

repair of churches,—assessments which were imposed under the French Government by the *Intendant* as a civil impost.

It was in order to create a remedy for this state of things that, when the Court of King's Bench was substituted for the Court of Common Pleas in 1793, the provincial legislature gave it the same jurisdiction that the *Intendant* had exercised over the temporalities of the Catholic Church. Section 2 * says that "the said Court of King's Bench shall have original jurisdiction to take cognizance of, hear, try and determine *all causes, as well civil as criminal.*" Section 8 adds: "And the said Court of King's Bench shall have full power and jurisdiction, and be competent to hear and determine all complaints, suits and demands of what nature soever, which might have been heard and determined in the courts of *prévôté, justice royale, intendant, or superior council, under the government of the Province, prior to the year 1759, touching rights, remedies and actions of a civil nature.*" With respect to the terms of the said Court at Three-Rivers, section 11 enacts that the judges thereof "shall have original jurisdiction, take cognizance of, hear, try and determine all *civil suits and actions.*" Section 23, which creates the provisional Court of Appeals, declares that the judges of the said court "shall be constituted a superior court of *civil jurisdiction*, and shall take cognizance of, try and determine all cases, matters and things appealed from *all civil jurisdictions and courts* wherein an appeal by law is allowed." Section 27 provides that "an appeal shall lie to the Court of Appeals from every judgment which may be given in the *civil* superior terms of the said Courts of King's Bench, in all cases where, &c." Finally, section 43 declares that "nothing herein contained shall be construed in any manner to derogate from the rights of the crown to erect, constitute and appoint courts of *civil or criminal* jurisdiction within the Province."

In 1849, the present Superior Court was constituted in lieu and stead of the Court of King's Bench, with all the powers and attributes of the latter, but no more. The Consolidated Statutes for Lower Canada, c. 78, sect. 2, declares: The Superior Court has original *civil* jurisdiction throughout Lower Canada, with full power and authority to take cognizance of, hear, try and determine in the first instance and in due course of law, all *civil* pleas, causes and matters whatsoever."