



CHAPTER lxxx.

An Act to extend the boundaries of the city and royal burgh of Dundee and of the county of the city of Dundee and for other purposes. [15th August 1913.] A.D. 1913.

WHEREAS the lord provost magistrates and councillors of the city and royal burgh of Dundee (herein-after referred to as "the Corporation" and "the city" respectively) are vested with the municipal government police health and sanitary administration thereof and they are also the local authority for the port of Dundee :

And whereas the police burgh of Broughty Ferry (herein-after referred to as "the burgh") immediately adjoins the city and the burgh is supplied by the Corporation with tramway facilities and other communal services :

And whereas the Corporation in the year one thousand eight hundred and sixty-nine purchased the waterworks supplying the city and the burgh and the Corporation applied to Parliament in the year one thousand eight hundred and sixty-nine to constitute them "The Dundee Water Commissioners" And whereas the constitution of such commissioners has been altered from time to time but in pursuance of the provisions of section 38 of the Dundee Corporation Act 1894 it is no longer necessary to hold separate meetings of the Dundee Water Commissioners it having been provided by the said section 38 that the business of such commissioners shall be transacted at meetings of the Corporation and the water supply of the whole district of such commissioners is thus virtually afforded and managed by the Corporation :

And whereas there is community of interest between the burgh and the city which practically form one centre of population :

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And whereas the growth and development of the burgh is largely due to the expansion of the Corporation's undertakings and to the industrial and commercial prosperity of the city :

And whereas the majority of persons resident in the burgh are engaged in business or employed in the city and the burgh properly belongs to and ought to form part of the city :

And whereas it is expedient and in the public interest for the proper health and sanitary administration of the city that the burgh should be under one authority with the existing city :

And whereas it is expedient that the boundaries of the city should be extended to include the burgh and certain portions of the county of Forfar (which burgh and portions of county are herein-after referred to as "the added area") and that all franchises rights privileges and immunities and all public and general and local and personal Acts and Orders relating to and in force for the time being in or applicable to the city should as by this Act amended be applied to the added area :

And whereas by the Dundee Corporation Act 1894 the city was constituted a county of a city under the name of the county of the city of Dundee and it is expedient that the added area should be separated and disjoined from the county of Forfar and be incorporated with and form part of the county of the city of Dundee :

And whereas it is expedient that the added area should be formed into new wards of the city and that the number of the members of the Corporation should be increased :

And whereas it is expedient that the Corporation should be empowered to levy and collect rates assessments and charges in the added area and for the purposes of this Act to borrow money :

And whereas it is expedient that certain sections and portions of sections of the Acts and Orders relating to and in force for the time in or applicable to the city and the added area should be amended or repealed including the sections and portions of sections of the said Acts and Order specified in the First Schedule to this Act :

And whereas the purposes of this Act 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:—

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1. This Act may be cited as the Dundee Boundaries Act 1913. Short title and citations.

This Act and the Dundee Corporation Acts 1871 to 1907 and any other Act passed during the present session of Parliament relating to the Corporation may be cited together as the Dundee Corporation Acts 1871 to 1913.

This Act and the Dundee Electric Lighting Orders 1890 and 1908 may be cited together as the Dundee Electricity Orders 1890 to 1913.

This Act and the Dundee Gas Acts 1868 to 1910 may be cited together as the Dundee Gas Acts 1868 to 1913.

2. This Act shall except as herein-after provided come into operation on the first Tuesday of November after the passing of the same (which date is herein-after referred to as "the annexation"). Commencement.

3. In this Act the following words and expressions shall unless there be something in the subject or context repugnant to such construction have the meanings hereby assigned to them (that is to say):— Interpretation.

"Act of 1903" means the Licensing (Scotland) Act 1903;

"Added area" means the burgh and the portions of the county of Forfar by this Act incorporated with the existing city and shown on the map to be deposited as herein-after mentioned;

"Annexation" means the date referred to in the section of this Act of which the marginal note is "Commencement";

"Assessor" means the assessor of the existing city or of the city as the case may be acting under the Election Acts and the Valuation Acts;

"Burgh" means the police burgh of Broughty Ferry;

"City" means the existing city and royal burgh of Dundee as extended by this Act;

"Common good" means the common good fund of the city;

"Corporation" means the lord provost magistrates and councillors of the existing city or of the city as the case may be;

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- “Corporation Acts” means the Dundee Corporation Acts 1871 to 1913 ;
- “Costs” includes charges and expenses ;
- “County council” means the county council of the county of Forfar ;
- “County of the city” means the county of the city of Dundee ;
- “District committee” means the district committee of the county of Forfar ;
- “Duties” includes responsibilities and obligations ;
- “Election Acts” means the Acts in force for the time being relating to the registration of parliamentary and municipal voters and the election of town councillors ;
- “Existing” means existing immediately previous to the passing of this Act ;
- “Existing city” means the city and royal burgh of Dundee existing immediately previous to the annexation ;
- “Gas commissioners” means the Dundee Gas Commissioners acting under the Dundee Gas Acts 1868 to 1913 ;
- “Lands and heritages” means lands and heritages as defined in the Valuation Acts ;
- “Liabilities” unless where otherwise expressly provided includes all debts and liabilities to which the burgh or any person is or but for the passing of this Act would be liable or subject whether accrued due at the annexation or subsequently accruing ;
- “Lord provost” means the lord provost of the existing city or of the city as the case may be ;
- “Magistrate” means a magistrate or judge having jurisdiction under the Police Acts ;
- “The magistrates” means the magistrates of the existing city or of the city as the case may be ;
- “Office” includes any place situation or employment ;
- “Order of 1907” means the Dundee Corporation Order 1907 ;
- “Pension” includes any superannuation allowance gratuity or other payment made on the retirement of any officer ;
- “Powers” includes rights jurisdictions capacities privileges and immunities ;
- “Property” includes all property real and personal and all estates interests servitudes and rights in to and out of

property real and personal including things forming the subject of suit claim or process and registers books and documents and when used in relation to any town clerk clerk of the peace county clerk town council county council justices board or other authority includes any property which at the annexation belongs to or is vested in or held in trust for or would but for the passing of this Act have on or after that date belonged to or been vested in or held in trust for such town clerk clerk of the peace county clerk town council county council justices board or other authority ;

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“ Sheriff ” and “ the sheriff clerk ” mean respectively the sheriff and the sheriff clerk of the county of Forfar ;

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

“ Town council ” means the provost magistrates and councillors of the burgh ;

“ Valuation Acts ” means the Acts in force for the time being relating to the valuation of lands and heritages ;

“ Valuation roll ” means the valuation roll made up in pursuance of the Valuation Acts.

4. The city shall include and comprehend in addition to the area embraced in the existing city the added area and the city shall be comprised within the boundaries set forth and described in the Second Schedule to this Act :

Boundaries of city and dissolution of town council.

Provided that the rules prescribed by section 5 (Boundaries of cities burghs and towns—Rules for the construction of the descriptions contained in the Schedule (M)) of the Representation of the People (Scotland) Act 1832 shall be observed and receive effect with reference to the boundaries before referred to :

On the annexation the town council shall be dissolved and cease to exist.

5. The added area shall subject to the provisions of this Act and for the purposes of the Dundee Corporation Act 1894 be incorporated with and form part of the county of the city and be severed from the county of Forfar and the said Act shall be read and have effect as if the words “ the city and royal burgh of Dundee ” occurring therein mean the city.

Boundaries of county of city.

6. A map of the city (distinguishing the burgh) of which ten copies have been signed by Sir Edwin Andrew Cornwall the

Map of city.

