

The Provincial Statutes of Lower-Canada, Being the first session of the Third Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1801.

41 George III – Chapter 15

An Act to declare the Decisory Oath or Servient Décisoire, admissible 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.

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 Décisoire can be granted and admitted, when required by either of the Parties, in order to let aside and remove all doubts 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 Décisoire, 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.