



Teinds Act 1808

1808 CHAPTER 138

XVII In Cases of Augmentation; Moderator and Clerk of the Presbytery to be summoned, and furnished with Statement of present Stipend, and the Addition intended to be craved, &c.

And, in order to guard against Collusion, and also in order that no Processes of Augmentation or for Modification of Stipends shall be raised on the Ground of alleged Collusion, be it further enacted, That every Minister interpleading in the Process of Augmentation shall, after the passing of this Act, besides citing the Heritors, also cite the Moderator and Clerk of the Presbytery of the Bounds, and furnish them with a Statement of the Amount of his present Stipend, and the Addition to the Stipend which he means to crave, in order that the Presbytery, if they shall judge it proper, may appear as Parties to the Process; and, in the Event of the Presbytery entering no Appearance, the Minister shall forthwith transmit to the Moderator or Clerk of the Presbytery a certified Copy of the Interlocutory pronounced by the Court; and it shall be competent to the Presbytery, within Five Months after such Interlocutory is pronounced, to enter an Appearance, and to shew, if they shall see Cause, that the Decree of Modification pronounced is collusive and prejudicial to the Benefice : Provided, that if the Presbytery shall enter an Appearance in such Process, it shall be competent to the Court to subject the Minister interpleading in such Process, in the Whole or any Part of the Expences of Process incurred by the Presbytery.