



ANNO SEPTIMO & OCTAVO

VICTORIÆ REGINÆ.

Cap. 32.

An Act for annexing to the united Bishopricks of *Down, Connor, and Dromore* the House known as *Down and Connor House*, with the Appurtenances; and for other Purposes.

[6th August 1844.]

WHEREAS an Act was passed for *Ireland* in the Tenth Year of the Reign of King *William* the Third, intituled *An Act to encourage building of Houses and making other Improvements on Church Lands, and to prevent Dilapidations:* 10 W.3.c. 6.
 And whereas an Act was passed for *Ireland* in the Twelfth Year of the Reign of King *George* First, to amend and explain the said Act of the Tenth Year of the Reign of King *William* the Third: 12 G.1 c.10.
 And whereas an Act was passed for *Ireland* in the Eleventh and Twelfth Years of the Reign of King *George* the Third, intituled *An Act for rendering more effectual the several Laws for the better enabling the Clergy having Cure of Souls to reside upon their Benefices, and to build on their respective Glebe Lands, and to prevent Dilapidations; and for the Encouragement of Protestant Schools within the Kingdom of Ireland;* and an Act was passed in the Thirty-first of the same Reign, for amending the said Act passed in the Eleventh and Twelfth Years of the Reign of King *George* the Third, and for 11 & 12 G. 3. c 17. 31 G. 3. c. 19.

[Private.]

other Purposes: And whereas by the Laws for regulating the building and Improvement of See Houses in *Ireland*, and particularly by the said recited Acts, the Bishop of any Diocese in *Ireland* is empowered (with the Consent of his Metropolitan) to purchase in his Diocese, either a House suitable for the Residence of the Bishop of such Diocese, with Lands and other Appurtenances thereto, or to purchase Lands suitable for the Site of a See House, and for Demesne Lands to be enjoyed therewith, and, after delivering an Account or Memorial in Writing relating thereto to his Metropolitan, to erect on the Land purchased as last aforesaid a House, with Offices and other Conveniences; and such Metropolitan is empowered to appoint Commissioners to view and examine such Lands, and the Buildings and Improvements thereon, who shall return on Oath a true and just Account and Estimate of the Purchase Money paid for such Lands, and Money expended on such Buildings and Improvements, and of the yearly Income and Value of such Diocese; and such Metropolitan is authorized, upon such Return being made, to grant a Certificate, under his Hand and Seal, for the Amount of such Purchase Money, and Money expended on Buildings and Improvements; and the Bishop so building and improving on a new Site thereupon becomes entitled to receive from his Successor the whole Sum so certified, not exceeding the Amount of Two Years Income of such Diocese, and the next Successor will be entitled to receive from his Successor the Amount of Three Fourth Parts of the said Money, and who will be entitled to receive the Amount of Two Fourth Parts of such Money from his Successor, who will be entitled to receive from his Successor One Fourth Part of such Money; and the said Money is payable by the Instalments and recoverable in the Manner expressed in the said Acts or some of them: And whereas an Act was passed in the Fifty-seventh Year of the Reign of King *George* the Third, intituled *An Act to authorize the Issue of Exchequer Bills, and the Advance of Money out of the Consolidated Fund, to a limited Amount, for the carrying on of public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain, in manner therein mentioned*: And whereas an Act was passed in the Seventh Year of the Reign of King *George* the Fourth, intituled *An Act to amend the several Acts for authorizing Advances for carrying on public Works, and to extend the Provisions thereof in certain Cases*: And whereas an Act was passed in the Third and Fourth Years of King *William* the Fourth, intituled *An Act to alter and amend the Laws relating to the Temporalities of the Church in Ireland*: And whereas the Right Reverend *Richard Mant*, Doctor in Divinity, was translated to the united Dioceses of *Down* and *Connor* in the Year One thousand eight hundred and twenty-three: And whereas there was not a See House belonging to the said united Dioceses, nor were there any mensal Lands which afforded a Site suitable for a See House for such Dioceses: And whereas by Deeds of Lease and Release, the Release bearing Date on or about the Tenth Day of *February* in the Year One thousand eight hundred and twenty-seven, and made or expressed to be made between *Roderick Connor* Esquire, one of the Masters of the High Court of Chancery in *Ireland*, and *John Sinclair* Esquire, of the one Part, and the said *Richard* Lord Bishop of *Down* and *Connor* of the other

Conveyance
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goney,
10 Feb. 1827.

