

tending to affect the credit of such defendant or plaintiff as a witness; Provided Proviso. always, that nothing herein contained shall have the effect of preventing any party, 5 plaintiff or defendant in any suit or action in any Court of Law in Lower Canada from adopting or employing the form or mode of examination by interrogatories on *faits et articles* as allowed by the Law of Lower Canada, 10 if such party shall be minded or advised to adopt or employ such form or mode of examination.

II. And be it enacted, That from and after the passing of this Act it shall, in Lower Canada, 15 be no objection to the admissibility of any witness that he or she is in the service of any party adducing him or her as a witness in any action, cause, prosecution or judicial proceeding, or that he or she is the father or mother, 20 or son or daughter, or brother or sister by consanguinity or affinity, or uncle or aunt, or nephew or niece by consanguinity, or cousin german, or a relation or connection in any degree, by consanguinity or affinity of any 25 party adducing such witness in any action, cause, prosecution or other judicial proceeding, civil or criminal; nor shall it be competent to any witness to decline to be examined and give evidence on the 30 ground of any such service or relationship, notwithstanding any statute, law, usage or custom to the contrary, and specially notwithstanding the eleventh Article of the twenty-second title of the *Ordonnance Civile* of the 35 month of April, one thousand six hundred and sixty-seven, in force in Lower Canada, and notwithstanding the Act of Lower Canada, passed in the forty-first year of the Reign of His late Majesty, George the Third, 40 intituled, "*An Act to amend an Article of the Code Civil, with its derogations, as it has been received in this Province, which directs and fixes the degrees of affinity and consanguinity of witnesses in Civil Suits.*" which 45 said Article and Act are severally hereby abrogated and repealed.

Relationship not to be an objection in examining a witness.

11th Article of 22d Title of Ord. Civile of April, 1667. and Act of L. C. 41 Geo. 3, c. 8, repealed.