

ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

CAP. CLV.

An Act to repeal certain Acts, and amend other Acts relating to Religious Worſhip and Aſſemblies, and Perſons teaching or preaching therein.

[29th *July* 1812.]

WHEREAS it is expedient that certain Acts of Parliament, made in the Reign of His late Majeſty King *Charles* the Second, relating to Non-conformiſts and Conventicles, and refuſing to take Oaths, ſhould be repealed, and that the Laws relating to certain Congregations and Aſſemblies for Religious Worſhip, and Perſons teaching, preaching, or officiating therein, and reſorting thereto, ſhould be amended; be it therefore enacted by the King'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 from and after the paſſing of this Act, an Act of Parliament made in the Seſſion of Parliament held in the Thirteenth and Fourteenth Years of His late Majeſty King *Charles* the Second, intituled *An Act for preventing the Miſchiefs and Dangers that may ariſe by certain Perſons called* Quakers, *and others, refuſing to take lawful Oaths*; and another Act of Parliament, made in the Seventeenth Year of the Reign of His late Majeſty King *Charles* the Second, intituled *An Act for reſtraining Non-conformiſts from inhabiting in Corporations*; and another Act of Parliament, made in the Twenty-ſecond Year of the Reign of the late King *Charles* the Second, intituled *An Act to prevent and ſuppreſs ſeditious Conventicles*; ſhall be and the ſame are hereby repealed. 13 & 14 Car. 2. c. 1. 17 Car. 2. c. 2. 22 Car. 2. c. 1. repealed.

II. And be it further enacted, That from and after the paſſing of this Act no Congregation or Aſſembly for Religious Worſhip of Proteſtants (at which there ſhall be preſent more than Twenty Perſons beſides the immediate Family and Servants of the Perſon in whoſe Houſe or upon whoſe All Places of Religious Worſhip to be certified and regiſtered.

whoſe Premiſes ſuch Meeting, Congregation, or Aſſembly ſhall be had) ſhall be permitted or allowed, unleſs and until the Place of ſuch Meeting, if the ſame ſhall not have been duly certified and regiſtered under any former Act or Acts of Parliament relating to regiſtering Places of Religious Worſhip, ſhall have been or ſhall be certified to the Biſhop of the Dioceſe, or to the Archdeacon of the Archdeaconry, or to the Juſtices of the Peace at the General or Quarter Seſſions of the Peace for the County, Riding, Diviſion, City, Town, or Place in which ſuch Meeting ſhall be held; and all Places of Meeting which ſhall be ſo certified to the Biſhop's or Archdeacon's Court, ſhall be returned by ſuch Court once in each Year to the Quarter Seſſions of the County, Riding, Diviſion, City, Town, or Place; and all Places of Meeting which ſhall be ſo certified to the Quarter Seſſions of the Peace ſhall be alſo returned once in each Year to the Biſhop or Archdeacon; and all ſuch Places ſhall be regiſtered in the ſaid Biſhop's or Archdeacon's Court reſpectively, and recorded at the ſaid General or Quarter Seſſions; the Regiſtrar or Clerk of the Peace whereof reſpectively is hereby required to regiſter and record the ſame; and the Biſhop or Regiſtrar or Clerk of the Peace to whom any ſuch Place of Meeting ſhall be certified under this Act ſhall give a Certificate thereof to ſuch Perſon or Perſons as ſhall requeſt or demand the ſame, for which there ſhall be no greater Fee nor Reward taken than Two Shillings and Sixpence; and every Perſon who ſhall knowingly permit or ſuffer any ſuch Congregation or Aſſembly as aforeſaid to meet in any Place occupied by him, until the ſame ſhall have been ſo certified as aforeſaid, ſhall forfeit for every Time any ſuch Congregation or Aſſembly ſhall meet contrary to the Proviſions of this Act, a Sum not exceeding Twenty Pounds, nor leſs than Twenty Shillings, at the Diſcretion of the Juſtices who ſhall convict for ſuch Offence.

Penalty on Perſons teaching or preaching without Conſent of Occupiers.

III. Provided always, and be it further enacted, That every Perſon who ſhall teach or preach in any Congregation or Aſſembly as aforeſaid, in any Place, without the Conſent of the Occupier thereof, ſhall forfeit for every ſuch Offence any Sum not exceeding Thirty Pounds, nor leſs than Forty Shillings, at the Diſcretion of the Juſtices who ſhall convict for ſuch Offence.

Preachers in and Perſons reſorting to Religious Aſſemblies, certified under this Act, exempt from ſame Penalties as Perſons taking Oaths under the Statute of William.

