ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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C A P. CXXXVII.

An Act to validate certain Orders made by the Lord Lieutenant in Council under the Church Temporalities Acts in *Ireland*, and to increase the Stipends payable by the Ecclesiastical Commissioners for *Ireland* to certain Incumbents in *Ireland*. [20th *August* 1867.]

WHEREAS an Act was passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to alter and amend the Laws relating to the Temporalities of the Church of* Ireland, which Act was amended by Two Acts passed respectively in the Sessions of Parliament holden in the Fourth and Fifth and Sixth and Seventh Years of the same Reign, and which several Acts were further amended by Acts passed in the Third and Fourth, Sixth and Seventh, Seventeenth, Eighteenth, and Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty: 3 & 4 W. 4. c. 37.

And whereas by the said Acts it was provided (amongst others) that it should and might be lawful for the Lord Lieutenant or other Chief Governors of *Ireland* and the Privy Council there, in the Case of any and every Archbishopric, Bishopric, or Deanery (other than therein mentioned), or Archdeaconry, Dignity, Prebend, or

 Canonry,

Canonry, by and with the Consent and Approbation of the Archbishop, Bishop, Dean, Archdeacon, Dignitary, Prebendary, or Canon thereof, or, whensoever such Archbishopric, Bishopric, Deanery, Archdeaconry, Dignity, Prebend, or Canonry should be void, to disappropriate, disunite, and divest any Rectory, Vicarage, Tithes or Portions of Tithes, and Glebes, or Part or Parts thereof, from and out of any Archbishopric, Bishopric, Deanery, or Archdeaconry, Dignity, Prebend, or Canonry, and to unite any such Rectory, Vicarage, Tithes or Portions of Tithes, to the Vicarages and Perpetual and other Curacies of such Parishes respectively, so that each such Rectory, Vicarage, Tithes or Portions of Tithes, and Glebes, or Part or Parts thereof, should, with its respective Vicarage, Perpetual or other Curacy, form a distinct Parish or Benefice, and that where there was not any Vicar or Curate in any Parish which, or the Tithes or any Portions of the Tithes, and Glebes whereof, might be appropriated or united to any Archbishopric, Bishopric, Deanery, Archdeaconry, Dignity, Prebend, or Canonry, it should and might be lawful for the said Lord Lieutenant or other Chief Governor or Governors and Council, if they should so think fit, by and with the Consent and Approbation of the Archbishop, Bishop, Dean, Archdeacon, Dignitary, Prebendary, or Canon thereof, or, whensoever such Archbishopric, Deanery, Archdeaconry, Dignity, Prebend, or Canonry should be void, to disappropriate, disunite, and divest such, Parish, and all Tithes, Portions of Tithes, or Glebes, thereunto belonging, from and out of such Archbishopric, Bishopric, Deanery, Archdeaconry, Dignity, Prebend, or Canonry, and, if they should so think fit, to order and direct that such Parish, Tithes or Portions of Tithes, or Glebes, so disunited, should be and become for ever a separate Benefice and Parish, or, if they should not think fit to erect the same into a separate Benefice or Parish, to order and direct that such Parish, Tithes or Portions of Tithes, or Glebes, so disunited, should (subject as therein mentioned) be transferred to the Ecclesiastical Commissioners for *Ireland*:

And whereas, in exercise of the aforesaid Powers, Orders have from Time to Time been made by the Lord Lieutenant or other Chief Governor or Governors and Council for disappropriating or disuniting certain Benefices, Tithes, and Glebes theretofore united with or appropriated to certain of the Dignities aforesaid, and for the Transfer of the same to the Ecclesiastical Commissioners aforesaid:

And whereas Doubts have arisen whether some of the Orders for Disappropriation and Transfer to the said Commissioners so made as aforesaid are valid, and it is expedient to remove such Doubts:

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, as follows:

1. All

All Transfers heretofore made to be valid.

