

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on the Sixth Day of June, 1770, in the Tenth Year of the Reign of Our Sovereign Lord George the Third, of Great Britain, France, and Ireland, King, Defender of the Faith, &c. and there continued by several Prorogations until the Sixth day of October, 1783, in the Twenty Third Year of his said Majesty's Reign, being the Fifth General Assembly convened in the said Province.

23 George III – Chapter 9

An Act for the relieving his Majesty's Subjects, professing the Popish Religion from Certain Penalties and Disabilities imposed upon them by two Acts of the General Assembly of this Province, made in the Thirty Second Year of his late Majesty's Reign, intituled, "An Act, confirming Titles to Lands and quieting Possessions, and an Act for the Establishment of Religious public Worship in this Province, and for Suppressing of Popery."

Whereas it is expedient to repeal certain provisions in the acts, made by the general assembly of this province in the thirty second year of his late Majesty's reign, intituled, "An Act for confirming Titles to Lands and Quieting Possessions, and an Act, intituled, An Act for the Establishment of Religious public Worship in this Province, and for Suppressing of Popery," whereby certain penalties and disabilities are imposed on persons professing the popish religion.

I. Be it enacted, by the Governor, Council, and Assembly, that so much of the said act as relates to the Disabling any papist from having any right or title, to hold possessor, enjoy any lands or tenements other than by virtue of any grant or grants from the crown; but that all deeds or wills hereafter made conveying lands or tenements to any papist or in trust for any papist, shall be utterly null and void; and that such lands or tenements shall not revert to the persons, granting the same to any papist or in trust for any papist, but that such lands and tenements, shall upon conviction of such papist be vested in his Majesty, his heirs and successors for ever.

II. And that so much of said act as subjects popish persons exercising any ecclesiastical jurisdiction or popish priest to imprisonment and persons harbouring, relieving, concealing or entertaining any such clergyman of the popish religion, popish priest or person exercising the function of a popish priest to penalties and punishment, shall be and the same and every clause and matter and thing herein before mentioned is and are hereby repealed.

III. And be it enacted, that every person and persons having or claiming any lands, tenements or hereditaments under titles not hitherto litigated tho derived from any descent, devise, limitation or purchase, shall have take hold and enjoy the same, as if the said acts or any thing herein contained had not been made any thing in the said acts contained to the contrary notwithstanding.

IV. Provided always, and be it enacted, that nothing herein contained shall extend or be construed to affect any suit or action now depending, which shall be prosecuted with effect and without delay.

V. Provided also, that nothing herein contained shall extend or be construed to extend to any person or persons, but such who shall within the space of six calendar months after the passing of this act or of accruing of his, her, or their title being of the age of twenty one years, or who being under the age of twenty one years shall within six months after he or she shall attain the age of twenty one years or being of unsound mind, or in prison, or beyond the seas, then within six months after such disability removed take and subscribe an oath in the words following.

“I A. B. sincerely promise and swear, that I will be faithful and bear true allegiance to his Majesty King George the third, and him will defend to the utmost of my power, against all conspiracies and attempts whatever that shall be made against his person, crown or dignity, and I will do my utmost endeavours to disclose and make known to his Majesty, his heirs and successors all treasons, and traitorous conspiracies which may be formed against him or them, and I do faithfully promise to maintain support and defend to the utmost of my power, the succession of the crown in his Majesty’s family against any person or persons whatsoever, hereby utterly renouncing and abjuring any obedience or allegiance unto the person taking upon himself the stile and title of Prince of Wales in the life time of his father, and who since his death is said to have assumed the stile and title of the King of Great Britain, by the name of Charles the Third, and to any other person claiming or pretending a right to the crown of these realms; and I do swear, that I do reject and detest, as an unchristian and impious position, that it is lawful to murder or destroy any person or persons whatsoever, for or under pretence of their being heretics, and also that unchristian and impious principle that no faith is to be kept with hereticks. I further declare, that it is no article of my faith, and that I do renounce, reject and abjure, the opinion, that Princes excommunicated by the Pope and Council or by any authority of the See of Rome or by any authority whatsoever may be deposed or murdered by their subjects or any other person whatsoever; and I do declare, that I do not believe that the Pope of Rome or any other foreign Prince, Prelate, state or Potentate, hath or ought to have any temporal or civil jurisdiction power, superiority or pre-eminence directly or indirectly within this realm, and I do solemnly in the presence of God, profess, testifie and declare, that I do make this declaration and every part thereof in the plain and ordinary sense of the words of this oath, without any evasion, equivocation or mental reservation whatsoever, and without any dispensation already granted by the Pope or any authority of the see of Rome, before God or man or absolved of this declaration or any part thereof, although the Pope or any other persons or authority whatsoever shall dispense with or annull the same or declare that it was null and void.”

VI. Which oath it shall be competent to any of his Majesty’s courts of record or to any court of any general sessions of the peace within this Province to administer, and they are hereby

required to administer the same accordingly, of the taking and subscribing of which oaths a register shall be kept and preserved.

VII. Provided, that nothing in this act contained shall be of any effect until his Majesty's pleasure therein shall be known.