ANNO UNDECIMO

VICTORIÆ REGINÆ.

Cap. 1.

An Act to authorize the feuing of the Glebe Lands of the Parish of *Govan* in the County of *Lanark*.

[9th *June* 1848.]

WHEREAS the Reverend *Matthew Leishman* Doctor in Divinity is the present Minister of the Parish of *Govan* in the Presbytery of *Glasgow*: And whereas the Principal and Professors of the College of *Glasgow* are the Patrons of the Living of the said Parish: And whereas the Lands described in the Schedule to this Act annexed belong to the Minister of the said Parish as the Glebe Lands thereof, and are situated in the immediate Vicinity of the River *Clyde*, and near to the City of *Glasgow*: And whereas, in consequence of the rapid Increase of the City and Harbour of *Glasgow*, the public Works connected therewith extend to and surround the Manse and Glebe Lands of the said Parish, and render such Manse unsuitable as a Residence for the Minister of the said Parish: And whereas from their Contiguity to the River *Clyde* and Harbour of *Glasgow*, and from their lying in the immediate Vicinity of the City of *Glasgow* itself, the said Glebe Lands are well and conveniently situated for feuing for the Purpose of Shipbuilding Yards or other public Works, and Workmen's Houses connected therewith: And whereas it would greatly increase the Value of the Living of the said Parish, and conduce to the Convenience and Comfort of the

Minister thereof, if the said Doctor *Matthew Leishman* and his Successors in Office as Ministers of the said Parish were enabled to feu the said Glebe Lands, and if Provision were made for the Removal of the Manse; but these Objects cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and 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,

Power to feu.

and by the Authority of the same, That from and after the passing of this Act it shall be lawful to the said Doctor *Matthew Leishman* and his Successors in Office as Ministers of the said Parish of *Govan*, with the Consent and Approbation of the Presbytery of *Glasgow*, or of a Committee of their Number to be specially appointed by them for that Purpose, from Time to Time to sell and dispose of the Glebe Lands of the said Parish described in the Schedule to this Act annexed, including therein the Site of the present Manse, Office Houses, and Garden Ground, either in whole or in such Lots as may be found expedient, to such Person or Persons as may be willing to take the same, to be holden of the said Doctor *Matthew Leishman* and his Successors in Office as Ministers of the said Parish in all Time coming in Feu Farm, Fee and Heritage, for Payment of such perpetual yearly Feu Duties as can be obtained for the same, either by public Auction or private Contract, and to grant, subscribe, and deliver to the Feuar or Feuars such Contracts, Dispositions, or Charters of Feu, and such Charters by Progress, Precepts of Clare constat, and other Deeds, duly stamped, as may be necessary according to the Law of *Scotland* for feudally vesting the Lot or Lots of Ground to be feued as aforesaid in the said Feuar or Feuars thereof, and in their respective Heirs or singular Successors who shall thereafter acquire Right to the same, which Contracts, Dispositions, or Charters of Feu, and Charters by Progress, Precepts of Clare constat, and other Deeds, together with such Writings as may be required according to the Law of *Scotland* to follow thereon, shall be held to be legal and valid Titles of Property in Feu and Heritage, and such Lot or Lots of Ground shall thereupon cease to be Glebe Lands, and shall be vested in the said Feuar or Feuars and their Heirs and Disponees for ever.

Proviso, that no Buildings be erected within Sixty Feet of Church; and preferable Power to Heritors to purchase certain Parts of Lands within Six Months.

II. Provided always, and be it enacted, That no Buildings shall be erected upon the said Lands within Sixty Feet of the Parish Church; and that if the Heritors of the Parish of *Govan* shall, within Six Months from the passing of this Act, at any Meeting to be specially called in Terms of Law to consider the Propriety of making the Purchase after mentioned, resolve to acquire that Portion of the said Glebe Lands described in and forming Part and Portion of Numbers II. and III. in the Schedule to this Act annexed, bounded on the North by the River *Clyde*, on the East partly by a Line at Right Angles to the River *Dyke* across the Waterside Portion of Number III. and partly by the West Side of the Footroad leading from the Waterside Ground to *Govan* Church and Manse, on the South by the North Side of the Churchyard Wall, and on the West partly by the Middle of a Thorn Hedge and partly by a Line at Right Angles from the River Front across the Waterside Grounds to the North Point of the said Thorn Hedge last above described, and containing the total Quantity of One Acre Two Roods and Twenty-four

four Hundredth Parts of a Pole Imperial Standard Measure, then and in that Case the said Reverend Doctor *Matthew Leishman*, and his Successors in Office, shall be bound, on receiving Written Intimation of such Resolution from the Chairman or Clerk to the said Meeting, to sell and dispose of the same, under the Provisions of this Act, to the said Heritors, in preference to all others, at a Price or Feu Duty to be fixed by the Sheriff of the County of *Lanark*, or any of his Substitutes for the Lower Ward of that County, on the Application of the said Heritors, and after obtaining a Valuation of the said Portion of Glebe Lands by some duly qualified Land Valuator to be chosen and appointed by the said Sheriff or Sheriff Substitute, the said Resolution to be intimated, Valuation obtained, and Purchase completed all within the Period of Six Months before limited, otherwise the Power of Pre-emption hereby conferred on the said Heritors shall on the Lapse thereof cease and determine.

