



## CHAPTER xi.

An Act for the improvement of the city and Royal burgh of Dundee and the widening alteration improvement and extension of existing streets and thoroughfares and the construction of new roads or streets and tramways and for other purposes. A.D. 1913.  
[4th July 1913.]

**W**HEREAS the lord provost magistrates and councillors of the city and Royal burgh of Dundee (hereinafter called "the Corporation") are vested with the municipal and police administration of the said city and Royal burgh (hereinafter called "the burgh") and are the local authority within the burgh under the Public Health (Scotland) Act 1897 and are also the local authority and road authority within the burgh under the Tramways Act 1870 : 60 & 61 Vict.  
c. 38.  
33 & 34 Vict.  
c. 78.

And whereas certain districts of the burgh are in a congested condition and densely populated and the houses and buildings therein are closely built together and are old and dilapidated and it would be conducive to the public health of the burgh and would effect great and desirable public improvements if such houses and buildings were demolished and the said districts reconstituted and certain existing streets and thoroughfares were widened altered improved and extended and certain new roads or streets were formed and certain existing streets wynds closes and other places were stopped up and discontinued to be used by the public and it is expedient that powers for effecting the above objects should be conferred on the Corporation :

And whereas the Corporation are the owners of the existing tramways within the burgh and it is expedient and would be of local and public advantage that the Corporation should be authorised to make and maintain and work and use the additional

[Ch. xi.] *Dundee Corporation (Improvements [3 & 4 GEO. 5.]  
and Tramways) Act, 1913.*

A.D. 1913. tramways by this Act authorised with the object of completing and supplementing their existing system of tramways and that certain of the powers and provisions contained in their existing Tramways Acts should be made applicable to such additional tramways :

And whereas the Corporation as at the fifteenth day of May one thousand nine hundred and twelve had borrowed or raised for the purposes of their tramway undertaking under the authority of the Dundee Tramways Act 1872 and the Dundee Street Tramways Turnpike Roads and Police Act 1878 the sum of fifty-one thousand five hundred and eighty-six pounds of which sum they had repaid by means of the sinking fund as at the said date the sum of twenty-one thousand nine hundred and twenty-two pounds twelve shillings and under the authority of the Dundee Street Tramways Recreation Grounds Police and Improvement Act 1887 the Dundee Extension and Improvement Act 1892 the Dundee Corporation (Tramways) Act 1898 and the Dundee Gas Street Improvements and Tramways Act 1899 the aggregate sum of two hundred and thirty-five thousand three hundred and seventy-five pounds of which aggregate sum the Corporation had repaid by means of the sinking fund as at the said date the sum of forty-three thousand six hundred and eighty-five pounds one shilling and sixpence and under the authority of the Dundee Corporation Order 1901 the sum of forty-three thousand seven hundred and twenty pounds of which sum the Corporation had repaid by means of the sinking fund as at the said date the sum of nine thousand six hundred and forty-nine pounds fifteen shillings and sixpence and under the authority of the Dundee Corporation Order 1907 the sum of twelve thousand six hundred and fifty-three pounds of which sum the Corporation had repaid by means of the sinking fund as at the said date the sum of one thousand nine hundred and fifteen pounds twelve shillings :

And whereas it is expedient that the Corporation should be authorised to borrow and raise money for the purposes of this Act and to levy rates and assessments and that the limits of the assessment authorised by section 32 (Estimates to be made up) of the Dundee Police and Improvement Consolidation Act 1882 to be laid on for the purposes mentioned in the third head of that section and subsequently embraced thereunder should be increased :

A.D. 1913.

And whereas estimates have been prepared by the Corporation for and in relation to the purposes hereinafter mentioned in respect of which they are by this Act authorised to borrow money and such estimates are as follows:—

For the purchase of lands and properties and the construction of the widenings alterations improvements and extension of existing streets and thoroughfares and of the new roads or streets by this Act authorised - £210,000

For the construction of the additional tramways by this Act authorised and the electrical equipment thereof - - - - - £13,000 :

And whereas the several works included in such estimates are permanent works and it is expedient that the cost thereof should be spread over a period of years:

And whereas it is expedient that the further powers and provisions hereinafter in this Act contained should be conferred and made as by this Act provided:

And whereas plans and sections showing the lines situations and levels of the several street works and tramways authorised by this Act and also a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands houses and other property required or which may be taken for the purposes or under the powers of this Act were duly deposited with the principal sheriff clerk of the county of Forfar at his offices in Dundee and Forfar respectively and are hereinafter respectively referred to as the deposited plans sections and book of reference:

And whereas the purposes aforesaid cannot be effected without the 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 as follows:—

1. This Act may be cited for all purposes as the Dundee Corporation (Improvements and Tramways) Act 1913 and the Dundee Corporation Acts 1871 to 1907 and this Act may be cited together as the Dundee Corporation Acts 1871 to 1913.

Short and collective titles.

[Ch. xi.] *Dundee Corporation (Improvements [3 & 4 GEO. 5.]  
and Tramways) Act, 1913.*

A.D. 1913.

2. This Act is divided into Parts as follows:—

Division of  
Act into  
Parts.

Part I.—Preliminary.

Part II.—Street Works.

Part III.—Tramways.

Part IV.—Lands.

Part V.—Borrowing of money and rates and assess-  
ments.

Part VI.—Miscellaneous.

PART I.

PRELIMINARY.

Incorporation of Acts.

3. The Lands Clauses Acts and section 3 (Interpretation of terms) Part II. (Construction of tramways) and Part III. (General provisions) of the Tramways Act 1870 are so far as the same are applicable for the purposes of and are not varied by or inconsistent with this Act incorporated with and form part of this Act Provided that section 46 of the Tramways Act 1870 shall have effect with reference to the tramways by this Act authorised as if the sheriff of the county of Forfar was therein mentioned instead of the Board of Trade Provided also that notwithstanding anything in this Act contained if any of the works authorised to be executed by this Act involves or is likely to involve any alteration of any telegraphic line belonging to or used by the Postmaster-General the provisions of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any such alteration The expression “telegraphic line” in this Act has the same meaning as in the Telegraph Act 1878.

Interpretation.

4. In this Act terms words and expressions to which meanings are assigned by the Act of 1882 or the Tramways Acts or by the Acts wholly or partially incorporated with this Act shall subject to the provisions of this Act have the same respective meanings unless there be something in the subject or context repugnant to such construction Further the following expressions shall have the several meanings by this section assigned to them unless there be something in the subject or context repugnant to such construction (that is to say):—

“The burgh” means the city and Royal burgh of Dundee;

“The Corporation” means the lord provost magistrates and  
councillors of the burgh;

- “The sheriff” means the sheriff of the county of Forfar and includes his substitutes; A.D. 1913.
- “The sheriff clerk” means the principal sheriff clerk of the county of Forfar;
- “The Act of 1882” means the Dundee Police and Improvement Consolidation Act 1882;
- “The Order of 1907” means the Dundee Corporation Order 1907;
- “The Tramways Acts” means the Tramway Acts as defined by the Order of 1907 and also that Order;
- “Mechanical power” shall include steam electric and every other motive power not being animal power;
- “Engine” shall include motor;
- “The commencement of this Act” means the date of the passing of this Act.

