

ANNO VICESIMO QUARTO & VICESIMO QUINTO

VICTORIÆ REGINÆ.

****

CAP. LXVI.

An Act to give Relief to Persons who may refuse or be unwilling, from alleged conscientious Motives, to be sworn in Criminal Proceedings.

[1st *August* 1861.]

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: 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 conscientiousMotives to be sworn in Criminal Proceedings 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 *England* or *Ireland*, 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.

Punishment 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 usual Form, would have amounted to wilful and corrupt Perjury, every such Person so offending shall incur the same Penalties as by the Laws and Statutes of this Kingdom are or may be enacted or provided against Persons convicted of wilful and corrupt Perjury.

Commencement of Act.

3. This Act shall come into operation on the First Day of *October* in the Year One thousand eight hundred and sixty-one.

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Printers to the Queen's most Excellent Majesty. 1861.