

S. 140 of the Land Titles Act, R.S.A. 1942, C. 205, provides that certain affidavits required in land transactions may be taken before:

Certain British officials in the Empire;  
"If made in any foreign country, before the mayor of any city or incorporated town, under the common seal of any such city or town, or before the British consul, vice-consul or consular agent residing therein, or before any judge of any court of record or a notary public under his official seal . . ."

#### BRITISH COLUMBIA

S. 53 of the Evidence Act, R.S.B.C. 1936, C. 90, provides that the Lieutenant Governor in Council may by commission empower anyone to take affidavits, etc., out of British Columbia, for use in any B.C. Court.

S. 56 of the Evidence Act provides that affidavits, etc., taken out of British Columbia before any of the following for use in any B.C. Court, shall be valid:

A long list of British officials;  
Officers of His Majesty's Canadian Forces above the rank of Lieutenant-Commander, Major, or Squadron Leader;  
A judge, mayor, or notary, of any country; ". . . any Consul, Vice-Consul, or Consular Agent of His Majesty, exercising his functions in any foreign place . . ."

S. 57 of the Evidence Act provides that any such document purporting to have affixed the seal (if any) and signature of any consul, etc., shall be admitted in evidence without proof of such seal and signature or of the official character of such person.

#### MANITOBA

S. 62 of the Manitoba Evidence Act, R.S.M. 1940, C. 65 provides that the Lieutenant-Governor-in-Council may by commission empower anyone to take affidavits, etc., out of Manitoba, for use therein. Commissioned officers in His Majesty's Forces are ex officio empowered to take such affidavits (S.63).

S. 57 of the Manitoba Evidence Act provides that affidavits, etc., taken out of Manitoba before any of the following shall be valid for all purposes:

"a commissioner for oaths without the province";  
A long list of British officials;  
A judge, mayor, or notary, of any country;  
"a consul general, consul, vice-consul, pro-consul or consular agent of His Majesty exercising his functions in any foreign place or any person acting as such . . ."