

**(B.)**

## Imperial Statute 38 Geo. III. Cap. LXXVIII.

Sec. 9.—And be it further enacted, That all such affidavits and affirmations as aforesaid shall be fyled and kept in such manner as the said Commissioners shall direct and the same or copies thereof, certified to be true copies, as hereinafter is mentioned, shall respectively in all proceedings, civil and criminal, touching any newspaper, or other such paper as aforesaid, which shall be mentioned in any such affidavits or affirmations or touching any publication, matter or thing contained in any such newspaper or other paper, be received and admitted as conclusive evidence of the truth of all such matters set forth in such affidavits or affirmations as are hereby required to be therein set forth, against every person who shall have signed and sworn or affirmed such affidavits or affirmations, and shall also be received and admitted, in like manner as sufficient evidence of the truth of all such matters against all and every person who shall not have signed or sworn or affirmed the same but who shall be therein mentioned to be a Proprietor, printer or publisher of such newspaper or other paper, unless the contrary shall be satisfactorily proved, &c.

Sec. 11.—And be it further enacted, That it shall not be necessary after any such affidavit or affirmation, or a certified copy thereof, shall have been produced in evidence as aforesaid against the persons who signed and made such affidavit or are therein named according to this act or any of them, and after a newspaper or other such paper as aforesaid shall be produced in evidence intituled in the same manner as the newspaper or other paper mentioned in such affidavit or copy is intituled, and wherein the name or names of the printer and publisher, or printers and publishers, and the place of printing shall be the same as the name or names of the printer and publisher, or printers and publishers, and the place of printing mentioned in such affidavit or affirmation, for the Plaintiff, Informant, or prosecutor, or person seeking to recover any of the penalties given by this act, to prove that the newspaper or paper to which such trial relates, was purchased at any house, shop or office, belonging to or occupied by the Defendant or defendants or any of them, or by his or their servants or workmen or where he or they by themselves or their servants or workmen, usually carry on the business of printing or publishing such paper, or where the same is usually sold.

## Provincial Ordinance 1 Vic. Cap. XX.

Sec. 9.—And be it further ordained and enacted, &c., that all such affidavits and affirmations as aforesaid shall be fyled and kept and preserved by the Clerk or clerks of the Peace for the District in which such newspaper, pamphlet or other paper shall be printed or published; and the same, or copies thereof, certified to be true copies as hereinafter is mentioned, shall respectively in all proceedings, civil and criminal, touching any newspaper or other such pamphlet or paper as aforesaid, which shall be mentioned in any such affidavits or affirmations, or touching any publication matter or thing contained in any such newspaper, pamphlet or paper as aforesaid, be received and admitted as conclusive evidence of the truth of all such matters set forth in such affidavits or affirmations, as are hereby required to be therein set forth, against every person who shall have signed and sworn or affirmed such affidavits or affirmations, and shall also be received and admitted in like manner as sufficient evidence of the truth of all such matters against all and every person who shall not have signed or affirmed the same, but who shall be mentioned therein to be a proprietor, printer and publisher of such newspaper, pamphlet or other paper, unless the contrary shall be satisfactorily proved, &c.

Sec. 11.—And be it further ordained and enacted, &c., that it shall not be necessary after any such affidavit or affirmation, or a certified copy thereof shall have been produced in evidence as aforesaid against the persons who made and signed such affidavit or affirmations, or are therein named according to this ordinance, or any of them, and after a newspaper, pamphlet or other such paper as aforesaid shall be produced in evidence, intituled in the same manner as the newspaper pamphlet or other paper mentioned in such affidavit or affirmation or copy is intituled and wherein the name or names of the printer and publisher, or printers and publishers, and the place of printing, shall be the same as the name or names of the printer and publisher, or printers and publishers, and the place of printing mentioned in such affidavit or affirmation, for the Plaintiff, Informant, or prosecutor, or person seeking to recover any of the penalties given by this Ordinance, to prove that the newspaper, pamphlet or paper to which suit or trial relates, was purchased at any house, shop or office, belonging to or occupied by the Defendant and defendants, or any of them, or by his or their servants or workmen, or where he or they by themselves, or their servants or workmen, usually carry on the business of printing and publishing such newspaper, pamphlet or other such paper, or where the same is usually sold.