



ANNO PRIMO & SECUNDO

GULIELMI IV. REGIS.

Cap. lxxv.

An Act to repeal in part an Act passed in the Parliament of *Ireland* in the Thirty-second Year of the Reign of King *George* the Third, relating to a Portion of the Lands of *Ballinaspeg*, near the City of *Cork*, belonging to the See of *Cork*; and to enable the Bishops of that See to demise the same, under certain Restrictions.

[27th September 1831.]

WHEREAS by an Act passed in the Parliament of *Ireland* in the Thirty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to explain and amend an Act made in this Kingdom in the Eighth Year of the Reign of King George the First, entitled 'An Act for the supplying a Defect in an Act passed in the Second Year of Her late Majesty Queen Anne, entitled "An Act for the Exchange of Glebes belonging to Churches in this Kingdom,"* whereby, after reciting, amongst other Things, that the Town and Lands of *Ballinaspeg*, in the South Liberties of the City of *Cork*, and lying near the said City, Part of the Estate of the Bishops of the Diocese of *Cork* and their Successors, were in the Year One thousand seven hundred and twenty out of Lease, and that the Right Reverend *Peter Brown* Doctor in Divinity was in the said Year One thousand seven hundred and twenty Bishop of the

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united Dioceses of *Cork* and *Ross*, and that the said Doctor *Brown* had kept and reserved One hundred and eighteen Acres, Part of the said Lands of *Ballinaspeg*, in his own Possession and Occupation, and had built and erected thereon a Dwelling House, and Chapel thereunto adjoining, together with suitable Offices, as in the said Act is mentioned, it was amongst other Things enacted, that the House and Offices, together with the said One hundred and eighteen Acres of Land, as in the said Act mentioned, should for ever thereafter be, and should be deemed and taken and reputed to be, a Mansion House for the Country Residence of the Bishops of *Cork*, and Demesne and Mensal Lands of the Bishops of *Cork*, and should be unalienable, and should not be let or disposed of to any other Use; and it was thereby further enacted, that certain Sums of Money therein mentioned to have been expended for the Purposes therein stated, and certain other Sums expended and to be expended for certain Law Costs, should, when ascertained by the Certificate of the Lord Archbishop of *Cashel*, in manner therein mentioned, be paid by the successive Bishops of the said Diocese by Instalments, according to the Proportions and in the Manner thereby limited and specified, the last of which said Instalments, amounting to the Sum of Three hundred and forty-seven Pounds Eleven Shillings and Eleven-pence Halfpenny of the late Currency of *Ireland*, is now chargeable against the Right Reverend *Samuel* now Lord Bishop of the said united Dioceses of *Cork* and *Ross*, who has been recently appointed Bishop thereof: And whereas the said House, Chapel, and Offices at *Ballinaspeg*, mentioned in the said recited Act of the Thirty-second Year of the Reign of His late Majesty King *George* the Third, were at the Time of the passing of the said Act of Parliament in a State of great Decay, and totally unfit for the Residence of the Bishop: And whereas no Repairs were made by Doctor *Bennett*, who became Bishop of *Cork* and *Ross* in One thousand seven hundred and ninety, and was Bishop of *Cork* and *Ross* at the Time of passing the said Act of the Thirty-second Year of the Reign of His late Majesty King *George* the Third, and continued Bishop until One thousand seven hundred and ninety-four, nor by any of the succeeding Bishops up to the present Time, and the said House and Offices became gradually more and more in Decay, and at the Appointment of the last Bishop, Doctor *Saint Lawrence*, in One thousand eight hundred and seven, were in a State of Ruin: And whereas there is a good and substantial See House for the Residence of the Bishops of *Cork*, situated in the Suburbs of the City of *Cork*, and there are about Eleven Acres of Mensal Land contiguous thereto; but the said Lands of *Ballinaspeg* lie at the Distance of about Three Miles from the said City: And whereas, in pursuance of the Provisions of the said last-recited Act, the said One hundred and eighteen Acres of the said Lands have not been demised on Leases, but have been held either by the said Bishops as Mensal Lands, or by Tenants at Will, and the same have become greatly impoverished and deteriorated: And whereas the said Doctor *Saint Lawrence*, the late Bishop of *Cork* and *Ross*, is dead, having by his last Will and Testament appointed the Reverend *Edward Saint Lawrence* his Executor, who as such is entitled, under the Provisions of the said recited Act, to receive

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from the said *Samuel* now Lord Bishop of *Cork* and *Ross* the said Sum of Three hundred and forty-seven Pounds Eleven Shillings and Eleven-pence Halfpenny : And whereas it is reasonable that a Power should be given to the Bishops of the said Sees of *Cork* and *Ross* for the Time being to demise the said Lands, under certain Restrictions ; and that the said Act of the Thirty-second Year of the Reign of His late Majesty King *George* the Third should be repealed, except so far as may relate to the Payment of the aforesaid Sum of Three hundred and forty-seven Pounds Eleven Shillings and Eleven-pence Halfpenny late *Irish* Currency, which still remains chargeable on the said *Samuel* now Lord Bishop of *Cork* and *Ross* ; be it therefore enacted by the King'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 from and after the passing of this Act the said recited Act of the Thirty-second Year of the Reign of His late Majesty King *George* the Third shall be and the same is hereby repealed, except so far as may relate to the Payment of the aforesaid Sum of Three hundred and forty-seven Pounds Eleven Shillings and Eleven-pence Halfpenny, which still remains payable by the said *Samuel* now Lord Bishop of *Cork* and *Ross*, or any Sum of Money that now is or hereafter may be payable under the Provisions of the said recited Act of the Thirty-second Year of the Reign of His late Majesty King *George* the Third, according to the Proportions, and in the Manner therein limited and specified on account of Monies expended for the Purposes therein stated, or which have been ascertained by the said Certificate of the said Lord Archbishop of *Cashel*, in manner therein mentioned.

Recited Act repealed, except so far as relates to Payment of Money.

II. And be it further enacted, That from and after the passing of this Act it shall and may be lawful for the said *Samuel* Lord Bishop of *Cork* and his Successors, from Time to Time, to demise the Whole or any Part of the said Lands of *Ballinaspeg*, containing One hundred and eighteen Acres, be the same more or less, for any Term of Years not exceeding Twenty-one Years, to take effect in Possession and not in Reversion, so that the Rent or Rents for the same shall be thereby reserved to the Bishop of *Cork* for the Time being by Four equal Quarterly Payments in every Year, and so that there be also reserved and made payable to such Bishop the best or most improved Rent or Rents that can be reasonably had or gotten for the same, without taking any Foregift, Fine, Premium, Sum of Money, or other Consideration for the making or granting or renewing any such Lease or Demise ; and so that no such Lessee by any such Lease or Demise be made dispunishable for Waste by any express Words to be therein contained ; and so that there be inserted in every such Lease Power of Re-entry on Nonpayment of the Rent or Rents to be thereby reserved within a reasonable Time to be therein limited after the same shall become due ; and so that a Counterpart of every such Lease be duly executed by the Lessee or Lessees to whom such Lease shall be made as aforesaid ; and every such Lease shall be valid and effectual, any Law or Usage to the contrary notwithstanding.

Bishop of *Cork* may grant Leases of the Lands of *Ballinaspeg* for 21 Years.

III. And

Public Act. III. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

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