

CAP. XXXVII.

An Act to regulate the proof of certain documents in actions wherein Foreign Corporations doing business in this Province are parties.

Passed 26th April 1850.

WHEREAS in and by the sixteenth section of an Act made and passed in the twelfth year of Her present Majesty's Reign, intituled *An Act to consolidate and amend various Acts of Assembly relating to the further amendment of the Law*, it is amongst other things enacted, "That in the case of a Foreign Corporation, or of any Body Politic or Corporate, not being established or incorporated within this Province, and which may enter into any contract or engagement, or transact any business therein, by their known accredited agent or officer, a Writ of Summons may be served upon such accredited agent or officer within this Province, and that such service should be valid:" And Whereas in actions against such Foreign Corporation or Body Politic or Corporate, upon any contract or engagement entered into by the said Foreign Corporation or Body Politic or Corporate, doing business in this Province, by their agent or other accredited officer as aforesaid, the proof of such contract or engagement is very difficult to be obtained, owing to the necessity of the Seal of such Foreign Corporation or Body Politic or Corporate, and the signatures of the officers of said Foreign Corporation or Body Politic or Corporate, being strictly proved in those cases where the existence of such contract or engagement is put in issue: And Whereas a total defeat of justice might be occasioned for want of such strict proof as aforesaid;

Preamble.
12 V. c. 39.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, upon any trial of any cause before any Court in this Province, wherein it shall be necessary to prove any contract or engagement entered into by any Foreign Corporation or Body Politic or Corporate, doing business in this Province, it shall only be necessary for the party or parties, plaintiff or plaintiffs, defendant or defendants, seeking to prove such contract or engagement, or to put the same in evidence before such Court to prove that such contract or engagement has been duly signed or issued by the accredited agent or officer of such Foreign Corporation, Body Politic or Corporate in this Province; and upon such proof having been given, the Court before which such trial shall be had shall admit the same in evidence, and the same shall be considered as duly proved without any other or further evidence of the execution thereof by such Foreign Corporation, Body Politic or Corporate, any law, usage or custom to the contrary notwithstanding; provided always, that nothing in this Act contained shall be construed to extend to any contracts or engagements already entered into and now in force in this Province.

Upon any trial, proof that a contract with a Foreign Corporation was duly issued by the accredited agent, sufficient.

Court to admit the same in evidence.

Not to affect contracts already made.

CAP. XXXVIII.

An Act to continue and amend an Act, intituled *An Act relating to the collection of Duty on Timber and other Lumber*.

Passed 26th April 1850.

I. BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the seventh year of the Reign of Her present Majesty Queen Victoria, intituled *An Act relating to the collection of Duty on Timber and other Lumber*, and every article, matter and thing therein contained, be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and fifty five.

Act 7 V. c. 18, continued.

II.

Articles exempted
from the operation
of the Act.

II. Provided always and be it enacted, That nothing in the said recited Act relating to the collection of the Duty on Timber and other Lumber shall extend or be construed to extend to impose any Duty upon Lathwood, Laths, Shingles, Clapboards, Sash-pieces, Hand Spikes, Slabs, Staves, Fence Pickets, Palings, Oars, Scantling, and all other small Lumber sawed or hewed each and every piece whereof shall not exceed five inches square and nine feet in length, except Hacmatack.

This Act may be
amended during
the present Session.

III. And be it enacted, That this Act may be altered or amended by any Act passed during this Session of the Legislature.

CAP. XXXIX.

Act 9 V, c. 53.

An Act to continue *An Act to authorize the granting of Mill Reserves in certain cases.*
Passed 26th April 1850.

Act 9 V, c. 53,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the ninth year of the Reign of Her Majesty Queen Victoria, intituled *An Act to authorize the granting of Mill Reserves in certain cases*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty five.

CAP. XL.

5 W. 4, c. 46.

An Act to continue an Act to provide for the services of the Clerk of the Circuit Courts in this Province.
Passed 26th April 1850.

Act 5 W. 4, c. 46,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fifth year of the Reign of His late Majesty King William the Fourth, intituled *An Act to provide for the services of the Clerk of the Circuit Courts in this Province*, be and the same is hereby continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty two.

CAP. XLI.

An Act relating to the Naturalization of Aliens in this Province.
Passed 26th April 1850.

Persons of Foreign
birth resident in
the Province for
seven years, taking
and subscribing the
prescribed oath
before a Judge of
the Supreme Court
to be entitled to the
privileges of a
natural born sub-
ject of Her Majesty.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, all persons of Foreign birth who have inhabited and resided in this Province for the space of seven years or more, previous to his applying to be naturalized under the provisions of this Act, and who shall take and subscribe the oath of allegiance and residence, or being one of the persons allowed by law to affirm in civil cases, affirmation prescribed in the Schedule to this Act, before any Judge of the Supreme Court of this Province, shall be deemed, adjudged and taken to be entitled to all the privileges of Her Majesty's natural born subjects, to all intents, constructions and purposes as if they and every of them had been or were born in Her Majesty's Dominions; which said oath or affirmation and subscription any of the said Judges is hereby authorized and empowered to administer and take; and the taking and subscribing of every such oath or affirmation shall be before any such Judge in open Court, either at Bar or at Nisi Prius, between the hours of nine and twelve in the forenoon; and such subscription shall be made in a book to be kept for that purpose; and such Judge shall cause a certificate or return thereof

Return and entry.

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