

The Provincial Statutes of Lower-Canada, Being the second session of the thirteenth Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1829.

9 George IV – Chapter 10

An Act to extend the Benefit of the Trial by Jury. (14th March, 1829.)

Whereas by an Ordinance of the late Province of Quebec, made and passed in the twenty-fifth year of the Reign of His late Majesty, King, George the Third, of Glorious Memory, intituled, "An Ordinance to regulate the proceedings in the Courts of Civil Judicature, and to establish Trials by Juries in actions of a commercial nature and personal wrongs to be compensated in damages;" it is amongst other things enacted, "that all and every person having suits at law and actions in any of the said Courts of Common Pleas, grounded on debts, promises, contracts and agreements of Mercantile nature only, between merchant and merchant, and trader and trader, so reputed and understood according to law, and also of personal wrongs proper to be compensated in damages, may, at the opinion and choice of either party, have and obtain the Trial and Verdict of a Jury, as well for the Assessment of damages on personal wrongs committed, as the determination of matters of fact in any such cause;" And whereas it is expedient to extend the benefit of the Trial by Jury; 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 the 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 in any personal action whatever in which remedy sought is compensation in damages, interest and costs only, for some wrong sustained by reason of some delits or quasi delits, to moveable property only it shall and may be lawful to and for the plaintiff, and plaintiffs, defendant and defendants therein, and to, and for either of them at his, her or their option and choice, to have and obtain the Trial and Verdict of a Jury, as well for the determination of matters of fact as for the Assessment of damages in such action in due course of law, and in manner and form as to all things directed and provided by the Ordinance herein-before recited.