

Provincial Statutes of Canada, passed in the year 1845. Montreal: Stewart Derbishire & George Desbarats, 1845.

8 Victoria – Chapter 33

An Act to repeal part of a certain Ordinance therein mentioned, and to enable Notaries to act as Clerks of Circuit and Commissioners Courts in Lower Canada. (29th March, 1845.)

Whereas by an Ordinance passed by the Governor and Legislative Council of the Province of Quebec, in the twenty fifth year of the Reign of His Majesty King George the Third, intituled, “An Ordinance concerning Advocates, Attorneys, Solicitors and Notaries, and for the more easy collection of His Majesty's Revenue,” it is among other things provided, that no person shall be or act as Clerk of any Court, who may be a Notary; And whereas great inconvenience has arisen in divers parts of Lower Canada, in consequence of such provision, in so far as the same applies to Circuit Courts and Commissioners’ Courts: 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 so much of the said Ordinance as prevents any Notary from being and acting as Clerk of any Circuit Court or Commissioners’ Court for the Summary Trial of Small Causes, is hereby repealed; and that from and after the passing of this Act, any Notary may lawfully act as Clerk of any such Circuit Court or Commissioners’ Court in that part of this Province formerly the Province of Lower Canada; any law, custom, or Ordinance to the contrary notwithstanding.

II. And be it enacted, That any Notary who, before the passing of this Act, shall have acted as Clerk of any Circuit Court or Commissioners’ Court in Lower Canada, shall be and is hereby indemnified and held harmless for having so done, and all acts done by him in either capacity shall be good and valid as if this Act had been passed before he so acted.