

REPORT

OF THE

Committee

OF

K London
THE UNITARIAN ASSOCIATION

FOR PROTECTING THE CIVIL RIGHTS OF UNITARIANS,

TO THE GENERAL MEETING,

Held at the London Tavern, on Thursday, June 3, 1819.

ALTHOUGH, by the Resolution of the Meeting in which this Association originated, the members of the present Committee continue in office till the General Meeting of 1820, they conceive it to be their duty to give an account, in the mean time, to the members of the Association, of the matters which have occupied their consideration during the short interval which has elapsed since their appointment.

The objects to which the Committee of this Association can be called upon to direct their attention, must of course be very uncertain in their occurrence. The cases in which they may have to afford their assistance and support to resist aggression, will (it is to be hoped) seldom occur, and the propriety of endeavours to enlarge the limits of religious freedom, must depend, for the most part, on the contingency of opportunities favourable to exertion.

The only matter of public interest, in which the Committee have hitherto felt themselves called upon by the general wish to interfere, is the present state of the Marriage Law as it more peculiarly affects Unitarian Dissenters; and they have thought the present a fit time for the agitation of the question.

On investigating the subject, they have found that the grievance complained of is one comparatively of very modern origin;—that prior to the Marriage Act, which was passed only 66 years ago, all Dissenters were legally entitled to the celebration of marriage as a ceremony, in the manner most consonant to their particular opinions, so as the legal requisites of a contract binding on the parties were preserved;—that they have, therefore, now only to ask for a restoration of the rights which have been suspended by the operation of an act which it is evident was never intended to infringe on religious liberty; and are, at any rate, entitled to claim that the service in which they are required to join, should not be one totally repugnant to their feelings and opinions. It appears to the Committee indis-

putable, that by the ancient law of this country, as well as of perhaps all other Christian States, marriage is essentially a civil contract; and that though in the progress of the ecclesiastical spirit of appropriation, which sought to bring the properties and business of all mankind under its jurisdiction, attempts were made, as far as the power of the Church extended, to usurp the controul and celebration of the marriage ceremony; yet that in the eye of the law, so far at any rate as it regarded the legal consequences of marriage, the subsistence of a binding contract between the parties was alone essential or material. The Dissenters, therefore, of England, were entitled to the celebration of their marriages, more especially after the date of the Toleration Act, which legalized their religious services,—and that these marriages were valid in law, is clear from the existence at the present day of the same right asserted in actual practice among the Quakers, with regard to whom the legal question rests at this moment on precisely the same grounds as it did with respect to the general body of Dissenters before the Act of the 26 George II.

It is however true, that the Dissenters in general did before that act conform in practice to the ritual of the Church, and several reasons contributed to induce this. It was, in the first place, of extreme importance that publicity and regularity should take place in celebrating and recording the marriage contract:—in the next place, the Dissenters agreed for the most part in doctrine with the Church, and many of them felt little or no repugnance to occasional conformity;—and lastly, though the common law courts supported their marriages, and the ecclesiastical courts had no power to annul them, yet the latter had in several ways the means of annoyance and inconvenience to those who did not submit to their regulations.

In this state of things the Marriage Act was passed, and appears to have met with no opposition from the Dissenters, for the same reasons which had induced them to conform in previous practice. The measure was undoubtedly intended by those who brought it forward, as a mere matter of civil regulation: in those cases where it appeared to clash with religious discipline or opinion, relief was readily extended, by excepting the parties from its operation; and upon the same principle the Unitarians of the present day are (especially since the extension in their favour of the benefit of the Toleration Acts) entitled to claim the same indulgence, as one which, they are warranted in saying, it appears from the tenor of the Marriage Act, would have been granted them, if they had been of sufficient political consideration to have rendered it easy or prudent for them to protest against it at the time it passed.

