

CAP. XIII.

An Act to amend the Act to consolidate and amend the Acts respecting the Notarial Profession.

[Assented to 28th January, 1874]

WHEREAS certain notaries, employed as registrars, have, by petition, complained of the grievous injury caused them by the putting in force of section fifty-one of the said act; and whereas it is expedient to come to their relief by amending the said act; Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Effect of sect.
51, ch. 28, 33
Vict., suspended
for one
year.

1. Section fifty-one of the act to consolidate and amend the acts respecting the notarial profession, is and shall remain of no effect in regard to all registrars and deputy-registrars who, at the time of the coming into force of this act, are also practising notaries, for and during the space of one year from the coming into force of this act.

Registrars
appointed
hereafter ex-
cepted.

2. This act shall not affect registrars appointed after the coming into force of this act.

CAP. XIV.

An Act to incorporate the Dental Association of the Province of Quebec.

[Assented to 28th January, 1874.]

Preamble.

WHEREAS by petition, it hath been represented, that the profession of dentistry is extensively practiced in the province of Quebec, and that it is expedient for the protection of the public that there should, by enactment, be established a certain standard of qualification required of each practitioner of the said profession, and that certain privileges and protection should be afforded to such practitioners; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Incorporated
names.

1. The persons named in section two of this act shall be incorporated and known as "The Dental Association of the Province of Quebec."

Board of trustees
and
examiners.

2. Until such other persons be elected as hereinafter provided, Aldis Bernard, of Montreal; Pierre Baillargeon, of

Quebec; Charles Ferdinand Trestler, of Montreal; John Horatio Webster, of Montreal; Charles Brewster, of Montreal; James Alfred Bazin, of Montreal; William George Beers, of Montreal; Edward Lefaivre, of St. Johns; Harrison Ross, of Quebec; John McKie, of Quebec; Louis Jean Leblanc, of Montreal; and Edmond Casgrain, of Quebec; shall be trustees and a board of examiners, to examine candidates, and grant certificates of license to practice dental surgery in this province; six of whom shall form a *quorum* for the transaction of business.

3. The said board to be elected as hereinafter mentioned, shall consist of seven members, who shall hold office for two years, four of whom shall form a *quorum*; any member may resign by letter directed to the secretary, and in the event of a vacancy occurring by death or otherwise, the remaining members of the board shall elect some fit and proper person from among the licentiates to supply the vacancy.

Composition of the board.
Quorum.
Vacancy.

4. The persons named in section two of this act shall continue in office for one year from the second Tuesday in July, one thousand eight hundred and seventy-three.

Continuation in office of the board.

5. Every subsequent election of the board shall be held on the second Tuesday in July, in every second year, after the board named in section two of this act have completed their term of office, as provided for in section four of this act; nevertheless, it shall be competent by a vote of two-thirds of the whole board, to order such election to take place sooner or to be held annually; said election to be held wherever in the province of Quebec a majority of the board may decide.

Time and place of elections.

6. The persons qualified to vote at the said election shall be those licentiates who have obtained their certificates as provided for in section eleven of this act, before said election; and the board named in section two of this act shall issue such certificates, to such persons, upon their compliance with the requisites of the said section, and it shall be the duty of the secretary to publish in the *Quebec Official Gazette*, for two weeks immediately after the said election, the names of the persons who have been elected members of the board. The said election shall be by ballot, an actual majority of the votes of the licentiates present being necessary to an election.

Qualifications of voters.
The election published.
Ballot.

7. The board named in section two of this act, and all boards to be hereafter elected, shall meet once a year, on the second Tuesday in July; the said meetings may be held wherever in the province of Quebec a majority of the board

Meetings.

may decide, and may be continued by adjournment from day to day, until the business before the said board be finished, but no session shall exceed one week.

The president may call special meetings of the board at any time.

Officers.

8. The board of trustees and examiners shall, at their first meeting, elect from among themselves a president, secretary, treasurer, and registrar, and such other officers as may be necessary; and the said board shall, in the event of the absence of the president, elect from among their number a person to preside, who shall have the same powers and exercise the same functions, for the time being, as the president.

Fees for attendance.

9. There shall be allowed and paid to each member of the said board, such fees for attendance, (in no case to exceed five dollars per day) as shall, from time to time, be allowed by the said board.

Payments.

10. All moneys forming part of the funds of the said board shall be paid to the treasurer, and shall be applied to carry out the objects of this act.

Licent¹³⁵.

