

ANNO SEPTIMO & OCTAVO

VICTORIÆ REGINÆ.

****

CAP. XXVII.

An Act to explain and amend an Act of the last Session of Parliament, intituled *An Act for extending to* Ireland *the Provisions not already in force there of an Act of the Third and Fourth Years of the Reign of the late King* William *the Fourth, intituled 'An Act for the Limitation of 'Actions and Suits relating to Real Property, and 'for simplifying the Remedies for trying the Rights 'thereto;' and to explain and amend the said Act.

[4th *July* 1844.]

WHEREAS an Act was passed in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act for extending to* Ireland *the Provisions not already in force there of an Act of the Third and Fourth Years of the Reign of the late King* William *the Fourth, intituled 'An Act for the Limita-'tion of Actions and Suits relating to Real Property, and for sim-'plifying the Remedies for trying the Rights thereto;' and to explain and amend the said Act:* And whereas by the said recited Act it was enacted, that from and after the First Day of *January* One thousand eight hundred and forty-four the several Clauses and 6 & 7 Vict. c. 54.

Enactments in the said Act of the Third and Fourth Years of the Reign of the late King *William* the Fourth contained, and therein-before recited, relating to any Right to present to or bestow any Church, Vicarage, or other Ecclesiastical Benefice (except as therein is excepted) should extend and apply to *Ireland*, and that as fully and effectually as if the same Clauses and Enactments were there repeated, substituting for the Date of the First Day of *December* One thousand eight hundred and thirty-three, therein mentioned, the said Date of the First Day of *January* One thousand eight hundred and forty-four: And whereas it was by the said recited Act provided and enacted, that the said recited Act should not be prejudicial to or available for any Plaintiff or Defendant in any other Action or Suit then already commenced, or on or before the First Day of *January* One thousand eight hundred and forty-five to be commenced, relating to any Right to present to or bestow any Church, Vicarage, or other Ecclesiastical Benefice in *Ireland*: And whereas Doubts have arisen as to whether under the said herein-before recited Provision the Time therein adverted to for limiting any Action or Suit relating to any Right to present to or bestow any Church, Vicarage, or other Ecclesiastical Benefice in *Ireland* was to expire on the First Day of *January* One thousand eight hundred and forty-four, or on the First Day of *January* One thousand eight hundred and forty-five: And whereas it is necessary to remove such Doubts, and to explain and amend the said herein-before recited Provisions of the said recited Act, and to further amend the said recited Act: Be it therefore declared and 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 the said recited Act shall not be prejudicial to or available for any Plaintiff or Defendant in any Action or Suit already commenced, or on or before the said First Day of *January* One thousand eight hundred and forty-five to be commenced, relating to any Right to present to or bestow any Church, Vicarage, or other Ecclesiastical Benefice in *Ireland*.

Recited Act not to affect any Action, &c. commenced before 1st Jan. 1845 relating to any Right to Presentation.

II. And be it enacted by the Authority aforesaid, That if and when any Action or Suit relating to any Right to present to or bestow any Church, Vicarage, or other Ecclesiastical Benefice in *Ireland* already commenced, or which shall hereafter be commenced within the Limitations prescribed by the said recited Act or this Act, shall become abated by the Death or Marriage of any Party thereto, it shall and may be lawful to and for the Plaintiff or Plaintiffs therein, or the Heir at Law or the personal Representative of the Plaintiff or Plaintiffs therein, according to the alleged Estate or Title of such Plaintiff or Plaintiffs in respect of the Subject Matter of said Actions or Suits, or for the Person or Persons claiming to be entitled in remainder or reversion expectant upon the Estate of such Plaintiff or Plaintiffs to the Right to present to or bestow the Church, Vicarage, or other Ecclesiastical Benefice in *Ireland* for which such Action or Suit shall have been so commenced, to bring a new Action to enforce his, her, or their Right to present to or bestow such Church, Vicarage, or other Ecclesiastical Benefice in

Where Actions within prescribed Limits are abated by Deaths of Parties new Actions may be commenced.

Ireland, provided such new Actions shall be commenced within Twelve Calendar Months from the Abatement of such preceding Action or Suit, any thing in the said recited Acts or either of them or in this Act contained notwithstanding.

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