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P R O V I N C I A L S T A T U T E S  
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L O W E R - C A N A D A.

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Anno Regni GEORGII III. Quadragesimo Primo.

H I S E X C E L L E N C Y

ROBERT SHORE MILNES, ESQ. LIEUTENANT GOVERNOR.

“ AT the Provincial Parliament, begun and holden at *Quebec*, the Eight day of January, *Anno Domini*, one thousand eight hundred and one, in the Forty-first year of the Reign of Our Sovereign Lord GEORGE the Third, by the Grace of GOD, of *Great Britain, France and Ireland*, KING, Defender of the Faith, &c.

“ Being the First Session of the Third Provincial Parliament of Lower-Canada.

C A P. XV.

An Act to declare the Decisory Oath or *Serment Décisivoire*, admissible in Commercial as well as other Civil Matters in this Province.

8th. April 1801. Presented for His Majesty's Assent and referred, “ for the signification of His Majesty's Pleasure thereon.”

7th. April, 1802. Assented to by His Majesty in his Privy Council.

12th. August 1802. The Royal Assent signified by Proclamation of His Excellency the Lieutenant Governor.

Preamble.

WHEREAS by the Rules of English Evidence followed in Commercial Matters, in the Courts of Civil Jurisdiction in this Province, it is doubtful if in the said Commercial Matters, the Decisory Oath, or *Serment Décisivoire* can be granted and admitted, when required by either of the Parties, in order to set aside and remove all doubts and

Decisory Oath  
admitted in Com-  
mercial Matters.

and uncertainties in this respect. Be it thereof enacted by the King's Most Excellent Majesty by and with 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 aforesaid, that from and after the passing of this Act, all and every the Courts of Civil Judicature in this Province, shall allow and admit the Decisory Oath, or *Serment Decisoire*, in Commercial Matters, whenever either of the Parties shall exact it from the other, in manner as it has heretofore been granted, and as it is admitted and allowed in other Civil Matters agreeable to the Ancient Laws, Customs and Usages of this Province.

### C A P. XVI.

AN Act for removing the old Walls and Fortifications that surround the City of Montreal, and otherwise to provide for the Salubrity, Convenience and Embellishment of the said City.

8th. April 1801, Presented for His Majesty's Assent and Reserved "for the signification of His Majesty's Pleasure thereon."

7th. April 1802, Assented to by His Majesty in His Privy Council.

12th August 1802, The Royal Assent signified by Proclamation of His Excellency the Lieutenant Governor.

Preamble.

WHEREAS in pursuance of an *Arrêt* of His Most Christian Majesty, bearing date at *Verfailles*, the thirteenth Day of May, in the Year of Our Lord One thousand seven hundred and twenty four, for the better defence of the City of Montreal in this Province, a Stone Wall and other Fortifications of Stone were heretofore built and erected, around the said City, partly on Land ceded to His Most Christian Majesty, by the Ancient Company of New France, and partly on Land the property of divers Individuals. And whereas Your Majesty, by Message, through your Lieutenant Governor, was on the twenty first of March, One thousand seven hundred and ninety seven, graciously pleased to express your Royal Will and Pleasure, that the Legislature should deliberate on the most expedient measures to be adopted for the improvement and embellishment of the City of Montreal, and for the more expeditious and effectual method of deciding all questions, that may arise on the subject of the re-possession of the Ground now occupied by the Old Fortifications thereof. And whereas it is expedient to