



### CHAPTER xxviii.

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to St. Andrews Burgh Extension and Links.

A.D. 1913.

[4th July 1913.]

**W**HEREAS His Majesty's Secretary for Scotland has made the Provisional Order set forth in the schedule hereunto annexed under the provisions of the Private Legislation Procedure (Scotland) Act 1899 and it is requisite that the said Order should be confirmed by Parliament: 62 & 63 Vict. c. 47.

Be it therefore 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. The Provisional Order contained in the schedule hereunto annexed shall be and the same is hereby confirmed.

Confirmation  
of Order in  
schedule.

2. This Act may be cited as the St. Andrews Burgh Extension and Links Order Confirmation Act 1913.

Short title.

A.D. 1913.

S C H E D U L E.

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ST. ANDREWS BURGH EXTENSION AND LINKS.

*Provisional Order to extend the boundaries of the burgh of St. Andrews in the county of Fife to authorise and confirm the construction of a conduit or line of pipes to abandon certain authorised works to authorise the borrowing of additional money to regulate manage and maintain the links of St. Andrews and the golf courses thereon to make and confirm an agreement between the Town Council of St. Andrews and the Royal and Ancient Golf Club of St. Andrews to levy charges and for other purposes.*

WHEREAS the provost magistrates and councillors of the burgh of St. Andrews (hereinafter called "the Town Council") acting under the Burgh Police (Scotland) Acts 1892 to 1911 are the municipal local and public health authority within the said burgh (hereinafter called "the existing burgh") under those Acts and the Public Health (Scotland) Act 1897:

And whereas it is expedient that the boundaries of the existing burgh should be extended so as to comprehend and include the existing burgh and the districts lying contiguous and adjacent thereto (hereinafter referred to as "the districts annexed") all as shown on the map hereinafter mentioned and that all franchises rights privileges and general local and personal Acts and Orders relating to and in force for the time being in or applicable to the existing burgh as the same are amended by this Order should be applied to the burgh as so extended and that the Town Council should be empowered to levy and recover rates assessments and charges within the extended burgh:

And whereas it is expedient that the districts annexed should be added to Ward No. 3 of the burgh:

And whereas the Town Council as the local authority within the existing burgh supply the said burgh with water under the Burgh Police (Scotland) Acts 1892 to 1911 and the St. Andrews Water Order 1909 (hereinafter called "the Order of 1909"):

And whereas the Town Council were by the Order of 1909 authorised to provide an additional water supply and to construct and maintain the waterworks therein described:

And whereas the existing burgh forms the compulsory water limits under the Order of 1909 and it is expedient that the burgh as extended by this Order should be the compulsory water limits of the Town Council for all purposes : A.D. 1913.

And whereas the Town Council are carrying out the construction of the said waterworks under the powers of the Order of 1909 and for better effecting the purposes thereof the Town Council have in substitution for the works hereinafter referred to and proposed to be abandoned constructed the conduit or line of pipes hereinafter described and it is expedient that the construction of the said conduit or line of pipes should be sanctioned and confirmed and that the Town Council should be authorised to acquire lands compulsorily for the purposes thereof and that the expenditure of capital upon the said conduit or line of pipes should be sanctioned and confirmed as by this Order provided and that the Town Council should be authorised to abandon so much of the waterworks authorised by the Order of 1909 as are hereinafter more particularly described :

And whereas it is expedient to extend the provisions of the Order of 1909 and make the same applicable to the purposes of the said conduit or line of pipes and to provide for and extend to the districts annexed the supply of water by the Town Council and the powers and provisions of the Order of 1909 and this Order :

And whereas the estimates for the construction of the waterworks authorised by the Order of 1909 (other than the works by this Order authorised to be abandoned) have been found to be insufficient for the completion of the same by the sum of about fifteen thousand six hundred pounds :

And whereas the estimate for the construction of the works sanctioned by this Order is less than the estimate for the works authorised to be abandoned by this Order by the sum of about six hundred pounds :

And whereas by the St. Andrews Links Act 1894 (hereinafter called "the Act of 1894") the Town Council as the then commissioners of the burgh were authorised to acquire the links of St. Andrews as described in the First Schedule to the said Act for the purposes and with the powers in the said Act set forth and were authorised to appropriate any parts of the said links to the playing of golf thereon :

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And whereas the said commissioners acquired and the Town Council now own the said links together with the golf course thereon called "the Old Course" and two other golf courses have since been laid out thereon called respectively "the New Course" and "the Third or Jubilee Course":

And whereas an agreement dated the fourth day of May one thousand eight hundred and ninety-four was made between the then commissioners of the burgh of the first part and the Royal and Ancient Golf Club of St. Andrews of the second part for regulating managing and maintaining the said Old and New Golf Courses laid out on the said links which agreement is contained in the Second Schedule to and confirmed by the Act of 1894:

And whereas owing to the increase of the residential population of the existing burgh which during several months of every year is largely augmented by the influx of visitors who resort to the said links for playing golf the existing golf courses are frequently overcrowded and are insufficient for the accommodation of the public desiring to play golf and it is expedient and would be of advantage to the inhabitants of the burgh and the public that the Town Council should be authorised to acquire or lease further lands by agreement and lay out and maintain an additional golf course and that provision should be made for the regulation control and use of such additional golf course and that the Town Council should be further authorised to levy and recover charges in connection therewith and apply such charges and any other charges that they may be authorised by this Order to levy and recover in maintaining any additional golf course or golf courses and the said Third or Jubilee Course:

And whereas it is expedient that the Town Council should be authorised to levy charges in respect of persons playing golf on the Old Course and the Third or Jubilee Course and that certain provisions of the Act of 1894 and of the agreement scheduled thereto should be repealed:

And whereas the Town Council have entered into an agreement with the Royal and Ancient Golf Club of St. Andrews with respect to the maintenance regulation and management of the golf courses at St. Andrews and other matters and it is expedient that the said agreement as set forth in the Second Schedule hereto should be sanctioned and confirmed:

And whereas it is expedient that the Town Council should be empowered to borrow money for the purposes of the financial

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adjustment following on the extension of the burgh as herein-  
after provided and for an additional golf course and additional  
money for the purpose of their waterworks authorised by the  
Order of 1909 and sanctioned by this Order as hereinafter  
provided and for the payment of the costs of this Order and that  
provision should be made for the repayment of money to be  
borrowed under the authority of this Order :

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And whereas it is expedient that the further powers herein-  
after mentioned should be conferred on the Town Council :

And whereas plans and sections showing the lines and levels  
of the conduit or line of pipes by this Order sanctioned and  
confirmed and also a book of reference containing the names of  
the owners and lessees or reputed owners and lessees and of the  
occupiers of the lands and other property required or which may  
be taken for the purposes or under the powers of this Order  
were duly deposited with the principal sheriff clerk of the county  
of Fife at his office in Cupar and are hereinafter respectively  
referred to as the deposited plans sections and book of reference :

And whereas the purposes aforesaid cannot be effected  
without an Order of the Secretary for Scotland confirmed by  
Parliament under the provisions of the Private Legislation  
Procedure (Scotland) Act 1899 :

Now therefore in pursuance of the powers contained in the  
last-mentioned Act the Secretary for Scotland orders as follows :—

PART I.

PRELIMINARY.

1. This Order is divided into Parts as follows :—

- Part I. Preliminary.
- Part II. Burgh Extension.
- Part III. Waterworks.
- Part IV. Links.
- Part V. Financial.

Division of  
Order into  
Parts.