other Part, after reciting, amongst other things, Deeds of Lease and Release, the Release bearing Date the Third Day of *June* in the Year One thousand seven hundred and ninety-one, and made between *John Jackson* and *John Jackson* the younger, of the one Part, and *Gilbert Webster* of the other Part, the said *John Jackson* and *John Jackson* the younger granted unto the said *Gilbert Webster*, his Heirs and Assigns, all that Parcel of Land in *Knocknagoney* in the County of *Down*, containing by Admeasurement Twenty-six Acres Cunningham Measure, more or less, measured and bounded in manner set forth and described by a Map or Ground Plan thereof thereunto annexed, with all and singular the Rights, Members, Appendances, and Appurtenances thereunto belonging, situate in the Parish of *Holywood*, Barony of *Castlereagh*, and County of *Down*, excepting and reserving out of the said Demise, and all future Renewals thereof, all Mines, Minerals, Coals, and Quarries of Marble, Freestone, and Slate, Moss, Turbary, and all other Royalties whatsoever, to hold all and singular the said Premises (except as before excepted) unto the said *Gilbert Webster*, his Heirs and Assigns, during the Lives of Three Persons therein named, and the Lives and Life of the Survivors and Survivor of them, and for and during the Life and Lives of such other Person and Persons as should from Time to Time successively and for ever be added to the said Demise, pursuant to the Covenant for perpetual Renewal therein contained, subject to the clear yearly Rent or Sum of One Pound Fourteen Shillings and Three-pence Halfpenny Sterling of the then *Irish* Currency by the Acre for every Acre Cunningham Measure contained in the said demised Premises, over and above all Taxes, Cesses, and Subsidies whatsoever, (Quit, Crown, and Chief Rent only excepted,) which Indenture contained a Covenant on the Part of the said *John Jackson* and *John Jackson* the younger, their Heirs and Assigns, for Renewal of the said Lease, in manner therein mentioned, and which Indenture also contained the usual Covenants between Landlord and Tenant, it was witnessed, that in consideration of the Sum of Four thousand one hundred and fifty-three Pounds Sixteen Shillings and Eleven-pence Sterling (equal to Four thousand five hundred Pounds of the late *Irish* Currency), paid by the said Lord Bishop of *Down* and *Connor* in manner therein expressed, the said Piece or Parcel of Land in *Knocknagoney*, and the Appurtenances thereto, were sold and were expressed or purported to be conveyed unto the said *Richard* Lord Bishop of *Down* and *Connor*, and his Successors as Bishops of *Down* and *Connor*, for and during the Life of the then surviving Cestuique Vie named in the said Lease, and for and during the Life and Lives of such Person and Persons as should thereafter be added to the said Lease or inserted in any Renewal thereof, by virtue of the Covenant for perpetual Renewal in the original Lease contained, subject to the Payment of the Rent and Performance of the Covenants in the said Lease reserved and contained on the Lessee's Part: And whereas by Indentures of Lease and Release, the Release bearing Date the Fourteenth Day of *March* One thousand eight hundred and twenty-seven, and made between *John Kennedy* of the one Part, and the said *Richard* Lord Bishop of *Down* and *Connor* of the other Part, in consideration of the Sum of Nine hundred and twenty-three Pounds One Shilling and Sixpence (equal to the Sum