Full Value to be paid in Feu Duties.

III. And be it enacted, That in all such Contracts, Dispositions, or Charters of Feu the full Value of the Ground thereby feued shall be stipulated to be paid in perpetual annual Feu Duties in Money, without taking any Sum or Sums of Money or other Payment whatsoever by way of Fine, Income, Foregift, or Grassum, excepting as herein-after provided; and the said Feu Duties shall be thereby taken payable to the Minister of the said Parish for the Time being, and shall be legally secured upon the Grounds in respect of which the same are payable, and on the Buildings to be erected thereon, according to the Law and Practice of *Scotland* in Feu Holdings.

Feu Duties to belongs to the Minister, and shall be enjoyed by him in lieu of Rent, &c. for Glebe Lands.

IV. And be it enacted, That the Feu Duties which shall become payable under any Deeds that may be granted as aforesaid shall in all Time coming belong to the Minister for the Time being of the said Parish, and shall be held and enjoyed by him in lieu of the Rents and Profits of the said Glebe Lands which now belong to and are possessed by the said Minister: Provided always, that after feuing out the said Glebe Lands or any Part thereof, in virtue of this Act, it shall not be competent to the said Doctor *Matthew Leishman* or his Successors in Office to make any Demand upon the Heritors of the said Parish for providing a new Glebe, or any Portion of Land to make up the full Extent of a legal Glebe, nor shall it thereafter be competent to the said Heritors to grant such new Glebe or Portion of a Glebe to the said Doctor *Matthew Leishman* or his Successors Ministers of the said Parish.

Minister to have same Remedies for Recovery of Feu Duties as other Superiors in Scotland.

V. And be it enacted, That after any such Contracts, Dispositions, or Charters of Feu shall have been executed the Minister of the said Parish for the Time being shall have the same Remedies for enforcing Payment of the Feu Duties thereby stipulated, and all other Rights and Privileges, which by the Law and Practice of *Scotland* are competent to Superiors in Feu Holdings.

Minister may take Fines to a certain Amount in order to pro-

VI. Provided always, and be it enacted, That in order to provide Funds for defraying the Expense of applying for and obtaining this Act and incident thereto, and for the Purchase of Ground for the Site

vide Funds for obtaining this Act, &c.

Site of a new Manse, Offices, and Garden, and for erecting such Manse and Offices, and laying out such Garden, it shall be lawful for the said Doctor *Matthew Leishman* and his Successors in Office as Ministers foresaid, with the Consent and Approbation of the said Presbytery, or a Committee of their Number specially appointed as aforesaid, to take from any Person or Persons to whom they shall feu the whole or any Part of the said Glebe Lands in virtue of this Act any Sum or Sums of Money by way of Fine, Income, Foregift, or Grassum, and as the Value of the Materials of the existing Manse and Office Houses the Site of which may be feued to them as aforesaid, not exceeding in whole the Amount disbursed for applying for and obtaining this Act and incident thereto, and the additional Sum of Two thousand Pounds for purchasing Ground for the Site of a new Manse, Offices, and Garden, and for erecting such Manse and Offices and laying out such Garden, under the Direction and Superintendence of the said Presbytery or Committee thereof.

Feu Duties may be sold for certain Purposes.

VII. And be it enacted, That in case the said Doctor *Matthew Leishman* or his Successors in Office as Ministers of the said Parish shall deem it more expedient to raise the whole or any Part of the said Sum of Two thousand Pounds, and the Expense of applying for and obtaining this Act and incident thereto, by selling a Portion of the said Feu Duties, then and in that Case it shall be lawful for him or them, as Ministers foresaid, with the Consent and Approbation of the foresaid Presbytery or Committee of their Number, by Deed of Conveyance duly stamped, to sell or dispose of in perpetuity such Portion or Portions of the said annual Feu Duties as shall produce the said Sum of Two thousand Pounds, and a Sum equal to the Expense of applying for and obtaining this Act and incident thereto, as aforesaid, or so much of the said Sums as may be sought to be raised by way of Sale of the said Feu Duties; and it shall be lawful to the said Doctor *Matthew Leishman* and his Successors in Office as Ministers foresaid to grant, subscribe, and deliver to the Purchaser or Purchasers of such Feu Duties all such Dispositions or Conveyances as may be necessary for conferring an absolute and indefeasible Right to the Portion or Portions of the said Feu Duties so sold.

