

and be held to have been entitled to all allowances out of the public moneys, and all other benefits and advantages of the said Act, in like manner as if such Members and Officers had been elected in the month of February, one thousand eight hundred and forty-nine, for the said year.

CAP. XLVII.

An Act to relieve Ministers of the Wesleyan Methodist Church in Canada, from the obligation to obtain Special Licenses in order to keep Registers of Baptisms, Marriages and Burials in Lower Canada.

[24th July, 1850.]

Preamble.

WHEREAS it has been represented to the Legislature, that the Conference of the Wesleyan Methodist Church in Canada, has been accustomed and continues to appoint from year to year certain Ministers of the said Church to labour as Missionaries and Pastors in Lower Canada; and whereas the Ministers of the said Church are authorized by law to solemnize Matrimony, register Baptisms and perform all the functions of their Office in Upper Canada; and whereas it is desirable that those of them who are now labouring or who shall from time to time labour in Lower Canada, be relieved from certain disabilities and inconveniencies to which they now are liable and be authorized to keep in due form of law, Registers of all such Baptisms, Marriages and Burials as shall by such Ministers be performed: 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 from and after the passing of this Act it shall and may be lawful for any regularly ordained Minister of the Wesleyan Methodist Church in Canada having a regular established circuit with a congregation or congregations under his care in Lower Canada, to have and keep Registers of Baptisms, Marriages and Burials according to the laws of Lower Canada; Provided always, that every such Minister who shall neglect to keep or deposit any Register required by this Act, shall be subject for such neglect to the penalties imposed by law in Upper Canada upon such Minister for neglecting to make an annual return to the Clerk of the Peace of his County, of the Marriages solemnized by him in such County.

Ministers of Wesleyan Methodist Church in Canada may keep registers.

Proviso.

II. Provided always, and be it enacted, That no such Minister of the Wesleyan Methodist Church in Canada shall be entitled to the benefit of this Act unless he shall deposit with the Prothonotary of the Superior Court in the District where he shall have charge of a congregation or congregations in Lower Canada, a copy certified on oath before such Prothonotary of the certificates, of his ordination and authority to solemnize Matrimony in Upper Canada, and also a certificate from the President for the time then being of the said Conference, to the effect that he is a Minister of the said Church in good standing, and such certificates shall be filed of record in the Office of such Prothonotary, who shall furnish to such Minister, a certificate of such record, and for filing such certificates in his office, and for furnishing a certificate of the same, the Prothonotary shall be entitled to Two Shillings and Six Pence currency, and no more.

Preliminaries to be observed by such Ministers.

III. Provided always, and be it enacted, That whenever the connection between any such Minister, and such circuit with a congregation or congregations shall cease, the duplicate of the Register shall be the property of such circuit, and shall be deposited with the Recording Steward thereof, to be kept by the successor of such Minister, for the use of such congregation or congregations.

Duplicate to be left for the use of the congregation.

IV. Provided always, and be it enacted, That such Registers after the removal of such Ministers from the city, town, township or place in which they may have respectively officiated and kept such Registers, shall be deposited with their respective successors in Office, or in case there shall be no such successors with the Prothonotary

Registers how deposited after removal of Minister.

of the Superior Court of the District wherein such Minister shall have usually resided or officiated.

V. Provided always, and be it enacted, That on his removal from one city, town, township or place to another city, town, township or place in Lower Canada, 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 Church.

Minister may obtain a new register at another place in L. C.

VI. And be it enacted, That the Registers which shall have been so kept, and the several entries made therein according to the laws in force in Lower Canada, as well as authentic copies of such entries, shall to all intents and purposes be good and available in law in like manner as entries and authentic copies thereof made in any other like Register, kept under the authority of the Act of the Legislature of Lower Canada passed in the thirty-fifth year of the Reign of King George the Third, and intituled, *An Act to establish the forms of Registers of Baptisms, Marriages and Burials, and 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 respect to the Registers therein mentioned, be also observed with respect to the Registers to be kept pursuant to this Act; And provided also, that the Ministers keeping Registers under this Act, shall be governed by the said Act, and shall in case of contravention thereof, be liable to the penalties in like cases provided by the said Act, to be recovered, paid, applied and accounted for in the same manner.

Legal effect of entries in such registers or of extracts therefrom.

VII. And be it enacted, That this Act shall be a Public Act, and construed as such.

Public Act.

CAP. XLVIII.

An Act for the better establishment and maintenance of Common Schools in Upper Canada.

*14 & 15 Vic
cap 111: -
Vide*

[24th July, 1850.]

WHEREAS it is expedient to make provision for the better establishment and maintenance of Common Schools in the several Villages, Towns, Cities, Townships and Counties of Upper Canada: 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 the Act of the Parliament of this Province, passed in the seventh year of Her Majesty's reign, and intituled, *An Act for the better Establishment and Maintenance of Common Schools in Upper Canada*, and also the Act passed in the twelfth year of Her Majesty's reign, chapter eighty-three, and intituled, *An Act for the better Establishment and maintenance of Public Schools in Upper Canada, and for repealing the present School Act*, shall be, and the same are hereby repealed: Provided always, nevertheless, firstly, that no Act or part of an Act repealed by either of the Acts hereby repealed, shall be revived by the passing of this Act: And provided also, secondly, that the repeal of the said Acts shall not extend or be construed to extend to any act done, any penalty incurred, or any proceeding had under the said Acts, or either of them: And provided also, thirdly, that all School Sections or other School divisions, together with all elections and appointments to office, all agreements, contracts, assessments, and rate-bills, made under the authority of the said Acts, or of any preceding Act, and not annulled by the said Acts or by this Act, or by any of them, shall be valid and in full force and binding upon all parties concerned, as if made under the authority of this Act, and shall so continue until altered, modified, or suspended, according to the provisions of this Act: And provided also, fourthly, that nothing herein

Preamble. 14 vic cap 23
*Supplement
act 15 vic cap 185*

Two Acts repealed.

*14 vic cap: 29
12 Vic cap 48: -*

Proviso.

All school divisions, elections, appointments, contracts, &c., confirmed.