

COMMISSIONS TO TAKE AFFIDAVITS COURTS, 1848 ACT

ACT No. XIV. of 1848

(Rep., Act 10 of 1877)

[17th June, 1848.]

Passed by the Governor General of India in Council, On the 17th June, 1848.

To enable the Supreme Court of Calcutta to issue Commissions for taking Affidavits.

WHEREAS doubts are entertained whether the Supreme Court of Judicature at Fort William in Bengal has power on the Crown and Plea side of the Court under the Charter of that Court to grant a Standing Commission to take Affidavits, or solemn affirmations, and it is expedient that such power be has and exercised as occasion requires, It is enacted as follows:

I. After the passing of this Act, the said Court shall have power to issue a Commission or Commissions from time to time under the Seal of the said Court, to such person or persons as the said Court shall think fit to name therein empowering him, or them, or any one, or more of them, to take Affidavits and solemn affirmations in any cause, or other proceeding in the said Court now, or hereafter to be depending, or with the intent to institute any proceeding whatever in the said Court.

II. Every Affidavit or solemn affirmation so taken shall be deemed to be taken in the said Court, and shall render the person or persons taking the same liable to payment of the same fees (if any) to be received and accounted for in the same manner as in the case of an Affidavit or solemn affirmation made and taken in Court.

III. Every person so Making any Affidavit or solemn affirmation, knowing the same or any part thereof to be untrue, shall be liable to the same penalties in all respects as if such Affidavit or solemn affirmation had been made and taken in open Court.