11. All persons who have been constantly engaged, in the practice of the dental profession, in the province of Quebec, for a period of three years and upwards next preceding the passing of this act, in an established office of dentists, shall be entitled to a certificate of licentiate of dental surgery upon furnishing to the said board, satisfactory proof of their having been so engaged, and upon payment of the fees; and all persons who have not been constantly engaged for a period of three years, as hereinbefore provided, shall, upon passing the required examination, and upon payment of the fees as aforesaid, be entitled to a certificate of licentiate of dental surgery in this province.

By-laws.

12. The said board shall, at its first meeting, and from time to time thereafter, make such rules, regulations, and by-laws as may be necessary for the proper and better guidance, government and regulation of the said board, and admission to, and practice of the said profession of dentistry, and as to the mode of conducting the election of its members, from time to time, and not inconsistent with this act; such rules, regulations and by-laws, may be amended, altered, or repealed, by a majority of the whole board.

Certificate and fees before examination.

13. Every person desirous of being examined by the said board, shall, at least, one month before the sittings of the said board, pay into the hands of the treasurer the required fees,

and enclose and deliver to the secretary, the treasurer's receipt for the same, together with satisfactory evidence of clerkship, integrity and good morals, in such manner as may be prescribed by the rules, regulations, and by-laws of the said board.

14. If the board be satisfied by the examination that the person is duly qualified to practice the said profession of dentistry, and be further satisfied that he is a person of good moral character and integrity, they shall grant him a license, which shall entitle him to all the rights and privileges of this act, until such time as the board shall be satisfied that he has been guilty of acts detrimental to the interests of the profession, when he shall forfeit his certificate and title, and it shall be cancelled; such forfeiture, may, however, be removed, and the said license and all rights and privileges thereunder, fully revived by the said board, in such manner and upon such conditions and terms as may seem expedient to the said board.

15. The corporation shall have a seal, with which every certificate of license shall be sealed, and signed by the president and secretary of said board; the production of the said certificate of license shall be *prima facie* evidence in all courts of law, and upon all proceedings of what ever kind, of its execution and contents.

16. The secretary of the said board shall once in each and every year enclose to the provincial secretary a certified list of the names of all persons to whom licenses have been granted during the then next preceding year.

17. If any person, after the period of six months from the passing of this act, not holding a valid certificate of license, practices in this province the said profession of dentistry for hire, gain or hope of reward, or wilfully and falsely pretends to hold a certificate of license under this act, or takes or uses any name, title, addition or description implying that he is duly authorized to practice the said profession of dentistry, or shall falsely use any title representing that he is a graduate of any dental college, either in Great Britain or other countries, he shall, for each such offence, be liable to be summarily tried and convicted before two or more justices of the peace, and on conviction, shall be liable to a penalty not exceeding one hundred dollars with costs, and in default of payment the amount shall be recovered by execution, and if the effects seized are insufficient to pay the said penalty, the defendant shall be liable to imprisonment in the common jail of the district in which he was convicted, for a period not exceeding

sixty days, unless the said penalty with costs of conviction and subsequent costs be previously paid; no such person shall recover in any court of law for any work done or materials provided by him in the exercise of the practice of a dentist.

Privileges of physicians and surgeons not interfered with.

18. Nothing in this act shall interfere with the privileges conferred upon physicians and surgeons by the various acts relating to the practice of medicine and surgery in this province.

Privileges of licentiates defined.

19. The same privileges and exceptions by this act conferred upon the licentiates of dental surgery in this province, are the same as those conferred upon physicians and surgeons by the laws of this province.

32 Vict., ch. 69, and 33 Vict., ch. 45, repealed.

20. The 32nd Vict., chap. 69, and 33rd Vict., chap. 45, amending the same, are hereby repealed.

C A P. X V .

An Act to provide a remedy for the losses occasioned by the burning of the Quebec Court House.

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

[Assented to 28th January, 1874.]

If an original order or judgment given by the court of appeal, superior or circuit court, before the 1st Feb, 1873, is destroyed, a copy may be registered in the register of the court.

1. Any party or person, or the attorney or agent of any party or person interested in a case in the court of Queen's bench, appeal side, or the superior court in the district of Quebec, or the circuit court at the city of Quebec, in which any order or judgment shall have been made or rendered on or before the first day of February, one thousand eight hundred and seventy-three, may, if the original register of such order or judgment has been lost by the burning of the court house at the said city, demand the enrolment of an authentic copy of such order or judgment, and upon production thereof for that purpose, the clerk of the said court of Queen's bench, appeal side, or the prothonotary of the said superior court, or the clerk of the said circuit court shall enrol such authentic copy in the register of the court in which the order was made or the judgment obtained.

Notice to that effect.

2. Notice of such enrolment shall be forthwith given by the party or person who shall have so demanded the same to the party or person affected by the judgment or order or to his legal representatives; and when service of the notice in the ordinary manner is impracticable, a judge of

How served.