Monies received to be paid into Bank.

VIII. And be it enacted, That such Sums of Money as shall be taken by way of Fine, Income, Foregift, or Grassum, or as the Value of Materials, or raised by selling the Feu Duties as aforesaid, shall be paid by the Person or Persons from whom the same are due into any of the Banks in *Scotland* established by Act of Parliament or Royal Charter, under the Direction and by the Authority of the Sheriff of the County of *Lanark*, or any of his Substitutes for the Lower Ward of that County, in the Names of Two Persons to be appointed by such Sheriff or Sheriff Substitute as Trustees, upon Application to be made in a summary Way to the said Sheriff or Sheriff Substitute by the Minister of the said Parish for the Time being, and shall be applied by such Trustees in the Manner and for the Purposes after mentioned.

IX. And

Receipts of the Officers of the Bank to be sufficient Discharge to Feuars or Purchasers.

XI. And be it enacted, That a Receipt under the Hand of an authorized Officer of any of the said Banks, for the Payment into such Bank, in the Names of such Trustees, of any Sum of Money herein-before directed to be so paid, shall be a good and sufficient Discharge to the Person or Persons who shall so pay in such Sum of Money, and to his, her, or their respective Heirs, Executors, Administrators, and Assignees, for the Sum of Money for which such Receipt shall be given; and thenceforth such Person or Persons, and his, her, or their Heirs, Executors, Administrators, and Assignees, shall be discharged of the same, and shall not be obliged to see to the Application, or be answerable for any Loss, Misapplication, or Non-application of any Part thereof.

Sheriff of Lanarkshire to ascertain Costs of Act, and order Payment thereof.

X. And be it enacted, That the said Sheriff or Sheriff Substitute shall, upon the summary Application of the said Doctor *Matthew Leishman* or his Successors in Office as Ministers foresaid, and after due Intimation to the Heritors of the said Parish of *Govan* and to the said Presbytery, ascertain the Sum which shall have been incurred or paid as the Costs of applying for and obtaining this Act and incident thereto, and thereupon shall order the Amount thereof to be paid by the Trustees to be appointed by the said Sheriff or Sheriff Substitute as aforesaid out of the Monies which shall have been paid into any of the said Banks as aforesaid.

Expenses of Act, until paid, to form a Real Burden on Glebe Lands.

X. Provided always, and be it enacted, That in case at the Date when the said Costs or any Part thereof shall be so ascertained there shall not be a sufficient Sum in Bank in virtue of this Act to liquidate the same, then the Amount of such Costs so ascertained, or so much thereof as shall remain unpaid after applying the whole Money in Bank for that Purpose, shall, with the legal Interest thereof from the Date when the Amount shall have been so ascertained, form a Real Burden on the said Glebe Lands and the Rents and Feu Duties thereof; and the Minister of the said Parish for the Time being shall be bound to pay such Interest half-yearly to the Party entitled thereto, until the Principal shall have been paid in manner herein-before provided.

Sheriff to order Payment of Expense of erecting new Manse and Offices.

XII. And be it enacted, That after the said Costs shall have been paid as aforesaid, and in the event of the Site of the present Manse, Offices, and Garden being feued out in virtue of this Act, it shall be lawful to the said Sheriff or Sheriff Substitute and he is hereby required, upon the summary Application of the said Doctor *Matthew Leishman* or his Successors in Office as Ministers foresaid, with the Concurrence of the said Presbytery or a Committee of their Number, as aforesaid, and after due Intimation to the Heritors of the said Parish of *Govan*, to order the Remainder of the Money in Bank in virtue of this Act, or so much thereof as may be necessary for the Purposes after mentioned, to be applied by the said Trustees, at the Sight and under the Direction of the said Sheriff or Sheriff Substitute, towards Payment of the Expense of purchasing Ground for a new Manse, Offices, and Garden, and of erecting such Manse and Offices and laying out such Garden, in lieu of the present Manse, Offices, and Garden, which new Manse and Offices shall thereafter be

be held to be the legal Manse and Offices of the said Parish which the said Heritors shall be bound to uphold and maintain in all Time coming, in like Manner as they are bound to uphold and maintain the present Manse and Offices: Provided always, that it shall not be lawful to the said Doctor *Matthew Leishman* or his Successors in Office to call upon the Heritors of the said Parish to pay or contribute, out of their own proper Funds, any Sum for purchasing a Site for or erecting the said new Manse and Offices or laying out such Garden.

Minister entitled to Interest of Money in Bank until new Manse erected.

