M.R. O. 1—89,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1872 Press ~~Mis.~~

46-47

Dated 24-12-~~19~~1918

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 4th January 1859.

No. 46. Read the following letter from W. MORGAN, Esq., Clerk of the Legislative Council; to T. PYCROFT, Esq., Chief Secretary to the Government of Fort Saint George, dated Fort William, the 20th November 1858, No. 168.

SIR,

I am directed by the Legislative Council to request that you will, with the permission of the Right Honorable the Governor in Council, obtain and transmit to me, for the purpose of being laid before the Council, the opinions of the several Judicial and Revenue Authorities, European and Native; and of such other persons, European or Native, selected for their knowledge and experience, without reference to class or position, and whether Government employès or not, as His Lordship in Council shall think fit; upon the following questions.

1st. Is it desirable that any change should be made in the present law respecting oaths and affirmations, with the view especially of improving the character of the evidence given in Courts of Justice?

2nd. Is it desirable that the Act (V of 1840), which provides that persons of the Hindoo or Mahomedan persuasion should make solemn affirmation instead of being compelled to swear by the water of the Ganges, or upon the Koran, should be repealed, and that all persons should hereafter be sworn in the manner which may be considered most binding on their consciences?

3rd. Is it desirable that, in lieu of every form of oath and of the solemn affirmation now authorized or required by law, a simple affirmation without any reference to religious sanction should be required from all persons of whatever persuasion?

4th. Is it desirable that witnesses should be examined without oath or affirmation or any warning as a preliminary to their giving evidence, or with a warning only?

I am also directed to request that you will invite the opinions of the public generally upon the subject of Judicial oaths and affirmations.

No. 47. ORDER THEREON, No. 1812; dated 24th December 1858.

Ordered to be communicated to the Court of Sudder and Foujdaree Udalut and, through the Revenue Department, to the Board of Revenue, in reference to Extract Minutes Consultation 6th December 1858, No. 1715.

2. The Court and Board will respectively take measures for obtaining answers to the queries now forwarded, not solely from the Judicial and Revenue Officers in the Provinces, European and Native, but from such other persons whether in the service of Government or not, as from their position and experience may with advantage be consulted on the subject.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

No 1812.

4

K

Orderd the communication
of the Court of Judicature and Inspector
General and, thro the Revenue
Dept., of the Board of Revenue
in reference to Govt. Minis com.
6th Dec. 1858 No 1715.

The Court & Board
will respectively take measures
for obtaining answers to the
queries now forwd. viz solely
from the Judicial and Revenue
Officers in the Provinces
Cop. Judicial Board
Revenue Dept.
European & native
but from such other persons
whether in the service of Govt
or not as from their position

and expenditure may with advantage be consulted on subject -

JPS

Fort St George,
24th December 1858.

To the Sub-Treasurer
" Revenue depot

Dispd. Oct