

AN ACT to repeal an Act of the present Session of Parliament, intituled "An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof, and for the more entire Suppression of Voluntary and Extrajudicial Oaths and Affidavits;" and to make other Provisions for the Abolition of unnecessary Oaths.

[9th September, 1835.]

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15. In any action or suit depending or here-
after to be brought or intended to be brought in any Court of law or equity within any of the territories, plantations, colonies, or dependencies abroad, being within and part of His Majesty's dominions, for or relating to any debt or account wherein any person residing in Great Britain and Ireland shall be a party, or for or relating to any lands, tenements, or hereditaments or other property situate, lying, and being in the said places respectively, it shall and may be lawful to and for the plaintiff or defendant, and also to and for any witness to be examined or made use of in such action or suit, to verify or prove any matter or thing relating thereto by solemn declaration or declarations in writing in the form in the Schedule hereunto annexed, made before any Justice of the Peace, notary public, or other officer now by law authorized to administer an oath, and certified and transmitted under the signature and seal of any such Justice, notary public duly admitted and practising, or other officer;

Declaration
substituted for
oaths and
affidavits.

Which declaration, and every declaration relative to such matter or thing as aforesaid, in any foreign kingdom or State, or to the voyage of any ship or vessel, every such Justice of

5. § 6 Will. IV., the Peace, notary public, or other officer shall be and he is hereby authorized and empowered to administer or receive ;

And every declaration so made, certified, and transmitted shall in all such actions and suits be allowed to be of the same force and effect as if the person or persons making the same had appeared and sworn to or affirmed the matters contained in such declaration *vivâ voce* in open Court, or upon a commission issued for the examination of witnesses or of any party in such action or suit respectively :

Provided that in every such declaration there shall be expressed the addition of the party making such declaration, and the particular place of his or her abode.

Declaration in writing sufficient to prove execution of any will, codicil, &c.

16. It shall and may be lawful to and for any attesting witness to the execution of any will or codicil, deed or instrument in writing, and to and for any other competent person, to verify and prove the signing, sealing, publication, or delivery of any such will, codicil, deed, or instrument in writing, by such declaration in writing made as aforesaid, and every such Justice, notary, or other officer shall be and is hereby authorized and empowered to administer or receive such declaration.

Suits on behalf of His Majesty to be proved by declaration.

17. In all suits now depending or hereafter to be brought in any Court of law or equity, by or on behalf of His Majesty, his heirs and successors, in any of His said Majesty's territories, plantations, colonies, possessions, or dependencies, for or relating to any debt or account, His Majesty, his heirs and successors, shall and may prove his and their debts and accounts and examine his or their witness or witnesses by declaration, in like manner as any subject or subjects is or are empowered or may do by this present Act.

Voluntary declaration in the form in the Schedule may be taken.

18. And whereas it may be necessary and proper in many cases not herein specified to require confirmation of written instruments or allegations, or proof of debts, or of the execution of deeds or other matters : It shall and may be lawful for any Justice of the Peace, notary public, or other officer now by law authorized to administer an oath, to take and receive the declaration of any person voluntarily making the same before him in the form in the Schedule to this Act annexed ; and if any declaration so made shall be false or untrue in any material particular, the person wilfully making such false declaration shall be deemed guilty of a misdemeanour.

Fees on oaths payable on declarations substituted in lieu thereof.

19. Whenever any declaration shall be made and subscribed by any person or persons under or in pursuance of the provisions of this Act, or any of them, all and every such fees or fee as would have been due and payable on the taking or making any legal oath, solemn affirmation, or affidavit shall be in like manner due and payable upon making and subscribing such declaration.

20. In all cases where a declaration in lieu of an oath shall have been substituted by this Act, or by virtue of any power or authority hereby given, or where a declaration is directed or authorized to be made and subscribed under the authority of this Act, or of any power hereby given, although the same be not substituted in lieu of an oath heretofore legally taken, such declaration, unless otherwise directed under the powers hereby given, shall be in the form prescribed in the Schedule hereunto annexed.

Declarations to be in the form prescribed by Schedule.

21. In any case where a declaration is substituted for an oath under the authority of this Act, or by virtue of any power or authority hereby given, or is directed and authorized to be made and subscribed under the authority of this Act, or by virtue of any power hereby given, any person who shall wilfully and corruptly make and subscribe any such declaration, knowing the same to be untrue in any material particular, shall be deemed guilty of a misdemeanour.

Persons making false declaration guilty of a misdemeanour

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SCHEDULE

REFERRED TO IN THE FOREGOING ACT.

I, A.B., do solemnly and sincerely declare that ; and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the year of the reign of His present Majesty, intituled "An Act " [Here insert the title of this Act].