

allowed out of Court.
Subject to be set aside in open Court.

allowed out of Court, before one or more Judges of the said Courts of this Province, subject nevertheless to be set aside and annulled in open Court, setting in Superior Term, in manner and form, as provided for, respecting Acts of *Tutelle* and *Curatelle*.

Ordinance 25
Geo III cap. 11.
repealed in part.

XX. And be it further enacted by the authority aforesaid, that such parts of an Ordinance passed in the twenty fifth year of His Majesty's Reign, 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of a commercial nature and personal wrongs to be compensated in damages,*" as are altered or amended by this Act, be repealed, and they are hereby repealed accordingly.

C A P. VIII.

An ACT to amend an Article of the *Code Civile* with its Derogations, as it hath been usually received in this Province, which directs and fixes the Degrees of affinity and consanguinity of Witnesses in Civil Suits.

(8th April, 1801)

Preamble.

WHEREAS by the eleventh Article of the twenty second Title of the *Code Civile*, with its Derogations as it hath been usually received in this Province, under the head, (*Enquetes*,) the Relations and Connections of the Parties to the degree of third Cousins, inclusively, cannot be admitted as Witnesses in Civil matters to give evidence in their favour or against them: And Whereas also the alliances between families of the greater part of the Parishes in this Province, is such, that many persons are deprived of Witnesses to give Evidence, where Proof is required in the Courts of Justice in Civil matters, which it becomes necessary to remedy. 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,'*" that from and after the passing of this Act, the Relations and Connections of the parties of the degrees removed, beyond Cousins German, exclusively, may be witnesses in Civil matters, to depose in favor of or against them, notwithstanding the said eleventh Article of the twenty second Title of *Enquetes* of the said Ordinance, which is expressly repealed by this Act, in as much as it regards the degrees of Relationship, only.

From and after the passing of this Act, Relations beyond certain degrees of affinity and consanguinity declared competent Witnesses.
Eleventh Article of 22d Title of *Enquetes* of the *Code Civile* in part repealed.