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Anno Regni

GEORGII II.
REGIS

Magnæ Britannia, Franciæ, & Hiberniæ,
DECIMO SEPTIMO.

At the Parliament begun and holden at *Westminster*, the first Day of *December*, Anno Dom. 1741, in the Fifteenth Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of *GOD*, of *Great Britain, France, and Ireland*, King, Defender of the Faith, &c.

And from thence continued by several Prorogations to the first Day of *December* 1743, being the Third Session of this present Parliament.



EDINBURGH,
Printed by ROBERT FREEBARN His Majesty's
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Carefully compared with the Copy printed by His Majesty's Printer at London.



An ACT for Raising and Establishing a Fund for a Provision for the Widows and Children of the Ministers of the Church of SCOTLAND, and of the Heads, Principals, and Masters, in the Universities of SAINT ANDREW S, GLASGOW and EDINBURGH.



Whereas the Widows and Children of the Ministers of the Church of *Scotland*, and of the Heads, Principals, and Masters, in the Universities in that Part of *Great Britain* called

Scotland, are often left in indigent Circumstances, without any Provision for their Subsistence or Education :

And whereas all the charitable Designs, that have hitherto been proposed for the Relief of such Widows and Orphans, have proved ineffectual :

A 2

And

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And whereas the General Assembly of the Church of Scotland, after Consultation had with all the Ministers of the said Church, did, by their Act, dated the Twenty-third Day of May, One thousand Seven hundred and Forty-three, approve of a Plan or Method for providing for the Widows and Children of the Ministers of the Church of Scotland, whereby the said Ministers are to pay out of their Stipends, at their Option, some one of the annual Rates following; *videlicet*, Two Pounds Twelve Shillings and Six-pence, or Three Pounds Eighteen Shillings and Nine-pence, or Five Pounds Five Shillings, or Six Pounds Eleven Shillings and Three-pence, of lawful Money of Great Britain, to be applied to the Payment of Liferent Annuities to the respective Widows of such Ministers, amounting to Ten Pounds, or Fifteen Pounds, or Twenty Pounds, or Twenty-five Pounds, of like Money, in Proportion to such of the said annual Rates as they shall respectively have paid; and also to the making Provision respectively for the Children of the said Ministers, amounting to the Sum of One hundred Pounds, or of One hundred and Fifty Pounds, or of Two hundred Pounds, or of Two hundred and Fifty Pounds of like Money, and in the like Proportion:

And whereas it was intended by the aforesaid Act of Assembly, that the Heads, Principals, and Masters of the Four Universities in

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in that Part of Great Britain called Scotland, should be comprehended in the aforesaid charitable Design, provided that the said Universities did agree thereto:

And whereas the University of Edinburgh did apply to the said General Assembly, and the Universities of Saint Andrews and Glasgow did severally apply to the Commission of the General Assembly, that their respective Heads, Principals, and Masters, might be comprehended in the said intended charitable Design:

And whereas the said charitable Design cannot be effectually carried into Execution, without the Aid of Parliament;

May it therefore please Your Most Excellent
M A J E S T Y,

That it may be Enacted; and be it Enacted by the KING's Most Excellent MAJESTY, Ministers, and Heads of Colleges, subject to annual Rates. 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 Twenty-fifth Day of March, One thousand seven hundred and Forty-four, every Minister, who shall be ordained, and admitted to a Benefice in the Church of Scotland, and every Person, who shall be admitted as Head, Principal, or Master, in any of the said Universities of Saint Andrews, Glasgow, and Edinburgh, and who was not, on or before

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fore the said Twenty-fifth Day of March, One thousand seven hundred and Forty-four, a Minister having Right to a Benefice in the Church of Scotland, or a Head, Principal or Master, in any of the said Universities of Saint Andrews, Glasgow or Edinburgh, shall be subject and liable to one or other of the annual Rates following; videlicet, either to the Sum of Two Pounds Twelve Shillings and Six-pence, or of Three Pounds Eighteen Shillings and Nine-pence, or of Five Pounds Five Shillings, or of Six Pounds Eleven Shillings and Three-pence, of lawful Money of Great Britain, and proportionably for an half Year, payable at the Terms after-mentioned, and in the Option of the said Ministers, Heads, Principals, and other Masters respectively, to be made within the Time, and in the Manner herein after directed.

Distinction between half and whole Rates.

And be it Enacted by the Authority aforesaid, That every such Minister, who shall be ordained and admitted to a Benefice in the Church of Scotland, and every Person, who shall be admitted to the Office of Head, Principal or Master, in any of the said Three Universities, after the said Twenty-fifth Day of March One thousand Seven hundred and Forty-four, and who was not before entitled to such Benefice or Office, shall, at the Term of Candlemas next after his Admission, and after he hath enjoyed and had Right to his Benefice or Salary respectively, for one whole Year,

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Year, make Payment of One Year's Rate, and so from thenceforth yearly, at the said Term of Candlemas, during his Life: And in case he, at the Term of Candlemas next after his Admission, hath or shall have enjoyed, and had Right to his said Benefice or Salary respectively, only for one half Year, he shall only be liable at the said first Term of Candlemas to the Payment of One half of the said yearly Rate, and to the full Year's Rate at the Term of Candlemas next thereafter; and to the like Rate yearly at each Term of Candlemas during his Life; all which Rates shall be paid to the General Collector or Receiver, herein after appointed, at his Office in Edinburgh.

And be it Enacted by the Authority aforesaid, That if the said Ministers of the Church of Scotland, or the Heads, Principals, or other Masters in the aforesaid Three Universities, shall, at their respective Deaths, have only Right to One half of the Benefice or Salary of that Year, in which they happen to die, that One half of the said yearly Rate shall be payable for that Year, out of their Benefice or Salary, to the General Collector or Receiver herein after-mentioned, at his Office in Edinburgh, at the Term of Candlemas, which shall be first after the Death of the said Ministers, Heads, Principals, or Masters respectively; and the other Half shall be payable by those having Right to the Ann,

When half or whole Benefits are to be received.

or,

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or, where no Ann is due, by the Heirs and Executors of the Minister, Head, Principal, or Master in the said Three Univerfities respectively, who was liable to the said yearly Rate during his Life, in the Manner herein after directed.

Rules for the Ministers, or Heads of Colleges, to give Notice of Rates.

And be it Enacted, by the Authority aforesaid, That every Minister, who shall be ordained, or admitted to a Benefice in the Church of Scotland, and every Head, Principal, or other Master, who shall be admitted into any of the said Three Univerfities, after the said Twenty-fifth Day of March One thousand Seven hundred and Forty-four, shall make his Election of one of the Four above-mentioned yearly Rates, to which he chooses to be subject, during his Life, by a Writing signed by him, addressed to the Trustees herein after appointed, and which he shall deliver, or cause to be delivered, at the General Collector or Receiver's Office at Edinburgh, on or before the first Term of Candlemas, that shall be after the said Minister of the Church of Scotland, or Head, Principal, or other Master in the said Three Univerfities, shall have Right to one Half Year's Benefice or Salary: And in Default of giving such Notice within the Time aforesaid, such Minister, Head, Principal, or Master respectively, neglecting to give Notice as aforesaid, shall be deemed and adjudged to have made his Election of the annual Rate of Three Pounds Eighteen Shillings

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lings and Nine-pence, and shall be liable to the aforesaid Rate accordingly during his Life.

Rules for the Ministers in the West or Northern Isles of Scotland.

