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NO. 521.

1st Session, 4th Parliament, 16 Victoria, 1853.

BILL.

An Act to authorize Clergymen of the
Presbyterian Church of Canada, in
Lower Canada, to keep Registers of
Marriages, Baptisms and Burials.

Received and Read a first time, Wednesday, 30th
March, 1853.

Second Reading, Monday, 4th April, 1853.

Mr. BROWN.

QUEBEC:
PRINTED BY JOHN LOVELL, MOUNTAIN STREET.

1852-3.]

BILL.

[No. 327.]

An Act for the relief of the Presbyterian Church of Canada, as regards the keeping of Registers of Baptisms, Marriages and Burials, in Lower Canada.

WHEREAS the Presbyterian Church of Canada, have been Preamble.
accustomed and continue to appoint certain Ministers in connection with the said Church, to labour as Missionaries and Pastors in Lower Canada; And whereas it is desirable that the Ministers who are now labouring or who may hereafter labour in the Congregations of the said Church in Lower Canada be relieved from certain disabilities and inconveniences to which they are now subject, as regards the keeping of Registers of Baptisms, Marriages and Burials in Lower Canada; And whereas doubts have been entertained as to the validity of the Registers of Baptisms, Marriages and Burials, kept by the said Ministers in Lower Canada, which doubts it is highly expedient to remove; Be it therefore declared and enacted, &c.,

And it is hereby declared and enacted by the authority of the same, That it has always been, is and shall be lawful for any regularly ordained Minister of or in connection with the Presbyterian Church of Canada, having a congregation or congregations under his care in Lower Canada, or for any Minister for the time being, doing clerical duty in such congregation or congregations according to the rules and regulations of the said Church, to have and to keep (subject always to the penalties by law in this behalf enacted) registers duly authenticated according to the laws of Lower Canada, of all Marriages, Baptisms, and Burials, performed or taking place under the ministry of such Minister, which Registers, the necessary formalities by law already provided in relation to Registers of the like nature, being observed, have and shall have whether procured to be authenticated by the said Ministers themselves or by their predecessors in office, the same effect at law to all intents and purposes as those kept by any Minister in Lower Canada of the Church of England and Scotland.

Ministers of the Presbyterian Church in L. C. have had and shall have the right to keep Registers.

II. Provided always, and be it enacted, That such Minister doing clerical duty in the Presbyterian Church of Canada, shall only be entitled to claim an authenticated register, when he shall have

Minister to deposit a certain certificate with the Pro-

thonotary of
the Superior
Court.

deposited with the Prothonotary of the Superior Court in the District where he shall be exercising his ministry in Lower Canada, a certificate from the Moderator for the time being of the Presbytery within whose bounds such Minister may officiate, to the effect that he is a Minister in good standing, officiating or doing clerical duty 5 in connection with the said Church, and such certificate 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 certificate, and for furnishing a certificate of the same, the Prothonotary shall be entitled to *two shillings and sixpence* currency, 10 and no more.

Duplicate
Register to
remain the
property of
the Congrega-
tion.

III. Provided always, and be enacted, That whenever the connection between any such Minister and such congregation or congregations shall cease, the duplicate of the Register shall be the property of the congregation or congregations, and shall be deposited with the Clerk of the Kirk Session thereof, to be kept by the successor for the time being of such Minister for the use of such congregation or congregations. 15

Public Act.

IV. And be it enacted, That this Act shall 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 it being specially pleaded. 20

Extent of Act.

V. And be it enacted, That this Act shall only apply to Lower Canada.