## PART II.

### STREET WORKS.

5. Subject to the provisions of this Act the Corporation may make and maintain in the lines and situations and upon the lands delineated on the deposited plans and described in the deposited book of reference or some part or parts thereof and according to the levels shown on the deposited sections the widenings alterations improvements and extension of streets and thoroughfares and the new roads or streets hereinafter described or some of them or some part or parts thereof respectively with all proper works and conveniences connected therewith (all in this Act called “street works”).

Power to  
make street  
works.

6. The street works hereinbefore referred to and authorised by this Act will be wholly situate within the burgh and are as follows (that is to say):—

Description  
of street  
works.

- (1) The widening alteration and improvement (marked “Work No. 1” on the deposited plans) of the street called Overgate commencing in High Street at a point twenty-two yards or thereabouts measured in a south-westerly direction along that street from the prolongation of the line of the south-west side of Reform Street and terminating at a point in the common junction of Overgate Barrack Street and



[Ch. xi.] *Dundee Corporation (Improvements [3 & 4 GEO. 5.]  
and Tramways) Act, 1913.*

A.D. 1913.

Tally Street nine yards or thereabouts west from the north-east corner of Tally Street:

- (2) The widening alteration and improvement (marked "Work No. 2" on the deposited plans) of Tally Street commencing at a point in the common junction of the street called Overgate Barrack Street and Tally Street seven yards or thereabouts west from the north-east corner of Tally Street and terminating at a point in the street called Nethergate six yards or thereabouts south from the south-east corner of Tally Street:
- (3) The widening alteration and improvement (marked "Work No. 3" on the deposited plans) of the street called Nethergate and of High Street commencing at a point in Nethergate six yards or thereabouts south from the south-east corner of Tally Street and terminating at a point in High Street sixteen yards or thereabouts north-east from the prolongation of the line of the north-east side of Crichton Street:
- (4) The widening alteration and improvement (marked "Work No. 4" on the deposited plans) of High Street commencing at a point in High Street sixteen yards or thereabouts north-east from the prolongation of the line of the north-east side of Crichton Street and terminating at a point in High Street twenty-two yards or thereabouts measured in a south-westerly direction along that street from the prolongation of the line of the south-west side of Reform Street:
- (5) The widening alteration and improvement (marked "Work No. 5" on the deposited plans) of Barrack Street commencing at a point in the common junction of the street called Overgate Barrack Street and Tally Street seven yards or thereabouts west from the north-east corner of Tally Street and terminating at a point in Barrack Street thirty-three yards or thereabouts north-west from the south-east corner of Barrack Street:
- (6) The widening alteration and improvement (marked "Work No. 6" on the deposited plans) of the street called Overgate commencing at a point in the common junction of Overgate Barrack Street and Tally Street nine yards or thereabouts west from the

north-east corner of Tally Street and terminating at a point in South Lindsay Street eight yards or thereabout south-west from the north-east corner of South Lindsay Street: A.D. 1913.

- (7) The widening alteration and improvement (marked "Work No. 7" on the deposited plans) of the street called Overgate commencing at a point in South Lindsay Street nine yards or thereabouts south-west from the north-east corner of South Lindsay Street and terminating at a point in the common junction of Overgate the street called Westport South Tay Street and North Tay Street eleven yards or thereabouts south-west from the south-east corner of North Tay Street:
- (8) The widening alteration and improvement (marked "Work No. 8" on the deposited plans) of the street called Westport commencing at a point in the common junction of Overgate the street called Westport South Tay Street and North Tay Street eleven yards or thereabouts south-west from the south-east corner of North Tay Street and terminating at a point in Westport fifteen yards or thereabouts south from the south-west corner of East Henderson's Wynd:
- (9) The widening alteration and improvement (marked "Work No. 9" on the deposited plans) of Crichton Street and of the streets called Greenmarket and Shore Terrace respectively commencing at a point in High Street eight yards or thereabouts north-west from the north-east corner of Crichton Street and terminating at a point in Shore Terrace four yards or thereabouts south-east from the north-west corner of Shore Terrace:
- (10) A new road or street (marked "Work No. 10" on the deposited plans) commencing from and out of the improved line of Crichton Street at a point eighty-nine yards or thereabouts south-east from the north-east corner of Crichton Street and extending therefrom in a north-easterly direction to and terminating at a point seventy-nine yards or thereabouts from the point of commencement:

[Ch. xi.] *Dundee Corporation (Improvements [3 & 4 GEO. 5.]  
and Tramways) Act, 1913.*

A.D. 1913.

(11) The widening alteration and improvement (marked "Work No. 11" on the deposited plans) of part of Tindal's Wynd and the extension thereof commencing at a point in High Street eight yards or thereabouts north-west from the north-west corner of Tindal's Wynd and terminating by a junction with the intended new road or street marked "Work No. 10" at the termination thereof:

(12) A new road or street (marked "Work No. 12" on the deposited plans) commencing at a point in High Street six yards or thereabouts west from the north-west corner of the Town House and terminating in High Street at a point six yards or thereabouts north from the north-east corner of the Town House.

Ownership  
of streets.

7. The street works authorised by this Act shall after the completion thereof respectively be and become vested in the Corporation to the same extent and effect as the other streets within the ancient royalty of Dundee are now vested in them.

Lateral and  
vertical  
deviations.

8. In executing the street works or any of them the Corporation may subject to the provisions of section 62 (Powers of commissioners over streets and the improvement thereof) of the Act of 1882 deviate laterally from the respective lines thereof shown on the deposited plans to any extent within the limits of deviation shown thereon and vertically from the respective levels thereof shown on the deposited sections to any extent not exceeding two feet.

Power to  
cross roads  
&c. tempo-  
rarily.

9. For the purposes and during the execution of the street works or any of them the Corporation may enter upon break up and open the surface of and alter raise lower cross divert widen stop up and otherwise interfere with temporarily any street road highway bridge wynd close vennel passage entry court place thoroughfare tramway sewer drain gas water or other main or pipe telegraph telephone electric or other cable wire main pipe work or apparatus in any of the lands or streets shown on the deposited plans and specified in the deposited book of reference which they find it expedient for any of the purposes aforesaid so to interfere with providing when possible a proper temporary substitute before interrupting the traffic on any such street road highway or other place or the flow of gas water sewage or electricity or telephonic communication in any sewer drain stream watercourse main pipe cable or



A.D. 19

apparatus and doing as little damage as possible and making full compensation to all persons injuriously affected by the exercise of the powers of this section. Provided that the Corporation shall not alter raise lower divert or otherwise in any way interfere with telegraph telephone electric or other cables wires mains pipes works or apparatus belonging to or used by the Postmaster-General except in accordance with the provisions of the Telegraph Act 1878. Provided further that nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 to 1909 to which the provisions of section 15 of the former Act apply.

10. The Corporation may cause such parts of the widened altered improved and extended streets and thoroughfares and new roads or streets authorised by this Act to be laid out and formed for carriageways and such parts thereof for foot passengers as they may think fit and may construct erect and provide thereon or thereunder or connected therewith such vaults cellars arches sewers drains subways and other works and conveniences as they may think proper.

Corporation to form carriageways &c.

11. And whereas in order to avoid in the execution and maintenance of the street works authorised by this Act injury to the houses and buildings within one hundred feet of any of such works it may be necessary to underpin or otherwise strengthen the same. Therefore the Corporation at their own costs and charges may and if required by the owners or lessees of any such house or building shall subject as hereinafter provided underpin or otherwise strengthen the same and the following provisions shall have effect (that is to say):—

Corporation empowered or may be required to underpin or otherwise strengthen houses near street works.

