

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1860.* Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1860.

23 Victoria – Chapter 29

**An Act in further amendment of the Law of Evidence as to proof of Bankruptcy. Passed 9th April 1860.**

Section.

1. Office copies of proceedings before Commissioner of Bankrupts in England, receivable as evidence in Provincial Courts.

Section.

2. London Gazette to be received in evidence.

Whereas the expense and delay at present attending the proof of proceedings in Bankruptcy in actions pending in the Courts of Law and Equity in this Province, where the party became Bankrupt in England, is very great, and operates prejudicially to the interests of the Creditors of Bankrupt Estates; and in order to diminish the expense attending the closing up of Bankrupt Estates, and to facilitate the proof of all proceedings in Bankruptcy;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That from and after the passing of this Act, on the trial of any cause, or in other proceedings in any of Her Majesty's Courts of Law or Equity in this Province, whenever it shall become necessary on the trial of the said cause, or in any proceedings in said Courts, to prove the petitioning Creditor's debt, Fiat of Adjudication, appointment of official Assignee, election and confirmation of Trade Assignees, or any other proceeding had before the Commissioner of Bankrupts in England, the production of office copies of all or any such proceedings, purporting to be under the hands of the Commissioners and Registrar, and also professing to be under the Seal of the Court of Bankruptcy for the District in which such Bankrupt may have been declared and adjudged Bankrupt, shall in all cases be held and deemed to be sufficient evidence of the facts recited in such documents, without any further proof of them.
2. The London Gazette purporting to be published by Royal Authority, shall in all cases be received in evidence as sufficient proof of the proceedings in Bankruptcy contained in such Gazette.