

ACT No. XXXIII OF 1858.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

(Received the assent of the Governor General on the 11th September 1858.)

An Act to amend Act XII of 1844 (for better securing the observance of an exact discipline in the Indian Navy).

WHEREAS, by Section III Act XII of 1844, it was provided that
nothing in that Act contained should extend or be construed to extend to empower any Court Martial, to be constituted by virtue of that Act, to proceed to the punishment or trial of any of the offences specified in the several Articles contained in that Act, or of any offence whatsoever, (other than the offences specified in the 5th, 34th, and 35th of the said Articles and Orders) which should not be committed upon the main sea or in great rivers only beneath the bridges of the said rivers nigh to the sea, or any haven, river, or creek within the jurisdiction of the Admiralty, and which should not be committed by such person as, at the time of the offence committed, should be in actual service and full pay in the Indian Navy, such persons only excepted and for such offences only as were described in the 5th of the said Articles and Orders: and whereas it is expedient that every superior Officer, Captain or Commander, or Lieutenant, belonging to the Indian Navy, should be amenable to Naval Courts Martial for the offences specified in Article 33 of the said Act, whether the same be committed on the main sea or on shore: It is enacted as follows:—

Preamble.

I. Nothing

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I. Nothing contained in the 3rd Section of Act XII of 1844 shall extend to any of the offences specified in Article 33 of the said Act, which, after the passing of this Act, shall be committed by any superior Officer, Captain or Commander, or Lieutenant, belonging to the Indian Navy,

Section III Act XII of 1844 not to prevent the trial of Naval Officers by Courts Martial for certain offences whether committed at sea or on shore.