

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1849. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1849.

12 Victoria – Chapter 62 (1848)

An Act in addition to an Act, intituled *An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province.* Passed 30th March 1848.

Whereas it is deemed reasonable and just that the authorized Ministers of other Religious Denominations in this Province should enjoy equal privileges in the solemnizing of Marriage with the Ministers of the Churches of England, Scotland and Rome;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, all Ministers of the New Brunswick Wesleyan District, all Ministers of the Presbyterian Church of New Brunswick adhering to the Westminster Standard, all Ministers of the Baptist Church in connexion with the New Brunswick Baptist Association, all Ministers of the Independent or Congregational Church in connexion with the Congregational Union of Nova Scotia and New Brunswick, and all Ministers of the Reformed Presbyterian Church of New Brunswick, being British Subjects, and not engaged in any secular calling, and having charge of a Congregation, shall be and they are hereby authorized and empowered, in virtue of their ordination respectively, to solemnize Marriage within this Province, agreeably to the forms and usages of their respective Churches or Denominations; provided always, that immediately upon any person being hereafter ordained in this Province, as a Minister of and in any of the said Denominations, and being a British Subject, such ordination shall be certified by the person or persons performing the same, and such certificate shall be forthwith transmitted to the Secretary of the Province; and also provided, that upon any ordained Minister of any of the said Denominations arriving in this Province, and being associated with the resident Ministers thereof, a Certificate signed by any two of such resident Ministers, certifying his ordination and connexion with their Denomination, shall be forthwith transmitted as aforesaid to the Office of the Provincial Secretary.

II. And be it enacted, That any Minister so certified as aforesaid shall immediately upon the receipt of such Certificate at the Office of the Provincial Secretary as aforesaid, be fully authorized and empowered to solemnize Marriage within this Province, and shall continue so authorized and empowered so long as he may remain in connexion with the Denomination with which he may be associated at the time of such Certificate as aforesaid.

III. And be it enacted, That in the event of any Minister so authorized as aforesaid, leaving or being expelled from the Denomination to which he may belong when so authorized as aforesaid, the same shall be forthwith notified in writing, signed by two of the Ministers of the Denomination to which such Minister may belong, to the Provincial Secretary, and upon receipt of such notification, the said power and authorities of such Minister shall cease and determine.

IV. And be it enacted, That every Marriage to be solemnized under this Act shall be subject to all the provisions, and every person or persons concerned therein shall be subject to all the pains and penalties prescribed in and by the second, third and fourth sections of an Act made and passed in the fourth year of the Reign of King William the Fourth, intituled *An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province*, in the same manner and to the same extent in every respect as if such Marriage had taken place by a Minister regularly licenced to celebrate and solemnize Marriages under the authority of the Lieutenant Governor or Commander in Chief of this Province, as therein mentioned.

V. And be it enacted, That this Act shall not come into operation until Her Majesty's Royal approbation be thereunto first had and declared.

[This Act was specially confirmed, ratified and finally enacted by an Order of Her Majesty in Council, dated the 21th day of June, 1848, and published and declared in the Province, the 19th day of July, 1848.]