11. Nothing herein contained shall give any right to the sheriff of any such united counties to any additional salary beyond that enjoyed by him as sheriff of any county or counties before such union; but on any union taking place under this Act, it shall be lawful for the Lords of Her Majesty's Treasury to make such addition to the salary of the sheriffs of the united counties as they shall deem reasonable, to be paid out of money to be provided by Parliament for that purpose.

Sheriff to have no right to additional salary.

12. Every union of counties into one sheriffdom under the provisions of this and the recited Act, or either of them, shall be deemed to be a complete union to all intents and purposes in so far as regards the jurisdiction, powers, and duties of the sheriff and his substitutes, and in so far as regards the powers, duties, rights, and privileges of procurators before the courts of the sheriff. And the several counties of any such united sheriffdom shall not thereafter be regarded as separate sheriffdoms or jurisdictions, but as one sheriffdom and jurisdiction, in so far as regards the powers, duties, rights, and privileges of the sheriff and his substitutes, and the procurators of the sheriff's court.

Union of counties to be complete as regards jurisdiction, &c. of sheriff and powers, privileges, &c. of procurators.

13. It shall be lawful to Her Majesty, by one of her Principal Secretaries of State, to prescribe from time to time the number of courts to be held by the several sheriffs of Scotland who shall be appointed after the passing of this Act, and the times and places for holding such courts; and also from time to time to prescribe the duties of the office of sheriff which such sheriffs respectively are required to perform personally; provided always, that nothing herein contained, and no order made or direction given under the authority of this clause, shall affect the validity or legal authority of any act done by any sheriff or sheriff substitute in pursuance of his jurisdiction and lawful authority; and so much of the Act of the first and second Victoria, chapter one hundred and nineteen, as provides that every sheriff, with the exception of the sheriffs of the counties of Edinburgh and Lanark, shall after his appointment be in habitual attendance upon the Court of Session during the sittings thereof, shall be and is hereby repealed; but nothing herein contained shall affect the qualification for appointment to the office of sheriff as prescribed by the said Act.

Courts to be held and duties to be discharged by sheriffs.

14. It shall be lawful to Her Majesty, by one of her Principal Secretaries of State, from time to time to prescribe the number of salaried sheriff substitutes of the several counties or sheriffdoms, and the places at which such salaried sheriff substitutes respectively are required generally to reside and attend for the performance of their duties, and the number of courts to be held by them, and the times and places of holding such courts.

Courts to be held and duties to be discharged by sheriffs substitute.

CHAP. 87.

An Act to amend the Act twenty-third and twenty-fourth Victoria, 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;" and to make provision for the abolition of the Annuity Tax within the Parish of Canongate, and for the payment of the Minister of said Parish. [9th August 1870.]

WHEREAS it is expedient to amend the Act of the twenty-third and twenty-fourth Victoria, 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;" to enable the magistrates and council of Edinburgh to redeem the bond of annuity granted by them in virtue of said Act to the Edinburgh Ecclesiastical Commissioners; to abolish the annuity tax within the parish of Canongate; and to make

further provisions regarding the management and patronage of the parish churches of Edinburgh, and the payment of the ministers thereof and of the Canongate:

And whereas it is also expedient to repeal certain of the provisions of the said Act applicable to Montrose, and to substitute other provisions in lieu thereof:

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:

Bond of annuity redeemable.

1. The bond of annuity for four thousand two hundred pounds granted in virtue of the said Act twenty-third and twenty-fourth Victoria, chapter fifty, by the magistrates and council of Edinburgh to the Edinburgh Ecclesiastical Commissioners, shall be redeemable on payment, as herein-after provided, by the said magistrates and council to the said commissioners of the sum of fifty-six thousand five hundred pounds.

On redemption existing securities to be deemed discharged.

2. The said redemption may be made at the term of Martinmas one thousand eight hundred and seventy, or at any subsequent term of Whitsunday or Martinmas, upon three months previous notice in writing to the said commissioners; and on payment of the said sum of fifty-six thousand five hundred pounds being completely made, and receipt therefor being recorded in the register in which the said bond in recorded, the said bond and the existing securities therefor shall by virtue of this Act be deemed to be validly discharged, subject to the claim of the said commissioners for the amount of the annuity due at the term of redemption, if such redemption take place at the term of Whitsunday, or if the redemption take place at the term of Martinmas, for the half year's annuity due at Candlemas then next ensuing.