IV. And be it further enacted, That from and after the paſſing of this Act every Perſon who ſhall teach or preach at, or officiate in, or ſhall reſort to any Congregation or Congregations, Aſſembly or Aſſemblies for Religious Worſhip of Proteſtants, whoſe Place of Meeting ſhall be duly certified according to the Proviſions of this Act, or any other Act or Acts of Parliament relating to the certifying and regiſtering of Places of Religious Worſhip, ſhall be exempt from all ſuch Pains and Penalties under any Act or Acts of Parliament relating to Religious Worſhip, as any Perſon who ſhall have taken the Oaths, and made the Declaration preſcribed by or mentioned in an Act, made in 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*, or any Act amending the ſaid Act, is by Law exempt, as fully and effectually as if all ſuch Pains and Penalties, and the ſeveral Acts enforcing the ſame, were recited in this Act, and ſuch Exemptions as aforeſaid were ſeverally and ſeparately enacted in relation thereto.

V. Provided

V. Provided always, and be it further enacted, That every Perſon not having taken the Oaths, and ſubſcribed the Declaration herein-after ſpecified, who ſhall preach or teach at any Place of Religious Worſhip certified in purſuance of the Directions of this Act, ſhall, when thereto required by any one Juſtice of the Peace, by any Writing under his Hand or ſigned by him, take and make and ſubſcribe, in the Preſence of ſuch Juſtice of the Peace, the Oaths and Declaration ſpecified and contained in an Act, paſſed in the Nineteenth Year of the Reign of His Majeſty King *George* the Third, intituled *An Act for the further Relief of Proteſtant Diſſenting Miniſters and Schoolmaſters*; and no ſuch Perſon who, upon being ſo required to take ſuch Oaths and make ſuch Declaration as aforeſaid, ſhall refuſe to attend the Juſtice requiring the ſame, or to take and make and ſubſcribe ſuch Oaths and Declaration as aforeſaid, ſhall be thereafter permitted or allowed to teach or preach in any ſuch Congregation or Aſſembly for Religious Worſhip, until he ſhall have taken ſuch Oaths, and made ſuch Declaration as aforeſaid, on Pain of forfeiting, for every Time he ſhall ſo teach or preach, any Sum not exceeding Ten Pounds nor leſs than Ten Shillings, at the Diſcretion of the Juſtice convicting for ſuch Offence.

Oaths and Declaration to be taken by all Preachers, &c. when thereto required by a Magiſtrate.

19 G. 3. c. 44.

VI. Provided always, and be it further enacted, That no Perſon ſhall be required by any Juſtice of the Peace to go to any greater Diſtance than Five Miles from his own Home, or from the Place where he ſhall be reſiding at the Time of ſuch Requiſition, for the Purpoſe of taking ſuch Oaths as aforeſaid.

No Perſon to be compelled to go more than Five Miles.

VII. And be it further enacted, That it ſhall be lawful for any of His Majeſty's Proteſtant Subjects to appear before any one Juſtice of the Peace, and to produce to ſuch Juſtice of the Peace a printed or written Copy of the ſaid Oaths and Declaration, and to require ſuch Juſtice to adminiſter ſuch Oaths and to tender ſuch Declaration to be made, taken, and ſubſcribed by ſuch Perſon; and thereupon it ſhall be lawful for ſuch Juſtice, and he is hereby authorized and required to adminiſter ſuch Oaths and to tender ſuch Declaration to the Perſon requiring to take and make and ſubſcribe the ſame; and ſuch Perſon ſhall take and make and ſubſcribe ſuch Oaths and Declaration in the Preſence of ſuch Juſtice accordingly; and ſuch Juſtice ſhall atteſt the ſame to be ſworn before him, and ſhall tranſmit or deliver the ſame to the Clerk of the Peace for the County, Riding, Diviſion, City, Town, or Place for which he ſhall act as ſuch Juſtice of the Peace, before or at the next General or Quarter Seſſions of the Peace for ſuch County, Riding, Diviſion, City, Town, or Place.

Any Perſon may require a Juſtice of Peace, &c. to adminiſter the Oaths, &c. under this Act.

VIII. And be it further enacted, That every Juſtice of the Peace before whom any Perſon ſhall make and take and ſubſcribe ſuch Oaths and Declaration as aforeſaid, ſhall forthwith give to the Perſon having taken, made, and ſubſcribed ſuch Oaths and Declaration, a Certificate thereof under the Hand of ſuch Juſtice, in the Form following; (that is to ſay),

Juſtices ſhall give the Parties a Certificate of having made ſuch Oath.

