

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1812. Saint John, NB: Jacob Mott, Printer to the King's Most Excellent Majesty, 1812.

52 George III – Chapter 21

An Act more effectually to provide for the public Registering of all Marriages solemnized within this Province. Passed the 7th of March, 1812.

Whereas the provisions made for the Registry of Marriages have been found to be ineffectual: and it is expedient that there should be but one book in each County for the Registry of all Marriages solemnized within the same.

I. Be it therefore enacted by the President, Council, and Assembly, That the fourth Section of an Act made and passed in the thirty-first year of the Reign of His Present Majesty, intituled "An Act for regulating Marriage and Divorce, and for preventing and punishing Incest, Adultery, and Fornication," be, and the same is hereby repealed.

II. And be it further enacted, That immediately after the passing of this Act the Clerks of the Peace of the several Counties in this Province, shall each be provided with a book at the expence of the Province, for the Registry of the Certificates of all Marriages which may be celebrated and solemnized within the said Counties respectively, which book shall contain six quires of good paper, and be well bound; and every page thereof shall be marked at the top with the figure of the number of every such page, and the same book shall be intituled and deemed and taken to be the book of Registry of Marriages for the same County.

III. And be it further enacted; That from and after the first day of May next, all Marriages shall be solemnized in the presence of two or more credible witnesses, besides the Minister or person who shall celebrate the same, and that immediately alter the celebration of every Marriage, a Certificate thereof shall be made in which it shall be expressed that the said Marriage was celebrated by Banns or Licence, and if both, or either of the parties named by Licence, be under age, with consent of the Parents or Guardians as the case maybe; and shall be signed by the said Minister or other person so celebrating the same, with his proper hand, and also by the parties named and attested by such two witnesses; which Certificate shall be made in the form or to the effect following, that is to say—

A. B. of the Parish of and C. D. of the Parish of (or same Parish,) were married by (Banns/License) with consent of (Father/Guardian) this ____ day of _____ in the year ____ by me E.F (Rector, &c. as the title may be). This Marriage was solemnized between us (A.B./C.D.) in the presence of (G.H./I.K.)

And the same Certificate so made and attested shall be within two months from the making thereof, transmitted by the said Minister, or other person so celebrating such Marriage, to the Clerk of the Peace of the said County, in which the same Marriage is solemnized, and be forthwith Registered at full length by such Clerk, in the book so provided as aforesaid, and when Registered

an indorsement made thereon of the day of such Registry, and the page of the book in which the same is Registered, and then the same Certificate shall be filed by the said Clerk to remain in his office.

IV. And be it further enacted. That at the time of the celebration of any Marriage, the Minister or person celebrating the same, shall demand and receive the sum of seven shillings and six pence, one moiety thereof as a compensation for making the Certificate of such Marriage, and transmitting the same as herein before mentioned, and the other moiety shall be paid by him to the Clerk of the Peace, as his fee for Registering and filing such Certificate.

V. And be it further enacted, That for every neglect or refusal of any person so celebrating any Marriage, to make and transmit the Certificate thereof, or of any Clerk of the Peace to Register and mark and file the said Certificate in manner and form aforesaid, the Person offending shall forfeit and pay to His Majesty, the sum of twenty pounds, to be recovered with costs of suit by bill, plaint or information in the Supreme Court of Judicature.

VI. And be it further enacted, That copies from the said Register of the entries therein made certified by the said Clerk of the Peace, under his hand, and the seal of the Court of General Sessions of the Peace, which the said Clerk is hereby authorised upon such occasions to use, shall be received and taken as evidence, in all Courts of Law of Equity in this Province; without other proof of the same being copies: Provided always that nothing in this Act contained, shall be construed to extend to any Marriages amongst the people called Quakers.