A.D. 1913. chairman of the Select Committee of the House of Commons to whom the Bill for this Act was referred shall within one month after the passing of this Act be deposited as follows (that is to say) one copy with the town clerk at his office one copy with the sheriff clerk at each of his offices in Dundee and Forfar respectively one copy in the Office of the Clerk of the Parliaments one copy in the Private Bill Office of the House of Commons one copy with the Secretary for Scotland one copy with the Board of Agriculture and Fisheries one copy with the Commissioners of Customs and Excise one copy with the Board of Trade and one copy with the Postmaster-General If there be any discrepancy between the said map and the description in the Second Schedule to this Act the said map shall be deemed to be correct and shall prevail.

Formation
of new wards
&c.

7.—(1) The added area shall be divided into two wards (herein-after referred to as “the new wards”) numbered ten and eleven the names and boundaries of which are respectively set forth and described in the Third Schedule to this Act and each of the new wards shall be and be deemed to be a ward of the city and the number of councillors for each of the new wards shall be three and the total number of councillors for the city shall be increased accordingly.

(2) The descriptions of the wards first and fourth of the city as set out in the First Schedule to the Order of 1907 shall be read and have effect as if the words “existing burgh” were substituted for the word “burgh” wherever that word occurs in those descriptions.

Provisions
of general
Acts as to
municipal
elections
to apply
to altered
wards.

8. The provisions of the Town Councils (Scotland) Acts 1900 and 1903 so far as the same apply to the existing city and of all other public statutes amending the same and regarding the election of town councillors in burghs divided into wards or districts in so far as still in force and the Dundee Police and Improvement Act 1871 so far as still in force shall subject to the provisions of this Act apply to the elections in and to the eleven wards established by this Act and to the election qualification continuance in office declinature and retirement of councillors and to the resignation of councillors and to supplying vacancies in the council by death disability resignation or other causes or otherwise as if the wards specified in and created by this Act had been the wards or districts into which the city was divided under and by virtue of the said Acts of 1900 and 1903 and as if the number of councillors fixed under the said

Act of 1871 had been the number fixed in or by virtue of the said Acts of 1900 and 1903. A.D. 1913.

9. The lord provost bailies treasurer and other office-bearers of the Corporation in office immediately previous to the annexation shall retain their several offices and exercise the respective functions thereof till their successors are elected and inducted in terms of the immediately preceding section of this Act. Magistrates and others to retain office till their successors elected.

10. The portion of the valuation rolls in force in and applicable to the added area at the annexation shall remain in full force and effect in the city until the end of the year for which the said valuation rolls were made up and shall be and be deemed to be a part of the valuation roll for the city. Valuation roll.

11. From and after the date of the passing of this Act and notwithstanding anything to the contrary in any Act contained the following provisions shall apply and have effect with respect to the registration of voters in the city (that is to say):— Register of voters.

(1) The duties falling to be performed by an assessor acting under the Election Acts in the area of the city beyond the parliamentary boundary of the city shall be performed by the assessor:

(2) Whatever is necessary to be done to or by the town clerk acting under the Election Acts in relation to the register or list of voters for parliamentary and municipal purposes in the area within the parliamentary boundary of the city including the duty of acting as clerk of the courts for the revision of the said register and list of voters shall be done to or by the town clerk in relation to the register or list of voters for parliamentary and municipal purposes for the area of the city beyond the parliamentary boundary of the city and any duties of a sheriff clerk under the Election Acts in relation to the said register or list of voters shall cease and determine:

(3) The duties of any assessor (other than the assessor) under the Election Acts so far as relating to the preparation revision and completion of any register or list of voters for parliamentary or municipal purposes for the area of the city beyond the parliamentary boundary of the city shall cease and determine:

(4) In order to enable the assessor to make up for the added area for the year from the thirty-first day of

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October one thousand nine hundred and thirteen the register of persons entitled to vote in the election of a Member of Parliament and the list of persons entitled to vote in the election of a town councillor he shall be entitled to access to the books and schedules of the assessor acting under the Election Acts and the Valuation Acts for the county of Forfar so far as they relate to the added area and that assessor shall give the assessor all necessary and reasonable facilities for that purpose :

(5) Notwithstanding anything in section 24 of the Town Councils (Scotland) Act 1900 the register of voters for parliamentary purposes made up for—

(A) The area of the city within the parliamentary boundary of the city ; and

(B) The area of the city beyond the parliamentary boundary of the city ;

shall along with the supplementary list of voters for the city made up in terms of the Election Acts form the municipal register for the election of town councillors for the city :

(6) All rights and liabilities under any contracts entered into prior to the date of the passing of this Act by the county council or by any county clerk assessor and sheriff clerk as to the printing of the register or list of voters shall so far as applying to the area of the city beyond the parliamentary boundary of the city be transferred to and vested in the assessor and the corporation and all expenses connected with the making up of the register of parliamentary voters for the area of the city beyond the parliamentary boundary of the city shall be borne by the Corporation.

Election of
councillors
&c.

12.—(1) On the annexation the electors in each of the new wards shall elect the town councillors to be elected for those wards and the first election and all future elections in those wards and all proceedings in connexion therewith shall be conducted in all respects in the way and manner prescribed by the Election Acts.

(2) For the purpose of the Election Acts and the first election of councillors for the new wards and the next triennial

election of parish councillors for the parishes of Dundee Combination and Monifieth so far as within the added area the added area shall notwithstanding anything in this Act contained be deemed to be and to have always been a part of the city for making up the registers or lists of voters and for all proceedings that require to be taken in connexion with such elections respectively prior to the date of the election. A.D. 1913.

(3) At the election of town councillors for the new wards which will take place at the annexation and the said triennial election of parish councillors the nominations of persons for election as councillors and parish councillors shall be made on the register or list of voters on which shall be conducted the election for which such nominations are made.

13. Nothing contained in this Act shall prejudice or affect the mode or manner of electing the lord provost or chief magistrate or the bailies or the treasurer of the city or the election of harbour trustees by municipal electors or any other elections falling to be made by the councillors of the city or by the municipal electors. Election of magistrates &c.

14. The number of the magistrates of the city shall be increased from seven to nine of whom one shall be lord provost and eight shall be bailies and at the time for electing magistrates and office-bearers for the city any vacancies which may then have arisen shall be filled up and the two additional bailies shall be elected and where in any Act of Parliament charter deed or other document a less number of bailies is appointed trustees or members of any governing body under such Act charter deed or other document the bailies to the number therein prescribed shall be deemed to be the corresponding number of bailies appointed as so required. Increase of number of magistrates.

15. The undertaking of the town council authorised by the Broughty Ferry Electric Lighting Order 1900 shall by virtue of this Act vest in the gas commissioners and shall form part of the undertaking of the gas commissioners authorised by the Dundee Electricity Orders 1890 to 1913 in the same manner and to the like effect as if the said undertaking of the town council had been authorised by those Acts. Electric lighting undertaking.

16. The undertaking of the town council authorised by the Broughty Ferry Gas Acts 1870 to 1903 shall by virtue of this Act vest in the gas commissioners and shall form part of Gas undertaking.

A.D. 1913. the undertaking of the gas commissioners authorised by the Dundee Gas Acts 1868 to 1913 in the same way and manner and to the like effect as if the said undertaking of the town council had been authorised by those Acts.

Property of
existing city
vested in
Corporation.

17. Subject to the provisions of this Act 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 city or to which the existing city is entitled or which is held or administered by any person for or on behalf of the community of the existing city or for the public ends and purposes thereof shall be vested in and be held by the Corporation for the behoof and benefit of the city or as the case may be administered by such person for or on behalf of the community of the city or for the public ends and purposes thereof and all debts and obligations due by or exigible from the existing city shall be due by and exigible from the city and all debts due to the Corporation by any person prior to the annexation may be demanded and recovered from such person and received and applied by the Corporation for behoof of the city.