2. This Order may be cited for all purposes as the  
St. Andrews Burgh Extension and Links Order 1913.

3. This Order shall commence and have effect on and from  
the date of the passing of the Act confirming the same which  
date is hereinafter referred to as “the commencement of this  
Order.”

Commence-  
ment of  
Order.



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Interpreta-  
tion.

4. In this Order unless there be something in the subject or context inconsistent with or repugnant to such construction the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective meanings and the following words and expressions shall have the meanings hereby respectively assigned to them (namely):—

“The existing burgh” means the burgh of St. Andrews within the limits and boundaries thereof existing immediately previous to the commencement of this Order;

“The burgh” means the burgh of St. Andrews as extended by this Order;

“The districts annexed” means the districts annexed to the existing burgh by this Order;

“The Town Council” means the provost magistrates and councillors of the existing burgh or of the burgh as the case may be;

“Magistrate” means any magistrate of the burgh for the time being;

“Town clerk” means the town clerk of the existing burgh or of the burgh as the case may be;

“Links” or “the links” means and comprehends the lands and property described generally in the First Schedule to the Act of 1894 and shown on the deposited plan and described in the deposited book of reference applicable to the said Act;

“The Old Course” means the golf course belonging to the Town Council laid out on the links commonly known and referred to as the Old Course and mentioned in the agreement scheduled to the Act of 1894;

“The New Course” means the golf course belonging to the Town Council laid out on the links commonly known and referred to as the New Course and mentioned in the agreement scheduled to the Act of 1894;

“The Third or Jubilee Course” means the golf course belonging to the Town Council laid out on the links commonly known and referred to as the Jubilee Course;

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“The Police Acts” means the Burgh Police (Scotland) Acts 1892 to 1911; A.D. 1913.

“The Public Health Acts” means the Public Health (Scotland) Act 1897 and any Act amending the same;

“The Order of 1909” means the St. Andrews Water Order 1909;

“The county” means the county of Fife;

“The county council” means the county council of the county and includes the St. Andrews District Committee of the county council;

“The Act of 1894” means the St. Andrews Links Act 1894;

“The sheriff” means the sheriff of the county or any of his substitutes;

“Land and premises” shall have the meaning assigned to that expression in the Police Acts;

“The Green Committee” means the Green Committee of St. Andrews Links constituted by the agreement scheduled to the Act of 1894.

5. The following Acts and parts of Acts (so far as the same are not varied by or inconsistent with the provisions of this Order) are hereby incorporated with and form part of this Order:— Incorporation of Acts.

The Lands Clauses Acts:

The Waterworks Clauses Act 1847 except the clauses and provisions with respect to the communication pipes to be laid by the undertakers and with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit and also with the exception of clauses 68 70 71 and 72:

The Waterworks Clauses Act 1863:

The clauses and provisions of the Railways Clauses Consolidation (Scotland) Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof and the crossing of roads and other interference therewith and in construing the said clauses and provisions “the company” means the Town Council

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“the railway” means the works authorised by this Order and “the centre of the railway” means any part of those works.

PART II.

BURGH EXTENSION.

Extension of  
boundaries.

6. The municipal and police boundaries of the existing burgh shall be and are hereby extended to and shall include and comprehend the existing burgh and the districts annexed which districts annexed are comprised within the limits and boundaries set forth and described in the First Schedule to this Order the description of the said boundaries being subject to the rules of construction laid down in section 5 of the Representation of the People (Scotland) Act 1832.

Map of  
burgh.

7. A map of the burgh as extended and defined by this Order having been signed in triplicate by the Right Honourable Thomas McKinnon Wood Secretary for Scotland one copy shall within one month after the commencement of this Order be deposited in the office of the Secretary for Scotland Whitehall London one copy shall be deposited in the Private Bill Office of the House of Commons and one copy shall be deposited with the town clerk at his office and a copy of such map certified by the town clerk shall be deposited with the Board of Agriculture and Fisheries and a copy so certified with the Commissioners of Customs and Excise Provided that if there be any discrepancy between the said map and the description in this Order the said map shall be deemed to be correct and shall prevail.

Districts  
disjoined  
from county.

8. The districts annexed shall be and the same are hereby for the purposes of this Order disjoined from the county.

Provisions  
of local and  
general Acts  
to apply to  
burgh as  
extended.

9. The provisions of all local and private and public general Acts and Orders and all byelaws rules regulations orders and determinations made under the same which apply to or have effect within the existing burgh shall except so far as inconsistent with or varied by the provisions of this Order extend and apply and have effect in the same way and to the like extent within the burgh Provided that nothing in this section shall extend or be deemed or construed to extend the provisions of the St. Andrews Electric Lighting Order 1902 to



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so much of the districts annexed as is not included in the area of supply defined by the said Electric Lighting Order. A.D. 1913.

10. The districts annexed shall be added to and included in the existing Ward No. 3. Additions to Ward No. 3.

11. Subject to the provisions of the Town Councils (Scotland) Acts 1900 and 1903 the Town Council shall continue to consist of the same number of members as at present and shall continue in office and the order of their retirement shall not be affected. Continuance in office of Town Council.

12. The magistrates of the burgh and the Town Council respectively shall have possess and exercise over the burgh and the inhabitants thereof all the jurisdictions (civil and criminal) powers rights and authorities which the magistrates and Town Council respectively of the existing burgh now have possess and exercise over the existing burgh and the inhabitants thereof whether at common law or by statute or otherwise including all powers of imposing levying and recovering rates assessments dues taxes and charges And all rights privileges immunities and obligations at present enjoyed and possessed by or incumbent on the magistrates or the Town Council of the existing burgh or the inhabitants thereof by statute or at common law or otherwise shall subject to the provisions of this Order extend and apply to the magistrates the Town Council and the inhabitants of the burgh. Powers of magistrates and councillors extended to burgh.

13. Subject to the provisions of this Order all jurisdictions rights powers functions duties and authorities which previous to the commencement of this Order were exercised or exerciseable by the county council or any committee or other authority within the districts annexed or any part thereof under any public general or local or private Act of Parliament or Order (with the exception of such jurisdictions rights powers functions duties and authorities as are presently exercised or exerciseable by such authorities or officers within the existing burgh) shall cease and determine Nothing in this Order shall alter diminish or affect the authority and jurisdiction of the sheriff or any jurisdiction judicial or administrative appertaining or relating to Inland Revenue. Powers of other jurisdictions to cease.

14. Nothing in this Order contained shall interfere with the election of members to serve in Parliament for the county and the county shall for Parliamentary purposes remain in all Order not to affect election of members to serve in Parliament.

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A.D. 1913. respects as if the Act confirming this Order had not been passed.

As to levying assessments by Town Council.

15.—(1) Notwithstanding the date of the commencement of this Order the Town Council shall subject to the provisions of this Order levy within the districts annexed the rates and assessments imposed upon the existing burgh for the year from Whitsunday one thousand nine hundred and thirteen to Whitsunday one thousand nine hundred and fourteen and may at the commencement of this Order or as soon after as conveniently may be issue such notices and adopt such proceedings as may be necessary with the view of the levying and recovery of such rates and assessments within the districts annexed and no county council or other assessing authorities other than the Town Council shall impose or levy rates or assessments for that year within the districts annexed and all burgh and other assessments and rates and charges leviable under all public general and local Acts and Orders applicable within the existing burgh shall from and after the fifteenth day of May one thousand nine hundred and thirteen be leviable in the burgh in the same way and manner as the same are leviable in the existing burgh.