The Committee directed their attention in the first place to framing a petition to the Legislature, which they might recommend to the adoption of those who should be desirous to come forward on the occasion. Several petitions have accordingly been signed by individuals of different congregations, and forwarded for presentment to members of the two Houses of Parliament; the principal of those to the House of Commons being intrusted to William Smith, Esq., who readily promised his assistance on the occasion.

On the subject of the relief to be sought, different opinions may perhaps be formed, and have indeed existed in the Committee. It would certainly be the fairest and most liberal plan to release every Dissenter from a compulsive conformity to the Established Church, and to make the legal contract again, in practice as well as theory, merely civil, securing the essentials of regularity in celebration and record, and leaving each indi-

vidual to add to the legal contract such religious rites as might appear to himself expedient or proper: but unless the general body of Dissenters were likely to unite zealously in support of such a proposition, it does not seem at all probable so important a change in the civil policy of the country would be proposed with any chance of success; and if they are in general not inclined to object to perform the ceremony (considering it as a matter of civil regulation) in the Church, the utmost perhaps which is likely to be obtained, or which it might be prudent to ask, would be to be relieved from joining in the devotional part of the service. This might be very readily effected by an act to permit the celebration and registration of the marriages of those Dissenters who should require it, on the use of that part of the service only which contains the mutual plighting of the parties, and is purely civil. This mode would, in fact, secure all the municipal objects of the Marriage Act, at the same time that it would put an end to the anomalous conformity which Dissenters are at present obliged by law to practise to the religious services of a Church, from which the same laws protect them in separating; and it would leave them, of course, at full liberty to add, if they pleased, to these civil regulations any religious service which they might think proper to adopt, at their own place of worship.

There is undoubtedly a middle course which may come under consideration, (though likely, perhaps, on several accounts to meet with more opposition,) that of allowing each sect the celebration of the marriage ceremony according to its own form, providing only for proper registration in the parochial register, on the certificate of competent persons, and on payment to the minister of the accustomed fees. It is, however, perhaps premature to discuss at any great length this branch of the subject. It will be brought generally under the consideration of the Legislature; and the mode in which relief may be afforded, if at all, will probably depend upon considerations on which it is impossible to speculate in anticipation, with any degree of certainty.

The Committee will, perhaps, be expected to notice the subject which was much under discussion at the time the Association commenced, namely, the liability of a congregation to dispossession of property arising even from its own immediate contributions, on account of any change (whether real or existing only in the deductions of legal fiction) in its opinions or discipline. The Committee need hardly say, that they would, whenever called upon for their assistance on such an occasion, do all in their power to oppose a position so hostile to the progress of free inquiry, and the exercise of complete religious liberty—so inconsistent with the true and enlarged principles on which Dissenters form themselves into societies. They have not, however, been called upon to interfere on the subject; and they trust that the disgraceful attempt which was recently made or countenanced by persons calling themselves by the name of Dissenters, while they violated every principle that could entitle them to it, will, on cooler reflection, be abandoned.

In the discussion of the case to which the Committee have just referred, a point was also raised of considerable importance, as it was levelled not only against the property but the liberty of Unitarians, who, it will be recollected, were there contended to be still subject to prosecution as offenders against the Christianity said to be alone recognized by law. The Committee have not found it necessary to take any steps towards removing the doubt which has been thus raised, particularly as it seems involved in the consideration of a case which may still be said to be under

judicial decision, and they can therefore only observe, that the more the arguments used in support of the proposition just alluded to are considered, the less foundation do they appear to have in any principles which would not equally apply to the whole body of Dissenters, who differ in any degree from the doctrines of the Established Church.

