

And if false, declared perjury. 25. That if the person, who shall take such oath and swear as aforesaid with the uplifted hand and by the ever living God, shall falsely, wilfully, and corruptly swear or depose any matter or thing which, if the same had been sworn or deposed in the usual form, would have amounted to wilful and corrupt perjury, then such person, so offending, shall be deemed and adjudged to be guilty of wilful and corrupt perjury, and, on conviction thereof, shall be punished accordingly.

Affirmation and declaration legalized. 26. That every person, who shall be permitted or required to take an oath in any case, where by law an oath is allowed or required, and who shall allege that he or she is conscientiously scrupulous^(a) of taking an oath, shall, instead of the form of an oath, be permitted to make his or her solemn affirmation or declaration; and if such person shall choose to affirm, it shall be in words following, to wit:

Affirmation. I, _____, do solemnly, sincerely, and truly declare and affirm: But if such person shall choose to declare, it shall be in the words following, to wit:

Declaration. I, _____, do declare, in the presence of Almighty God, the witness of the truth of what I say: Either of which forms shall be as good and effectual in law, as an oath taken in the usual form, in which affirmation or declaration, the words "So help me God," at the close of the usual oath, shall be omitted.

Who may administer. 27. That every person, who is or shall be empowered and required to tender and administer an oath in the usual form, shall be and hereby is empowered and required to tender and administer the affirmation or declaration aforesaid, when requested to that purpose by any such scrupulous person as aforesaid.

And allowed in all cases of conscience. 28. That in all cases where, by any act of the legislature of this state now in force, or hereafter to be made, an oath is or shall be allowed or required, the affirmation or declaration, in the form above prescribed, of any such scrupulous person as aforesaid, shall be allowed and taken instead of an oath in the usual form, although no provision for that purpose is or shall be made in such act.

False affirmation, etc., perjury. 29. That if any person, who shall make such affirmation or declaration, shall falsely, wilfully, and corruptly affirm or declare any matter or thing which, if the same had been sworn or deposed in the usual form, would have amounted to wilful and corrupt perjury, then such person, so offending, shall be deemed and adjudged to be guilty of wilful and corrupt perjury, and, on being convicted thereof, shall be punished accordingly.^(b)

Supplement.

Approved January 14, 1869.

P. L. 1869, p. 3.

Who may administer oath of office to governor, and where. 30. SEC. 1. That the chief justice, chancellor, or any member of the senate, shall be and is hereby authorized to administer the oaths of office and allegiance to the person who shall be elected governor of this state, or who shall be constitutionally eligible to take the oath of office, which oaths, if the legislature be in session, shall be administered in the presence of the senate and house of assembly at such place as they may designate.

Repealer. 31. SEC. 2. That all acts and parts of acts inconsistent herewith, be and the same are hereby, to the extent that they are so inconsistent, repealed, and this act shall take effect immediately.

^(a) Every person must be sworn unless he alleges that he is conscientiously scrupulous, &c., *Williamson v. Carroll*, 1 *Harr.* 217. See *State v. Putnam*, *Coxe* 260. *Anonymous, Pen.* *930. *State v. Harris*, 2 *Hal.* 361. *State v. Foz*, 4 *Hal.* 244. *Coxe v. Field*, 1 *Gr.* 215. *Clark v. Collins*, 3 *Gr.* 473. ^(b) See *ante*, p. 229, § 17, note (a).

Public Shows.

- 1. Menageries, &c., must be licensed.
- 2. How and by whom.
- 3. Sum to be paid.
- 4. Penalty for violation.
- 5. Money to whom paid.
- 6. Penalty how collected.

An act for regulating public shows.

R. S. 561.

Revision—Approved March 29, 1874.

Menageries, etc., must be licensed. 1. That it shall not be lawful for any person or persons to exhibit or show within this state, for any price, gain or reward, any menagerie, or

collection of beasts or animals, or any circus, or to exhibit, show or perform any feats of activity or agility of horses or other animals or their riders, or both, or any such like shows or exhibitions, without having first obtained license for that purpose, as hereinafter mentioned.

2. Any [two judges of the court of common pleas] shall have authority to grant a license, in their discretion, to any person or persons, to exhibit and show any menagerie, or collection of beasts or animals, or any circus or such like exhibitions as are mentioned in the preceding section, within the county of which they are judges; and all licenses granted under this act shall set forth the township or townships in which such exhibition or show is authorized to be made, the time or number of days it may be continued, and the price or prices which may be demanded for admission to the same. .

How and by whom.
Ib. § 2.
Amended.
[P. L. 1875, p. 37].

3. Before any such license shall be granted, the person or persons applying for the same shall be required to pay into the hands of any two judges of the court of common pleas to whom the application is made such sum of money as the said judges shall deem proper, not less than ten dollars, nor more than one hundred dollars, for each day said exhibition or show shall be licensed to continue.

Sum to be paid.
Ib. § 3.
P. L. 1875, p. 37.

4. Any person or persons offending against the provisions of this act shall forfeit and pay for every offence the sum of one hundred dollars, to be recovered in an action of debt, in any court having cognizance of the same, in the name of the county collector of the county where the offence is committed; and it shall be a duty hereby imposed for the collector of the county, or the collector of the township wherein such exhibition is made, to prosecute for and recover the same; and any such collector, so prosecuting, shall be entitled to retain in his hands twenty-five cents on every dollar he may receive by virtue of this act, as a compensation for his trouble.

Penalty for violation.
Ib. § 4.
Amended.

Collector to prosecute.

5. All moneys received and recovered under this act, after deducting the amount allowed to be retained agreeably to the provisions of the preceding section, shall be paid over to the county collector of the county where the same shall be received, or the offence committed, within thirty days after the receipt thereof, for the use of the county.

Money, to whom paid.
Ib. § 5.
Amended.

[See act for suppressing vice and immorality, *Sec. 8*].

Supplement.

Approved March 22, 1875.

[*Sec. 1 and 2* incorporated in foregoing act].

P. L. 1875, p. 37.

6. *Sec. 3.* That it shall be the duty of any constable, justice of the peace, or sheriff, to seize and take possession of all the goods and chattels of any person or persons offending against the provisions of this act, and hold the same until the determination of the action of debt mentioned in section fourth of the act to which this is a supplement, and in case the penalty mentioned in said section is not paid, to expose the same to public sale, and out of the proceeds, after deducting the sum of one hundred dollars, and all reasonable costs and charges, to pay over the balance to the owner or owners of the said goods and chattels.

Penalty, how collected.

Quo Warranto.

- 1. How exhibited against intruder.
- 2. Of the judgment and costs.
- “ Several rights may be determined.
- 3. Time to plead.

An act for rendering the proceedings upon information in the nature of a quo warranto more speedy and effectual.

Rev. 206.

Passed March 17, 1795.

R. S. 997.

1. That in case any person or persons shall usurp, intrude into, or unlawfully hold or execute any office or franchise within this state, it shall and may be lawful to and for the attorney-general, with the leave of the supreme court, to exhibit one or more information or informations in the nature of a *quo warranto*, at the relation of any person or persons, desiring to sue or prosecute the same, who shall be mentioned in such information or informations to be the relator or relators against such person or persons,

How informations may be exhibited against an intruder into office.