to legislate for the past but for the future. Another article in the project of Code under consideration had for its object to exclude women from acting as witnesses of wills, as they were allowed to do, according to the law of England and Upper Canada. He did not see that Lower Canada should be an exception to those countries in this respect, inasmuch as it might have the effect of doing Lower Canada an injury, by being distasteful to persons coming here from places in which the other rule held good, and the English system was in practice. When the House went into Committee he would therefore move to amend the project so as to provide that women might act as witnesses to wills. On another point too—namely with respect to the degrees of relationship of witnesses to wills and notarial deeds—representations had been made to him by hon. gentlemen of all origins. He would therefore move that the bill be not now read a third time, but that it be sent back to Committee of the Whole. He might add, however, that he was resolved that no time should be lost in the matter, and he would consequently move, upon the Committee reporting, that the report be received to night, and that the bill be then read a third time. [Hear, hear.]

Hon. Mr. DORION said he approved of the idea suggested by the hon. gentleman of going into Committee of the Whole; but he certainly did not consider it right that this bill should be hurried through a third reading to-night.

Hon. Mr. CARTIER said that of course if the hon. gentleman wished to have the third reading postponed until to-morrow evening, he [Mr. Cartier] had no objection.

The motion was carried and the House went into Committee, Mr. Taschereau in the chair.

Mr. GEOFFRION said he wished to have the 20th resolution, and 227th clause of the Code so amended as to allow the notary to receive *actes* as formerly. One of the great inconveniences of the system proposed would be to compel notaries, in the rural districts particularly, to put themselves to great inconvenience to obtain witnesses to deeds. It might even be exceedingly difficult, if not altogether impossible, for them to do so. There was another point which should be considered which was this—that the proposed change would have the effect of depriving the public of the same guarantee of secrecy which they possessed under the old system.

Hon. Mr. CARTIER said that the present system was certainly as bad as it should be, and it required some amendment.

In the course of some discussion—

Hon. Mr. ROSE thought the House should accept the Code as it stood. No doubt there might be some defects in it, but it was as perfect as such a great work could be. The Government had accepted the responsibility of it, and he thought under these circumstances that the House should pass it in the shape in which it was at present.

Mr. ARCHAMBAULT moved to strike out the 20th resolution and the 227th clause, and to provide that an *acte* received by one notary only should be valid, subject to the following article.

This, on some discussion, was lost on a division.

Hon. Mr. CARTIER next referred to that part of the Civil Code respecting civil death, and said he thought such an amendment would be made as to meet all possible objections. As already stated when the matter was discussed, one of the coditiers objected to the use of the term "civil death," and argued, that it should instead be "civil disability and incapacity." As he [Mr. C.] had explained on a former occasion there were only four communities actually within the bearing of this article, and there could be no mistake whatever about its application. It was urged by some that the article might have a very undesirable effect, as if, for instance, a member of any of those four religious communities were to turn Protestant. Such a thing might happen, and it was feared that a very serious question might afterwards arise as to alleged civil disability. He had no objection whatever so to amend the article as to provide it should affect those professing the Catholic religion only. The hon. gentleman read a resolution to that effect.

Hon. Mr. DORION reminded the hon. gentleman that there were other communities in the country, the members of which made solemn and perpetual vows, just as well as the four to which he just alluded.

Hon. Mr. CARTIER.—They were not, however, recognized by the law of the treaty.

Mr. DUNKIN said the amendment, at any rate, would do no harm. It left the question entirely free and unembarrassed for the decision of the courts, in case any question should arise.

Hon. Mr. DORION said the Code, in fact, decided nothing. If, for instance, a lady belonging to one of those communities got married, was her marriage to be considered null or valid? Were the children, the issue of such marriage, to be considered legitimate or illegitimate? Supposing she were abandoned by her husband, would she have any recourse in law?

Hon. Mr. CARTIER said that was not at all the question to be decided now.

The amendment was then carried.

On the resolution 128, relative to the power of parties contracting a second marriage, it disposed of their property by contract, without reference to the issue of the first marriage—

Hon. Mr. CARTIER contended that the desire was to allow to the contracting parties full liberty in making their contract or convention. This was the course which had been pursued in reference to a variety of other matters, and it was thought only proper to extend it to this point also.

Mr. GEOFFRION opposed the principle, and moved, in amendment, that the law should remain as at present in reference to the disposal of property by contract on the occasion of a second marriage. After some discussion it was understood the amendment would be moved on the third reading of the bill.

The article respecting wills or testaments having been taken up.

Hon. Mr. CARTIER said he proposed