The Committee, in conclusion, are happy to have it in their power to congratulate the General Meeting on the gradual, and they trust, firm establishment of "*The Unitarian Association*." They are able to report many congregations as having already united themselves in support of its objects; and they have no doubt that they shall, before the next meeting, enrol in its connexion by far the greater part of the existing bodies of Unitarians in the kingdom. It must be unnecessary for the Committee to enlarge on the beneficial influence of institutions like the present. Independent of their utility in redressing actual injuries, and protecting the property or liberty of those whom the mere want of means and proper advice would deprive of the power of resistance to oppression, their preventive efficacy would alone entitle them to public support. The mere knowledge that such associations exist for prompt interference against bigoted and vexatious aggression, it is well known has a constant beneficial operation in deterring those who might otherwise be tempted to indulge in the petty arts of persecution. There are many subjects peculiarly pressing on the consideration of Unitarians which do not affect other Dissenters, and can only receive the attention necessary to secure success in their endeavours for relief and support, from an union of the exertions of those who are more peculiarly interested. In this they are only following the example of several other bodies of Dissenters; and while they on every occasion zealously and heartily unite with their brethren in promoting the general interest, they are surely—by a division of the labour—by exerting themselves in their separate capacity to remove those difficulties that more immediately press upon their notice—advancing the great work, without the accomplishment of which none ought to rest satisfied,—*the complete removal of all civil penalties and disabilities in matters of religion.*

At the General Meeting held as above-mentioned,

It was Resolved,

That the Report of the Committee read by the Secretary be received, and that the same, together with the Rules of the Association and a List of the Congregational and individual Subscribers, be printed and circulated.

That the Meeting have heard with much satisfaction the lists of subscriptions from congregations and individuals; and as the objects of the Association embrace the interests of Unitarian congregations in every part of the kingdom, they earnestly recommend the union of the greatest possible number both of individual and congregational subscribers, in order to enable it to act upon any emergency with promptitude and effect.



RULES OF THE ASSOCIATION.

1. This Society shall be denominated "The Unitarian Association for the Protection of the Civil Rights of Unitarians."

2. The Association shall consist of individual subscribers, and of the representatives of congregations making an annual contribution.

3. The qualification of individuals, as members of this Association, shall be an annual subscription of not less than 10s. 6d. or a donation of not less than 5l. 5s.

4. Every congregation contributing annually not less than one guinea, shall be at liberty to send two representative members. Officiating ministers of congregations shall be eligible as representatives.

5. An Annual General Meeting of the Association shall be holden on the Thursday in the Whitsun week.

6. A Committee, consisting of ten persons, resident in or near London, shall be chosen at the Annual Meeting, to transact the business of the Association, of whom four, viz. those who shall have given the least attendance at Committee Meetings, shall be ineligible for one year.

7. A Treasurer and Secretary shall also be chosen at the Annual Meeting, who shall be added to the Committee. The Treasurer shall receive subscriptions, and make all necessary disbursements on account of the Association; and the Secretary record its minutes, conduct its correspondence, and summon Committee and General Meetings.

8. In all meetings of the Committee, the presence of five members shall be necessary for proceeding to business.

9. All subscriptions shall be paid in advance, and be considered as due on the 1st of January in each year. And no person shall be allowed to vote at an Annual Meeting until his subscription for the current year be paid.

10. The above Rules shall not be altered except by two-thirds of the members present at a General Meeting. Any alterations intended to be proposed to the Society must be first notified to the Committee at one of its meetings.

Congregations united to the Association.

