

UPPER  
CANADA.

— 3. —

(See 50 Geo. 3, c. 11.)

49 Geo. 3, c. 6.—AN ACT for the Relief of Menonists and Tunkers, in certain cases.

[Passed 9th March 1809.]

## Preamble.

Menonists and Tunkers permitted to make the like affirmation with Quakers.

WHEREAS the religious societies of the Menonists and Tunkers, from scruples of conscience against taking an oath, are subject to many inconveniences to themselves and families, as well as to others who may require their evidence; for remedy whereof, be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the 14th year of His Majesty's reign, intituled, 'An Act for making more effectual Provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, that from and after the passing of this Act, every Menonist or Tunker, in any case in which an oath is required by law, or upon any lawful occasion, wherein the affirmation or declaration of a Quaker will by law be admitted, shall be, and is hereby permitted to make his or her affirmation or declaration in the same manner and form as a Quaker by the laws now in force is required to do, having first made the following affirmation or declaration, that is to say:

"I, A. B., do solemnly, sincerely, and truly affirm and declare, that I am one of the society of Tunkers or Menonists," [as the case may be.]

Which affirmation or declaration as aforesaid of any Menonist or Tunker, except as hereinafter excepted, is hereby declared to be of the same force and effect to all intents and purposes, in all courts of justice and other places where by law an oath is or shall be allowed, authorized, directed, or required, as if such Menonist or Tunker had taken an oath in the usual form, and all and every person or persons who is, or are, or shall be authorized or required to administer any oath required by any law now in force or hereafter to be made, although no express provision is made for the purpose in any such law, shall be, and is or are hereby required to administer such affirmation or declaration.

False affirmation subject to the like punishment with that of a false oath.

2. And be it further enacted, by the authority aforesaid, that if any person making such affirmation or declaration shall be lawfully convicted of having wilfully, falsely, and corruptly affirmed and declared any matter or thing, which, if the same had been deposed in the usual form upon oath would have amounted to wilful and corrupt perjury, every such person so offending shall incur and suffer all the pains, penalties, forfeitures, and disabilities as by the laws now in force are to be inflicted on persons convicted of wilful and corrupt perjury.

Disabilities of Menonists and Tunkers. (See 50 Geo. 3, c. 11.)

3. And be it further enacted, by the authority aforesaid, that no Menonist or Tunker shall by virtue of this Act be qualified or permitted to give evidence in any criminal cases, or to serve on juries in criminal cases, or to hold or enjoy any office or place in the government in this Province, anything herein contained to the contrary notwithstanding.

— 4. —

50 Geo. 3, c. 11.—AN ACT for the Relief of Minors of the Societies of Menonists and Tunkers.

[Passed 12th March 1810.]

## Preamble.

WHEREAS the sons of Menonists and Tunkers, who are minors, cannot avail themselves of the indulgence intended to be granted them by the 27th clause of an Act passed in the 48th year of His present Majesty, intituled, "An Act to explain, amend, and reduce to one Act of Parliament the several Laws now in being for the raising and training the Militia of this Province," by reason of not being able to obtain the certificate required by the abovementioned Act until they shall have attained the age of 21 years, according to the rules