Provided always, That the Ministers of the Church of Scotland, whose Benefices are situated in the Western or in the Northern Isles of Scotland, shall be allowed to make their Election in the Manner aforesaid, at any Time before the Term of Candlemas, which shall be next after they respectively shall have had Right to the Benefice for one Year and a Half: And in Default of their making their Election within that Time, they shall be subjected to the aforesaid yearly Rate of Three Pounds Eighteen Shillings and Nine-pence.

Provided also, That the said Ministers shall, at the next Term of Candlemas after they shall have made their Election, or in Default of making such Election as aforesaid, make Payment of the annual Rates to which they are respectively subjected, and which shall have become due at the said Term.

Proviso.

And be it further Enacted, by the Authority aforesaid, That every Minister, who now is intitled to a Benefice in the Church of Scotland, and every Person, who now enjoys the Office of Head, Principal, or Master, in any of the said Three Univerfities of Saint Andrews, Glasgow, or Edinburgh; or who shall be admitted to a Benefice in the Church of Scotland, or to any of the aforesaid Offices of Head, Principal, or Master, in any of the said Three Univerfities, on or before the said Twenty-fifth Day of March, One thousand

Ministers, and Heads in the Univerfity to give Notice to Trustees within six Months.

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Seven hundred and Forty-four, shall, within Six Calendar Months after the said Twenty-fifth Day of *March*, give Notice, by a Writing signed by him, addressed to the Trustees herein after appointed, which he shall deliver, or cause to be delivered, at their General Collector or Receiver's Office in *Edinburgh*, that he will not be subject to any of the yearly Rates above-mentioned, or will subject himself to one or other of the said yearly Rates, declaring which of them he chooseth to be subject to: And in Default of such Notice, every such Minister of the Church of *Scotland*, and every such Head, Principal, or Master, in any of the said Three Universities, neglecting to give Notice as aforesaid, shall be deemed and adjudged to have made his Election, and to be subject to the annual Rate of Three Pounds Eighteen Shillings and Nine-pence, during his Life.

Ministers in the West and Northern Isles, in eighteen Months.

Provided always, That the Ministers in the Western and Northern Isles of *Scotland* may give Notice as aforesaid, at any Time within Eighteen Calendar Months after the said Twenty-fifth Day of *March*, One thousand Seven hundred and Forty-four.

When the Rates are to be paid.

And be it further Enacted, by the Authority aforesaid, That the present Ministers of the Church of *Scotland*; and the present Heads, Principals, and Masters of the aforesaid Three Universities; or who shall be admitted Ministers of the said Church, or Heads, Principals,

or

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or Masters in any of the said Three Universities, on or before the said Twenty-fifth Day of *March* One thousand Seven hundred and Forty-four, and who shall be subject to any of the aforesaid annual Rates, by giving, or neglecting to give Notice as aforesaid, shall pay their First Year's Rate to the General Collector or Receiver, to be appointed in the Manner herein after directed, at his Office in *Edinburgh*, at the Term of † *Candlemas* One thousand Seven hundred and Forty-four, and so from thenceforth yearly thereafter, at each Term of *Candlemas* during their Life: And if such Minister, Head, Principal, or Master, shall have Right only to One Half of the Benefice or Salary of the Year in which he dies, the Half-year's Rate payable by such Minister, Head, Principal, or other Master, shall be paid to the General Collector or Receiver herein after-mentioned, at his Office in *Edinburgh*, at the First Term of *Candlemas* after his Death, and the other Half shall be payable out of the Ann, or by his or their Heirs or Executors, in Manner after-mentioned: And every such Minister, Head, Principal, or Master, shall be liable, for the First Year, to an additional Sum, equal to the yearly Rate to which he shall be subjected, which shall be paid to the General Collector or Receiver, to be

† In the Style of all British Acts of Parliament, the Year begins upon the 25th Day of the Month of March.

be appointed in Manner herein after directed, at his Office in *Edinburgh*, at the Term of *Candlemas*, One thousand Seven hundred and Forty-four.

Proviso.

~~Decided always~~, That the Ministers in the Western and Northern Isles of *Scotland*, who now are, or who shall be admitted to a Benefice in the said Church, before the said Twenty-fifth Day of *March*, One thousand Seven hundred and Forty-four, shall pay their double Rate for the First Year, and their annual Rate for the Second Year, at the Term of *Candlemas*, which shall be in the Year of our Lord One thousand Seven hundred and Forty-five.

Ministers, &c. to be held admitted, &c. after Marriage or Right to a full Benefice.

And be it Enacted, by the Authority aforesaid, That such Ministers of the Church of *Scotland*, or such Heads, Principals, or Masters in any of the said Universities, as are or shall be ordained or admitted Assistants and Successors to the Minister, or to the Head, Principal, or Master, having Right to the Benefice or Salary respectively, shall, as to all the Purposes of this Act, be held as admitted to a Benefice in the Church of *Scotland*, or to an Office in any of the said Universities, only from the Time that any such Assistant is or shall be married, or when he shall come to have Right to the full Benefice or Salary.

Minister, &c. after Marriage, shall be subject to a Sum equal to his annual Rate,

And be it further Enacted, by the Authority aforesaid, That every Minister of the Church of *Scotland*, and every Head, Principal,

Principal, and Master, in any of the said Three Universities, who shall be admitted into the said Benefice or Office respectively, after the said Twenty-fifth Day of *March*, One thousand Seven hundred and Forty-four, and who is or shall be married, shall, in respect of his Marriage, be subject and liable to a Sum equal to his annual Rate, and to the like Sum for each succeeding Marriage: Which Sums, payable in respect of the Marriage of a Minister of the said Church, Head, Principal, or Master in any of the said Three Universities, shall be paid over and above the annual Rate itself, at the first Term of *Candlemas*, which shall be One full Year after such Marriage, and his Admission into the said Benefice or Office respectively, to the General Collector or Receiver herein after appointed, at his Office in *Edinburgh*.

And be it further Enacted, by the Authority aforesaid, That every Minister of the Church of *Scotland*, and every Head, Principal, and Master, in any of the said Three Universities, that now is, or who shall be admitted on or before the said Twenty-fifth Day of *March*, One thousand Seven hundred and Forty-four, and who shall become subject to one or other of the aforesaid annual Rates, and who shall marry after the said Twenty-fifth Day of *March*, One thousand Seven hundred and Forty-four, shall respectively be liable to a Sum equal to his yearly Rate

Minister, &c. subject to several Sums for several Marriages, &c.

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Rate in respect of his Marriage, and to the like Sum for every Marriage after ; which respective Sums shall be paid, over and above the respective annual Rates, at the first Term of *Candlemas*, which shall be One full Year after such respective Marriages, to the General Collector or Receiver herein after appointed, at his Office in *Edinburgh*.

Proviso.

Provided always, That if any Minister of the said Church, or Head, Principal, or Master in the said Universities, shall happen to marry a Widow intitled to an Annuity, in pursuance of this Act, such Minister, Head, Principal, or Master, shall not be subject to the Payment of any Sum in respect of such Marriage.

Penalty on Neglect of paying the Rates.

And be it Enacted, by the Authority aforesaid, That if any of the Ministers of the Church of *Scotland*, or any of the Heads, Principals, or Masters, in the said Three Universities, shall neglect to pay the annual or other Rates due by them respectively, at the Terms herein before appointed ; such Minister of the Church, and such Head, Principal, or Master, in any of the said Universities, neglecting to pay as aforesaid, shall be subject and liable to the lawful Interest of such Sums remaining unpaid by him or them respectively, from and after the respective Terms of Payment.

