
Bill for better regulating the Formalities of Authentic *Actes* passed before Notaries, and for enregistering the same.

Preamble.

WHEREAS it is necessary to make provision for the proper execution of Authentic Actes, (*Actes Authentiques*) before Public Notaries in this Province:—Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, "*An Act for making more effectual provision for the Government of the province of Quebec in North America*;" and to make further provision for the Government of the said Province; and it is hereby enacted, by the authority of the same, as follows, that is to say:

No Notary to pass Actes unless in presence of a second Notary, or of two Witnesses, one of whom shall be capable of writing.

From and after the day of next, no Notary shall pass any Authentic *Acte* in which any of the contracting parties may not know how to sign or write his name, or be unable to write or sign it, except in the presence of a second Notary, or in presence of two witnesses, of whom one at least, shall be able to write and sign his name, notwithstanding any law, usage or custom to the contrary.

Parties to sign the *Actes*, or set their ordinary marks thereto; and in case of inability so to do, they shall declare the same in presence of the Notaries or Notary and Witnesses. *Acte* to be read in presence of the second Notary or Witnesses, and mention thereof be made in the *Acte*.

Every Notary who shall receive or pass an Authentic *Acte*, in the case mentioned in the preceding article, shall cause the same to be signed by the parties, or shall cause those who do not know how to sign, to set thereto their ordinary marks, or in case the said parties shall not be able to sign and write, or to make their marks, he shall cause them to declare the same in presence of the said second Notary, or in presence of the said Witnesses, and this over and above the reading of the said *Acte* to the parties, which the said Notary shall perform in presence of the said Notary or Witnesses, of all which he shall make mention in the said *Acte*.

Every Notary who shall pass or receive such