'I *A. B.* one of His Majeſty's Juſtices of the Peace for the County, 'I [Riding, Diviſion, City, *or* Town, *or* Place, *as the Caſe may be*] 'of do hereby certify, That *C. D.* of, &c. '[*deſcribing the Chriſtian and Surname, and Place of Abode of the Party*]

'did this Day appear before me, and did make and take and ſubſcribe 'the ſeveral Oaths and Declaration ſpecified in an Act, made in the Fifty-'ſecond Year of the Reign of King *George* the Third, intituled [*ſet forth 'the Title of this Act.*] Witneſs my Hand this Day of 'One thouſand eight hundred and .'

Fee 2s. 6d.

And for the making and ſigning of which Certificate, where the ſaid Oaths and Declaration are taken and made on the Requiſition of the Party taking and making the ſame, ſuch Juſtice ſhall be entitled to demand and have a Fee of Two Shillings and Sixpence, and no more: And ſuch Certificate ſhall be concluſive Evidence that the Party named therein has made and taken the Oaths and ſubſcribed the Declaration in Manner required by this Act.

Certificate concluſive Evidence.

Teachers having taken the Oaths, &c. exempt from Offices, and from the Militia.

IX. And be it further enacted, That every Perſon who ſhall teach or preach in any ſuch Congregation or Aſſembly, or Congregations or Aſſemblies as aforeſaid, who ſhall employ himſelf ſolely in the Duties of a Teacher or Preacher, and not follow or engage in any Trade or Buſineſs, or other Profeſſion, Occupation, or Employment, for his Livelihood, except that of a Schoolmaſter, and who ſhall produce a Certificate of ſome Juſtice of the Peace, of his having taken and made and ſubſcribed the Oaths and Declaration aforeſaid, ſhall be exempt from the Civil Services and Offices ſpecified in the ſaid recited Act paſſed in the Firſt Year of King *William* and Queen *Mary*, and from being ballotted to ſerve and from ſerving in the Militia or Local Militia of any County, Town, Pariſh, or Place in any Part of the United Kingdom.

Penalty on producing falſe Certificate.

X. And be it further enacted, That every Perſon who ſhall produce any falſe or untrue Certificate or Paper, as and for a true Certificate of his having made and taken the Oaths and ſubſcribed the Declarations by this Act required for the Purpoſe of claiming any Exemption from Civil or Military Duties as aforeſaid, under the Proviſions of this or any other Act or Acts of Parliament, ſhall forfeit for every ſuch Offence the Sum of Fifty Pounds; which Penalty may be recovered by and to the Uſe of any Perſon who will ſue for the ſame by any Action of Debt, Bill, Plaint, or Information in any of His Majeſty's Courts of Record at *Weſtminſter*, or the Courts of Great Seſſions in *Wales*, or the Courts of the Counties Palatine of *Cheſter*, *Lancaſter*, and *Durham* (as the Caſe ſhall require); wherein no Eſſoign, Privilege, Protection, or Wager of Law, or more than One Imparlance ſhall be allowed.

Doors of Religious Aſſemblies not to be bolted or barred.

XI. And be it further enacted, That no Meeting, Aſſembly, or Congregation of Perſons for Religious Worſhip, ſhall be had in any Place with the Door locked, bolted, or barred, or otherwiſe faſtened, ſo as to prevent any Perſons entering therein during the Time of any ſuch Meeting, Aſſembly, or Congregation; and the Perſon teaching or preaching at ſuch Meeting, Aſſembly, or Congregation, ſhall forfeit for every Time any ſuch Meeting, Aſſembly, or Congregation ſhall be held with the Door locked, bolted, barred, or otherwiſe faſtened as aforeſaid, any Sum not exceeding Twenty Pounds, nor leſs than Forty Shillings, at the Diſcretion of the Juſtices convicting for ſuch Offence.

XII. And

Penalty on disturbing Religious Assemblies.

XII. And be it further enacted, That if any Person or Persons, at any Time after the passing of this Act, do and shall wilfully and maliciously or contemptuously disquiet or disturb any Meeting, Assembly or Congregation of Persons assembled for Religious Worship, permitted or authorized by this Act, or any former Act or Acts of Parliament, or shall in any Way disturb, molest, or misuse any Preacher, Teacher, or Person officiating at such Meeting, Assembly, or Congregation, or any Person or Persons there assembled, such Person or Persons so offending, upon Proof thereof before any Justice of the Peace by Two or more credible Witnesses, shall find Two Sureties to be bound by Recognizances in the penal Sum of Fifty Pounds to answer for such Offence, and in default of such Sureties shall be committed to Prison, there to remain till the next General or Quarter Sessions; and upon Conviction of the said Offence at the said General or Quarter Sessions, shall suffer the Pain and Penalty of Forty Pounds.

