



ANNO SEPTIMO

# GULIELMI IV. REGIS.

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## *Cap. 10.*

An Act to enable the Minister of the Parish of *Banff* in the County of *Banff* to feu the Glebe Lands of the said Parish. [8th June 1837.]

**W**HEREAS the Reverend *Francis William Grant* is the Minister of the Parish of *Banff*, situated in the Presbytery of *Fordyce* and County of *Banff*: And whereas the Right Honourable Sir *Lewis Alexander Grant Ogilvie* Earl of *Seafield* is the Patron of the said Parish, and Colonel the Honourable *Francis William Grant* of *Grant* is Brother of and Curator at Law for the said Patron, conform to Gift of Curatory under the Quarter Seal in his Favour, dated the Twenty-second Day of *July* One thousand eight hundred and six, and written to the Seal and sealed the Fifteenth Day of *March* One thousand eight hundred and eleven: And whereas the Glebe Lands of the said Parish (described in the Schedule marked (A.) hereunto annexed) are discontinuous, being situated in different Parts of the Royal Burgh of *Banff*, and lie inconveniently and disadvantageously for the Minister of the said Parish: And whereas there being Difficulty in obtaining Land for building on Feu or otherwise in the said Burgh or its Neighbourhood, the Whole of the said Glebe Lands might be feued beneficially, and to the great Increase of the Stipend of the Minister of the said Parish: And whereas Offers have been made by certain Parties

[*Private.*]

4 b

to

to feu a *Scottish* Acre of the said Glebe Lands, being the lowest Acre thereof adjoining to the public Road at the Top of the Highway or public Street called the *Collie Road*; and the said Parties have agreed with the said Reverend *Francis William Grant* and the said Presbytery to feu such Acre, which is described in the Schedule marked (B.) hereunto annexed, at the Rate of Twenty Pounds Sterling *per Annum* of Feu Duty: But as these Purposes cannot be accomplished without the Aid and Authority of Parliament, May it therefore please Your Majesty that it may be enacted; and be it 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, That from and after the passing of this Act it shall and may be lawful to the said Reverend *Francis William Grant*, and to his Successors, Ministers of the said Parish for the Time being, with the Consent and Approbation of the said Presbytery of *Fordyce*, and the said Reverend *Francis William Grant* and his Successors is and are hereby authorized and empowered, with Consent aforesaid, to grant, convey, and dispone in Feu to the foresaid Parties the said Acre of the said Glebe Lands, as described in the said Schedule marked (B.), at the annual Feu Duty of Twenty Pounds Sterling, and to grant, execute, and deliver such Feu Charter, Feu Contract or Disposition, containing all usual and requisite Clauses, as may be necessary for effectually conveying and vesting the said Acre to and in Favour of the said Parties.

Minister authorized to feu to certain Parties the lowest Acre of the Glebe Lands;

and to feu other Portions of the Glebe.

II. And be it enacted, That it shall and may be lawful to the said Reverend *Francis William Grant* and his Successors, Ministers for the Time being of the said Parish of *Banff*, in all Time coming, with the Consent and Approbation of the said Presbytery, to grant and dispose of the other Portions of the said Glebe Lands described in the said Schedule marked (A.) in Feu Farm, Fee and Heritage, for Payment of such perpetual yearly Feu Duties, in Grain or in Money, as can be had and obtained for the same, being always the highest that can be obtained therefor, for the Time being, either by public Auction or private Contract; and to grant, subscribe, and deliver to the Feuar or Feuars Charters, Contracts, or Dispositions in Feu, containing Precepts of Sasine for infefting such Feuar and Feuars in the Ground feued to them respectively, and all other usual and necessary Clauses; and all such Feu Charters, Contracts, or Dispositions so to be granted by the said Reverend *Francis William Grant*, and his Successors, as Ministers of the said Parish, shall be and shall be deemed and held to be legal and valid Titles in Feu and Heritage to the several Persons in whose Favour respectively the same shall be granted, and their Heirs and Disponees for ever, any Law or Practice to the contrary notwithstanding.