Magistrates may apply funds of city towards redemption and borrow not exceeding 56,500*l.*

3. The said magistrates and council shall be entitled and are hereby authorised to take out of the estate and revenues of the city of Edinburgh under their administration, and apply toward the redemption of the said bond, such sum as they shall judge proper and expedient; and they are hereby empowered to borrow on the security of said estate and revenues any sum not exceeding the said sum of fifty-six thousand five hundred pounds which they shall find necessary for the purpose of redeeming the said bond, and to pay the interest thereof, and from time to time as shall be proper and expedient in course of a due administration, to pay off the capital out of said estate and revenues; and it shall be lawful for them to grant all proper deeds of obligation and security for the money so borrowed; and is it declared that the estate and revenues in this clause referred to include the whole property and funds referred to in clause nine of the said Act of twenty-third and twenty-fourth Victoria, chapter fifty, and also the assessments by that Act and this Act authorised to be levied.

Nothing in this Act to affect the rights of the city creditors.

4. Nothing in this Act contained shall alter or affect the rights of the creditors of the city of Edinburgh, as secured by the Acts first and second Victoria, chapter fifty-five, seventh Victoria, chapter twenty, and thirty-first and thirty-second Victoria, chapter forty-two, and the securities for the sums to be borrowed in virtue of this Act are hereby declared to be postponed to the rights in security created by the said Acts, in so far as relates to the property thereby disponed or assigned for the security of the said creditors of the city, and the rights of the said creditors in relation thereto; nor shall any of the provisions of this Act affect the rights of any persons holding rights or securities over the special subjects or property acquired under the provisions of the Act tenth and eleventh Victoria, chapter forty-eight, or of the Act thirteenth and fourteenth Victoria, chapter seventy; and nothing in this Act contained shall authorise the creditors under this Act to interfere in any way with the administration of the property, funds, revenues, or income hereby assigned in security of the mortgages or cash credit bonds to be granted in virtue of this Act, so long as the interest and annual instalments of principal shall continue to be regularly paid.

Mortgages how to be executed.

5. All deeds of security to be granted under the provisions of this Act may be executed by the Lord Provost and the City Treasurer, as representing the said magistrates and council, and a deed of mortgage, in the form contained in the Schedule (A.) hereto

annexed, or in a similar form, shall be a valid and effectual obligation and security for money borrowed under the provisions of this Act, and every such mortgage may be transferred by indorsation in the form contained in the said schedule, or in a similar form.

Money may be raised on cash credit.

6. It shall be lawful for the magistrates and council to accept and take from any bank or banking company credit on a cash account to be opened and kept with such bank or banking company in the name of the magistrates and council according to the usage of bankers in Scotland, to the extent of the sum which the magistrates and council are by this Act authorised to borrow, and to make and grant mortgages and assignations of the property, income, and revenue of the city before specified, and the rates to be levied by them under the provisions hereof, in security of the payment of the amount of such credit or of the sums advanced from time to time on such cash account, with interest thereon; which mortgages and assignations may be in the form contained in Schedule (B.) to this Act annexed, or in a similar form: Provided always, that the whole sum due and owing by the magistrates and council on such cash account, and for money borrowed by them on bonds or mortgages as aforesaid, shall not, when taken together, exceed the sum of fifty-six thousand five hundred pounds by this Act authorised to be borrowed.

Power to borrow money from the Loan Commissioners.

7. In case notice shall be given by the said magistrates and council to the said Ecclesiastical Commissioners to redeem the said bond of annuity at the term of Martinmas one thousand eight hundred and seventy, or at the term of Whitsunday one thousand eight hundred and seventy-one, it shall be lawful for the said magistrates and council, at or prior to the said term of Martinmas one thousand eight hundred and seventy, or the said term of Whitsunday one thousand eight hundred and seventy-one, but not thereafter, in place of raising money in the above manner, to borrow on mortgage from the Public Works Loan Commissioners, and for the said Commissioners, out of funds at their disposal under this Act, to lend and advance to the said magistrates and council, under the direction and with the consent of the Commissioners of Her Majesty's Treasury, for the purposes of this Act, a sum not exceeding in the whole the sum of fifty-six thousand five hundred pounds, on such security as may be satisfactory to the said Public Works Loan Commissioners; the said sum of fifty-six thousand five hundred pounds to be repaid by half-yearly instalments within a period of ten years from the date of the advance, together with interest at the rate of three and a half per centum per annum on such part of the said sum of fifty-six thousand five hundred pounds as may from time to time remain due and unpaid.

Commissioners of Treasury may issue money for loan.

8. For the purposes of the above loan by this Act authorised, the Commissioners of Her Majesty's Treasury may from time to time, by warrant under the hands of two or more of them, cause to be issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof, to the account of the Commissioners for the Reduction of the National Debt, any sum or sums of money not exceeding in the whole the sum of fifty-six thousand five hundred pounds, such money to be applied exclusively under this Act, and be at the disposal of the Public Works Loan Commissioners in like manner in all respects as money placed at their disposal under the Act of the session of the twenty-ninth and thirtieth years of Her Majesty, chapter seventy-two, and the Acts therein recited, subject nevertheless to the provisions of this Act, which provisions shall have full effect, notwithstanding anything in "The Public Works Loan Act, 1853," or any Act therein mentioned, to the contrary contained.