(1) At least ten days' notice shall unless in case of emergency be given to the owners lessees and occupiers or by the owners or lessees of the house or building so intended or so required to be underpinned or otherwise strengthened:

(2) Each such notice if given by the Corporation shall be served in manner prescribed by section 18 of the Lands Clauses Consolidation (Scotland) Act 1845 and if given by the owners or lessees of the premises to be underpinned or strengthened shall be sent to the principal office of the Corporation:

[Ch. xi.] *Dundee Corporation (Improvements [3 & 4 Geo. 5.]  
and Tramways) Act, 1913.*

A D. 1913.

- (3) If any owner lessee or occupier of any such house or building or the Corporation as the case may require shall within seven days after the giving of such notice give a counter-notice in writing that he or they as the case may be disputes or dispute the necessity of such underpinning or strengthening the question of the necessity shall be referred to an engineer to be agreed upon or in case of difference to an engineer to be appointed at the instance of either party by the Board of Trade:
- (4) Such referee shall forthwith upon the application of either party proceed to inspect such house or building and determine the matter referred to him and in the event of his deciding that such underpinning or strengthening is necessary he may and if so required by such owner lessee or occupier shall prescribe the mode in which the same shall be executed and the Corporation may and shall proceed forthwith so to underpin or strengthen the said house or building:
- (5) The Corporation shall be liable to compensate the owners lessees and occupiers of every such house or building for any inconvenience loss or damage which may result to them by reason of the exercise of the powers granted by this enactment:
- (6) If in any case in which any house or building shall have been underpinned, or strengthened on the requisition of the Corporation such underpinning or strengthening shall prove inadequate for the support or protection of the house or building against further injury arising from the execution or use of the works of the Corporation then and in every such case unless such underpinning or strengthening shall have been done in pursuance of and in the mode prescribed by the referee the Corporation shall make compensation to the owners lessees and occupiers of such house or building for such injury provided the claim for compensation in respect thereof be made by such owners within twelve months and by such lessees or occupiers within six months from the discovery thereof:
- (7) Nothing in this enactment contained nor any dealing with any property in pursuance of this enactment

shall relieve the Corporation from the liability to compensate under the Lands Clauses Consolidation (Scotland) Act 1845 or under any other Act: A.D. 1913.

- (8) Every case of compensation to be ascertained under this enactment shall be ascertained according to the provisions of the Lands Clauses Acts:
- (9) Nothing in this section shall repeal or affect the application of the ninetieth section of the Lands Clauses Consolidation (Scotland) Act 1845.

**12.** Subject to the provisions of this Act and in accordance with the deposited plans and within the limits of the lands to be acquired as thereon defined the Corporation in connection with the street works by this Act authorised or any of them and for the purposes thereof may make and maintain junctions and communications with any existing streets squares closes or thoroughfares which may be intersected or interfered with by or be contiguous to the street works or any of them and may make diversions widenings or alterations of lines or levels of any existing streets squares closes or thoroughfares for the purpose of connecting the same with the street works or any of them or otherwise and may remove alter divert stop up enclose use or appropriate all or any part of any street or court or of any drain or sewer within the aforesaid limits the Corporation first providing a proper substitute before interrupting the flow of sewage in any such drain or sewer.

Power to make minor works connected with street works

**13.** If any existing street is widened altered or diverted under the authority of this Act the mains and pipes in such street belonging to the Dundee Water Commissioners shall be removed and relaid by the Corporation in the widened altered or diverted line of such street and in such position as the engineer of the Corporation for the time being shall determine and the expense of removing and relaying such mains and pipes and reasonable compensation for damage done to such mains or pipes in the lifting removing or relaying thereof shall be paid by the Corporation to the said Dundee Water Commissioners and in case of difference between the Corporation and the said Dundee Water Commissioners with respect to the amount of such compensation the same shall be fixed and determined by a neutral engineer to be named by the sheriff on the application of either party.

As to removal and relaying of water pipes.

[Ch. xi.] *Dundee Corporation (Improvements [3 & 4 GEO. 5.]  
and Tramways) Act, 1913.*

A.D. 1913.

As to re-  
moval and  
relaying of  
electric  
cables and  
gas pipes.

**14.** If any existing street is widened altered or diverted under the authority of this Act the electric cables and gas mains and pipes other than service cables and pipes in such street belonging to the Dundee Gas Commissioners shall be removed and relaid by the Corporation in the widened altered or diverted line of such street and in such position as the engineer of the Corporation for the time being shall determine and the expense of removing and relaying such cables mains and pipes and reasonable compensation for damage done to such cables mains or pipes in the lifting removing or relaying thereof shall be paid by the Corporation to the said Dundee Gas Commissioners and in case of difference between the Corporation and the said Dundee Gas Commissioners with respect to the amount of such compensation the same shall be fixed and determined by a neutral engineer to be named by the sheriff on the application of either party.

Power to  
alter steps  
doors &c.

**15.** If in consequence of the execution of any of the works by this Act authorised the levels of any of the streets squares closes or thoroughfares in the burgh shall be raised or otherwise changed or any steps doors or entrances to or in any house or building or any pavement sewer drain or culvert belonging to any house or building shall require alteration the work or alteration thereby rendered necessary shall be made by and at the expense of the Corporation and the Corporation shall also make compensation to the owners of any such house or building for any damage done thereto by any such works or alterations.

Lands thrown  
into streets  
to be public  
highway.

**16.** Any lands purchased or taken by the Corporation and laid out into any road or street shall for ever thereafter form part of such road or street and be public highway.

Power to  
stop up cer-  
tain streets.

**17.** The Corporation may stop up and discontinue the user by the public of the following streets thoroughfares wynds closes passages accesses lanes rows courts entries and places in the burgh or any of them or any parts or portions thereof (viz.):—

Argyll Close St. Salvador's Close Speed's Close Yeaman's Close Matthew's Close and the continuation thereof lying between the street called Overgate and Bank Street Crichton's Court Guilan's Close Methodist's Close that portion of Overgate lying between the north-west side thereof and a line commencing at a point therein at Argyll Close and terminating at a point in said

[3 & 4 GEO. 5.] *Dundee Corporation (Improvements and Tramways) Act, 1913.* [Ch. xi.]

