

Revenue Department

No. 58

Dated 13 — 1 — 1859

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Fort Saint George, Revenue Consultation of 18th January 1859.

No. 17. Read the following Extract from the Minutes of Consultation in the Judicial Department; dated 24th December 1858, No. 1812.

Directing the Board of Revenue to obtain answers from the Revenue authorities to certain queries transmitted by the Clerk of the Legislative Council relative to the present law respecting oaths and affirmations. (Vide Judl. Cons. 4th Jany. 1859, Nos. 46-47.)

No. 18. ORDER THEREON, No. 58; dated 13th January 1859.

Ordered to be communicated to the Board of Revenue for report, in continuation of Extract Minutes of Consultation dated 14th December 1858, No. 1663.

(Signed) J. D. BOURDILLON,
Secretary to Government.

JUDICIAL DEPARTMENT.

No. 1812.

Extract from the Minutes of Consultation under date the 24th December 1858.

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 employes 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make solemn affirmation instead of being compelled to swear by the water of the Ganges, or upon the Koran, should be repealed, and that all persons should hereafter be sworn in the manner which may be considered most binding on their consciences?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?

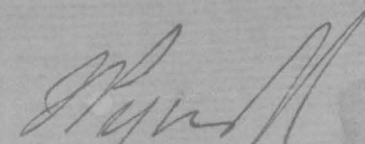
4th. Is it desirable that witnesses should be examined without oath or affirmation or any warning as a preliminary to their giving evidence, or with a warning only?

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

Order.—Ordered to be communicated to the Court of Sudder and Foujdaree Udalt 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.

(True Extract and Copy.)


Chief Secretary.

To the Judges of the Court of Sudr and Foujdaree Udalt.
,, Revenue Department.

Exd. F. Cartledge.

Ms. B. 1. 7. Dec 1858. 11/14/58-45

Revenue 1859 Def'd
Johs Cow 18th January
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Extract from the Minutes
of Com in the Marine
Department

Dated 24th Dec^r 1858
Dec^r 7th Jan^y 1859
at 1812

Noting that the Com
of Revenue through the
to obtain answers ^{promptly} furnished
4 Reasons ^{authorities} to the
power is transmitted by the
Chiefs of the Dept relative
Council relative to the
present Com & respecting
on the 4 appointments.

@ 10th 58. 13th January 1858

Ms. B. 1. 7. 18.

Ms. B. 1. 7. 18.

Ordered to be con-
sidered to the Board of Revenue
for report in consideration of
Extract Minutes of Com in the
at 10th 58. 13th Jan^y 1858. 11/16/58.

11/16/58

First 4th Jan^y 1858
13th January 1858
Office to the Com of Revenue
at 10th 58. 13th Jan^y 1858.