Extension of powers, &c. to this Act.

9. All the clauses, powers, authorities, provisoes, enactments, directions, regulations, restrictions, privileges, priorities, advantages, penalties, and forfeitures contained in and conferred and imposed by the said Acts or any of them, so far as the same may be made applicable and are not varied by this Act, shall be taken to extend to this Act and to everything to be done in pursuance of this Act, as if the same were herein repeated and set forth.

Power of levying increased assessments to continue until bond is redeemed and debt paid off.

10. The power of levying increased assessments conferred on the said magistrates and council by section eleven of the said Act of twenty-third and twenty-fourth Victoria, chapter fifty, shall, so far as now subsisting, but no farther, continue until the said bond shall be redeemed and discharged, and until the whole debt incurred by borrowing money under the authority of this Act shall be paid off, and shall then cease; and after the redemption and discharge of the said bond the said magistrates and council shall be bound to levy and collect the said increased assessments until the whole debt incurred by borrowing money under the authority of this Act shall be paid off: Provided always, that after the passing of this Act an account shall be kept, and annually published by the said magistrates and council, of the produce of said increased assessments, and the said publication shall be made at the same time and in the same manner as the account of the municipal expenditure of the city, and that after the redemption and discharge of the said bond of annuity the whole of said produce shall be used and applied to the purpose of paying off and extinguishing the debt incurred by borrowing money under the provisions of this Act, and the interest of said debt, and to no other purpose.

Tax in parish of Canongate to be imposed until bond is redeemed and debt paid off.

11. The tax imposed in the parish of Canongate under section four of the Act thirtieth and thirty-first Victoria, chapter one hundred and seven, shall continue to be imposed until the said bond shall be redeemed and discharged, and until the whole debt incurred by borrowing money under the authority of this Act shall be paid off, and shall then cease to be imposed; and from and after such redemption and discharge the said tax shall be levied, collected, and applied by the magistrates and council of Edinburgh, in the same manner as the said increased assessments.

After which stipend to be paid by Ecclesiastical Commissioners.

12. From and after the redemption and discharge of said bond of annuity the stipend of the minister of the parish of Canongate shall be paid by the Edinburgh Ecclesiastical Commissioners out of the funds in their hands, under the said Act twenty-third and twenty-fourth Victoria, chapter fifty, and thirtieth and thirty-first Victoria, chapter one hundred and seven, and this Act.

Appropriation of church-door collections.

13. From and after the redemption and discharge of said bond one half of the ordinary church-door collections of the churches the ministers whereof are paid by the Edinburgh Ecclesiastical Commissioners shall be paid to the said commissioners by the kirk sessions of said churches respectively, and shall be applicable to the payment of precentors, beadles, and doorkeepers, and to defraying the expense of celebrating communion and heating and lighting the churches; and should any balance remain, the same may be applied, in the discretion of the said commissioners, to any ecclesiastical purpose within their charge.

Annual payment from revenues of Leith Docks to be redeemed.

14. Whereas by the Act first and second Victoria, chapter fifty-five, the Commissioners for the harbour and docks of Leith (herein-after called the Leith Dock Commissioners) are directed to pay annually out of the revenues of the harbour and docks of Leith into an account therein specified, in preference to all other payments, the sum of seven thousand six hundred and eighty pounds, and out of that sum the Remembrancer and Auditor of the Court of Exchequer in Scotland is directed to pay the sum of two thousand pounds annually to and for behoof of the ministers of the city of Edinburgh, to any person duly authorised by them to receive the same, which sum of two thousand pounds is by the Public Act twenty-third and twenty-fourth Victoria, chapter fifty, directed to be annually paid to the Edinburgh Ecclesiastical Commissioners: And whereas it is expedient that the said annual sum of two thousand pounds now payable by the Leith Dock Commissioners, being part of the said annual sum of seven thousand six hundred and eighty pounds, should be redeemed on payment to the said Ecclesiastical Commissioners of a capital sum of forty thousand pounds: Therefore, the Leith Dock Commissioners shall, on the fifteenth day of May one thousand eight hundred and seventy-one, pay to the said Ecclesiastical Commissioners the sum of forty thousand pounds, in redemption of the said annual sum of two thousand pounds, with interest of the said sum of forty thousand pounds at the rate of five pounds per centum

per annum from the date of payment till paid; and on payment of the said sum of forty thousand pounds, and any interest which may become due thereon, the said Ecclesiastical Commissioners shall grant a discharge thereof and of the said annual sum of two thousand pounds, and the said annual sum of seven thousand six hundred and eighty pounds payable out of the revenues of the said harbour and docks shall be reduced and restricted to five thousand six hundred and eighty pounds per annum, and the said annual sum of two thousand pounds shall cease to be payable by the said Remembrancer and Auditor of the Court of Exchequer to the said Ecclesiastical Commissioners.