Overgate four yards or thereabouts south-east from the south-east corner of Barrack Street Thorter Row Church Lane that portion of High Street lying between the north-west side of that street and a line commencing at a point therein seven yards or thereabouts south-west of the prolongation of the line of the south-west side of Crichton Street and terminating at a point in said High Street eight yards or thereabouts south-east from the south-east corner of Church Lane Camperdown Court and the covered passages leading thereto bearing No. 22 Barrack Street and No. 63 Overgate Rodger's Close Boyack's Close Scott's Close the passage or entrance bearing No. 7 North Lindsay Street that portion of Overgate lying between the north-west side thereof and a line commencing at a point in said Overgate five yards or thereabouts south-east from the south-west corner of Barrack Street and terminating at the south-east corner of North Lindsay Street Albion Passage Meal's Close Todd's Entry the close or passage bearing No. 183 Overgate the close or passage bearing No. 187 Overgate Dron's Close the close or passage bearing No. 211 Overgate the close or passage bearing No. 219 Overgate that portion of Gowan's Court between Overgate and a point in that court twenty-five yards or thereabouts north of the said Overgate Alexander's Close Gall's Close the close or passage bearing No. 146 Overgate Gunn's Close Spence's Close Doig's Entry Calendar Close Miln's Close Candle Close the court or passage bearing No. 222 Overgate Broad Close and the close entering off No. 228 Overgate St. John's Place Souter's Close the close or passage bearing No. 10 Westport the close or passage bearing No. 18 Westport the thoroughfare called "Vault" St. Clement's Lane Castle Lane the access or communication between Vault and Castle Lane the lane leading eastward off St. Clement's Lane the close or passage bearing No. 8 St Clement's Lane and leading to Tindal's Wynd that portion of Tindal's Wynd lying between Shore Terrace and a point fifty-three yards or thereabouts south-east from the south-east line of High Street Castle Court and the covered portion thereof lying between Tindal's Wynd and a point twenty-one yards or thereabouts south-west from the south-west

A.D. 1913.



[Ch. xi.] *Dundee Corporation (Improvements [3 & 4 Geo. 5.]  
and Tramways) Act, 1913.*

A.D. 1913.

line of Castle Street the close or passage bearing No. 24 Crichton Street and leading to Vault that portion of the street called Greenmarket lying between the north-west side of said Greenmarket the improved north-east line of Crichton Street and the prolongation of the line of the north-west side of Shore Terrace.

Soil of  
streets  
stopped up.

**18.** The ground and soil of such streets thoroughfares wynds closes passages accesses lanes rows courts entries and places or of such part or parts thereof respectively as shall be stopped up shall be and are hereby vested in the Corporation for the purposes of this Act.

Period for  
completion  
of street  
works.

**19.** The street works hereinbefore described and authorised by this Act shall be completed within ten years from the commencement of this Act and on the expiration of that period the powers by this Act granted to the Corporation for executing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

PART III.

TRAMWAYS.

Power to  
make new  
tramways.

**20.** Subject to the provisions of this Act and of Parts II. and III. of the Tramways Act 1870 the Corporation may make form lay down work use and maintain the tramways hereinafter described in the lines and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections with all necessary and proper rails plates works and conveniences connected therewith and may take up remove or alter or connect the rails of their existing tramways interfered with or rendered unnecessary by the laying down of the tramways hereby authorised Provided that nothing in this Act shall authorise any interference with electric lines and works of any undertakers under the Electric Lighting Acts 1882 to 1909 to which the provisions of section 15 of the former Act apply except in accordance with and subject to the provisions of that section.

Description  
of new tram-  
ways.

**21.** The tramways hereinbefore referred to and authorised by this Act will be wholly situate within the burgh and in the county of Forfar and are as follows (that is to say):—

Tramway No. 1 (double line) 2 furlongs and 8·03 chains or thereabouts in length wholly situate within the parish

of Dundee commencing by a junction with the existing tramway of the Corporation at a point in High Street 0·6 chain or thereabouts east from the extended line of the east side of the Town House and passing thence in a south-westerly direction along High Street to into and along the street called Overgate (as intended to be widened altered and improved under the powers of this Act) crossing the common junction of Overgate Barrack Street and Tally Street and the common junction of Overgate South Lindsay Street and North Lindsay Street and also the common junction of Overgate South Tay Street North Tay Street and the street called Westport to into and in a westerly direction along Westport (as intended to be widened altered and improved under the powers of this Act) and terminating therein by a junction with the existing tramway of the Corporation at a point 0·21 chain or thereabouts west from the extended line of the west side of East Henderson's Wynd: A.D. 1913.

Tramway No. 1A (double line) 1·21 chains or thereabouts in length wholly situate within the parish of Dundee commencing by a junction with the intended Tramway No. 1 hereinbefore described at a point in High Street 0·30 chain or thereabouts west from the extended line of the east side of the Town House and curving in a north-westerly direction across High Street to into and along Reform Street and terminating in Reform Street by a junction with the existing tramway of the Corporation at a point 0·16 chain or thereabouts north from the extended line of the north side of High Street:

Tramway No. 1B (double line) 1·21 chains or thereabouts in length wholly situate within the parish of Dundee commencing by a junction with the intended Tramway No. 1 hereinbefore described at a point in the street called Westport 0·30 chain or thereabouts west from the extended line of the west side of North Tay Street and curving in a south-easterly direction along the said street called Westport and the common junction of the streets called Overgate and Westport North Tay Street and South Tay Street to into and along South Tay Street and terminating in South Tay Street by a junction with the existing tramway of the Corporation at a point 1·26 chains or thereabouts south from the extended line of the north side of Westport:

[Ch. xi.] *Dundee Corporation (Improvements [3 & 4 GEO. 5.]  
and Tramways) Act, 1913.*

A.D. 1913.

Tramway No. 2 (partly a single and partly a double line) 5 furlongs and 4·21 chains or thereabouts in length (of which 4 furlongs and 4·67 chains will be single line and 9·54 chains will be double line) wholly situate within the united parish of Liff and Benvie commencing by a junction with the existing tramway of the Corporation at a point in Blackness Road 4 chains or thereabouts west from the extended line of the west side of Blackness Avenue and passing thence in a westerly direction along Blackness Road to and terminating in that road at a point 0·45 chain or thereabouts east from the extended line of the east side of Glamis Road.

Application  
of sections of  
former Acts.

**22.** The sections hereinafter specified of the several Acts and Orders hereinafter mentioned shall so far as not varied by or inconsistent with the provisions of this Act extend and apply mutatis mutandis to the tramways authorised by this Act and to the Corporation and any lessees of the Corporation and to all other persons in respect thereof as fully and effectually as if those sections had been re-enacted in this Act with reference thereto (that is to say):—

Of the Dundee Tramways Act 1872:—

Section 53 (Tolls for passengers);

Section 54 (Passengers luggage);

Section 56 (Maximum rates for animals and goods);

Section 57 (Addition to tolls in the case of turnpike roads);

Section 58 (Regulations as to tolls);

Section 59 (Tolls for small parcels and articles of great weight);

Section 60 (Company not bound to carry goods);

Section 61 (Tolls to be paid as directed by the Company):

Of the Dundee Street Tramways Turnpike Roads and Police Act 1878:—

Section 15 (Only one tramway may be laid in certain cases);

Section 16 (If commissioners improve streets they may alter line of tramways);

[3 & 4 GEO. 5.] *Dundee Corporation (Improvements and Tramways) Act, 1913.* [Ch. xi.]

