

The 1816 Deed

The original indenture of 2 February 1816 by which Joseph Flint and others set up the Chapel is in the Surrey History centre and a copy is displayed [in the Chapel]. It runs to about 1600 words and the following is a summary which attempts to remove much of the jargon while retaining the style and aspirations of the period.

2 February 1816 between Joseph Flint the elder of Charlwood shopkeeper and

Charles Thomas Smith of Charlwood clerk

John Atkinson of Epsom clerk

John Whitehouse of Dorking clerk

Joseph Flint the younger of Charlwood shopkeeper

Thomas Wilson of Islington gentleman

Thomas Burberry of Newdigate yeoman

James Walder of Newdigate yeoman and

Peter Peyto Good of Fountain Court Broad Street London merchant

Flint the elder seized of fee simple of the premises is desirous of settling the same on the trusts and Smith and others are paying £500 for the land on which the chapel has lately been erected part of a field called [blank] and part of lands called Roundabouts, 14 yards from north to south and from the west end of the building to the east 21 yards and from the end of the 21 yards to the end of the said piece of land 25 yards ... to have and to hold by Smith [etc] upon the trusts, i.e. upon the special trust and confidence that Smith [etc] to permit the said chapel and premises to be used as a chapel for the public worship of Almighty God under the denomination of the union chapel for the more immediate accommodation of society of members of protestant dissenters of the independant [sic] denomination who believe in and maintain such doctrinal articles of the Gospel of Jesus Christ as shall be written in a book to be provided and kept for that purpose in the vestry of the said chapel and signed by all persons who shall become members of the same chapel and to that end it is hereby recorded declared and agreed that no minister or ministers should be permitted to preach or perform divine service ... before the moral character of such minister or pastor shall be fully approved of by the said trustees ... and also of the majority of the male communicants attending the said chapel whose names are written or entered in such vestry or society book ... and unless such minister or pastor shall preach agreeable.

If the trustees do not consider that the elected minister conforms a vacancy shall be declared and the trustees shall be at liberty to appoint such minister or pastor alone being of the same persuasion and of such moral character and such choice and appointment being intended and hereby expressed and declared to be revocable at pleasure by the said trustees and male members of the said society if they see occasion.

The land and buildings and any additions shall forever remain and be for the use and accommodation of the congregation for the time being assembling in the said chapel. All rents and expenditures shall be under the direction of the trustees.

If public worship in the said chapel shall be totally discontinued for the space of six months (unless prevented by persecution for religious opinion or in case the trustees for the time being shall be of

opinion that a larger or more convenient Chapel should be necessary) then the trustees may mortgage or sell the ground and premises.

Trustees may use the money from mortgage or in purchasing or building of another more convenient chapel to be used and occupied in the same manner and for the same purposes as the said chapel. If this is not practicable by the repeal of the acts of toleration or any new law prohibiting the same then and in such case the trustees ... shall apply and dispose of the money to arise from such sale as aforesaid to such religious purposes as have a tendency to promote and spread the knowledge of Jesus Christ on the principals [sic] aforesaid as the trustees shall think fit.

If the number of trustees be reduced to three in number or sooner if thought advisable it shall be lawful for the surviving trustees or the major part of them for the time being to appoint sufficient numbers of proper persons as the case may require as shall testify by declaration in writing under their hands (if required) his and their belief in the aforesaid declaration and articles of faith respectively shall be fully known and approved by the remaining and surviving trustees to be trustees in the future and stead of the trustees who leave to make up the number of eight trustees and more. Counsel's advice is to be sought to transfer trusts to the new trustees.

And also that they(the said [Smith etc]) and the trustees [and their successors] ... shall only be charged and chargeable with so much money as they shall respectively actually receive by virtue of the trusts hereby created. No one is responsible for other trustees' defaults or negligence and trustees shall have full power and authority by and out of such money as may come to their hands ... to deduct and reimburse themselves respectively all costs damages and expenses which they or any of them may pay incur or sustain in or about the execution of the aforesaid trusts or in relation thereto.

In witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written.

Signatures and seals follow ...