What shall be paid on the Death of a Minister, &c.

And be it further Enacted, by the Authority aforesaid, That upon the Death of any Minister

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Minister of the Church of *Scotland*, or of any Head, Principal, or Master, in any of the said Three Universities, who was subject to one of the yearly Rates above-mentioned, a Sum equal to One half of his yearly Rate, shall be due, and payable for the Half-year immediately after his Death, by those who have a Right to the Ann, where the Ann is by Law competent ; and where no Ann is competent, the same shall be paid by his Heirs and Executors.

Rates on Vacancies.

And be it further Enacted, by the Authority aforesaid, That every Benefice of the Church of *Scotland*, and every Office of Head, Principal, or Master, in any of the said Three Universities, that are now vacant, or that shall become vacant on or before the Twenty-fifth Day of *March*, One thousand Seven hundred and Forty-four, shall be subject and liable to the Sum of Five Pounds of lawful Money of *Great Britain*, for every Half-year that the Vacancy shall continue ; and every such Benefice and Office, that shall become vacant after the said Twenty-fifth Day of *March* One thousand Seven hundred and Forty-four, shall be subject and liable to the Sum of Two Pounds Ten Shillings of like Money, for every Half-year during such Vacancy.

To whom the Rates are to be paid.

And be it further Enacted, by the Authority aforesaid, That the Rates before-mentioned, payable out of the Ann and vacant Benefices

Benefices in the Church of Scotland, shall be paid to the Presbytery, within whose Bounds the Benefices respectively ly, or to the Collector, to be by them appointed, by the Heritors, and others liable to the Payment of the Ann, and of the vacant Stipends respectively: And the said respective Presbyteries are hereby empowered and required to levy the aforesaid Rates, payable in respect of the Ann, and of the vacant Benefices within their Bounds; and to pay the same to the General Collector or Receiver, to be appointed in Manner herein after mentioned, at his Office in *Edinburgh*, within Six Calendar Months after the Ann and vacant Stipends shall be due and payable.

Proviso.

Provided always, That the Presbyteries in the Western and Northern Isles of *Scotland* shall be allowed Twelve Calendar Months, for paying in to the General Collector or Receiver, at his Office in *Edinburgh*, the respective Sums due out of the Ann and vacant Stipends within their Bounds, from the respective Times at which the Ann and vacant Stipends are payable.

Where the Representatives of a deceased Member are to pay the vacant Salaries.

And be it further Enacted, by the Authority aforesaid, That the aforesaid Sum, payable by the Representatives of the Heads, Principals, or Masters, in the said Three Universities, in respect to the Half-year, immediately after the Death of any of the Members of the said Universities, subject to any of

of the yearly Rates above-mentioned, and the Sums payable in respect of the vacant Salaries in the said Universities, shall be paid by the Representatives of the deceased Member of the said University, and by those liable to the Payment of the vacant Salaries respectively, to the University, of which he was a Member, and where the Vacancy is: And the said Universities respectively are hereby empowered and required, to levy the Sums due by the Representatives of their deceased Member, and out of the said vacant Salaries; and to pay, or cause the same to be paid, to the General Collector or Receiver, at his Office in *Edinburgh*, to be appointed in the Manner herein after directed, within Six Calendar Months after the Decease of their Member, and after the said vacant Salaries shall from time to time fall due.

And be it further Enacted, by the Authority aforesaid, That the aforesaid annual Rates, and other Sums, payable by the Ministers of the Church of *Scotland*, and by the Heads, Principals, and Masters, in the said Three Universities, and the Sums payable by the Representatives, and out of the Ann, or otherwise, and also the Sums payable out of the vacant Stipends or Salaries in the Manner herein before directed, shall be applied by Order and Direction of the Trustees herein after-named, and their Successors, to the Uses and Purposes after-mentioned;

C

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tioned; *videlicet*, In the first Place, there shall be paid a Sum not exceeding Two hundred and Ten Pounds of lawful Money of *Great Britain* yearly, for the Salaries of the General Collector or Receiver, and the Clerk, to be chosen in the Manner herein after directed: And, in the second Place, after Payment of the said Salaries, the Remainder of the said several Sums aforesaid shall be applied to the Payment of an Annuity to the Widow of every Minister of the Church of *Scotland*, and of every Head, Principal, or Master, in any of the said Three Universities, who hath been subject and liable to one or other of the annual Rates above-mentioned, in Proportion to the Rate, to which the respective Widow's deceased Husband was liable, in Manner following; that is to say, If the Husband was liable to the annual Rate of Two Pounds Twelve Shillings and Six-pence, his Widow shall be intitled to an Annuity of Ten Pounds; and if the Husband was liable to the annual Rate of Three Pounds Eighteen Shillings and Nine-pence, his Widow shall be intitled to an Annuity of Fifteen Pounds; and if the Husband was liable to the annual Rate of Five Pounds Five Shillings, his Widow shall be intitled to an Annuity of Twenty Pounds; and if the Husband's annual Rate was Six Pounds Eleven Shillings and Three-pence, his Widow's Annuity shall be Twenty-five Pounds, of lawful Money of *Great Britain*;

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which respective Annuities shall be computed to commence from the First Term of *Whitsunday* or *Martinmas*, which shall be One full Half-year after the Husband's Death; and shall from thenceforth be due at each Term of *Whitsunday* and *Martinmas*, by equal Portions; and the First Year's or Half-year's Annuity respectively shall be payable at the First Term of *Whitsunday*, which shall be a full Year or a full Half-year respectively after the Commencement of the said Annuity; and the said Annuity shall so continue payable yearly, at the said Term of *Whitsunday*, during the Widow's Life, and her continuing unmarried; and upon her Death or Marriage, her said Annuity shall cease to be due, for any Terms that shall happen after her Death or Marriage.

And be it further Enacted, by the Authority aforesaid, That every Minister of the Church of *Scotland*, and every Head, Principal, or Master, in any of the said Three Universities, who shall have been subject to one or other of the aforesaid annual Rates, and who shall die, not leaving a Widow, but one or more Children, such Child or Children shall be intitled to a Sum equal to Ten Years Annuity, that would have been payable to their Father's Widow; which Sum, in case there be more Children than one, shall be equally divided amongst them.

If no Widow, the Money to be divided among the Children.

And

Of Widows dying or marrying, and of Children under Age.

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And be it further Enacted, by the Authority aforesaid, That if the Widow of any Minister of the Church of Scotland, or of any Head, Principal, or Master, in any of the said Three Universities, intituled to an Annuity as aforesaid, shall happen to die, or to be married, before the Lapse of Ten Years after the Commencement of her Annuity, and whose Husband shall have left a Child or Children, who, at the said Widow's Death or Marriage, shall be under the Age of Sixteen Years, such Child or Children, under the Age of Sixteen Years, shall be intituled to such a Sum of Money, as shall be equal to Ten Years of the said Widow's Annuity, deducting so much thereof as shall have been received by the Widow; which Sum shall be equally divided among the said Children, if there happen to be more than one Child.

When the Children shall be paid their Sums.

