

## The Tithe Commutation Act 1836

### Tithes

The payment of one tenth of local produce to the church had been established in [Anglo-Saxon England](#) before the [Norman Conquest](#). This was originally in kind: every tenth stook of corn, etc. It originally supported the local priest, but in some cases the right to receive the tithe was acquired by an organisation such as a monastery or college, who paid a [curate](#). With the [dissolution of the monasteries](#), the right to receive tithes was acquired by a number of private landlords. In some instances, a [tithe barn](#) was built to hold the tithes. Tithes themselves were controversial, particularly among [nonconformists](#) who resented supporting the established church; and payment in kind was sometimes not convenient for either the farmer or the tithe owner.

### Conversion to Cash payments

Over time, in some parishes, the tithe owner came to an agreement with the tithe payers to receive cash instead of farm produce. This could be for a fixed period of time or indefinitely. During the period of [parliamentary enclosure](#), the various [enclosure Acts](#) abolished tithes in many places in return for an allocation of land to the tithe owner. However, in many parishes, tithes continued to be paid in kind.

### The Tithe Commutation Act 1836

The [Tithe Commutation Act 1836](#) and an amending act in 1837 established a procedure whereby tithes could be converted to money payments. This required the drawing of an accurate map (the accuracy of which was certified by commissioners) showing all the land in the parish. The series of maps resulting from this legislation provides unprecedented coverage, detail and accuracy.

The initial intention was to produce maps of the highest possible quality, but the expense (incurred by the landowners) led to the provision that the accuracy of the maps would be testified by the seal of the commissioners, and only maps of suitable quality would be so sealed. In the end, about one sixth of the maps had seals. A map was produced for each "tithe district", that is, a region in which tithes were paid as a unit. These could be distinct from parishes or townships. Areas in which tithes had already been commuted were not mapped, so that coverage varied widely from county to county. The maps indicated parcels of land and buildings, assigning each a number.

Each map was accompanied by a schedule listing each map item by number. This showed the owners, occupiers and a description of the land in the parish including individual fields - sometimes with field names. (The description might be short: house and barn, arable, etc.) A preamble gave the name of the tithe owner, the circumstances under which tithes were owed,

and whether the apportionment was subject to an agreement between the parties, or was being imposed by the Crown. Most of the surveying and mapping was carried out by 1841, and the work was largely completed by 1851. In some cases amendments had to be filed when properties were divided or other circumstances intervened. The work was also complicated by numerous inconsistencies in the ways tithes were assessed. For example, timber might or might not include standing trees, branches, acorns, mast, and even charcoal. Variations as to the circumstances of tithe-paying were also considerable.