

Relationship
not to be an
objection in
examining a
witness.

II. And be it enacted, That no person offered as a witness as aforesaid, shall hereafter be excluded by reason that he or she is in the service of any party adducing him or her as such witness, or that he or she is the father or mother, 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 such party adducing such witness; nor shall it be competent to any witness to decline to be examined and give evidence on the 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 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, 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affinity and consanguinity of witnesses in Civil Suits,*” which said Article and Act are severally hereby abrogated and repealed.

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c. 8, repealed.

Nothing here-
in to have the
effect of abro-
gating *juram-
entum decisio-
rium, &c.*

III. Provided always, and be it enacted, That nothing herein contained shall have the effect of abrogating the *juramentum decisorium, juramentum judiciale, juramentum suppletorium, and juramentum in litem*, in any action, suit or proceeding in any Court in Lower Canada, but that all and every the said oaths shall continue and shall and may be used and enforced in Lower Canada, according to the law thereof, as if this Act had not been made.

One witness
only required
in all civil
cases.

IV. And be it enacted, That from and after the passing of this Act, in all cases in which, by the law in force in Lower Canada, and by the practice of the Courts therein, the testimony of two witnesses is required to establish the truth of any fact in any civil suit or proceeding before such Courts, subject to be contradicted or disproved in the manner provided by law, the testimony of one such witness shall alone be required and be held to establish such fact, subject to contradiction and disproof as aforesaid, any law, usage or custom in Lower Canada to the contrary thereof notwithstanding.

Extent of Act.

V. And be it enacted, That this Act shall apply only to Lower Canada.