

according to the table of fees in Appendix B to these Rules, with twenty-five per cent. added to the several items of all fees taxed to Solicitor or Counsel.

2. So much of the table of costs in Appendix B, (Order LXV.) of the said Act under the table of costs as relates to allowance of witnesses is repealed and the following substituted in lieu thereof:

(1) For attendance per day, \$2.00. (Attendance to include the time necessarily engaged in travelling to and from his home to the Court where the trial is held, when witness resides more than ten miles from the place of trial.)

(2) Physicians and Surgeons, Barristers and Solicitors, Engineers, Actuaries, Accountants or other skilled persons, other than the parties to the cause, when called upon to give evidence of any professional service rendered by them or to give professional opinions, per diem, \$7.50.

(3) If witnesses attend in one case only, they will be entitled to the full allowance; if they attend in more than one case, they will be entitled to a proportionate part in each case only.

(4) Travelling expenses of witness shall be allowed according to the services reasonably and actually paid, but in no case shall exceed seven and one-half cents per mile each way.

3. Rule 16, Order LVIII. of the said Act is amended by adding at the end thereof the following words:

"Provided always, the Trial Judge on hearing the parties shall grant a stay of proceedings to the unsuccessful party in any action tried by or before him in which questions have arisen proper for submission to the Court of Appeal unless it be made to appear to him that danger of losing the fruits of the verdict or judgment may thereby result to the successful party, in which case he shall impose such terms as will secure the successful party, and in all other cases he may impose such terms as he may consider necessary to prevent the successful party from being prejudiced.

4. Section 23 of said Act is hereby amended by adding the following thereto as sub-section (1):

(1) In actions for malicious prosecution the Judge shall decide all questions of both law and fact necessary for determining whether or not there is reasonable and probable cause.

CAP. 44

An Act to Amend The New Brunswick Companies' Act.

(Passed 24th April, 1920.)

Be it enacted by the Lieutenant-Governor and Legislative Assembly, as follows:

1. Clause (d) sub-section (1) of section 77 of the Act 6 George V., Chapter 14, is amended by inserting between "both" and "of" in the second line of said clause, the words "including book debts and unpaid calls, rights, powers, undertakings and franchises," and reads as follows:

(d) Hypothecate, mortgage or pledge the real or personal property or both, including book debts and unpaid calls, rights, powers, undertakings and franchises of the company to secure any such bonds, debentures, debenture stock or other securities, and any money borrowed for the purposes of the company.

CAP. 63.

An Act to Regulate the Issue of Shares and Securities by Public Utilities.

(Passed 24th April, 1920.)

Be it enacted by the Lieutenant-Governor and Legislative Assembly, as follows:

1. No public utility shall hereafter issue any shares, stocks, bonds, debentures or any evidence of indebtedness payable in more than one year from the date thereof, until it has first obtained authority from the Board of Commissioners of Public Utilities established by 10 Edward VII, Chapter 5, for such proposed issue. It shall be the duty of the said Board after hearing, to approve of any such proposed issue, and to grant a certificate therefor when satisfied that the same is to be made in accordance with law and when the purpose and amount of such issue is approved by the Board. No public utility to which the New Brunswick Companies' Act, 1916, applies shall increase its capital under section 58 of the said Act, without the approval of the said Board, but any public utility, whether it be one to which the said the New Brunswick Companies' Act, 1916, applies or be incorpor-

ated by Statute, may, from time to time, with the approval of the said Board, increase its capital to an amount not exceeding the capital authorized by its Charter or its Act of Incorporation.

2. Every President, Secretary, Director or other official of any public utility who makes any false statement to secure the issue of any share, stock, certificate of stock, bond, mortgage or other evidence of indebtedness, or who shall by any false statement, knowingly made, procure of the Board the making of the certificate provided in Section 1 of this Act, or who with the knowledge of such fraud, issues, negotiates or causes to be issued or negotiated any such share, stock, certificate of stock, bond, mortgage or other evidence of indebtedness in violation of this Act, shall be liable to a penalty of not less than Five Hundred Dollars, nor more than One Thousand Dollars, or to imprisonment for a term of not less than one year or more than two years, or to both, in the discretion of the Court.

3. "Public Utility," when used in this Act, shall have the meaning assigned to it by said Act 10 Edward VII., Chapter 5.

CAP. 14.

An Act to Amend An Act Intituled "An Act to Amend The Supreme Court Act and the County Court Act and The Table of Fees Act."

(Passed 24th April, 1920.)

Be it enacted by the Lieutenant-Governor and Legislative Assembly, as follows:

Section 3 of the Act 5 Edward VII., Chapter 22, is amended by striking out the figures "7½" in the seventh line and inserting in lieu thereof the figures "10."

CAP. 49.

An Act to Amend The New Brunswick Elections Act.

(Passed 24th April, 1920.)

Be it enacted by the Lieutenant-Governor and Legislative Assembly, as follows:

1. Notwithstanding anything contained in the Act of Assembly 6 George V., Chapter 15, "The New Brunswick Elections Act," after alphabetical lists have been made up and returned as required by sub-section (1) of section 22 of said Act, any person whose name has been omitted from said list, or who has reached the age of twenty-one years since the revision of the voters' list, may make an affidavit setting forth his or her name in full, the polling sub-division of the parish in which he or she resides, that he or she is a British subject of the age of twenty-one years, and has resided in the Province for six months immediately preceding the day of the taking of the same, and forward it to the chairman of the Board of Revisors of the Parish in which he or she resides, who shall, if an election writ is issued or a referendum authorized, post a list of those persons applying in three public places in the electoral sub-division or sub-divisions from which the applications are received, fourteen days before polling day, and if any objection is made to him in writing, within seven days thereafter, and the grounds of objection to any of the said applicants being placed upon the voters' list stated, he shall notify the applicant or applicants of such objection and require such additional proof of qualification as will satisfy the chairman of the revisors that the applicant is entitled to have his or her name placed upon the voters' list, whereupon it shall be the duty of such chairman, if satisfied that such person resides in the polling sub-division of the Parish set forth in such affidavit, and that he or she is a British subject and has resided in the Province for six months as aforesaid, to forward a list of such persons with affidavits of applicants attached, to the Secretary-Treasurer of the County in which such person resides, together with a request that the name of such person be added to the voters' list of the polling sub-division of the Parish in which such person resides, and the Secretary-Treasurer shall file and preserve such request and affidavit and add the name of such person to the voters' list of the polling sub-division of such Parish in which such person resides. If such affidavit and request be received by the Secretary-Treasurer at any time after a poll has been granted, and the Sheriff has furnished the Deputy Returning Officer with a copy of the voters' list for the polling sub-division for which such Deputy Returning Officer is appointed, the Secretary-Treasurer shall forward to the Deputy Returning Officer of any electoral sub-division from which such additional