And be it Enacted, by the Authority aforesaid, That the Provisions due to the Children of Ministers of the Church of Scotland, or to the Children of the Heads, Principals, or Masters, in the said Three Universities, upon the Death of their respective Fathers, or upon the Death or Marriage of his Widow, and which shall become due after the Twentieth Day of March, One thousand Seven hundred and Forty-four, and before or on the Term of Martinmas, which shall be in the Year of our Lord One thousand Seven hundred and Forty-five, shall be payable at the Term

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Term of Whitsunday, One thousand Seven hundred and Forty-six; and the Provisions that shall become due to such Children after the Term of Martinmas, One thousand Seven hundred and Forty-five, and before, or on the Term of Martinmas, One thousand Seven hundred and Forty-six, shall be paid at the Term of Whitsunday, One thousand Seven hundred and Forty-seven; and so in all Time to come, the Provisions, that shall become due to the Children after one Term of Martinmas, and before or on another, shall be payable at the Term of Whitsunday next following.

And be it further Enacted, by the Authority aforesaid, That the Surplus of the said annual Rates, and of the other Sums, payable by the Ministers of the Church of Scotland, and by the Heads, Principals, and Masters, in the said Three Universities, and by their respective Representatives, and out of the Ann, or otherwise, and out of the vacant Stipends or Salaries, in Manner aforesaid, after Payment of the annual Expence of Management, and of the Annuities payable to the Widows, and of the Provisions payable to the Children, in Manner above directed, shall, at the Term of Whitsunday yearly, be lent out to the Ministers of the Church of Scotland, and to the Heads, Principals, and Masters, in the said Three Universities, who shall have become subject to one or other of the aforesaid

faid annual Rates, in Manner herein before-mentioned, to the Amount of Thirty Pounds of lawful Money of *Great Britain*, to each Minister of the faid Church, and to each Head, Principal, and Master, in the faid Three Universities, (which Minister, Head, Principal, or Master, is hereby obliged to receive the same) in such Order as shall from time to time be appointed by an Act or Acts of the General Assembly of the Church of *Scotland*; and in Default of such Appointment, in such Order, as the Trustees herein after-named shall direct, until every Minister of the Church of *Scotland*, and every Head, Principal, and other Master, in the faid Three Universities, who shall have become subject to one or other of the aforesaid annual Rates, shall have received the aforesaid Sum of Thirty Pounds.

On Receipt of the Money, Minister, &c. to execute a Deed.

And be it Enacted, by the Authority aforesaid, That upon the Receipt of the aforesaid Sum of Thirty Pounds, the Minister of the Church of *Scotland*, and the Head, Principal, or Master, in any of the faid Three Universities, so receiving the same, shall respectively execute a Deed, obliging himself, his Heirs, Executors, and Successors, that, upon his ceasing to have Right to the Benefice or Office, in respect whereof he had received the aforesaid Sum, whether by Translation or Promotion, Deprivation or Resignation, Death, or any other Manner or Way, he shall repay the aforesaid Sum of Thirty Pounds to the General

General Collector or Receiver, to be appointed in Manner herein after directed, at his Office at *Edinburgh*, with lawful Interest for the same, from the Term of *Whitsunday* or *Martinmas* immediately preceeding his ceasing to have Right to his Benefice or Office respectively, during the Non-payment; and further obliging himself, and his aforesaid Heirs, Executors, and Successors, to pay the Interest of the aforesaid Sum of Thirty Pounds, at the Rate of Four Pounds *per Centum per Annum*, to the said General Collector or Receiver, at the Term of *Candlemas* yearly, at his Office at *Edinburgh*, from and after his Receipt of the aforesaid Sum, during his continuing in Possession of the Benefice or Office respectively, in respect whereof he received the same.

And be it Enacted, by the Authority aforesaid, That the said General Collector or Receiver, receiving the aforesaid Thirty Pounds from a Minister of the faid Church, or from a Head, Principal, or Master, in any of the faid Three Universities, or from their Heirs respectively, shall pay the same over to their respective Successors in Office, who are hereby obliged to receive the same, and who shall execute a Deed for Re-payment of the principal Sum and Interest, in the same Form and Manner as, with respect to their Predecessors in Office, is above directed.

Receiver shall pay the Money to the Successors in Office, who shall execute a Deed.

And

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Vacant Sa-
laries subject
to Interest
of the Mo-
ney received
at 4 l. per
Cent.

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And be it Enacted, by the Authority afore-
said, That from and after the Time that any
Minister of the Church of *Scotland*, or any
Head, Principal, or Master, in any of the
said Three Universities, shall have received
the aforefaid Sum of Thirty Pounds, the va-
cant Stipend or Salary of such Minister, Head,
Principal, or Master respectively, shall be
subject to the Interest of the said Sum of Thir-
ty Pounds, at the Rate of four Pounds *per*
Centum per Annum.

Yearly Rates
shall be pri-
vileged
Debts.

And be it further Enacted, by the Autho-
rity aforefaid, That the forefaid yearly Rates,
and other Sums, payable by the present and
future Ministers of the Church of *Scotland*,
and by the present and future Heads, Princi-
pals, and Masters, in the said Three Univer-
sities, and the aforefaid Rates payable by the
Heirs and Executors of the said Heads, Prin-
cipals, and Masters, in the aforefaid Univer-
sities, and the aforefaid Sum of Thirty Pounds
to be delivered to the said Ministers, and to
the Heads, Principals, and Masters, in the
said Three Universities, with the Interest
thereof, shall be privileged Debts, and pre-
ferable to all other Debts of the said Ministers,
and of the Heads, Principals, or Masters, in
the said Universities, not only upon their Be-
nefices and Salaries respectively, but also up-
on their whole other personal Estate; and
that the aforefaid Rates, payable out of the
Ann and vacant Benefices and Salaries respec-
tively,

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tively, shall be a preferable Debt and Burden
upon the Ann and vacant Benefices and Sala-
ries, to all other Debts and Burdens; any Law
or Usage to the contrary notwithstanding.

And be it further Enacted, by the Autho-
rity aforefaid, That it shall and may be law-
ful for the said General Collector or Receiver,
at the Sight and Direction of the Trustees
herein after-named, and their Successors, to
retain and deduct from the Annuity due to the
Widow, or from the Provisions due to the
Children of any Minister of the Church, or
of any Head, Principal, or Master, in any of
the said Three Universities, such Sum or Sums
as shall be due by the respective deceased Huf-
band or Father, or his Heirs and Executors,
and which have not been, or cannot be, re-
covered from the Deceased, upon the said Ge-
neral Collector or Receiver's making over his
Claim and Demand upon the Deceased, and
his Heirs and Executors, with all the Privi-
leges and Preferences thereunto belonging, in
favour of the Widow and Children respec-
tively.

Rule for De-
ductions.

And be it further Enacted, by the Autho-
rity aforefaid, That after every Minister of the
Church of *Scotland*, and every Head, Princi-
pal, or Master, in any of the said Three U-
niversities, who have become subject to one
or other of the aforefaid annual Rates, shall
have received the aforefaid Sum of Thirty
Pounds from the yearly Surpluses, in Manner
D before

Future Sur-
pluses shall
be lent on
Security, at
4 l. per Cent.

before directed, all future Surpluses shall from time to time be lent out upon proper Security, so as the same may yield an Interest not under Four Pounds *per Centum per Annum*, until a Capital be made up of Thirty-five thousand Pounds of lawful Money of *Great Britain*, over and above the Sums lent to Ministers, and to the Heads, Principals, and Masters, in the said Three Universities, to the Amount of Thirty Pounds each, as aforesaid; which Capital being so made up, there shall be no further Increase of the Capital, but the Surpluses arising in any one Year, computing the Year from *Martinmas* to *Martinmas*, as aforesaid, shall, at the *Whitsunday* when such Surpluses shall arise, be divided proportionably amongst all the Children of the Ministers of the said Church, and of the Heads, Principals, and Masters, in the said Three Universities, who, in respect of the Death of their Father, or the Death or Marriage of his Widow, within that Year, shall be then intitled to receive their Provisions.