Power to Leith Dock Commissioners to borrow money.

15. For the purpose of raising the said redemption money it shall be lawful for the Leith Dock Commissioners, in addition to any money borrowed or authorised to be borrowed by them before the passing of this Act, to borrow any sums of money not exceeding forty thousand pounds, and in security of the payment of the sums so borrowed and the interest thereon, to make and grant mortgages and assignations of the said harbour and docks, and the works and property vested in or acquired or to be acquired or constructed by the Leith Dock Commissioners, and the rates and duties to be levied by them under the authority of the Acts relating to the said harbour and docks, or any of them, or to accept and take from any bank credit on a cash account to be opened and kept with such bank in the name of the Leith Dock Commissioners, according to the usage of bankers in Scotland, or in such other form as may be preferred by such bank, to the extent of the said sum of forty thousand pounds or any part thereof, and, if required, to make and grant mortgages and assignations of the said harbour and docks and the said works, and property and rates and duties, in security of the payment of the amount of such credit, or of the sums advanced from time to time on such cash account, with interest thereon; and if after having borrowed the said sum, or any part thereof, the Leith Dock Commissioners pay off the same otherwise than by means of any sinking fund, it shall be lawful for them again to borrow the amount so paid off, and so from time to time; and the mortgages and assignations to be made and granted by the Leith Dock Commissioners may be in writing or printed, or partly in writing and partly printed, and shall be sealed with their common seal, and signed at and in presence of a meeting of the Leith Dock Commissioners, in the manner prescribed by the Public Act seventh Victoria, chapter twenty.

Incorporation of clauses of 10 & 11 Vict. c. 16.

16. The clauses of "The Commissioners Clauses Act, 1847," with respect to the mortgages to be executed by the Commissioners, with the exception of section eighty-four, are hereby incorporated with this Act, and shall be applicable to the money to be borrowed and the mortgages and assignations to be granted by the Leith Dock Commissioners under the authority of this Act.

Priority of money borrowed by Leith Dock Commissioners.

17. The said sum of forty thousand pounds, and the mortgages and assignations or other securities to be granted therefor, and the interest payable thereon, shall be and are hereby constituted preferable burdens on the said harbour and docks and the said works and property and rates and duties, and shall have priority over all other mortgages, assignations and securities granted or to be granted by the Leith Dock Commissioners for money borrowed or to be borrowed by them, and over all other payments out of the revenues of the said harbour and docks, except the sum of three thousand one hundred and eighty pounds payable annually to the creditors of the city of Edinburgh in terms of the said Act first and second Victoria, chapter fifty-five, being part of the said annual sum of seven thousand six hundred and eighty pounds, and which annual sum of three thousand one hundred and eighty pounds shall rank pari passu with the said sum of forty thousand pounds and the interest thereon.

Application of money borrowed by Leith Dock Commissioners.

18. The money borrowed by the Leith Dock Commissioners under the authority of this Act shall be applied in paying the said sum of forty thousand pounds, and in redeeming the said annual sum of two thousand pounds, and to no other purpose whatever.

Presentations to certain

19. It shall not be competent to the Ecclesiastical Commissioners, or to any patron or patrons, or to any presbytery, to nominate or present a minister to any of the five

churches to cease.

churches or charges specified in section twenty-one of the said Act twenty-third and twenty-fourth Victoria, chapter fifty, or to the parish of New Canongate, and the said churches and charges, and the said parish of New Canongate, shall not be provided with ministers or otherwise maintained as churches and charges endowed by law: Provided always, that it shall be competent to the said Commissioners, by a minute under their corporate seal, to annex for all parochial purposes such portions of such of the parishes attached to the said five churches or charges, or of the said parish of New Canongate, as may be specified in such minute to any of the other parishes in the said city or Canongate, and it shall be lawful for said Commissioners to raise to six hundred pounds the stipend of each minister of the city of Edinburgh who is now entitled to a stipend of five hundred and fifty pounds only.

Provided further, that nothing herein contained shall prevent the Tolbooth church, and the old church, or either of them, being provided with a minister or ministers of the Church of Scotland who shall be paid or endowed from voluntary sources; and in case a permanent endowment from voluntary sources shall be provided and secured to a minister or ministers for both or either of said churches, and provision made for maintaining the church or churches, all in such manner as to warrant the erection and constitution of a church and parish quoad sacra, according to the existing law, the said Commissioners are hereby authorised and required to concur so far as may be necessary on their part in the proper proceedings, before the court of Commissioners of Teinds, in order to the erection and constitution of a church and parish quoad sacra with respect to both or either of said churches.

