



# Tithe Act 1846

## 1846 CHAPTER 73

### **IX Consideration Money in case of Owners under Disability, how payable.**

And be it enacted, That in all other Cases in which the Person for the Time being entitled to any Rent-charge or apportioned Rent-charge subject to be redeemed under the Provisions of this Act shall be only entitled thereto for a limited Estate or Interest therein, or shall be under any Disability, or shall be a Corporation not authorized to make an absolute Sale of such Rent-charge otherwise than under the Provisions of this Act, the Consideration Money to be paid for the Redemption thereof shall be applied in manner hereafter provided; (that is to say,) shall, at the Option of the Person for the Time being entitled as aforesaid, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there *ex parte* the Tithe Commissioners, pursuant to the Method prescribed by any Act for the Time being in force for regulating Monies paid into the said Court, and such Monies shall remain so deposited until the same be applied to some One or more of the following Purposes ; (that is to say,) in the Purchase or Redemption of the Land Tax, or the Discharge of any Debt or Incumbrance affecting the Rent-charge in respect of which such Money shall have been paid, or the Tithes for which the same shall have been substituted, or affecting other Hereditaments settled therewith, to the same or the like Uses, Trusts, or Purposes; or in the Purchase of other Lands, to be conveyed, limited, and settled upon the like Uses, Trusts, Purposes, and in the same Manner, as the Rent-charge for Redemption of which such Money shall have been paid stood settled; or in Payment to any Party becoming absolutely entitled to such Money; and such Money may be so applied as aforesaid upon an Order of the Court of Chancery made on the Petition of the Party who would have been entitled to the Receipt of the Rent-charge in respect of which such Money shall have been deposited; and until the Money can be so applied it may, upon the like Order, be invested by the said Accountant General in the Purchase of Three *per Centum* Consolidated or Three *per Centum* Reduced Bank Annuities, or in Government or Real Securities, and the Dividends thereof paid to the Party who would for the Time being have been entitled to the Rent-charge in case the same had not been redeemed, or otherwise such Consideration Money may be paid, at the like Option of the Person for the Time being so entitled, to the Trustees acting under the Will, Conveyance, or Settlement under which such Person having such limited Interest shall be entitled to or interested in such Rent-charge, or if there are no such Trustees, then into the Hands of Trustees to be

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nominated under the Hands and Seal of the said Commissioners ; and the Money, when so paid to such Trustees, shall be applied by the said Trustees, with the Consent of the said Commissioners, in the Manner herein-before directed concerning any Money to be paid for Redemption into the Bank of *England* in the Name and with the Privity of the said Accountant General; and upon every Vacancy in the Office of such Trustee some other fit Person shall be appointed by the said Commissioners in like Manner,