(2) In consideration of the burgh assessments being levied by the Town Council within the districts annexed during the period between Whitsunday one thousand nine hundred and thirteen and the commencement of this Order the Town Council shall not later than the first day of March one thousand nine hundred and fourteen pay over to the county council a proportion corresponding to such period of the assessments which might have been imposed by the county council within the districts annexed for the year from Whitsunday one thousand nine hundred and thirteen to Whitsunday one thousand nine hundred and fourteen had the Act confirming this Order not been passed.

Recovery of assessment within districts annexed.

16. Every rate charge or assessment which shall have been actually imposed by the county council or any committee thereof or any local or other authority who had jurisdiction within the districts annexed or any parts thereof previous to Whitsunday one thousand nine hundred and thirteen together with all arrears thereof shall continue to be due and payable and may be collected and levied by the authority which respectively imposed the same and by the same ways and means and under the same restrictions and regulations as if the Act confirming

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this Order had not been passed and shall be received and applied by such authority respectively to and for the purposes for which the same were authorised to be levied. A.D. 1913.

17. In respect of the extension of the municipal and police boundaries of the existing burgh by this Act provided the following provision shall have effect (that is to say) The Town Council shall on the eleventh day of November one thousand nine hundred and thirteen pay to the county council the sum of five hundred pounds which sum shall be accepted by the county council as in full satisfaction of all claims including claims for debt competent to them and shall bear interest at the rate of five pounds per centum per annum from the said date of payment till paid and the said sum shall be applied by the county council in payment of the expenses incurred by them and by their St. Andrews District Committee in respect of this Order and the balance (if any) in repayment of debt or for any other purpose to which capital money may properly be applied. Financial adjustments.

18. The roads streets sewers drains bridges foot pavements and footpaths within the districts annexed shall so far as the same are vested in the county council or other public authority be transferred to and vested in and be managed maintained and repaired subject to the provisions of the Police Acts and the Public Health Acts by the Town Council along with and in the same way and manner and to the same extent as the roads streets sewers drains bridges foot pavements and footpaths within the existing burgh and the county council shall be freed and relieved of the repair and maintenance of all such roads streets sewers drains bridges foot pavements and footpaths so far as within the districts annexed in all time coming. Roads &c. in districts annexed.

19. Nothing in this Order contained with respect to the vesting of roads streets sewers drains bridges foot pavements and footpaths within the districts annexed shall prevent any superiors owners or other persons by whom or by whose predecessors the same shall have been formed from recovering the cost or any proportion of the cost of forming the same from feuars or other persons under any agreements made between the said parties respectively. Saving rights in roads foot pavements footpaths sewers and drains.

20. Subject to the provisions of this Order the common good and all property heritable and movable (including all means revenues and income of every description arising therefrom) belonging to or leviable within the existing burgh or to Property of burgh vested in Town Council.

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A.D. 1913. which the existing burgh is entitled or which is held or administered by any person for or on behalf of the community of the existing burgh or for the public ends and purposes thereof shall be and the same is hereby vested in and held by the Town Council for the behoof and benefit of the burgh or as the case may be administered by such person for or on behalf of the community of the burgh or for the public ends and purposes thereof and all debts and obligations due by or exigible from the existing burgh shall be due by and exigible from the burgh and all debts due to the Town Council of the existing burgh by any person prior to the commencement of this Order may be demanded and recovered from such person and received and applied by the Town Council for behoof of the burgh.

Parochial  
arrange-  
ments not to  
be affected.

21. The lands within the burgh shall remain parts and portions of the parishes within which they now lie and the powers duties and functions of the parish councils and school boards shall not be affected by any of the provisions of this Order.

Saving  
existing  
securities.

22. Nothing in this Order contained shall prejudice or affect in any degree any debentures mortgages or assignments in security granted by the Town Council previous to the commencement of this Order and such debentures mortgages and assignments shall be as valid and effectual in all respects as if the Act confirming this Order had not been passed and shall attach to and form burdens upon the rates duties assessments and charges imposed and levied by the Town Council in priority to any money which may be raised under this Order.

Borrowing  
and assess-  
ing power.

23. The Town Council in addition to any other powers of borrowing which they now have or may obtain may for the purpose of the payment of the sum payable under the section of this Order whereof the marginal note is "Financial adjustments" borrow on mortgage or otherwise such sum not exceeding five hundred pounds as may be necessary on the security of any one or more of the assessments leviable by the Town Council within the burgh as the Town Council may determine and the Town Council may assign so much or such part as may be required of such assessments as security for the money which may be so borrowed under the provisions of this section.

Extension  
of compul-  
sory limits

24. The limits of compulsory supply of water by the Town Council under the Police Acts and the Order of 1909 are

hereby extended so as to include therein the districts annexed A.D. 1913.  
 and section 29 of the Order of 1909 is hereby amended of water  
 accordingly. supply.

### PART III.

#### WATERWORKS.

25. The construction by the Town Council of the conduit or line of pipes shown on the deposited plans and sections and hereinafter described is hereby sanctioned and confirmed and the said conduit or line of pipes shall form part of the water undertaking of the Town Council and the Town Council may retain hold and use any lands and property or any interest therein which have been already acquired by them or which may be acquired under this Order for the purposes of or in connection with the said conduit or line of pipes and the expenditure by the Town Council for the purposes of the said lands and conduit or line of pipes is also hereby sanctioned and confirmed.

Confirmation of construction of existing conduit or line of pipes and power to reconstruct same &c.

The conduit or line of pipes hereinbefore referred to is—

A conduit or line of pipes (Work No. 1) wholly in the parish of Cameron and county of Fife commencing at a point four hundred and seventy-two yards or thereby south-eastwards from the junction of the road leading from St. Andrews to Largo with the road leading from the first-mentioned road to Cameron Manse and terminating at a point thirty-three yards or thereby south-westwards from the south-east end of the existing reservoir of the Town Council at Lambieletham.

26. Subject to the provisions of this Order the Town Council may purchase acquire hold enter upon appropriate take and use such of the lands shown on the deposited plans and described in the deposited book of reference as may be required for the purposes of the conduit or line of pipes before described.

Power to acquire lands.

27. Persons empowered by the Lands Clauses Acts to sell and convey or dispose of lands may if they think fit subject to the provisions of those Acts and of this Order grant to the

Persons under disability may grant servitudes &c.



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A.D. 1913. Town Council any servitude right or privilege (not being a servitude right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Order in over or affecting any such lands and the provisions of the said Acts with respect to lands and annual 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  
acquire ser-  
vitudes only  
for line of  
pipes.

28. The Town Council in lieu of acquiring any lands for the purposes of the conduit or line of pipes hereinbefore described may where the same is constructed underground acquire such servitudes in such lands as they may require for the purpose of making maintaining cleansing and repairing the same and may give notice to treat in respect of such servitudes and may in such notice describe the nature thereof and the several provisions of the Lands Clauses Acts (inclusive of those with regard to limited owners and to arbitration and the summoning of a jury) shall apply to such servitudes as fully as if the same were lands within the meaning of those Acts:

Provided that nothing herein contained shall authorise the Town Council to acquire by compulsion any such servitude in any case in which the owner in his particulars of claim shall require the Town Council to acquire the lands in respect of which they have given notice to treat for the acquisition of a servitude only and every notice to treat for the acquisition of a servitude shall be endorsed with notice of this proviso:

Provided also that as regards any lands in respect of which the Town Council have acquired servitudes only under the provisions of this section the Town Council shall not be required or entitled to fence off or sever such lands from the adjoining lands but the owners and occupiers for the time being shall subject to such servitude have the same rights to use and cultivate the said lands at all times as if the Act confirming this Order had not been passed.