	Minister.	£.	s.	d.
Alnwick	Rev. W. Probert	1	1	0
Bessels Green	Matthew Harding	1	1	0
Brighton		1	1	0
Boston	D. W. Jones	1	1	0
Birmingham, (Old Meeting,)	R. Kell and S. W. Browne	2	2	0
Bristol, (Lewins Mead,)	J. Rowe and L. Carpenter, LL.D.			
Chichester	J. Fullagar	1	1	0
Crediton	J. P. Hinton	1	1	0
Ditto, donation		1	1	0
Collumpton	J. Davis	1	1	0
Carmarthen	J. Evans			
Colchester	J. Meek			
Dorchester		1	1	0
Deptford	William Moon	1	1	0
Dover	Benjamin Marten	1	1	0
Ditchling				
Elland	J. Beattie			
Exeter (George's Meeting)	J. Manning and W. Hincks	2	0	0
Framlingham	S. S. Toms	2	0	0
Falmouth		1	1	0
Gloucester	Theophilus Browne	1	1	0
Godalming	John Ellis and T. Moor			
Hackney, (Gravel-Pit,)	R. Aspland	1	1	0
Liverpool, (Renshaw Street,)	G. Harris	5	5	0
Ditto, (Cross-Hall Street,)		1	1	0
Lutton	— Smith	1	1	0
Lincoln	James Hawkes			
Lynn, (Norfolk,)	B. Treleaven			
Maidstone	Abraham Harris			
Moreton Hampstead	J. Smethurst	1	1	0
Manchester, (Mosley Street,)	— Hawkes			
Newport, (Isle of Wight,)	William Stevens	1	1	0
Norwich	Thomas Madge	3	3	0
Nottingham				
Plymouth	Israel Worsley	5	5	0
Palgrave	Ch. Valentine	1	1	0
Parliament Court, London	W. J. Fox	1	1	0
Rossendale (Newchurch)	John Ashworth			
Reading	J. B. Smith			
Shrewsbury	— Case	2	0	0
Swansea	Edmund Butcher	1	1	0
Sidmouth	R. Awbrey	1	1	0
Soham				
Sheffield	N. Philipps, D. D.			
Thorne and Staniforth	G. Gaskell	3	15	6
Tenterden	L. Holden	2	2	0
Ditto, donation		5	0	0
Taunton	J. L. Fenner and H. Davies	1	1	0
Thomas's St., Southwark	Dr. T. Rees	1	1	0
Tavistock	W. Evans	1	1	0
Wisbeach Congregation	N. Walker	1	1	0
Warwick		1	1	0
Worship Street, London	James Gilchrist			
York				

SUBSCRIBERS.

	Don.			Ann.		
	£.	s.	d.	£.	s.	d.
Aspland, Rev. Robert, Hackney Road	-	-	-	0	10	6
Allen, Mr. Samuel, Stratford	-	-	-	0	10	6
Astley, Rev. Richard, Halifax	-	-	-	0	10	6
Butler, A. P., Esq.	5	5	0			
Bowring, Mr. John	5	5	0			
Blake, Rev. W., Crewkerne	-	-	-	1	0	0
Brent, John, Esq., Rothêrhithe	5	5	0			
Cordy, John, Esq., Worlingworth, near Eye, Suffolk	5	0	0			
Christie, John, Esq.	5	5	0			
Cordell, Mr. John, Bishopsgate Street	-	-	-	0	10	6
Chatfeild, John, Esq., Stockwell, Surrey	-	-	-	0	10	6
Carslake, John, Esq., Sidmouth	-	-	-	0	10	6
Carslake, Joseph Henry, Esq., Musberry	-	-	-	0	10	6
Carpenter, Rev. Dr., Bristol	-	-	-	0	10	6
Cooke, T., Esq., Isle of Wight	5	5	0			
Ellison, Mr. Henry, Liverpool	-	-	-	0	10	6
Everet, Dr., Stepney Green	-	-	-	0	10	6
Fullagar, Rev. J., Chichester	-	-	-	0	10	6
Fisher, Thomas, Esq., Dorchester	-	-	-	1	1	0
Fisher, John, Esq., Ditto	-	-	-	1	1	0
Fenton, Mr. James, Leeds	-	-	-	0	10	6
Fernie, Joseph, Esq., Leadenhall Street	-	-	-	1	1	0
Fox, Rev. W. J., Suffolk Place, Hackney Road	-	-	-	0	10	6
Freeman, Mr. Thomas	-	-	-	0	10	6
Freeman, Rev. S., Enfield	-	-	-	0	10	6
Flower, Benjamin, Esq., Hackney Road	-	-	-	0	10	6
Greve, Mr. John	-	-	-	0	10	6
Gosford, Rev. —, 25, Mount Street, Whitechapel	-	-	-	0	10	6
Gibson, Thomas, Esq., Trump Street, Cheapside	5	5	0			
Gilchrist, Rev. J., Newington Green	-	-	-	0	10	6
Grey, Mr. Robert, Alnwick	-	-	-	0	10	6
Hurry, Ives, Esq., London Wall	5	5	0			
Hornby, Mr. Thomas, 106, Fenchurch Street	-	-	-	0	10	6
Harris, Mr. James	-	-	-	0	10	6
Hardy, Thomas, Esq., Walworth	5	5	0			
Hurry, Thomas, Esq., Great Yarmouth	5	5	0			
Hart, Mr., Spitalfields	-	-	-	0	10	6
Jacques, Mr. C. A., Chichester	1	0	0			
Johnson, Joseph, Esq., Liverpool	5	5	0			
Johnston, Ebenezer, Esq.; Rev. William Johnston; and Rev. Thomas Jervis, (Executors of the late Swan Downer, Esq.)	30	0	0			
Kingsford, Sampson, Esq., Canterbury	5	5	0			
Kenrick, James, Esq., Wrexham	5	5	0			
Leach, Mr., Hackney	-	-	-	1	1	0
Lloyd, C., LL.D., Keppel Street, Russell Square	-	-	-	0	10	6
Luccock, Mr. J., Birmingham	-	-	-	1	0	0
Ludlow, Mr. Joseph, Somers Town	-	-	-	0	10	6
Leigh, W., Esq., Salcombe	-	-	-	0	10	6
Marsom, Mr. John, Smithfield	-	-	-	0	10	6
Marsden, Mr. Thomas, Kingston	-	-	-	0	10	6
Manning, W. O., Esq., Chelsea	-	-	-	1	1	0
Middleton, Mr. Jesse, St. Martin's Lane	5	5	0			
Martineau, Mr. Robert	-	-	-	0	10	6
Mackintosh, John, Esq., Exeter	-	-	-	1	0	0