Saving the Ecclesiastical Jurisdiction of the Church.

XIII. Provided always, and be it further enacted, That nothing in this Act contained shall affect or be construed to affect the Celebration of Divine Service according to the Rites and Ceremonies of the United Church of *England* and *Ireland*, by Ministers of the said Church, in any Place hitherto used for such Purpose, or being now or hereafter duly consecrated or licensed by any Archbishop or Bishop or other Person lawfully authorized to consecrate or license the same, or to affect the Jurisdiction of the Archbishops or Bishops or other Persons exercising lawful Authority in the Church of the United Kingdom over the said Church, according to the Rules and Discipline of the same, and to the Laws and Statutes of the Realm; but such Jurisdiction shall remain and continue as if this Act had not passed.

The Act not to extend to Quakers.

XIV. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to the People usually called *Quakers*, nor to any Meetings or Assemblies for Religious Worship held or convened by such Persons; or in any Manner to alter or repeal or affect any Act, other than and except the Acts passed in the Reign of King *Charles* the Second herein-before repealed, relating to the People called *Quakers*, or relating to any Assemblies or Meetings for Religious Worship held by them.

Offenders to be convicted before Two or more Justices.

Forfeitures to be levied by Distress.

XV. And be it further enacted, That every Person guilty of any Offence, for which any pecuniary Penalty or Forfeiture is imposed by this Act, in respect of which no special Provision is made, shall and may be convicted thereof by Information upon the Oath of any One or more credible Witness or Witnesses before any Two or more Justices of the Peace acting in and for the County, Riding, City, or Place wherein such Offence shall be committed; and that all and every the pecuniary Penalties or Forfeitures which shall be incurred or become payable for any Offence or Offences against this Act, shall and may be levied by Distress under the Hand and Seal or Hands and Seals of Two Justices of the Peace for the County, Riding, City, or Place, in which any such Offence or Offences was or were committed, or where the Forfeiture or Forfeitures was or were incurred, and shall when levied be paid One Moiety to the Informer, and the other Moiety to the Poor of the Parish in which the Of-

fence was committed; and in case of no sufficient Distress whereby to levy the Penalties, or any or either of them imposed by this Act, it shall and may be lawful for any such Justices respectively before whom the Offender or Offenders shall be convicted, to commit such Offender to Prison for such Time not exceeding Three Months, as the said Justices in their Discretion shall think fit.

Appeal after Conviction to General Quarter Sessions.

XVI. And be it further enacted, That in case any Person or Persons who shall hereafter be convicted of any of the Offences punishable by this Act, shall conceive him, her, or themselves to be aggrieved by such Conviction, then and in every such Case it shall and may be lawful for such Person or Persons respectively, and he, she, or they shall or may appeal to the General or Quarter Sessions of the Peace holden next after such Conviction in and for the County, Riding, City, or Place, giving unto the Justices before whom such Conviction shall be made, Notice in Writing within Eight Days after any such Conviction, of his, her, or their Intention to prefer such Appeal; and the said Justices in their said General or Quarter Sessions shall and may, and they are hereby authorized and empowered to proceed to the Hearing and Determination of the Matter of such Appeal, and to make such Order therein, and to award such Costs to be paid by and to either Party, not exceeding Forty Shillings, as they in their Discretion shall think fit.

Penalties to be sued for and prosecuted within Six Months.

XVII. And be it further enacted, That no Penalty or Forfeiture shall be recoverable under this Act, unless the same shall be sued for, or the Offence in respect of which the same is imposed is prosecuted before the Justices of the Peace or Quarter Sessions, within Six Months after the Offence shall have been committed; and no Person who shall suffer any Imprisonment for Nonpayment of any Penalty shall thereafter be liable to the Payment of such Penalty or Forfeiture.

Limitation of Actions.

XVIII. And be it further enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons for any Thing done in pursuance of this Act, that every such Action or Suit shall be commenced within Three Months next after the Fact committed, and not afterwards, and shall be laid and brought in the County wherein the Cause or alleged Cause of Action shall have accrued, and not elsewhere; and the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence on any Trial to be had thereupon, and that the same was done in pursuance and by Authority of this Act; and if it shall appear so to be done, or if any such Action or Suit shall be brought after the Time so limited for bringing the same, or shall be brought in any other County, City, or Place, that then and in such Case the Jury shall find for such Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action or Actions, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have and may recover Treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

XIX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without specially pleading the same. Public Act.

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