- Section 17 (Tramways to be kept on level with surface of roads); A.D. 1913.
- Section 18 (Application of road materials excavated in construction of works);
- Section 22 (Penalty for not maintaining rails and road in good condition);
- Section 23 (Temporary tramways may be made where necessary);
- Section 24 (As to pipes &c. of Dundee Water and Gas Commissioners);
- Section 25 (Carriages to be used on tramways);
- Section 26 (Traffic upon tramways);
- Section 28 (Form and delivery of notices);
- Section 29 (Proof of byelaws);
- Section 30 (Tramways not exempt from provisions of present or future general Acts):

Of the Dundee Corporation (Tramways) Act 1898:—

- Section 5 (Power to Corporation to work tramways);
- Section 6 (Provisions as to motive power);
- Section 9 (Power to adapt existing tramways for working by mechanical power);
- Section 10 (Special provisions as to the use of electric power);
- Section 11 (For protection of Postmaster-General) as amended by the Order of 1907;
- Section 13 (Power to acquire patent rights);
- Section 16 (For preventing malicious damage to works of Corporation);
- Section 18 (As to fares on Sundays and holidays);
- Section 19 (Existing byelaws);
- Section 20 (New byelaws);
- Section 21 (As to recovery of penalties);
- Section 22 (Amendment of the Tramways Act 1870 as to byelaws by local authority);
- Section 23 (Regulations);
- Section 24 (Orders and byelaws);
- Section 25 (Statement and balance sheet and estimates to be laid before Corporation);

[Ch. xi.] *Dundee Corporation (Improvements [3 & 4 GEO. 5.]  
and Tramways) Act, 1913.*

A.D. 1913.

Of the Dundee Corporation Order 1901:—

Section 18 (Power to reconstruct tramways and to make additional crossings &c.) so far as not repealed by the Order of 1907:

Of the Order of 1907:—

Section 43 (Gauge and formation of tramways);

Section 44 (Cross-overs to be constructed in certain cases);

Section 45 (Power to make additional cross-overs and to double tramway lines);

Section 46 (Apparatus used for mechanical power to be deemed part of tramway);

Section 48 (Inspection by Board of Trade);

Section 49 (Power to lease tramways);

Section 50 (Omnibuses in connection with tramways);

Section 51 (Cutting trees overhanging roads);

Section 53 (Application of section 30 of Tramways Act 1870 to overhead wires);

Section 54 (For protection of Postmaster-General);

Section 55 (Cheap fares for labouring classes).

As to erection of posts &c. on carriageway.

**23.** No post or other apparatus for working the tramways authorised by this Act shall be erected on the carriageway of any street or road except with the consent of the Board of Trade.

Plan of proposed mode of construction of tramways.

**24.** In addition to the requirements of section 26 of the Tramways Act 1870 the Corporation shall lay before the Board of Trade a plan showing the proposed mode of constructing laying down and renewing the tramways by this Act authorised and a statement of the materials intended to be used therein and the Corporation shall not commence the construction laying down and renewal of any of such tramways or part of any of such tramways respectively until such plan and statement have been approved by the Board of Trade and after such approval the works shall be executed in accordance in all respects with such plan and statement.

Use of tramway posts by Postmaster-General.

**25.—**(1) It shall be lawful for the Postmaster-General in any street or public road or part of a street or public road in which he is authorised to place a telegraph to use for the support of such telegraph any posts and standards (with the



brackets connected therewith) erected in any such street or public road by the Corporation in connection with the tramways authorised by this Act and to lengthen adapt alter and replace such posts standards and brackets for the purpose of supporting any telegraph and from time to time to alter any telegraph so supported subject to the following conditions:— A.D. 1913.

- (a) In placing maintaining or altering such telegraph no obstruction shall be caused to the traffic along or the working or user of the tramways:
- (b) The Postmaster-General shall give to the Corporation not less than twenty-eight days' notice in writing of his intention to exercise any of the powers of this section and shall in such notice specify the streets or public roads or parts of streets or public roads along which it is proposed to exercise such powers and the manner in which it is proposed to use the posts standards and brackets and also the maximum strain and the nature and direction of such strain Any difference as to any matter referred to in such notice shall be determined as hereinafter provided:
- (c) Unless otherwise agreed between the Postmaster-General and the Corporation the Postmaster-General shall pay the expense of lengthening adapting altering or replacing under the provisions of this section any post standard or bracket and the expenses of providing and maintaining any appliances or making any alteration rendered necessary in consequence of the exercise of the powers of this section for the protection of the public or the unobstructed working or user of the tramways or to prevent injurious affection of the Postmaster-General's telegraphs or any telegraphic or telephonic line or electrical apparatus of the Corporation or by any regulations which may from time to time be made by the Board of Trade arising through the exercise by the Postmaster-General of the powers conferred by this section:
- (d) Unless otherwise agreed or in case of difference determined as hereinafter provided all telegraphs shall be attached to the posts standards or brackets below the level of the trolley wires and on the side of such posts or standards farthest from the trolley wires

[Ch. xi.] *Dundee Corporation (Improvements [3 & 4 GEO. 5.]  
and Tramways) Act, 1913.*

A.D. 1913.

Any difference as to the conditions of attachment shall be determined as hereinafter provided:

- (e) Unless otherwise agreed no telegraph shall be attached to any post or standard placed in or near the centre of any street or public road:
- (f) The Postmaster-General shall cause all attachments to posts standards or brackets used by him under the powers of this section to be from time to time inspected so as to satisfy himself that the said attachments are in a proper condition and state of repair:
- (g) The Postmaster-General shall make good to the Corporation and shall indemnify them against any loss damage or expense which may be incurred by them through or in consequence of the exercise by the Postmaster-General of the powers conferred upon him by this section unless such loss damage or expense be caused by or arise from gross negligence on the part of the Corporation their officers or servants:
- (h) The Postmaster-General shall make such reasonable contribution to the original cost of providing and placing any post, standard or bracket used by him and also to the annual cost of the maintenance and renewal of any such post standard or bracket as having regard to the respective interests of the Corporation and the Postmaster-General in the use of the post standard or bracket and to all the circumstances of each case may be agreed upon between the Postmaster-General and the Corporation or failing agreement determined as hereinafter provided:
- (i) The Corporation shall not be liable for any interference with or damage or injury to the telegraphs of the Postmaster-General arising through the exercise by the Postmaster-General of the powers conferred by this section and caused by the maintaining and working of the tramways or by any accident arising thereon or by the authorised use by the Corporation of electrical energy unless such interference damage or injury be caused by gross negligence on the part of the Corporation their officers or servants:

(j) If it shall become necessary or expedient to alter the position of or remove any post standard or bracket the Postmaster-General shall upon receiving twenty-eight days' notice thereof at his own expense alter or remove the telegraph supported thereby or at his option retain the post standard or bracket and pay the Corporation the value of the same. Provided that if the Corporation object to the retention of the post standard or bracket by the Postmaster-General a difference shall be deemed to have arisen and shall be determined as hereinafter provided. A.D. 1913.

(2) Nothing in this section contained shall prevent the Corporation from using their posts standards or brackets for the support of any of their electric wires and apparatus whether in connection with their tramways or other municipal undertakings or other purposes of the Corporation or shall take away any existing right of the Corporation of permitting the use by any company or person of their posts standards or brackets in connection with the lighting of the streets or roads or otherwise. Provided that any difference between the Postmaster-General and such company or person in relation to the use of the posts standards or brackets by the Postmaster-General and such company or person respectively shall be determined as hereinafter provided.

(3) All differences arising under this section shall be determined in manner provided by sections four and five of the Telegraph Act 1878 for the settlement of differences relating to a street or public road.

(4) In this section—

The expression "the Corporation" includes their lessees;

The expression "telegraph" has the same meaning as in the Telegraph Act 1869;

Other expressions have the same meaning as in the Telegraph Act 1878.

**26.** Section 25 (Statement and balance sheet and estimates to be laid before Corporation) of the Dundee Corporation (Tramways) Act 1898 shall be read and have effect as if the words "not less than three per centum" had been substituted in place of the words "three per centum" occurring in that section. Amendment of section 25 of Act of 1898.