	Don.			Ann.		
	£.	s.	d.	£.	s.	d.
Maurice, Rev. M., Frenchay, Bristol	-	-	-	0	10	6
Marsden, Mr., Southwark	-	-	-	0	10	6
Price, William, Esq., Gloucester	5	5	0			
Parsons, John, Esq., Upland House, Bridgewater	10	0	0			
Parkes, Samuel, Esq., Goswell Street	-	-	-	0	10	6
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Pawsey, R., Esq., Bury St. Edmunds	-	-	-	0	10	6
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Ditto, annual	-	-	-	1	1	0
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Rutt, J. T., Esq., Clapton	-	-	-	0	10	6
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Robinson, G., Esq., 31, Fenchurch Street	-	-	-	0	10	6
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Spurrell, Mr. Joseph, Hackney	-	-	-	0	10	6
Smallfield, Mr. G., Homerton	-	-	-	0	10	6
Smith, Mr. W., King Street, Snow Hill	-	-	-	0	10	6
Sparkes, S., Esq., Crewkerne	5	5	0			
Spyring, Mr., Borough	-	-	-	0	10	6
Spyring, Mr. J. T.	-	-	-	1	1	0
Taylor, Mr. John, Norwich	5	5	0			
Taylor, Mr. John, Jun., Bury Court, St. Mary Axe	-	-	-	1	1	0
Taylor, Mr. Richard, Shoe Lane	-	-	-	0	10	6
Taylor, Mr. Edgar, Temple	-	-	-	1	1	0
Teshmaker, Mr.	-	-	-	1	1	0
Teulon, Mr., Whitechapel	-	-	-	0	10	6
Talfourd, T. N., Esq., Temple	-	-	-	0	10	6
Townend, Mr. John, Shoreditch	5	5	0			
Townend, Mr. George, Ditto	5	5	0			
Titford, Mr. Richard, Ditto	5	5	0			
Wainwright, R., Esq., Gray's Inn	5	5	0			
Young, James, Esq., Hackney	-	-	-	1	1	0

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