



## CHAPTER 151

An Act to incorporate The Apostolic Church of the British Isles-In Quebec as an ecclesiastical corporation in the Province of Quebec

[Assented to, the 28th of April, 1939]

**W**HEREAS The Apostolic Church of the British Isles Preamble. has carried on religious work in Great Britain for the past thirty years and has, by petition, represented that it is desirous of being incorporated by an act incorporating the present members, residing within the Dominion of Canada, in good standing of the said association and all others who may hereafter become members, as an ecclesiastical corporation in the Province of Quebec, and empowered to acquire or possess property, moveable and immoveable, and to keep registers for acts of civil status and do and perform such other acts usually performed by ecclesiastical corporations and whereas it is expedient to pass an act for the above purpose;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

**1.** Reverend Benjamin James Noot, National President, Incorporation. 494A Ossington Avenue, Toronto, Ontario; Reverend Benjamin George Evans, Minister of Montreal Assembly, 3500 Durocher Street, Montreal, Quebec; William John Evans, General Deacon, 3711 St. Urbain Street, Montreal, Quebec; James Cochrane, 283-44th Avenue, Stony Point, Lachine, Quebec; Findlay Buchanan, Secretary-Treasurer of Montreal Assembly, 5225 Sherbrooke Street West, Montreal, Quebec; together with the members in good standing of The Apostolic Church of the British Isles-In

Quebec and others who may hereafter become members in good standing of the said church, are constituted an ecclesiastical corporation and shall have and exercise all the rights belonging to ecclesiastical corporations, and shall have perpetual succession and the right to sue and be sued before the courts in the Province of Quebec and elsewhere, together with all powers and privileges which are hereby vested in the said corporation.

Powers of corporation.

**2.** The said corporation may acquire, hold or possess by legacy or other title such property, moveable and immoveable, as may be necessary for the use of the association or otherwise and to dispose of and hypothecate the same, provided that the annual value of the immoveables owned by the corporation shall not exceed the sum of seventy-five thousand dollars.

Non-application of mortmain provisions.

**3.** The power conferred upon The Apostolic Church of the British Isles—In Quebec to acquire by gift, devise or bequest any moveable or immoveable property shall not be limited or affected by any statute or statutes of mortmain in force in this Province.

Keeping of registers of acts of civil status authorized.

**4.** The said association may keep either in French or English, according to law, registers of acts of civil status and may from time to time, according to its by-laws, usage and custom, appoint officiating ministers of its churches and congregations and may remove them and appoint others in their place, and any such officiating minister of any such church or congregation shall have authority and power to keep registers of acts of civil status and to exercise in relation thereto all other civil powers appertaining to ministers of religious congregations, and, notwithstanding any law to the contrary, in the event of any such minister not being a British subject, it shall be lawful for the overseer of any such church or congregation and for any member thereof as his deputy when duly appointed as such by resolution of the said church or congregation to keep registers of civil status for the said church or congregation provided that he and his deputy be British subjects, and the prothonotary of the Superior Court or any public officer authorized to certify registers of civil status shall certify registers for use by the said church or congregation when furnished with a certificate, signed by the secretary of the said church or congregation, of the election of its overseer and the appointment of his deputy for the aforesaid purpose.

**5.** When any such register is kept by the overseer of the said corporation or his deputy, as aforesaid, all acts of civil status recorded therein shall be signed by the officiating minister and by the said overseer or his deputy and any marriage or baptism solemnized and any interment made by the said officiating minister, and so recorded, shall have the same effect at law as if the register had been kept by a minister legally authorized.

When register kept by overseer, etc.

**6.** The association may contract and be contracted with relative to its funds and property and the business and for the purposes for which it is constituted, including the right to borrow money for the purpose of the corporation.

Powers of corporation.

**7.** The association may promulgate the teachings and beliefs of the Apostolic Church of the British Isles by preaching and teaching and may establish and maintain churches and congregations of such denomination.

Promulgating of teachings, etc.

**8.** The association may found, maintain, conduct and contribute to schools, colleges or other institutions for the advancement of learning and religious, benevolent and charitable institutions, projects and funds.

Founding, etc., of schools, etc.

**9.** All debts and liabilities legally contracted at any time before the coming into force of this act by The Apostolic Church of the British Isles—In Quebec or the trustees in their said quality are and shall be assumed and be payable by the said incorporated ecclesiastical corporation.

Assuming of certain debts.

**10.** A majority of the members of the corporation present at any duly called meeting of the members shall have the full power and privileges of the corporation, providing the purposes of the meeting shall have been specified in the notice calling the meeting, and notices of general meetings of the members shall be deemed to be duly given if announced from the pulpit at two church services on the Sabbath immediately preceding.

Exercising of powers by majority at meetings.

**11.** Nothing in this act shall have the effect of withdrawing the corporation from being governed by the provisions of the charter, by-laws and regulations of any municipality where the said corporation may exercise its powers, nor by the provisions of the Quebec Public Health Act.

Provisions safeguarded.

- Restriction.**     **12.** The corporation shall not, however, establish a cemetery or burial ground within the limits of a municipality without having previously obtained the consent of the said municipality, expressed by by-law.
- Transmitting of annual statement.**     **13.** The corporation shall transmit to the Lieutenant-Governor in Council, annually in the month of January, whenever thereunto required, a statement of the property held by the corporation, the names of its officers and a copy of its rules and by-laws.
- Vesting, etc., of property.**     **14.** All property, moveable and immoveable, which may be held in trust for the said corporation shall be, and the same is hereby transferred to and vested in the said corporation.
- Coming into force.**     **15.** This act shall come into force on the day of its sanction.