



Teinds Act 1808

1808 CHAPTER 138 48 Geo 3

17 In cases of augmentation moderator and clerk of the presbytery to be cited and furnished with statement of present stipend, and the addition intended to be craved, &c.

And in order to guard against collusion, and also in order that no processes of augmentation or for modification of stipends shall be raised on the ground of alleged collusion, every minister insisting in the process of augmentation shall after the passing of this Act, besides citing the heritors, also cite the moderator and clerk of the presbytery of the bounds, and furnish them with a statement of the amount of his present stipend, and the addition to the stipend which he means to crave, in order that the presbytery, if they shall judge it proper, may appear as parties to the process; and in the event of the presbytery entering no appearance, the minister shall forthwith transmit to the moderator or clerk of the presbytery a certified copy of the interlocutory pronounced by the court; and it shall be competent to the presbytery, within five months after such interlocutor is pronounced, to enter an appearance, and to shew, if they shall see cause, that the decree of modification pronounced is collusive and prejudicial to the benefice: Provided, that if the presbytery shall enter an appearance in such process it shall be competent to the court to subject the minister insisting in such process in the whole or any part of the expences of process incurred by the presbytery.

Changes to legislation:

Teinds Act 1808, Section 17 is up to date with all changes known to be in force on or before 19 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Commencement Orders yet to be applied to the Teinds Act 1808

Commencement Orders bringing legislation that affects this Act into force:

- [S.S.I. 2003/456 art. 2](#) commences (2000 asp 5)