

CHAPTER 297.

TOBAGO NOTARIES PUBLIC.

AN ORDINANCE RELATING TO NOTARIES PUBLIC IN TOBAGO. *Ordinance No. 311.*

[4th April, 1894.]

1. This Ordinance may be cited as the Tobago Notaries Public Ordinance. Short title.

2. It shall be lawful for the Governor to appoint the person for the time being discharging the duties of Sub-Registrar of the Supreme Court in Tobago to be a Notary Public for the Island of Tobago, and every person so appointed shall hold office during the pleasure of the Governor. In the event of the Sub-Registrar refusing to act as a Notary Public, or being removed from the office of Notary Public, it shall be lawful for the Governor to appoint some other person to be Notary Public for the Island of Tobago: Governor to appoint Notary Public for Tobago.

Provided that no such person shall be appointed unless he shall have been previously examined and approved of by one of the Judges of the Supreme Court or by the Attorney-General or Solicitor-General touching his fitness to discharge the duties of a Notary Public. Person to be examined and approved before appointment.

3. Every person appointed to be a Notary Public shall discharge the duties assigned to such office by the Laws of the United Kingdom of Great Britain and Ireland and this Colony and by the practice of commerce, and shall on his appointment pay the sum of five pounds to the Sub-Treasurer in Tobago. Duties of Notary Public.

4. Every person so appointed shall, before entering upon the duties of his office, be sworn before the Governor or any person authorized by him to administer oaths, well and faithfully to discharge the duties of such his office. Every Notary Public to be sworn.

Punishment of unauthorized person acting as Notary Public.

5. Any person who discharges the duties of a Notary Public, not being duly appointed as such, shall, on summary conviction before a Magistrate, be liable to a penalty not exceeding fifty pounds.

Notary Public may sometimes refuse to act.

6. In all cases where the circumstances shall appear to the Notary Public suspicious and not warranting the protest or other notarial act demanded, the Notary shall refuse to act: Provided always, that any person who considers himself aggrieved by the refusal of the Notary to note the protest, or to do any other notarial act demanded, may apply to the Supreme Court or any Judge thereof for an order calling upon the Notary to act in the execution of his office, and before applying for such order, notice of the application shall be given to the Notary refusing to act, and to such persons, if any, in the Colony as are interested in the subject of the protest.

Notary Public to mark his refusal on document.

7. When any protest or other notarial act shall be refused to be noted or done, the Notary so refusing shall mark in the log-book, bill of exchange, or other document, his refusal, with his signature and the date of refusal subscribed thereon.

Punishment of Notary Public for false certificates.

8. Any Notary Public or other person who wilfully certifies or propounds any false statement or document, or who fraudulently, with intent to deceive, conceals, withholds, or perverts any fact or document pertinent to the subject of protest or other notarial act, shall be guilty of a misdemeanor, and being convicted thereof shall be liable to be imprisoned for any term not exceeding two years, with or without hard labour.

Governor to prescribe fees to be taken by Notary.

9. Every Notary Public shall be entitled to demand and receive such fees for discharging the duties of his office as may be prescribed by the Governor. The scale of such fees shall be published in the *Royal Gazette*.