Trusts
vested in
Corporation.

18.—(1) All mortifications endowments trusts charitable bequests or other grants held or administered by the town council or any of the magistrates councillors or office-bearers thereof as such shall subject to the liabilities under and upon which the same were conveyed granted or settled be vested in held and administered by the Corporation or by the magistrates councillors or office-bearers of the city or by so many of their number as are appointed or required to be appointed by the Acts or deeds under which such mortifications endowments trusts bequests or grants are constituted for the purposes and with the powers and authority and subject to all the conditions and provisions under and upon which the same were conveyed granted or settled.

(2) There shall be excepted from the provisions of this section the trust constituted and bequests gifted under the trust disposition and settlement and codicils dated respectively nineteenth December one thousand eight hundred and ninety-one fourth October one thousand eight hundred and ninety-three ninth March one thousand eight hundred and ninety-six and twentieth October one thousand eight hundred and ninety-six and all registered in the books of Council and Session twenty-third

May one thousand eight hundred and ninety-eight of the late James Guthrie Orchar engineer Dundee and residing in the burgh and for the three trustees appointed by the said trust disposition and settlement and codicils from the magistrates of the burgh there shall be substituted three of the councillors of the city for the time being representing the tenth and eleventh wards thereof and elected by the Corporation. A.D. 1913.

19. Subject to the provisions of this Act the Corporation the lord provost and the magistrates respectively shall have possess and exercise the same powers and authorities including powers of assessment in and over the city and over the inhabitants thereof as they have possess and exercise in the existing city whether at common law or by statute. Powers extended over added area.

20. The several officers of the Corporation shall have possess and exercise in their several characters and capacities the same powers and authorities in and over the city as they have possess and exercise in their several characters and capacities in and over the existing city whether at common law or by statute but without prejudice to the right of the Corporation to make such arrangements in regard to the said officers and their respective duties as before the annexation they were entitled to make with reference to the officers of the existing city. Officers in existing city.

21. Subject to the provisions of this Act and in so far as necessary to give full effect thereto— Separate jurisdictions to cease.

(1) All separate magistracies councils commissions authorities and jurisdictions in the added area shall cease and determine :

(2) All actions prosecutions or processes in dependence before the police and dean of guild court of the burgh shall be adjudged and disposed of by the courts of the city to whom all such actions and processes shall be according to the subject-matter thereof by virtue of this Act transferred :

(3) All actions prosecutions or processes both in civil and criminal causes before the sheriff courts and the justice of peace courts for the added area in dependence at the annexation shall be adjudged and finally disposed of by the said sheriff courts and justice of peace courts notwithstanding anything in this Act to the contrary.

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Transfer of
property and
liabilities.

22. Subject to the provisions of this Act and excepting as herein-after mentioned—

- (1) The lands buildings sewers lamps lamp-posts pipes mains cables wires apparatus plant and all other property assets and powers of every description vested in held by or due or belonging to the town council or other authorities (excepting the trustees of the harbour of Dundee) in the added area other than the gas and electric lighting undertakings of the town council vested in the gas commissioners by this Act shall by virtue of this Act and without the necessity of recording in the Register of Sasines any conveyance or notarial instrument or other deed or writing be transferred to vested in held by and be due and belong to the Corporation and shall form part of the property and assets of the Corporation for all the estate and interest therein of the town council or other authorities and shall be received held and enjoyed by the Corporation accordingly :
- (2) All the powers duties liabilities contracts and agreements of the town council or other authorities (excepting the trustees of the harbour of Dundee) in relation to the added area shall by virtue of this Act be transferred and attach to the Corporation and shall form part of the powers duties liabilities contracts and agreements of the Corporation and be enjoyed performed paid and discharged by them :
- (3) For the purpose of enabling the Corporation to complete a title if thought fit to any part of the lands buildings and other heritable property transferred to and vested in them by virtue of this Act by expeding a notarial instrument or otherwise this Act shall be deemed to be and may be used as a general disposition or assignation as the case may be of such lands buildings and other property in favour of the Corporation :
- 4) Except as by this Act otherwise provided the Corporation shall determine any question which may arise as to the department of the Corporation to which any part of such property ought to belong and any question as to the fund of the Corporation out of which such liabilities and obligations shall be defrayed.

23. All rates and assessments which shall have been imposed levied or assessed by the town council under and by virtue of any Act or Order and remaining unpaid together with all arrears and costs and all debts expenses and penalties incurred and due by any person to the town council shall be recoverable by the Corporation in accordance with the practice obtaining in the existing city.

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Recovery of rates debts and penalties.

24. All books documents maps and plans directed or authorised to be kept by the town council by any Act or Order or otherwise shall so far as they relate to the added area belong and be transferred to the Corporation and in so far as they would at the annexation be receivable in evidence shall be admitted as evidence in all courts and proceedings notwithstanding the cesser of the powers of the town council.

Books to be evidence.

25. The following provisions unless otherwise agreed between the Corporation and the county council shall apply in relation to so much of the added area as immediately prior to the annexation was situate in the county of Forfar (in this section called "the Forfarshire area") (that is to say):—

For protection of Forfarshire County Council.

(1) The Corporation shall on the eleventh day of November one thousand nine hundred and thirteen pay to the county council the sum of four thousand four hundred and fifty pounds which sum shall be accepted by the county council as in full satisfaction of all claims competent to them and not elsewhere in this Act expressly provided for which sum 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 for behoof of the county of Forfar in such way as the county council may see fit:

(2) Notwithstanding anything contained in the section of this Act the marginal note of which is "Assessments in added area" the rates charges and assessments to be imposed by the Corporation on agricultural lands in the Forfarshire area shall not until the expiry of leases current at the passing of this Act exceed the rates charges and assessments imposed by the county council at the passing of this Act:

(3) The Corporation shall at the annexation take over and thereafter maintain all boundary roads and other roads

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within that portion of the Forfarshire area which is situate within the estate of Panmure including the road leading from the continuation north-westward of Balmossie Street through Barnhill Farm to the junction of the road with Montague Street:

- (4) Nothing in this section contained shall relieve the owners or occupiers of property in the Forfarshire area of any obligation to make or maintain any road or street or part thereof in such area and any such obligation may be enforced by and at the instance of the Corporation in the same manner and to the like extent as it might have been enforced at the instance of the county council.

Application
of general
and local
Acts.

26. The public and general and local and personal Acts and Orders relating to and in force in the existing city and all byelaws rules regulations and orders made thereunder shall as amended by this Act be exercised over and be applicable to the city:

Provided that such local and personal Acts and Orders and any byelaws rules regulations and orders made thereunder in operation in the existing city shall not apply to any buildings in the burgh which have been constructed or the plans whereof have prior to the annexation been approved by the dean of guild court of the burgh in accordance with any Act Order byelaws rules regulations and orders in operation in the burgh unless and until such buildings are being so altered or added to that by reason of such alteration or addition such buildings shall not be in conformity with the provisions of the byelaws rules regulations and orders applicable to new buildings in the city:

Provided further that the saving provision contained in subsection (3) of section 103 of the Order of 1907 shall *mutatis mutandis* apply to the harbour undertaking of the trustees of the harbour of Dundee and all property belonging to them in connexion with that undertaking within the city.

Provisions
as to subsist-
ing licences
in burgh.