XIII. And be it enacted, That until the said Ground shall have been purchased, and until the building of the said Manse and Offices shall have been completed, the Minister of the said Parish for the Time being shall be entitled to draw the Interest of the Sums in Bank as aforesaid: Provided always, that from and after the Time when the said Sum of Two thousand Pounds may have been paid into Bank as aforesaid the said Minister shall have no further Claim on the Heritors of the said Parish for the Repair of the existing Manse and Offices thereof.

Price of Lands which may be acquired by Clyde Navigation Trustees to be paid into Bank.

XIV. And whereas an Act was passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act for further deepening and improving the River* Clyde *and enlarging the Harbour of* Glasgow, *and for constructing a Wet Dock in connexion with the said River and Harbour*, by which Act the Trustees thereby appointed were authorized to acquire for the Purposes of the said Act certain Portions of the said Glebe Lands; be it enacted, That in the event of any Part of the said Glebe Lands being acquired under the Powers of the said Act the Price thereof shall be paid by the Trustees under the said Act into any One of the said Banks in the Name of the Trustees to be appointed under this Act as aforesaid, and shall be applied *pro tanto* towards Payment of the Costs of applying for and obtaining this Act and incident thereto, and of the Sum herein-before directed to be set apart for the Purchase of Ground for a new Manse, Offices, and Garden, and the Expense of erecting and laying out the same, in so far as the Amount of such Costs, Purchase Money, and Expense shall not have been previously paid into Bank in pursuance of the Powers herein-before conferred, and the Balance, if any, of the Price paid into Bank by the Trustees under the said Act shall be applied by the Trustees to be appointed under this Act as aforesaid for the Benefit of the Minister of the said Parish and his Successors in Office, under the Direction and Superintendence of the said Presbytery or Committee thereof.

General Saving.

XV. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all and every Person or Persons, Bodies Politic and Corporate, and their respective Heirs, Executors, Administrators, and Successors, (other than and except the Principal and Professors of the College of *Glasgow* as Patrons of the said Living, the Presbytery of *Glasgow*, the said Doctor *Matthew Leishman* and his Successors in Office as Ministers of the said Parish, and the Heritors of the said Parish for any Interest they may have,) all such Estate, Right, Title, Interest, Property, Claim, and Demand

whatsoever,

whatsoever, in, to, out of, or against the said Glebe Lands, as they or any of them had before the passing of this Act, or would or might have had or enjoyed in case this Act had not been passed.

Act as printed by Queen's Printers to be Evidence.

XVI. And be it enacted, That this Act shall be printed by the several Printers to the Queen's most Excellent Majesty duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be admitted as Evidence by all Judges, Justices, and others.

SCHEDULE of the GLEBE LANDS referred to in the foregoing Act.

Description of Property.	Tenants and Occupants Names.	Yearly Rent or Value.	Extent.
No.		£ s. d.	A. R. P.
I. The Eastmost Portion, containing the Manse, Offices, &c., bounded on the North by a Hedge separating it from the Pasture Ground herein-after described No. III., on the East by a Garden the Property of the Misses Wallace, by the Property of Mr. David Dreghorn, by the old Schoolhouse, by a Wall and Entry-door from the Street, and by a curved March Hedge dividing it from a Garden the Property of the Heirs of the late Mr. James White, on the South by the said Garden and the public Road, and on the West by the East Side of the Avenue leading to the Church, by the Churchyard Wall, and by the East Side of the Path from the River Side to the Church and Manse - - - - -	Rev. Dr. Leishman and Mrs. Montgomery, valued at -	40 0 0	2 0 14 20/100
II. That other Portion, in Two Divisions, bounded on the North by an old Hedge separating it from the Pasture Ground on the River Side, on the East by the West Side of the Path from the River Side to the Church and Manse, and afterwards by the North, West, and South Sides of the Churchyard Wall, and the West Side of the Avenue to the Church, on the South by the public Road, and on the West by the East Side of the Footroad leading from the said public Road to the Clyde - - - -	Helen Fleming and Alexander Paterson -	14 0 0	2 3 24 36/100
III. The Pasture Ground along the Side of the River Clyde, bounded on the North by the Clyde, on the East by Ground belonging to the Misses Wallace, on the South by an old Hedge, being the North Boundary of the Two Lots already described, and on the West by a March Line dividing it from the Property of Mr. Daniel Wardrop M'Kechnie - - - -	Helen Fleming -	2 0 0	1 2 22
IV. That detached Portion bounded on the North by an old Hedge separating it from Pasture Ground belonging to Mr. Daniel Wardrop M'Kechnie, on the East by the Property of the said Mr. Daniel Wardrop M'Kechnie, on the South by the public Road, and on the West by the Property of Mr. Morris Pollock - - - - -	James Robertson	8 0 0	2 0 19
	Total -	64 0 0	8 2 39 56/100

David Smith.

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Printers to the Queen's most Excellent Majesty. 1848.