

ACT No. XXXII OF 1857.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

(Received the assent of the Governor General on the 28th November 1857.)

AN ACT to amend the Articles of War for the Native Army.

WHEREAS it is expedient that, on every conviction of Mutiny or  
Desertion, the Government or the Court, or other lawful  
authority by which the offender shall be convicted, should  
have power to order the offender to be marked: It is enacted as follows:—

Preamble.

I. It shall be lawful for the Government, by any general or special  
order, to direct that all or any persons or person subject  
to the Articles of War for the Native Army, who have  
been or shall be convicted of Mutiny or Desertion, shall  
be marked on the left side two inches below the armpit with the letter M in  
the case of a conviction of Mutiny, and with the letter D in the case of a  
conviction of Desertion; either alone or together with such other mark as  
the Government may consider necessary for the purpose of identifying the  
offender at any future time, or of denoting the punishment to which he has  
been sentenced. The letter shall not be less than an inch long; and such  
letter and other mark shall be made upon the skin with some ink, gunpow-  
der, or other preparation, so as to be visible and conspicuous and not liable to  
be obliterated.

Government empow-  
ered to order Mutineers  
and Deserters to be  
marked.

II. It shall also be lawful for the Court, or other lawful authority  
by which any person subject to the Articles of War for the  
Native Army may be convicted of Mutiny or Desertion,  
to order, as part of the sentence on such person, that  
he be marked with the letter M or D as the case may be, which letter  
shall be made in the manner hereinbefore directed.

Court may, as part of  
the sentence, order Mu-  
tineers and Deserters to  
be marked.

III. The word "Government," as used in this Act, shall mean the  
Governor General of India in Council, or the Executive  
Government of the Presidency within which the offender  
shall have been tried.

Interpretation.

IV. Any sentence or order, by which any person subject to the Articles  
of War for the Native Army may upon conviction of  
Mutiny or Desertion have been ordered to be marked,  
shall be deemed valid.

Past sentences and  
orders to be deemed  
valid.