27. All certificates of licence granted by the licensing court for the burgh applicable to the burgh before the commencement of this Act and then in force shall unless the same be revoked or previously expire subsist and continue until the twenty-eighth day of May one thousand nine hundred and fourteen but all prosecutions for offences under the Act of 1903 with reference to such certificates or for any breach thereof or of the byelaws

or regulations made under the said Act shall after the commencement of this Act be proceeded with in the same way as if such certificates had been originally granted within the city and all applications for renewal or transfer of such certificates shall after the commencement of this Act be disposed of by the licensing court of the city. A.D. 1913.

28.—(1) The following Acts and Order (namely):—

Broughty Ferry Roads Act 1868 (31 Vict. c. xii);

Broughty Ferry Police Force Act 1869 (32 & 33 Vict. c. clviii);

Broughty Ferry Commissioners Gas Act 1870;

General Police and Improvement (Scotland) Act 1862
Order Confirmation (Broughty Ferry) Act 1880;

Broughty Ferry Paving Act 1883;

Broughty Ferry Gas and Paving Order Confirmation Act
1899;

Broughty Ferry Electric Lighting Order 1900;

Broughty Ferry Gas Order Confirmation Act 1903;

are hereby repealed.

(2) The Second Schedule of the Dundee Electric Lighting (Extension) Order 1908 shall be read and have effect as if the streets mentioned therein included the streets mentioned in the Fourth Schedule to this Act.

29.—(1) The roads streets highways lanes courts bridges foot-pavements and footpaths in the added area and the sewers and drains therein or thereunder shall so far as the same are vested in and managed maintained and repaired by the town council or county council be transferred to and vested in and be managed maintained and repaired by the Corporation along with and in the same way and manner and to the same extent as the roads streets highways lanes courts bridges foot-pavements and footpaths and sewers and drains within the existing city.

(2) The Corporation shall at the date of the annexation take over and maintain—

(A) Footpaths of all the streets in the burgh which have been formed with concrete or flagstones:

(B) All other footpaths in the burgh Provided that after the expiration of five years from the annexation the

Repeal of
Acts and
Order relat-
ing to burgh;
and amend-
ment of
Order of
1908.

Roads streets
and foot-
paths.

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Corporation may if they see fit require the owner of the property abutting on such footpaths at his own expense to and the owner shall pave with concrete or flagstones or other material approved by the Corporation and the Corporation shall thereafter maintain the same.

(3) Any footpath formed with a gravel or cinder surface to the satisfaction of the Corporation by any owner of property within the burgh after the date of the annexation shall on the application of the owner be taken over and thereafter maintained by the Corporation. Provided that the Corporation may if they see fit at any time thereafter require the owner to and the owner shall at his own expense pave with concrete or flagstones or other material approved by the Corporation the footpath so taken over.

(4) Wherever the town council shall have required any private street to be freed from obstruction levelled paved or causewayed or macadamised or flagged and channelled in terms of the Burgh Police (Scotland) Acts 1892 to 1911 or have themselves taken steps for that purpose the Corporation may take up prosecute and complete the proceedings authorised by and commenced under those Acts in the same way and manner and to the same extent as the town council might have done.

Provision as
to Broughty
Ferry.

30.—(1) (A) The Corporation shall within five years from the annexation if within that period the municipal electors in the tenth and eleventh wards of the city shall by a majority of those voting at a plebiscite taken by the Corporation on the requisition of any seven of such electors so desire—

(i) Establish and thereafter maintain in the burgh public baths and wash-houses subject to such regulations and conditions and on payment of such reasonable charges for the use thereof as may be made by the Corporation ;

(ii) Acquire ground in the burgh for a bowling green or tennis courts :

(B) The Corporation shall within five years from the annexation—

(i) Establish and thereafter maintain in the burgh a fire station with staff and all necessary equipment ;

(ii) Acquire (if they can do so on terms which they consider reasonable) such part of the western foreshore of the burgh as may be necessary to form the same into a pleasure promenade; and

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(c) The Corporation shall on the expiration of ten years from the annexation establish and thereafter maintain in the burgh a district library with a reading-room.

(2) The Corporation shall make reasonable provision in the burgh for the collection of municipal rates and assessments and gas and electricity charges and shall with respect to the various public services undertaken by the Corporation treat the burgh in the same way as other districts of the city.

(3) The Corporation shall make suitable provision in the burgh for holding courts for the trial of police and ejectment cases.

(4) The Corporation shall within ten years from the annexation apply for and use their best* endeavours to obtain such powers as may be necessary to enable them to construct and maintain and shall forthwith on obtaining such powers construct and thereafter maintain a new road on or along the foreshore commencing at a point opposite Stannergate Railway Station and terminating at Douglas Terrace and in continuation thereof to widen the existing roads to the eastern boundary of the burgh all of a minimum width of sixty feet except where the Dundee and Arbroath Joint Railway is crossed in Bridge Street Barnhill so as to provide a main road of the first class.

(5) In the event of the Corporation during the said period of ten years failing to obtain the necessary powers to construct such road and widenings referred to in the immediately preceding subsection of this section the Corporation shall forthwith apply for and use their best endeavours to obtain such powers as may be necessary to enable them to construct and maintain and shall forthwith on obtaining such powers construct and thereafter maintain a widening and improvement of the Lower Broughty Ferry Road and its continuation within the burgh having a minimum width of sixty feet (except in West Queen Street where the width may be forty-eight feet) so as to provide a main road of the first class.

(6) The lines of the roads referred to in subsections (4) and (5) of this section are shown in red on the plan signed in duplicate by the Right Honourable the Lord Newton the chairman

A.D. 1913. — of the Select Committee of the House of Lords to whom the Bill for this Act was referred one copy of which has been deposited with the Clerk of the Parliaments and the other copy at the Private Bill Office of the House of Commons.

New con-
tracts or
agreements.

31. The town council the county council the district committee or other authority or any of them shall not after the passing of this Act without the previous consent of the Corporation make or enter into any contract or agreement in respect of the added area or any part thereof which imposes or might at any time thereafter impose any obligation or liability on the Corporation except such contract or agreement including bankers' overdrafts or temporary loans as is necessary for carrying into effect obligations existing at and discharging liabilities incurred prior to that date and such as shall be in the ordinary course of the proper administration of their district and the due observance of their statutory obligations.

Assessments
in added
area.

32.—(1) Subject to the provisions of this Act the Corporation shall fix impose assess levy collect and recover in respect of all lands and heritages in the added area the same rates charges and assessments as they fix impose assess levy collect and recover in the existing city.

(2) During the period of ten years from and after the term of Whitsunday immediately preceding the annexation—

(A) The rates assessments and charges imposed and levied by the Corporation on—

Owners of lands and heritages in the burgh shall be—

(a) In Dundee parish - - - 8·114*d.*

(b) In Monifieth parish - - - 7·114*d.*

per pound respectively on the amount entered as the yearly rent or value of such lands and heritages in the valuation roll subject to the deductions or abatements (if any) provided by statute to be allowed from such yearly rent or value:

(B) The rates assessments and charges imposed and levied by the Corporation on—

Occupiers of lands and heritages in the burgh shall be—

(a) In Dundee parish - - - 2*s.* 0·16*d.*

(b) In Monifieth parish - - - 1*s.* 11·16*d.*

per pound respectively on the amount entered as the yearly rent or value of such lands and heritages in the valuation roll subject to the deductions or abatements (if any) provided by statute to be allowed from such yearly rent or value. A.D. 1913.

(3) For a period of ten years from and after the term of Whitsunday immediately preceding the annexation the rates assessments and charges imposed and levied by the Corporation in the added area other than the burgh shall be equivalent in amount to the county rates assessments and charges imposed and payable in the added area other than the burgh for the year ending the fifteenth day of May immediately preceding the passing of this Act (that is to say):—

On owners 12·681*d.* on occupiers 11·30*d.*

(4) After the expiration of the said period of years all variation in the amount and incidence of the rates assessments and charges in this section mentioned shall cease and determine.

