

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1827. Fredericton, NB: George K. Lugin, Printer to the King's Most Excellent Majesty, 1827.

8 George IV – Chapter 9

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.” Passed the 19th March, 1827.

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

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.

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 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.

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.

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.

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.