If the Capital be diminished, it shall be made up.

And be it further Enacted, by the Authority aforesaid, That if the aforesaid Capital of Thirty-five thousand Pounds, and Sum of Thirty-Pounds, lent to each Minister in the Church, and each Head, Principal, and Master, in the said Three Universities, as aforesaid, shall hereafter happen to be diminished, either by the Insolvency of Debtors, or by any other Accident whatsoever, such Diminution

nution shall from time to time be made up by After-surpluses, in the same Manner as the original Capital and Sums aforesaid were raised and lent out.

Provided always, That the Capital shall ^{Proviso.} at no time exceed the aforesaid Sum of Thirty-five thousand Pounds, and the Sum of Thirty Pounds, lent to each Minister, and to each Head, Principal, and Master, in the said Three Universities, as aforesaid.

And be it further Enacted, by the Authority aforesaid, That, after the said Capital of ^{Directions, if the annual Charge exceed the Income.} Thirty-five thousand Pounds is raised, in Whole or in Part, if, in any Year, the Charge of Management, and the Annuities to the Widows, and the Provisions to the Children, shall exceed the annual Income, no Inroad shall, upon that Account, be made upon the Capital; but such Deficiency shall first affect the Childrens Provisions in the Order of Time in which they become due by the Death of their Father, or by the Death or Marriage of his Widow; and the Children, intitled to Provisions in the same Year, shall be preferred, and receive their Provisions, according to the Priority of their Father's Death, or of his Widow's Death or Marriage; and, in the next Place, such Deficiency shall affect the Annuities of the Widows proportionably.

Provided always, That such Non-payment of, and Deduction from the Childrens Provisions, and Widows Annuities respectively,

ly, shall be made good out of the first and readiest of the annual Produce of the succeeding Year or Years, in the Order above-mentioned; that is, after Payment of the annual Expence of Management, the Widows Annuities, unpaid in the preceeding Year, shall be paid and made good in the first Place; and afterwards the Widows Annuities of the current Year; and after those the Childrens Provisions of the former Year; according to the Priority of the Death of their Fathers, or of the Death or Marriage of their Father's Widows.

Minister being a Head, &c. shall be liable to one Rate only.

And be it further Enacted, by the Authority aforesaid, That when any Minister of the Church of Scotland, intituled to a Benefice, is also a Head, Principal, or Master, in any of the said Three Universities, and thereby intituled to a Salary, such Minister, who is also a Member of any of the said Universities, shall not be liable to double Rates; but shall be only liable to one Rate in respect of both Offices.

Minister, &c. to be subject to the Rates, tho' he ceases to be Minister;

And be it further enacted, by the Authority aforesaid, That every Minister of the Church of Scotland, and every Head, Principal, and Master, in any of the said Three Universities, becoming liable to one or other of the aforesaid annual Rates, shall continue subject thereunto during Life, notwithstanding that he cease to be a Minister of the said Church, or a Head, Principal, or Master, in any

any of the said Universities, by Resignation, Deprivation, or any other Manner or Way; and his Widow or Children shall continue intituled to their respective Provisions herein before settled, notwithstanding that her Husband or their Father was not, at the Time of his Death, possessed of any Benefice in the Church, or of any Office or Salary in any of the said Three Universities.

and his Widow and Children intituled.

And be it further Enacted, by the Authority aforesaid, That the Reverend Mr. Neil MacVicar, one of the Ministers of the West-Church; Mr. James Walker, one of the Ministers of the Canongate; Mr. John Gowdie, Professor of Divinity in the University of Edinburgh; Mr. George Fordice, Minister at Corstorphin; Mr. Thomas Pitcairn, one of the Ministers of the West-Church; Mr. James Stevenson, one of the Ministers of South-Leith; Mr. George Lindsay, Minister at North-Leith; Mr. William Aitken, one of the Ministers of South-Leith; Mr. George Gibson, Minister at Collington; Mr. David Mowbray, Minister at Currie; Mr. John Jardine, Minister at Liberton; Mr. Hugh Blair, one of the Ministers of the Canongate; Doctor William Wishart, Principal of the University of Edinburgh; Mr. John Mathieson, Mr. William Gustart, Mr. William Robertson, Mr. John Hepburn, Mr. Robert Wallace, Mr. George Wishart, Mr. Alexander Webster, Ministers of Edinburgh, being all Members of the Presbytery

Names of Trustees.

Anno Regni decimo septimo.

bytery of *Edinburgh*, shall be, and they are hereby nominated and appointed Trustees for levying and receiving the respective annual Rates, and other Sums, payable by Virtue of this Act, and for issuing the same for the Purposes herein before expressed, and for lending out the Surpluses to the Ministers of the Church of *Scotland*, and to the Members of the aforesaid Universities, in the Manner herein before directed, and for raising the aforesaid Capital of Thirty-five thousand Pounds by Loans to be made at an Interest, not less than Four Pounds *per Centum per Annum*, to any Person or Persons, Bodies Politick or Corporate, and for uplifting the aforesaid Capital, in Whole or in Part, and re-employing the same from time to time, and for putting in Execution all other the Powers in and by this Act given, during their continuing in their said Benefices and Offices.

Who are proper to be elected Trustees.

And be it further Enacted, by the Authority aforesaid, That every other Minister of the Presbytery of *Edinburgh*, and every Master in the University of *Edinburgh*, that now is, or shall hereafter be admitted into any of the said Benefices or Offices, on or before the said Twenty-fifth Day of *March* One thousand Seven hundred and Forty-four, and who shall be subject to one or other of the aforesaid annual Rates, shall be, and are hereby appointed, Trustees for the Execution of this Act, during their continuing in their respective

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tive Benefices and Offices, unless such Minister in the said Presbytery, or Master in the said University shall, within Six Callendar Months from and after the said Twenty-fifth Day of *March*, One thousand Seven hundred and Forty-four, give Notice, by a Writing signed by him, addressed to the said Trustees, and which he shall deliver or cause to be delivered, at the General Collector or Receiver's Office in *Edinburgh*, declaring that he declines to accept of the said Trust.

And be it further Enacted, by the Authority aforesaid, That all Ministers of the Presbytery of *Edinburgh*, and all Heads, Principals, and Masters, in the said University of *Edinburgh*, who shall be admitted into their respective Benefices or Offices after the said Twenty-fifth Day of *March*, One thousand Seven hundred and Forty-four, shall be, and they are hereby nominated and appointed, Trustees for the Execution of this Act.

Ministers, &c. elected after the 25th of March, 1744, shall be Trustees.

And be it further Enacted, by the Authority aforesaid, That every Minister having an Office in any of the said Universities of *Saint Andrews* and *Glasgow*, and every Minister in any of the Presbyteries Seats in *Scotland*, who shall be subject to any one of the aforesaid annual Rates, shall be, and is hereby appointed, a Trustee for the Execution of this Act, during their continuing in their said respective Benefices and Offices.

All Ministers Officers in the Universities of *Saint Andrews* and *Glasgow*, and subject to the Rates, shall be Trustees.

