BRITISH COLUMBIA.

ANNO TRICESIMO SECUNDO

VICTORIÆ REGINÆ.

* *

No. 5.

An Ordinance respecting the appointment of Commissioners to take Affidavits and Bail, and for the making of Statutory Declarations.

[24*th February*, 1869.]

WHEREAS it is expedient to provide for the taking of Affidavits and Bail, and for making Statutory Declarations; Preamble.

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

I. Any Judge of a Supreme Court of this Colony, may by one or more Commission or Commissions, under the Seal of such Court, from time to time empower so many persons in the Colony as he may think fit and necessary, to take and receive any Affidavit, or Affirmation in cases where by law an Affirmation is allowed, which any person may desire to make in or concerning any cause, matter, or thing, depending or in anywise concerning any of the Proceedings in such Court. Empowers Judge to appoint Commissioners to take Affidavits.

II. Every such Affidavit and Affirmation may be read and made use of in such Court as other Affidavits or Affirmations taken therein, and shall be of the same force as if taken in open Court; and any person wilfully forswearing himself in any Affidavit or making false Affirmation before any of the said Commissioners, shall be liable to the same pains and penalties as if such Affidavit or Affirmation were made in open Court. Affidavits how used. Penalty for forswearing.

III. Any such Judge as aforesaid, may from time to time, in manner aforesaid, appoint the same or other persons to be Commissioners in the Colony, to take and receive all and every such recognizances of Bail as any person or persons may at any time desire to acknowledge or make, in any Action or Suit depending in the said Court, in such manner and form, and by such recognizances of Bail, as the Justices of the said Court may take, which recognizance or recognizances of Bail, or Bail piece, so taken as aforesaid shall be filed in the office of the Registrar or Deputy Registrar of such Supreme Court, together with an Affidavit of the due taking of the recognizance by some credible person present at the taking thereof. Empowers Judge to appoint Commissioners to take Bail; method of filing the same.

IV. The recognizance so taken and filed shall be of the like effect, and subject to exception as to the Bail in like manner, and within the same time, as if taken in open Court. Recognizance same as if taken in open Court.

V. And

Prescribes form of Declaration.

V. And, whereas, by virtue of the Statute of the 5° and 6° years of the Reign of King William the IV., cap. 62, certain persons therein mentioned are authorized and empowered to take Declarations in lieu of Oaths and Affidavits, be it therefore further enacted that, from and after the passing of this Ordinance, all persons now or hereafter by law authorized or empowered to take Declarations, shall take and administer such Declarations in the following form:—

I, A. B., of , do solemnly and sincerely declare that , and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the "Oaths Ordinance, 1869."

Short Title.

VI. This Ordinance may be cited for all purposes as the "Oaths Ordinance, 1869."

Passed the Legislative Council the 4th day of February, A. D. 1869.

CHARLES GOOD,
Clerk of the Council.

WILLIAM A. G. YOUNG,
Presiding Member.

Assented to, on behalf of Her Majesty, this 24th day of February, 1869.

FREDERICK SEYMOUR,
Governor.

VICTORIA, B. C.:
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