



## Tithe Act 1836

### 1836 CHAPTER 71 6 and 7 Will 4

#### 12 **Meaning of the words “person,” “lands,” “tithes,” “parish,” “parochial,” “landowner,” “tithe owner,” as used in this Act.**

In the construction and for the purposes of this Act, unless there be something in the subject or context repugnant to such construction, the word “person” shall mean and include the King’s Majesty, and any body corporate, aggregate, or sole, as well as an individual; and any word importing the singular number only shall mean and include several persons or parties as well as one person or party, and several things as well as one thing respectively, and the converse; and any word importing the masculine gender only shall mean and include a female as well as a male; and the word “lands” shall mean and include all messuages, lands, tenements, and hereditaments; and the words “tithes” shall mean and include all uncommuted tithes, portions and parcels of tithes, and all moduses, compositions real, and prescriptive and customary payments; and the word “parish” and “parochial” shall mean and include and extend to every parish and every extra-parochial place, and every township or village, within which overseers of the poor are separately appointed under the provisions of the <sup>M1</sup>Poor Relief Act, 1662, and every district of which the tithes are payable under a separate impropriation or appropriation, or in a separate portion or parcel, or which the commissioners shall by any order direct to be considered as a separate district for the commutation of tithes; and the words “land owner” or “tithe owner” or “owner of lands” or “owner of tithes” shall mean and include every person who shall be in the actual possession or receipt of the rents or profits of any lands or tithes, (except any tenant for life or lives, or for years, holding under a lease or agreement for a lease on which a rent of not less than two thirds of the clear yearly value of the premises comprised therein shall have been reserved, and except any tenant for years whatsoever holding under a lease or agreement for a lease for a term which shall not have exceeded fourteen years from the commencement thereof,) and that without regard to the real amount of interest of such person; and in every case in which any tithes or lands shall have been leased or agreed to be leased to any person for life or lives, or for years, by any lease or agreement for a lease on which a rent less than two thirds of the clear yearly value of the premises comprised therein shall have been reserved, and of which the term shall have exceeded fourteen years from the commencement thereof, the person who shall for the time being be in the actual receipt of the rent reserved upon such lease or agreement for a lease shall, jointly with the person who shall be liable to the payment of such rent

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*Changes to legislation: There are currently no known outstanding effects for the Tithe Act 1836, Section 12. (See end of Document for details)*

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of such tithes or lands, be deemed for the purposes of this Act to be owner of such tithes or lands; and in every case in which any person shall be in possession or receipt of the rents or profits of any tithes or lands under any sequestration, extent, elegit, or other writ of execution, or as a receiver under any order of a court of equity, the person against whom such writ shall have issued, or who but for such order would have been in possession, shall, jointly with the person in possession by virtue of such writ or order, be deemed for the purposes of this Act to be the owner of such tithes or lands.

**Modifications etc. (not altering text)**

- C1** Functions of overseers now generally exercisable in City of London by Common Council and elsewhere by rating authorities: City of London (Union of Parishes) Act 1907 (c. cxl, SIF 103:1), s. 11, London Government Act 1899 (c. 14), s. **11(1)**, Rating and Valuation Act 1925 (c. 90, SIF 103:1), s. **62(1)**, S. R. & O. 1927/55 (Rev. XIX, p. 599; 1927, p. 964), London Government Act 1963 (c. 33, SIF 81:1), s. **63(1)** and General Rate Act 1967 (c. 9, SIF 103:1), s. **1(1)**

**Marginal Citations**

- M1** 1662 c. 12.

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