



CHAPTER cvii.

An Act to confirm a Provisional Order under the Private A.D. 1915.
Legislation Procedure (Scotland) Act 1899 relating to
Port Dundas Church and Parish Quoad Sacra Glasgow.
[23rd December 1915.]

WHEREAS His Majesty's Secretary for Scotland has made
the Provisional Order set forth in the schedule hereunto
annexed under the provisions of the Private Legislation Procedure 62 & 63 Vict.
(Scotland) Act 1899 and it is requisite that the said Order c. 47.
should be confirmed by Parliament:

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 as follows:—

1. The Provisional Order contained in the schedule hereunto Confirmation
annexed shall be and the same is hereby confirmed. of Order in
schedule.

2. This Act may be cited as the Port Dundas Church and Short title.
Parish Quoad Sacra Glasgow Order Confirmation Act 1915.

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And whereas the Presbytery of Glasgow and the kirk-session of Port Dundas Church have conferred with the kirk-session of the barony church and also with the managers of Garnethill Chapel of Ease and the kirk-session of Milton Church and all the parties are of opinion that in the circumstances the most expedient course would be to sell the existing site of Port Dundas Church and to conjoin the present parish quoad sacra of Port Dundas with the parish quoad sacra of Milton and to mark out and designate and to erect quoad sacra a new district around the said Garnethill Church to form the parish thereof under the name of the Buccleuch Church and parish quoad sacra Glasgow :

And whereas it is expedient that the trustees holding the existing endowments for the minister of Port Dundas Church and for keeping up the fabric of Port Dundas Church should be authorised to transfer such endowments to the trustees to be appointed to act under the deed of constitution for the said proposed church and parish of Buccleuch Glasgow to be applied by them in terms thereof :

And whereas the trustees vested in and holding the property of the present Port Dundas Church have no power to sell the same and it is expedient that authority should be given them to sell the present Port Dundas Church and site and to apply the proceeds of such sale and also the insurance monies received in respect of the aforesaid fire and any other monies belonging to the said church for the purposes specified in this Order :

And whereas the purposes aforesaid cannot be effected without an Order of the Secretary for Scotland confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1899 :

Now therefore in pursuance of the powers contained in the last-mentioned Act the Secretary for Scotland orders as follows :—

Short title.

1. This Order may be cited for all purposes as the Port Dundas Church and Parish Quoad Sacra Glasgow Order 1915,

Power to Court of Teinds to suppress parish of Port Dundas and apply endowments.

2. Subject to the provisions hereinafter enacted it shall be lawful for the Court of Teinds to suppress the present parish quoad sacra of Port Dundas Glasgow and to authorise the sale of the church and the application of the endowments of that parish towards the endowment of a church in Buccleuch

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Street to be the church of a new parish quoad sacra and to be called Buccleuch Church Glasgow. A.D. 1915.

3. It shall be lawful for the Presbytery of Glasgow and the kirk-session of the said present parish of Port Dundas to make application to the Court of Teinds to erect the church in Buccleuch Street Glasgow known as Garnethill Chapel of Ease into a parish church in connection with the Church of Scotland under the name of the Buccleuch Church Glasgow and to mark out and designate a district to be attached thereto quoad sacra and to disjoin such district quoad sacra from the parish or parishes to which the same or any part thereof may have belonged or been attached and to erect such district into a parish quoad sacra in connection with the Church of Scotland in accordance with and subject to the provisions of the New Parishes (Scotland) Act 1844 and if the Court of Teinds shall be satisfied that it is proper to grant the application the Court of Teinds may find and declare that it is proper that the powers conferred upon it by the immediately preceding section of this Order should be exercised and thereupon it shall be lawful for the said court to grant the prayer of the petition for the erection of the said new church and parish to annul the decree of the Court of Teinds dated the twenty-first day of February one thousand eight hundred and seventy-six whereby the church and parish of Port Dundas Glasgow were erected into a church and parish quoad sacra to suppress the said last-mentioned parish to declare that the said last-mentioned church is no longer a parish church to annex the area of the said parish to Milton parish quoad sacra or to annex the said area or parts thereof to one or more of the adjoining parishes and to decern that the existing provisions for endowing the minister and maintaining the fabric of the present Port Dundas Church shall be applied thereafter towards the endowment of the minister of the said new church in Buccleuch Street Glasgow and relative parish paying or providing for the feu-duty on the site of the said new church if any and maintaining the fabric of the said new church or for such other purposes in connection with the endowment of the said new church and parish as the court may determine.

Erection of new church and parish.

