

Parliament authority to maintain certain "Guards and Garrisons," and thus a standing army was in 1660 formed in England for the first time. These Guards and Garrisons, though sanctioned by Parliament, were paid by the Crown and governed under Royal Prerogative. The necessity for special powers for the maintenance of discipline and the punishment of offences became apparent, but the growth of an army being regarded with jealousy, Parliament was unwilling to confer any such powers on the Crown until it became absolutely necessary so to do, and throughout the reigns of the Stuarts the army was entirely under the Sovereign.

On the accession of William and Mary the maintenance of the army was sanctioned by Parliament. A bill for better regulation of the discipline of the army was introduced in 1689, and its passage through Parliament was somewhat hurried by reason of the mutiny of some Scotch regiments at Ipswich, who had been ordered to Holland, but who, refusing to go, had marched northward, declaring that James II. was their rightful king and that they would live or die by him.

This danger was reported to both Houses of Parliament and doubtless facilitated the passing of the bill, which received the Royal assent on the 3rd April, 1689. This Bill was known as the first Mutiny Act. The Military Law thus established operated only on the standing army within England and Wales. Its power was gradually extended over Ireland in 1702, Scotland in 1707, the colonies 1788, and the army, irrespective of place, in 1803. The duration of the Mutiny Act passed in 1689 was first intended to last only seven months, but it was extended, and with a few intermissions has been passed annually ever since. In conjunction with the Mutiny Act the army was ruled for many years by the "Articles of War" (which came into existence at the Conquest) and issued under the Royal prerogative, but this prerogative was gradually encroached upon, or was finally replaced by a statutory power, in accordance with the Act, in 1803.

The army continued to be governed by the Mutiny Act and statutory articles until 1879, when the inconvenience of having a military code, contained partly in a statutory Act and partly in articles derived from that Act, led finally to a consolidation of the two in the "Army Discipline and Regulation Act," which was passed in the latter year. Two years later this was repealed and