

The Provincial Statutes of Lower-Canada, Being the second session of the fifteenth Provincial Parliament of Lower-Canada. Quebec: John Carleton Fisher & William Kemble, Law Printer to the King's Most Excellent Majesty, 1836.

6 William IV – Chapter 52

An Act further to provide, during a limited time, for the want of Notaries in the Inferior District of Gaspé. (21st March, 1836.)

Whereas for supplying the want of Notaries in the Inferior District of Gaspé, it is expedient again to revive and continue for a limited time the tenth clause or section of an Act passed in the fourth year of His late Majesty's Reign, chapter the fifteenth, intituled, "An Act to render valid certain Acts, agreements in writing and Contracts, of Marriage (Contrats de Manage sous seing prive) heretofore executed in the Inferior District of Gaspé, and to provide for the want of Notaries in the said Inferior District," which said clause or section by an Act passed in the second year of His present Majesty's Reign, chapter the fifth, intituled, "An Act to continue for a limited time certain Acts therein mentioned," was continued and limited to the first day of May, one thousand eight hundred and thirty-five, and then expired:—Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the Fourteenth Year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America,' and to make further provision for the Government of the said Province;" and it is hereby enacted by the authority of the same, that the tenth clause or section of the said Act passed in the fourth year of the Reign of His late Majesty George the Fourth, intituled, "An Act to render valid certain Acts, agreements in writing, and Contracts of Marriage, (contrats de manage sous seing prive,) heretofore executed in the Inferior District of Gaspé, and to provide for the want of Notaries in the District," which clause or section aforesaid provides for the want of Notaries in the said County of Gaspé, and which said clause is in the following terms:—"And be it further enacted by the authority aforesaid, that during three years from and after the passing of this Act, any will, act, or agreement, in writing, inventory, partage, donation or contract of marriage, (contrat de mariage) that shall be executed before any Justice of the Peace, or Minister, or Cure, or Missionary, and two subscribing witnesses, or before the Prothonotary of the Provincial Court of the said Inferior District, and two subscribing witnesses, shall bear mortgage (portera hypotheque,) from the day of its execution, and shall, as well as the copies certified, be taken and received as valid and authentic in all His Majesty's Courts of Law in this Province, as if the same had been executed before Notaries: Provided always, that the originals or minutes of all such Acts as aforesaid, shall by the Justice of the Peace, Minister, Curd or Missionary having executed the same, be at the end of every year of the period aforesaid, or oftener, if necessary, in case of the death or removal from the said Inferior District of the person before whom the same may have been executed, transmitted

to the Prothonotary of the said Provincial Court, to be by him carefully preserved among the records and remembrances of his office, for such legal purposes as the same may serve pursuant to this Act;" and all and every the provisions of the said tenth clause or section made and enacted, shall, from and after the passing of this Act be revived and continue to be and remain in full force and effect until the first of May, one thousand eight hundred and forty, and no longer. Provided always, that the said clause shall cease to be in force whenever there shall be Notaries Public resident and practising at Carleton, New Richmond and New Carlisle, in the County of Bonaventure, and at Perce, and La Grande Greve, or Gaspé Basin, in the County of Gaspé.