

L. S.



BRITISH COLUMBIA.

ANNO TRICESIMO

VICTORIÆ REGINÆ.

NO. 11.

An Ordinance to provide for the taking of Oaths and admission of Evidence in certain cases.

[15th March, 1867.]

WHEREAS it is expedient to provide for the taking of Oaths and admission of Evidence in certain cases, and to assimilate the same in all parts of the Colony of British Columbia; Preamble.

Be it enacted by the Governor of British Columbia, with the advice and consent of the Legislative Council thereof, as follows

I. "The Oaths Act, 1859," and "The Native Evidence Ordinance, 1865," are hereby repealed: provided however that such repeal shall not affect any rights acquired under such Act and Ordinance or either of them, or any liabilities or penalties already incurred under such Act and Ordinance or either of them, or any remedies or punishments prescribed by such Act and Ordinance or either of them, for enforcing the same, but such remedies and punishments may still for the purposes of such enforcement, but not further or otherwise, be held to be available and capable of imposition as if such Act and Ordinance were still in force. Repeals "Oaths Act, 1859," and "The Native Evidence Ordinance, 1865," saving existing rights.

II. If any person called as a witness in any Court of Judicature or required or desiring to take any oath or to make an affidavit or deposition shall refuse or be unwilling from alleged conscientious motives to be sworn, it shall be lawful for the Court or Judge, or other presiding officer or person qualified to take such oath, affidavit, or deposition, upon being satisfied of the sincerity of such objection, to permit such person, instead of being sworn, to make his or her solemn affirmation or declaration in the words following, viz: "I, A. B., do solemnly, sincerely, and truly affirm and declare that the taking of any oath is, according to my religious belief, unlawful, and I do solemnly, sincerely and truly affirm and declare, &c., &c." Authorizes affirmation in lieu of oath.

III. If any person professing the Roman Catholic Religion shall be required by any lawful authority, or shall be desirous for any purpose to take the oath of allegiance to Her Majesty, Her Heirs and Successors, it shall be sufficient if he shall in lieu thereof take the oath in the form appointed and set forth in the 2nd section of the Act made and passed in the Parliament of the United Kingdom, held in the tenth year of His late Majesty King George IV. intituled "An Act for the relief of His Majesty's Roman Catholic subjects." Removes Roman Catholic disability.

IV. If any of the persuasion of the people called Quakers, or any other person under this or any other law permitted to make his solemn declaration or affirmation in lieu of an oath, or any person professing the Jewish Religion, shall at any time be required by any lawful authority, or shall be desirous for any purpose to take the oath of allegiance to Her Majesty, Her Heirs or Successors, or any form of oath containing the words "And I make this declaration upon the true faith of a Christian" the said words "And I make this declaration Quaker's affirmation in lieu of oath.

