ANNO QUINTO

GEORGII IV. REGIS.

C A P. LXXII.

An Act for amending and rendering more effectual an Act for augmenting Parochial Stipends, in certain Cases, in *Scotland*. [17th *June* 1824.]

WHEREAS an Act passed in the Fiftieth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for augmenting Parochial Stipends in certain Cases in* Scotland, by which it was enacted, that as soon as conveniently might be after the passing thereof, the Clerks of the different Presbyteries within *Scotland* should make up Accounts of the different Parishes within each Presbytery, the Stipends of which Parishes did not extend in their yearly Amount to the Sum of One hundred and fifty Pounds Sterling, and which could not be augmented to that Extent under the Laws then in force; and upon receiving such Accounts, the same were directed to be taken into Consideration by the Lords of Council and Session, as Commissioners for Plantation of Kirks and Valuation of Teinds, and a List or Schedule should thereupon be made up, under their Direction and Authority, of all such Stipends which from the Causes mentioned in the said recited Act 50 G. 3. c. 84.

could not be augmented to the annual Amount or Value of One hundred and fifty Pounds under the Laws then in force, specifying the Amount of each Stipend, in Money, Grain, or other Articles in which the same was payable, and the Rate at which such Grain or other Article, if not in use to be paid in Kind, were convertible into Money, and if in use to be paid in Kind, the Value thereof on an Average of the last Nine Years preceding the passing of said Act; and so soon as the said Lords of Council and Session, as Commissioners foresaid, should have determined with respect to the Stipend or Stipends of any Minister or Ministers which ought to be augmented under the Authority of the said recited Act, the said Lords of Council and Session, as Commissioners foresaid, should cause a List or Schedule of such Stipend or Stipends to be made out in manner directed by the said recited Act, specifying the Sum necessary for augmenting each such Stipend to the annual Sum of One hundred and fifty Pounds, and an Extract or certified Copy thereof, made out in the Manner therein directed, should be transmitted to the Barons of Exchequer, who should issue their Precept or Warrant, addressed to His Majesty's Receiver General and Paymaster in *Scotland*, to each of the Ministers of the respective Parishes mentioned in such List or Schedule, for Payment to such Minister of the annual Sum which according to such List or Schedule is necessary for augmenting his Stipend to the annual Amount or Value of One hundred and fifty Pounds, to be paid to him at the Terms or Times therein directed during his Incumbency: And whereas by the Alteration in the Price of Grain and other Circumstances, most of the Stipends included in the present Lists have been considerably reduced below the said Sum of One hundred and fifty Pounds, and it is expedient that the Amount of such Stipends should from Time to Time be reconsidered, so as to secure to the Incumbents of such Parishes a Stipend of One hundred and fifty Pounds each at all Times, as nearly as may be: And whereas it is also expedient that some additional Provision should be made in certain Cases for such of the Parochial Clergy of *Scotland* as cannot, according to Law, be provided with a Manse or Glebe: And whereas an annual Sum not exceeding Two thousand Pounds, in addition to the Sum provided by the before-recited Act, will be sufficient to carry these Purposes into effect: Be it therefore enacted by the King'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, That as soon as conveniently may be after the passing of this Act, and from Time to Time once in Five Years, at the Expiration of each successive Five Years in all Time hereafter, the Clerks to the different Presbyteries within *Scotland* shall make out Accounts in the Manner directed by the said recited Act, of the different Parishes within each Presbytery, the Stipends of which Parishes do not at the Time extend in their yearly Amount or Value to the Sum of One hundred and fifty Pounds Sterling, and which cannot be augmented to that Extent under the Laws at present, or to be then in force, by reason of the Causes mentioned in the said recited Act, which Accounts shall specify the Amount of each such Stipend in Money, Grain, or other Articles, according to an Average of the last Five Years preceding the Date of making

