

ing to the tenor and true meaning thereof, and of the parties concerned therein.

And where any gifts, legacies or bequests have been or shall be made by any person or persons to the poor of any of the said respective religious societies, or to or for the use or service of any meeting or congregation of the said respective societies, the same gifts and bequests shall be employed only to those charitable uses or to the use of those respective societies or meetings, or to the poor people to whom the same are or shall be given or intended to be given or granted, according to what may be collected to be the true intent and meaning of the respective donors or grantors, notwithstanding any failure or defect in their gifts, grants or bequests.

Passed June 7, 1712. Repealed by the Queen in Council, February 20, 1713-14. See Appendix III, Section II, and the Act of Assembly passed May 28, 1715, Chapter 203.

CHAPTER CLXXXIX.

A SUPPLEMENTARY ACT TO A LAW ABOUT THE MANNER OF GIVING EVIDENCE.

Whereas by an act of this province, passed by Governor Fletcher in the year one thousand six hundred [and] ninety-three, entitled "The law about the manner of giving evidence and against such as lie in conversation," there is no provision made for qualifying jurors, magistrates and other officers in this government, which (by reason of a majority of the freeholders thereof are religiously principled against taking and administering an oath) will inevitably retard and very much obstruct the administration of justice, unless the same be remedied by law:

[Section I.] We therefore humbly pray that it may be enacted, and be it enacted by Charles Gookin, Esquire, by the Queen's royal approbation Lieutenant-Governor under William Penn, Esquire, absolute Proprietary and Governor-in-Chief of the Province of Pennsylvania, by and with the ad-

vice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That from and after the publication of this act all persons (who for conscience' sake cannot take an oath) being obliged to give evidence in any case may be admitted so to do before any judicial authority in this province, by solemnly promising to speak the truth, the whole truth and nothing but the truth, which evidence shall be good and valid in law.

Provided always, That where any person giving evidence in such sort and manner as is above directed, shall be found willfully and corruptly guilty of giving false evidence in any case whatsoever, such person or persons, being legally convicted thereof, shall be liable to and suffer all the pains and penalties as by the laws of Great Britain are due to persons convict of willful and corrupt perjury, and shall forever after be incapable of bearing any office or giving evidence in any court or before any judicial authority in this province.

[Section II.] And be it further enacted by the authority aforesaid, That when at any time any person or persons shall be commissioned by the governor for the time being or otherwise appointed to serve as magistrates or other officers in any public office, place or station in this government, who are religiously persuaded against taking or administering an oath, such magistrate or officer shall be admitted to serve therein, by solemnly promising faithfully and truly to perform the same, and shall officiate accordingly. And all persons being legally summoned or required to serve on inquests or juries in this province, who for conscience' sake cannot take an oath, may be qualified by solemnly promising well and truly to try or due inquiry make, as the case may require, in all such matters and things as they shall or may respectively have in charge, under the same penalties as aforesaid.

[Section III.] Provided always and be it further enacted, That nothing herein contained shall be construed to prohibit or hinder any person to officiate in any post or office in this province, or to give evidence in any court, matter or case whatsoever, or to serve on any jury or inquest, who does not scruple to take an oath according to the law of England, or to take

the affirmation allowed by the law of England to Quakers, pursuant to the Queen's royal order in council, lately extended to this province, but that every such person may have free liberty to take the same, subject nevertheless to the same pains and penalties as by this act is [sic] before prescribed, anything herein or in any other act contained to the contrary notwithstanding.

Passed June 7, 1712. Repealed by the Queen in Council, February 20, 1713-14. See Appendix III, Section II, and the Act of Assembly passed May 28, 1715, Chapter 204.

CHAPTER CXC.

AN ACT FOR ESTABLISHING THE LOWER FERRY ON THE RIVER SCHUYLKILL.

Whereas at the instance of many of the substantial inhabitants of the counties of Philadelphia and Chester, a convenient highway or road has been laid out to the lower ferry, commonly called Benjamin Chambers' ferry upon Schuylkill River, by order of the governor and council, in the year one thousand six hundred [and] ninety-seven, for the accommodation whereof the said Benjamin Chambers was encouraged to undertake the settling the said ferry, at a great charge, which must still be liable to great expense and yearly reparations too much for any person to expend upon an uncertain term. And the said Benjamin Chambers, having made application for the better establishment of the said ferry and preventing any other from being set up near the same for a certain term of years:

[Section I.] Be it therefore enacted by Charles Gookin, Esquire, by the Queen's royal approbation Lieutenant-Governor under William Penn, Esquire, true and absolute Proprietor and Governor-in-Chief of the Province of Pennsylvania, by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same,