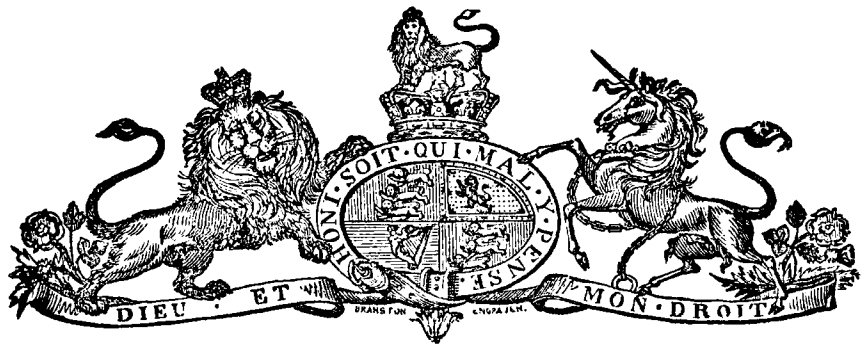


ANNO SEPTIMO & OCTAVO

VICTORIÆ REGINÆ.

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CAP. XLV.

An Act for the Regulation of Suits relating to Meeting Houses and other Property held for religious Purposes by Persons dissenting from the United Church of *England* and *Ireland*.

[19th *July* 1844.]

WHEREAS an Act was passed in the First Session of the First Year of the Reign of King *William* and Queen *Mary*, intituled *An Act for exempting Their Majesties Protestant Subjects dissenting from the Church of* England *from the Penalties of certain Laws*: And whereas an Act was passed in the Nineteenth Year of the Reign of King *George* the Third, intituled *An Act for the further Relief of Protestant Dissenting Ministers and Schoolmasters*: And whereas an Act was passed in the Fifty-third Year of the Reign of King *George* the Third, intituled *An Act to relieve Persons who impugn the Doctrine of the Holy Trinity from certain Penalties*: And whereas an Act was passed by the Parliament of *Ireland* in the Sixth Year of the Reign of His Majesty King *George* the First, intituled *An Act for exempting the Protestant Dissenters of this Kingdom from certain Penalties to which they are now subject*:

1 W. & M. sess. 1. c. 18.

19 G. 3. c. 44.

53 G. 3. c. 160.

6 G. 1. (I.)

 And

57 G. 3. c. 70.

And whereas an Act was passed in the Fifty-seventh Year of the Reign of King *George* the Third, intituled *An Act to relieve Persons impugning the Doctrine of the Holy Trinity from certain Penalties in* Ireland: And whereas prior to the passing of the said recited Acts respectively, as well as subsequently thereto, certain Meeting Houses for the Worship of God, and Sunday or Day Schools (not being Grammar Schools), and other charitable Foundations, were founded or used in *England* and *Wales* and *Ireland* respectively for Purposes beneficial to Persons dissenting from the Church of *England* and the Church of *Ireland* and the United Church of *England* and *Ireland* respectively, which were unlawful prior to the passing of those Acts respectively, but which by those Acts respectively were made no longer unlawful: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That with respect to the Meeting Houses, Schools, and other charitable Foundations so founded or used as aforesaid, and the Persons holding or enjoying the Benefit thereof respectively, such Acts, and all Deeds or Documents relating to such charitable Foundations, shall be construed as if the said Acts had been in force respectively at the respective Times of founding or using such Meeting Houses, Schools, and other charitable Foundations as aforesaid.

Recited Acts, as well as all Deeds relating to such Meeting Houses, &c., to be construed as if the Acts had been in force at the Time of the Foundation of such Meeting Houses, &c.

II. And be it enacted, That so far as no particular religious Doctrines or Opinions, or Mode of regulating Worship, shall on the Face of the Will, Deed, or other Instrument declaring the Trusts of any Meeting House for the Worship of God by Persons dissenting as aforesaid, either in express Terms, or by reference to some Book or other Document as containing such Doctrines or Opinions or Mode of regulating Worship, be required to be taught or observed or be forbidden to be taught or observed therein, the Usage for Twenty-five Years immediately preceding any Suit relating to such Meeting House of the Congregation frequenting the same shall be taken as conclusive Evidence that such religious Doctrines or Opinions or Mode of Worship as have for such Period been taught or observed in such Meeting House may properly be taught or observed in such Meeting House, and the Right or Title of the Congregation to hold such Meeting House, together with any Burial Ground, Sunday or Day School, or Minister's House attached thereto; and any Fund for the Benefit of such Congregation, or of the Minister or other Officer of such Congregation, or of the Widow of any such Minister, shall not be called in question on account of the Doctrines or Opinions or Mode of Worship so taught or observed in such Meeting House: Provided nevertheless, that where any such Minister's House, School, or Fund as aforesaid shall be given or created by any Will, Deed, or other Instrument, which shall declare in express Terms, or by such Reference as aforesaid, the particular religious Doctrines or Opinions for the Promotion of which such Minister's House, School, or Fund is intended, then and in every such Case such Minister's House, School, or Fund shall be applied to the promoting of the Doctrines or Opinions so specified, any Usage of the Congregation to the contrary notwithstanding.

The religious Doctrines or Opinions for the Preaching or Promotion of which the Meeting House may be held to be collected from 25 Years Usage, where not expressly stated in the Deed of Trust.

III. Pro-

III. Provided always, and be it enacted, That nothing herein contained shall affect any Judgment, Order, or Decree already pronounced by any Court of Law or Equity; but that in any Suit which shall be a Suit by Information only and not by Bill, and wherein no Decree shall have been pronounced, and which may be pending at the Time of the passing of this Act, it shall be lawful for any Defendant or Defendants for whom the Provisions of this Act would have afforded a valid Defence if such Suit had been commenced after the passing of this Act to apply to the Court wherein such Suit shall be pending; and such Court is hereby authorized and required, upon being satisfied by Affidavit or otherwise that such Suit is so within the Operation of this Act, to make such Order therein as shall give such Defendant or Defendants the Benefit of this Act; and in all Cases in which any Suit now pending shall be stayed or dismissed in consequence of this Act, the Costs thereof shall be paid by the Defendants, or out of the Property in question therein, in such Manner as the Court shall direct.

Act not to affect any Judgment, &c. of a Court of Law or Equity, and Court may give Defendants the Benefit of Act in Suits now pending.

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1844.