

Local History Series: 9

The Commissioners Church Temporalities In Ireland (FIN/10/10)



When the Church of Ireland was disestablished by an Act of Parliament in 1869, it was the largest landlord in Ireland. Its lands were occupied by some 11,000 tenants on 900 different estates throughout the island at a value of £227,000. On disestablishment its property was transferred to the Commissioners of Church Temporalities in Ireland, previously known as the Ecclesiastical Commissioners. This responsibility was in turn transferred in 1881 to the Irish Land Commission and, when the Northern Ireland administration came into being in 1921, to the Land Commission (NI).

Irish Church Act, 1869

The main provisions of the Irish Church Act reflect the various responsibilities which the Commissioners were to discharge. They included:

The granting of compensation to all persons, lay and clerical, who were deprived of their income by the operation of the Act.

The undertaking of the charges on the public revenue in respect of the *Regium Donum*, (the annual endowment granted to the non-conformist clergy by Charles II) and the college of Maynooth.

The commutation of the annuities which had been awarded to persons deprived of income.

The granting of compensation of private endowments which had been vested in the Commissioners.

The granting of compensation to lay patrons for loss of advowsons (clerical incomes).

The disposal of churches, school-houses, burial grounds, ecclesiastical residences and the mensal lands (home-farms) attached to these.

The disposal of national monuments of church lands.

The management and sale of tithe rent charges, church lands and the creation of a body of small proprietors. A tithe rent charge was defined as

'any annual sum payable to the Church Temporalities body under the 1869 Act'.

Immediate Compensation

One of the first duties of the Church Temporalities Commission was to arrange compensation for vested interests. A holder of an ecclesiastical benefice was to be entitled to his net income for life so long as he continued to perform the duties attached to the benefice. A permanent curate, so long as he held his curacy, was entitled to his salary. Diocesan schoolmasters, parish clerks and sextons were to be paid provided they continued to carry out their duties. Non-permanent curates, organists and vergers were to receive gratuities, lump sums fixed by the Crown. By January 1871 the Church Temporalities Commission had gained full possession of the different sources of income out of which almost all classes of annuities had previously been paid, that is, the revenue of the Ecclesiastical Commissioners. They dealt with 8,000 claims for compensation, from archbishops to organists. Both the *Regium Donum* and the grant to Maynooth were terminated. Instead, every minister of any Protestant non-conforming congregation was paid an annuity equal to the amount to which he had previously been entitled. The trustees of Maynooth College were paid a capital sum equal to fourteen times the annual amount they had previously received out of the Consolidated Fund.

Commutation of Interest

The Commissioners were also responsible for the complex and laborious process of commutation. For example, all annuitants were entitled to commute their annuities for a capital sum, and all persons holding church lands were entitled to commute their life interest in their lands for a capital sum or commutation money. The Commissioners needed to establish that each annuity was unencumbered. Where non-conforming clergy were concerned this process was straightforward and almost all of them took advantage of this scheme. Dealing with the income of disestablished Church of Ireland clergy was more problematical. For instance, where a commuting clergyman was the life owner of his lands as well as an annuitant, the annual value of his land let to tenants had to be calculated separately and added to the annuity in lieu of the tithe rent charge he already possessed. The whole amount was then to be reckoned as one annuity and commuted for a capital sum.

Buildings

The law provided that all ecclesiastical buildings used for public worship at the date of enactment should be vested in the Representative Church Body (a body formed at disestablishment to hold the church's property and manage its finances) without any payment, together with the school-houses and lands belonging to them. Burial grounds granted by a private donor, for the use of the congregation and not separated from the church by a road, were also handed over. The remainder were to

be vested in the Guardians of the Poor Law Union where they were situated. Disused or ruined ecclesiastical structures regarded as national monuments and deemed to be worthy of preservation, were handed over to the Board of Works with a sum of money which was to be spent on their upkeep. Bishops' palaces and glebe houses with demesnes attached were also sold off to the Representative Church Body, frequently at a considerable loss to the church fund because the price of the house was fixed by the Act, usually at a nominal sum. The price of the land was determined by arbitration, not by competition.

Sale of Church Lands

The last aspect of the work of the Commissioners was the sale of church lands and the creation of a body of small proprietors under Section 34 of the 1869 Act. Before they offered this church land for sale to the public, each of the 11,000 tenants was given the opportunity to buy his holding at a fair price set by the Commissioners that is, one quarter of the asking price and the balance by instalment mortgages.

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These mortgages go to make up the great bulk of PRONI's holding of Church Temporalities documents, **FIN/10/10**. They range from as little as £47 (see CT/6766) to £2000 (see CT/6875). The first part of the archive is made up of orders merging tithe rent charges (see CT/5917-CT/6340). These are followed by conveyances, often between a purchaser, that is, a tenant and a member of the clergy. Conveyances in perpetuity relate to the sale of lands held in perpetuity by renewable leases (before the passing of the Church Temporalities Act) by bishops and ecclesiastical corporations. Some tenants had converted their renewable leases into perpetual leases during the Ecclesiastical Commissioners' tenure; few tenants could afford to do so because it was expensive. The Commissioners felt it was important to remove this 'embarrassing and intricate tenure' (renewable leasehold) and accordingly reduced the cost to the tenant. So successful was this that 1,002 perpetuities were taken up leaving only 191 not taken up. The tithes and purchase monies, along with the proceeds of other church properties, were paid into a Church Temporalities Fund, managed up to 1881 by the Commissioners and subsequently by the Irish Land Commission up to 1921.

