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12x			16x			20x			24x			28x			32x	

No. 81.

2nd Session, 7th Parliament, 26 Victoria, 1863.

BILL.

An Act respecting the appointment of Commissioners for taking Affidavits and Affirmations in the United Kingdom of Great Britain and Ireland, to be used in this Province.

Received and read, first time, Friday, 27th
February, 1863.

Second Reading, Monday, 2nd March,
1863.

Mr. CRAWFORD.

QUEBEC :

PRINTED FOR THE CONTRACTORS BY HUNTER,
ROSE & LEMIEUX, ST. URSULE STREET.

An Act respecting the appointment of Commissioners for taking affidavits and affirmations in the United Kingdom of Great Britain and Ireland, to be used in this Province.

WHEREAS it is desirable that the Governor in Council should be Preamble.
empowered to appoint Commissioners for taking Affidavits and Affirmations in the United Kingdom of Great Britain and Ireland, to be used in this Province: Therefore, Her Majesty, by and with the
5 advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

1. The Governor in Council may, by one or more commission or com- Governor in Council may
missions under his hand and seal, from time to time empower such and appoint Com-
as many persons as he may think fit and necessary, (such persons being missioners for
10 practising Attornies of Her Majesty's Courts of Record at Westminster, taking affi-
or Writers to the Signet in Scotland, or Attornies of the four Courts in davits in the
Dublin,) to administer oaths and take and receive Affidavits, Declara- United King-
tions and Affirmations in the United Kingdom of Great Britain and dom to be
Ireland, in or concerning any cause, matter or thing depending or in used in Ca-
15 anywise concerning any of the proceedings to be had in the Courts of nada.
Queen's Bench and Common Pleas, the Superior Court, and the Court
of Chancery, or any other Court of Law or Equity of Record in this
Province, whether now existing or hereafter to be constituted; and
every oath, affidavit, declaration or affirmation taken or made as afore-
20 said, shall be of the same force as if taken or made in the particular
Court to which the same relates, or in which any such affidavit, declara-
tion or affirmation is entitled or intended to be used.

2. The oaths, affidavits, declarations and affirmations aforesaid, shall Legal effect
be of the same force as if taken or made in open Court, and shall be of such affida-
25 filed in the office of the Court in which the same are intended to be vits.
used, and may be read and made use of in the said Court as other
affidavits or affirmations taken in such Court; and any person wilfully Perjury.
forswearing himself in any affidavit or making false declaration or affir-
mation in any declaration or affirmation made or taken before any of
30 the Commissioners appointed under this Act, shall be liable to the same
pains and penalties as if such affidavits, declarations or affirmations had
been taken in open Court.

3. Any affidavit or affirmation proving the execution of any Deed, They may be
Will, or Probate or Memorial thereof, for the purpose of registration in used for Re-
35 this Province, may be made before a Commissioner appointed under this gistration.
Act.

4. The Commissioners so to be appointed shall be styled "Commis- Style of Com-
sioners for taking Affidavits in and for the Canadian Courts." missioners.

5. No informality in the heading or other formal requisites to any Informal
40 affidavit, declaration or affirmation made or taken before any Commis- headings, &c.,
sioner under this Act, shall be any objection to its reception in evidence, not to invali-
if the Court or Judge before whom it is tendered think proper to receive date.
it.