(5) Any assessments required to be imposed by the Corporation in the city to meet additional expenditure under the National Insurance Act 1911 or under any public general Act passed in the present or any future session of Parliament may be added to the assessments to be imposed assessed levied and collected by the Corporation in the added area under this section.

33. Notwithstanding any of the provisions of or powers conferred on the Corporation by this Act the following further provisions for the protection of the trustees of the harbour of Dundee (herein-after called “the trustees”) shall have effect (that is to say):— For protection of Dundee Harbour Trustees.

(1) The provisions of the section of this Act of which the marginal note is “Assessments in added area” shall not extend or apply to or affect the trustees or their harbour undertaking or any property in the added area owned by them and occupied either by them or by their tenants and in respect of the said harbour undertaking and property in the added area the Corporation shall from and after the term of Whitsunday immediately preceding the annexation impose and levy the same rates charges and assessments as at the passing of this Act they might lawfully impose and levy in respect of the harbour undertaking or property of the trustees within the existing city and

A.D. 1913.

the Corporation shall not alter the existing incidence of any rates charges or assessments payable by the trustees or their tenants:

- (2) The expression "harbour" wherever it occurs in the agreement second set forth in the Second Schedule to the Dundee Street Tramways Recreation Grounds Police and Improvement Act 1887 shall mean the harbour so far as within the city.

Application of House Letting and Rating (Scotland) Act 1911 in added area.

34. Notwithstanding anything contained in the House Letting and Rating (Scotland) Act 1911 that Act shall extend and apply to the added area until the sixteenth day of May one thousand nine hundred and fourteen in the like manner and to the same effect as if the added area had not been annexed to the city until that date.

Levying assessments &c.

35. Subject to the provisions of this Act the Corporation at the same time as they impose and levy on the lands and heritages in the existing city the rates charges and assessments for the year from and after the term of Whitsunday immediately previous to the annexation shall impose and levy the rates charges and assessments to be charged in the added area for that year and the Corporation shall issue such notices and adopt such proceedings as may be necessary for that purpose and except as provided in the sections of this Act of which the marginal notes are "Saving of election of members to serve in Parliament teinds &c." and "Parish councils and school boards" no assessing authority other than the Corporation shall impose or levy rates charges or assessments for that year in the added area.

Payments to county council.

36. For the period between the term of Whitsunday immediately previous to the annexation and the annexation the Corporation shall pay to the county council a sum equal to one-half of the amount which would have been realised by the county council from the rates and assessments imposed by them upon lands and heritages in the jurisdiction of the county council in the added area had this Act not been passed and the Corporation shall allocate the sum so paid over to the county council against the several assessments imposed by them in such proportions as the Corporation shall determine.

Existing officers and servants.

37.—(1) The persons who at the annexation are officers or servants of the town council and who perform any duties in respect of business transferred to the Corporation by or in pur-

suance of this Act shall on and after that date unless and until otherwise determined by the Corporation continue to discharge their respective duties as officers or servants of the Corporation Provided that any officer or servant of the town council may decline to become an officer or servant of the Corporation and any such officer or servant who shall decline to become an officer or servant of the Corporation shall be entitled to compensation under this Act. A.D. 1913.

(2) The Corporation may distribute the business to be performed by the said officers or servants in such manner as they may think expedient and every such officer or servant shall perform such duties in relation to that business as may be directed by the Corporation but if the duties of any such officer or servant can only be regulated subject to the consent of some specified authority other than the town council such consent shall be obtained before any change in his duties is directed by the Corporation unless he otherwise agrees with the Corporation.

(3) The Corporation may abolish the office of any officer whose office they may deem unnecessary but such officer shall be entitled to compensation under this Act Provided that for the purposes of this subsection any officer who accepts office under the Corporation and whose services are dispensed with or whose salary is reduced by the Corporation within five years from the passing of this Act because his services are not required or his duties are diminished in consequence of this Act and not on the ground of misconduct shall be deemed to have suffered a direct pecuniary loss in consequence of this Act.

(4) If any such officer can only be removed from office with the consent of some specified authority other than the town council such consent shall be obtained before such officer is so removed unless such officer otherwise agrees with the Corporation.

(5) When any constable belongs at the annexation to the police force of the burgh such constable shall on and after that date become a constable of the city.

(6) Any officer servant or constable so transferred to the Corporation shall hold his office by the same tenure and upon the same terms and conditions as he would have held it at the annexation and while performing the same duties shall receive not less salary or remuneration and be entitled to not less pension (if any) than he would have been entitled to claim and receive if this Act had not been passed.

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Compen-
sation to
officers.

38. Except as in this Act otherwise provided—

- (1) Every officer declared by this Act to be entitled to compensation and every other officer who by virtue of anything done in pursuance or in consequence of this Act suffers any direct pecuniary loss by abolition of office or by diminution or loss of salary or fees shall be entitled to have compensation paid to him for such loss by the Corporation regard being had to the terms and conditions on which the appointment was made and to all other circumstances of the case and the compensation shall (except as may be otherwise agreed between any such officer and the Corporation) be ascertained by an arbiter to be nominated by the Secretary for Scotland Provided that the non-acceptance of any office shall not be a bar to the right of any officer to compensation :
- (2) Every person who is entitled to compensation under this section shall deliver to the Corporation a claim under his hand setting forth the whole amount received and expended by him or his predecessors in office in every year during the period of five years immediately previous to the annexation on account of the emoluments for which he claims compensation distinguishing the offices in respect of which the same have been received and accompanied by a statutory declaration that the same is a true statement according to the best of his knowledge information and belief Provided that it shall not be competent for any person to make any claim for compensation after the expiration of two years from the annexation or in the case of an officer who accepts office under the Corporation after six months from the expiration of the period of five years referred to in the immediately preceding section of this Act :
- (3) Such statement shall be submitted to the Corporation who shall forthwith take the same into consideration assess the amount of compensation (if any) and inform the claimant of their decision :
- (4) The sum granted as compensation to any claimant shall be payable or commence to be payable on

the expiration of three months after the date of the decision of the Corporation or the arbiter granting the compensation and shall be a debt due from the Corporation and may be enforced accordingly in like manner as if the Corporation had entered into a bond to pay the same: A.D. 1913.

- (5) If any person receiving compensation under this section is appointed to any office under the Corporation or if by virtue of anything done in pursuance or in consequence of this Act he receives any increase of emoluments of the office held by him he shall not while receiving the emoluments of that office receive compensation to a greater amount (if any) than with the emoluments of the said office is equal to the emoluments for which compensation was granted to him and if the emoluments of the office he holds are equal to or greater than the emoluments for which compensation was granted his compensation shall be suspended while he holds such office.

39. The Corporation shall pay to the persons now holding the office of clerk of the peace and county assessor of the county of Forfar compensation in respect of any loss (if any) which they may sustain by diminution of salary or emoluments consequent upon the extension of the boundaries of the existing city by this Act authorised. Compensation to clerk of peace.

40.---(1) The Corporation may borrow for the purposes of this Act such sum (not exceeding in the whole the amount of the debts and obligations of the town council and other authorities which by this Act they are required to take over and pay and also of such expenditure as may be necessary to put the added area in a satisfactory condition as regards police and sanitary appliances and for the exercise of any of the powers by this Act conferred on them) as may be ascertained and determined by the Secretary for Scotland by a certificate under his hand and the amount so ascertained and determined shall be dealt with and regarded as if such amount were specified in this section as the amount hereby authorised to be borrowed. Borrowing powers.

