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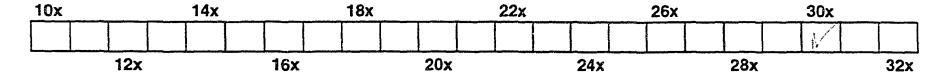
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3d Session, 3d Parliament, 13 & 14 Vict., 1850.

Official Oaths Bill.

An Act for making one uniform provision respecting certain Official and other Oaths to be taken in this Province, and for other purposes therein mentioned.

Received and Read a first time, Tuedsay, 2nd July, 1950.

Second Reading, Wednesday, 10th July, 1850.

Hon. Mr. BALDWIN.

Official Oaths Bill.

An Act for making one uniform provision respecting certain Official and other Oaths to be taken in this Province, and for other purposes therein mentioned.

HEREAS the Oaths required to be taken as a Preamble, qualification for Office or for other temporal purposes, are, in Upper Canada, prescribed by an Act of the late Parliament, passed in the third year of the reign of 5 His late Majesty King William the Fourth, chaptered twelve, and intituled, "An Act to dispense with the neces- 3 W.4. c. 12, "sity of taking certain oaths and making certain declara-cited." "rations in the cases therein mentioned; and also to "render it unnecessary to receive the Sacrament of the 10 "Lord's Supper, as a qualification for offices or for other "temporal purposes;" And whereas with a view to making the law uniform in this respect in both sections of the Province, it is expedient to repeal the same Act and reenact the provisions thereof, making them applicable to 15 the whole Province: Be it therefore enacted, &c.

That the said recited Act shall be and the same is hereby The said Act repealed.

II. And be it enacted, That from and after the passing No other oath of this Act it shall not be necessary for any person aphereinafter pointed or to be appointed to any office in this Province prescribed, to civil or military, or who is or may be Mayor or other certain officers officer or member of any Corporation therein, or for any &c. person admitted, called or received or hereafter to be admitted, called or received as a Barrister, Advocate, 25 Notary Public, Attorney, Solicitor or Proctor, to make any declaration or subscription, or to take or subscribe any other oath than the oath following, that is to say:

"I, A. B., do sincerely promise and swear, that I will The Oath of be faithful and bear true allegiance to Her Majesty Queen 30 Victoria, (or the reigning Sovereign for the time being,) as lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of this Province, dependant on and belonging to the said Kingdom, and that I will defend Her to the utmost of my power against all traitorous con-35 spiracies and attempts whatever which shall be made against Her Person, Crown or Dignity, and that I will do my utmost endeavour to disclose and make known to Her Majesty, Her Heirs or Successors, all treasons and traitor-

ous conspiracies and attempts which I shall know to be against Her or any of them; and all this I do swear without any equivocation, mental evasion or secret reservation, and renouncing all pardons and dispensations from any person or power whatever to the contrary; So help me God." 5

And an oath for the faithful performance of his duties.

And also such oath for the faithful performance of the duties of his office or for the due exercise of his profession or calling as hath been heretofore required, or shall be hereafter required in any Act to be passed in that behalf. 10

Form appointed when the Sovereign

III. And be it enacted, That the oath of Allegiance herein prescribed and set forth shall, when the Throne of shall beaking, the United Kingdom of Great Britain and Ireland shalk be filled by a King be taken in the following words, that 15 is to say:

"I, A. B. do sincerely promise and swear that liwill

The oath.

be faithful and bear true Allegiance to His Majesty. King (the King who shall be then reigning) as lawful Sovereign of the United Kingdom of Great Britain and Ireland and of this Province dependent on 20 and belonging to the said Kingdom. And that I will defend him to the utmost of my power against all traitorous. conspiracies and attempts whatever which shall be made against his Person, Crown and Dignity, and that I will do my utmost endeavour to disclose and make known to His 25 Majesty, His Heirs and Successors all treasons and traitorous conspiracies and attempts which I shall know to be against him or any of them; and all this I do swear without any equivocation, mental evasion or secret reservation and renouncing all pardons and dispensations from 30 any person or power whatever to the contrary: So help: me God."

IV. And be it enacted. That the form hereinbefore set

to be administered to and taken by all persons in this 35

forth and no other, shall be taken of the Oath of Allegiance

Province who, either of their own accord or in compliance

with any lawful requirement made on them to take the Oath of Allegiance to Her Majesty Her Heirs or Succes-

The said form and no other to be that to be used in all cases in this Province.

> sors, or in obedience to the directions of any statute either. of the Imperial or Provincial Parliament therefor, shall be 40 willing or desirous to take the same to Her Majesty, Her Heirs or Successors in this Province; and the power to tender and administer such oath is hereby declared to be

Who may administer it.

vested in all Magistrates and other officers now lawfully authorized or hereafter to be lawfully authorized, either 45 by virtue of their office or by special Commission from the Crown forthat purpose, to administer the Oath of Al-

legiance in this Province or any part thereof.

V. And be it enacted, That the said oath of Allegi- The said oath ance, together with the oath of office or oath for the due within the exercise of any profession or calling, respectively, shall be same time, &c. and is hereby required to be taken within the same period as now by law provided. 5 and in the same manner, and subject to the like disabilities and penalties for the omission thereof, as is now by law provided with respect to the oaths heretofore required to be taken in any case respectively.

VI. And be it enacted, That all such persons as are Affirmation 10 or shall be allowed by law to affirm instead of swear in may be made civil cases in this Province or any part thereof, shall be outh, in certain received to take an affirmation of Allegiance in the like cases. terms. mutatis mutandis, as those herein and hereby prescribed for the said Oath of Allegiance, which affirmation 15 of Allegiance shall in all cases be received and accepted from such persons in lieu of such oath, and the taking of Its effect. such affirmation of Allegiance before the proper officer shall in the case of all such persons have the like effect to all intents and purposes whatsoever, as if the same had 20 been the said Oath of Allegiance herein and hereby prescribed as aforesaid; and the power to tender and ad-By whom it minister such affirmation to all such persons so entitled to may be administered. take the same, is hereby declared to be vested in all Magistrates and other officers now lawfully authorized or 25 hereafter to be lawfully authorized, either by virtue of their office or by special commission from the Crown for that purpose, to administer the Oath of Allegiance in this

VII. And be it enacted, That it shall not be necessary No person 30 for any person for the purpose of qualifying himself to Sacrament as hold office in this Province or any part thereof, or for any a qualification for any office. other temporal purpose, privilege or advantage, whatsoever within the same or any part thereof, to take or receive the Sacrament of the Lord's Supper according to 35 the Rites or Usages of the Church of England, or to deliver a certificate or make proof of his having received the said Sacrament in manner aforesaid; and that no Nor shall the person shall hereafter within this Province or any part not taking it. thereof, be subject to any penalty, forfeiture, incapacity person to any 40 or disability whatsoever, for or by reason of his not have penalty.

ing taken or received the said Sacrament.

Province or any part thereof.