Patronage of other churches transferred to Ecclesiastical Commissioners.

20. The patronage of the parish churches of the city of Edinburgh is hereby transferred to and vested in the Edinburgh Ecclesiastical Commissioners as trustees for the respective congregations of said churches, and the said Commissioners shall on the occurrence of each vacancy exercise the said patronage by issuing a presentation in accordance with the desire of the congregation of the vacant church as expressed by a majority of the male communicants thereof, whose names have been on the communion roll for not less than one year immediately preceding the vacancy; and the said Commissioners shall be at liberty from time to time to make regulations with respect to the mode of taking the votes of such communicants.

Application of money by Ecclesiastical Commissioners.

21. The said Ecclesiastical Commissioners shall be entitled and bound to invest the whole money which shall be paid to them under this Act on such securities as they shall consider proper, or in the purchase of land, and shall be entitled and bound to use and apply the interest, rents, and proceeds thereof for the purposes specified in the said Act twenty-third and twenty-fourth Victoria, chapter fifty, and this Act.

Power to increase stipends of whole ministers.

22. It shall be in the power of the Commissioners to increase the stipends of the whole minsters falling under the operation of this Act rateably according to the amount presently payable to each, and that by minute under their corporate seal.

Application of the proceeds of the Makcall mortification.

23. The annual produce of the mortification of David Makcall, mentioned in section six of the Act of thirtieth and thirty-first Victoria, chapter one hundred and seven, shall hereafter be paid by the magistrates and town council to the Edinburgh Ecclesiastical Commissioners, and together with the bishop's rents, kirkyard dues, and other sums, with the exception of sums contributed by the Endowment Committee of the Church of Scotland, vested in the said Commissioners by section seven of the said Act, shall be appropriated by them solely to the use of the minister of the parish of Canongate.

Commissioners may sell or let New Street Church.

24. The Commissioners may, if they think fit, with the consent and approval of the presbytery of Edinburgh, or a majority of the same, sell and dispose of, or let or lease, the church situate within the new parish of Canongate, sometime called New Street Church, and the price or rents, as the case may be, to be received by the Commissioners shall be held and applied by them as herein-after directed.

Application of funds of

25. The Commissioners shall be bound to keep accounts of their receipts and expenditure, under the Acts of twenty-third and twenty-fourth Victoria, chapter fifty, and the Act of

thirtieth and thirty-first Victoria, chapter one hundred and seven, and this Act, and to apply the property and income to be received by them according to the following provisions; that is to say,— Ecclesiastical Commissioners.

1. They shall keep two separate and distinct accounts, one to be called (and herein-after referred to as) "The Stipend Fund Account," and another to be called (and herein-after referred to as) "The General Purposes Fund Account."
2. Until the redemption moneys mentioned in sections one and fourteen of this Act shall have been paid, the following sums shall be annually paid into an account to be called "The Stipend Fund Income Account:"
    1. The present annual payment of four thousand two hundred pounds, and two thousand pounds.
    2. The proceeds of the seat rents of the churches the stipends whereof are paid by the Commissioners to the extent of one thousand six hundred pounds.
    3. The sum payable to the said Ecclesiastical Commissioners in terms of the fourth section of said Act thirtieth and thirty-first Victoria, chapter one hundred and seven.

    After the redemption of either of the said present annual payments, the following sums shall be paid into the "Stipend Fund Income Account:"
    1. The interest or annual proceeds of the redemption money of the payment which has been redeemed.
    2. The annual payment which has not been redeemed.
    3. The said seat rents to the extent of two thousand pounds in the event of its being the payment from exchequer which shall be redeemed; and to the extent of three thousand pounds in the event of its being the bond of annuity which shall be redeemed.
    4. In the event of its being the payment from exchequer which shall be redeemed the sum payable to the Ecclesiastical Commissioners under the fourth section of the Act thirtieth and thirty-first Victoria, chapter one hundred and seven.

    After the redemption of both annual payments, the following sums shall be paid into the said "Stipend Fund Income Account:"
    1. The interest of the redemption moneys.
    2. The seat rents to the extent of four thousand two hundred pounds.
3. The balance, if any, of the seat rents, beyond the sum of four thousand two hundred pounds, and all other funds payable to and revenues received by the Commissioners, shall be exclusively applicable to and be paid to the credit of "The General Purposes Fund."
4. Out of the Stipend Fund Account the Commissioners shall make payment, in two equal portions, at the terms of Candlemas and Whitsunday one thousand eight hundred and seventy-one, and annually thereafter, to each of the ministers for the time being of the parochial churches of the said city after mentioned, or to any person duly authorised to receive the same on behalf of the said ministers, a stipend or salary of six hundred pounds per annum, except as after mentioned; that is to say, to the ministers of the thirteen following churches, namely, the New North Church, Trinity College Church, Lady Yester's Church, Old Greyfriars' Church, New Greyfriars' Church, St. John's Church, St. George's Church, St. Mary's Church, St. Stephen's Church, Greenside Church, The High Church, The Tron Church, and St. Andrew's Church, provided that the portion of the said salaries or stipends to be paid at the term of Candlemas shall be for the period from Whitsunday to Michaelmas preceding, and the portion to be paid at the term of Whitsunday shall be for the period from Michaelmas to Whitsunday, and shall be subject to the whole conditions applicable by law to the stipends or salaries formerly payable to the ministers of Edinburgh from the produce of the impost or tax formerly levied under the name of the annuity tax within the ancient and extended royalties of the city of Edinburgh, as referred to in the second section of the Act of twenty-

