

*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 2

**An Act to amend an Act, intituled “An Act for regulating Marriage and Divorce, and for preventing and punishing Incest, Adultery, and Fornication” Passed the 21ft of Feb. 1812.**

Whereas in and by an Act made and passed in the thirty-first year of His Majesty's Reign, intituled “An Act for regulating Marriage and Divorce, and for preventing and punishing Incest, Adultery, and Fornication” it is provided and enacted, that in case there shall be no Parson, Vicar, Curate or other Person in Holy Orders of the Church of England, in any Town or Parish in this Province, in which any Persons of lawful age and capacity, shall intend to make a contract of marriage, it shall and may be lawful for any of His Majesty's Justices of the Peace, being of the Quorum, in the County where such Persons respectively reside, to solemnize and take the acknowledgement of marriage between such parties, in the manner and form directed and prescribed in and by the said Act, first giving such notification of such Banns of Matrimony as is directed in and by the same Act; And whereas by His Majesty's Letters Patent, or Royal Charter, granted, made and passed under the Great Seal of this Province, to the Mayor, Aldermen and Commonalty of the City of Saint John, ratified and confirmed by an Act of the General Assembly, made and passed in the twenty-sixth year of His Majesty's Reign, it was among other things granted to the said Mayor, Aldermen and Commonalty of the said City, and to their Successors forever, that the Mayor, Recorder and Aldermen of the said City, for the time being, should be at all times for ever thereafter Justices, and each of them a Justice of the Peace within the City and County of Saint John, and that they the said Mayor, Recorder and Aldermen of the said City, for the time being, and such other Person and Persons as His Majesty, his Heirs and Successors should from time to time assign to be Justice and Justices of the Peace, within the said City and County of Saint John, whereof the said Mayor, Recorder, or any one of the Aldermen of the said City, for the time being, should be one, should and might forever thereafter hold and keep four Courts of General Quarter Sessions of the Peace, in and for the said City and County, in every year. And whereas great inconveniencies have arisen from the want of some Person or Persons duly authorised to solemnize and take the acknowledgement of marriage between such parties as aforesaid, intending to make a contract of marriage in the several Parishes, in the said County of Saint John, distinct from the said City, in which there is not any Parson, Vicar, Curate or other Person in Holy Orders of the Church of England, by reason that no Persons other than the said Mayor, Recorder and Aldermen of the said City can, consistently with the said Royal Charter ratified and confirmed as aforesaid, be appointed Justices of the Quorum in the said County: For remedy whereof.

I. Be it enacted by the President, Council, and Assembly, That from and after the passing of this Act, it shall and may be lawful for His Majesty's Justices of the Peace, for the said City and County of Saint John, not being of the Quorum, severally and respectively to solemnize and take the acknowledgement of marriage, in all cases where any Justice of the Peace, being of the Quorum, may solemnize and take the same by virtue of the said first herein before in part recited Act, in manner and form as prescribed by the same Act, to such Justice of the Peace being of the

Quorum, and such Justice of the Peace shall have the like power and authority in every respect as any Justice of the Peace, being of the same Quorum, can or may have under and by virtue of the same Act, any thing in the same Act contained to the contrary thereof in any wise notwithstanding.

II. And be it further enacted, That such justices of the Peace as aforesaid, as shall solemnize and take the acknowledgement of any marriage under and by virtue of this Act, shall be respectively subject and liable to the same rules, regulations, penalties and forfeitures in every respect, and to all intents and purposes as Justices of the Peace, being of the Quorum, are subject and liable to under and by virtue of the said first herein before recited Act, any thing in the same Act contained, to the contrary thereof in any wise notwithstanding.

III. And be it further enacted, That the said first herein before recited Act, and every clause, matter, and thing therein contained, not altered and amended by this Act, shall be and remain in full force, any thing in this Act contained, to the contrary thereof in any wise notwithstanding.