Pro-

Ministers, &c. have Liberty of refusing.

Anno Regni decimo septimo

Provided always, and be it hereby Enacted, That it shall and may be lawful to and for the aforesaid Ministers possessed of Offices in the said Universities of Saint Andrews and Glasgow, and to the said Ministers in the Presbytery Seats, to refuse and decline to accept of the said Trust, so as such Refusal be notified, by a Deed in Writing, signed by the said Ministers respectively, and given in to the said Trustees, or to their Clerk, to be appointed in Manner herein after directed, within Six Calendar Months after they have respectively become liable to one or other of the annual Rates before mentioned, and their Admission to an Office in any of the said Universities, or becoming Ministers in Presbytery Seats.

Particular Trustees to be elected for one Year.

And be it further Enacted, by the Authority aforesaid, That from and after the said Twenty-fifth Day of March, One thousand Seven hundred and Forty-four, it shall and may be lawful for every Presbytery in Scotland (the Presbytery of Edinburgh excepted) annually to elect one of their Number, who is subject to one or other of the annual Rates before mentioned, to be a Trustee for one Year, commencing from the First Day of May yearly: And that it shall and may be lawful to each of the said Universities of Saint Andrews and Glasgow, annually to elect Two of their Number, not being Ministers, who are, or shall be subject to one or other of the aforesaid

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aforesaid annual Rates, to be Trustees for one Year, commencing from the said First Day of May yearly; and ending upon the First Day of May the Year following.

Provided always, That it shall be in the Power of the said annual Trustees, to be elected by the Presbyteries and Universities respectively, to refuse to accept or act in the said Offices, so as such Refusal be notified to the respective Presbyteries or Universities at the Time of Election, if the Trustee elect be present; or else at the next Meeting of the Presbytery or University respectively, after the Election shall come to his or their Knowledge.

Refusal to be notified to the University.

And be it further Enacted, by the Authority aforesaid, That the said Trustees, or any Nine of them, whereof Six to be Ministers of the Church of Scotland, shall and may execute all the Powers committed to them by this Act; and that, for this End, their first Meeting shall be on the Second Tuesday in April, One thousand Seven hundred and Forty-four, between the Hours of Ten and Twelve in the Forenoon, in the Old Church Isle of Edinburgh, with Power to the said Trustees, or any Nine of them as aforesaid, to chuse one of their Number to be Preses, and with Power to adjourn themselves, from time to time, to such Times and Places as they shall see Cause; and that they shall thereafter have Four stated regular Meetings yearly, upon the Second Tuesday in

Power of Trustees.

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Anno Regni decimo septimo

the Month of *May*, the Second *Tuesday* in the Month of *November*, the Second *Tuesday* in the Month of *February*, and the Second *Tuesday* in the Month of *March*, in the said *Old Church* Isle, between the Hours of Ten and Twelve in the Forenoon, with Power to chuse a Preses, and to adjourn themselves as aforesaid : And that it shall and may be lawful to and for the Preses of the last Meeting of the said Trustees ; or in his Absence, the Moderator of the Presbytery of *Edinburgh*, for the Time being (such Moderator being a Trustee) ; or, in his Absence, the eldest Minister of the City of *Edinburgh*, who is, or shall then be a Trustee, to call other Meetings of the said Trustees, as Occasion shall require, at such Times and Places as he shall judge proper : And the said Preses, Moderator of the Presbytery of *Edinburgh*, and eldest Minister of the said City respectively, are hereby required, upon the Request of any Five or more of the said Trustees, to call such Meetings from time to time.

Trustees to elect a Clerk, and settle his Salary.

And be it further Enacted, by the Authority aforesaid, That it shall and may be lawful for the said Trustees, at their said first Meeting, on the Second *Tuesday* in *April*, One thousand Seven hundred and Forty-four, to elect a Clerk, and to appoint him a Salary not exceeding the Sum of Fifty Pounds of lawful Money of *Great Britain* yearly ; which said Clerk shall give Bond to the said Trustees,

Georgii II. Regis.

Trustees, with one or more sufficient Sureties, for the faithful Discharge of his Office, under the Penalty of One hundred Pounds of like Money : And the said Clerk shall, at his own Charge, provide proper Books, and shall insert therein, from time to time, the Proceedings of the Trustees ; and shall write, and cause to be written their Orders ; and shall have an Officer for advertising the Trustees of their stated and occasional Meetings, and for attending the same ; for which Officer the said Clerk shall be allowed a Sum, not exceeding Five Pounds *per Annum*, of lawful Money of *Great Britain*.

Clerk's Duty.

Provided always, That the Clerk so to be elected, shall be approved by the next Meeting of the General Assembly of the Church of *Scotland* ; and in case he shall be disallowed of by the said next Meeting of the General Assembly, such Meeting shall elect a Clerk for the said Trustees.

Clerk to be approved at the next Assembly.

And be it further Enacted, by the Authority aforesaid, That it shall and may be lawful to the said Trustees, for reasonable Causes, to suspend or remove the said Clerk ; and thereupon, or upon the Death, Resignation, or Removal of the said Clerk, to appoint his Successor in the Manner before directed, who shall be approved or disapproved by the next Meeting of the General Assembly of the Church of *Scotland*, who have hereby Power to hear, and finally determine the Causes of the

Trustees may remove the Clerk, and appoint another.

the Deprivation or Suspension of the said Clerk; and to allow or disallow of the same; and to affirm or reverse the Judgment of the said Trustees, as they shall see Cause.

Assembly to chuse a general Collector.

And be it further Enacted, by the Authority aforesaid, That it shall and may be lawful for the General Assembly of the Church of Scotland, that shall first meet after the said Twenty-fifth Day of March, One thousand Seven hundred and Forty-four, to elect and chuse a General Collector or Receiver of the aforesaid annual and other Rates; and the said General Collector or Receiver so chosen, shall have full Power, and is hereby authorized to carry on all Suits and Actions for Recovery of the said annual and other Rates, and to issue the Annuities to the Widows, and Provisions to the Children, and to lend out the Surpluses to the Ministers of the Church, and to the Members of the said Three Universities, in the Manner before directed, and also the After-surpluses upon Interest, as he shall be directed, from Time to Time, by the Trustees aforesaid; And the said General Collector or Receiver is hereby further authorized and empowered to use all proper Diligence for securing all and every the aforesaid Sums.

Collector's Duty.

Proviso.

Provided always, That it shall not be in the Power of the said General Collector or Receiver, to lend out any Part of the aforesaid Capital of Thirty-five thousand Pounds, or to uplift or re-employ the same, without a particular Appointment of the said Trustees.

And

And be it further Enacted, by the Authority aforesaid, That the said General Collector or Receiver shall and may appoint one or more Deputies, for whom he shall be answerable, for levying the annual Rates, and other Sums herein before directed to be paid to him, at his Office in *Edinburgh*, in case the same shall not be paid within the Times before limited.

Collector may appoint a Deputy.

And it is hereby further Enacted, by the Authority aforesaid, That the full Expence that shall be incurred by the said General Collector or Receiver, and his Deputies, in recovering Payment of the respective Sums, from the Debtors therein, or out of their Effects, through their Default, in not making regular Payment as aforesaid, shall be recovered out of the respective Debtors Estates, without any Abatement or Mitigation.

Penalty on Collector's Default.

