

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

7 Victoria – Chapter 8

An Act to exempt Public Officers from the expense of new Commissions, on the demise of the Crown. 9th December, 1843.

Whereas, on the demise of the Crown, it has been customary in the late Provinces of Lower Canada and Upper Canada, to renew the Commissions to the several Public Officers and Functionaries holding office during pleasure or otherwise, at the time of such demise, to the great expense of such Functionaries and the inconvenience of the public for remedy whereof; 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, intituled, *An Act to re-unite the Provinces of Upper and Power Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, that hereafter, upon any demise of the Crown, it shall not be necessary to renew the Commissions, nor any of them, in virtue whereof the several Public Officers or Functionaries in this Province held their respective offices or professions, under or during the previous Reign, but that a Proclamation by the Governor, or person administering the Government of the Province for the time being, authorizing and desiring all persons in office holding Commissions under the late Sovereign, and Functionaries exercising any profession in virtue of any such Commission, to continue in the due exercise of their respective duties, functions and professions, shall suffice and accordingly be issued, the Incumbents taking always the usual and customary oath of Allegiance, as soon thereafter as may be, before the proper Officer or Officers thereunto appointed; and such Proclamation being issued, and oath taken, each and every such Public Officer and Functionary may and shall continue in the lawful exercise of the duties and functions of his office or profession, as fully, to all intents and purposes, as if appointed *de novo* by Commission derived from the Sovereign for the time being; and that all Acts and things *bonâ fide* done and performed by such Incumbents in their respective offices, and in the due and faithful performance of their duties and functions, between the time of such demise and the Proclamation so to be issued, (such oath of Allegiance being always duly taken) shall be deemed and taken to be duly and legally done, and as such good and valid.

II. Provided always, and be it enacted, that nothing herein contained shall be construed to prejudice, nor in any wise affect the rights or Prerogative of the Crown with respect to any office or appointment derived or held by authority from it, nor to prejudice or affect the rights or Prerogatives thereof in any other respect whatsoever.