1. All Orders heretofore made by the Lord Lieutenant or other Chief Governor or Governors and Council aforesaid, purporting to be in the Exercise of the Powers herein-before recited, and to transfer to the said Ecclesiastical Commissioners any Tithes, Portions of Tithes, or Glebes to any Parish belonging, by such or any other Orders disappropriated or divested, or purporting to be disappropriated or divested, from any Archbishopric, Bishopric, Deanery, Archdeaconry, Dignity, Prebend, or Canonry, shall be valid and effectual in Law, notwithstanding that in any such Parish there was at the Date of any such Order a Vicar or Curate discharging the Duties thereof; and notwithstanding as aforesaid, all Leases, Renewals, or Grants in perpetuity of any Tithes or Glebes by such Orders intended or purported to be so disappropriated or divested, and transferred to such Commissioners, which have been heretofore made by such Commissioners, shall be valid and effectual against all Persons whatsoever, being or claiming to be Rectors, Vicars, or other Ecclesiastical Incumbents of any of such Parishes, whether appointed before or after the making of such Orders respectively: Provided that nothing herein-before contained shall alter, affect, or prejudice the Rights, if any, of any Person, or of the personal Representatives of any Person, who at the Date of any such Order was such Vicar or Curate of any such Parish, save that such Rights, if any, shall be capable of being enforced only against the General Fund under the Administration of the Ecclesiastical Commissioners for *Ireland*, and not against the Lessees or Grantees of said Tithes or Glebes.

Leases or Grants heretofore made or hereafter to be made by Commissioners to be valid.

Increase of Stipend of Incumbents of Ballymore, Forgney, and Enniskeen.

2. And whereas by an Order of the Lord Lieutenant and Council aforesaid, made on the Fourteenth Day of *December* One thousand eight hundred and forty, being One of the Orders herein-before mentioned, the Lord Lieutenant and Privy Council did (amongst others) direct that the Rectories and demised Rectorial Tithes of the several Parishes of *Ardagh*, *Ballymore*, *Bonowen*, *Enniskeen*, *Forgney* and *Noughill* otherwise *Nohoval*, *Nobber* and *Loughbraccan*, *Rathcore*, and *Trim* should be disappropriated, disunited, and divested from and out of the Bishopric of *Meath*, and that the said Rectories and Rectorial Tithes should be transferred to the Ecclesiastical Commissioners for *Ireland*, and that the Right and Interest in and to the same should vest in the said Commissioners, and should be by them carried to the General Fund under their Administration, charged with certain annual Payments by said Order directed to be by them paid, and (amongst others) with the annual Payment of the Sums of One hundred and fifty-five Pounds, One hundred and eighty-one Pounds Two Shillings, and One hundred and fifty-six Pounds Ten Shillings to the then Incumbents of the Perpetual Cures of *Ballymore*, *Forgney*, and *Enniskeen* respectively, and to their respective Successors Incumbents of the said Cures:

And

And whereas the said Incumbents of *Ballymore*, *Forgney*, and *Enniskeen* have the Cure of Souls in large and extensive Districts, and it is expedient to increase the annual Sums by the said Order to be paid to them respectively:

Be it therefore enacted, That from and after the passing of this Act the said General Fund under the Administration of the said Commissioners shall be charged with and subject to the Payment of the following annual Sums; that is to say, Two hundred and five Pounds to the present Incumbent of *Ballymore*, and to his Successors Incumbents of the said Cure for ever; Three hundred Pounds to the present Incumbent of *Forgney* and *Noughill* otherwise *Nohoval*, and to his Successors Incumbents of the said Cure for ever; and Three hundred and twenty Pounds to the present Incumbent of *Enniskeen*, and to his Successors Incumbents of the said Cure for ever; and the said Sums of Two hundred and five Pounds, Three hundred Pounds, and Three hundred and twenty Pounds shall be paid to the said Incumbents respectively, and to their respective Successors Incumbents of the said Cures, by the said Commissioners, in lieu and full Discharge of the annual Payments by the said Order directed to be by them made to the Incumbents of the said Cures and to their Successors; and the said Incumbent of *Forgney* and *Noughill* and his Successors shall have the Cure of Souls of the whole of said Parishes of *Forgney* and *Noughill*, whether same were included within the District of the Perpetual Curacy thereof or not, and shall perform the Spiritual Duties thereof accordingly: Provided that it shall be lawful for the said Ecclesiastical Commissioners, if they shall so think fit, hereafter to increase the annual Sum hereby made payable to the Incumbent of *Ballymore* by any Sum not exceeding Twenty-five Pounds, and to increase the annual Sum hereby made payable to the Incumbent of *Forgney* and *Noughill* by any Sum not exceeding Thirty Pounds.

Incumbents of Benefices so disappropriated to be styled Rectors.

3. Every Incumbent of any Benefice so disappropriated or divested as aforesaid shall henceforth be styled the Rector of such Parish if same was a Rectory, and the Vicar of such Parish if same was a Vicarage, at the Time of its being so disappropriated or divested, and shall be instituted and inducted accordingly; but he shall not by reason thereof become or be entitled to any Property or Rights in or to any such Benefice, or the Tithe Rentcharges or Glebe Lands thereof which he would not otherwise possess or enjoy.

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