

47.

BILL.

An Act to facilitate the admission in evidence of foreign judgments, and certain official and other documents.

WHEREAS it would greatly diminish the expense of legal proceedings, and prove highly beneficial to the advancement of justice, if certain foreign judgments, official and public documents, and documents, by-laws, rules, regulations and proceedings, and entries in Registers and other books of Corporations, were admitted in evidence without the particularity now required by law: Be it therefore, &c.

That from and after the passing of this Act, any judgment, decree or other judicial proceeding, recovered, made, had or taken in any of the Superior Courts of Law or Equity in England, Ireland or Scotland, or in any Court of Record in Lower Canada, shall and may be proved in any suit, action or proceeding, either at Law or Equity in Upper Canada, in which proof of any such judgment, decree or judicial proceeding shall be necessary or required, by an exemplification of the same under the seal of the said Courts respectively, without any proof of the authenticity of such seal, or other proof whatever, in the same manner as any judgment, decree, or similar judicial proceeding of any of the Superior Courts of Common Law or Equity in Upper Canada is proved by an exemplification thereof in any judicial or other proceeding in the said last mentioned Courts respectively.

II. And be it enacted, That any Notarial copy of any deed, obligation, contract or other instrument in writing made in Lower Canada, and which by the law of Lower Canada is required to be taken before a Notary or Notaries, and filed, enrolled or enregistered, by such Notary or Notaries, shall be receivable in evidence in any judicial or other proceeding either at law or equity in Upper Canada, in the place and stead of the original, and shall have the same force and effect as the original would have if produced and proved in any such proceeding: Provided always, that such Notarial copy may be rebutted or set aside by proof that there is no such original, or that the Notarial copy is not a true copy of the original in some material particular, or that the original is not an instrument of such nature as is required by the law

Preamble.

Judgments, &c. of certain Courts out of U. C. may be proved by exemplification.

Instruments passed before Notaries in Lower Canada may be proved by Notarial copy.

Proviso: such proof liable to be rebutted.