



# Court of Session Act 1825

## 1825 CHAPTER 120

### LIV Of the Court of Teinds.

And whereas certain Inconveniences have been experienced in Proceedings of a judicial Nature carried on before the Lords Commissioners for Plantation of Kirks and Valuation of Teinds; be it enacted, That from and after the Eleventh Day of *November* next, all Actions for the Valuation or Sale of Teinds or Actions of proving the Tenor of the same, all Actions of Suspension or Reduction of Localities, and all Actions of Declarator or Reduction connected with Teinds, which can at present be competently brought before the said Lords Commissioners for the Plantation of Kirks, shall be brought before and be decided by one or other of the Divisions of the Court of Session, who shall be held as a Quorum of the said Commissioners ; and all such Causes shall be proceeded in, as nearly as possible, according to the Forms prescribed by this Act for the Preparation of Causes in the Court of Session; and the Lord Ordinary shall have the same Power to determine the Cause, or to report the same to the Inner House, as is declared to be competent by this Act. to the Lord Ordinary in the Outer House, in Causes before the Court of Session ; and in like Manner, he shall not be entitled to review his own Interlocutors, but the same shall be subject to Review only in the Inner House, in the Manner directed in Causes before the Court of Session : Provided always, that the Jurisdiction of the Lords Commissioners for Plantation of Kirks and Valuation of Teinds, in assigning or modifying competent Stipends to the Parochial Clergy out of the Teinds of the Parish, and in uniting and disjoining Parishes, and generally whatever Jurisdiction the said Court of Teinds may possess of a ministerial and discretionary Nature, shall nowise be altered or affected by this Act, but the same shall continue to be exercised by the whole Lords Commissioners for Plantation of Kirks and Valuation of Teinds, or Quorum thereof, in the same Way and Manner as heretofore ; but all Actions in relation to localling of modified or augmented Stipends among Heritors, and other Causes which maybe remitted by the said Lords Commissioners to a Lord Ordinary, shall thereafter be conducted as nearly as may be according to the Forms prescribed for Causes before the Court of Session, and the Interlocutors of such Lord Ordinary shall be subject to Review only by the Division of the Court of Session to which such Lord Ordinary belongs, which Division shall to that Effect be held as a Quorum of the said Commissioners; and in all the aforesaid Actions, and in all other Matters connected with Teinds, the Teind Clerk shall continue as heretofore to officiate as Clerk.