(2) The Corporation may again borrow any sums which may be repaid by them by other means than by (A) sinking funds provided by this Act (B) the proceeds of the sale of lands

A.D. 1913. or (c) other receipts of the nature of capital other than borrowed money.

Sinking funds.

41. The Corporation shall during the year beginning the sixteenth day of May after the annexation and annually thereafter set apart out of the appropriate revenue and pay into the sinking funds at the several rates applicable under the Corporation Acts to the respective purposes for which the money has been borrowed as at the fifteenth day of May preceding and not paid off by other means than by sinking fund except however that the sums to be borrowed in respect of the amounts payable as compensation to the county council and to officers of the burgh shall be repaid by equal annual instalments within twenty-five years from and after the fifteenth day of May one thousand nine hundred and fourteen. The Corporation shall apply such sinking fund in repayment of the amounts so borrowed.

Sinking funds for mortgage debts of local authorities of added area.

42. All moneys borrowed by the authorities in the added area the liability for the repayment of which is transferred to the Corporation or the gas commissioners as the case may be under the powers of this Act shall together with the interest to accrue due thereon be repaid by the Corporation or the gas commissioners as the case may be within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

Assessments.

43. The assessments appropriate to any of the purposes of this Act authorised by the Corporation Acts shall extend and apply to the money which the Corporation are by this Act authorised to borrow.

Assessment of certain lands.

44.—(1) With regard to the following lands in the burgh (videlicet) all woodland arable meadow or pasture ground or other ground used for nurseries market gardens or for horticultural or agricultural purposes—

- (A) The annual value of such lands shall for all rates charges and assessments imposed or to be imposed by the Corporation be held to be one-fourth of the annual value thereof entered in the valuation roll:
- (B) The byelaws and regulations which shall be made to affect such lands in regard to the construction occupation use cleansing or sanitation of or any

other matter affecting any dwelling-houses cottar-houses cow-byres dairy premises and sculleries milk-houses piggeries dungsteads and other buildings and erections thereon or any renewals extensions or enlargements thereof shall during the period of twelve years from and after the annexation be in the same terms as the byelaws and regulations of the burgh in regard to such matters in force with respect to the said lands prior to the annexation :

- (c) The owners and tenants of such lands shall not during the period of twelve years from and after the annexation be bound to make any further or other provisions than at present exist in regard to the disposal of the sewage of any houses steadings and other premises on the farms thereon. Provided always that it shall be competent to the Corporation at any time to make any further or other provisions they may deem proper in regard thereto but not so as to occasion any expense or loss to the said owners and tenants.

(2) Notwithstanding anything inconsistent therewith in the section of this Act of which the marginal note is "Assessments in added area" the rates charges and assessments to be imposed by the Corporation upon the lands referred to in subsection (1) of this section and all lands in the burgh unfeued at the annexation or which though feued are unbuilt upon at that date and the buildings to be erected on the said lands shall in every year for a period of fifteen years from and after the term of Whitsunday immediately preceding the annexation be equivalent in amount to the burgh and county rates assessments and charges which would have been imposed and payable on such lands and buildings for the year ending the fifteenth day of May immediately preceding the passing of this Act (that is to say) :—

The amounts specified in subsection (2) (A) and (B) of the section of this Act of which the marginal note is "Assessments in added area."

45.—(1) The Corporation shall not be entitled to call upon the owner of any lands in the burgh or his feuars or others to pave flag kerb or channel any portion of any street or road ex adverso of unfeued or unbuilt-on ground in the burgh. Provision as to roads &c. in burgh.

(2) The Corporation shall not for a period of fifteen years from the annexation require any owner of land in the burgh

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and his feuars and others to make good or contribute to the making good of any roads or streets including footpaths ex adverso of any lands in the burgh in a manner or according to a specification more expensive than the manner and specification accepted as sufficient by the town council during the year one thousand nine hundred and twelve and any roads or streets including footpaths ex adverso of any lands in the burgh which shall be made good in manner or according to a specification as aforesaid shall thereafter be managed maintained and repaired by the Corporation in the same way and manner and to the same extent as the roads streets foot-pavements and footpaths within the existing city.

(3) The Corporation shall forthwith commence and within two years from the annexation complete and thoroughly improve and repair the Arbroath Road so far as within the added area in such manner as when the operations are finished will bring the said road into a condition similar to that of a first-class approach road to a large city.

For protection of Dundee Broughty Ferry and District Tramways Company.

46.—The annual value of the lands and premises of the Dundee Broughty Ferry and District Tramways Company within the added area used exclusively as a tramway or tramroad shall for the purposes of the rates charges and assessments which the Corporation may fix impose assess levy collect and recover within the added area be held to be the nearest aggregate amount of pounds sterling to one-fourth of the annual value thereof entered in the valuation roll.

Saving of election of members to serve in Parliament teinds &c.

47.—Nothing in this Act contained shall affect—

- (1) The county of Forfar or the parliamentary burgh of Dundee or the limits of the same or the electors thereof so far as regards the election of members to serve in Parliament and subject to the provisions of the section of this Act of which the marginal note is "Register of voters" that county and the city shall for parliamentary purposes remain the same as if this Act had not been passed:
- (2) The teinds payable out of the lands situated within the city or the rights privileges and emoluments of the ministers kirk sessions schoolmasters and session clerks of the parishes within the same or the parish councils of the said parishes:

- (3) The settlement of the poor and their consequent right to claim relief the power of any parish council to impose or collect rates or assessments and the modes of laying on levying distributing or managing poor rates or assessments: A.D. 1913.
- (4) The holdings or tenure of any lands or heritages or the records wherein the rights thereof or any deed or writing affecting the same may be registered:
- (5) Any part of the added area or any persons therein with regard to any thirlage or liability for land tax existing in the royalty of the city to which such part of the added area or persons were not subject at the annexation:
- (6) Any securities granted before the annexation by the town council on the credit of any property belonging to them and by this Act transferred to the Corporation or of any rate legally leviable within the jurisdiction of the town council All such securities as well as all unsecured debts liabilities and obligations incurred by the town council in the exercise of any powers or in relation to any property by this Act transferred to the Corporation shall be paid and discharged by the Corporation:
- (7) The right of any superiors owners or other persons by whom or by whose predecessors roads streets sewers bridges foot-pavements and footpaths in the added area shall have been formed to recover 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.

48.—(1) No action arbitration prosecution or proceeding commenced pending or existing by or against any council or other authority in relation to any powers duties liabilities or property by this Act transferred to the Corporation shall in anywise abate or be discontinued or prejudicially affected by reason of the passing of this Act but may be continued prosecuted and enforced by or in favour of or against the Corporation as successors of the said council or other authority as fully and effectually as if this Act had not been passed. Actions &c.
not to abate.

(2) All deeds contracts bonds agreements and other instruments entered into or made by the said council or other authority

A.D. 1913. — and subsisting at the annexation and affecting any such powers duties liabilities or property shall be of as full force and effect in favour of or against the Corporation and may be enforced as fully and effectually as if instead of the said council or other authority the Corporation had been a party thereto.

Parish
councils
and school
boards.

49. 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 provisions of this Act.

Licensing
appeal court
for burghs
in county
of Forfar.

50.—(1) The provisions of Part I. of the Second Schedule to the Act of 1903 prescribing the constitution of the appeal court therein referred to for the four burghs of Montrose Forfar Broughty Ferry and Brechin in the county of Forfar shall be read and have effect as if all reference to the burgh were omitted therefrom and as if the total number of the court were twelve consisting of six magistrates and six justices of the peace.

(2) The magistrates of the burgh who at the annexation hold office as members of such court shall cease to be members of that court.

(3) The six magistrates (other than the said magistrates of the burgh) who at the annexation hold office as members of such court shall after the annexation continue to be members of that court as if this Act had not been passed.

