



# Tithe Act 1840

## CHAPTER 15

### TITHE ACT 1840

- Power to declare Lands discharged from Tithes in certain Cases after Confirmation of the Award or Agreement for gross Rent-charge. As to the Time of commencing such Rent-charge. Intermediate Payments, &c. to be deducted.
- II Leases of Tithes granted before 25th March not to be affected by this Act.
  - III Notice of Declaration to be published.
  - IV Provision for Land Owner paying estimated Proportion of Rent-charge in aid of Security.
  - V Certificate of Commissioners to be Evidence of Right of Recovery or Retainer.
  - VI Provision for occupying Tenant paying (in the Place of his Landlord) estimated Proportion of Rent-charge in aid of Security.
  - VII Provision for Recovery of such Rent-charge from Persons giving Security for same.
  - VIII Remedy for the Land-Owner against whom Execution has issued. Provision for taking Accounts between the Person giving Security and the Land Owners liable to contribute thereto. Period for which Security to be available against such Owners.
  - IX If Security insufficient, Arrears may be recovered as if accruing after Apportionment.
  - X Security to be free of Stamp Duty.
  - XI Extension of Power to fix Sum to be paid after Determination of Composition.
  - XII Particulars to be specified as to Payment of such Sum.
  - XIII Extension of Power to fix Period for Commencement of Rent-charge.
  - XIV Extension of Powers to substitute fixed Rent-charge instead of contingent Rent-charge.

*Status: This is the original version (as it was originally enacted).*

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- XV Extension of Powers in respect of Lammas and Common Lands.
- XVI Commissioners to give Notice to proceed by Supplemental Award.
- XVII Extension of Powers of Conveyance of Lands to Trustees and Feoffees for Parochial Purposes.
- XVIII Power for Parties to Parochial Agreement, and for Commissioners, to declare the Amount of extraordinary Charge to be payable in respect of Hop Grounds, &c. No extraordinary Charge payable on Hop Grounds, &c. for the First Year of their being cultivated as such, &c.
- XIX Extraordinary Rent-charge need not be distinguished on separate Lands in Apportionment.
- XX Half-yearly Payments of Rent-charge to be regulated by Averages declared under 6 & 7 W.4 c.71 s.67.
- XXI Instrument of Apportionment to distinguish the Amount of Rent-charge payable in respect of each Close. Act not to extend to Cases in which Valuers are already appointed.
- XXII For Recovery of Expences in certain Cases.
- XXIII Power to charge Expences of Commutation, in certain Cases, on Renewal Fines, &c.
- XXIV Provision for Discovery of Books and Documents relating to Commutation.
- XXV Gardens or Lawns of small Extent may be exempted from Rent-charge.
- XXVI The Commissioners to cause a new Apportionment to be made in Cases in which the Apportionment shall have included Tenements from which no Tithe has been taken during Seven Years previous to Christmas 1835.
- XXVII Provision for the Costs of new Apportionment.
- XXVIII Commissioners may adjudicate Parochial Boundaries on Requisition of Land Owners of any Parish. Proviso.
- XXIX This Act to be taken as Part of the recited Acts, and of 1 & 2 Vict. c.64.
- XXX Act may be amended this Session.