

*The Provincial Statutes of Lower-Canada, Being the fourth session of the fourteenth Provincial Parliament of Lower-Canada.* Quebec: John Carleton Fisher & William Kemble, Law Printer to the King's Most Excellent Majesty, 1834.

4 William IV – Chapter 19

**An Act for the relief of the Congregational Societies in this Province. (18<sup>th</sup> March, 1834.)**

Whereas certain Protestant Inhabitants of this Province denominating themselves, "Members of Congregational Societies," have by divers Petitions by them presented to the Legislature, prayed that their present Ministers and the persons who may hereafter succeed them as such, being duly ordained and being subjects of His Majesty, 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 whereas it is equitable that the prayer of their said Petitions should be granted:—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 any regularly ordained Minister of any "Congregational Society," in the Province having a fixed and permanent Congregation of Protestant Christians composing such Society, to obtain, have, and keep (subject to all penalties by Law in this behalf provided) Registers duly authenticated according to Law, of all Marriages, Baptisms and Burials, as may be performed or take place under the ministry of such Minister; and such Registers (the necessary legal formalities as by Law already provided in relation to Registers of like nature being observed) shall to all in ten is and purposes have the same effect in Law, as if the same had been kept by any Minister in this Province, any Law to the contrary notwithstanding.

II. Provided always, and be it further enacted by the authority aforesaid, that no Minister of any such "Congregational Society," shall be entitled to the benefit of this Act, unless he shall have taken the oath of allegiance before a Judge of the Court of King's Bench for the district in which he shall reside, (which oath such Judge is hereby authorized and required to administer;) and a certificate of the taking such oath shall be made by the Prothonotary of the said Court in duplicate, and signed by the Judge, and one copy of such certificate shall be filed of record in the office of such Prothonotary, and the other shall be delivered to the person taking such oath; and for such certificate and the duplicate thereof, and for filing the same, the Prothonotary shall be entitled to two shillings and six pence currency and no more; nor shall any such Minister be entitled to the benefit of this Act, unless he shall at the time of taking such oath as aforesaid, produce to the Judge who shall administer the same, the certificate of his ordination, and of the invitation or call to become their Minister, by him received from his Congregation and of his installation as such Minister: or legally attested

copies of such Documents respectively; and all such Documents shall be copied into each Register to be kept by such Minister under the authority of this Act, and the copies so made therein certified to be correct by the Prothonotary before such Register shall be authenticated by him or by any Judge of the Court: nor shall any such Minister be entitled to the benefit of this Act, unless he shall at the time of taking the oath aforesaid, give security in the sum of one hundred pounds currency, jointly and severally with two good and sufficient sureties; before and to the satisfaction of the Judge who shall administer such oath, that whenever he shall by death or otherwise cease to be the Minister of such Congregation, each and every Register not previously deposited in the Prothonotary's Office in which it ought by Law to be deposited, shall be so deposited within two months after he shall have ceased to be such Minister.

III. Provided always, and be it further enacted by the authority aforesaid, that whenever the connection between any such Minister, and the said Congregation shall cease, the duplicate of the Register shall be the property of the said Congregation and shall be deposited with the Trustees thereof to be kept by the Successor of such Minister, for the use of the said Congregation.

IV. And be it further enacted by the authority aforesaid, that the Registers which shall have been so kept, and the several entries made therein according to the Laws in force in this Province, as well as authentic copies of the entries therein made, shall to all intents and purposes be good and available in Law as if the said Register had been kept pursuant to the Act passed by the Legislature of this Province, in the thirty-fifth year of the Reign of His Majesty George the Third, intituled, "An Act to establish the form of Registers of Baptisms, Marriages and Burials, to confirm and make valid in Law the Registers of the Protestant Congregation of Christ Church, Montreal, and others which may have been informally kept, and to afford the means of remedying omissions in former Registers." Provided always, that all and every the Regulations and requirements of the said Act with respect to the Registers therein mentioned, be also observed with respect to the Registers to be kept pursuant to this Act.

V. Provided always, and be it further enacted by the authority aforesaid, that the Ministers keeping Registers pursuant to this Act, shall in all respects comply with and be governed by the above recited Act, and shall in case of disobedience to the said Act be liable to the penalties in like cases provided by the said Act, which penalties shall also be recoverable, paid, applied and accounted for in the same manner as the penalties by the said Act imposed are thereby directed to be paid, applied and accounted for.

VI. And be it further enacted by the authority aforesaid, that this Act shall be deemed and taken 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 may concern, without being specially pleaded.