Limiting  
time for ex-  
ercise of  
compulsory  
powers of  
purchase.

29. The powers of the Town Council for the compulsory purchase of lands for the purposes of this Order shall cease after the expiration of one year from the commencement of this Order.

Abandon-  
ment of cer-  
tain works

30. The Town Council may and shall abandon and relinquish the construction of the following works in the parish of Cameron



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and county of Fife described in and authorised by the Order of A.D. 1913.  
 1909 (that is to say):—

- (1) Water Tank (Work No. 4) (2) conduit or line of pipes (Work No. 5) (3) so much of the conduit or line of pipes (Work No. 3) as lies between a point four hundred and seventy-two yards or thereby south-eastwards from the junction of the road leading from St. Andrews to Largo with the road leading from the first-mentioned road to Cameron Manse and a point one hundred yards or thereby measured in an easterly direction from the north-east corner of Priorletham Smithy and (4) so much of the conduit or line of pipes (Work No. 6) as lies between a point one hundred yards or thereby measured in an easterly direction from the north-east corner of Priorletham Smithy and a point thirty-three yards or thereby south-westwards from the south-east end of the existing reservoir of the Town Council at Lambieletham.

authorised  
 by Order of  
 1909.

31. The abandonment by the Town Council under the authority of this Order of the works and portions of works hereinbefore authorised to be abandoned shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Town Council on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out the line of the works and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Town Council to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation (Scotland) Act 1845 or the Order of 1909.

Compensa-  
 tion for  
 damage to  
 land by  
 entry &c.  
 for purposes  
 of works  
 abandoned.

32. Where before the commencement of this Order any contract has been entered into or notice given by the Town Council for the purchasing of any land for the purposes of or in relation to any of the works or portions of works authorised to be abandoned by this Order the Town Council shall be released from all liability to purchase or to complete the purchase of any such land (so far as such land is not required for the purpose of the conduit or line of pipes or any part thereof by

Compensa-  
 tion to be  
 made in  
 respect of  
 works aban-  
 doned.

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A.D. 1913. this Order sanctioned and confirmed) but notwithstanding full compensation shall be made by the Town Council to the owners and occupiers or other persons interested in such land for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall in case of dispute be determined in manner provided by the Lands Clauses Acts for determining the amount and application of compensation to be paid for lands taken under the provisions thereof.

PART IV.

LINKS.

Repeal of  
sections of  
Act of 1894  
and of pro-  
visions of  
agreement.

33.—(1) Section 9 (Power to levy rates for use of golf courses &c.) of the Act of 1894 is hereby repealed.

(2) Section 10 (Byelaws) of the Act of 1894 is repealed from and after the coming into force of any byelaws made under the section of this Order of which the marginal note is "Byelaws."

(3) The provisions of Article Fifth of the Agreement scheduled to the Act of 1894 are hereby repealed.

(4) Article Sixth of the Agreement scheduled to the Act of 1894 shall be read as if the words occurring therein namely "The  
" new course shall be open to the public free of charge in all  
" months of the year except in the months of July August  
" and September In these months" were omitted therefrom and the words "In the months of July August and September" were substituted in lieu thereof.

Charges on  
Old Course  
and Jubilee  
Course.

34. Notwithstanding anything contained in the Act of 1894 and in the agreement scheduled thereto the Town Council may from and after the commencement of this Order and subject to the provisions of this Order and of the agreement as set forth in the Second Schedule hereto levy and recover from every person playing golf on the Old Course and the Third or Jubilee Course such charges as the Town Council may think fit.

Charges on  
New Course.

35. The Green Committee may at all times subject to the provisions of this Order and of the agreement as set forth in the Second Schedule hereto make such charges for persons playing golf on the New Course as they think fit but not exceeding the charges specified in article sixth of the agreement scheduled to the Act of 1894 Provided that such charges during the months of July August and September shall not be

greater than the charges made by the Town Council on the Old Course during those months. A.D. 1913.

36.--(1) Subject to the provisions of this Order the Town Council may by agreement purchase acquire or lease and may hold lands for the purpose of an additional golf course upon such terms and conditions as may be agreed between the Town Council and any person and may on such lands or partly on such lands and partly on other lands lay out a golf course of eighteen holes and the Town Council may apply such part of the moneys which by this Order they are authorised to borrow for the purposes of this section or such part of the charges in respect of persons playing golf which by this Order they are authorised to levy and recover as may be necessary for such purposes or may use partly money so borrowed and partly such charges.

Acquisition  
of lands and  
power to lay  
out and  
maintain  
golf course  
and make  
charges.

(2) If and when any such additional golf course is laid out the Town Council shall keep up and maintain the same in good order as a golf course and may employ such persons and provide such implements and apply such part of the charges which by this Order they are authorised to levy and recover as may be necessary for that purpose and subject to the powers conferred on the Green Committee under Article Third of the agreement scheduled to the Act of 1894 and under this Order the Town Council may exercise and apply to the links and to the said additional golf course and for the maintenance and improvement of the links and the said additional golf course all or any of the powers available to or vested in them by or under the Police Acts for the maintenance and improvement of open spaces.

(3) Subject to the provisions of this Order and of the agreement as set forth in the Second Schedule hereto the Town Council may levy and recover from every person playing golf on the said additional course such charges as the Town Council may think fit.

37. The Town Council may in their discretion exempt any person or class of persons from payment of charges on the Old Course the Third or Jubilee Course and the said additional course or may make reduced charges in the case of any person or class of persons as the Town Council think fit and the Town Council may commute any charges on the said courses or any of them payable by members of golf clubs in St. Andrews for such annual lump sum and subject to such conditions as the Town Council may fix :

Power to  
exempt and  
commute.

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Provided that no exemptions from payment of charges shall be granted to persons playing on the Old Course during the months of July August and September other than those conferred by Article Fifth of the agreement as set forth in the Second Schedule to this Order.

As to  
moneys re-  
ceived from  
charges.

38. All moneys received from charges imposed upon persons playing golf on the golf courses of the Town Council (except such charges as may be imposed in respect of the New Course) shall be the sole property of the Town Council and shall be applied by them in payment of the rent rates interest on loans payments to sinking fund and any other obligations in respect of the laying out maintenance and administration of the said additional golf course and the maintenance and improvement of the Third or Jubilee Course or any other course which may be acquired at any time by the Town Council.

Power to  
close golf  
courses.

39.—(1) The Green Committee may close either the Old Course or the New Course (but not both at the same time) for such period or periods in any year as may be required to repair or rest the said respective courses which period or periods shall not exceed one month in any year except with the consent in writing of the Town Council Provided that neither the Old Course nor the New Course shall be closed by the Green Committee during the months of July August or September in any year except with the consent in writing of the Town Council.

(2) The Town Links Committee referred to in the immediately succeeding section of this Order may in their discretion close the Third or Jubilee Course and the said additional course or either of them for such period or periods in any year as they may think fit.

Manage-  
ment of  
additional  
course and  
Jubilee  
Course.

40. The said additional golf course and the Third or Jubilee Course shall be managed by a committee to be called "the Town Links Committee" consisting of five persons nominated by the Town Council of whom one shall be the Provost of St. Andrews for the time being and the others of whom need not be members of the Town Council and two persons nominated by the Royal and Ancient Golf Club of St. Andrews who shall be members of the said club and the Provost of St. Andrews for the time being shall be chairman of the said Committee with a deliberative as well as a casting vote and four members of the said committee shall be a quorum The said committee shall (subject to the control of the Town Council) have the

regulation of the charges on the golf courses of the Town Council (the New Course excepted) and the care and management of the said additional golf course and the said Third or Jubilee Course and shall make regulations applicable to the play and the order of starting on the said courses Provided that the Town Council alone shall be entitled to fix or vary from time to time the charges payable by persons playing golf on the Old Course the said additional golf course and the Third or Jubilee Course. A.D. 1913.

