



ANNO DECIMO ET UNDECIMO

VICTORIÆ REGINÆ.

CAP XVIII.

An Act to extend the Provisions of the Marriage Act of Upper Canada to Ministers of all denominations of Christians.

[28th July, 1847.]

WHEREAS divers inhabitants of that part of the Province called Upper Canada, of various Religious Denominations of Christians not enumerated in the third Section of an Act passed by the Legislative Council and Assembly of the late Province of Upper Canada, in the eleventh year of the Reign of His late Majesty, King George the Fourth, and assented to by His late Majesty, King William the Fourth, in the first year of His Reign, intituled, *An Act to make valid certain Marriages heretofore contracted, and to provide for the future solemnization of Matrimony in this Province*, have, by their Petitions, prayed that their respective Ministers may be authorized to solemnize Marriages; and it is just and expedient to grant the prayer of such Petitions: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted, by the authority of the same, That all the powers, privileges and advantages by the Act first above cited conferred upon or vested in any Clergyman or Minister of any of the several Religious Denominations mentioned in the third section of the said Act shall be and the same are hereby conferred upon and vested in any Clergyman or Minister of any Religious Denomination of Christians whatever, as fully and effectually to all intents and purposes, and on the same conditions and restrictions, and subject to all the penalties imposed by the said Act for any contravention of the provisions thereof, as if such Religious Denomination of Christians had been among the number of the Religious Denominations mentioned in the said third Section.

Preamble.
Act of U. C.
11 Geo. 4. c.
36, cited.

Powers granted by the said Act to Ministers of certain denominations, extended to Ministers of all denominations of Christians.

II. And be it enacted, That no Clergyman or Minister of any of the several Religious Denominations mentioned in the third Section of the said recited Act, or of those to whom this Act refers, shall be entitled to the benefit of either of the said Acts unless he be a subject of Her Majesty, and shall have taken the oath or affirmation of allegiance before the Registrar of the County in which he shall officiate as such Clergyman or Minister, which oath or affirmation, the said Registrar is hereby authorized and required to administer, and unless he shall also at the time of taking such oath or affirmation as aforesaid,

On what conditions Ministers shall be entitled to such powers. Oath of allegiance.

Certificate of appointment to the Ministry.

aforesaid, produce to such Registrar evidence of his being a recognized Clergyman or Minister of the Religious Denomination to which he professes to belong, which evidence shall consist of a Certificate from the Bishop, Moderator of Presbytery, Clerk of Conference, Church-wardens, Trustees or Managers, as the case may be, of the body to which such Clergyman or Minister may belong, that he is a recognized Clergyman or Minister of such Denomination, and has been set apart according to the rules and discipline of such Denomination, as a recognized Minister thereof, and the said Registrar is hereby authorized and required to grant to such Clergyman or Minister, a Certificate of his having conformed to the provisions of this Act.

Registrar to keep a record of the taking of such oath of allegiance.

III. And be it enacted, That the said Registrar shall keep a Registry of such oaths or affirmations of allegiance and certificates, and of Certificates by him granted thereupon, in which shall be entered true copies of the same, and for all of which he shall be entitled to the sum of five shillings.

This Act not to affect persons now entitled to celebrate marriage.

IV. And be it enacted, That nothing in this Act shall affect in any way the authority to celebrate Marriage now vested in any person under the provisions of the above recited Act.

It shall hereafter not be requisite for any Minister to appear before the Court of Quarter Sessions, &c.

V. And be it enacted, That from and after the passing of this Act, it shall no longer be necessary for any Clergyman or Minister of any of the Denominations mentioned in the said recited Act, to give proof of his ordination, constitution or appointment as such Minister, before any Court of Quarter Sessions according to the requirements of that Act, or to obtain any certificate from such Court, but his compliance with the provisions of this Act shall to all intents and purposes be equivalent to the same.

This Act to extend only to Upper Canada.

VI. Provided always, and be it enacted, That this Act shall extend only to that part of this Province which formerly constituted the Province of Upper Canada.

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