

ACT No. VIII OF 1862.

PASSED BY THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor-General on the 27th March 1862.)

*An Act to protect the personal dignity of His Majesty the King of Oude.*

WHEREAS it is expedient, with a view to protect the personal dignity of the King of Oude, in accordance with the promise made  
Preamble. to His Majesty on the part of the British Government, that His said Majesty should be partially exempted from the jurisdiction of the Civil, Revenue, and Criminal Courts; It is enacted as follows:—

I. His Majesty the King of Oude is hereby declared to be, and is, exempt  
King of Oude exempted from jurisdiction of Criminal Courts except for capital offences. from the jurisdiction of the Criminal Courts, except in regard to offences punishable with death under the Indian Penal Code. Except for such offences, no Criminal Court or Magistrate shall enquire into any complaint, or issue any process, against His said Majesty.

II. No Police Officer or other person shall arrest His said Majesty without warrant, and no Police Officer or other person, whether charged with the execution of a warrant or not, shall, for the purpose of arresting any person or searching for anything, enter into or remain in any house in which His Majesty may at the time be residing, except in the presence and with the sanction of the Officer appointed to be Agent with His Majesty on the part of the British Government.  
Police not to arrest the King without warrant, nor to enter the dwelling-house of the King except in the presence and with the sanction of the Agent.

III. If any complaint be made or information preferred against His said Majesty for any offence other than the offences excepted in Section I of this Act, the Officer appointed to be Agent with His said Majesty may enquire into the case and make a report thereon to the Governor-General in Council, and the  
Issue of Commission for the trial of other than capital offences. Governor-

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Governor-General in Council, on receipt of any such report, may issue a Commission for the trial of such offence, and may vest the said Commission with any of the powers vested in any Court by the Code of Criminal Procedure. Provided that, in case of conviction, the said Commission shall not pass sentence, but shall report its judgment to the Governor-General in Council, who shall thereupon give such directions in respect to the custody of the person of His said Majesty or the disposal of His property, as the exigency of the case may seem to require.

IV. No writ or process shall at any time be sued forth or prosecuted out of any Civil, Revenue, or Criminal Court against the person, goods, or property of His said Majesty, unless such writ or process shall be so sued forth or prosecuted with the consent of the Governor-General in Council first had and obtained, such consent to be testified by the signature of a Secretary to the Government of India, and any writ or process which shall at any time be sued forth or prosecuted against the person, or goods, or property of His said Majesty, without such consent as aforesaid, shall be utterly null and void.

V. His said Majesty shall not be required to appear personally as a witness in any Court, or before any Commissioner appointed by any Court to be examined or make affidavit when his evidence or affidavit is required in any Civil, Revenue, or Criminal suit or proceeding.

VI. When the evidence of His Majesty is required in any such suit or proceeding, the Court or the party requiring the same shall cause to be prepared interrogatories in writing for the examination of His said Majesty. If the case is one in which any other party in such suit or proceeding would, by law, have a right to cross-examine, such party shall be at liberty to prepare cross-interrogatories. The interrogatories and cross-interrogatories (if any) shall be transmitted to the Officer appointed to be Agent with His said Majesty, who shall exhibit the same to His said Majesty and take down in writing His Majesty's answers thereto given on solemn affirmation. The interrogatories and cross-interrogatories (if any), with the answers thereto, shall be returned to the Court before whom the suit or proceeding is pending, together with a certificate from the said Officer appointed to be Agent of the answers of His said Majesty having been duly taken.

VII.

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VII. When any affidavit is required to be sworn by His said Majesty  
Mode of taking the King's affidavit. in any suit or proceeding, such affidavit shall be taken and sworn before the said Officer appointed to be Agent, who shall return such affidavit with a certificate of its having been duly sworn to the Court or Officer before whom the same is to be used.

VIII. Except with the consent of His said Majesty, no person other than  
Examinations to be taken in private. the said Officer appointed to be Agent shall be entitled to be present when His said Majesty is being examined on interrogatories or sworn to any affidavit under the provisions of this Act.

\* IX. The answers to interrogatories or affidavit of His said Majesty taken  
Examination, &c., taken under the Act, admissible in evidence. and sworn under the provisions of this Act shall be admissible in evidence, and subject to the same objections as if such answers or affidavit had been taken or sworn in open Court or under a Commission.

Duration of Act.

X. This Act shall not continue in force after the death of His said Majesty.

PRICE 9 PIES.