Service of such Soldier, as if such Soldier had originally enlisted in Her Majesty's Land Forces under the Provisions of the Act of the Tenth and Eleventh Years of Her Majesty, Chapter Thirty-seven, intituled *An Act for limiting the Time of Service in the Army.*

Persons so transferred to be accounted natural-born Subjects for Purposes of Military Service.

2. The Provisions of the Act of the First Year of Her Majesty, Chapter Twenty-nine, intituled *An Act for enabling Her Majesty to grant the Rank of General Officers to Foreigners now bearing Her Majesty's Commission, and to permit the Enlistment of Foreigners under certain Restrictions*, shall not apply to the Case of Officers or Soldiers in the *Indian* Forces of Her Majesty, not being natural-born Subjects, who have been or may be transferred to Her Majesty's General Forces under the Condition of the said Order; but every such Officer or Soldier shall be upon the same Footing, for the Purposes of Military Service and Promotion, and every Act or Thing done or to be done in respect of the Enlistment and Attestation of any such Soldier shall be as legal for all Purposes as if he were a natural-born Subject of Her Majesty.

Rights of Persons so transferred to Pensions for Service in Her Majesty's General Forces.

3. If any Soldier who has been or shall be so transferred as aforesaid is or shall become entitled to claim any Pension for Service or would have become entitled to claim any Pension if his Service had been wholly performed either in Her Majesty's *Indian* or in Her Majesty's General Forces, it shall be lawful for the Commissioners of *Chelsea Hospital* to take such Claim into Consideration in the same Manner as they are by Law empowered to do in the Case of Soldiers discharged from Her Majesty's General Service, but such Pension shall be calculated in accordance with the Regulations either of Her Majesty's *Indian* or of Her Majesty's General Forces, according as such Soldier may choose, but subject to such Conditions as to the Time and Manner of exercising such Choice as have been or may be prescribed by the Commander in Chief of Her Majesty's Forces in *India*; and it shall be lawful for the Secretary of State for *India* in Council and the Commissioners of Her Majesty's Treasury to make by Agreement such Regulations as they may deem just and expedient as to the Apportionment of the Pensions aforesaid between the respective Revenues of *India* and of the United Kingdom of *Great Britain* and *Ireland*.

No Enlistment in India invalid by reason of

4. No Enlistment or Attestation of any Soldier or Person into Her Majesty's General or *Indian* Forces which shall have taken place within Her Majesty's Dominions in *India*, or within the Territories of

of any Foreign State in *India*, prior to the Publication of this Act in the said Dominions, before any Person appointed in that Behalf by the Governor of any Presidency in *India*, shall be invalid only by reason that no Warrant had, at the Time of such Appointment or of such Enlistment or Attestation, been signed by the Secretary at War in accordance with the Provisions of any Act of Parliament for the Punishment of Mutiny and Desertion, or that the Person so appointed had not Authority to act out of Her Majesty's Dominions; but every Soldier or Person so attested shall be deemed to be an attested Soldier to the same Effect as if such Warrant had been signed as aforesaid, and such Enlistment or Attestation had taken place within Her Majesty's Dominions; and no Person so appointed who shall have enlisted and attested any Soldier or Person for Her Majesty's General or *Indian* Forces shall be deemed to have acted illegally in so doing by reason that no such Warrant had been issued as aforesaid, or that such Enlistment or Attestation did not take place within Her Majesty's Dominions.

the Absence of a Warrant from the Secretary at War, or because made out of Her Majesty's Dominions.

The

The SCHEDULE.

DECLARATION to be made by a Soldier volunteering from Her Majesty's Indian Forces to Regiments of Her Majesty's General Army.

I *A. B.* do declare that I have been till now a [Private, *or* Corporal, *or* Sergeant, *as the Case may be*] in the Regiment of in Her Majesty's Indian Military Forces; that I enlisted on the Day of for a Term of Years, of which Years and Months remain unexpired; that I am of the Age of Years; that I am willing to be transferred from the Infantry [*or as the Case may be*] of Her Majesty's Indian Forces to the 101st Regiment Royal Bengal Fusiliers [*or as the Case may be*] of Her Majesty's Army, for the unexpired Residue of my Term of Service; and to accept, according to the Terms of a General Order of His Excellency the Governor-General of India in Council, No. 332, of the 10th Day of April 1861, the Bounty of Rupees upon such Transfer; and that I will serve Her Majesty, Her Heirs and Successors, for the said unexpired Term of Years and Months from this Date, provided my Services should so long be required, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

_____ *Signature of Soldier.*

_____ *Signature of Witness.*

Declared before me,

_____ *Signature of Justice of the Peace or Magistrate.*

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