41. In addition to any powers to make byelaws under the Police Acts and the exercise thereof the Town Council may from time to time subject to the provisions of this Order and of the agreement as set forth in the Second Schedule hereto make and rescind byelaws for all or any of the following purposes and all such byelaws may be enforced by the imposition of the penalties (not exceeding forty shillings) and shall be confirmed and published under and according to the provisions contained in the Police Acts as regards the byelaws thereby authorised (that is to say):— Byelaws.

For the general management regulation protection and control of the links and of all or any golf courses or places for the playing of golf and of any other games which may be established thereon :

For appointing and regulating keepers starters caddie-masters and other persons to be employed on or about the links :

For licensing appointing and regulating golf caddies and professional golfers and golf experts and all other persons who may be employed on the links for remuneration or reward and for fixing and regulating the charges for their services :

For the prevention of unlicensed persons being employed or taking employment on the links :

For the orderly conduct of persons frequenting or using the links or engaging in golf or any other games thereon :

For regulating the conditions under which persons under fourteen years of age shall be allowed to play on the Old Course :

For excluding and removing from the links all gipsies hawkers beggars rogues and vagabonds or persons committing a breach of the peace and any person infringing any byelaw or regulation :



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A.D. 1913.

For regulating and prescribing the days on which games may be played and the hours at which the same shall be permitted on the links or on any part or parts thereof and for regulating the particular parts or places for the same :

For preventing or regulating the admission to the links of carriages or vehicles and of horses and other animals :

For protecting from injury all or any golf courses and turf and greens and all tee boxes guide posts bunkers golf holes pins flags and other fittings connected therewith and any rinks tennis courts or grounds set apart for any other games or any apparatus or implements used for or in connection with any games established or provided on any part of the links :

For the exclusion and removal of persons refusing or evading payment of any charges which may be made under the provisions of this Order :

Provided that all offenders against any byelaws made under this section may be prosecuted and all penalties in respect of offences against any such byelaws may be recovered summarily before a magistrate Provided further that no byelaw restricting the military user of the links in any case of national emergency shall take effect unless it be approved by the Secretary of State for War.

For the purposes of this section the word "links" shall be held to include the additional golf course which the Town Council are by this Order authorised to lay out if and when the same is laid out.

Confirming  
agreement  
between  
Town Coun-  
cil and Royal  
and Ancient  
Golf Club.

42. The agreement between the provost magistrates and councillors of the city and royal burgh of St. Andrews and the Royal and Ancient Golf Club of St. Andrews and the captain chairman of committee of management honorary treasurer and secretary of the said club acting for and on behalf of the said club as set forth in the Second Schedule to this Order is hereby confirmed and shall in so far as not inconsistent with the provisions of this Order have the same force and effect as if the provisions thereof had been incorporated with this Order.

Act of 1894  
to remain in  
force.

43. The Act of 1894 and the Agreement scheduled thereto shall except in so far as the same are repealed or varied by or



inconsistent with the provisions of this Order and the agreement A.D. 1913.  
as set forth in the Second Schedule to this Order remain in  
full force and effect.

PART V.

FINANCIAL.

44. The Town Council may in addition to the sums which they are authorised to borrow under the Order of 1909 borrow in the manner and on the security authorised by that Order a further sum of fifteen thousand pounds for the purposes of the waterworks by that Order and this Order authorised and all the provisions of the Order of 1909 with respect to borrowing and security and the application of borrowed money and the repayment of the same within fifty years or thirty years as the case may be from the date or dates of borrowing are made applicable to the additional sum by this section authorised to be borrowed for waterworks purposes as if the said sum had been originally authorised to be borrowed by the Order of 1909. Additional borrowing power for waterworks.

45. The Town Council in addition to any other powers of borrowing which they now have or which may be authorised by this Order may in accordance with the provisions of the Police Acts and subject to the provisions of this Order from time to time borrow on mortgage or otherwise the sums following:— Power to borrow.

(1) For the purposes of and in connection with the acquisition of any additional golf course at St. Andrews the sum of three thousand pounds; and

(2) For the payment of the costs charges and expenses of and incidental to the preparing for obtaining and confirming this Order or otherwise in relation thereto the sum requisite for the said purpose;

and may make and grant mortgages or other securities on the assessments authorised by the Police Acts or any one or more of such assessments as the Town Council may determine in security of the money so borrowed and the interest thereon.

46.—(A) The Town Council shall pay off all moneys borrowed by them under the sections of this Order the marginal notes of which are respectively "Borrowing and assessing power" and "Power to borrow" either by equal yearly or half-yearly instalments of principal or of principal and interest combined or Mode of repayment.

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A.D. 1913. by means of a sinking fund or partly by one of those methods and partly by another or others of them.

Periods for  
repayment  
of borrowed  
money.

(B) The Town Council shall pay off all money so borrowed within the periods following (which periods are hereinafter respectively referred to as "the prescribed period") (that is to say):—

As to money borrowed for the purposes of the section of this Order of which the marginal note is "Financial adjustments" within fifteen years from the date or dates of borrowing the same:

As to money borrowed for the purposes of and in connection with any additional golf course at St. Andrews within forty years from the date or dates of borrowing the same:

As to money borrowed for the payment of the costs charges and expenses of and incidental to the preparing for obtaining and confirming of this Order or otherwise in relation thereto within five years from the commencement of this Order.

Sinking  
fund.

47.—(1) If the Town Council determine to repay by means of a sinking fund any moneys borrowed under the powers of the sections of this Order the marginal notes of which are respectively "Borrowing and assessing power" and "Power to borrow" such sinking fund shall be formed or maintained either—

(A) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is hereinafter called a non-accumulating sinking fund; or

(B) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is hereinafter called an accumulating sinking fund.

(2) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan

in respect of which the sinking fund is formed be immediately invested in securities in which trustees are by law for the time being authorised to invest or in mortgages bonds debentures debenture stock stock or other securities (not being annuity certificates or securities payable to bearer) duly issued by any local authority other than the Town Council or to deposit the same in bank the Town Council being at liberty from time to time to vary and transpose such investments. A.D. 1913.

(3) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Town Council towards the equal annual payments to the fund.

(4) The Town Council may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the Town Council shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(5)—(A) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any deficiency shall be made good by the Town Council:

(B) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any such excess may be applied towards such annual payments.

(6) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Order shall be paid by the Town Council in addition to the payments provided for by this Order.

(7) If it appears to the Secretary for Scotland or to the Town Council at any time that the amount in the sinking fund with the future payments thereto in accordance with the

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A.D. 1913. provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Town Council to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose.

(8) If the Town Council desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Town Council be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Town Council may with the consent of the Secretary for Scotland reduce the payments to be made to the sinking fund either temporarily or permanently to such amounts as will be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed.

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Town Council be sufficient to repay the loan in respect of which it is formed within the prescribed period the Town Council may with the consent of the Secretary for Scotland discontinue the annual payments to such sinking fund.

(11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose as the Town Council may determine.

(12) The period at which the payments into the sinking fund shall commence shall be not later than one year (or where repayment is by half-yearly instalments then within six months) after the date or dates of borrowing.

Power to re-  
borrow.

