

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1839. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1839.

2 Victoria – Chapter 37

An Act in amendment of the Act relating to the appointment of a Master of the Rolls in the Court of Chancery. Passed 23d March 1839.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the right and power of appointment to the office of the Master of the Rolls, pursuant to an Act of the Assembly passed in the first year of Her present Majesty's Reign, intituled "An Act to authorise the appointment of a Master of the Rolls to the Court of Chancery in this Province, and to provide for such officer," and subject to the provisions and limitations therein contained, shall and is hereby declared to be vested in the Queen's Majesty and Her successors, any thing in the said recited Act to the contrary notwithstanding.

II. Provided always and be it enacted, That nothing in this Act contained shall extend or be construed to cancel, vacate or annul, or to authorize the cancelling, vacating or annulling of the appointment already made by His Excellency the Lieutenant Governor to the said Office by virtue of the power and authority in him vested, by and in due conformity with the said recited Act; but the present Master of the Rolls shall continue to hold and enjoy the said office, with all the rights, privileges and advantages thereunto appertaining, according to the provisions of the said recited Act: Provided also, that nothing in this Act contained shall extend or be construed to prevent a provisional appointment being made to the said office in case of vacancy, by the Lieutenant Governor or Commander in Chief for the time being, in like manner as in the case of other judicial appointments.

III. 'And whereas it is deemed necessary for the convenience of suitors and the despatch of business, that the Master of the Rolls should reside where the Court of Chancery sits;' Be it therefore enacted, That from and after the first day of October next, the usual place of residence of the Master of the Rolls shall be in the place where the Court of Chancery sits, and not elsewhere.