

done by any Mayor or Chief Magistrate of a City, under the Corporate Seal of such City, whether to be used as evidence in any Court, or for the purposes of Registry in any Registry of Deeds in this Province, or otherwise, the Seal of the Mayor of the said City, or Chief Magistrate, shall be a sufficient authentication of such act, unless the act done be a corporate act.

6. On the trial of any cause, the testimony of any Witness given on a former trial thereof, may be given in evidence between the same parties from the Judge's notes, if the Judge on the subsequent trial shall be satisfied that the Witness is dead, or out of the Province, or from sickness or infirmity is unable to attend, subject to all legal exceptions: Whenever such notes shall be required on any trial, notice thereof shall be given to the Judge who took the same, and the said Judge may produce and read the same in Court, or transmit them to the presiding Judge, to be read by him on such subsequent trial.

7. A copy of any record, document, writing, or any part thereof, filed or deposited in any public office in this Province, certified by the officer having charge thereof, or his deputy, to have been carefully compared with the original and to be a true copy, shall without proof of his official character or hand writing, be evidence in any Court of Law in lieu of the original, or an exemplification, or an examined copy of the same.

CAP. IV.

An Act in amendment of an Act relating to the Public Debt of the City of Saint John.

Section.

1. Act 17 V. cap. 39, repealed.
2. New Bonds or Debentures may be issued for the Corporate Debt; and
3. Loans may be taken to pay it off;
4. Amount limited.
5. Negotiability of the Bonds and Coupons.
6. The form of the Bonds, &c. to be agreed on; interest not to exceed 6 per cent.

Section.

7. Bonds, &c., on what chargeable.
8. Loan to pay off debt, secured on lands on western side of the harbour.
9. Cancelling of the old Bonds.
10. Corporation rents payable in due Coupons.

Passed 12th March 1858.

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

1. That an Act made and passed in the seventeenth year of the Reign of Her present Majesty, intituled *An Act relating to the Public Debt of the City of Saint John*, be and is hereby repealed, except in so far as relates or as may be necessary to give effect to any matter or thing heretofore had, done, or made, or now pending, in progress and undetermined by virtue of its provisions, or either of them.

2. The Mayor, Aldermen, and Commonalty of the City of Saint John are hereby authorized, notwithstanding any Law to the contrary now in force, to issue new Bonds or Debentures with or without Coupons for interest attached, to any holder or assignee of any Bond, Note, or evidence of debt of the Public Debt of the City of Saint John, amounting to the sum of one hundred and fifteen thousand three hundred and sixty six pounds, as established and declared by the Act made and passed in the ninth year of Her Majesty's Reign, intituled *An Act relating to the Public Debt of the Corporation of the City of Saint John*, and also such further sum as the arrears of interest due thereon may amount to.

3. The Mayor, Aldermen, and Commonalty of the City of Saint John, are also hereby authorized to take a loan or loans of money from any person or persons, and to issue Debentures with or without Coupons for interest, to the lender or lenders,

as security for the same; the money so to be borrowed shall be applied to the payment of the said Public Debt, and to no other purpose whatsoever.

4. Such Bonds or Debentures, whether issued in exchange for existing securities, or for money, shall not in the whole exceed the amount of the aforesaid Public Debt, and arrears of interest as aforesaid.

5. The Bonds or Debentures so to be issued, as also the Coupons, shall be negotiable in the same manner as promissory notes payable to bearer.

6. The Bonds or Debentures, with the Coupons so to be issued, may be in such form and upon such conditions, whether as respects rate of interest, time of payment, or otherwise as may be agreed upon between the Corporation and the holders of any such Bonds, Notes, or evidences of debt, or the person or persons from whom money may be borrowed as aforesaid; the rate of interest not in any case to exceed six per cent. per annum.

7. Such Bonds or Debentures shall be held and taken in all Courts of Law or Equity as secured and charged upon the Estate, real and personal, of the said Corporation, to the same extent in every respect as the said bonds, notes, or securities for which they may be taken, or as any bond, note, or evidence of debt which was secured by, mentioned or contained in a certain Trust Deed made by the said Mayor, Aldermen, and Commonalty, bearing date the twentieth day of September in the year of our Lord one thousand eight hundred and forty two.

8. The said Mayor, Aldermen, and Commonalty of the City of Saint John, are hereby authorized to negotiate such loan or loans of money as may be necessary to pay off that part of the Debt of the City of Saint John and interest, payable by and secured on the Lands on the western side of the Harbour, arising out of Debts secured in the Trust Deed, on such terms as may from time to time be agreed upon by the Common Council, any Law to the contrary at present existing notwithstanding.

9. Any old Bonds or evidences of debt delivered up under this Act, shall be lodged with the Chamberlain, and shall be destroyed by him on an order of the Common Council, to be entered in the Minutes for that purpose, such order showing the dates, amounts, obligees, and holders of such Bonds or evidences of debt to be destroyed, and the dates, amounts, and obligees of the new Bonds given in substitution thereof; or if paid by money borrowed under new Bonds or Debentures, to state the same.

10. Any of the Coupons for interest, when due, shall be received by the Chamberlain of the said Corporation, and be a legal tender in payment of any rents due by any person to the said Corporation.

CAP. V.

An Act to enable the Corporation of the City of Saint John to meet their liabilities incurred in erecting Wharves at or near Reed's Point, in the City of Saint John.

Section.

- Preamble; 17 V. c. 62.
1. Authority to borrow £1,750.
2. Debentures, number, record, and execution of.

Section.

3. Money, how receivable and payable.
4. Assessment authorized;
5. To pay interest and the principal on notice by the Chamberlain.

Passed 12th March 1858.

WHEREAS the Mayor, Aldermen, and Commonalty of the City of Saint John, have incurred a liability for the works at