[Ch. xi.] *Dundee Corporation (Improvements [3 & 4 GEO. 5.]  
and Tramways) Act, 1913.*

A.D. 1913.

Period for  
completion  
of new  
tramways.

**27.** The tramways authorised by this Act shall be completed as to Tramways Nos. 1 1A and 1B within one year from and after the completion of the street works Nos. 1 6 7 and 8 by this Act authorised and as to Tramway No. 2 within three years from the commencement of this Act and on the expiration of those periods respectively the powers by this Act granted to the Corporation for executing the same respectively or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Tramways  
to form part  
of Corpora-  
tion tram-  
ways.

**28.** The tramways and the works in connection therewith by this Act authorised shall for all purposes of tolls rates fares and charges and for all other purposes whatsoever be part of the Corporation tramways and tramway undertaking.

PART IV.

LANDS.

Power to  
take lands.

**29.** Subject to the provisions of this Act the Corporation may enter upon take and use all or any of the lands houses and property shown on the deposited plans and specified and described in the deposited book of reference including therein any lands houses and property vested in or held by themselves as and forming part of the common good of the burgh required for or in connection with the street works authorised by this Act and for providing space for the erection of houses and buildings along the sides of streets or adjoining or near to the street works and for squares or open spaces and for the improvement of the district in which such lands houses and property are situate or for such other purposes as the Corporation may think fit.

Limitation of  
time for  
compulsory  
purchase of  
lands.

**30.** The powers of the Corporation for the compulsory purchase of lands houses and property for the purposes of this Act shall cease after the expiration of six years from the commencement of this Act.

Correction  
of errors in  
deposited  
plans and  
book of  
reference.

**31.** If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Corporation after giving ten days' notice

to the owners lessees and occupiers of the lands in question may apply to the sheriff for the correction thereof and if it appear to the sheriff that the omission misstatement or wrong description arose from accident or mistake he shall certify the same accordingly in duplicate and he shall in his certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and one of such certificates shall be deposited with the sheriff clerk at each of his offices at Dundee and Forfar and a copy thereof shall also be deposited with the town clerk of Dundee and such duplicates and copy certificate respectively shall be kept by such sheriff clerk and town clerk respectively with the other documents to which the same relate and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Corporation to enter upon take and use the lands and execute the works in accordance with such certificate.

A.D. 1913.

**32.** The Corporation may take down and remove the whole or any part of the buildings situated on any part of the lands and property acquired by them under the authority of this Act and sell and dispose of the materials thereof and may subject to the provisions of this Act as to the making and executing of the street works by this Act authorised lay out of new the said lands and property in such way and manner and for such purposes as they may deem expedient and may sell feu lease or otherwise dispose of the ground or buildings or any part or portion thereof and grant conveyances dispositions in feu contracts of ground annual leases or other deeds or conveyances of such ground or buildings or any part or portion thereof on such terms and subject to such conditions as they may determine and prescribe and generally they may deal with the lands houses and property acquired by them under this Act and any feu duties or ground annuals created by them as absolute proprietors thereof.

Power to take down buildings and lay out lands of new.

**33.** Whereas in the exercise of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of this Act or any of them and that such portions or some other portions less than the whole can be severed from the remainder

Owners may be required to sell parts only of certain properties.



[Ch. xi.] *Dundee Corporation (Improvements [3 & 4 GEO. 5.]  
and Tramways) Act, 1913.*

A.D. 1913. of the said properties without material detriment thereto  
— Therefore the following provisions shall have effect:—

- (1) The owner of and persons interested in any of the properties whereof the whole or part is described in the schedule to this Act and whereof a portion only is required for the purposes of this Act or each or any of them are hereinafter included in the term "the owner" and the said properties are hereinafter referred to as "the scheduled properties":
- (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Corporation that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Corporation such portion only without the Corporation being obliged or compellable to purchase the whole the Corporation paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:
- (3) If within such twenty-one days the owner shall by notice in writing to the Corporation allege that such portion cannot be so severed the jury arbiter or arbiters or other authority to whom the question of disputed compensation shall be submitted (hereinafter referred to as "the tribunal") shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Corporation have compulsory powers of purchase) can be so severed:
- (4) If the tribunal determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment

thereto the owner may be required to sell and convey to the Corporation the portion which the tribunal shall have determined to be so severable without the Corporation being obliged or compellable to purchase the whole the Corporation paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal: A.D. 1913.

- (5) If the tribunal determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that any costs charges and expenses (in so far as occasioned by the making and determining of such allegation) incurred by the owner incident to the arbitration or inquiry shall be borne and paid by the owner:
- (6) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Corporation may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice:
- (7) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Corporation in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit.

The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation (Scotland)

[Ch. xi.] *Dundee Corporation (Improvements [3. & 4. GEO. 5.]  
and Tramways) Act, 1913.*

A.D. 1913. Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 90 of the Lands Clauses Consolidation (Scotland) Act 1845.

The provisions of this section shall be stated in every notice given thereunder to sell and convey any premises.

As to private rights of way over lands taken compulsorily.

**34.** All private rights of way over any lands or property which shall under the powers of this Act be acquired compulsorily shall as from the date of such acquisition be extinguished. Provided that the Corporation shall make full compensation to all parties interested in respect of any such rights and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

Provisions as to compensation.

**35.** In determining any question of disputed purchase money or compensation payable in respect of lands houses or property taken under the authority of this Act the tribunal shall not award any sum of money for or in respect of any improvement alteration or building made or erected or in respect of any interest in the land whether by way of lease or otherwise created after the first day of January one thousand nine hundred and thirteen if in the opinion of the tribunal the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made erected or created with a view to obtaining or increasing compensation under this Act.

Costs of arbitration &c. in certain cases.

**36.—(1)** The tribunal to whom any question of disputed purchase money or compensation under this Act is referred shall if so required by the Corporation award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Corporation by the claimant giving sufficient particulars and in sufficient time to enable the Corporation to make a proper offer and if the tribunal shall be of opinion that no such statement giving sufficient particulars and in sufficient time shall have been delivered and that the Corporation had been prejudiced thereby the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be borne by the claimant.

[3 & 4 GEO. 5.] *Dundee Corporation (Improvements and Tramways) Act, 1913.* [Ch. xi.]

(2) Provided that it shall be lawful for the sheriff to permit any claimant after seven days' notice to the Corporation to amend the statement in writing of the claim delivered by him to the Corporation in case of discovery of any error or mistake therein or for any other reasonable cause such error mistake or cause to be established to the satisfaction of the sheriff after hearing the Corporation if they object to the amendment and such amendment shall be subject to such terms enabling the Corporation to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such sheriff may seem just and proper under all the circumstances of the case.

A.D. 1913.

(3) Provided also that this section shall be applicable only in cases where the notice to treat under the Lands Clauses Consolidation (Scotland) Act 1845 either contained or was endorsed with a notice to the effect of this section.

**37.** In addition to the lands houses and property which the Corporation are by this Act authorised to take compulsorily the Corporation may from time to time purchase take on lease or otherwise acquire by agreement and may hold any lands houses or other property and any interest right of user power or privilege in over or affecting any lands houses or other property which they think expedient for any of the purposes of this Act but the Corporation shall not create or permit a nuisance on any such lands.

