

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Wednesday the first day of July, 1761, and in the first year of His Majesty's Reign.

1 George III – Chapter 7

An Act for the Amendment of an Act intituled, "An Act concerning Marriages and Divorce, and for punishing Incest and Adultery, and declaring Polygamy to be Felony."

Whereas by a clause in an Act made and passed in the thirty second year of His late Majesty's reign, intituled "An Act concerning Marriages and Divorce, and for punishing Incest and Adultery, and declaring Polygamy to be Felony," it is enacted, "That no marriage shall be declared null and void, except for the cause of impotence, or of kindred within the degrees prohibited in an Act made in the thirty second year of King Henry the Eighth intituled, 'An Act concerning Precontracts, and touching Degress of Consanguinity;' and that no decree for divorce shall be granted for any other than the two foregoing and the two following causes, viz. That of adultery, and that of wilful desertion and withholding necessary maintenance for three years together; in any of which cases every person suing for a divorce, shall be intituled to a decree for that purpose, to be obtained from the Governor, or Commander in Chief for the time being, and His Majesty's Council who shall have full power and authority to grant the same." Which clause has been found to be inconsistent with the laws of England.

Be it therefore enacted by the Honourable the Commander in Chief, the Council, and Assembly, that the causes for the marriages shall be declared null and void, shall be in all causes of impotence, of precontract and kindred within the degrees prohibited in an Act made in the thirty second year of King Henry the Eighth, intituled, "An Act concerning Precontracts, and touching Degrees of Consanguinity," of adultery, and of cruelty, and for none other causes whatsoever.

Provided that nothing herein contained, shall be of any force or effect untill His Majesty's pleasure shall be further known herein.