48. If after having borrowed the sums of money by the sections of this Order the marginal notes of which are respectively "Borrowing and assessing power" and "Power to borrow" authorised or any part thereof the Town Council shall pay off the

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same or any part thereof otherwise than by means of instalments or of the sinking fund provided by this Order it shall be lawful for the Town Council again to borrow the amount so paid off upon the same securities as those upon which the moneys so paid off were secured and so from time to time Provided that all moneys so borrowed by the Town Council shall for the purpose of repayment be deemed part of the sum originally borrowed by them and shall be repaid within the period prescribed for the repayment of the money in lieu of which such re-borrowing has been made. A.D. 1913.

49. The Town Council may accept and take from any bank or banking company credit on a cash account to be opened and kept with such bank or banking company in the name of the Town Council according to the usage of bankers in Scotland to the extent of the amount which the Town Council require at the time to borrow under the sections of this Order the marginal notes of which are respectively "Borrowing and assessing power" and "Power to borrow" or any part thereof and may make and grant mortgages or other securities of the assessments or all or any of them mentioned in the said sections in the manner authorised by the Police Acts in security of the payment of the amount of such credit or of the sums advanced from time to time on such cash account with interest thereon Provided always that the whole sums due and owing by the Town Council on such cash account and borrowed by them on bond or mortgage shall not when taken together exceed the aggregate amount of the money authorised to be borrowed by the sections of this Order the marginal notes of which are "Borrowing and assessing power" and "Power to borrow." Town Council may borrow on cash account.

50. The Treasurer of the burgh shall within four months after the expiration of each year during which any instalment is required to be paid or any sum to be set apart as a sinking fund for the repayment of any money borrowed under this Order transmit to the Secretary for Scotland a return in such form as may be prescribed by the Secretary for Scotland and verified by statutory declaration if so required by him showing the amount which has been so paid or set apart in respect of that year and the description of the securities upon which any sum has been invested and also showing the purposes to which any portion of such sinking fund and the interest or income thereof have been applied during the same period and the total Annual return to Secretary for Scotland with respect to sinking fund.



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A.D. 1913. — amount (if any) remaining invested at the end of the year and in the event of any default in making such return such treasurer so making default shall be liable to a penalty not exceeding twenty pounds which shall be recoverable by the Secretary for Scotland as a debt to the Crown is recoverable. If it appear to the Secretary for Scotland by any such return or otherwise that the Town Council have failed to pay any instalment or to set apart any sum required by this Order to be paid or set apart or to make any increased payment to the sinking fund required by this Order to be made or have applied any portion of the moneys set apart for that fund or any interest or income thereof to any purposes other than those authorised by this Order the Secretary for Scotland may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be paid or set apart and invested as part of the sinking fund as such order may direct and such order shall be enforceable by decree of either Division of the Inner House of the Court of Session in Scotland pronounced in a summary application presented for that purpose.

Costs of  
Order.

51. All costs charges and expenses of and incidental to the preparing for obtaining and confirming this Order or otherwise in relation thereto shall be paid by the Town Council out of any moneys to be borrowed by them or out of any rates and assessments which they are authorised to levy or in so far as the same relate to Part IV. of this Order out of any charges on the golf courses of the Town Council to be levied by the Town Council as before provided and in the event of such costs being paid out of borrowed money the same shall be repaid within five years from the commencement of this Order.



The SCHEDULES referred to in the foregoing Order.

A.D. 1913.

### THE FIRST SCHEDULE.

#### DISTRICTS ANNEXED TO THE EXISTING BURGH.

The areas within the united parishes of St. Andrews and St. Leonards and county of Fife bounded as follows:—

*Area No. 1.*—Commencing at the point in the existing burgh where the Mussel Road crosses the St. Andrews Branch of the North British Railway two hundred and sixty-seven yards or thereby north-westwards from the north-west corner of the house occupied by the station master at St. Andrews thence south-eastwards and westwards along the fence between the field occupied by the Madras College as a recreation ground and the goods station of the said branch of said railway to the south-east corner of said field thence westwards along the wall between the said field and the public road leading from St. Andrews to Guardbridge for a distance of twenty-seven yards or thereby thence southwards to the westmost boundary of the existing burgh on the said public road leading from St. Andrews to Guardbridge thence eastwards following the existing burgh boundary for a distance of one hundred and seventeen yards or thereby crossing the said branch of the said railway thence northwards and north-westwards following the existing burgh boundary along the stone wall enclosing the said goods station of the said railway and across the said railway to the point of commencement first described.

*Area No. 2.*—Commencing at the point in the existing burgh four hundred and fifty-three yards or thereby northwards from the junction of the road leading from St. Andrews to Mount Melville and the road leading from St. Andrews to Strathkinness thence north-westwards in an irregular line for a distance of two hundred and seventeen yards or thereby thence south-westwards westwards north-westwards and south-westwards to a point four hundred and sixty yards or thereby north-eastwards from a point on the south side of said road five hundred yards or thereby westwards from the existing burgh boundary on said road thence south-westwards for a distance of four hundred and sixty yards or thereby to the said point on the south side of the Strathkinness Road five hundred yards or thereby westwards from the existing burgh boundary on the said road thence south-eastwards in a

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A.D. 1913. — straight line crossing Mount Melville Road to a point in the centre of the Kinness Burn at Lawmill thence eastwards south-eastwards and north-eastwards in an irregular line along the centre of the said burn for a distance of six hundred and forty yards or thereby thence north-westwards following the existing burgh boundary to Mount Melville Road at the north-west corner of the stone wall enclosing the grounds at New Park thence north-eastwards following the existing burgh boundary across Mount Melville Road to Strathkinness Road at the point where the existing burgh boundary crosses the said last-mentioned road thence northwards and north-eastwards following the existing burgh boundary in an irregular line to the point of commencement first described.

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THE SECOND SCHEDULE.

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AGREEMENT between the PROVOST MAGISTRATES AND COUNCILLORS OF THE CITY AND ROYAL BURGH OF ST. ANDREWS (hereinafter called "the Town Council") acting under the Town Councils (Scotland) Act 1900 of the first part and the ROYAL AND ANCIENT GOLF CLUB OF ST. ANDREWS (hereinafter called "the club") and Walter Edwin Fairlie Captain thereof Samuel Beveridge Armour Hannay chairman of the committee of management thereof Charles Stuart Grace honorary treasurer thereof and Henry Gullen secretary thereof acting for and on behalf of the club of the second part.

WHEREAS by agreement dated 4th May 1894 entered into between the commissioners of the city and burgh of St. Andrews (the predecessors in office of the Town Council) of the first part and the club of the second part forming the Second Schedule to and confirmed by the St. Andrews Links Act 1894 (hereinafter referred to as the "Act of 1894") certain arrangements were made regarding the two golf courses on St. Andrews Links belonging to the Town Council known and hereinafter respectively referred to as the Old Course and the New Course and as to their management and maintenance all as the said agreement in itself more fully bears:

And whereas owing to the largely increased number of persons playing golf on the said golf courses and the change of circumstances since the said agreement was entered into it is expedient that certain alterations should be made on the terms and conditions of the said

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agreement and that increased facilities should be provided for the playing of golf at St. Andrews and that a new agreement should be made between the Town Council and the club : A.D. 1913.