Lists of Parishes, the Stipends of which do not extend to the yearly Value of 150*l.*, and which cannot be augmented, &c. as directed by the said recited Act, to be made now and once in every

making out the same respectively, and the said Accounts shall be transmitted to the Teind Clerk, or Principal Clerk of the Lords of Council and Session, as Commissioners for Plantation of Kirks and Valuation of Teinds, who shall thereupon proceed in the Manner directed by the said recited Act to take the same into Consideration, and to adjust and settle the same; and so soon as the said Lords of Council and Session, as Commissioners aforesaid, shall have adjusted and settled any such List or Schedule, or shall have ascertained the Sum necessary for augmenting each such Stipend, in the Manner directed by the said recited Act, as often as the same is required to be done by this Act, to the annual Amount or Value of One hundred and fifty Pounds, the said Lords of Council and Session, as Commissioners aforesaid, shall cause a List or Schedule, or Lists or Schedules, to be made out in the Manner directed by the said recited Act, specifying the Sum necessary for augmenting each such Stipend to the annual Sum of One hundred and fifty Pounds, and every such List or Schedule shall be recorded and transmitted in the Manner directed by the said recited Act; and the said Barons of Exchequer shall issue their Precept or Warrant, addressed to His Majesty's said Receiver General and Paymaster for *Scotland*, to each of the Ministers mentioned in any List or Schedule made up under the Authority of this Act, for Payment to such Minister of the annual Sum which, according to such List or Schedule, shall appear to be necessary for augmenting his Stipend to the annual Amount or Value of One hundred and fifty Pounds, to be paid him during his Incumbency, and to his Successor, at the Terms or Times and in the Manner directed by the said recited Act, unless and until an Alteration shall take place in the Manner herein-after directed.

Five Years by the Clerks of the Presbyteries, and transmitted to the Teind Clerk.

II. And whereas in some Parishes in *Scotland* the Ministers thereof have small Stipends, and are not provided with a Manse or a Glebe, and it is reasonable that in such Cases an additional Stipend should be paid to such Ministers, as some Compensation for the Want thereof; be it therefore enacted, That as soon as conveniently may be after the passing of this Act, the Clerks to the different Presbyteries within *Scotland* shall make up a List or Lists of any Parish or Parishes within each Presbytery the Minister whereof is without a Manse and Glebe, and of any Parish or Parishes the Minister whereof is without a Manse, and of any Parish or Parishes the Minister whereof is without a Glebe, the Stipend of any which Minister shall be under the Amount or Value of Two hundred Pounds *per Annum*; and every such List shall be transmitted to the said Teind Clerk, or Principal Clerk to the said Lords of Council and Session as Commissioners aforesaid.

Lists of Parishes where there is no Manse or Glebe to be made up in like Manner.

III. And be it further enacted, That after such List shall have been received by such Teind or Principal Clerk, it shall and may be lawful for the said Lords of Council and Session as Commissioners aforesaid, upon the Application of any of the Ministers interested, or of the Procurator of the Church on behalf of the whole, to enquire into the Circumstances of the Case, and if they shall find that the Stipend in

Commissioners of Teinds to enquire into the Circumstances of the Case, and to make up Lists or

Schedules of such Parishes where the Stipends are under 200*l.* and cannot be provided with Manse or Glebe, and of the Sum which ought to be allowed, which Lists shall be recorded in the Teind Court.

in any Parish is under the annual Amount or Value of Two hundred Pounds, and that the Minister cannot be provided with a Manse and a Glebe, or with a Manse or a Glebe, as the Case may be, they are hereby directed to cause a List or Schedule of every such Parish where the Minister cannot be so provided to be made out, and of the Sum which ought to be allowed in respect of the Want thereof, as the Case may be, but so as that the total Amount of the Stipend shall not exceed Two hundred Pounds *per Annum* in any Case where the Minister is without both Manse and Glebe, or One hundred and eighty Pounds where the Minister is without a Manse or a Glebe, as the Case may be, and cannot be provided with the same respectively; and every such List or Schedule shall be recorded in the Books of the Teind Court, and an Extract or certified Copy thereof shall be made out and transmitted to the Barons of Exchequer, who shall cause the same to be also recorded in their Books, and shall issue their Precept and Warrant, addressed to His Majesty's said Receiver General and Paymaster in *Scotland*, to the Minister of the Parish, or to each of the Ministers of the respective Parishes mentioned in such List or Schedule, for Payment to such Minister of the annual Sum which according to such List is to be paid to him in respect of the Want of a Manse and Glebe, or the Want of a Manse or Glebe, as the Case may be, during his Incumbency in the Parish mentioned in such Precept or Warrant, at the Terms and Times, and in the same Manner as the augmented Stipends settled by the said recited Act of Parliament are thereby directed to be paid to the said respective Ministers entitled to the same.

Every Five Years Clerks of Presbyteries to make out Accounts of the Stipends to which Additions have been made, and when Stipends are found to be 5*l.* per Annum less than the Sum allowed, they shall transmit an Account of such Stipends to the Teind Clerk, that an Increase may be made.