And be it further Enacted, by the Authority aforesaid, That the said General Collector or Receiver shall, at or before his Admission, give Bond, with one or more sufficient Sureties, to the aforesaid Trustees, for the Sum of Seven thousand Pounds of lawful Money of *Great-Britain*, that he shall faithfully discharge his Trust; and that he shall effectually levy and make good the annual and other Rates, payable by the Ministers of the Church of *Scotland*; and by the Heads, Principals, and other Masters in the aforesaid Three Universities.

Collector to give Bond.

And be it further Enacted, by the Authority aforesaid, That the said General Collector or Receiver, shall keep a publick Office in *Edinburgh*.

Collector to keep a publick Office in Edinburgh.

Receiver shall keep a publick Office within the City of *Edinburgh*, in which Attendance shall be given from the Hour of Ten to Twelve in the Forenoon of every lawful Day, for Thirty Days immediately following the Issuing of the Warrants to him in the Manner herein after-mentioned; and from the Hour of Ten to Twelve in the Forenoon, every *Wednesday* throughout the rest of the Year.

When Collector to make Account.

And be it further Enacted, by the Authority aforesaid, That the said General Collector or Receiver shall annually, on the second *Tuesday* in *May*, exhibite to the Trustees, at their Meeting, a particular Account of the Sums that have come into his Hands in the Year preceeding, distinguishing by whom paid, and upon what Account.

Collector's Salary.

And be it further Enacted, by the Authority aforesaid, That the said General Collector or Receiver shall, in Consideration of his whole Trouble and Expence, be allowed an annual Salary, not exceeding the Sum of One hundred Fifty-five Pounds of lawful Money of *Great Britain*.

Collector displaced, may appeal to General Assembly.

And be it further Enacted, by the Authority aforesaid, That it shall and may be lawful for the said Trustees, for reasonable Causes, to suspend or remove the said General Collector or Receiver; and thereupon, or upon the Death or Resignation of the General Collector or Receiver appointed by the General Assembly, to name a General Collector

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tor or Receiver, in the Interim, who shall have full Powers to act, until the next Meeting of the General Assembly; which said next Meeting is hereby impowered finally to determine, upon the Causes of Suspension or Deprivation of the former General Collector or Receiver; and to give Orders, either for restoring the former Collector, or for continuing the Collector named by the Trustees; or for appointing a new General Collector or Receiver in his Place.

Provided always, That the General Collector or Receiver so named, shall be allowed a proportionable Part of the Salary, during the Time that he shall discharge the Trust.

And be it further Enacted, by the Authority aforesaid, That every Presbytery in *Scotland*, and each of the said Universities of *Saint Andrews*, *Glasgow* and *Edinburgh*, shall, from and after the said *Twenty-fifth Day of March*, One thousand Seven hundred and Forty-four, from time to time, make up Lists of all Ministers admitted to Benefices, and of all Heads, Principals, or other Masters, admitted into Offices within their respective Presbyteries and Universities, with the particular Dates of their respective Admissions; and with a particular Account, if such Minister, or such Member of the University, be married, and with the Date of his Marriage, if the same shall happen afterwards; and also a particular List of the Ministers and Members of the Universities

Proviso.

Universities to make out Lists of Pre-ferments, &c.

ties

ties respectively that shall have died within the Year, and whether they have left a Widow and Children, with the Names of the Widows, and the Names and Ages of the Children; and also a List of the Widows that have died or been married within the Year, with the Dates of their Death or Marriage, and what Children of the Ministers or Members of the Universities respectively were alive at the said Widow's Death or Time of Marriage; as also Lists of all Vacancies happening within their said Presbyteries or Universities respectively, with the Dates and Cause of the Vacancy: Which Lists, as also all other Lists that shall be found necessary by the Trustees, and by them appointed to be made up for the Year One thousand Seven hundred and Forty-four, shall be attested by the Moderator and Clerk of the Presbytery, and by the Head or Principal, and the Clerk of the said Universities respectively; and shall, betwixt the Term of *Martinmas* and the Term of *Candlemas*, in the Year of our Lord One thousand Seven hundred and Forty-four, be transmitted by the Moderator of the Presbytery, and by the Heads or Principals of the said Universities respectively, to the Trustees Clerk residing at *Edinburgh*; and so from thenceforth annually, in all Time to come, the Lists of each Year, computed from *Martinmas* to *Martinmas*, shall be made up and transmitted as before-mentioned, betwixt the Term of *Martinmas* and the Term of *Candlemas* following:
And

And the Moderator of the Presbytery, and the Head or Principal of the Universities, neglecting to sign or transmit such Lists as aforesaid, shall, for every such Offence, forfeit the Sum of Ten Pounds of lawful Money of *Great Britain*, to be paid in to the General Collector or Receiver, and to be levied in such manner, and to be applied to the same Purposes, as the annual Rates are herein before appointed to be levied and applied.

Provided always, That the Moderators of ^{Proviso.} the Presbyteries in the Western and Northern Isles of *Scotland* shall not be subjected to the said Penalty of Ten Pounds, in case they transmit such Lists as aforesaid, within Six Months after the said Term of *Martinmas*.

And be it further Enacted, by the Authority aforesaid, That the Moderators of the said Presbyteries and their Clerk, and the Heads or Principals of the said Three Universities, and their Clerk respectively, shall, at the Request of each Widow or Child, claiming Right to an Annuity or Provision, deliver to them a Certificate signed as aforesaid, certifying the Death of the Minister, or the Death or Marriage of his Widow, with the respective Dates thereof, and the Names and Ages of his Children.

And be it further Enacted, by the Authority aforesaid, That the said Trustees shall, at ^{Trustees shall make Lists of Widows, &c.} their Meeting on the said Second *Tuesday* in *March* yearly, make up proper Lists of all the Widows and Children intitled to receive

Annuities or Provisions out of the Funds of the preceeding Year, mentioning the particular Sums to which they are respectively intitled; which Lists shall remain in the Hands of the Trustees Clerk, and shall be open to the Inspection of all Parties interested: And it shall be lawful for the said Parties interested, to give in their Objections in Writing to the said Clerk, to be by him laid before the said Trustees for their Determination, at their said Meeting, upon the Second *Tuesday* in *May* next following.

When Trustees to settle their Accounts,

And be it further Enacted, by the Authority aforesaid, That the said Trustees shall, at their Meeting appointed to be held on the Second *Tuesday* in *May* yearly, settle and adjust the Disposal of their Funds of the preceeding Year, and particularly what Sum shall be paid to each Widow and Child; and the Preses shall sign Two fair Copies thereof, and also a Warrant upon the General Collector or Receiver for Payment accordingly, in favour of each Widow and Child interested; and shall lodge all the said Warrants in the Hands of their Clerk, to be by him delivered to the several Parties forthwith, as they call for the same; and the Clerk shall also forthwith deliver to the General Collector or Receiver, one of the subscribed Duplicates or Copies of the total List and State.

and lodge their Warrants in the Hands of the Clerk.

Collector to make Payment as the Warrants direct.

