

The Provincial Statutes of Lower-Canada, Being the second session of the fifteenth Provincial Parliament of Lower-Canada. Quebec: John Carleton Fisher & William Kemble, Law Printer to the King's Most Excellent Majesty, 1836.

6 William IV – Chapter 49

An Act for the relief of divers Societies of Protestant Christians therein mentioned. (21st March, 1836.)

Whereas certain Protestant Inhabitants of this Province, denominating themselves "Members of Calvinist Baptist Societies," and also certain other Protestant Inhabitants of this Province denominating themselves "Members of Free-will Baptist Societies," and also certain other Protestant Inhabitants of this Province, denominating themselves "Members of Universalist Societies," have by divers their Petitions by them respectively presented to the Legislature, prayed that their present Ministers and all who may succeed them as such, and all others who may hereafter be regularly installed and settled in the Pastoral Office over Churches and Societies, in connection with the said Calvinist, Baptist, Free-will Baptist, or Universalist Societies, or either of them, being duly ordained, and being subjects of His Majesty, resident in this Province, should be duly authorised, to solemnize Marriages, enregister Births and Baptisms, 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 Calvinist Baptist Society, Free-will Baptist Society, or Universalist Society, in this Province, having a fixed and permanent Congregation of Protestant Christians, composing such Society, in regular standing and connexion with the associations, and quarterly meetings of either of the said Societies to solemnize Marriages, enregister Births, administer Baptism, and inter the dead, and to obtain, have and keep, (subject to all penalties by Law in this behalf provided,) Registers duly authenticated according to Law, of all such Marriages, Births, 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 intents and purposes have the same effect in Law, as if the same had been kept by any Priest or Minister of 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 Calvinist, Baptist Society, Free-will Baptist Society, or Universalist 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, or Provincial Judge or resident Judge for the District, or Inferior District in which he shall reside, (which oath such Judge is hereby authorised and required 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 Judge, and one copy of such Certificate shall be fyled of record in the Office of said Prothonotary, and the other shall be delivered to the person taking such oath; and for such Certificate and the Duplicate thereof, and for fying the same, the Prothonotary shall be entitled to two shillings and six pence currency, and no more; nor shall any 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 Iris Installation or Ordination as such Minister, or legally attested copies of such Documents respectively; and all such Documents shall be copied into the Register to be kept by such Minister under the authority of this Act, and the copies so made therein by such Minister shall be 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 connexion between any such Minister and such Congregation shall cease, the Duplicate of the Register shall be the property of such Congregation, and shall be deposited with the Clerk thereof, to be kept by the successor of such minister for the use of 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 entries therein made, shall to all intents and purposes be good and valid in Law, as if the said Registers 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 Marriages, Births, Baptisms, and Burials, to confirm and make valid in Law the Registers of the Protestant Congregation of Christ's Church in 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, shall be always 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 requirements of the above recited Act, and shall, in case of disobedience thereto, 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.