

Appeal from the proceedings of the Commissioners to be sued by mere petition to the Court.

XXXIX. And be it further enacted by the authority aforesaid, that in all cases in which the said Commissioners shall have exercised the authority and Jurisdiction delegated to them, and wherein this Act and the existing Laws have not established a summary mode for the revision of their Judgements, an appeal from their proceedings shall lie to the Superior Civil Courts in the respective Districts in which they shall have been appointed, and that the said appeal shall be sued by a mere petition, setting forth the facts (*simple requête libellée*) presented in the said Civil Courts by the party aggrieved, and upon an order of the said Courts which shall be served upon the parties concerned with such petitions, for further proceedings according to Law, and the rules of the said Civil Courts respectively, before which such appeal shall be sued.

Places where the Commissioners are to act.

XL. And be it further enacted by the authority aforesaid, that the said Commissioners shall not in any manner exercise the Jurisdiction and authority which are delegated to them, nor execute the Commissions which shall be directed to them by the said Judges of the Civil Courts, for the examination or interrogation of the parties or witnesses, nor to receive meetings of Relations and Friends, or take their counsel for the election of Tutors and Curators, or for the sale of real property belonging to minors, absentees, or interdicted persons, at any other place than those which are hereby fixed for the holding of Circuit Courts in the Circles (*arrondissemens*) hereby established respectively, and in Public.

Exception to the foregoing Section in certain cases.

XLI. Provided always, and be it further enacted by the authority aforesaid, that nothing in this foregoing section contained, shall extend to the Commissioners, or orders which shall be directed by the said Civil Courts to the said Commissioners, to proceed to the examination of sick or infirm witnesses, or to proceed to the election of Tutors or Curators, or to take the counsel of sick or infirm relations or friends, unable to repair to the said places fixed for the holding of the said Courts for the Circles (*arrondissemens*), and that in all the cases above-mentioned, the said Commissioners shall execute the orders or commissions to them directed, at the places fixed by such commission, if fixed by such commission, or to proceed to take the said counsel of relations or friends, either at the domicile of the party applying for the same, or of the said relations or friends, or at such other place, as the circumstance may permit or require, to the best of their knowledge.