

S. 29 of the Manitoba Evidence Act provides that no proof shall be required of the handwriting or official position of, nor as to the authenticity of any seal used by, any person certifying as to any matter as to which he is by law authorized to certify.

NEW BRUNSWICK

S. 1 of C. 71 of the R.S.N.B. 1927 provides that the Governor in Council may by commission empower anyone to take affidavits, etc., out of New Brunswick, for use in any N.B. Court.

S. 3 of C. 71 provides:

"In addition to the commissioners mentioned in section 1, the several officials and persons authorized by The Registry Act, to take the proof or acknowledgement of the execution of any conveyance out of the Province, may take and administer oaths and receive affidavits, declarations and affirmations in or concerning any cause, matter or thing depending in or concerning any proceeding in any of the Courts mentioned in section 1, in the several places where they are authorized to take such proof or acknowledgement; provided that when any person takes or receives any oaths, affidavits, declaration or affirmation under the authority of this section, his act shall be certified or authenticated in the same manner, and with the same formality in all respects as though such act were the taking by him of the proof or acknowledgement of a conveyance."

S. 3A of C. 71 provides that commissioned officers of or above the rank of Lieutenant Commander, Major or Squadron Leader are empowered to administer oaths, and take affidavits, affirmations and statutory declarations for use in the Province.

S. 4 of C. 71 provides that affidavits taken under the authority of C. 71 shall be valid for all purposes.

S. 7 of C. 71 provides that any affidavit, etc., made under C. 71 may be admitted in evidence without proof of any seal and signature or of the official character, of the person before whom it is taken.

S. 52 of the Registry Act, R.S.N.B. 1927, C. 167 provides:

"(1) Before the registry of any instrument, the execution of the same shall either be acknowledged by the person executing the same, or be proved by the oath of a subscribing witness in the manner following, except as herein otherwise provided, that is to say: . . ." If such acknowledgement is taken or made out of the Province, it may be taken by any of the following:

..... A mayor