Feu Duty to be in Money or Grain, and no Grassum to be taken;

III. Provided always, and be it enacted, That in all such Feu Charters, Contracts, or Dispositions the full Value of the Ground thereby feued shall be stipulated to be paid in perpetual yearly Feu Duties, in Money or Grain; and it shall not be lawful to the said Reverend *Francis William Grant*, or any succeeding Minister of the said Parish, to ask, take, or receive any Sum or Sums of Money, or



or other Matter, Thing, or Consideration of any Description, by way of Fine, Income, Foregift, or Grassum; but without Prejudice nevertheless to the said Reverend *Francis William Grant* and his Successors aforesaid fixing, with the Consent of the said Presbytery, the Amount at which the Casualties falling due on the Entry of Heirs and singular Successors shall be taxed to the Lands to be feued by them respectively in all Time hereafter; and all the Feu Duties hereby authorized to be taken shall affect the Lands feued, and shall be payable at Two Terms in the Year, as shall be stipulated in the Feu Rights, under the usual Penalties and Forfeitures, according to the Law and Practice of *Scotland* in Feu Holdings.

but the  
Casualties  
may be  
taxed.

IV. And be it enacted, That the Feu Duties and Casualties to be received in virtue of the Feu Rights to be granted by the said Reverend *Francis William Grant* or his Successors, Ministers of the said Parish of *Banff*, shall be in full to him and them of all Right, Claim, or Demand which he or they might or could in any way have upon the Heritors of the said Parish, for or in Name and Consideration of a Glebe or Glebe Lands, or the Rents, Mails, and Duties thereof, or for the Site of a new Manse, or for the Site of any Office or Offices, or Walls, Fences, or Inclosures, or for any Garden or Ground of any Description; and it shall not accordingly hereafter be competent to the said Reverend *Francis William Grant*, or his Successors aforesaid, to make any Demand upon the Heritors of the said Parish for providing him or them in a Glebe or any additional Glebe, or any Portion of Land to make up the Extent of a legal Glebe, in consequence of the Power to feu hereby granted, or for the Site of a new Manse, or for the Site of any Office or Offices, or Walls, Fences or Inclosures, or any Garden or Ground of any Description; nor shall it hereafter be competent to the said Heritors to grant any such Glebe or Portion thereof, or additional Glebe, in consequence of the Power to feu as aforesaid, or the Site of a new Manse or Offices, Walls, Fences or Inclosures, or Garden or Ground of any Description, to him or them, Ministers of the said Parish, on any Ground, Occasion, or Pretext whatever: Provided always, that nothing herein contained shall preclude or prejudice any Claim which the said Reverend *Francis William Grant*, or his Successors in Office, has or may have to any additional Glebe that might have been competent to him or them if this Act had not been passed.

Minister to  
have no  
Claim for  
Glebe or  
for new  
Manse,  
Offices, or  
Garden.

V. And be it enacted, That after the Execution of any such Feu Charter, Contract, or Disposition, the said Reverend *Francis William Grant*, and his Successors respectively, Ministers of the said Parish for the Time being, shall have and enjoy all the Rights and Remedies for enforcing the Payment of the said Feu Duties and Casualties thereby stipulated and agreed to be paid, and all other Rights and Privileges which by the Law of *Scotland* belong and are competent to Superiors in Feu Holdings; and all and every Charter, Contract, or Disposition to be made in pursuance of this Act shall be binding upon the said Reverend *Francis William Grant*, and upon his Successors, Ministers of the said Parish for the Time being, and shall be good and effectual in Law to the Feuar or Feuars to all Intents and Purposes.

Minister to  
have all  
usual Rights  
and Remedies  
for recovering  
Feu Duties.

Feu Rights  
to be binding  
on the  
Minister of  
the Parish,  
and good to  
Feuars.

VI. Saving

VI. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every Person or Persons, Bodies Politic or Corporate, and his, her, and their respective Heirs, Executors, and Administrators, (other than and except the said Earl of *Seafeld*, and his Heirs and Successors, Patrons of the said Parish, the Presbytery of the said Parish, and the said Reverend *Francis William Grant*, and his Successors, Ministers thereof,) all such Estate, Right, Title, Interest, Property, Claim and Demand whatsoever, in, to, and out of the said Glebe Lands, as they and every or any of them had before the passing of this Act, or would or might have had or enjoyed in case this Act had not been passed.

Act to be  
printed by  
the King's  
Printers.

VII. And be it enacted, That this Act shall be printed by the several Printers to the King's most Excellent Majesty duly authorized to print the Statutes of the United Kingdom; and a Copy thereof so printed by any of them shall be admitted as Evidence by all Judges, Justices, and others.





7° GULIELMI IV. *Cap.* 10.

at the Top of the Collie Road called the High Street or Sandy Hills Road, measuring in all One Acre One Rood and One Perch Imperial Standard Measure, or exactly One Scottish Acre.

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LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,  
Printers to the King's most Excellent Majesty. 1837.