CAP. LXXXIV.

An Act to confirm certain Acts of Colonial Legislatures. [28th *July* 1863.]

'WHEREAS Doubts are entertained respecting the Validity of divers Acts passed by the Legislature of *South Australia* for the Purpose of altering the Constitution of the Legislative Council and House of Assembly of the said Colony, and respecting the Power of Colonial Legislatures to make Laws for the above Purpose; and it is expedient to remove such Doubts:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

As to Terms "Colonial Legislature" and "Governor."

1. In this Act of Parliament the Term "Colonial Legislature" shall mean the Authority (other than Her Majesty in Council) competent to make Laws for any of Her Majesty's Possessions abroad, except *India*, the *Channel Islands*, and the *Isle of Man*:

The Term "Governor" shall mean the Officer lawfully administering the Government of any Colony.

Confirmation of certain Acts of Colonial Legislatures.

2. All Laws heretofore passed or purporting to have been passed by any Colonial Legislature with the Object of declaring or altering the Constitution of such Legislature, or of any Branch thereof, or the Mode of appointing or electing the Members of the same, shall have and be deemed to have had, from the Date at which the same shall have received the Assent of Her Majesty or of the Governor of the Colony on behalf of Her Majesty, the same Force and Effect for all Purposes whatever as if the said Legislature had possessed full Powers of enacting Laws for the Objects aforesaid, and as if all Formalities and Conditions by Act of Parliament or otherwise prescribed in respect of the passing of such Laws had been duly observed.

CAP. LXXXV.

An Act to give Relief to Persons who may refuse or be unwilling, from alleged conscientious Motives, to be sworn in Criminal Proceedings in *Scotland*. [28th *July* 1863.]

'WHEREAS it is expedient to grant Relief to Persons who may refuse or be unwilling, from alleged conscientious Motives, to be sworn in Criminal Proceedings in *Scotland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Persons refusing from conscientious Motives to be sworn in Criminal Proceedings in Scotland to be permitted to make a solemn Affirmation or Declaration.

1. If any Person called as a Witness in any Court of Criminal Jurisdiction in *Scotland*, or required or desiring to make an Affidavit or Deposition in the course of any Criminal Proceeding, 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 Affidavits or Depositions, 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; *videlicet*,

'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 also solemnly, sincerely, and truly affirm and declare,' *&c.*

Which solemn Affirmation and Declaration shall be of the same Force and Effect as if such Person had taken an Oath in the usual Form.

Penalty for making false Affirmation.

2. If any Person making such solemn Affirmation or Declaration shall wilfully, falsely, and corruptly affirm or declare any Matter or Thing which, if the same had been sworn in the