(4) The eight justices of the peace who at the annexation hold office as members of such court shall continue to be members of that court until the sixteenth day of December one thousand nine hundred and thirteen and at a meeting of the justices of the peace for the county of Forfar to be held on that date six members shall be elected for such court.

National
Insurance
Committees.

51. As from such date subsequent to the annexation as shall be determined by the Scottish Insurance Commissioners the powers of the commissioners shall operate for the purposes of reconstituting by order made by them the insurance committees for the county of Forfar and the city in such manner and to such extent (if any) as the commissioners may deem necessary in consequence of the annexation and for the adjustment consequent thereon of the boundaries of the areas and the financial rights and obligations of the said committees and any such order made by the commissioners may contain such incidental supplemental and consequential provisions as appear to

the commissioners necessary or expedient for carrying the order into effect and for adapting the provisions of Part I. of the National Insurance Act 1911 thereto Provided that any order so made shall be laid before both Houses of Parliament as soon as may be after it is made. A.D. 1913.

52.—(A) The Secretary for Scotland shall annually commencing with the year ending the fifteenth day of May in the year one thousand nine hundred and sixteen appoint an auditor or auditors who shall be an accountant or accountants practising in the city for the purpose of auditing the accounts of the Corporation or any one or more of them whether kept by the police treasurer gas treasurer city chamberlain or other officer of the Corporation and in case of dispute shall on the application of either party fix the fee to be paid to such auditor or auditors and in the event of the office of auditor becoming vacant by death or from any other cause before such accounts are audited by him shall subject to the like incidents appoint an auditor to supply such vacancy. Appointment of auditor.

(B) Notwithstanding anything contained in the Corporation Acts all the said accounts of the Corporation shall as at the fifteenth day of May one thousand nine hundred and sixteen and annually thereafter be made up to the fifteenth day of May in each year and any provisions of the Corporation Acts prescribing any other date for making up such accounts are repealed as from the said fifteenth day of May one thousand nine hundred and sixteen.

(c) The Corporation shall from time to time give to the auditor or auditors full access to all their accounts together with their books and vouchers and it shall be the duty of the auditor or auditors to audit such accounts and either make a special report thereon in any case where it appears to him or them expedient so to do or simply confirm the same Provided that the auditor or auditors shall make a special report in every case where he is or they are of opinion that any statutory or other requirement with respect to the repayment or extinction of debt has not been observed or that any debt has not been duly repaid. Auditor to have full access to accounts &c.

(D) The yearly accounts as the same shall have been so audited shall be laid before a meeting of the Corporation to be held not later than the month of September in each year and the auditor's confirmation or special report shall be read at such Accounts to be laid before meeting of Corporation.

A.D. 1913. meeting and the accounts shall be examined and if found just and true shall be allowed and certified by the Corporation under the hand of the chairman of such meeting and of the town clerk and treasurer of the city having charge of such accounts or the city chamberlain as the case may be and shall thereafter be final in regard to all persons whomsoever unless an appeal is presented against such accounts to the sheriff within three months from the date of such meeting which appeal it shall be competent for any councillor or for any creditor holding a security of the Corporation or for any ratepayer in the city to institute and prosecute due notice in writing of such appeal having been given to the clerk at the time of presenting the same by leaving with him a copy thereof and of the reasons of appeal and the sheriff shall dispose of the said appeal in a summary way and his decision thereon shall be final and conclusive and not subject to review on any ground or by any process whatever.

Abstract of accounts to be printed and circulated.

(E) As soon as the said accounts shall have been allowed and certified by the Corporation as aforesaid an abstract thereof shall be prepared and together with the auditor's report shall be printed and circulated for the information of the Corporation on or before the first day of October in each year and one of the said copies shall be open to the inspection of the public at the office of the treasurer of the Corporation for the time being at all reasonable hours and any person may obtain a copy on payment of the sum of one shilling.

Repeal.

(F) On the sixteenth day of May one thousand nine hundred and sixteen section 30 (Incorporation of clauses of Police Act) of the Dundee Police and Improvement Consolidation Act 1882 is hereby repealed except so far as that section incorporates sections 65 to 74 of the General Police and Improvement (Scotland) Act 1862.

(G) Notwithstanding anything contained in this section the provisions of sections 17 to 20 of the Dundee Gas Commissioners Order 1910 shall remain in full force and effect until the preceding subsections of this section come into operation.

Repeal of laws inconsistent with Act.

53. All laws statutes powers and usages in force at the annexation in relation to the added area in so far as they are inconsistent or at variance with the provisions of this Act are subject to the provisions of this Act hereby repealed.

54. Nothing in this Act shall extend the provisions of section 8 subsection 28 of the North British Railway Dundee and Arbroath Joint Line Act 1879 to any stations lines of railway or sidings within the added area.

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Act not to extend provisions of certain Railway Act.

55. Nothing contained in this Act or in any Act incorporated in whole or in part with this Act shall repeal alter diminish or affect any property rights interests titles dues powers jurisdictions immunities privileges exemptions and authorities of the trustees of the harbour of Dundee secured under any statutes of and relating to the trustees and their harbour undertaking or under any of the Acts public local or private relating to the Corporation.

Saving for Dundee Harbour.

56. The costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Corporation and if paid out of borrowed money shall be repaid out of revenue within five years from the passing of this Act.

Costs of Act.

A.D. 1913. The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

(Referred to in the Preamble and in the Sections of this Act mentioned in the Third Column of this Schedule.)

PART I.

LIST OF SECTIONS OF PUBLIC ACTS AMENDED BY THIS ACT.

Title of Act or Order.	Section amended.	Section of this Act authorising Amendment.
Representation of the People (Scotland) Act 1832.	Section 5 - -	Section 4.
Licensing (Scotland) Act 1903 - - -	Section 5 (6) and Second Schedule—Part I.	Section 50.

PART II.

LIST OF PUBLIC AND LOCAL ACTS AND ORDER REPEALED BY THIS ACT.

Title of Act or Order.	Extent of Repeal.	Section of this Act authorising Repeal.
Broughty Ferry Roads Act 1868 (31 Vict. c. xii.).	Whole Act -	Section 28.
Broughty Ferry Police Force Act 1869 (32 & 33 Vict. c. clviii.)	do. -	do.
Broughty Ferry Commissioners Gas Act 1870	do. -	do.
General Police and Improvement (Scotland) Act 1862 Order Confirmation (Broughty -Ferry) Act 1880.	do. -	do.
Broughty Ferry Paving Act 1883 - - -	do. -	do.
Broughty Ferry Gas and Paving Order Confirmation Act 1899.	do. -	do.
Broughty Ferry Electric Lighting Order 1900	do. -	do.
Broughty Ferry Gas Order Confirmation Act 1903.	do. -	do.

THE SECOND SCHEDULE.

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(Referred to in the section of this Act of which the marginal note is "Boundaries of city and dissolution of town council.")

DESCRIPTION OF BOUNDARIES OF CITY.