4. When decree shall have been pronounced in terms of the immediately preceding section of this Order it shall be lawful for the Court of Teinds to grant warrant and authority for the

Funds and investments of old church to be trans-

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ferred to
trustees of
new church.

execution of all deeds which may be necessary to give effect to the provision for the transference of the endowment of the minister and of the provision for the maintenance of the fabric to the said new church in Buccleuch Street Glasgow and relative parish and also to grant warrant and authority to the trustees acting under the existing deed of constitution of Port Dundas Church to pay over and convey all funds or investments in their hands to the trustees acting under the deed of constitution which shall be granted by the General Assembly of the Church of Scotland for the said new church in Buccleuch Street Glasgow and relative parish.

Sale of Port
Dundas
Church and
application
of proceeds
and fire in-
surance
money in
respect of
damage
caused by
fire in said
church.

5. When decree shall have been pronounced as aforesaid suppressing the present parish of Port Dundas it shall be lawful for the Court of Teinds to grant warrant and authority to the trustees for the time being holding the property of Port Dundas Church in terms of the titles thereof lodged in the Court of Teinds in the process for disjoining and erecting Port Dundas Church and parish to sell all and whole Port Dundas Church and site on which it stands as the same are described in the said titles and in the Schedule annexed to this Order and that either by public roup or private bargain and also warrant and authority to the trustees or parties holding the insurance monies recovered in respect of the damage that took place through fire in the said Port Dundas Church and all other monies belonging or that may belong to the said Port Dundas Church to pay over the said insurance and other monies to the Presbytery of Glasgow and kirk-session of the proposed Buccleuch Church and parish quoad sacra who shall apply the proceeds of the said church and site, and the said insurance and other monies in payment of all costs charges and expenses preliminary to and of and incidental to the confirming of this Order and the expenses of such sale and hold the balance thereof and apply the same towards the increase of the endowments of the said proposed Buccleuch Church and parish quoad sacra the payment of part of the cost of erecting furnishing and carrying on the said Garnethill Chapel of Ease up to the time it is merged in the said proposed Buccleuch Church and parish quoad sacra and the increase of the endowments of Milton Church and parish quoad sacra all in such proportions and to such extents as the Presbytery of Glasgow may determine and for the purpose of such sale it shall be lawful for the Court of Teinds

to authorise the clerk of Teinds to deliver up the said titles to the said trustees. A.D. 1915.

6. The new church and parish quoad sacra erected and endowed in terms of the foregoing provisions shall be called the Buccleuch Church and parish quoad sacra Glasgow and on the decree of the Court of Teinds suppressing the present parish of Port Dundas and erecting the new parish of Buccleuch being pronounced the minister for the time being and the kirk-session of the present parish of Port Dundas together with the elders for the time being of the barony parish Glasgow at Garnethill Chapel of Ease shall be the minister and the kirk-session of the new parish of Buccleuch Glasgow.

New church and parish quoad sacra to be called Buccleuch Church and parish quoad sacra Glasgow.

7. All costs charges and expenses of and incident to the preparing obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the Presbytery of Glasgow and the kirk-session of Port Dundas and they shall receive repayment thereof out of the insurance monies recovered in respect of the damage through fire in Port Dundas Church and the proceeds of the sale of Port Dundas Church and the site in the event of a sale thereof as in this Order provided for.

Costs of Order.

SCHEDULE referred to in the foregoing Order.

ALL and whole that lot of ground situated in Dobbie's Loan Port Dundas of Glasgow in the county of Lanark extending to five hundred and four square yards and four square feet or thereby Imperial standard measure of clear building ground exclusive of streets and pavements bounded on the north by the line of the south side of the street or lane formerly called Broom Lane now called Water Street along which it extends fifty-eight feet one inch or thereby on the south by the line of the north side of Milton Street or Dobbie's Loan along which it extends fifty-seven feet five inches or thereby on the east by Charlotte Street along which it extends eighty-one feet six inches or thereby and on the west by other ground sometime belonging to Margaret Paterson otherwise Kelly along which other ground it extends seventy-six feet or thereby on the east face of an exclusive gable wall and range thereof continued northwards to Water Street being the subjects particularly described in the disposition thereof granted by the Reverend John Marshall Lang doctor of divinity minister of the barony parish of Glasgow and others in

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A.D. 1915, favour of Robert Lee Esquire advocate procurator for the Church of Scotland and others as trustees therein mentioned dated fifteenth and sixteenth and recorded in the division of the General Register of Sasines applicable to the county of the barony and regality of Glasgow on the eighteenth all days of March in the year eighteen hundred and seventy-six Together with the whole buildings and erections and whole parts pendicles privileges and pertinents of said lands.

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