

The Provincial Statutes of Lower-Canada, Being the first session of the fourteenth Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1831.

1 William IV – Chapter 56

An Act to afford relief to a certain Religious Congregation at Montreal, denominated, Presbyterians.

31st March, 1831.—Presented for His Majesty's Assent and reserved "for the signification of His Majesty's pleasure thereon."

12th April, 1832.—Assented to by His Majesty in His Council.

5th June, 1832.—The Royal Assent signified by the Proclamation of His Excellency the Governor in Chief.

Whereas certain Protestants at Montreal, denominating themselves Presbyterians, although not regularly of the established Church of Scotland, nor in connection with same, have by their petition to the Legislature, prayed that the Reverend George W. Perkins, their present Minister, or the person who may hereafter have the pastoral charge of the Congregation to which they belong, should be duly authorized to solemnize Marriages, administer Baptism, and inter the dead, and to keep Registers authenticated in due form of Law for that purpose, and also that they may be enabled to take and hold the Land required for the site of a Church or Meeting House, Burial Ground, and Dwelling-House, for the use of a Religious Teacher or Minister, And whereas, it is equitable that these privileges should be extended to the said Reverend George W. Perkins, or the Minister for the time being of such Presbyterian Congregation, and that the said Congregation should be enabled to take and hold the land required for the site of a Church or Meeting House, Burial Ground, and Dwelling-house, for the use of a Religious Teacher or Minister: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America,' and to make further provision for the Government of the said Province;" and it is hereby enacted by the authority of the same, that it shall be lawful for the said George W. Perkins, or any Minister for the time being of the said Congregation, to obtain, have and keep, subject always to the penalties by law in this behalf provided, Registers duly authenticated according to law, of all such Marriages, Baptisms and Burials, as may be performed or take place under the ministry of such Minister or Clergyman; and which Registers the necessary legal formalities as by law already provided, in relation to Registers of the like nature being observed, shall to all intents and purposes, have the same effect at

law as if the same had been kept by any Minister in this Province of the established Church of England or Scotland, any law to the contrary notwithstanding.

II. And be it further enacted by the authority aforesaid, that whenever the said Congregation shall have occasion to take a conveyance of land for any of the uses hereinbefore set forth, it shall be lawful for them to appoint Trustees, to whom and to whose successors, to be appointed in such manner as shall be specified in the deed of conveyance, the land required for all or any of the purposes aforesaid, may, be conveyed, and it shall be competent to such Trustees and their successors in perpetual succession, to take, hold and possess such land, and to commence, maintain or defend any action or actions at law for the protection of or in any way concerning their rights and property therein.

III. And be it further enacted by the authority aforesaid, that no more than two arpents of land in superficies shall be held in trust in the manner and for the purposes aforesaid for the use of the said Corporation.

IV. And be it further enacted by the authority aforesaid, that such Trustees shall, within twelve months after the execution of any such deed of conveyance, cause the same to be enregistered in the office of the Prothonotary of the Court of King's Bench for the District in which the land so conveyed shall lie, for which enregistration the said Prothonotary shall be entitled to a fee of sixpence currency for every hundred words, and no more.

V. And be it further enacted by the authority aforesaid, that all conveyances made before the passing of this Act, for all or any of the purposes therein mentioned, shall be good and valid in law, in like manner as if the same had been made after the passing of this Act: Provided always, that such conveyance shall have been so enregistered as aforesaid, or shall hereafter be so enregistered within twelve months after the passing of this Act; and provided also, that the whole extent of land so held for the use of the said Congregation, shall not in any case exceed two arpents in superficies as aforesaid.

VI. Provided always, and be it further enacted by the authority aforesaid, that the Minister or Trustees of the said Congregation shall not be entitled in any respect to the benefit of this Act unless they shall respectively be subjects of His Majesty, and shall have severally taken the oath of allegiance before a Judge of a Court of King's Bench for the said District of Montreal, (which oath such Judge is hereby authorized to administer,) and a certificate of the taking of such oath shall be made by the Prothonotary of the said Court in duplicate and signed by the said Judge, whereof one copy shall be fyled of record in the office of the said Prothonotary, and the other shall be delivered to the person taking such oath, and the said Prothonotary shall be entitled to receive for such certificate and the duplicate thereof and for fyling the same, two shillings and sixpence currency, in the whole, and no more.

VII. And be it further enacted by the authority aforesaid, that nothing herein contained shall affect or be construed to affect in any manner or way whatsoever, the rights of His Majesty,

His Heirs and Successors, or of any body politic or corporate, or of any person or persons, such only excepted as are herein mentioned.

VIII. And be it further enacted by the authority aforesaid, that this Act shall be taken and deemed to be a public Act, and as such shall be judicially taken notice of by all Judges, Justices of the Peace, and all others whom it shall concern without being specially pleaded.