



# Irish Church Act 1869

## 1869 CHAPTER 42

### *Transfer of Property and Dissolution of Ecclesiastical Corporations*

#### **10 Prohibition of future appointments.**

Save as herein-after mentioned, no person shall, after the passing of this Act, be appointed by Her Majesty or any other person or corporation by virtue of any right of patronage or power of appointment now existing to any archbishopric, bishopric, benefice, or cathedral preferment in or connected with the said Church.

#### **11 Property of Ecclesiastical Commissioners vested in Commissioners under this Act.**

From and after the passing of this Act all property, real and personal, at the date of such passing vested in or belonging to the Ecclesiastical Commissioners for Ireland, is transferred to and vested in the Commissioners appointed under this Act, subject to all tenancies, charges, incumbrances, rights (including tenants rights of renewal), or liabilities affecting the same, and the corporation of the Ecclesiastical Commissioners for Ireland is hereby dissolved.

#### **12 Church property vested in Commissioners under this Act.**

On the first of January one thousand eight hundred and seventy-one, save as herein-after provided, all property, real and personal, belonging or in anywise appertaining to or appropriated to the use of any archbishopric, bishopric, benefice, or cathedral preferment in or connected with the said Church, or belonging or in anywise appertaining to or appropriated to the use of any person as holding any such archbishopric, bishopric, benefice, or cathedral preferment, or belonging or in anywise appertaining to or appropriated to the use of any cathedral corporation in Ireland, as defined by this Act, shall vest in the Commissioners, subject as herein-after mentioned ; that is to say,

- (1) In case of all such property, subject to any quitrents, head rents, leases, and other tenancies, charges, and incumbrances affecting the same:

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- (2) In the case of any houses, buildings, farms, lands, churches, burial grounds, or other corporeal hereditaments to which, or to the rent and profits of which, any archbishop, bishop, or person holding any such benefice or cathedral preferment as aforesaid may be entitled, subject to the life interests of such archbishop, bishop, or person respectively; and such last-mentioned corporeal hereditaments shall, subject to the provision for commutation herein-after contained, continue in such archbishop, bishop, or person respectively for their respective lives with the same powers, rights, and authorities and in the same manner as if this Act had not passed :
- (3) On the death or cessor of the interest of any archbishop or bishop aforesaid the tenants then holding directly under any such archbishop or bishop where leases had been theretofore customarily renewable shall have similar rights of renewal of their said leases, and the said Commissioners shall be under similar obligations and have similar powers and rights in relation to such renewals, and the rents and fines thereupon, as the tenants of sees suppressed under statute third and fourth William the Fourth, chapter thirty-seven, and as the Ecclesiastical Commissioners in regard thereto had and were under respectively immediately before the passing of statute twenty-third and twenty-fourth Victoria, chapter one hundred and fifty : every application for any such renewal shall be made within one year from the death or cessor of the interest of such archbishop or bishop, and thereupon the Commissioners shall once and for ever fix for the future the rent and periods of renewal and the fine to be paid thereupon, and in case of any difference in relation to such rent or fine the same shall be referred to arbitration as herein.

### **13 Dissolution of ecclesiastical corporations, and cessation of right of bishops to sit in House of Lords.**

On the said first of January one thousand eight hundred and seventy-one every ecclesiastical corporation in Ireland, whether sole or aggregate, and every cathedral corporation in Ireland, as defined by this Act, shall be dissolved, and on and after that day no archbishop or bishop of the said Church shall be summoned to or be qualified to sit in the House of Lords as such; provided that every present archbishop, bishop, dean, and archdeacon of the said Church shall during his life enjoy the same title and precedence as if this Act had not passed.