

and other lands and tenements, and also in every parsonage, church, chapel, meeting-house, or other house of worship and burying-ground, belonging to, and in the use of, the particular church, society or congregation, for which they are respectively chosen as a body politic or corporate, and shall also, by their respective names or titles, have absolute property in all books, plate and other ornaments, and all goods and chattels, belonging to the said church, society or congregation, whether the said lands and tenements, parsonage, church, chapel, meeting-house, or other house of worship, and also whether the said books, plate and other ornaments, and the said goods and chattels, have been given, granted or devised, directly to the said church, society or congregation, or to any person or persons in trust, to and for their use.

Provided nevertheless, That if there be any person or persons whatsoever who may have a legal right to, and be in the actual possession of, any such lands and tenements, it shall and may be lawful for any such person or persons to declare, by an instrument in writing, transmitted to the trustees or corporation of the particular church, society or congregation, of which he, she or they, may be respectively members, the use or trust for which he, she or they, will possess or enjoy the same; and if any such person or persons will declare that he, she or they, have held and enjoyed the same lands and tenements for the use of, or in trust for, the particular church, society or congregation, of which he, she or they, may be respectively members, and shall be willing that the same be applied to, and for the use and benefit of, such particular church, society or congregation, then, and in such case, the person or persons so holding and enjoying the same lands and tenements, shall, by a deed of indenture proper for such purpose, convey and make over to the trustees or body politic or corporate of such particular church, society or congregation, the said lands and tenements to, and for the use and benefit of, such church, society or congregation; but if any person or persons shall refuse to make the declaration aforesaid, or be unwilling to make any such conveyance of the said lands and tenements, then, and in such case, he, she or they, shall not be affected by the operation of this act; and the said corporations or trustees shall also, by their said respective names or titles, receive all debts due, or that shall become due, to the said church or congregation, and sue for and recover the same in any court of law or equity in this state, in the name and for the use of the said church, society or congregation, to which they respectively belong, as trustees or a body politic or corporate.

And, whereas the declaration of rights prohibits every religious sect, order or denomination of christians, as such, from receiving any sale, gift or devise of lands, goods or chattels, except not more than two acres of land for a church, meeting-house, or other house of worship, and for a burying-ground, without the leave of the legislature; Be it enacted, That every body politic or corporate aforesaid, and their successors, or the major part of them, by their respective names or titles, shall be able and capable in law to purchase, hold, possess and enjoy, in fee-simple, or for any other less estate or estates, any lands, tenements, rents, annuities, or other hereditaments, within this state, by the gift, grant, bargain, sale, alienation, enfeoffment or confirmation, of any person or persons; bodies politic or corporate, capable in law to make the same, provided the same be made by indenture duly acknowledged and recorded according to law, and such lands, tenements, rents, annuities, or other hereditaments, or any less estates, rights or interests, of or in the same, to grant, alien, sell or transfer; and also that every the said corporation or body politic, and their successors, or the major part of them, severally by their said respective names or titles, may take and receive any sum or sums of money, any kind, manner or portion, of goods and chattels, that shall be sold, given or bequeathed to them as aforesaid, by any person or persons, bodies politic or corporate, capable in law to make a gift, sale or bequest thereof, and employ the same for the benefit and use of the particular church, society or congregation, whereunto they respectively belong as a body politic or corporate; provided always, that the said bequests be not made in the last sickness of the testator; and provided also, that the clear yearly value of messuages, houses, lands, tenements, rents, annuities, and other hereditaments, interests, property and estate, real and personal, of what nature or kind soever, of any particular corporation whatever, or their successors, shall not exceed the sum of one thousand pounds current money, and all gifts, grants and bequests, made to any body politic or corporate aforesaid, or their successors, after the clear yearly value of their estates, real and personal, of what nature or kind soever, shall amount to the said sum of one thousand pounds current money, and all bargains and purchases to be made by any trustees or corporation aforesaid, or their successors, which may increase the yearly value of the said estate above or beyond the standard aforesaid, shall be absolutely void and of none effect; and provided also, that no corporation or body politic aforesaid, or their successors, shall grant, alien, sell or transfer, such lands, tenements, annuities, or transfer such lands, tenements, annuities, or other hereditaments, or any less estates, rights or interests, in the same, or dispose of any kind, manner or portion, of goods or chattels, or any sum or sums of money above twenty pounds current money, or sell, alien or transfer, any church, chapel, meeting-house, or other house of worship, or burying-ground, or apply to the legislature for leave to sell, alien, or transfer the same, unless thereunto authorised by a majority of the votes of the church, society or congregation, whereunto they respectively belong as a body politic or corporate; and in case any body politic or corporate, or their successors, or any of them, shall act contrary to the provisions herein expressed, then, and in every such case, such sales, gifts or grants, shall be null and void, and each and every member who shall have concurred in offending as aforesaid, shall be for ever thereafter incapable of executing the trusts created by this act; and the said church, society or congregation, to which the said trustees or body politic so offending did belong, shall and may proceed, at their discretion, to appoint and choose, as herein before directed, a sufficient number of persons qualified as aforesaid to act as trustees, or a body politic or corporate, for and on behalf of the said church, society or corporation.