IV. And whereas from the Alteration of Circumstances it may from Time to Time happen, that the Sum to be allowed to some of such Ministers to make up their Stipends to the Sums allowed by this Act, may fall below these Sums respectively; be it therefore enacted, That Once in every Five Years in all Time hereafter, and at the Expiration of Five Years from the Date of each such Transmission, the Clerks to the different Presbyteries in *Scotland* shall make out Accounts of the Amounts of the different Stipends to which Additions shall have been made, as directed by this Act; and whenever such Clerks shall find any such Stipend to be Five Pounds *per Annum* less than the Sum allowed pursuant to this Act, according to the Average Prices of Grain in the County in which such Parish shall be situated for the Five Years immediately preceding, the said Clerks shall transmit an Account of such Stipends to the Teind Clerk, or principal Clerk of the said Lords of Council and Session as Commissioners aforesaid, who shall thereupon proceed to increase each such Stipend, so as to make the Sum to be thereafter allowed amount as nearly as may be to the Sum allowed under this Act, according to the Average Prices of Grain for Five Years preceding the Date of such Transmission of Accounts respectively; and so soon as the said Lords of Council and Session shall have adjusted and settled or ascertained the Sum necessary so to be allowed according to such Diminution, as the Case may be, as often as the same is directed by this Act, the said Lords of Council and Session shall cause a List or

Schedule, Lists or Schedules, to be made out in the Manner directed by the said recited Act and this Act, specifying the Sum thenceforth to be issued, until an Alteration in the Amount of such Sum shall take place in the Manner directed by this Act; and every such List or Schedule shall be recorded, and thereafter transmitted, in the Manner above directed in the Case of the first Allowance under this Act; and the said Barons of Exchequer shall issue their Precept or Warrant to His Majesty's said Receiver General and Paymaster for *Scotland*, to each of the Ministers mentioned in any such List or Schedule, for Payment to such Minister of the annual Sum which, according to such List or Schedule, is to be paid to him during his Incumbency, and to his Successor, at the Term or Times and in the Manner directed by the said recited Act, unless and until an Alteration shall take place in the Manner directed by this Act.

Not more than to the Amount of 2,000*l.* to be allowed in any one Year.

V. Provided always, and be it enacted, That the Augmentations of Stipends authorized to be made by this Act, shall not exceed in any one Year the Sum of Two thousand Pounds Sterling over and above and in addition to any Balance of the Sum of Ten thousand Pounds granted by the said recited Act, remaining unapplied for the Purposes thereof.

Directions given by recited Act to be observed in executing this Act.

VI. And be it enacted, That all the Directions given by the said recited Act, with respect to the Matters and Things thereby appointed to be done, shall be observed and followed in executing this Act, as far as such Directions are not inconsistent with the same.

55G.3.c.187.

VII. And whereas by an Act passed in the Fifty-fifth Year of the Reign of His said late Majesty, intituled *An Act for granting to His Majesty certain Sums out of the respective Consolidated Funds of* Great Britain *and* Ireland, *and for applying certain Monies therein mentioned for the Service of the Year One thousand eight hundred and fifteen, and for further appropriating the Supplies granted in this Session of Parliament*, a Sum of Ten thousand Pounds was granted to His Majesty to make Provision for the Augmentation of the Maintenance of the poor Clergy of the established Church of *Scotland*, to be issued and appropriated pursuant to the Provisions of an Act passed or to be passed for that Purpose: And whereas, by an Act passed in the Fifty-eighth Year of the Reign of His late Majesty, intituled *An Act for applying certain Monies therein mentioned for the Service of the Year One thousand eight hundred and eighteen*, a further Sum of Ten thousand Pounds was granted for a similar Purpose, to be issued and appropriated in a similar Manner: And whereas, by another Act, passed in the Fifty-ninth Year of the Reign of His said late Majesty, intituled *An Act for applying certain Monies therein mentioned for the Service of the Year One thousand eight hundred and nineteen, and for further appropriating the Supplies granted in this Session of Parliament*, a further Sum of Ten thousand Pounds was granted for a similar Purpose, to be issued and appropriated in a similar Manner:

58G.3.c.101.

59G.3.c.133.

Grants for the Poor Clergy under recited Acts repealed.

And whereas these Three several Sums of Ten thousand Pounds being no longer required for the Purposes for which they were granted; be it enacted, That so much of the said Acts, as authorizes the Issue of the said several Sums of Ten thousand Pounds, shall be and the same are hereby repealed.

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