And whereas after negotiations between a committee of the Town Council and a committee of the club terms of agreement were arranged which were unanimously approved by the members of the club at the general meeting of the club held at St. Andrews on 24th September 1912 and further unanimously approved at an extraordinary general meeting of the club held at St. Andrews on 9th November 1912 :

And whereas at a special meeting of the Town Council held on the 9th November 1912 the said terms of agreement were unanimously approved subject to the result of a plebiscite of the municipal voters of St. Andrews :

And whereas a plebiscite of the said municipal voters was duly taken on the 27th day of November 1912 which resulted in a vote of 1159 given in favour of the said resolution of the Town Council and 160 against the resolution whereupon the Town Council in accordance with the resolution of the 9th November proceeded with the necessary steps for carrying the said agreement into effect :

And whereas the Town Council are promoting in the present session of Parliament a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 for the purpose among others of obtaining parliamentary sanction to the terms so agreed :

Therefore the parties hereto have agreed and hereby agree as follows (videlicet) :—

First The club and the said captain chairman of the committee of management honorary treasurer and secretary thereof acting for and on behalf of the club hereby bind and oblige the club to repair keep up and maintain as hitherto the Old and New Golf Courses in an efficient state at the sole expense of the club.

Second The Town Council having leased land for an additional golf course by provisional agreement with James Cheape Esquire of Strathtyrum undertake (subject to the sanction of Parliament being obtained by them) to lay out a course of eighteen holes thereon or partly thereon and partly on land belonging to the Town Council adjoining the Old Course and during the currency of the lease or any renewal thereof to keep up the said additional course in good order out of the charges which may be levied by them on the Old Course and on the said additional course as after-mentioned or out of any money authorised to be borrowed under the Provisional Order The Town Council shall in said Provisional Order seek to obtain the necessary powers for this purpose.

Third The Town Council shall in the said Provisional Order seek power to levy charges on persons playing golf on the Old Course

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A.D. 1913. — and if power be obtained they undertake to levy such charges during the months of July August and September in every year and at such other times as they may think necessary During the months of July August and September the charge subject to the provisions after-mentioned for reduced and commuted charges shall not be less than one shilling per day for every such person other than the persons exempted from payment as after-mentioned.

Fourth The Town Council shall seek power in the said Order to enable them if they think fit to make and levy charges on the proposed additional golf course.

Fifth The following persons shall be exempted from payment of charges on the Old Course the new course the course known as the Third or Jubilee Course belonging to the Town Council and on the additional golf course (namely) (1) municipal voters of St. Andrews (2) wives and children of the said municipal voters provided such wives and children are permanently resident in St. Andrews (3) regular bonâ fide ordinary and life members of the club (hereinafter referred to as "ordinary and life members") and (4) the proprietor of Strathtyrum and his family and guests resident for the time being at Strathtyrum House Provided that all temporary members of the club and all members thereof other than ordinary and life members shall pay the charges which may be levied by the Town Council on the Old Course the Third or Jubilee Course and the said additional golf course.

Sixth The Green Committee of St. Andrews Links referred to in the said agreement to the Act of 1894 (in addition to making charges for playing golf on the New Course during the months of July August and September as authorised in the said agreement) may in their option make charges on the New Course at all other times when they consider it necessary or advisable and the Town Council shall seek power in the said Provisional Order for this purpose.

Seventh The charges levied by the said Green Committee in respect of the New Course during the months of July August and September shall not be greater than the charges made by the Town Council on the Old Course during those months.

Eighth The Town Council may in their discretion charge such reduced rates as they may fix to (1) students of St. Andrews University (2) golfers permanently resident in the burgh of St. Andrews who are neither municipal voters nor members of a golf club in St. Andrews and (3) members of golf clubs in St. Andrews who are not resident permanently in St. Andrews provided always that such non-resident members of clubs shall be regular bonâ fide ordinary members of their respective clubs The Town Council may also in their discretion commute any charges payable to the Town Council by members of golf clubs in St. Andrews for such annual lump sum as the Town



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Council may fix and upon such annual lump sum being paid the members of such golf clubs may play on any of the golf courses of the Town Council except the New Course The Town Council may if they think fit restrict the number of members of each such club in respect of whom commutation may be allowed The privilege as to reduced payments and commuted sums referred to in this paragraph may at any time be varied or cancelled by the Town Council.

A.D. 1913.  
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Ninth All moneys received from charges imposed upon persons playing golf on the golf courses of the Town Council (excepting the charges imposed in respect of the New Course) shall be the sole property of the Town Council and shall be applied by them in payment of the rent rates interest on loans payments to sinking fund and other obligations in respect of the laying out maintenance and administration of the proposed additional course and the maintenance and improvement of the said Third or Jubilee Course belonging to the Town Council or any other course which may be acquired at any time by the Town Council.

Tenth During the months of August and September in each year the ordinary ballot for places on the Old Course (hereinafter referred to as "the ordinary ballot") shall be in force for a period of not less than eight continuous hours daily and shall begin at 8 o'clock a.m. and terminate at 4 o'clock p.m. on each day. Provided always that if the Town Council and the said Green Committee of St. Andrews Links mutually agree the ordinary ballot during the said months may from time to time be altered so as to make the hours thereof either from 9 a.m. to 5 p.m. daily or from 8 a.m. to 4 p.m. daily and failing such mutual agreement the question as to whether the hours of the ordinary ballot shall be from 8 a.m. to 4 p.m. or from 9 a.m. to 5 p.m. during said months shall upon such question being raised either by the Town Council or by the said Green Committee be referred to arbitration in terms of Article twenty-fourth of this agreement.

Eleventh During the months of August and September in each year the starting places on the Old Course between 10 a.m. and 11.16 a.m. and also between 2 and 3.16 p.m. (Thursday afternoons and Saturday afternoons excepted) being twenty starting numbers in the morning and the same in the afternoon may be applied for only by and shall be reserved exclusively for ordinary and life members of the club No ordinary or life member of the club shall be entitled (except on Thursday afternoons and Saturday afternoons) to apply directly or indirectly during the said months of August and September for any other number in the ordinary ballot for places on the Old Course than the said starting places between 10 and 11.16 a.m. and 2 and 3.16 p.m. And in the said months of August and September all the numbers and starting places on the Old Course during the hours

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A.D. 1913. of the ordinary ballot other than those between 10 and 11.16 a.m. and 2 and 3.16 p.m. may (except on Thursday afternoons and Saturday afternoons) be applied for only by and shall be reserved exclusively for golfers other than ordinary and life members of the club. Notwithstanding the provisions of this Article but without prejudice thereto it is agreed (1) that during the months of August and September ordinary and life members of the club may start during the hours of the ordinary ballot which are reserved as aforesaid for golfers other than ordinary and life members of the Club provided always that the first teeing ground of the Old Course is vacant at the actual time of starting and that no person having a preferential right of starting as hereinbefore reserved is ready to start (2) that on the other hand golfers other than ordinary and life members of the club may in the said months start during the hours of the ordinary ballot reserved for the club as aforesaid provided always that the first teeing ground of the Old Course is vacant at the actual time of starting and that no ordinary or life member of the club is ready to start (3) that ordinary and life members of the club who during the said months have secured places in the ordinary ballot during the hours reserved for them as aforesaid may associate with themselves not more than two golfers other than ordinary or life members of the club in actual play in a match or game provided that not more than four players shall take part in each such match or game and that not less than two ordinary or life members of the club shall play therein and (4) that golfers other than ordinary and life members of the club who during the said months have secured places in the ordinary ballot during the hours reserved for such golfers as aforesaid may associate with themselves not more than two ordinary or life members of the club in actual play in a match or game provided that not more than four players shall take part in each such match or game and that not less than two golfers other than ordinary or life members of the club shall play therein and it is further agreed that the privileges by this article conferred on ordinary and life members of the club and on golfers other than such members respectively of associating with themselves in matches or games during the respective reserved hours persons who otherwise would not be entitled to play during such hours may from time to time be altered or modified by mutual agreement between the Town Council and the club or failing agreement in the event of any dispute arising between the Town Council and the club with regard to the exercise of the said privileges as may be determined by arbitration in terms of Article twenty-fourth of this agreement.