And be it Enacted, by the Authority aforesaid, That the aforesaid General Collector or Receiver

Receiver shall immediately, upon the said Warrants being presented to him, at his Office, upon any of the Days, and at the Hours above specified, make Payment of the respective Sums therein contained, without Fee or Reward, upon a Receipt indorsed upon the said Warrants: And if either the General Collector or Receiver, or the Clerk to the Trustees aforesaid, shall, on any Pretence whatever, exact or receive any Money or Reward whatsoever, for or in respect of delivering the aforesaid Warrants, or for making Payment pursuant to the said Warrants, the said General Collector and Clerk respectively so offending, shall *ipso facto* forfeit his Office, and be incapable of being ever re-elected into the same; and upon Proof of such Offence taken before the said Trustees, (which Proof they are hereby impowered to take) the said Trustees are hereby required and impowered to deprive the said General Collector, or the said Clerk respectively, and to declare him or them incapable of being re-chosen; And if any Person, acting under the said General Collector, or under the said Clerk respectively, shall exact or receive any Fee or Reward upon the aforesaid Accounts, the said General Collector or Clerk, by whom such Offender was appointed, shall, for every such Offence, forfeit the Sum of Ten Pounds of lawful Money of *Great Britain*, upon Proof brought before the said Trustees in Manner aforesaid; which Sums shall be levied

Penalty if the Collector receive any Fee.

vied and applied in the same Manner as is above directed, with respect to the annual Rates.

How Widows, &c. are to act, if they are unduly omitted.

And be it further Enacted, by the Authority aforesaid, That if any Widow, Child, or Children, intitled to an Annuity, or to Provisions respectively, shall be unduly omitted, in making up the said annual List as aforesaid, whether such Omission shall be occasioned through the Default of the Presbyteries, or Universities respectively, in not transmitting proper Lists or Certificates in the Manner before directed, or from whatever other Cause or Occasion, it shall and may be lawful for such Widow, Child, or Children, to make their Claim to the said Trustees, at or before their next stated Meeting upon the Second Tuesday in March in the Year following: And the said Trustees are hereby empowered and required to insert the said Widow, Child, or Children in their List, to be made up at their Meetings on the said Second Tuesday in March, and of May in the said ensuing Year; and shall grant Warrants for Payment of their Annuities and Provisions respectively, out of the Produce of the Year immediately preceeding.

Penalty on Widows Neglect.

Provided always, That if the Widow, Child, or Children so unduly omitted, shall neglect to make their Claim within One whole Year after such Omission, their Claim shall be held as deserted and given up, and shall not be allowed at any Time thereafter.

And

And be it further Enacted, by the Authority aforesaid, That the Payments herein before directed shall be made to the Widows or Children respectively named in the Warrants, if the Persons so named are Majors, and to the Tutors or Curators of such of them as are Minors; and if they have no Tutors or Curators, to such Person or Persons as shall be authorized for that Purpose by an Act of the Presbytery or University respectively, of which the Person, under whom the Provision is claimed, was last a Member.

Directions for paying Widows Claims.

And be it further Enacted, by the Authority aforesaid, That the aforesaid Annuities payable to Widows, and the Provisions payable to Children of the aforesaid Ministers of the Church of Scotland, and of the Heads, Principals, and Masters in the aforesaid Universities, shall not be liable to any Arrestment; but shall be paid to the Widows and Children themselves, or to their Tutors and Curators, or Trustees as aforesaid, or to their Executors and Administrators, or Assigns; any Law or Usage to the contrary notwithstanding.

No Arrest on Widows or Childrens Pay.

And be it further Enacted, by the Authority aforesaid, That the said Trustees, at their Meeting on the Second Tuesday in May yearly, shall give proper Directions to the General Collector or Receiver aforesaid, for lending out the Surpluses of the preceeding Year to the Ministers of the said Church, and to the Heads, Principals, and Masters in the aforesaid Three Universities, to the Amount of Thirty

Disposition of Surpluses and After-surpluses.

Thirty Pounds as aforesaid to each; and the After-surpluses towards raising the aforesaid Capital of Thirty-five thousand Pounds in Manner herein before directed.

Proviso.

Provided always, That no Part of the said Capital of Thirty-five thousand Pounds shall be lent out, or uplifted or re-employed, but with the Advice and Consent of the Lord President, and the Two senior Judges of the Court of Session, the Lord Chief Baron, and senior Baron of the Court of Exchequer, and of the Lord Justice-General, and Lord Justice-Clerk, for the Time being, or of any Three of them.

Penalty on Trustees not attending the stated Meetings.

And be it further Enacted, by the Authority aforesaid, That the said Trustees herein named and appointed shall attend the aforesaid stated Meetings, and the Adjournments thereof, and all occasional Meetings, to which they shall be lawfully warned or summoned, under the Penalty of Twenty Shillings of lawful Money of Great Britain, toties quoties, to be levied and applied in the same Manner, and to the same Purposes, as is herein before directed with respect to the annual Rates; and a Certificate under the Hand of the Clerk shall be a sufficient Evidence of such Absence, and of the Penalty's being incurred, unless the Trustee, absent as aforesaid, shall have sufficient Cause for such Absence, and which shall be allowed of by the Majority of the Trustees who shall be present at the respective Meetings.

And

And be it further Enacted, by the Authority aforesaid, That the said Trustees shall annually prepare a State of the Funds under their Management, and an Account of their Proceedings, which shall be laid annually before the General Assembly of the Church of Scotland; and a printed Copy thereof shall be transmitted to each Presbytery, and to each of the said Universities, betwixt the First Day of June and the First Day of August yearly.

An annual State of the Funds to be prepared.

And it is hereby Enacted, That the Expence of printing and transmitting the said annual State as aforesaid, and also all other necessary incidental Expences of the said Trustees, shall be paid by the said General Collector or Receiver, and shall be allowed to him out of his annual Receipts; provided the said Expences do not, in any One Year, exceed the Sum of Forty Pounds of lawful Money of Great Britain.

Necessary Expences to be paid by the General Collector.

And be it further Enacted, by the Authority aforesaid, That the said General Collector or Receiver shall, annually, on the Second Tuesday in November, exhibit to the said Trustees, at their Meeting, a particular Account of the Sums that shall then have been paid by him out of his Receipts of the preceding Year; and the said Trustees shall, and are hereby impowered to audite and pass his Accounts, and to acquit and discharge him, and his Sureties, from time to time, of the Sums so accounted for.

When Collector is to give his Accounts to the Trustees.

And

Rates payable by Ministers, reckoned part of their Stipends.

And be it further Enacted and Declared, That, in all future Proceſſes of Modification and Augmentation of Stipends, the aforeſaid annual Rates payable by the Miniſters of the Church of *Scotland*, by virtue of this preſent Act, ſhall be deemed and computed as Part of their Stipends; any thing herein contained to the contrary notwithstanding.

Univerſity of Aberdeen may be comprehended in this Act, if deſired.

And be it further Enacted, by the Authority aforeſaid, That if the Univerſity of *Aberdeen*, or any of the Colleges therein, ſhall apply to the next General Aſſembly of the Church of *Scotland*, declaring that they deſire to be comprehended within this Act, the Heads, Principals, and Maſters, in the ſaid Univerſity of *Aberdeen*, or in either of the Colleges of the ſaid Univerſity, ſhall be comprehended in this Act, and ſhall be ſubject to the annual Rates and other Burdens hereby impoſed; and they, and their Widows and Children reſpectively, ſhall be intitled to the Privileges and Proviſions herein contained, in like Manner in all Reſpects, as with reſpect to the Heads, Principals, and Maſters, in the Univerſities of *Saint Andrews* and *Glasgow*, is herein before enacted.

Publick Act.

And it is hereby further Enacted and Declared, That this Act ſhall be deemed and taken to be a Publick Act; and all Judges, Juſtices, and other Perſons, are to take Notice thereof as ſuch, in all Courts and Places whatſoever, without ſpecially pleading the ſame.

F I N I S.