

No 3.

pursuer's oath, and to oblige the pursuer to take the other's word of honour or declaration, though amounting to no more, in the opinion of the Quaker himself, than to an asseveration, which some, inclining to defraud their neighbour, may be tempted to make, who would scruple to perjure themselves. In fine, the barons and officers of the army may more reasonably plead to have their word of honour taken for an oath, which they may be supposed to regard as much as Quakers do their declarations.

THE LORDS remitted to the Ordinary upon the witnesses to take the Quaker's oath in the terms of the foresaid *formula* offered by him.

*Forbes, p. 197.*

1710. February 26.

ROBERT ANDERSON, Writer in Edinburgh, against ALEXANDER FORBES of Blackford.

No 4.

The affirmation of a Quaker accepted instead of an oath.

IN the action at the instance of Robert Anderson, against Alexander Forbes, who is by profession a Quaker, for payment of 300 merks Scots, promised by him to the pursuer, the libel being referred to the defender's oath, the LORDS allowed him, instead of an oath in the usual form, to make his solemn affirmation or declaration in these words, "I *A. F.* Do declare in the presence of Almighty God, the witness of the truth of what I say, &c." conform to the statutes of England, 7th and 8th Will. III. cap. 34. 13th and 14th Will. III. cap. 4.

*Fol. Dic. v. 2. p. 294. Forbes, p. 405.*

1713. January 29.

A. against B.

No 5.

UPON report of the Lord Minto, the LORDS allowed a Quaker to give a declaration in the terms of the statute of England, upon the truth of his debt in a ranking of creditors, as equivalent to an oath.

*Fol. Dic. v. 2. p. 295. Forbes, p. 653.*

SEC APPENDIX.