

FOR the apprehension of Felons and other Malefactors who having committed crimes in some of Her Majesty's Provinces and Governments in North America, escaping into New Brunswick;—

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. If any person against whom a warrant may be issued by the Chief Justice of the Queen's Bench or Supreme Court, or by any other Justice having competent authority in any of Her Majesty's Provinces or Governments in North America, respectively, for any felony or other crime of a high nature, escapes into or is found in any part of New Brunswick, any Justice of the Peace of the County, City or place where such person resides or is supposed to be, may upon due proof being made of the hand writing of such Chief Justice or other Justice who issued the warrant, endorse his, the said Justice's name thereon; and such warrant so endorsed shall be a sufficient authority to all persons to whom such warrant was originally directed, and also to all constables and policemen of the County, City or place where such warrant has been so endorsed, to execute the same by apprehending the person or persons against whom such warrant has been granted, and to convey him or them into the Province or Government from which such warrant was originally issued, to be dealt with according to Law.

2. When any person charged with having committed any such felony or crime in any of Her Majesty's Provinces or Governments aforesaid, shall be arrested in any other of such Provinces or Governments, and it may become necessary to convey such person through this Province to the Province or Government in which the crime was committed, the officer in charge of the prisoner shall have the same power to convey him through this Province, as if the said prisoner had been arrested in this Province.

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### CAP. XXXVI.

An Act in further amendment of the Law relating to Courts of Probate.

Section.

1. Temporary appointment of Judges of Probate in cases of absence, authorized.

Section.

2. Ratification of proceedings by temporary Judges heretofore appointed.

*Passed 9th April 1860.*

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. In the absence from this Province of the Judge of Probates for any County, the Governor in Council may specially appoint some other person in his stead, who shall be sworn to the faithful performance of the duties of his office, and shall have all the powers incident thereto during the absence from the Province of the Judge of Probates for the County for which such temporary appointment is made.

2. All proceedings had and taken, and every matter or thing done according to the law relating to the powers and duties of Judge of Probates, by any Judge of Probate heretofore appointed during the temporary absence from the Province of any Judge of Probate of any County, shall be valid.

### CAP. XXXVII.

An Act to amend the Law relating to Divorce and Matrimonial causes.

#### Section.

1. Jurisdiction of Court of Governor in Council under Act 31 G. 3, c. 5, vested in a Court of Divorce and Matrimonial causes.
2. Appointment of the Judge of such Court.
3. Suits in certain stages transferred.
4. Orders of Court of Governor in Council may be enforced by the new Court.
5. Neglect to appear, &c. may be pronounced a contempt: Writ *de contumace capiendo*.
6. Absolution from contempt and discharge.
7. Power to issue subpoenas.
8. Examination of witnesses.
9. Enforcement of orders by Execution.
10. Practice and proceedings.

#### Section.

11. Power to make regulations as to practice and procedure, forms and fees.
12. Authenticated orders and decrees, or copies, to be evidence in all Courts.
13. Appeal to Supreme Court allowed.
14. Registrar of Court of Governor in Council to be Registrar of the new Court.
15. Barristers and Attorneys of Supreme Court to be entitled to practise in new Court.
16. Terms.
17. Citations, &c. to be tested in name of the Judge.
18. Repeal of 31 G. 3, c. 5, in part, 4 W. 4, c. 30, 6 W. 4, c. 34, and 10 V. c. 38.
19. Forms in Schedule.
20. Commencement of Act.

Passed 9th April 1860.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. As soon as this Act shall come into operation, all jurisdiction now vested in or exercisable by the Court of Governor in Council, under the authority of an Act made and passed in the thirty first year of the Reign of His late Majesty King George the Third, intituled *An Act for regulating Marriage and Divorce, and for preventing and punishing incest, adultery, and fornication*, in respect of suits, controversies, and ques-