

any Judge of the Superior Court in the District may, upon petition to him and according to circumstances, order the records and registers of the Notary deceased, absent or refusing as aforesaid, to be placed under the seal of the Court, and may order that  
 5 they may be deposited provisionally, until further order be made in the manner hereinbefore prescribed.

*Ninthly.*—That all copies of minutes so deposited, signed by the Notary, or by the Secretary of the Board of Notaries with whom they are so deposited or his deputy shall be deemed authentic,  
 10 and shall avail in evidence in the same manner as the copies signed by the Notary by whom the minute shall have been passed.

*Tenthly.*—And be it enacted, That in case of the temporary absence of a Notary, and its becoming necessary to deliver an authentic copy of any instrument among his records, such copy  
 15 compared with the minute by two practising Notaries and signed by them, shall be as authentic as if the same had been signed by the Notary by whom the minute shall have been received; provided that mention be made in the certificate at the foot of the copy, of the day on which the same shall have been  
 20 compared, and of the absence of the Notary in whose custody the minute shall be deposited, and of the cause of such absence if it be known; and the same particulars shall be also entered on the minute and signed by the same Notaries.

*Eleventhly.*—That all minutes heretofore deposited in the  
 25 hands of any Notary or Prothonotary, shall continue in the hands of their present holders until it shall be otherwise ordered by competent authority.

XXXII. And be it enacted, That so much of the Ordinance of  
 Lower Canada, made and passed in the twenty-fifth year of the  
 30 Reign of His late Majesty King George the Third, and intituled,  
*"An Ordinance concerning Advocates, Attorneys, Solicitors,  
 "and Notaries, and for the more easy collection of His Majes-  
 "ty's Revenues,"* or of any other law, statute or ordinance as  
 may be inconsistent with this Act shall be and they are hereby  
 35 repealed; and such parts of the said Ordinance as enact that no  
 Notary shall act as Clerk of any Court, shall be understood to  
 apply to the office of Clerk of the Superior Court or of the Court  
 of Queen's Bench, in Lower Canada only; that no Notary shall  
 hereafter act as such when holding the office of Registrar of any  
 40 County, or shall do business as a trader, merchant or manufacturer;  
 that every Notary now employed as a Clerk of the Superior  
 Court, or of the Court of Queen's Bench, or doing business as a  
 trader, merchant or manufacturer, shall choose one of the said  
 offices or calling immediately after the passing of this Act, and  
 45 send his declaration to that effect to the Board of Notaries for his  
 District; but any Notary who shall have stated his preference to  
 continue in his office of Clerk of the Superior Court or Court of  
 Queen's Bench, or in his calling of trader, merchant or manufac-  
 turer, may retain his minutes and repertory in his possession and  
 50 deliver copies of, and extracts from, instruments executed before  
 him; but he shall not keep either in his house or elsewhere any  
 notarial office other than for the purpose of delivering copies of  
 his instruments; he may nevertheless resume the exercise of his  
 functions as a Notary after ceasing to hold the said office of clerk  
 55 or to act as a trader, merchant or manufacturer, after having trans-  
 mitted his declaration to that effect; and any Notary who shall,  
 after the passing of this Act, contravene any of the provisions of  
 this section, shall for the first offence incur a penalty of

Certain facts  
 of Ord. L. C.  
 25 Geo. 3 c. 4  
 repealed.