

The Provincial Statutes of Canada, passed in the year 1843. Kingston: Stewart Derbishire & George Desbarats, 1843.

7 Victoria – Chapter 4

An Act to facilitate the proof of the Laws of Upper and Lower Canada, and to declare Protests of Notaries Public Evidence, in certain cases, in Upper Canada, 9th December, 1843.

For the better and more effectual proof of the Statute Law of the Province of Canada, and of Upper and Lower Canada, previous to the Union of the said Provinces, in all Courts of Civil and Criminal Jurisdiction in every part of the said United Province; Be it 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, 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 the copy of the Statutes and Ordinances of the late Province of Lower Canada, printed and published by the Printer duly authorized to print and publish the same by Her Majesty, or by any of Her Royal Predecessors, shall be received as conclusive evidence of the several Statutes made and enacted prior to the Union of the Provinces of Upper and Lower Canada, by the Legislature of the Province of Lower Canada, and of the tenor of such Statutes and Ordinances, in all suits, actions or prosecutions respectively, commenced, instituted, or carried on, or to be commenced, instituted or carried on in any Court of Civil or Criminal Jurisdiction, in that part of the Province of Canada called Upper Canada; and in like manner the copy of the Statutes of the late Province of Upper Canada, printed and published by the Printer duly authorized by Her Majesty, or by any of Her Royal Predecessors, to print and publish the same, shall be received as conclusive evidence of the several Statutes made and enacted by the Legislature of the said Province of Upper Canada, prior to the Union of the said Provinces of Upper and Lower Canada, and of the tenor of such Statutes in all suits, actions or prosecutions respectively, commenced, instituted, or carried on, or to be commenced, instituted, or carried on, in any Court of Civil or Criminal Jurisdiction, in that part of the Province of Canada called Lower Canada.

II. And be it enacted, that any note, memorandum or certificate, made or to be made by one or more Notaries Public, either in Upper or in Lower Canada, in his own hand writing, or signed by him at the foot of, or embodied in any Protest, or in a regular Register of Official Acts kept by him, shall be presumptive evidence in that part of the Province of Canada formerly called Upper Canada of the fact of any notice of non-acceptance or non-payment of any promissory Note or Bill of Exchange having been sent or delivered, at the time and in the manner stated in such note, certificate or memorandum.

III. And be it enacted, that from and after the passing of this Act, the production of any Protest on any promissory Note or Bill of Exchange, under the hand and seal of any one or more Notaries Public, either in Upper or in Lower Canada, in any Court in that part of this Province formerly called Upper Canada, shall be presumptive evidence of the making of such Protest.