



ANNO DECIMO & UNDECIMO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

## C A P. CIV.

An Act to explain the Acts for the Commutation of Tithes in *England* and *Wales*, and to continue the Officers appointed under the said Acts until the First Day of *October* One thousand eight hundred and fifty, and to the End of the then next Session of Parliament. [22d *July* 1847.]

**W**HEREAS by an Act passed in the Seventh Year of the Reign of His late Majesty, intituled *An Act for the Commutation of Tithes in England and Wales*, Tithe Commissioners for *England* and *Wales* were appointed, and by the said Act, and by sundry Acts since passed for the Amendment thereof, and for Continuance of the said Commission, the Powers of the said Commissioners now stand limited, and will expire at the End of the Session of Parliament next after the Thirty-first Day of *July* in this Year One thousand eight hundred and forty-seven; and it is expedient that the same be further continued: 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 so much of any of the recited Acts as limits the Time during which any Tithe Commissioner, Assistant Commissioner, Secretary, or Assistant Secretary,

6 & 7 W. 4.  
c. 71.

5 Vict. c. 7.  
5 & 6 Vict.  
c. 54.

So much of  
recited Acts  
as limits the  
Duration of  
or

Tithe Commission repealed.

or other Officer or Person appointed or to be appointed under the first-recited Act, shall hold his Office to the said Thirty-first Day of *July*, shall be repealed; and that the Commissioners and Assistant Commissioners, Secretary, Assistant Secretary, and other Officers and Persons appointed or to be appointed under the first-recited Act, may continue to hold their several Offices, if not sooner removed by lawful Authority, until the First Day of *October* in the Year One thousand eight hundred and fifty, and until the End of the then next Session of Parliament; and that all the Powers of the said Commissioners, and their Assistant Commissioners, Secretary, Assistant Secretary, Officers, and Servants for the Time being, shall continue in force, according to the Provisions of the said several Acts as amended by this Act, until the said First Day of *October* and the End of the then next Session of Parliament, unless Her Majesty shall be pleased sooner to determine the said Commission.

Powers of Commissioners, &c. to continue in force till Oct. 1. 1850, unless sooner determined.

Confirmed Apportionments to stand good.

II. And whereas by the first-recited Act it was enacted, for the quieting of Titles, that no confirmed Agreement, Award, or Apportionment shall be impeached after the Confirmation thereof by reason of any Mistake or Informality therein, or in any Proceeding relating thereunto, and Doubts have been entertained as to the full Meaning and Extent of such Enactment; be it declared and enacted, That, notwithstanding any Exception in the said Act contained, every Instrument purporting to be an Instrument of Apportionment, confirmed under the Hands and Seal of the said Tithe Commissioners, shall be hereby absolutely confirmed and made valid, both at Law and in Equity, in all respects, subject nevertheless to the Powers given to the Tithe Commissioners in the first-recited Act, or in any Act passed for the Amendment thereof, for Alteration of any Instrument of Apportionment.

Instruments of Apportionment may be corrected if any Lands shall have been improperly included or charged with Rent-charge therein.

9 & 10 Vict. c. 73.

III. Provided always, and be it enacted, That if it shall be shown to the Satisfaction of the said Tithe Commissioners that any Lands have been improperly included or improperly charged with Rent-charge in any confirmed Instrument of Apportionment, it shall be lawful for the said Tithe Commissioners to correct such Apportionment, and the deposited Copies thereof, either by excluding such Lands so improperly charged from the Apportionment, and re-distributing any Rent-charge imposed upon such Lands on Lands legally liable to the Payment thereof, or by sanctioning the Redemption of the Rent-charge so improperly charged by the Persons capable of redeeming the same under the Provisions of an Act of the last Session of Parliament, intituled *An Act further to amend the Acts for the Commutation of Tithes in England and Wales*; and all Costs and Expences attendant upon the Correction of any confirmed Instrument of Apportionment shall be borne and paid by such Persons and in such Proportions as the said Tithe Commissioners shall direct, and shall be recoverable from the Person or Persons declared liable by the said Tithe Commissioners to the Payment of the same in such Manner as Expences attendant upon original Instruments of Apportionment are recoverable.

Instruments to be delivered up for

IV. And be it enacted, That for the Purposes of such Correction or of recording any such Redemption the Person or Persons having the

the Custody of any Copy of any Instrument of Apportionment shall be bound, upon the Application of the Tithe Commissioners, to deliver to the said Tithe Commissioners any Copy of a confirmed Instrument of Apportionment which shall have been deposited with them respectively.

the Purpose  
of such  
Correction

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be  
amended, &c.

---

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1847.