third and twenty-fourth Victoria, chapter fifty; provided always, that the ministers of the following churches, viz., the Trinity College Church, the Tron Church, Old Greyfriars' Church, and St. Stephen's Church, shall not be entitled to demand a salary or stipend of more than five hundred and fifty pounds per annum until the events herein-after specified; and also provided that, upon the death or removal of any of the present ministers of the nine remaining churches, the successor or successors of such minister or ministers shall not be entitled to demand a salary or stipend of more than five hundred and fifty pounds per annum, until the events after specified. Further, the Commissioners, while the bond of annuity and payment from exchequer remains unredeemed, shall pay to the minister of the Canongate Church the sums of money specified under the ninth section of the Act thirtieth and thirty-first Victoria, chapter one hundred and seven; provided always, that after the said bond and payment have been redeemed, the minister of the said Canongate Church shall not be entitled to demand more than two hundred and fifty pounds, until the events after specified; and if the Stipend Fund Account shall not be sufficient to pay in any year the stipends due to the existing incumbents, the Commissioners shall be authorised, as often as any deficiency arises, to raise and apply such portion of the capital as may be necessary to meet such payments; and after the payment of such stipends, and also after repaying any such sum as may have been contributed out of the capital to meet deficiencies, the Commissioners shall, at their option, and according to their discretion, apply the balance, if any, of the Stipend Fund Account for any of the other purposes authorised by the Acts of twenty-three and twenty-four Victoria, chapter fifty, and thirty and thirty-one Victoria, chapter one hundred and seven, and this Act, except those hereby specially charged on the "General Purposes Fund:" Provided always, that if at any time the Stipend Fund Account shall not in the opinion of the Commissioners be sufficient to enable them to pay to any minister to be hereafter appointed to any church, the stipend whereof is by this Act made payable by the Commissioners, the full amount of the stipend which under this Act he is entitled to receive, they shall not be required to pay to any such minister a greater sum than such proportion of his stipend as the said Stipend Fund Account will in their opinion then enable them to pay.

5. The Commissioners shall hold the General Purposes Fund Account for the purposes following; that is to say,—

(First.) The costs, charges, and expenses properly incurred by the Commissioners, and in payment of the salaries of all officers and servants properly employed by them in carrying the provisions of this and the recited Acts into effect, and of the feu duties payable by the Commissioners; and in insuring the several churches against loss by fire, to such extent as they shall think necessary; and maintaining and upholding in repair the fabric thereof, and in payment of the proportion of the salaries of the clerk of the Synod of Lothian and Tweeddale, and the clerk and officer of the presbytery of Edinburgh, payable for the said churches, or any of them.

(Second.) So far as the Commissioners may consider necessary, and in the event of the kirk sessions, or any of them, not being able to pay the same out of the church-door collections or otherwise, the whole or any part of the expenses of the celebration of Divine ordinances in the respective churches, and in the maintenance and repair of the fabrics of the said churches.

And with regard to Montrose, be it enacted as follows:

Town council shall pay over a sum of 1,500*l.* to kirk session.

26. At or before the first term of Whitsunday following the vacancy in the second charge of the church and parish of Montrose, first occurring after the passing of this Act, the provost, magistrates, and town council of the said burgh shall pay from the first and readiest of the corporate funds of the said burgh to the kirk session of the said church and parish the sum of one thousand five hundred pounds, and shall within two months of the passing of this Act execute and deliver to the treasurer of the said kirk

session for their behoof, a bond therefor in the terms contained in Schedule (C.) annexed to this Act, and shall likewise execute and deliver to the said kirk session a valid transfer in their favour of the whole pews or seats in said church now belonging to the said provost, magistrates, and town council, with entry thereto at the first term of Whitsunday following said vacancy, and the annual interest of the said sum of one thousand five hundred pounds and the annual rents of said pews or seats shall be paid by the said kirk session to the succeeding minister of the said second charge and his successors in office by equal portions at the terms of Martinmas and Whitsunday respectively.