Commencing at a point in the united parish of Liff and Benvie at low-water mark on the shore of the firth of Tay in the existing boundary of the city one mile or thereby due south of a point on the north side of Perth Road thirty yards or thereby to the west of the lodge at the entrance to the property known as Hazel Hall extending thence in a straight line due northward through the said point on Perth Road to a point on the centre line of Liff Road twenty-eight yards west of the lodge at the south-east corner of the Policies of Camperdown House thence continuing on the existing boundary of the city in a straight line in an easterly direction to King's Cross at the point at which the several boundaries of the parish of Dundee the united parish of Liff and Benvie and the united parish of Mains and Strathmartine meet thence in a northerly direction following the boundary between the said united parish of Liff and Benvie and the said united parish of Mains and Strathmartine to the north-east corner of the said united parish of Liff and Benvie at Americanmuir thence in a straight line in a northerly direction (entering the said united parish of Mains and Strathmartine) to the south-west corner of the property known as Bracken Bruach thence in an easterly direction along the north side of the public road between the properties known respectively as Bracken Bruach and Roineach Mohr and a straight line in continuation thereof to a point in the centre line of the public road leading from Downfield to Baldragon where the prolongation eastwards of the line of the north side of the said first-mentioned public road would intersect that centre line thence in a straight line in an easterly direction to a point on the north side of the public road at the March of Balmuir two hundred and twenty-eight yards or thereby east from the north-east corner of the grounds of the Baldovan Industrial School thence in a straight line in a south-easterly direction to a point in the boundary fence between the inclosures Nos. 675 and 599 distant one hundred and fifty-eight yards or thereby north-east from the north-east corner of the inclosure No. 655 all as shown on the Ordnance Survey map (scale 1-2500) of the united parish of Mains and Strathmartine (second edition 1902) thence in a southerly direction to a point in the centre line of the northern extension of Elgin Street three hundred and seventy yards or thereby measured in a northerly direction along that centre line from the south side of Park Road thence in an easterly direction in a straight line (passing out of the united parish

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of Mains and Strathmartine into the parish of Dundee) to the point in the western boundary of the estate of the Earl of Home distant seventy yards or thereby north from the north side of the Dundee and Arbroath Road (where the boundary of the city meets the boundary of the burgh of Broughty Ferry) thence extending in an easterly direction along the existing boundary of the burgh of Broughty Ferry in a line parallel to and distant seventy yards or thereby north from the said north side of the Dundee and Arbroath Road to the north-east corner of the property of the Broughty Ferry and District Steam Laundry Company Limited at the west side of Claypots Road thence across the said road (and passing out of the parish of Dundee into the parish of Monifieth) and continuing the said line in an easterly direction parallel to and distant seventy yards or thereby north of said north side of the Dundee and Arbroath Road to the point of intersection of the said line by a prolongation northwards of a straight line along the east side of the road leading to East Balgillo from the Dundee and Arbroath Road thence in a southerly direction in the said straight line crossing the Dundee and Arbroath Road and along the east side of the said road leading to East Balgillo to the southern termination of that road thence in a southerly direction crossing the road leading past the houses of East and West Balgillo and running between the farmhouse and the steading of East Balgillo to a point on the western boundary of the estate of Linlathen at the north-east corner of the Forfarshire Cricket Club ground thence in a southerly direction along the said western boundary of the estate of Linlathen to a point one hundred and thirty-three yards or thereby north of the north-eastern corner of the property known as Castleroy thence in an easterly direction along the south boundary of the said estate of Linlathen to the east corner thereof thence in an easterly direction in a straight line to a point on the western boundary wall of Barnhill Cemetery in line with the north boundary wall of the grounds of the Dundee Convalescent Home thence in a northerly direction along the said western boundary wall of Barnhill Cemetery and in a straight line in prolongation thereof for a distance of two hundred and sixty-four yards or thereby thence in an easterly direction in a straight line nearly at right angles to the last-mentioned line for a distance of one hundred and twenty-eight yards or thereby along the northern boundary of the proposed extension of said Barnhill Cemetery thence in a southerly direction in a straight line for a distance of two hundred and sixty-four yards or thereby to the north-west corner of the said grounds of the Dundee Convalescent Home thence in an easterly direction along the north boundary wall of the said grounds of the Dundee Convalescent Home and in a straight line in continuation thereof to the point where it meets the west side of the public road leading past the eastern side of Barnhill Farm thence in a southerly direction along the west side of the said public road and a proposed street in continuation thereof to be called Balmossie

Street to a point one hundred and fifty-five yards or thereby distant from the north side of the public road leading from Broughty Ferry to Monifieth at which point the boundary of the burgh of Broughty Ferry meets the boundary of the burgh of Monifieth thence along the existing boundary between the burghs of Broughty Ferry and Monifieth in a southerly direction to low-water mark on the shore of the firth of Tay thence in a westerly direction along low-water mark on said shore passing out of the parish of Monifieth and into the parish of Dundee and then out of the parish of Dundee into the united parish of Liff and Benvie to the point first described. A.D 1913.

THE THIRD SCHEDULE.

(Referred to in the section of this Act of which the marginal note is "Formation of new wards &c.")

DESCRIPTION OF WARD BOUNDARIES.

WARD TENTH OR BROUGHTY FERRY WEST WARD.

On the south by the estuary or firth of Tay on the west by the eastern boundary of the existing burgh on the north by the northern boundary of the burgh and on the east by a line commencing at a point in the northern boundary of the burgh in the line with the continuation northward of the centre line of Forthill Road and running southward along said line and along the centre of said Forthill Road and thence along the centre of Fort Street to the estuary or firth of Tay.

WARD ELEVENTH OR BROUGHTY FERRY EAST WARD.

On the south by the estuary or firth of Tay on the west by the eastern boundary of Ward Tenth and on the north and east by a line commencing at the north-east corner of Ward Tenth and running along the boundary of the burgh eastward southward and eastward again to the west boundary wall of Barnhill Cemetery thence northward eastward and southward enclosing the said Barnhill Cemetery and the proposed extension thereof and thence eastward again following the boundary of the burgh to the road on the east side of Barnhill Farm thence southward along the west side of the said road and along the west side of Balmossie Street and the east side of Marshall Place and thence in a straight line in continuation thereof to the estuary or firth of Tay.

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THE FOURTH SCHEDULE.

(Referred to in the section of this Act of which the marginal note is "Repeal of Acts and Order relating to burgh and amendment of Order of 1908.")

LIST OF STREETS NOT REPAIRABLE BY THE LOCAL AUTHORITY
AND RAILWAYS WHICH MAY BE BROKEN UP BY THE
UNDERTAKERS IN PURSUANCE OF THE SPECIAL
POWERS GRANTED BY THIS ACT.

STREETS AND RAILWAYS IN BROUGHTY FERRY.

(A) STREETS—Cottage Place from Long Lane to King Street (East) cul de sac northwards from Brook Street at Gladstone Place Rugby Terrace Oakley Place Taymouth Place Panmure Street at Castleroy cul de sac at back of Hermitage Terrace cul de sac off Maryfield Road cul de sac west side of Grange Terrace Harley Street Seafield Terrace cul de sac at Tay Beach Cottage West Ferry Road along north side of Sidlaw View and Balgillo Cottage street from centre of Fintry Place northwards street from Balgillo Crescent east to Forthill Road street from Forthill Road to cricket ground cul de sac off Panmure Street eastwards at Marchbank part of Holly Road part of Campfield Road Hamilton Street Kerrington Crescent Balmossie Street Collingwood Street off Bridge Street Barnhill Abertay Street south from Monifieth Road street from Monifieth Road southwards at Panmure Villa lane at Ramsay Park street off Whinny Brae westwards Manor Place street from Dundee Road southwards at Taypark Strathearn Road west of the Croft road from Strathearn Road to Albany Road at Dunella road from Beach Tower Gate northwards footbridge over railway at Fort William House West Ferry Navar Street Barnhill railway bridges over roads at Saint Vincent Street Panmure Street esplanade on road leading from esplanade to bridge over the railway at Abertay.

(B) RAILWAYS—The Dundee and Arbroath Railway including the Pier Branch level crossings at Fernhall West Ferry Boat House West Ferry Gray Street Balmossie Street Barnhill level crossings connecting Castle Green with Saint Vincent Street King Street and Mill Street.

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