ANNO PRIMO & SECUNDO

VICTORIÆ REGINÆ.

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C A P. LXXVII.

An Act for permitting Affirmation to be made instead of an Oath in certain Cases.

[10th *August* 1838.]

WHEREAS by an Act passed in the Reign of King *William* the Third, intituled *An Act that the Solemnization, Affirmation, and Declaration of the People called Quakers shall be received instead of an Oath in the usual Form*, reciting that divers Dissenters, commonly called Quakers, refusing to take an Oath in Courts of Justice and other Places, are frequently imprisoned and their Estates sequestered by Process of Contempt issuing out of such Courts, to the Ruin of themselves and Families, it is enacted, that every Quaker on every Occasion (except on Criminal Trials) where an Oath is by Law required shall be permitted to make solemn Affirmation and Declaration in lieu thereof: And whereas the same Privilege has by subsequent Acts of Parliament been extended in all Cases to the Persons called Quakers and Moravians: And whereas it is expedient and fitting that the aforesaid Privilege should be extended to such Persons as have been Quakers and Moravians, but have ceased to belong to either of such Religious Denominations of Christians, still continuing nevertheless to entertain conscientious Objections to the taking of an Oath: 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

7 & 8 W. 3. c. 34.

8 D Commons,

Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for any Person who shall have been a Quaker or a Moravian to make solemn Affirmation and Declaration in lieu of taking an Oath, as fully as it would be lawful for any such Person to do if he still remained a Member of either of such Religious Denominations of Christians, which said Affirmation or Declaration shall be of the same Force and Effect as if he or she had taken an Oath in the usual Form; and if any such Person making such solemn Affirmation or Declaration shall be convicted of having wilfully, falsely, and corruptly affirmed or declared any Matter or Thing which, if the same had been sworn in the usual Form, would have amounted to wilful and corrupt Perjury, every such Offender shall be subject to the same Pains, Penalties, and Forfeitures to which Persons convicted of wilful and corrupt Perjury are or shall be subject: Provided always, that every such Affirmation or Declaration shall be in the Words following; that is to say,

Certain Persons may make Affirmation in lieu of Oath;

if convicted of having falsely affirmed, to be punished as if guilty of Perjury.

Form of Declaration.

'I *A. B.*, having been One of the People called Quakers, [*or* One of the Persuasion of the People called Quakers, *or* of the United Brethren called Moravians, *as the Case may be*,] and entertaining conscientious Objections to the taking of an Oath, do solemnly, sincerely, and truly declare and affirm

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