

Provincial Statues of Canada, passed in the year 1845. Montreal: Stewart Derbishire & George Desbarats, 1845.

8 Victoria – Chapter 35

An Act to afford relief to a certain Religious Congregation at Montreal, denominated Christian Unitarians. (11th March, 1845.)

Whereas certain inhabitants of Montreal, in the District of Montreal, denominating themselves Christian Unitarians, have, by their Petition to the Legislature prayed, that the Reverend John Cordner, their present Minister, or the person who may hereafter have the pastoral charge of the Congregation to which they belong, should be duly authorized to solemnize marriages, record births, administer baptism and inter the dead, and to keep Registers authenticated in due form of law for that purpose, and also that they may be enabled to take and hold the land required for the site of a Church or Meeting-house, School-house, Burial-ground and Dwelling-house for the use of a religious Teacher or Minister: And whereas it is equitable that those privileges should be extended to the said Reverend John Cordner or the Minister for the time being of such Congregation of Christian Unitarians, and that the said Congregation should be enabled to take and hold the land required for the site of a Church or Meeting-house, School-house, Burial-ground and Dwelling-house for the use of a religious Teacher or Minister: 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 be it enacted by the authority of the same, That it shall be lawful for the said John Cordner, or any Minister for the time being of the said Congregation, to obtain, have and keep, subject always to the 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 or Clergyman; and which Registers, the necessary legal formalities as by law already provided in relation to Registers of the like nature being observed, shall to all intents and purposes have the same effect at law, as if the same had been kept by any Minister in this Province heretofore legally authorized; and an entry or record of the birth of any person regularly made and recorded in the Register to be so kept by such Minister or Clergymen, shall to all intents and purposes have the same effect in law as if the rite of baptism had been administered to such person, and an entry or record thereof regularly made in the Register to be so kept as aforesaid by such Minister or Clergyman, any law to the contrary notwithstanding: Provided that the age of the person to be so registered shall be specified in the Register to be kept as aforesaid.

II. And be it enacted, That whenever the said Congregation shall have occasion to take a conveyance of land for any of the uses hereinbefore set forth, it shall be lawful for them to appoint Trustees, to whom and to whose successors, to be appointed in such manner as shall be specified in the Deed of Conveyance, the land required for all or any of the purposes aforesaid may be conveyed; and it shall be competent to such Trustees and their successors in perpetual succession,

to take, hold and possess such land, and to commence, maintain or defend any action or actions at law, for the protection of or in any way concerning their rights and property therein.

III. And be it enacted, That it shall be lawful for any Trustees to be appointed by the said Congregation under the provisions of this Act, to take a conveyance of the lot of land situated at the place called Beaver Hall, in the said City of Montreal, upon which the said Congregation have recently erected a place of worship, from the persons now holding or who may hereafter hold the same in trust for the said Congregation, and upon such conveyance being made to the, said Trustees to be appointed under this Act, the said Trustees to whom such conveyance shall be made, and their successors to be appointed in the manner specified in the Deed of Conveyance to them, shall be competent to take, hold and possess the said lot of land or emplacement in perpetual succession, and to commence, maintain and defend any action or actions of law for the protection of or in any way concerning their rights of property therein, in the same manner as they might or could do with respect to any other real estate held by such Trustees under the provisions of this Act.

IV. And be it enacted, That no more than two arpents of land in superficies shall be held in trust in the manner and for the purposes aforesaid for the use of the said Congregation.

V. And be it enacted. That such Trustees shall, within twelve months after the execution of any such Deed of Conveyance, cause the same to be enregistered in the office of the Prothonotary of the Court of Queen's Bench, for the District in which the land so conveyed shall lie, for which enregistration the said Prothonotary shall be entitled to a fee of one shilling currency for every hundred words, and no more.

VI. Provided always, and be it enacted, That the Minister or Trustees of the said Congregation shall not be entitled in any respect to the benefit of this Act, unless they shall respectively have taken the Oath of Allegiance before a Judge of the Court of Queen's Bench for the said District of Montreal, (which oath such Judge is hereby authorized 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 said Judge, whereof one copy shall be fyled of record in the office of the said Prothonotary, and the other shall be delivered to the person taking such oath, and the said Prothonotary shall be entitled to receive for such certificate and the duplicate thereof, and for fying the same, two shillings and six pence, currency, in the whole, and no more.

VII. And be it enacted, That nothing herein contained shall affect or be construed to affect, in any way whatsoever, the rights of Her Majesty, Her Heirs and Successors, or of any body politic or corporate, or of any person or persons, such only excepted as are herein mentioned.

VIII. And be it enacted, That this Act shall be taken and deemed 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 shall concern without being specially pleaded.