

1831

**B I L L .**

**An Act to facilitate the admission in evidence of Foreign Judgments, and certain affidavits and other documents, and otherwise to improve the Law of evidence in Lower Canada.**

**W**HEREAS it would greatly diminish the expense of legal proceedings and prove highly beneficial to the advancement of justice, in Lower Canada, if certain Foreign Judgments, official and public documents were admitted in evidence without further proof thereof as now required by law; Be it therefore enacted &c.,

*Preamble.*

That from and after the passing of this Act, any Judgments, decree, or other judicial proceeding, recovered, made, or taken in any of the Superior Courts of law, equity or bankruptcy in England, Ireland or Scotland, or in any of the colonies or possessions belonging to the Crown of the United Kingdom of Great Britain and Ireland, or in any Court of Record of the United States, or of any State of the United States of America, shall and may be proved in any suit, action or proceeding in any court in Lower 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.

*Judgement obtained in certain courts out of the province proved by an exemplification of the same, under seal of the courts.*

II. And be it enacted, That the exemplification of a will and the probate thereof in the Prerogative Court of the Archbishop of Canterbury, or in any other court of competent jurisdiction in England, Ireland or Scotland, or in any of the colonies or possessions belonging to the Crown of the United Kingdom of Great Britain and Ireland, under the seal of the said Courts respectively, without any proof of the authenticity of such seal or other proof whatever, shall be sufficient in any suit, action or proceeding in any court in Lower Canada, in which proof of any such will and probate thereof shall be necessary or required, and shall also be *prima facie* evidence of the death of the testator.

*Exemplification of will and probate to be sufficient proof of such will.*

III. Provided always, and be it further enacted, That it shall be competent to any party interested in such will, whereof probate may have been so granted as aforesaid, upon the production

*Proviso. Any party interested may have the saw*