CHAPTER ccxxi.

An Act to make provision in regard to the Restoration of the Ancient Church of St. Giles, in the city of Edinburgh. A.D. 1879.

[15th August 1879.]

WHEREAS by the Act of the session of the twenty-third and twenty-fourth years of the reign of Her present Majesty, chapter fifty, intituled "An Act to abolish the Annuity Tax in "Edinburgh and Montrose, and to make provision in regard to the "stipends of the ministers in that city and burgh, and also to "make provision for the patronage of the church of North Leith," it was, inter alia, provided that the whole rights of administration and custody of the New North Church (usually known as West St. Giles), in the city of Edinburgh, which the magistrates and council of the said city had in or pertaining to the same, should be transferred from the magistrates and council to and vested in the Commissioners by the Act appointed and incorporated under the said Act, (herein-after called the Edinburgh Ecclesiastical Commissioners,) and the said Act was amended by the Act of the session of the thirty-third and thirty-fourth years of the reign of Her present Majesty, chapter eighty-seven:

And whereas at the passing of the last-recited Act the ancient church of St. Giles in the said city was divided for congregational purposes by walls which formed no part of the original structure into three distinct churches, viz.: (1) the choir, or High Kirk, (2) the southern transept, or Old Kirk, and (3) the nave, or New North Church (usually called West St. Giles Church):

And whereas the part of the building forming the southern transept thereof and formerly known as the Old Kirk has now been added to and incorporated with the High Kirk, the dividing walls between them having been removed:

And whereas it is now proposed that a complete restoration of the said ancient church should be effected, so that it shall form, as

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originally designed, one undivided building, and for this purpose it is necessary that the New North Church (usually called West St. Giles Church) should cease to be occupied as a separate place of worship, the dividing walls between it and the other parts of the said ancient church being removed, and provision being made for the erection of a suitable church for the congregation presently worshipping there, and for all other vested rights therein:

Be it therefore 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:

When 10,500*l.* provided for purposes of Act, New North or West St. Giles Church shall be vacated.

1. Whenever, as the result of public voluntary subscription or of contributions from any source other than municipal funds or revenues, there shall be paid over to the Edinburgh Ecclesiastical Commissioners, or when security shall be found to the satisfaction of the said Commissioners for, the sum of ten thousand five hundred pounds sterling, to be applied as herein-after provided, the congregation at present worshipping in the New North Church (usually called West St. Giles Church) shall, within twelve months from the date of such payment or acceptance of security, vacate the said New North Church (usually called West St. Giles Church), which shall thereupon be incorporated with and form part of the High Kirk.

Church to be erected in lieu of New North or West St. Giles Church.

2. The Edinburgh Ecclesiastical Commissioners shall apply ten thousand pounds in the purchase of a site to be selected by the Presbytery of Edinburgh, and in the erection thereon, according to plans to be approved of by the said Presbytery, of a church in lieu of the New North Church (usually called West St. Giles Church), and shall invest the sum of five hundred pounds on such separate security as they shall consider proper, the interest whereof shall be accumulated and applied pro tanto in the maintenance of the fabric of that part of the building presently occupied by the said New North Church (usually called West St. Giles), but declaring that nothing herein contained shall limit the obligation of the said Edinburgh Ecclesiastical Commissioners to maintain the fabric of the whole building as provided by the said recited Acts.

How title to be taken, and provisions for custody and maintenance of substituted church.

3. The feudal title to the substituted church shall be taken in name of such persons and their successors in trust as may be nominated by the Presbytery of Edinburgh, and such church when completed shall be deemed and taken to be one of the parochial churches in the city of Edinburgh, and as such shall be subject to

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the custody and administration of the Edinburgh Ecclesiastical Commissioners, in all respects as the present New North Church (usually called West St. Giles Church), and the minister of the said church and his successors shall have all the rights and privileges presently enjoyed by the minister of the said New North Church (usually called West St. Giles Church).

Provision in case substituted church shall be built outside New North parish.

4. In the event of the church to be substituted for the New North Church (usually called West St. Giles Church) being built outside the New North Church parish, it shall be lawful for the Teind Court, on the application of the Presbytery of Edinburgh, to disjoin the site of the same and buildings connected therewith from the parish in which the same may be locally situated, and annex such substituted church with the site thereof and buildings connected therewith quoad sacra to the said New North Church parish.

Saving as to tower or spire of St. Giles.

5. Nothing contained in this Act shall apply to the tower or spire of the said ancient church of St. Giles, or shall authorise the execution of any works or alterations thereon.

Construction of Act.

6. This Act shall be construed and read along with and as part of the recited Acts.

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