

*The Provincial Statutes of Lower-Canada, Being the fourth session of the of the Special Council, begun and holden at the City of Montreal, in the said Province of Lower Canada, fourteenth day of February, 1839.* Quebec: John Carleton Fisher & William Kemble, Law Printer to the Queen's Most Excellent Majesty, 1839.

2 Victoria – Chapter 17 (Session 4)

**An Ordinance to extend certain privileges therein-mentioned to the Ministers of the Methodist New Connexion, and the Congregations under their care.**

Whereas the Reverend John Addyman, and the Reverend John Hutchinson, Ministers of the Methodist New Connexion, have, by their Petition to His Excellency the Governor in Chief of this Province, represented, that they have been appointed, at the last Annual Conference of the said Methodist New Connexion, held at Leeds, in the County of Yorkshire, in England, to labour as Missioners in this Province, and have established themselves as such in the Seigniories [Seigneuries] of De Lery and Lacolle, and in the Township of Hemmingford, and have raised Churches and formed Congregations therein, and have prayed, that they, and such other Ministers as shall be duly appointed at any Annual Conference of the said Methodist New Connexion, may be authorised to keep in due form of Law, Registers of all such Baptisms, Marriages and Burials, as shall be by them respectively performed; and whereas it is just that such privileges should, under certain rules and regulations, be extended to the said Petitioners and other Ministers, as aforesaid:—Be it therefore Ordained and Enacted by His Excellency the Governor of the Province of Lower Canada, by and with the advice and consent of the Special Council for the affairs of the said Province, constituted and assembled by virtue of and under the authority of an Act of the Parliament of the United Kingdom of Great-Britain and Ireland, passed in the first year of the Reign of Her present Majesty, intituled, “An Act to make temporary provision for the Government of Lower Canada,” and it is hereby Ordained and Enacted by the authority of the same, that from and after the passing of this Ordinance, it shall be lawful for the said Reverend John Addyman, and the said Reverend John Hutchinson, so long as they shall remain such Ministers as aforesaid, and for such other persons as may have been or may be appointed to be such Ministers as aforesaid, at any Annual Conference of the said Methodist New Connexion, held or to be holden in England, and having a regularly established Circuit, with a Congregation or Congregations, under their care, to have and keep Registers of Baptisms, Marriages and Burials, according to the Laws of this Province.

II. Provided always, and be it further Ordained and Enacted by the authority aforesaid, that no such Ministers as aforesaid shall be entitled to the benefit of this Ordinance, unless he shall have taken the oath of Allegiance before a Judge of the Court of King's Bench, or of the Provincial Court 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 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; nor shall any

Minister be entitled to the benefit of this Ordinance, 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, or appointment, as such Minister, or a legally attested copy, thereof; and such certificate of Ordination or appointment shall be copied into each Register to be kept by such Minister, under the authority of this Ordinance, and the copy so made therein shall be certified to be correct by the Prothonotary, before any 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 Ordinance, unless he shall, at the time of taking such oath as 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 the Congregation or Congregations, to which his appointment as such Minister shall refer, 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 Ordained and Enacted by the authority aforesaid, that whenever the connexion between any such Minister and such Congregations shall cease, the duplicate of the Register shall be the property of such Congregation or Congregations, and shall be deposited with the Clerk thereof, to be kept by the successor of such Minister, for the use of such Congregation or Congregations.

IV. Provided always, and be it further Ordained and Enacted by the authority aforesaid, that such Registers, after the removal of such Minister from the City, Town, or place in which they may respectively have officiated, and have kept such Registers, shall be deposited with their successors in office, or in case there should be no such successors, then with the Prothonotary of the Court of King's Bench, or of the Provincial Court for the District, or Inferior District, wherein such Minister may have usually resided or officiated.

V. Provided always, and be it further Ordained and Enacted by the authority aforesaid, that on his removal from one City, Town, or place, to another City, Town or place in this Province, such Minister shall be entitled to have and obtain a new Register for the place to which he shall have removed, if none shall have been previously obtained, or kept at such place, by some Minister of the said Methodist New Connexion.

VI. And be it further Ordained and Enacted by the authority aforesaid, that the Registers which shall have been so kept, with 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 Registers had been kept pursuant to an Act of the Legislature of this Province, or of the thirty-fifth year of the Reign of His Majesty King George the Third, intituled, "An Act to establish the forms of Registers of Baptisms, Marriages and Burials, to confirm and make valid in Law the Register 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 such amendments, as may have been, or may be made therein by the Legislature of this Province, shall be also observed with respect to Registers to be kept by virtue of this Ordinance.

VII. Provided always, and be it further Ordained and Enacted by the authority aforesaid, that the Ministers keeping Registers pursuant to this Ordinance, shall, in all respects, comply with, and be governed by the Act above cited, so amended as aforesaid, and shall in case of disobedience to the same, be liable to the penalties therein provided in like cases, which penalties shall 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.

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

IX. And be it further Ordained and Enacted by the authority aforesaid, that an Ordinance of this Province, made and passed in the first year of the Reign of Her Majesty, intituled, "An Ordinance to declare and ascertain the period when the Laws and Ordinances made and passed by the Governor or person authorised to execute the Commission of Governor, and Special Council of this Province, shall take effect," be, and the same is hereby repealed as to this Ordinance only, and that this present Ordinance shall commence and have effect within the said Province, so soon as the Governor or person authorised to execute the Commission of Governor of the said Province shall have assented to and signed this present Ordinance.

J. COLBORNE.

Ordained and Enacted by the authority aforesaid, and duly passed in Special Council, at the Government House, in the City of Montreal, the Fourteenth day of March, in the second year of the Reign of our Sovereign Lady Victoria, by the Grace of God, of Great Britain and Ireland, Queen, Defender of the Faith, and so forth, and in the Year of our Lord One Thousand Eight Hundred and Thirty-nine.

By His Excellency's Command,  
W. B. LINDSAY,  
Clerk Special Council.