

1914

## c 160 Notaries Act

Ontario

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### Bibliographic Citation

*Notaries Act*, RSO 1914, c 160

### Repository Citation

Ontario (1914) "c 160 Notaries Act," *Ontario: Revised Statutes*: Vol. 1914: Iss. 1, Article 163.

Available at: <http://digitalcommons.osgoode.yorku.ca/rso/vol1914/iss1/163>

## 5. NOTARIES PUBLIC.

## CHAPTER 160.

## An Act respecting Notaries Public.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Notaries Act*. 9 Edw. VII. Short title. c. 63, s. 1.

2. Subject to the provisions of section 6 the Lieutenant-Governor may by commission appoint such persons as he thinks fit Notaries Public for Ontario. 9 Edw. VII. c. 63, s. 2. Appointment.

3. A Notary shall during pleasure have, use and exercise the power of drawing, passing, keeping and issuing all deeds and contracts, charter-parties and other mercantile transactions in Ontario, and also of attesting all commercial instruments that may be brought before him for public protestation, and otherwise of acting as is usual in the office of Notary, and may demand, receive and have all the rights, profits and emoluments rightfully appertaining and belonging to the calling of Notary Public. 9 Edw. VII. c. 63, s. 3. Powers of Notaries.

4. A Notary Public shall have the same powers throughout Ontario as a solicitor of the Supreme Court has under *The Commissioners for taking Affidavits Act*. 9 Edw. VII. c. 63, s. 4. Power to take affidavits. Rev. Stat. c. 77.

5. A Notary Public shall be deemed to be an officer of the Supreme Court. 9 Edw. VII. c. 63, s. 5. Officers of Court.

6.—(1) Any person, other than a barrister or solicitor, desirous of being appointed a Notary Public, shall be subject to examination in regard to his qualification for the office by the Judge of the County or District Court of the county or district in which he resides, or by such other person as may be appointed in that behalf by the Lieutenant-Governor; and no such person shall be appointed a Notary Public without a certificate from such Judge, or such other person, that he has examined the applicant and finds him qualified for the office, and that in his opinion a Notary Public is needed for the Examination as to qualification of a layman desirous of being appointed Notary Public.

public convenience in the place where the applicant resides and intends to carry on business.

Regulations.

(2) The Lieutenant-Governor in Council may make regulations for such examination and certificate; and the Judge or other person examining shall be entitled to receive from the person examined a fee of \$5 for the examination. 9 Edw. VII. c. 63, s. 6.

Fee to examiner.

Restrictions in case of lay appointees.

7. Where a person, other than a barrister or solicitor, is appointed a Notary Public restrictions may be imposed in the commission limiting the territory and cases in which such person may use and exercise his powers. 9 Edw. VII. c. 63, s. 7.

Notary Public need not affix seal on affidavits, etc.

8. Where, under the authority of any Act of Ontario, a Notary Public is authorized to administer oaths or to take affidavits or declarations within Ontario it shall not be necessary to the validity of any such oath, affidavit or declaration that he shall affix his seal thereto. 9 Edw. VII. c. 63, s. 8.

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