



New Parishes (Scotland) Act 1844

1844 CHAPTER 44

III Non-consent of Heritors not to be deemed valid Objection to Process for disjoining Parishes.

And be it enacted, That it shall not be a valid Objection to the Competency of any Process which shall be brought for disjoining or dividing a Parish or Parishes and erecting a new Kirk or Kirks, under the Provisions of the said recited Act as altered and amended by this Act, that the Consent of the Heritors of a major Part of the Valuation of the Parish to be disjoined or divided had not been given previous to such Process having been brought into Court; and it shall be lawful for the Lords of Council and Session before whom any such Process shall have been brought to appoint special Intimation thereof to be made, in such Form and Manner as the said Lords of Council and Session shall direct, to such of the Heritors of the Valuation of the Parish as shall not have already either given their Consent or judicially stated their Dissent, and to sist Proceedings in such Process for a definite Time, for the Purpose of allowing such Heritors to state judicially their Consent or their Dissent; and such of them as shall not within a Time to be fixed by the said Lords of Council and Session, and to be specified in such Intimation as aforesaid, judicially state their Dissent, shall, in computing the statutory Proportion of" Consents, be reckoned as consenting Heritors.