

ART. 5.

Whosoever shall set up, or shall by writing or printing, publish the setting up of any Lottery with intent to have such Lottery drawn, or to induce persons to purchase tickets for any such Lottery, or shall play, throw or draw at any such Lottery, or shall purchase any lot, card or ticket for any such Lottery, shall be guilty of a Misdemeanor, and shall be liable to be fined or imprisoned, or both, at the discretion of the Court. Publishing or drawing Lotteries.

ART. 6.

Nothing in the last preceding Article shall extend or be construed to extend to affect the disposal or allotment of Fishing Lots or Drafts in the City of Saint John, under the direction of the Mayor, Aldermen and Commonalty of the said City, in manner heretofore accustomed. Exceptions.

CHAPTER IV.

OFFENCES AGAINST THE LAW OF MARRIAGE.

SUMMARY OF CONTENTS.

Article 1, Bigamy; Art. 2, Exceptions; Art. 3, Persons not authorized celebrating or assisting at a Marriage; Art. 4, Celebrating Marriage without Bans or Licence; Art. 5, Limitation.

ART. 1.

Whosoever being married shall marry any other person during the life of the former husband or wife, whether the second marriage shall have taken place in this Province or elsewhere, shall be guilty of Felony, and being convicted thereof, shall be liable to be imprisoned for any term not exceeding two years, and also fined, if the Court should so award. Bigamy.

ART. 2.

Provided that nothing in the last preceding Article contained, shall extend to any second marriage contracted out of this Province by any other than a subject of Her Majesty, or to any person marrying a second time whose husband or wife shall have been continually absent from such person for the space of seven years then last past, and shall not have been known by such person to be living within that time, or shall extend to any person who at the time of such second marriage shall have been divorced from the bond of the first marriage, or to any person whose former marriage shall have been declared void by the sentence of any Court of competent jurisdiction. Exceptions.

ART. 3.

Whosoever not being first thereto duly authorized, shall presume to solemnize or celebrate marriage, or shall officiate or assist in solemnizing or celebrating or making any marriage, or contract of present marriage, between any persons whomsoever, any such offender being thereof convicted upon indictment or information of Her Majesty's Attorney General before any Court of Oyer and Terminer and General Gaol Delivery, shall for every such offence forfeit and pay a fine to the use of Her Majesty, not exceeding one hundred pounds nor less than fifty pounds, and suffer twelve months imprisonment. Person not authorized, celebrating or assisting at a marriage.

ART. 4.

Whosoever being duly authorized to solemnize marriage, shall presume to solemnize or celebrate marriage between any persons whomsoever, before proclamation or notification of Bans of Matrimony between them first made according to Law, except a Licence be first had and obtained therefor by and under the Hand and Seal of the Lieutenant Governor or Administrator of the Government for the time being, shall be guilty of a Misdemeanor, and shall be liable on conviction, to pay a fine of twenty pounds. Celebrating Marriage without Bans or Licence.

ART. 5.

Provided that any prosecution for any offence or penalty under the last preceding Article, shall be commenced within twelve months after such offence committed, and not afterwards. Limitation.