

serious difficulties from Deeds of the same date affecting the same lands being entered in different books at the same time. *Be it further enacted*, that from and after the said first day of May next, only one book of Records shall be kept in each County, and all Deeds, Instruments or Memorials entered therein, shall be numbered in the order in which they are entered.

Only one Book of Record to be kept in each County and all Deeds, &c. to be numbered in the order as entered.

## CAP. IX.

An Act further to alter and amend an Act intituled, "An Act for regulating Marriage and Divorce, and for preventing and punishing Incest, Adultery, and Fornication."

Refer to 3<sup>rd</sup> Geo. Geo. 3, c. 5.

*Passed the 19th March, 1827.*

**W**HEREAS it is expedient to limit the number of Magistrates authorised to solemnize matrimony within this Province,

Preamble.

I. *Be it enacted by the Lieutenant-Governor, Council and Assembly*, That from and after the first day of July next, no Justice of the Peace or Quorum shall solemnize or celebrate Marriage between any persons whatsoever within this Province, unless such Justice shall be especially authorized and commissioned to perform such Ceremony by Warrant or Commission from the Lieutenant-Governor or Commander-in-Chief of the Province, and then only when there shall be no Parson, Vicar, Curate, or other person in Holy Orders of the Church of England resident and officiating in the said Parish.

No Justice of the Peace or Quorum to celebrate marriage without a commission from the Governor,

And then only when no Clergyman of the Church of England resides and officiates in the Parish.

II. *And be it further enacted*, That such and so many Justices of the Peace being of the Quorum shall be appointed by the Lieutenant-Governor, or Commander-in-Chief for the time being, by and with the advice and consent of His Majesty's Council, and commissioned under the

Governor with the advice of Council to commission Justices to celebrate marriage.

the hand and seal of such Governor or Commander-in-Chief during pleasure, to solemnize or celebrate Marriages in such Counties or Parishes as may be deemed expedient and necessary; and that such Commissions or Warrants shall be made out and delivered to such Justices free, of any expence to them; and the names of such Justices so authorised shall be published in the Royal Gazette.

Commissions to be delivered free of expence, and the names to be published in the Royal Gazette.

Justices not of the Quorum may be appointed to celebrate marriage in the County of St. John.

III. *Provided always, and be it further enacted,* That Justices of the Peace, not of the Quorum, may be appointed to solemnize Marriages within the County of St. John.

Justices without commissions celebrating marriage after 1st July next subject to penalties as per 3 sec. 21 Geo. 3 c. 5.

IV. *And be it further enacted,* That if any Justice of the Peace or Quorum shall after the said first day of July next, presume to solemnize Marriage without being thereto duly authorised as aforesaid, he shall be subject to the like pains, penalties, and forfeitures, as other persons so offending are by the third Section of the said recited Act made subject and liable to.

Not to prevent the Governor commissioning magistrates in the sickness or absence of the Clergyman.

*Provided* that nothing herein contained shall extend or be construed to prevent the Lieutenant-Governor or Commander-in-Chief authorising Magistrates to solemnize Marriage, in the sickness or absence of the resident Parson, Vicar or Curate.

## CAP. X.

An Act to alter and amend the laws now in force relating to the establishment, regulation and improvement of the Great Roads throughout the Province, and to make more effectual provision for the same.

*Passed the 19th March, 1827.*

**W**HEREAS by an Act made and passed in the third year of His present Majesty's reign, intituled