CAP. XXXVI.

An Act to amend an Act of the Fifth and Sixth Years of King *William* the Fourth, "for the more easy Recovery of Tithes;" and to take away the Jurisdiction from the Ecclesiastical Courts in all Matters relating to Tithes of a certain Amount.

[21st *June* 1841.]

'WHEREAS it is expedient to extend all the Provisions of an Act passed in the Fifth and Sixth Years of His late
5&6W. 4. c.74. 'Majesty King *William* the Fourth, intituled *An Act for the more easy Recovery of Tithes*, to all Suits in the Ecclesiastical Courts hereafter to be commenced for the Recovery of any Tithes, Oblations, or Compositions of or under the yearly Value of Ten Pounds, and of any Great or Small Tithes, Moduses, Compositions, Rates, or other Ecclesiastical Dues or Demands whatsoever, of or under the Value of Fifty Pounds, withheld by any Quaker:' 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 from and after the passing of this Act all the Enactments and Provisions of the said recited Act passed in the Fifth and Sixth Years of His late Majesty King *William* the Fourth, respecting Suits or other Proceedings in any of Her Majesty's Courts in *England*, in respect of Tithes, Oblations, and Compositions of or under the yearly Value of Ten Pounds, and of any Great or Small Tithes, Moduses, Compositions, Rates, or other Ecclesiastical Dues or Demands whatsoever, of or under the Value of Fifty Pounds, withheld by any Quaker, shall extend and be applied to all Ecclesiastical Courts in *England*.

Enactments and Provisions of recited Act respecting Proceedings for the Recovery of certain Tithes and other Ecclesiastical Dues extended to all Ecclesiastical Courts in England.

CAP. XXXVII.

An Act for the more easy Recovery of Arrears of Compositions for Tithes from Persons of the Persuasion of the People called Quakers in *Ireland*.

[21st *June* 1841.]

'WHEREAS by an Act passed in the Session of Parliament holden in the First and Second Years of the Reign
1&2Vict. c.109. 'of Her present Majesty, intituled *An Act to abolish Compositions for Tithes in* Ireland, *and to substitute Rent-charges in lieu thereof*, the Right in and to certain Compositions for Tithes therein mentioned was vested in Her Majesty: And whereas it is expedient to make Provision, in manner herein-after mentioned, for the Recovery of such Compositions (without Limit as to the Amount thereof) from Persons of the Persuasion of the People called Quakers;' be it therefore enacted by the

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 in all Cases in which the Person liable to the Payment of any Composition for Tithes, the Right in and to which shall have vested in Her Majesty under any of the Provisions of the said recited Act, shall be of the Persuasion of the People called Quakers, the same shall (without Limit as to the Amount) be recoverable by Her Majesty's Attorney General for *Ireland* in such Manner only as by an Act of the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the more easy Recovery of Tithes*, is expressly or by reference prescribed for the Recovery of Ecclesiastical Demands of or under the Value of Fifty Pounds from Quakers in *Ireland*, but with a like Exception, as is contained in the said last-recited Act, in case the actual Title of Her Majesty to such Composition for Tithes, or the Amount thereof, or the Liability or Exemption of the Property to or from the same, shall be *bonâ fide* in question; and in any Case, except as aforesaid, in which the Person so liable shall be of the Persuasion aforesaid, and any other Remedy or Proceeding than those expressly or by reference prescribed by the said last-mentioned Act has heretofore been or shall hereafter be commenced or prosecuted against him, it shall be lawful for him, or any one on his Behalf, to serve upon the said Attorney General a Declaration or Notice in Writing, stating that he is of the Persuasion aforesaid, and such other Remedy or Proceeding shall be thereupon forthwith discontinued, and the Costs previously incurred shall be taxed, and the said Attorney General shall proceed to recover such Composition by such Remedy as in the said last-recited Act is provided, and shall be entitled to recover therewith, and as Part thereof, the Costs of such Proceeding so discontinued; and such Notice shall be Evidence of the Liability of the Person by or on whose Behalf the same may have been given, and of his being of the Persuasion aforesaid: Provided always, that nothing herein contained shall affect the Validity of any Proceeding which shall have been instituted or commenced before the passing of this Act, unless and until such Declaration or Notice in Writing as aforesaid shall be served upon the said Attorney General: And provided further, that if upon any such Proceeding a sufficient Distress cannot be found to satisfy the said Composition for Tithes, and the Costs (if any), together with the reasonable Costs of Distress, then the other Remedies provided or allowed by the said recited Act of the First and Second Years of Her Majesty's Reign may be resorted to, in the same Manner as if the Persons liable to the Payment were not of the said Persuasion of People called Quakers: Provided also, that in no Case whatever shall any Execution or Decree or Order issue or be made in respect of any such Tithe Composition against the Person of any Defendant being of the Persuasion of the People called Quakers.

Arrears of Compositions for Tithes vested in Her Majesty under 1 & 2 Vict. c. 109. to be recovered from Quakers in like Manner as Rent-charges under that Act and 5 & 6 W. 4. c. 74.

II. And

Interpretation Clause.

II. And be it enacted, That the Provisions made by the said recited Act of Her present Majesty for the Interpretation of certain Words and Expressions therein shall apply to and extend to the like Words and Expressions in this Act; and that the said recited Act and this Act shall be construed together as One Act.

Act may be amended, &c.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. XXXVIII.

An Act to afford further Facilities for the Conveyance and Endowment of Sites for Schools.

[21st *June* 1841.]

'WHEREAS it is expedient that greater Facilities should 'be given for the Erection of Schools and Buildings for 'the Purposes of Education:' May it therefore please Your Majesty that it may be enacted; and be it 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 from and after the passing of this Act an Act passed in the Session held in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to facilitate the Conveyance of Sites for School-rooms*, shall be and the same is hereby repealed; provided that all Matters and Things done in pursuance of the said Act shall be and remain valid as though the said Act was not repealed; and all Matters and Things commenced in pursuance of the said Act shall be continued according to the Provisions of this Act, if the same shall be applicable, otherwise shall be continued conformably to the said recited Act, which shall be deemed to be still in force with regard to such Proceedings.

Repeal of 6&7 W. 4. c. 70.; but Things done in pursuance thereof declared valid, and those commenced to be continued according to this Act.

Landlords empowered to convey Land to be used as Sites for Schools, &c.

II. And be it enacted, That any Person, being seised in Fee Simple, Fee Tail, or for Life, of and in any Manor or Lands of Freehold, Copyhold, or Customary Tenure, and having the beneficial Interest therein, or in *Scotland* being the Proprietor in Fee Simple or under Entail, and in Possession for the Time being, may grant, convey, or enfranchise by way of Gift, Sale, or Exchange, in Fee Simple or for a Term of Years, any Quantity not exceeding One Acre of such Land, as a Site for a School for the Education of poor Persons, or for the Residence of the Schoolmaster or Schoolmistress, or otherwise for the Purposes of the Education of such poor Persons in religious and useful Knowledge; provided that no such Grant made by any Person seised only for Life of and in any such Manor or Lands shall be valid, unless the Person next entitled to the same in Remainder, in Fee Simple, or Fee Tail, (if legally competent,) shall be a Party to and join in such Grant: Provided also, that where any Portion of Waste or Commonable Land shall be gratuitously conveyed by any Lord or Lady of a Manor