



Ecclesiastical Leasing Act 1858 (repealed)

1858 CHAPTER 57 21 and 22 Vict

1 Leases under 5 & 6 Vict. c. 108. may be granted in consideration of premiums; and, sales or exchanges of lands may be effected in certain cases.

In any case, in which it shall be made to appear to the satisfaction of the [^{F1}Church Commissioners] for England that all or any part of the lands, houses, mines, minerals, or other property of or belonging to any ecclesiastical corporation, which are by the said Act authorized to be leased, might, to the permanent advantage of the estate or endowments belonging to such corporation, be leased in any manner, or be sold, exchanged, or otherwise disposed of, it shall be lawful for any ecclesiastical corporation, aggregate or sole, except as in the said Act is excepted, from time to time, with such consents as in the said recited Act mentioned, and with the approval of the said Commissioners, to be testified by deed under their common seal, to lease all or any part or parts of the lands, houses, mines, minerals, or other property belonging to such corporation, whether the same shall or shall not have been previously leased or dealt with under the provisions of the said recited Act or of this Act, and either in consideration or partly in consideration of premiums or not, or for such other considerations, and for such term or terms, and under and subject to such covenants, stipulations, conditions, and agreements on the part of the lessee or lessees, and generally in such manner, as the said Commissioners shall under the circumstances of each case think proper and advisable; and also, with the like consents as are by the said recited Act required to the granting of a lease (other than and except the consent of the lord of a manor thereby required in regard to a lease of copyhold hereditaments), and with the approval of the said Commissioners, to be testified as aforesaid, absolutely to sell or convey in exchange or by way of partition, or otherwise dispose of, all or any part or parts of such lands, houses, mines, minerals, and other property, whether the same shall have been previously leased under the provisions of this Act or the said recited Act or not, for such equivalent, either in money, or in lands, tenements, or hereditaments, or partly in money and partly in lands, tenements, or hereditaments, or for such other considerations or purposes, as the said Commissioners shall deem reasonable and proper; and on every or any such exchange or partition to give or receive, in such manner as is herein-after mentioned, any sum or sums of money by way of equality of exchange or partition: Provided always, that no such sale by the incumbent of a benefice as is above mentioned shall be authorized by the said

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Ecclesiastical Leasing Act 1858 (repealed), Section 1. (See end of Document for details)

Commissioners, unless three months notice in writing of such proposed sale shall have been given to the bishop of the diocese in which the benefice is situate.

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Textual Amendments

F1 Words substituted by virtue of [Church Commissioners Measure 1947 \(No. 2\), s. 18\(2\)](#)

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