

ACT No. XXXIX OF 1939.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the
29th September, 1939.)

An Act further to amend the Indian Oaths Act,
1873, for a certain purpose.

X of 1873. WHEREAS it is expedient further to amend the
Indian Oaths Act, 1873, for the purpose herein-
after appearing ; It is hereby enacted as follows :—

1. This Act may be called the Indian Oaths (Amend- Short title.
ment) Act, 1939.

X of 1873. 2. In section 5 of the Indian Oaths Act, 1873, after Amendment of
the word " jurors " the following proviso shall be in- section 5,
serted, namely :— Act X of
1873.

" Provided that where the witness is a child under
twelve years of age, and the Court or person having
authority to examine such witness is of opinion that,
though he understands the duty of speaking the truth,
he does not understand the nature of an oath or affirm-
ation, the foregoing provisions of this section and the
provisions of section 6 shall not apply to such witness,
but in any such case the absence of an oath or affirm-
ation shall not render inadmissible any evidence given
by such witness nor affect the obligation of the witness
to state the truth."

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