

*Laws of Her Majesty's Province of United Canada*, passed in the year 1854. Quebec: Stewart Derbyshire and George Desbarts, 1854.

18 Victoria – Chapter 59

**An Act for the relief of a Religious Congregation at Montreal, denominated *The German Evangelical Church*. Assented to 18th December, 1854.**

Whereas certain persons at Montreal, being subjects of Her Majesty, of German origin or descent, have, by their petition to the Legislature, represented that they have constituted themselves into a Religious Congregation, under the denomination of *The German Evangelical Church*, and have prayed that the Reverend George Werner, their selected Minister, and his successors in such ministry, may be authorized to keep in due form of law, registers of all baptisms, marriages and burials, which shall by such Ministers respectively be performed; and further, that the said Congregation may be enabled to receive, take and hold the land required for the site of a Church and for a Dwelling House, for the use of their Minister, and it is expedient to grant the prayer of the said petition: 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, as follows:

- I. It shall and may be lawful for the said Reverend George Werner, or any regularly ordained Minister, for the time being, of the said Congregation, to have and keep registers of baptisms, marriages and burials, subject always to the penalties of law in this behalf provided, according to the laws of that part of the Province of Canada heretofore Lower Canada; and the said registers, the necessary formalities as by law already provided in Lower Canada aforesaid, 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 Minister in Lower Canada aforesaid; any law to the contrary notwithstanding.
- II. Provided always, That no such Minister shall be entitled to the benefit of this Act, unless he shall have taken the Oath of Allegiance before a Judge of the Superior Court, sitting in the District of Montreal, which oath the said Judge is authorized and required to administer, and the same to certify in duplicate under his signature, whereof one copy shall be filed in the Office of the Prothonotary of the said Court, the cost of which filing shall not exceed two shillings and six pence, and the other copy shall remain in the possession of the said Minister; nor unless such Minister shall at the time of taking such oath produce to the said Judge the certificate of his Ordination and of his call to become such Minister by the said Congregation, or legally attested copies of such documents respectively.
- III. Provided always, That whenever the connection between any such Minister and the said Congregation shall cease, the duplicate of the register shall be the property of the said

Congregation, and shall be deposited with the Trustees thereof, to be kept by the successor of such Minister for the use of the said Congregation.

IV. The registers which have been so kept, and the several entries therein, according to the laws of Lower Canada aforesaid, as well as authentic copies of such entries, shall to all intents and purposes be good and available in law as if the said registers had been kept pursuant to any Act, Statute or Law of or in Lower Canada previous hereto, in relation to registers of births, baptisms or deaths: Provided always, that all and every the regulations and requirements of Acts, Statutes or Laws, with respect to the registers therein mentioned, be also observed with respect to the registers to be kept pursuant to this Act.

V. The said Ministers shall in all respects comply with and be governed by the Acts, Statutes and Laws in the keeping of the said registers, and shall in case of disobedience to the requirements thereof, be liable to the penalties in like cases therein imposed, which penalties shall be recoverable, paid, applied and accounted for in the same manner as the penalties imposed by them are therein directed to be paid, applied and accounted for.

VI. The said Congregation and their successors for the purposes of this Act, shall be a body politic and corporate, under the name of *The German Evangelical Congregation of Montreal*, and shall and may acquire, receive, take, have and hold to them and their successors to and for the uses of the said Congregation, any lands, tenements or hereditaments, and real and immoveable property lying within the City of Montreal as a site for their Church and Minister's House, and the same to sell, alienate and dispose of, and acquire others in their stead for the purposes above mentioned.

VII. The said Corporation shall assemble for the first time, for the purpose of their organization, the Minister to preside at such meetings, within one month after this Act shall come into force, and shall then appoint eight, Trustees, one of whom shall be by themselves appointed as President, and in each succeeding year thereafter, the annual meeting of the said Congregation shall be held; at which annual meeting the election of Trustees shall be had for the ensuing year; Provided always, that By-laws, Rules and Regulations for the government of the Congregation shall, by the Trustees, within one month after their appointment, be framed and submitted for the approval of the Congregation, which shall not be thereafter altered and changed, except at the said annual meeting or at a special general meeting of the Corporation, which shall be called by the Trustees at their discretion, or at the requisition, and within ten days thereafter, of any five Members of the said Corporation, or on refusal of the said Trustees, then within the same delay, at the requisition of the said five Members.

VIII. The said Trustees shall have the administration of the moveable and immoveable property of the said Corporation, and shall render a report, of their administration at such annual meeting, with a detailed statement of the affairs of the Corporation, and shall make By-laws, Rules and Regulations for the good government of the Corporation, the same not being repugnant to this Act nor to the laws of the Province, and being moreover of no effect, except from and after the day on which the same shall have been approved at such annual or special general meeting.

IX. This Act shall be a Public Act, and the Interpretation Act shall apply thereto.