Purchase of  
lands by  
agreement.

**38.** Persons empowered by the Lands Clauses Acts to sell and convey or discharge lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Corporation any servitude right or privilege (not being a servitude right or privilege of water in which persons other than the granters have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and feu duties or ground annuals so far as the same are applicable in this behalf shall extend and apply to such grants and to such servitudes rights and privileges as aforesaid respectively.

Power to  
take servi-  
tudes &c. by  
agreement.

**39.** Notwithstanding anything in the Lands Clauses Acts or in any other Act or Acts to the contrary the Corporation may retain hold and use for such time as they may think fit

Power to  
retain sell  
&c. lands.

[Ch. xi.] *Dundee Corporation (Improvements [3 & 4 GEO. 5.]  
and Tramways) Act, 1913.*

A.D. 1913. and may from time to time sell lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they may think fit and in case of sale either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands houses or property or any interest therein acquired by them under this Act.

Corporation may appropriate lands for purposes of Act.

40. The Corporation may from time to time appropriate for any of the purposes of this Act any lands for the time being vested in the Corporation.

Corporation not to be bound to execute all works &c.

41. Nothing in this Act contained shall make it binding on the Corporation to execute all the works by this Act authorised or to purchase all the lands houses and property in this Act mentioned but it shall be lawful for the Corporation subject to the provisions of this Act to execute such or such parts of the said works and to purchase such of the said lands houses and property as it shall from time to time seem to the Corporation expedient to execute and purchase and the execution of any works or purchase of any lands houses or property under this Act shall be in the absolute discretion of the Corporation.

PART V.

BORROWING OF MONEY AND RATES AND ASSESSMENTS.

Power to borrow or raise additional money.

42.—(1) The Corporation may from time to time (in addition to any moneys they are now authorised to borrow or raise) borrow or raise for the several purposes of this Act sums not exceeding the amounts hereinafter mentioned for the respective purposes following (that is to say):—

- (A) In respect of the purchase of lands and properties and the construction of the street works by this Act authorised the sum of two hundred and ten thousand pounds:
- (B) In respect of the tramways by this Act authorised and relative works the sum of thirteen thousand pounds:
- (C) In respect of the costs charges and expenses of and incident to the preparing and applying for and the obtaining and passing of this Act or otherwise in relation thereto such sum as may be necessary.



[3 & 4 GEO. 5.] *Dundee Corporation (Improvements and Tramways) Act, 1913.* [Ch. xi.]

(2) All moneys borrowed under this section shall be applied only to the purposes for which they are authorised to be borrowed. A.D. 1913.

(3) If having borrowed any money under the powers of this section the Corporation pay off the same or any part thereof otherwise than by instalments or by means of a sinking fund as in this Act prescribed or out of the proceeds of the sale of lands or other moneys received on capital account (not being borrowed moneys) they may reborrow the same and so on from time to time Provided that all moneys so reborrowed shall for the purposes of repayment be deemed part of the original loan and shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such reborrowing has been made.

**43.** Part V. (Estimates and assessments) and Part XXXVII. (Borrowing and raising of money) of the Act of 1882 section 33 (Issue of redeemable police debenture stock) of the Dundee Corporation Act 1894 and section 23 (Amendment as regards Dundee police debenture stock) of the Dundee Gas Commissioners Order 1910 shall except as otherwise by this Act provided extend and apply to this Act in the same way and to the same effect as if the purposes of this Act were purposes of the said Acts Provided that the street works and tramways by this Act authorised shall be deemed to be embraced under the first second third and fourth heads of section 32 (Estimates to be made up) of the Act of 1882 Provided further that as regards any moneys borrowed for tramway purposes in virtue of this Act the free annual revenue from the common good of the burgh after deduction of the interest of the debt which the burgh may owe and the usual annual outgoings of the burgh shall be charged along with the assessments authorised by the said Acts and this Act with the money borrowed for the purposes aforesaid and that the said free annual revenue after deduction as aforesaid shall be primarily liable therefor Provided further that no money shall be borrowed or raised for the purposes of the tramways authorised by this Act other than under the powers of this Act Provided further that the Corporation shall not pay to the common good of the burgh more than one thousand pounds in any one year from their tramway undertaking Provided further that section 321 (Repayment of money borrowed other than that now due by instalments or sinking fund in

Certain provisions of former Acts and Order to apply.

[Ch. xi.] *Dundee Corporation (Improvements [3 & 4 GEO. 5.]  
and Tramways) Act, 1913.*

A.D. 1913. sixty years) of the Act of 1882 in its application to all moneys to be borrowed or raised under the powers of this Act for tramways and tramway purposes shall be read and have effect as if the period for the repayment thereof were thirty years from the borrowing or raising thereof instead of sixty years as mentioned in the said section or as if the sum provided by the said section to be appropriated as a sinking fund were a sum not less than one-thirtieth part of the said moneys to be so borrowed or raised as aforesaid instead of one-sixtieth part thereof.

Application  
of sections  
of Order of  
1907.

44. The sections hereinafter specified of the Order of 1907 shall so far as not varied by or inconsistent with the provisions of this Act extend and apply mutatis mutandis to the moneys authorised to be borrowed by the Corporation under this Act and to the Corporation and all other persons in respect thereof as fully and effectually as if those sections had been re-enacted in this Act with reference thereto (that is to say):—

Section 96 (Bonds by the Corporation);

Section 97 (Bonds may be transferred by indorsement);

Section 98 (Bonds to be recorded and transfers to be registered).

Assessments.

45. Notwithstanding anything in the Dundee Corporation Acts 1871 to 1907 and particularly in Part V. (Estimates and assessments) of the Act of 1882 contained the following provisions shall subject to the provisions of this Act have effect (that is to say):—

(1) The assessment authorised by section 32 (Estimates to be made up) of the Act of 1882 to be laid on for the purposes mentioned in the third head of that section and subsequently embraced thereunder is hereby increased to but shall not exceed in the whole the sum of eightpence in the pound of the yearly rent or value:

(2) The several assessments and rates leviable by the Corporation under and in pursuance of this Act shall be subject in all respects to the provisions of subsections (3) (4) (5) (6) and (7) of section 99 (Assessments) and of subsection (4) of section 103 (Saving for Dundee Harbour trustees) of the Order of 1907.

PART VI.

A.D. 1913.

MISCELLANEOUS.

46. Subject to the provisions of this Act the provisions of the Act of 1882 and the Acts incorporated therewith with reference to the recovery of fines penalties and forfeitures imposed or authorised to be imposed by that Act shall be and are hereby made applicable to the recovery of all fines penalties and forfeitures imposed or authorised to be imposed by or under the provisions of this Act.

As to fines penalties and forfeitures and recovery thereof.

47. Nothing contained in this Act shall alter prejudice or affect the saving provisions contained in sections 330 331 and 333 of the Act of 1882 but such saving provisions shall apply to this Act and the purposes thereof.

Saving saving provisions in Act of 1882.

48. The costs charges and expenses of and incident to the preparing and applying for and the obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Corporation Provided that any money borrowed for paying any such costs charges and expenses shall be repaid within five years from the commencement of this Act.

Costs of Act.

[Ch. xi.] *Dundee Corporation (Improvements [3 & 4 GEO. 5.]  
and Tramways) Act, 1913.*

A.D. 1913.