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of One thousand Pounds of the late *Irish* Currency) paid by the said Bishop in manner therein expressed, the said *John Kennedy* granted unto the said Bishop of *Down* and *Connor*, his Heirs, Successors, and Assigns, all that and those that Part of the Town and Lands of *Knocknagoney* in the County of *Down* called and known by the Names of the *Near Bolis* and *Far Bolis*, *Long Park*, *Ash Park*, the *Far Watland Bog Park*, and *Shore Park*, bounded as therein expressed, together with all Houses, Buildings, and Edifices erected thereon, containing about Twenty Acres, more or less, and situate in the Townland of *Knocknagoney*, Parish of *Holywood*, and County of *Down*, with their Appurtenances, excepting and always reserving out of that Demise all Mines, Minerals, Coals, and Quarries of Marble, Freestone, and Slate, Moss, Turbary, and all other Royalties whatsoever, in as full and ample a Manner as the same were excepted and reserved in and by a Lease of the Twenty-eighth Day of *March* One thousand seven hundred and forty-three, mentioned or referred to in the Indenture now in recital, or any Renewal thereof, or otherwise howsoever, to hold the said granted and demised Premises, with the Appurtenances, unto the said Lord Bishop of *Down* and *Connor* and his Successors, Bishops of *Down* and *Connor*, without Impeachment of Waste, for and during the natural Lives and Life of the Three Persons therein named, and of the Survivors and Survivor of them, for and during the Lives and Life of all such Persons and Person as should from Time to Time successively for ever thereafter be added to the Time or Term of the Grant or Demise now in recital, pursuant to the Covenant for perpetual Renewal therein-after contained, subject to the Payment of the yearly Rent of One hundred and eighty-nine Pounds Eighteen Shillings and Sixpence current Money of *Great Britain* (being equal to Two hundred and five Pounds Fifteen Shillings of the late *Irish* Currency), over and above all Taxes, Charges, and Impositions whatsoever (Quit and Crown Rent only excepted), and to the Performance of the Covenants on the Lessee's Part therein contained ; and the said Indenture contained a Covenant on the Part of the said *John Kennedy*, his Heirs and Assigns, for the perpetual Renewal of the Lease of the same Premises : And whereas the said several Sums of Four thousand one hundred and fifty-three Pounds Sixteen Shillings and Eleven-pence, and Nine hundred and twenty-three Pounds One Shilling and Sixpence, were respectively paid by the said Bishop out of his own Money : And whereas the said Bishop erected on Part of the Hereditaments acquired by him as aforesaid a Dwelling House, with Offices and other Appurtenances thereto, suitable for the Residence of the Bishop of the united Dioceses of *Down* and *Connor*, and paid all the Expences incurred in erecting and completing the same, but he omitted, previous to acquiring the said Hereditaments and erecting the said House, to apply for such Consent, and to deliver such Memorial, and to obtain such Certificate, in relation thereto, as were required by Law : And whereas in the Year One thousand eight hundred and twenty-six the said Bishop obtained a Loan from the Exchequer Bill Loan Commissioners of the Sum of Ten thousand Pounds, for the Purpose of providing a suitable Residence for the said Bishop and his Successors in the said united See of *Down* and *Connor*, and for other Purposes connected therewith, and by an Indenture dated the Sixth
Day

Day of *June* One thousand eight hundred and twenty-six he mortgaged the Revenues of the united Dioceses of *Down* and *Connor* to *William Holden* Esquire, the then Secretary of the said Commissioners, for securing the Repayment of the said Sum by such Instalments and with such Interest as therein mentioned: And whereas the said Bishop has repaid out of his own Money the Sum of Two thousand eight hundred and fifty-one Pounds, Part of the said Loan, and has paid all Interest which has become due up to the Fifteenth of *June* One thousand eight hundred and forty-two: And whereas by virtue of the said Act of the Third and Fourth Years of the Reign of King *William* the Fourth the Bishoprick of *Dromore* is now united to the Bishoprick of *Down* and *Connor*: And whereas it is expedient that the Lands and Hereditaments described in the several herein-before recited Indentures of the Tenth Day of *February* One thousand eight hundred and twenty-seven and the Fourteenth Day of *March* in the same Year, and the House, with the Appurtenances erected as aforesaid on Part thereof, should be legally annexed to the said united Dioceses, and that the said House should legally become and be the See House and Residence of the Bishop for the Time being of the same Dioceses; and it is just and reasonable that the Successors of the said *Richard Mant* should be chargeable with and become legally liable to the Payment of such Money as they respectively would have been chargeable with and liable to pay, in case, previous to the Purchase of the said Hereditaments, and the Erection of the said House as aforesaid, such Consent had been given, and such Memorial had been furnished, and such Certificate had been given, as by Law was required: May it therefore please Your Majesty that it may be enacted; and be it 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 from and after the passing of this Act the Lands and Hereditaments described in the several herein-before recited Indentures of the Tenth Day of *February* One thousand eight hundred and twenty-seven, and the Fourteenth Day of *March* in the same Year, and the House and other Buildings erected on Part of the said Lands, and all the Rights, Members, and Appurtenances to the said Hereditaments belonging or reputed to belong, shall be vested in and belong to the Bishop for the Time being of the united Dioceses of *Down*, *Connor*, and *Dromore*, for and during the Lives and Life of the respective Persons or Person for whose Lives or Life the same shall, by virtue of the respective Leases or Grants thereof for the Time being, be held, discharged as herein-after expressed from the said Mortgage to the said *William Holden*, in trust for the Exchequer Bill Loan Commissioners, in order that the said House, with the Appurtenances, may be the See House and Residence of such Bishop for the Time being, and that the said Lands with the Appurtenances may be enjoyed therewith, subject nevertheless to the Payment of such Rents, and to the Performance of such Covenants, as the Lessee of the said Premises respectively is liable to by virtue of the herein-before recited Indentures respectively.

The Lands described in the Deeds of 10th Feb. 1827 and 14th March 1827, and the Buildings erected thereon, vested in the Bishop for the Time being.

