

IV. And be it enacted, That it shall be lawful for such City Councils, and they are hereby required to exact proof on oath, made before one of the Members thereof respectively, of the authenticity of such signatures, and of their being those of persons domiciled, and having their names inscribed as aforesaid, in each of such cases as aforesaid. Council to require proof of signatures.

V. And be it enacted, That in every such Certificate and also in every License granted in virtue of such Certificate, the Ward of the City, to which the same relates, shall be stated; and the same shall be null and void and of no effect whatever beyond the limits of the said Ward. Ward to be stated in the license.

VI. And be it enacted, That no judgment or conviction in pursuance of the Act cited in the preamble of this Act, or adjudication on appeal therefrom, shall be removed by *Certiorari*, or otherwise, into any of Her Majesty's Superior Courts of Record in Lower Canada. Judgments, &c., under said Act not to be removed by *Certiorari*, &c.

C A P . C C X V .

An Act to establish a Board of Notaries for the Districts of Kamouraska and Gaspé, and further to amend the Act for the organization of the Notarial Profession in Lower Canada.

[Assented to 14th June, 1853.]

WHEREAS from the distance between the Districts of Kamouraska and Gaspé, and the City of Quebec, where the meetings of the Quebec Board of Notaries are held, and the increasing importance of the said Districts, it is expedient to constitute a separate Board of Notaries for the same: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That from and after the fifteenth day of August, one thousand eight hundred and fifty-three, all Notaries residing in the said Districts of Kamouraska and Gaspé shall cease to be subject to the control and jurisdiction of the Quebec Board of Notaries, and all such Notaries as may be then Members of the said Board shall thereafter cease to form part thereof, and a separate Board shall be established in and for the said Districts, to be called "The Kamouraska Board of Notaries," which shall consist of eight Members who shall be elected by the Notaries residing in the said Districts; and the meetings of the said Board shall be held in the Parish of Saint Louis de Kamouraska, Preamble. Kamouraska Board of Notaries established: extent of its jurisdiction.

Kamouraska, at the chief place of the said District of Kamouraska.

Quorum to be five.

First election provided for.

II. And be it enacted, That the *quorum* of the said Board, for the despatch of Business, shall consist of five, and the first election of the Members of the said Board shall take place at a general meeting of the Notaries of the said Districts, to be held within three months after the passing of this Act, such meeting having been previously called by the Prothonotary of the Superior Court in the District of Kamouraska, by advertisement, published in two newspapers printed in the District of Quebec, one in the French and the other in the English language.

10 & 11 V. c. 21 to apply to Board when not inconsistent with this Act.

III. And be it enacted, That the said Board shall be governed in every respect by the provisions of the Act passed in the Session held in the tenth and eleventh years of Her Majesty's Reign, and intituled, *An Act for the organization of the Notarial Profession in that part of this Province called Lower Canada*, as amended by any other Act of this Province, except in so far as the same may be inconsistent with this Act, as if the said Board had been specially named in and created by the said Act.

Quebec Board to transmit certain Repertories, &c., to Kamouraska Board after a certain time.

IV. And be it enacted, That it shall be the duty of the Quebec Board of Notaries, after suitable vaults shall have been provided by the Kamouraska Board of Notaries, and within one month after notice in writing to that effect shall have been given to them through their Secretary by the Secretary of the said last mentioned Board, to transmit to the said Board all the Minutes and Repertories of Notaries who shall at the time of their decease or of their ceasing to practise, have resided in the said District of Kamouraska or of Gaspé, or within the limits of the territory now comprised in the said Districts, and which may be in the possession of the said Quebec Board of Notaries; and in the event of the refusal or neglect of the said Quebec Board of Notaries to transmit such Minutes and Repertories within the said period, they shall forfeit and incur a penalty not exceeding One Hundred Pounds currency, for each and every portion thereof which they shall so refuse or neglect to transmit, which penalty shall be recoverable by the said Kamouraska Board of Notaries for their own use, from the said Quebec Board of Notaries, before any Court of competent jurisdiction: Provided always, that the cost of transmitting such Minutes and Repertories shall be defrayed by the said Kamouraska Board of Notaries.

Penalty for refusal.

Recital.

V. And whereas the provision contained in the Act above cited, requiring that no Notary shall act as such, while carrying on business as a merchant, trader, or manufacturer, is fraught with serious inconvenience, especially to Notaries residing in the country parts: Be it enacted, That so much of the twenty-seventh Section of the said Act as prohibits any Notary from carrying on business as a merchant, trader or manufacturer, shall be and is hereby repealed.

Part of s. 27 of 10 & 11 V. c. 21, repealed.

VI. And whereas Notaries who were Registers or Deputy Registers at the time of the passing of the Act above mentioned, have continued to exercise their functions as Notaries at the same time as those of Registers or Deputy Registers, while others who have been appointed Registers or Deputy Registers since the passing of the said Act, have been deprived of the exercise of their functions as Notaries, and thus subjected to great injustice: Be it enacted, That so much of the twenty-seventh Section of the said Act, as enacts that no Notary shall act as such while holding the office of Register or Deputy Register of any County, shall be and is hereby repealed.

Recital.
Part of said sect. repealed.

VII. And be it enacted, That the three weeks' notice to be given as provided by the fourteenth Section of the said Act, of the day and hour when the examination of Candidates for the practice of the Notarial profession shall take place, shall, instead of being published in two newspapers, be posted up by the Secretary during the same period in the office of the Board of Notaries before which the Candidates are to undergo their examination.

How the notice required by s. 14 of said Act shall be given.

VIII. And be it enacted, That the Annual General Meeting of Notaries within the jurisdiction of each Board mentioned in the seventh Section of the said Act, shall take place on the first Thursday of November at two o'clock in the afternoon; and if the said Thursday shall happen on a holiday, the meeting shall take place on the following day.

Day for Annual General Meetings.

CAP. CCXVI.

An Act for the relief of the Presbyterian Church of Canada, as regards the keeping of Registers of Baptisms, Marriages and Burials, in Lower Canada.

[Assented to 14th June, 1853.]

WHEREAS it is expedient to legalize and give effect to the Registers of Baptisms, Marriages and Burials kept in Lower Canada, by the Ministers, Missionaries and Pastors of the Christian Denominations known as "The Presbyterian Church of Canada," "The United Presbyterian Synod in Canada," and "The Reformed Presbyterian Church," and further to enable the said Ministers, Missionaries and Pastors of the said Churches to have and keep such Registers: Be it therefore declared and enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby declared and enacted by the authority of the same, That it has always

Preamble.