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## PART VI.

### BILLS OF THE GOVERNMENT OF INDIA.

#### LEGISLATIVE DEPARTMENT.

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 18th July 1871, and was referred to a Select Committee with instructions to make their report thereon in a month:—

#### Bill No. 17 of 1871.

*A Bill to amend the European Vagrancy Act, 1869.*

WHEREAS it is expedient to amend the European Vagrancy Act, No. XXI. of 1869; It is hereby enacted as follows:—

1. The thirty-first section of the said Act shall be read as if, after the words "to serve whom he has so landed in India or left the army," there occurred the words "or to whom any animal, in charge of or in attendance upon which he has come to India, may have been consigned."

2. This Act shall be read with, and taken as part of, the European Vagrancy Act, 1869.

#### STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to provide for the case of men coming from Australia in charge of horses, on engagements which terminate on the conclusion of the voyage. Such persons are at once thrown out of employ and become vagrants; but as there is no person in this country 'to serve whom' they have landed, it is impossible to put in force the provisions of section thirty-one of the European Vagrancy Act, 1869, as to the recovery of cost of removal and other expenses incidental to their vagrancy. The present Bill enlarges the wording of section thirty-one in such a manner as to render the importer or consignee of any animal liable to all charges incurred by the State in consequence of the person who has come to India in charge of such animal, becoming a vagrant within a year after his arrival in India.

(Signed) J. F. STEPHEN.

*Sinla, The 27th June 1871.*

H. S. CUNNINGHAM,  
*Officiating Secretary to the Council of the  
Governor General for making  
Laws and Regulations.*

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 25th July 1871, and was referred to a Select Committee, with instructions to make their report thereon in six weeks:—

**Bill No. 18 of 1871.**

*A Bill to amend Act No. V. of 1840 (concerning the Oaths and Declarations of Hindoos and Mahometans).*

WHEREAS it is expedient to amend and consolidate the law relating to Oaths and Declarations;

It is hereby enacted as follows:—

Short title.

1. This Act may be called "The Oaths and Declarations Act, 1871."

It shall extend to the whole of British India,

Local extent.

and, so far as British subjects are concerned, to such other places within the Indian dominions of Princes and States in alliance with Her Majesty, as the Governor General in Council shall, by notification, direct;

Commencement.

And it shall come into force on the passing thereof.

2. The enactments specified in the schedule

Enactments repealed.

hereunto annexed are repealed to the extent mentioned in the third column of the said schedule.

Interpretation-clause.

3. In this Act—

The word "law" means any Act, Regulation, or Order having the force of law, which the Governor

General in Council can by law repeal, amend, or alter;

The word "Court" includes a Coroner, a Justice of the Peace, and any other person legally em-

'Court.'

powered to take evidence.

4. Whenever, by any law for the time being in force, the administration of an oath to any person is authorized in any Court, the oath shall be in such form as the Local Government shall from time to time direct:

Provided that, in any such case, the Court or person authorized to administer such oath may permit a solemn affirmation in such form as the Local Government directs, to be substituted for an oath; and shall do so, whenever it shall appear that the person, to whom the oath is to be administered, has a conscientious objection to taking an oath, or does not understand its meaning, or regards it as unmeaning or useless.

Until otherwise directed, the form of oath or solemn affirmation, now in use in any Court or proceedings, shall be deemed to have been directed by the Local Government.

If the Court has reason to believe that any witness attaches peculiar sanctity to any form of swearing, and that the employment of such form of swearing would be likely to make him tell the truth, it may employ that form either instead of, or in addition to, the form above-mentioned, and either in relation to the whole of the witness' evidence, or in relation to such part of it as has reference to any particular fact.

**SCHEDULE.**

No. of Act.	Title of Act.	Extent of repeal.
Act XXI. of 1837.....	An Act empowering Governors of Presidencies and the Lieutenant-Governor of the North-Western Provinces to dispense with oaths.	The whole now unrepealed.
Act V. of 1840 .....	An Act concerning the Oaths and Declarations of Hindoos and Mahometans.	The whole now unrepealed.
Act XVIII. of 1863. ....	An Act to make provision for the speedy and efficient disposal of the business now pending in the office of the Master of the High Court of Judicature at Fort William in Bengal, and to provide for the abolition of the Oaths now administered to Hindoos and Mahomedans in the said Court, and to amend the Code of Civil Procedure in respect of process issued out of the said Court in the exercise of its Original Civil Jurisdiction.	Section 9.

**STATEMENT OF OBJECTS AND REASONS.**

The object of this Bill is to throw into a single measure the various enactments at present regulating the subject of oaths and solemn declarations, and to extend the operation of these enactments to jurors and other persons, besides witnesses in Court, for whom it is desirable that provision should be made.

(Signed) J. F. STEPHEN.

H. S. CUNNINGHAM,

*Officiating Secretary to the Council of the Governor General for making Laws and Regulations.*