The SCHEDULE referred to in the foregoing Act.

PROPERTIES WHEREOF PORTIONS ONLY ARE REQUIRED TO BE  
TAKEN.

Parish.	Numbers on deposited Plans.	Description of Property.
WORKS NOS. 1 2 3 4 5 6 7 AND 8 AND TRAMWAYS NOS. 1 1A AND 1B.		
Parish of Dundee	38	Building consisting of hall auction room and cellar.
Parish of Dundee	44	Mutual close or passage with buildings over with gas pipes under.
Parish of Dundee	45	Open court and stone stair.
Parish of Dundee	47	Mutual close or passage with buildings over.
Parish of Dundee	49	Building consisting of store and hall.
Parish of Dundee	52	Open court with gas pipes under known as Crichton's Court.
Parish of Dundee	54	Open court.
Parish of Dundee	55	Building consisting of shop showrooms and workshops.
Parish of Dundee	57 57 57	Mutual closes or passages and open courts with gas pipes overhead and underground telegraph wires.
Parish of Dundee	61	Building consisting of workshop store and wood stair.
Parish of Dundee	62	Building consisting of workshop store and wood stair.
Parish of Dundee	63	Slater's yard and wood fence.
Parish of Dundee	64	Slater's yard and store.
Parish of Dundee	65 65	Open courts and stairs.
Parish of Dundee	66 66	Building consisting of offices dwelling-houses and appurtenances.
Parish of Dundee	67	Building consisting of slater's workshop.
Parish of Dundee	68	Buildings consisting of workshop and stores.
Parish of Dundee	69	Building consisting of workshop and stores with open court and stair.
Parish of Dundee	70	Open court stairs wood gates and telegraph pole and underground telegraph wire.
Parish of Dundee	71	Building with water-closet.
Parish of Dundee	72	Buildings consisting of workshop and stores.
Parish of Dundee	84	Building consisting of stores and hall.
Parish of Dundee	85	Open space.
Parish of Dundee	86	Open court stair and iron railing known as Speed's Close.
Parish of Dundee	88	Covered passage.
Parish of Dundee	91	Mutual close or passage with buildings over.
Parish of Dundee	92 92	Open court stair and gateway known as St. Salvador's Close.
Parish of Dundee	96	Mutual close or passage with buildings over.

[3 & 4 GEO. 5.] *Dundee Corporation (Improvements and Tramways) Act, 1913.* [Ch. xi.]

PROPERTIES WHEREOF PORTIONS ONLY ARE REQUIRED TO BE  
TAKEN —(continued).

A.D. 1913.

Parish.	Numbers on deposited Plans.	Description of Property.
WORKS NOS. 1 2 3 4 5 6 7 AND 8 AND TRAMWAYS NOS. 1 1A AND 1B—cont.		
Parish of Dundee	97 97	Open court known as Argyle Close.
Parish of Dundee	98	Building consisting of saloon and cellar.
Parish of Dundee	99	Covered passage.
Parish of Dundee	100	Kinnaird Hall and Argyle Hall and appurtenances.
Parish of Dundee	101	Building consisting of offices dwelling-houses and workshops.
Parish of Dundee	125 125	Open court known as Camperdown Court with overhead telegraph wires.
Parish of Dundee	126	Mutual close or passage with buildings over.
Parish of Dundee	128	Buildings consisting of Masonic Lodge dwelling-house bakery and outside stair.
Parish of Dundee	129	Open court iron railing and gate.
Parish of Dundee	132	Building consisting of dwelling-houses wood stair and appurtenances.
Parish of Dundee	133 133	Open court.
Parish of Dundee	136	Open court known as Rodger's Close with overhead and underground telegraph wires.
Parish of Dundee	139	Open space and brick walls.
Parish of Dundee	147	Building consisting of lodging-house.
Parish of Dundee	173	Open court and wood gates.
Parish of Dundee	201	Building consisting of shops dwelling-houses and appurtenances.
Parish of Dundee	202	Building consisting of dwelling-houses.
Parish of Dundee	203	Building consisting of dwelling-house and outside stair.
Parish of Dundee	204	Wood stair.
Parish of Dundee	205 205 205	Open court known as Calender's Close and wood gate.
Parish of Dundee	206	Building consisting of privy.
Parish of Dundee	280	Building consisting of washing-house cellars and ashpit.
Parish of Dundee	281	Open court sunk area iron railing wall and wood fence.
Parish of Dundee	295	Building consisting of joiner's and cabinet-maker's workshop.
Parish of Dundee	306	Open court known as Gowan's Court.

WORKS NOS. 9 10 11 AND 12.

Parish of Dundee	30 30 30	Building used as warehouse stores and office.
Parish of Dundee	31	Building used as stores.
Parish of Dundee	32	Open court.
Parish of Dundee	33	Open court with walls.
Parish of Dundee	34 34 34	Open space and drip with gangway.
Parish of Dundee	35	Water-closet.
Parish of Dundee	36	Open court with stairs and railings.
Parish of Dundee	37 37 37	Building used as workshop and dwelling-houses with public passage under known as Castle Court with sewers gas and water pipes.
Parish of Dundee	38	Building occupied as stores.



[Ch. xi.] *Dundee Corporation (Improvements [3 & 4 Geo. 5.]  
and Tramways) Act, 1913.*

A.D. 1913.

PROPERTIES WHEREOF PORTIONS ONLY ARE REQUIRED TO BE  
TAKEN—(*continued*).

Parish.	Numbers on deposited Plans.	Description of Property.
WORKS NOS. 9 10 11 AND 12— <i>cont.</i>		
Parish of Dundee	39	Tenement of dwelling-houses stores and cellars.
Parish of Dundee	40	Building occupied as stores.
Parish of Dundee	41 41	Building occupied as stores.
Parish of Dundee	42	Building occupied as stores.
Parish of Dundee	43 43	Building occupied as stores.
Parish of Dundee	44	Open court with stair railing and shed.
Parish of Dundee	45	Shed occupied as store.
Parish of Dundee	46 46	Building occupied as warehouse and stores.
Parish of Dundee	47	Shed occupied as store.
Parish of Dundee	48	Open court with wooden gate.
Parish of Dundee	49	Coal shed.
Parish of Dundee	50	Building occupied as store with stair and railing.
Parish of Dundee	51	Open court with wooden gate.
Parish of Dundee	52	Open space with shed.
Parish of Dundee	79	Building occupied as shops cellars workshops dwelling-houses and appurtenances telephone pole and with sewer under.
Parish of Dundee	80	Building occupied as shops cellars and lodging- house with covered gangway.
Parish of Dundee	82	Common stair.
Parish of Dundee	87 87	Open court with sewer.

Printed by EYRE and SPOTTISWOODE, Ltd.,

FOR

FREDERICK ATTERBURY, Esq., C.B., the King's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from  
WYMAN AND SONS, LTD., FETTER LANE, E.C., and 54, ST. MARY STREET, CARDIFF; or  
H.M. STATIONERY OFFICE (SCOTTISH BRANCH), 23, FORTH STREET, EDINBURGH; or  
E. PONSONBY, LTD., 116, GRAFTON STREET, DUBLIN;  
or from the Agencies in the British Colonies and Dependencies,  
the United States of America, the Continent of Europe and Abroad of  
T. FISHER UNWIN, LONDON, W.C.