

ACT No. XXVI OF 1858.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

(Received the assent of the Governor General on the 7th July 1858.)

*An Act to make further provision for the trial and punishment of Offences against the State.*

WHEREAS it is expedient to make further provision for the trial and punishment of offences against the State; It is enacted as follows :—

Preamble.

I. If any person, owing allegiance to the British Government, shall collect men, arms, or ammunition, or otherwise prepare to levy war, with the intention of either levying or being prepared to levy war against the Queen or the East India Company, or shall instigate any other person to commit such offence, or shall knowingly aid in the commission thereof, such person shall be liable 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 also forfeit all his property and effects of every description.

Collecting arms, &c., with the intention of levying war against the State.

II. Whoever shall knowingly harbour or conceal any person who shall have been guilty of any of the offences mentioned in the Preceding Section, shall be liable to imprisonment, with or without hard labor, for any term not exceeding seven years; and shall also be liable to fine.

Harbouring or concealing offenders.

III. If

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III. If any person, having knowledge of the commission of any of the offences mentioned in Section I Act XI of 1857 or in Section I of this Act, shall conceal the fact or shall neglect to declare and make known the same to the Governor General in Council, or to the Executive Government of the Presidency or place, or to the Magistrate or person exercising the powers of a Magistrate in the District in which such offence shall be committed or such person shall be, he shall be liable to imprisonment, with or without hard labor, for a term not exceeding seven years ; and shall also be liable to fine.

Person having knowledge of the commission of certain offences, and neglecting to give information.

Certain provisions of Acts XI and XIV of 1857 and XXII of 1858 made applicable to offences specified in this Act.

IV. All the provisions of Acts XI of 1857, XIV of 1857, and XXII of 1858, applicable to offences included in Sections I and II Act XI of 1857, shall be applicable to the offences specified in this Act.

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

jects.

V. Nothing in this Act contained 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.

Duration of Act.

VI. This Act shall continue in force until the end of the year 1859.