

Marking of registers by commissioners.

7. The commissioners, after having completed their registers, shall mark each of them, as follows : " New duplicate of the registers of baptisms, marriages and burials of the parish of Ste. Marie de Monnoir, from the first day of January, 1907, to the 29th day of March, 1907 made according to law."

Filing of duplicate register, &c.

8. One of such duplicates shall be lodged in the office of the prothonotary of the district, and the other shall remain among the archives of the parish of Ste. Marie de Monnoir.

Each duplicate authentic, &c.

9. Each of the duplicates or registers specified in sections 3 and 7 of this act, shall be authentic, and shall have, for all purposes whatsoever, the same force and effect as if it had been made at the time, and in the form required by law.

Other proof of baptisms, &c., not affected.

10. Nothing in this act contained shall prevent the proof in any manner permitted by law, of any baptism, marriage, or burial, which occurred during the period hereinabove mentioned, and which could not be proved and entered under the authority of this act.

Coming into force.

11. This act shall come into force on the day of its sanction.

CHAP. 73

An Act to provide a remedy for the loss of certain acts of civil status in the parish of St. Jean L'Evangéliste de Thurso

[Assented to 25th April, 1908]

Preamble.

WHEREAS in the month of March, 1894, a fire destroyed one of the duplicate registers of civil status, containing the acts of baptism, marriage and burial of the parish of St. Jean L'Evangéliste of Thurso, for the years 1882 to 1893, both inclusive ;

Whereas, at the time of the fire which destroyed the court house at Hull on the 26th day of April, 1900, the other duplicate of the registers of civil status containing the said acts of baptism, marriage and burial for the said years was also destroyed ; and whereas it is in the public interest to provide a remedy for the loss of such registers ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Curé appointed commissioner.

1. The *curé* now in office of the parish of St. Jean L'Evangeliste de Thurso, and every person who may replace him in

the office of *curé*, shall, during the whole period for the execution of the provisions following, be a commissioner entrusted with the task of ascertaining all the baptisms, marriages and burials which have taken place in such parish from the first day of January, 1882, to the 31st day of December, 1893, and of making entries in the new duplicates authenticated in conformity with article 1311 of the Code of Civil Procedure.

2. The commissioner, in a public written notice, shall cause the object of this act to be known, and shall invite all persons interested, or who may be in a position to supply the loss of the original registers, to appear at the time and place specified in such notice, and to bring with them and produce any extract or certificate of baptisms, marriages or burials, made during the period mentioned in section 1 of this act, and all family records or memoranda which they may possess of such baptisms, marriages or burials, or to give testimony under oath, in respect of all information which they themselves possess, or which may be required from them. Notice required.

The commissioner is authorized to administer the oath required, to all persons who may be so interrogated. Oath.

3. On proof made under oath by one or more witnesses, or on any other evidence, establishing that a baptism, marriage or burial has taken place in such parish, during the period hereinabove mentioned, the commissioner shall make an entry thereof in two registers, and each duplicate inscription shall be signed by the commissioner and by the witnesses interrogated under oath. If the latter cannot sign, mention thereof shall be made. Entry of acts.

Mention shall also be made of any extract or other proof in writing produced by the witnesses. Mention required.

4. The commissioner, after having completed his registers, shall mark each of them, as follows : " New duplicate of registers of baptisms, marriages and burials of the parish of St. Jean L'Evangéliste de Thurso, for the years 1882 to 1893, both inclusive, made in conformity with the law." Description of books.

5. One of such duplicates shall be lodged in the office of the prothonotary of the district, and the other shall remain among the archives of the parish of St. Jean L'Evangéliste de Thurso. Deposit of duplicates.

6. Each of the duplicates or registers specified in section 4 of this act, shall be authentic, and shall have, for all purposes whatsoever, the same force and effect, as if it had been made at the time, and in the form required by law. Duplicates, authentic, &c.

7. Nothing in this act contained shall prevent the proof, Other evi-

dence permitted.

in any manner permitted by law, of any baptism, marriage or burial, which occurred during the period hereinabove mentioned, and which could not be proved and entered under the authority of this act.

CHAP. 74

An Act to amend the Code of Civil Procedure respecting the jurisdiction of the Court of King's Bench (Appeal Side) and of the Court of Review

[Assented to 25th April, 1908]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

C. C. P., art. 43, replaced.

1. Article 43 of the Code of Civil Procedure is replaced by the following :

Appeals to Court of King's Bench.

“ **43.** Unless where otherwise provided by statute, an appeal lies to the Court of King's Bench, sitting in appeal, from any final judgment rendered by the Superior Court, except :

1. In matters of *certiorari* ;
2. In matters concerning municipal corporations or offices, as provided in article 1006 ;
3. In matters in which the sum claimed or value of the thing demanded is less than five hundred dollars ;
4. At the suit of the party who has inscribed in Review a cause in which the sum demanded or the value of the thing claimed amounts to or exceeds five hundred dollars, and who has proceeded to judgment on such inscription, when the judgment confirms that rendered in the first instance.”

Id., art. 44, replaced.

Appeals to Court of King's Bench in certain other cases.

2. Article 44 of the said Code is replaced by the following :

“ **44.** 1. An appeal also lies to the Court of King's Bench, sitting in appeal, from final judgments of the Superior Court and Circuit Court in the following cases :

- a. When the demand, being for less than two hundred dollars in Circuit Court cases, and less than five hundred dollars in Superior Court cases, relates to fees of office, duties, rents, revenues or sums of money payable to His Majesty ;
- b. When the demand, being for less than two hundred dollars in Circuit Court cases, and less than five hundred dollars in Superior Court cases, relates to titles to lands or tenements,