

ACT No. XVI OF 1857.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

(Received the assent of the Governor General on the 13th June 1857.)

AN ACT to make temporary provision for the trial and punishment of heinous offences in certain Districts.

Preamble. WHEREAS it is expedient to make temporary provision for the trial and punishment of heinous offences in certain Districts: It is enacted as follows :—

I. Whoever shall commit or attempt to commit any heinous offence in any District or place in which Martial Law hath been or shall be established, or in any District or place to which this Act shall be extended by order of the Governor General of India in Council, shall be liable, on conviction, to the punishment of death, or to the punishment of transportation for life, or of imprisonment with hard labor for any term not exceeding fourteen years; and shall forfeit all his property and effects of every description.

Punishment for any heinous offence in Districts or places subject to Martial Law or to which this Act is extended.

II. The words "heinous offence" shall be deemed to include an attempt to murder, rape, maiming, dacoity, robbery, burglary, knowingly receiving property obtained by dacoity robbery or burglary, breaking and entering a dwelling-house and stealing therein, intentionally setting fire to a village, house, or any public building, stealing or destroying any property provided for the conveyance or subsistence of Troops, and all crimes against person or property attended with great personal violence, and all crimes committed with the intention of assisting those who are waging war against the State or forwarding their designs.

Interpretation of the words "heinous offence."

III. Every

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III. Every person who shall be guilty of murder or any of the offences  
above described, may be tried either by Court Martial  
appointed under Act XIV of 1857, or by a Commissioner  
or Commissioners authorized by a Commission issued  
under the said Act, or by the ordinary Courts of Judicature.

Offenders by whom  
to be tried.

IV. Nothing in this Act shall extend to the trial or punishment of any  
of Her Majesty's natural-born subjects born in Europe, or  
of the children of such subjects.

Act not to apply to  
British-born subjects or  
their children.

Duration of Act.

V. This Act shall continue in force for one year.