The Archbishop of Armagh to issue a Commission to examine the Lands and estimate the Expences incurred by the Bishop.

II. And be it enacted, That it shall be lawful for His Grace the Archbishop of *Armagh* for the Time being, the Metropolitan of the said united Dioceses, and he is hereby required, upon the Request of the said *Richard Mant* as Bishop of the said united Dioceses of *Down* and *Connor*, to issue a Commission to such Two or more Persons as the said Archbishop shall think proper to appoint, to view and examine the said Lands and Hereditaments, and to ascertain whether the Buildings and Improvements thereon were completed in manner expressed in the said Acts, or as otherwise was authorized and required by Law in case the said Bishop had duly applied for and obtained such Consent and delivered such Memorial as aforesaid, and to inquire into and return a true and just Account and Estimate of the Expences which were incurred by the said *Richard Mant*, as Bishop of *Down* and *Connor*, in erecting and completing the said Buildings and Improvements, and in Payment of the Purchase Money for and Expences of purchasing or acquiring the aforesaid Leases of the said Hereditaments, and to inquire into and ascertain what was the Amount of full yearly Income and Value of the united Bishopricks of *Down* and *Connor* when such Buildings were completed, in manner authorized or required by the herein-before recited Statutes or any of them, or by any other Statute or Statutes; and that upon a Return being made by such Commissioners it shall be lawful for the said Archbishop and he is hereby required to grant to the said *Richard Mant* a Certificate of the Amount of such several Expences and Payments to the Extent of but not exceeding Two whole Years Income of the said united Dioceses of *Down* and *Connor* at the Time when the said Buildings were completed in manner expressed in the said Acts, or as otherwise was authorized or required by Law to have been done in case the said Bishop had duly applied for and obtained such Consent, delivered such Memorial, and obtained such Certificate as aforesaid; and that the Certificate which shall be given by virtue of this Act shall be as good and effectual, to all Intents and Purposes whatsoever, as if such previous Consent as was required by Law had been given to the said Purchasers, and as if, before the beginning of the said Buildings and Improvements, such Account or Memorial had been duly delivered as required by the said Acts or otherwise, and as if all necessary Forms and Preliminaries had been fully observed and complied with, and, subject to the Payment and Discharge of the Remainder of the said Sum of Ten thousand Pounds, and the Interest thereof, shall entitle the said *Richard Mant*, his Executors, Administrators, or Assigns, to receive from his Successor, Bishop of *Down*, *Connor*, and *Dromore*, the Money expressed in such Certificate, not exceeding Two Years Income of the said Dioceses of *Down* and *Connor* at the Time when such Buildings were completed, and shall also entitle his Successors respectively, Bishops of *Down*, *Connor*, and *Dromore*, and their respective Executors, Administrators, or Assigns, to receive such and the same Sums of Money from their respective Successors as such Bishops respectively, their respective Executors, Administrators, or Assigns, would have been entitled to in case such Consent, Memorial, and Certificate as required by Law had been duly applied for, delivered, and obtained; and all Monies whereof shall be payable by virtue of this Act shall be paid by such Instalments, and recoverable in

the same Manner, to all Intents and Purposes, as if the Certificate hereby authorized had been regularly granted pursuant to the said Acts: Provided nevertheless, that in case and upon such Certificate as authorized by this Act shall have been given, the Amount therein expressed shall be deemed to have been duly ascertained, and no Person or Persons shall afterwards be at liberty to raise any Question whether the same did or did not exceed in Amount such Two Years Income as aforesaid.

III. And be it enacted, That the said *Richard Mant*, his Executors, Administrators, or Assigns, shall, within Six Calendar Months after obtaining such Certificate as aforesaid, duly pay off and discharge out of his or their own Money so much of the said Sum of Ten thousand Pounds as remains unpaid, together with all Interest due and to grow due in respect thereof; and that until the same be so paid and discharged, and the said Dioceses freed from all Responsibility on account thereof, the Operation of the said Certificate shall be suspended, and that no Sum or Sums of Money whatsoever shall be recoverable or payable thereunder; and further, that until so much of the said Sum of Ten thousand Pounds as now remains unpaid, together with all Interest due and to grow due in respect thereof, shall be paid and discharged, the Securities for the same shall have the same Force and Effect as if this Act had not been passed.

The Bishop to pay off so much of the 10,000*l.* as remains unpaid.

IV. And be it enacted, That this Act shall be printed by the several Printers to the Queen's most Excellent Majesty duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others.

Copy of Act as printed by Queen's Printers to be Evidence.

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1844.