

ANNO VICESIMO QUINTO & VICESIMO SEXTO

VICTORIÆ REGINÆ.

****

CAP. LXXIII.

An Act for continuing the Copyhold, Inclosure, and Tithe Commission, and entitling the Commissioners to Superannuation Allowance.

[7th *August* 1862.]

WHEREAS in the Year One thousand eight hundred and thirty-six certain Persons were appointed Commissioners for the Purposes of carrying into effect the Act for the Commutation of Tithes in *England* and *Wales*, under the Title of "The Tithe Commissioners for *England* and *Wales*:" And whereas in the Year One thousand eight hundred and forty-one, by the Act of the Session of the Fifth and Sixth Years of Her present Majesty, Chapter Thirty-five, herein-after referred to as "the Copyhold Act," the Tithe Commissioners for the Time being were appointed Copyhold Commissioners for the Purposes of that Act; and it was thereby provided, that if the Duties of the Tithe Commissioners ceased before the Copyhold Act was fully carried into execution, it should be lawful for One of Her Majesty's Principal Secretaries of State to appoint any Number of fit Persons, not exceeding Three, to be Copyhold Commissioners: And whereas in the Year One thousand eight hundred and forty-five Provision was made for the Appointment of Two Persons who, with the First Commissioner of Her

Majesty's Woods, Forests, Land Revenues, Works, and Buildings, were to be the Commissioners for carrying that Act into execution, under the Style of the Inclosure Commissioners for *England* and *Wales*: And whereas in the Year One thousand eight hundred and fifty-one, by the Act of the Session holden in the Fourteenth and Fifteenth Years of Her present Majesty, Chapter Fifty-three, intituled *An Act to consolidate and continue the Copyhold and Inclosure Commissioners, and to provide for the Completion of Proceedings under the Tithe Commutation Acts*, the Powers of Appointment of Commissioners and other Officers contained in the Copyhold Act were continued for a limited Time, and the Commissioners appointed thereunder were continued, but it was provided that all the Duties of the Inclosure Commissioners and all the unperformed Duties of the Tithe Commissioners should be performed by the Commissioners continued or appointed as aforesaid: And whereas, by certain Acts, and ultimately by an Act of the Session holden in the Twenty-third and Twenty-fourth Years of Her present Majesty, Chapter Eighty-one, the said Powers of appointing Commissioners and other Officers have been continued, and the Period limited for holding Office by the Commissioners and other Officers appointed aforesaid has been extended until the First Day of *August* One thousand eight hundred and sixty-one and thenceforth until the End of the next Session of Parliament: And whereas, under the above Acts and divers other Acts of Parliament, and in particular by the Land Drainage Act, One thousand eight hundred and sixty-one, divers Powers of a permanent Character relating to Drainage and the Management and Improvement of Estates have been imposed on the Commissioners continued or appointed as aforesaid: And whereas, notwithstanding the Length of Time that the said Commissioners have been established, the said Commissioners, including the resident Assistant Commissioner in charge of the Survey Department, are not deemed to be in the permanent Civil Service of the State, and consequently are not entitled to Superannuation Allowance in pursuance of "The Superannuation Act, 1859:" And whereas it is expedient that the Powers of Appointment contained in the Copyhold Act should be continued, and the Period limited by the said Act and the Acts for amending the same for the Tenure of Office by the Commissioners should be extended in manner herein mentioned, and that the said Commissioners, including such resident Assistant Commissioner as aforesaid, should be deemed to be entitled to Superannuation Allowance: 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, as follows:

1. So

Copyhold, &c. Commission.

Continuation of Power of Appointment.

1. So much of the Copyhold Act as authorizes the Appointment of Commissioners and other Officers as therein mentioned shall be continued until the First Day of *August* One thousand eight hundred and sixty-seven, and thenceforth until the End of the then next Session of Parliament, and the Period limited for the holding of Office by the Commissioners and such other Officers as aforesaid shall in like Manner be extended until the First Day of *August* One thousand eight hundred and sixty-seven, and thenceforth until the End of the next Session of Parliament.

Superannuation of Officers.

2. The Commissioners acting in execution of the several Acts herein-before mentioned, including such resident Assistant Commissioner as aforesaid, shall, for the Purposes of the Superannuation Act, 1859, be deemed to have served in the permanent Civil Service of the State, and to have held their respective Appointments directly from the Crown.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1862.