Kirk session to pay a sum of 70*l.* per annum to minister of second charge out of rents, church seats, &c.

27. From and after the first term of Whitsunday or of Martinmas following the vacancy in the second charge out of the first and readiest of the whole rents of lands and church seats, feu duties, ground annuals, and interest of moneys now belonging to or administered by the said kirk session, their treasurer or others on their behalf, the said kirk session, treasurer, and others, shall pay to the succeeding minister of the said second charge and his successors in office an annual sum of seventy pounds by equal portions at the terms of Martinmas and Whitsunday respectively, which annual sum shall be a real and preferable first charge and burden in favour of the said second minister and his successors in office upon the said lands, feu duties, ground annuals, and interests aforesaid, and upon the gross rents and revenues arising therefrom, after deduction only from such gross rents and revenues of the minister's stipend the public and local burdens and taxes and the expenses of repairs of buildings belonging to the said kirk session upon said lands.

Kirk session to pay 60*l.* per annum out of church-door collections.

28. From and after the said term of Whitsunday or Martinmas following the vacancy in the said second charge the said kirk session shall, out of the first and readiest of the ordinary church-door collections, pay, by equal portions at the terms of Martinmas and Whitsunday respectively, to the succeeding minister and his successors in office an annual sum of not less than sixty pounds, which annual sum shall be the first charge upon the said collections, and the remainder, if any, of such collections shall belong to and be applied by the said kirk session for the payment of precentors, beadles, doorkeepers, and other officers of the said church and kirk session, and for such other purposes connected with the said church and parish as the said kirk session shall think fit.

Kirk session may levy assessments on pews and seats.

29. From and after the first term of Whitsunday or Martinmas following the vacancy in the second charge of the church and parish of Montrose first occurring after the passing of this Act, it shall be lawful for the kirk session of the said church and parish, and they are hereby required, to impose and levy pew or seat rents or assessments on not more than nine tenths of the pews or seats in the said church, at such rate as shall, in addition to the aforesaid annual interest of the said sum of one thousand five hundred pounds, the annual rents of the said pews or seats to be transferred as aforesaid, the said sum of seventy pounds, and the said sum of not less than sixty pounds, together with any stipend or salary which may arise from the interest of any endowment hereafter made for the minister of the second charge, or which may be provided for him by means of special church-door collections, yield an annual sum sufficient to provide for such minister and his successors in office a stipend not exceeding the sum of three hundred and forty pounds.

Forfeiture of seats in default of payment.

30. The said pew or seat rents or assessments so imposed and levied shall be exigible from and payable by the proprietors of said pews or seats, and that annually and in advance, from and after the first term of Whitsunday or Martinmas following said vacancy, and in the event of two years pew or seat rents or assessments so imposed being due by any proprietor at one time, such proprietor (or the person acting for him in uplifting the said seat rents) shall, upon receiving two months written notice to that effect, ipso facto, forfeit and lose all right and title to the said pews or seats, and the same shall thenceforth become the property of the said kirk session and be used or let by them, and shall be subject to the same rent or assessment in favour of the second minister as if the same had remained the property of the original proprietor: Provided always, that such proprietor or his successors shall be entitled to redeem the same at any time thereafter

upon payment to the kirk session of all arrears of rents or assessments and interest arising thereon at the rate of five pounds per cent. per annum, but without any claim against the said kirk session for any rents which may have been uplifted therefrom during the possession of the said kirk session.

Kirk session to fix the amount of stipend for clergyman of second charge.

31. Power is hereby given to the kirk session (or a majority thereof), with the sanction of the presbytery of Brechin (or a majority thereof), previous to the appointment of any clergyman to any vacancy in the said second charge, to fix the amount of stipend to be paid to such clergyman, and raised in manner aforesaid, provided that such shall not exceed the foresaid sum of three hundred and forty pounds.

Repeal of Acts at variance with this Act.

32. Section six of the Act twenty-third and twenty-fourth Victoria, chapter fifty, and section eight of the Act thirty and thirty-first Victoria, chapter one hundred and seven, so far as they authorise the respective kirk sessions to retain any portion of the seat rents for any purpose, and all laws, statutes, and usages, in so far as the same are at variance with the provisions of this Act, are hereby repealed.

SCHEDULE (A.)

Form of Mortgage.

Mortgage No. £

By virtue of an Act passed in the thirty-third year of the reign of Her Majesty Queen Victoria, intituled [*here insert the title of this Act*], we, the Lord Provost, magistrates, and council of the city of Edinburgh, for ourselves, and as representing the community of the said city, in consideration of the principal sum of [*specify amount*] paid by [*name and designation of mortgagee*] to the city treasurer for the purposes of the said Act, do hereby, subject to the rights of the creditors and others of the said Act reserved, grant and assign the whole estate and revenues of the city of Edinburgh under our administration and referred to in clause three of the said Act, to hold to the said mortgagee and his foresaids until the said principal sum and interest thereon from the date hereof till paid shall be fully paid and satisfied.

