CHAPTER 10.

An Act to amend the Irish Church Act, 1869; and for other purposes. [28th April 1884.]

32 & 33 Vict. c. 42.

WHEREAS by the Irish Church Act, 1869, section seventy, it is enacted as follows: "Nothing in this Act contained shall "affect the patronage and right of presentation to any proprietary "or district parochial church or endowed chapel of ease which has "been endowed out of private funds, or affect the property in any "such church or chapel or the property held for the purposes of or "appropriated to the use of the same, or affect the continuance of "the trust relating thereto as originally constituted:"

And whereas divers churches and chapels of ease had been from time to time, prior to the passing of the said Act, erected in Ireland either in accordance with certain private trusts or under the provisions of the several Church Building Acts for the time being in force in that behalf, and certain parishes or parochial districts had been assigned or annexed to certain of such churches, or were at the time of the passing of the said Irish Church Act, 1869, connected therewith:

And whereas the bishops, clergy, and laity of the said Irish Church assembled as in said Act mentioned are thereby authorised "to frame constitutions and regulations for the general management "and good government of the said church and property and affairs "thereof," and they have in pursuance of such authority made divers provisions for regulating the patronage and right of presentation to parishes and ecclesiastical benefices, and for assigning or annexing parochial districts to churches previously non-parochial, and for altering the boundaries of parishes, and for the due management and control of the property and affairs thereof:

And whereas it is desirable that the trustees and patrons of such churches and chapels as aforesaid should be authorised to adopt and apply to such churches and chapels respectively, and the patronage and property thereof, such of the aforesaid provisions and regulations as may in their opinion be best adapted to carry out the original intention of the trusts of such churches or chapels, having regard to the altered circumstances of the said Irish Church, notwithstanding that other provisions may have been made for the like purposes in the said Church Building Acts, or some of them, or in the instruments governing the trusts relating to such churches or chapels respectively; but doubts have arisen whether such provisions and regulations, or any of them, can be made to apply to such churches and chapels, or any of them, or the patronage or property thereof, or to any of the districts which were at the time

32 & 33 Vict. c. 42.

of the passing of the said Irish Church Act, 1869, thereto respectively assigned or annexed, or therewith respectively connected, and it is expedient to remove such doubts:

Be it therefore 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, as follows:

1. It shall be lawful for the trustees or other governing body of any such church or chapel as aforesaid, by instrument under their hands, to transfer to the representative church body of the said church (with its consent) all or any part of the property vested in them for the purposes of such church or chapel, and thereupon the same shall vest in and be held by the said representative body upon the trusts for the time being applicable thereto. Power for trustees to transfer church property to representative church body.

2. It shall be lawful for any such trustees or other governing body as aforesaid by any unanimous resolution to put an end to any trust now or for the time being subsisting with respect to such church or chapel, and to vest the same and any other property subject to such trust in the said representative body, or any other person or persons or body corporate, and to define the future trusts thereof, either by assimilating the same to the regulations affecting other similar property in the same diocese, or in any other manner for the benefit of the said Irish. Church which may be sanctioned by the chief legislative authority for the time being of the said church. Power to vest trust property in representative church body, and to vary trusts, by unanimous resolution.

3. No such resolution shall be valid until it shall have been accepted and recorded in such manner as the said chief legislative authority may direct; and no such resolution which affects or purports to affect any right of patronage or presentation to any such church or chapel shall be so accepted or recorded without the consent in writing of the patron or patrons thereof. Resolutions invalid until accepted and recorded by legislative authority of church.

4. Every such resolution when duly accepted and recorded shall be applicable to the said church or chapel and the property and affairs thereof, and shall be valid and binding to all intents and purposes, anything in the said recited Acts of Parliament, or any of them, or in the instrument forming the trusts relating to such church or chapel or property, to the contrary notwithstanding. Resolutions, when recorded, to have force of law.

5. Nothing contained in this Act shall affect any power of revocation attached to any trust to which this Act applies, or prevent any person having such power, or having a right to take or resume the possession of any property affected by such trust, from exercising such power or right. Saving for power of revocation.

6. This Act may be cited for all purposes as the Trustee Churches (Ireland) Act, 1884. Short title.

CHAPTER 11.

An Act for the further Protection of Fish other than Salmon in Fresh Waters. [19th May 1884.]

WHEREAS it is expedient to extend the powers of boards of conservators in fishery districts for the better protection of freshwater fish:

Be it therefore 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, as follows: