

Jefferson Territory Notary Statutes, 1859

CHAPTER XV.

AN ACT

To provide for the appointment of Notaries Public—Defining their Powers and Duties.

SEC. 1. Be it enacted by the General Assembly of the Provisional Government of the Territory of Jefferson, the Governor approving—That Notaries Public shall be appointed and commissioned by the Governor upon a certificate of qualifications and good moral character from the clerk of the district court, counter-signed by the judge of the district court of the respective counties, and who shall hold their office for two years.

SEC. 2. Before entering upon the duties of the office, each notary public shall file in the office of the clerk of the district court, to be approved by him, an official bond in the penalty of five hundred dollars, payable to the Territory of Jefferson, on the back of which bond shall be drawn his oath of office, which he shall take and subscribe before said clerk, which bond and oath shall be recorded by the recorder of the respective counties, and also shall have procured an official seal which will distinctly stamp upon paper the following words:

(Name), Notarial Seal, ——— County, Jef. Ter. .

SEC. 3. All notaries shall have power throughout their respective counties,

First: To make protest of all notes, bonds, orders, bills of exchange, and certify the same, and do all other acts which, by the customs of merchants, they are authorized to do.

Second: To take and certify all acknowledgments of deeds or other instruments of writing required or authorized by law.

Third: To administer oaths generally, and to take and certify affidavits and depositions, all of which must be attested by his official seal.

SEC. 4. The official certificate of a notary public attested by his seal, shall be presumptive evidence of the facts therein set forth, and shall be received in evidence in the courts of the Territory, in cases authorized by section three.

SEC. 5. Notaries shall receive the following fees:

Making and entering each protest, three dollars;

for acknowledging each deed or other instrument, one dollar;

for administering each oath, twenty—five cents.

Approved November 29th, 1859.