Dated this day of one thousand eight hundred and .

[*To be signed by the Lord Provost and the city treasurer, and to have the corporate seal attached.*]

Form of Transfer to be endorsed.

I, *A.B.*, within designed [*or* I, *A.B., executor-dative or otherwise, as the case may be, of the said within designed*] do transfer this mortgage, with all right, title, and interest which I have under the same, to *E.F.*, [*as his, her, or their, as may be*] executors, administrators, and assignees. In witness whereof [*insert testing clause according to the law of Scotland. If executed furth of Scotland, the form of execution and attestation used in England may be adopted.*]

SCHEDULE (B.)

Form of Mortgage for Cash Credit.

By virtue of an Act passed in the thirty-third year of the reign of Her Majesty Queen Victoria, intituled [*here insert the title of this Act*], we, the Lord Provost, magistrates, and council of the city of Edinburgh, for ourselves, and as representing the community of the said city, in consideration of our having obtained from [*name of the bank*] a credit or cash account to be operated upon by the city treasurer, for the purposes of the said Act, either by cheques or drafts under his hand, or by debiting the said account under his direction with obligations due and payable by us or under our authority, do hereby grant and assign to the said [*name of bank*] and their assignees the whole estate and revenues of the city of Edinburgh under our administration and referred to in clause three of the said Act, and that in security and for payment of the amount of the said credit, or otherwise, of the sums advanced from time to time on the said cash account, with interest thereon, at the rates chargeable by the said bank on cash credit accounts for the time, to hold to the

said bank and their foresaids, until the said principal sum of credit, or such part thereof as may be advanced from time to time as aforesaid, and interest thereon at the rate foresaid, shall be fully satisfied and paid.

[*To be executed as provided in regard to mortgages.*]

SCHEDULE (C.)

By virtue of an Act passed in the thirty-third year of the reign of Her Majesty Queen Victoria, intituled [*here insert the title of this Act*], we, Robert Barclay, Esquire, Provost of the Burgh of Montrose, and Messieurs David Mitchell, Charles Low, and David Lackie Bailies, and David Keith Middleton, treasurer thereof, and the remanent members of the council of the said burgh of Montrose, as representing the community of the said burgh, bind and oblige ourselves and our successors in office in terms of the said Act to pay to Charles Dunbar, merchant in Montrose, treasurer to the Kirk Session of the church and parish of Montrose, and his successors in that office, for behoof of the said kirk session for the purposes expressed or referred to in section twenty-four of the said Act, or to his or their assignees, at the first term of Whitsunday following the vacancy in the second charge of the said church and parish of Montrose first occurring after the passing of the said Act, the principal sum of one thousand five hundred pounds sterling, with a fifth part more of the foresaid principal sum of liquidate penalty in case of failure, and the interest of the said principal sum at the rate of five pounds per centum per annum during the not payment thereof: And we consent to the registration hereof in the books of council and session or others competent therein to remain for preservation, and, if necessary, that letters of horning on six days charge, and all other legal execution may pass upon a decree to be interponed hereto in form as effeirs, and for that purpose we constitute our procurators, &c.

In witness whereof.

CHAP. 88.

An Act to extend the Telegraph Acts of 1868, 1869, to the Channel Islands and the Isle of Man. [9th August 1870.]

WHEREAS it is expedient for the interests of the public that the provisions of the Telegraph Acts, 1868, 1869, should be extended to the Channel Islands, and the Isle of Man, and that the said Acts should be otherwise amended:

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:

Short title of Act.

1. This Act may be cited as "The Telegraph Act, 1870," and this Act and the "Telegraph Acts, 1868, 1869," may be cited together as "The Telegraph Acts, 1868 to 1870."

Incorporation of Telegraph Acts, 1868, 1869.

2. The provisions of the Telegraph Acts, 1868, 1869, save so far as they are expressly repealed or varied by or inconsistent with the provisions of this Act, shall be incorporated and construed as one with this Act.

Extension of those Acts to Channel Islands and Isle of Man.

3. The Telegraph Acts, 1868, 1869, shall extend to and be in force in the Islands of Jersey, Guernsey, Sark, Alderney, and Man, and the islands and islets adjacent thereto respectively, and for all the purposes of the said Acts and each of them the said islands and islets shall respectively be deemed to be part of the United Kingdom of Great Britain and Ireland.

Power to purchase the undertaking of the Jersey and

4. The Postmaster General shall purchase the undertaking of the Jersey and Guernsey Telegraph Company, Limited, upon terms to be settled (failing agreement) by arbitration, in manner provided by the Lands Clauses Consolidation Act, 1845, and the said company