

PROVINCIAL.

ALBERTA

S. 4 of the Commissioners for Oaths Act, R.S.A. 1942, C. 113, provides that the Lieutenant Governor in Council may by commission empower anyone to take affidavits, etc., out of Alberta, for use in any Alberta Court. Active commissioned officers in His Majesty's military or naval forces are ex officio empowered to take such affidavits (s.5).

S. 8 of the Notaries Public Act, R.S.A. 1942, C. 137, provides:

"(1) Every British Ambassador, envoy, minister, charge d'affaires and secretary of embassy or legation, exercising his functions in any country, and every British consul-general, consul, vice-consul, pro-consul and consular agent exercising his functions in any place may in that country or place administer any oath and take any affidavit and also do any notarial act which any notary public or commissioner to administer oaths can or may do within the Province of Alberta, and every oath, affidavit and notarial act administered, sworn or done by or before any such person, shall be as effectual as if duly administered sworn or done by or before any lawful authority in any part of the Province.

"(2) Any document purporting to have affixed, impressed or subscribed thereon or thereto the seal and signature of any person authorized by this section to administer an oath in testimony of any oath, affidavit, or act being administered, taken or done by or before him shall be admitted in evidence without proof of the seal or signature of that person or of the official character of that person."

S. 45 of the Alberta Evidence Act, R.S.A. 1942, C. 106, provides that affidavits, etc., taken out of Alberta before any of the following shall be valid for all purposes:

A long list of British officials;
A judge, mayor, or notary, of any country;
"a commissioner authorized by the laws of Alberta to take such affidavits . . ."
"any consul, vice-consul, or consular agent of His Majesty exercising his functions . . ."

S. 46 of the Alberta Evidence Act provides that any such document purporting to have affixed the seal and signature of any consul, etc., shall be admitted in evidence without proof of such seal and signature or of the official character of such person.