

And, whereas it has been represented to this general assembly, that certain property, real, personal and mixed, or the rents and profits thereof, have been heretofore applied to the use, support and maintenance, of the ministers of the Roman catholic religion, although the said property hath been held and possessed by certain individuals as the legal proprietors thereof, but under a confidential or implied trust, that the said property, and the rents and profits thereof, should be faithfully applied to the use, support or maintenance, of the ministers of the Roman catholic religion: And whereas, by the declaration of rights, all gifts, sales or devises, for the support, use or benefit, of any minister or preacher of the gospel as such, or of any religious sect or denomination, without the leave of the legislature, are declared to be void: And whereas it is highly reasonable and just to grant unto the ministers of the Roman catholic religion, who are citizens of this state, that legislative aid without which they will be destitute of that protection and security to their property, to which they are entitled equally with every other sect or denomination of christians; Be it enacted, That every legal proprietor or possessor of any property, real, personal or mixed, held and possessed by him, on or before the fourteenth day of August, seventeen hundred and seventy-six, under a confidential trust, that the same, or the rents or profits thereof, should be applied to the use, support or maintenance, of the ministers of the Roman catholic religion, and every legal proprietor or possessor of any property, real, personal or mixed, acquired since the said fourteenth day of August, seventeen hundred and seventy-six, by exchange for property held under a confidential trust as aforesaid, before the said fourteenth day of August, seventeen hundred and seventy-six, or purchased with money or other valuable consideration held by such proprietor or possessor in confidential trust as aforesaid, or arising from the rents, issues and profits, of such property, acquired before the period aforesaid, may have full power and authority, at any time hereafter, to execute an instrument of writing, declaring the purposes for which the said property hath been or is held by him, or he may, by deed or otherwise, convey the same in trust to any one or more of the ministers of the Roman catholic religion, being citizens of this state, and exercising their ministerial functions agreeably to the established rules and discipline of their church, and to the regulations to be agreed upon at the first meeting for choosing trustees pursuant to the directions of this act, and for such pious purposes as the same hath been confidentially held by him, which said declaration or deed so to be made, shall be signed by the party making the same in presence of two witnesses, acknowledged as aforesaid, and on the said declaration or deed shall be endorsed the affidavit of the party, that the property comprehended in such declaration or deed was really and bona fide held by him for pious purposes, or acquired as aforesaid in manner and for the purposes aforesaid, and the said affidavit shall be recorded with the said declaration or deed within six months after the execution thereof.

And be it enacted, That the said person or persons, and their successors, in whose favour the said declaration or deed shall be made, shall be vested with such estate in fee or lesser estate, according to the true intent and meaning of the said declaration or deed, and true intent of the party or parties making the same.

And be it enacted, That it shall and may be lawful for the ministers of the Roman catholic religion within this state, citizens thereof, and exercising their ministerial functions agreeably to their established rules and discipline, to choose, at their discretion, certain persons of their order, citizens of the state, not less than five, nor more than seven, to constitute a body politic or corporate; which said body politic or corporate may acquire and hold, by deed or otherwise, from any one of their own body, any property held in confidential trust before the fourteenth day of August, seventeen hundred and seventy-six, or acquired since that period by exchange or purchase from funds arising from such property held in confidential trust before the said fourteenth day of August, seventeen hundred and seventy-six, and which property shall be under their sole control and management, and the said ministers may do every thing by this act appointed for, or required of, any particular church, society or congregation, in electing, instituting and perpetuating, its respective coporation.

And, whereas by the declaration of rights it was, among other things, provided, that the churches, chapels, glebes, and all other property belonging to the church of England, now denominated the Protestant Episcopal Church, in this state, ought to remain to the said church for ever: And whereas certain laws or acts have been passed for the establishment of bodies politic, by the name of Select Vestries, for the preservation of the said property, and applying towards the support of ministers and readers, clerks and registers, of the said church; Be it therefore enacted, That the minister and vestry of every protestant episcopal church or congregation in this state, within their respective bounds or districts, heretofore called parishes, shall, as a body politic, upon the footing of equal liberty, without being obliged to any change of name, or any diminution of their former rights under the said vestry acts, be entitled unto, and have all and singular, such other and farther rights, franchises, immunities, and enlargement or extension, of their property and estates, as the minister, trustees and body politic, of any other church or congregation are entitled to, or can of right have, claim or enjoy, under this act.

And be it further enacted, That if heretofore there has been, or hereafter shall be, any failure or neglect to choose vestrymen according to law, on any Easter Monday, or otherwise, to the injury of the vestry of any protestant episcopal church or congregation, it shall and may be lawful for the minister of such church or congregation, and in the absence or want of a minister, for any two of the former vestrymen, by advertisements put up at such church, to notify and call a meeting of the persons entitled to vote for vestrymen, on the first Monday of any month succeeding that on which Easter falls, in order to hold a new election for reviving and continuing such vestry according to law, and in the manner in which such election ought to have been held by law on the Easter Monday preceding.

And,