

and the costs of the Plaintiff in such action, shall have been levied by the Sheriff, or paid, or discharged, or lawfully tendered to the Plaintiff or the Attorney for the Plaintiff in such action.

If a lawful and sufficient tender be proven by defendant, all costs subsequent thereto to be borne by plaintiff.

CXCVI. And be it enacted, That if a tender shall be pleaded, and if upon the trial of any such action it shall be proven to the satisfaction of the Jury that a lawful tender shall have been made to the Plaintiff or to the Plaintiff's Attorney, of a compensation or sum equal to or greater than the amount of the damages assessed by such jury, the said jury shall find such tender by their verdict, and in case of such finding, the costs of the defendant in such action, incurred after such tender, shall be borne by the plaintiff, and the plaintiff in such case shall receive no costs, for any proceedings subsequent to such tender.

In estimating damages, juries to take into consideration benefit to be derived by plaintiff from widening of Road, &c.

CXCVII. And be it enacted, That as well the arbitrators as the jury, in estimating the damages or compensation in any such submissions or actions, shall take into consideration any benefit or advantage which the plaintiff shall or may derive from the opening, widening or diverting any such road, street, or other public thoroughfare, and deduct the same from the damages or compensation; and in case the said benefit to be derived from the said opening, widening, or diverting such road, street, or public thoroughfare, shall be greater than the damages which shall be found to arise from the taking of such land or other real property, the award or verdict shall be for the defendant.

All By-laws to be authenticated by seal of Corporation, signature, &c.

CXCVIII. And be it enacted, That all By-laws made and passed by any Municipal Corporation under the authority of this Act, shall be authenticated by the Seal of the Corporation, and by the signature of the Head thereof, or of the person presiding at the meeting at which the same shall have been made and passed, and also by that of the Clerk of such Corporation; and any copy of any such By-law, written without erasure or interlineation, sealed with the Seal of the Corporation, and certified to be a true copy by the Clerk, and by any member of such Corporation for the time being, shall be deemed authentic, and shall be received in evidence in any Court of law or equity in this Province, without its being necessary to prove such seal or signatures, unless it shall be specially pleaded or alleged that the same or any of them are

Effect of certified copies.