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

the usual Form, would have amounted to wilful and corrupt Perjury, every such Person so offending shall incur the Pains of wilful and corrupt Perjury.

3. This Act may be cited for all Purposes as "The Oaths Relief in Criminal Proceedings (*Scotland*) Act, 1863." Short Title.

CAP. LXXXVI.

An Act to authorize the taking of Harbour Dues at *Port Erin* in the *Isle of Man*, in order to provide a Fund for the Improvement of the Harbour; and for other Purposes. [28th *July* 1863.]

'WHEREAS it is desirable that Improvements should be made in the Harbour of *Port Erin* in the *Isle of Man*, so that the same may be rendered more serviceable as a Shelter for Vessels employed in the Herring Fishery, and other Vessels:

'And whereas the Harbour Commissioners of the *Isle of Man*, appointed in pursuance of an Act passed in the Eleventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act for repairing, amending, and supporting the several Harbours and Sea Ports in the* Isle of Man, herein-after called the Commissioners, are empowered and intend to make such Improvements; and it is expedient that for defraying the Expenses thereof the Commissioners should be authorized by Act of Parliament to take Dues on Vessels using the Harbour when improved, and to borrow Money on the Security of the Dues:' 11 G. 3. c. 52.

May it therefore please Your Majesty that it may be enacted; and be it 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:

1. All Works for and connected with the making of the intended Improvements in the Harbour of *Port Erin*, herein-after called the Harbour, shall be executed subject to the Approval and in conformity with any Directions of the Lords of the Committee for the Time being of Her Majesty's Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade. Approval of Works by Board of Trade.

2. Subject and according to the Regulations in the Schedule to this Act, the Commissioners may take, in respect of the Vessels in that Schedule described, any Dues not exceeding the Dues in that Schedule specified, as follows: Power to Commissioners to take Dues as in Schedule.

As soon as the Pier which is intended to be constructed by the Commissioners as Part of the intended Improvements is carried out into the Sea, sufficiently constructed to form a Shelter for Vessels, for a Distance of Three hundred Feet from the Shore at Low-water Mark at ordinary Spring Tides, then the Dues in the First Column of that Schedule specified:

As soon as the same Pier is so carried out for a further Distance of One hundred and fifty Feet, then the Dues in the Second Column of that Schedule specified:

A Certificate signed by the Receiver General of the *Isle of Man* certifying that the Pier has been so carried out for a Distance of Three hundred Feet or of Four hundred and fifty Feet, as the Case may be, (which Certificate he shall sign and give on being satisfied in that Behalf,) shall be conclusive Evidence thereof.

3. With respect to the Collection of the Dues, the following Provisions shall take effect: Collection of Dues.

(1.) A Collector, and, if necessary, a Sub-Collector, to collect the Dues, shall be from Time to Time appointed by the Receiver General of the *Isle of Man*, at such Salary as the Commissioners from Time to Time direct, payable out of the Dues levied under this Act, and may from Time to Time be removed from Office by the Receiver General: