

*Acts of the General Assembly of His Majesty's Province of Lower Canada passed in the year 1792.* Quebec: William Vondenvelden, Printer to the King's Most Excellent Majesty, 1792.

33 George – Chapter 4

**An Act for granting Indulgencies to the People called Quakers.**

Whereas divers Statutes have been made in ease and favor of the Protestants dissenting from the Church of England, called Quakers, and it is reasonable that the People, called Quakers in this Province should enjoy such ease and indulgence as their Religious tenets require. 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 this Province of Lower 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 fourteenth 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 it is hereby enacted by the Authority of the same, that from and after the publication hereof, the People commonly called Quakers, which now are and hereafter shall be residing in this Province, shall not be compellable to take Oaths, but instead thereof make solemn affirmation, in the same form and words in which an Oath is directed to be administered, leaving out the word swear, and inserting in the place thereof, do Solemnly, Sincerely and truly declare and Affirm.

II. And be it further enacted, by the Authority aforesaid, that Personal Military duty or service shall not be required or exacted from the said People called Quakers, but that in all cases where by the Militia Laws or Regulations of this Province any of the said People called Quakers shall be commanded to appear at any Review or other General Militia Service, every such Quaker shall forfeit a fine of Two Shillings current money of this Province, for every time he shall be absent from such Review or other General Militia Service, to be sued for, levied and recovered in the same manner and before the same court, as other Militia fines not exceeding Ten Shillings, and in all cases where any Quaker or Quakers may be commanded or balloted for to serve in any detachment of Militia, and the said Quaker or Quakers do not provide a sufficient substitute or substitutes to serve in such detachments in his or their places, agreeable to Law, it shall and may be lawful for the Commanding Officer to the Militia of the District where such Quaker or Quakers reside, to provide upon as reasonable terms as may be, a good and sufficient substitute or substitutes to serve in such detachment, in the place or places of the said Quaker or Quakers, if such Commanding officer, shall be paid to such substitute or substitutes, by such Quaker or Quakers in whose place or places they shall respectively serve, but, in all cases where any Quaker or Quakers shall be commanded or balloted for, to serve in any detachment of Militia, do not provide or cause to be provided, good and sufficient substitutes to serve in his or their place or places as before set forth, every such Quaker or Quakers shall then respectively forfeit for every refusal or neglect to serve in any detachment of Militia, for which he or they shall have been commanded or ballotted for, such sum or sums of money, as may be adjudged reasonable by the Militia Court of the District, where such Quaker or Quakers reside, consideration being had by the said Court to the nature and time of the service for which such detachment is embodied, and the

33 George – Chapter 4

forfeit hereby imposed, shall and may be sued for, levied and recovered in the same manner, as any Militia fine or penalty exceeding Ten Shillings. Provided always, that nothing herein contained shall extend or be construed to extend to exempt any of the People called Quakers, from enrolling his or their name or names, with a Captain of the Militia of the Township or Parish, wherein he or they may reside.

III. And be it further enacted, by the Authority aforesaid, that if any Quaker taking the said Affirmations shall be lawfully convicted of willful, false and corrupt affirming or declaring any matter or thing which if sworn in the common and usual form, would have amounted to willful and corrupt perjury, every such Person so offending, shall incur and suffer such and the same pains, penalties and forfeitures as are inflicted or enacted by Law, against Persons convicted of willful and corrupt perjury.

IV. And to the end that neither those who in reality are of the People called Quakers, may be deprived of the indulgence hereby given, nor any abuses committed under Colour thereof. Be it provided and enacted, by the same Authority, that all and every such Person as shall not have been publicly known to be of the People called Quakers, for some years before his or her Affirmation is to be administered to him or her in any Court, or before any Justice of the Peace, or any Person qualified to administer the same, shall not be admitted to make any Affirmation in manner as aforesaid, nor shall any man be exempted from personal service in the Militia, unless it appear by a Certificate from the quarterly meeting of the People called Quakers, where such Persons shall dwell or reside, signed by six or more of the principal People of such meeting, that such person has been deemed and allowed one of the People called Quakers, for the space of twelve months or upwards before he or she is to make such Affirmation as aforesaid, any thing herein or any other Law or usage to the contrary notwithstanding.

V. Provided nevertheless and be it enacted, by the same Authority, that no Quaker shall by virtue of this Act, be qualified or permitted to give evidence in any Criminal cause or to serve on Juries, or to bear any office or place of profit in the Government, any thing herein contained to the contrary notwithstanding. And the Fines, Forfeitures and Penalties hereby granted and reserved for the Crown, are to be for the Public uses of this Province, and for the support of the Government thereof, and shall be accounted for to the Crown through the Commissioners of His Majesty's Treasury for the time being, as the Crown shall direct.