

between the *Rector* and a *Clergyman*, officiating within the limits of the former's Parish—appears to have been misconstrued into a *general prohibition* to issue Licenses, in future, to any but Clergymen of the Church of England; and has led to the adoption of the form now used. Of this the Committee annex a Copy.

Conformably also to this view of the subject, the Committee consider the Act—passed in 1819, relative to Marriages and the issuing of Marriage Licenses—to have been with great propriety made a *declaratory Statute*: and as they are satisfied its provisions were reasonable and just, they cannot but concur in the universal sentiment of regret, which pervaded the Province when the intelligence of its disallowance was communicated in 1822.

The inducements which led the Legislature to pass this Act are most distinctly and powerfully detailed in the joint address from the Council and Assembly, which accompanied it to England. In the opinion of the Committee, these still continue in full force; and require only to be urged by the Assembly, in a proper manner, to overcome the *suggestions*, which, on that occasion, interfered with the favorable consideration usually extended by his Majesty's Government to the requests of this Colony.

The Committee however must bring to the notice of the House, that the fate of a similar Bill—sent in 1824 to His Majesty's Council—and the express terms of His Majesty's Instructions, relative to measures which have once received the Royal disapprobation, preclude the possibility of any further Legislative Enactment here, until His Majesty's pleasure shall be signified. It only remains therefore for the Committee to recommend to the House:—that an humble Address be presented to his Majesty, setting forth the reasonable claims of the Clergy—of the Dissenting part of his subjects—and praying that authority may be given to His Excellency the Governor to assent to an Act for removing the grounds of complaint preferred by the Petitioners—and for conferring the privileges they so anxiously solicit.

On a subject, which must necessarily be of so much importance in a public point of view, as the due and orderly Solemnization of the Marriage Ceremony, the Committee have thought it their duty to present some further observations on the existing regulations affecting it. The claim, by the Clergy of the Church of England, of an exclusive right to the Marriage Licenses,—so much insisted on in the observations communicated in 1820, by Earl Dalhousie, and in the Report of the Honorable the Committee of the Privy Council recommending the disallowance of the Bill,—have led the Committee to a hasty investigation of the true nature of the *Licence* or *dispensation*. They find it as well as the *publication of Banns* to have been used for the purpose of preventing clandestine, and