Twelfth. During the months of August and September in each year there shall be a daily supplementary ballot for places on the



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Old Course in which supplementary ballot all golfers including A.D. 1913.  
ordinary and life members of the club shall be entitled to apply for  
places The said supplementary ballot shall when the hours of the  
ordinary ballot are fixed between 8 a.m. and 4 p.m. be in force  
between the hours of 4 p.m. and 6 p.m. and if the hours of the  
ordinary ballot are fixed between 9 a.m. and 5 p.m. the said supple-  
mentary ballot shall be in force between the hours of 8 and 9 a.m.  
and 5 and 6 p.m. The said supplementary ballot shall always be in  
operation during said months of August and September unless the  
Town Council and the said Green Committee shall by mutual consent  
suspend the operation thereof which they may do for such time or  
times as they may think fit.

Thirteenth Under reference to section 12 (4) of the Act of 1894  
and provided that notice shall be given to the person in charge of  
the ballot not later than 5 o'clock p.m. on the previous day the  
proprietor of Strathtyrum or the tenant of Strathtyrum House and  
their respective families and guests resident for the time being at  
Strathtyrum House shall be entitled each day to three starting places  
in the forenoon and to three starting places in the afternoon excepting  
in the case of the Old Course during the months of August and  
September the said starting numbers between 10 and 11.16 a.m. and  
between 2 and 3.16 p.m. which are reserved for the club as aforesaid  
These places six in all may in the option of the said proprietor or  
tenant and their respective families and guests resident as aforesaid  
be taken on any one course or partly on one course and partly on  
any one or more of the other courses.

Fourteenth Without prejudice to the true intent and meaning of  
clause 6 of the said Agreement scheduled to the Act of 1894 it is  
hereby agreed that between the hours of 10 and 11 a.m. and 2 and  
3 p.m. during the months of August and September in every year  
there shall be no reservation of places on the New Course by or in  
favour of any member of the club or of any ratepayers of St. Andrews  
and their children or the owner of Strathtyrum and his family and  
guests but that the places on the New Course during the said hours  
shall be available to members of the public generally along with the  
foresaid persons in the order in which they may be drawn in the  
ballot for places or if the ballot should not be in force then in the  
order of their arrival and application at the first teeing ground of  
the new course.

Fifteenth The ordinary and life members of the club in addition  
to the provisions in their favour as hereinbefore provided shall in  
the club's spring and autumn medal weeks in each year have a  
preference in starting on the Old Course on each day up to and  
including the hour of one o'clock in the afternoon of the Thursday

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A.D. 1913. in each of the said weeks Provided that all places on the Old Course not taken by ordinary and life members of the club during the said periods in the said medal weeks shall be available for golfers other than ordinary and life members of the club.

Sixteenth. In connection with the regulations for starting on the Old Course such regulations shall be made so that alternate places shall on every Thursday afternoon and every Saturday afternoon throughout the year be reserved for local golfers i.e. artisans and those whose occupation debars them from playing except on these afternoons Provided that the said Green Committee may with the approval of the town council alter from time to time the regulations applicable to play and the order of starting on the Old Course on Thursday afternoons and Saturday afternoons.

Seventeenth The additional golf course and the said Third or Jubilee Course shall be managed by a committee to be called "the Town Links Committee" consisting of five persons nominated by the Town Council of whom one shall be the Provost of St. Andrews for the time being and the others of whom need not be members of the Town Council and two members nominated by the club who shall be members of the club The said members shall be nominated by the Town Council and the club respectively on or before the fifteenth day of October in each year and shall hold office for a year Any vacancy occurring in the said committee between the yearly periods of election shall be filled up by the Town Council if the person whose place is vacant had been nominated by the Town Council and the committee of management of the club shall fill up such vacancy if the person whose place is vacant had been nominated by the club The person appointed to fill such vacancy shall remain a member of the said committee until the next yearly election The Provost of St. Andrews for the time shall be chairman of the said committee with a deliberative as well as a casting vote and four members shall be a quorum The said committee shall (subject to the control of the Town Council and their successors in office) have the regulation of the tariffs (the New Course excepted) the care and management of the additional golf course and the said Third or Jubilee Course and the regulations applicable to play and the order of starting on said additional golf course and the said Third or Jubilee Course as also power to close these courses for such periods as they may consider expedient All rights of the Town Council with respect to the said additional golf course and the said Third or Jubilee Course are hereby expressly reserved The Town Council shall alone be entitled to fix and to vary from time to time the charges payable by persons playing golf on the golf courses other than the New Course.

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Eighteenth The Town Council shall in the said Provisional A.D. 1913.  
Order seek power to make all necessary byelaws in connection with  
the St. Andrews Links and the said additional golf course including  
byelaws for the protection of the links generally and among others  
the limitation of the hours of play on the Old Course for the proper  
maintenance of order on the links and for regulating the conditions  
under which juveniles under fourteen years of age shall be allowed  
to play on the old course and such other matters as they may  
consider necessary.

Nineteenth The Town Council shall seek power to enable the  
said Green Committee to close either the Old Course or the New  
Course (but not both at the same time) for such period or periods in  
any year as may be required to repair or rest the respective courses  
which period or periods shall not exceed one month in any year  
except with the consent in writing of the Town Council who may  
take expert advice and may authorise a longer period of closing if  
they shall in their discretion consider the same expedient. Provided  
that neither the Old Course nor the New Course shall be closed by  
the said Green Committee during the months of July August or  
September in any year except with the consent in writing of the  
Town Council.

Twentieth Without prejudice otherwise to the respective rights  
of the parties interested it is agreed that no objection shall at any  
time be taken by the Green Committee or by the club to the present  
situation of the said Third or Jubilee Course in so far as it may be  
within the limits of the New Course as shown on the plan signed as  
relative to the Act of 1894. The boundaries of the New Course as from  
and after the commencement of the said Provisional Order shall be as  
shown on the plan signed as relative hereto.

Twenty-first The Act of 1894 and the said agreement scheduled  
thereto shall except in so far as varied by or inconsistent with the  
provisions of the said Provisional Order and this agreement remain in  
full force and effect.

Twenty-second This agreement is made subject to the sanction of  
the Secretary for Scotland and Parliament and to such alteration as the  
Secretary for Scotland or Parliament may think fit to make thereon  
and shall be scheduled to and confirmed by the said Provisional Order  
Should any alteration be made on this Agreement during the progress  
of the Provisional Order or substituted Bill which in the opinion of  
the Dean of the Faculty of Advocates for the time being whom failing  
of the Lord Advocate for the time being is material thereto either of  
the parties may withdraw therefrom.

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Twenty-third In any proceedings for the enforcement of or in any way relating to this agreement the club may sue and be sued by and in name of the captain the chairman of the committee of management the honorary treasurer and the secretary thereof for the time being.

Twenty-fourth All questions which may arise between the parties hereto in relation to this Agreement or the import or meaning thereof or to the carrying out of the same other than questions arising under the first article hereof shall (unless both parties mutually agree to refer same to one arbiter) be referred to the final sentence and decree arbitral of two arbiters one to be appointed by each party to the reference or in the event of said arbiters differing in opinion of an oversman to be appointed by the arbiters in writing before entering on the business of the reference.

In witness whereof

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