

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1834. Fredericton, NB: John Simpson, Printer to the King's Most Excellent Majesty, 1834.

4 William IV – Chapter 30

An Act for the further Regulation of the Formation of the Court of Governor and Council for the Determination of all Suits and Controversies touching and concerning Marriage and Divorce. Passed 22d March 1834.

Whereas since the passing of the Act of 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, an Alteration in the Constitution of His Majesty's Council of this Province having taken Place, by separating the Executive from the Legislative Council, and thereby dividing them into Two distinct Bodies, it has become necessary to make some further Provisions in respect to the Constitution of the Court of Governor and Council constituted and appointed in and by the Fifth Section of the herein before in Part recited Act;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the Members of the said Court of Governor and Council, in and by the said Fifth Section of the said herein before in Part recited Act mentioned and constituted, shall consist of the Lieutenant Governor or Commander in Chief of, and His Majesty's Executive Council for, the said Province, for the Time being, together with any One of the Judges of the Supreme Court, or the Master of the Rolls of the said Province, to be from Time to Time for that Purpose appointed, as Vice President of the same Court; which Appointment of such Vice President to be made in Manner as directed by the Seventh Section of the said herein before in Part recited Act: and such Vice President when so appointed shall have, hold and exercise, in the Absence of the said Lieutenant Governor, all the Powers, Privileges, Authority and Jurisdiction mentioned and declared in and by the said Seventh Section of the said herein before in Part recited Act; and that the Lieutenant Governor or Commander in Chief of the said Province for the Time being, shall and is hereby declared to be President of the said Court; but the said Vice President so to be appointed as aforesaid, and any Two Members of His Majesty's Executive Council for the said Province for the Time being, shall and are hereby declared to be a sufficient Number of Members at all Times to constitute a Court for the Despatch and determining of all Matters of Business brought before the said Court that may be within the Jurisdiction of the same.

II. And be it enacted, That the said Court of Governor and Council so constituted as in and by this Act is directed, shall have all the Powers, Authority, Privileges, Judicature and Jurisdiction, that are given to the Court of Governor and Council mentioned and constituted in and by the said hereinbefore in Part recited Act; and that all the Provisions of the said herein before in Part recited Act, so far as the same relate to the Court of Governor and Council therein mentioned, and to all Matters within the Jurisdiction thereof, shall also extend and be construed to extend and apply to the Court of Governor and Council in this Act mentioned and constituted, except so far as the same are hereby altered as to the Constitution of the said Court.