CHAPTER lxxxiv.

An Act to empower the Commissioners of the city and royal burgh of St. Andrews to acquire the Links of St. Andrews for a public park and recreation ground and for other purposes. [20th July 1894.]

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WHEREAS the inhabitants of the city and royal burgh of St. Andrews and others resorting thither have from time immemorial played golf and other games upon and used for recreation and other purposes the pasture and waste ground commonly called the Links of St. Andrews within and adjoining the said city and burgh (herein-after called "the burgh"):

And whereas the whole of the said links prior to the year one thousand seven hundred and ninety-seven belonged to the burgh but were then or thereafter almost entirely alienated subject to certain reservations and servitudes and inter alia of the right of playing golf thereon:

And whereas the number of persons resorting to the said links for the playing of golf and for other purposes has in recent years largely increased and the present golf course is frequently overcrowded and it is expedient and would be for the advantage of the inhabitants of the burgh and the public generally that the said links should be acquired and held by the provost magistrates and council of the burgh as the Commissioners of the burgh under and for the purposes of the Burgh Police (Scotland) Act 1892 (herein-after called "the Commissioners") as a public park and place of public resort and recreation and that facilities for the playing of golf and other games thereon should be improved and increased and provision made for laying out new golf courses and for the maintenance management regulation and control of the said links and of all golf courses thereon and that the Commissioners should be empowered to levy reasonable charges from persons or bodies using the golf courses:

55 & 56 Vict. c. 55.

And whereas it is also expedient that the Commissioners should be authorised to borrow money for the purposes of this Act and to

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levy rates and assessments for the repayment of the interest and capital of such borrowed money and that other provisions should be made applicable thereto:

And whereas a plan showing the lands and property to be taken under the powers of this Act and a book of reference to the said plan containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands and property were duly deposited with the principal sheriff clerk of the county of Fife at his office in Cupar and the same are herein-after referred to as the deposited plan and book of reference respectively:

And whereas the purposes aforesaid and the other objects 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 Queen'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:—

Short title.

1. This Act may be cited for all purposes as the St. Andrews Links Act 1894.

Lands Clauses Acts incorporated.

2. The Lands Clauses Acts are (except where expressly varied by or inconsistent with this Act) incorporated with and form part of this Act.

Interpretation of terms.

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

The word "burgh" means the city and royal burgh of St. Andrews in the county of Fife:

The expression "the Commissioners" means the provost magistrates and council of the said city and royal burgh of St. Andrews as the Commissioners of that burgh under and for the purposes of the Burgh Police (Scotland) Act 1892:

The expression "links" or "the links" means and comprehends the lands and property described generally in the First Schedule to this Act and shown on the deposited plan and described in the deposited book of reference:

The expression "Police Act" means the Burgh Police (Scotland) Act 1892.

Power to take the links.

4. Subject to the provisions of this Act the Commissioners may enter upon take and use for the purposes of this Act or any of them the links as described generally in the First Schedule to this Act and as shown on the deposited plan and specified and described in the deposited book of reference.

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Correction of errors in deposited plan and book of reference.

5. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plan or specified in the deposited book of reference the Commissioners after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to the sheriff of the county of Fife for the correction thereof and if it appear to the sheriff that the omission misstatement or wrong description arose from mistake he shall certify the same accordingly in triplicate and he shall in his certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and one of such certificates shall be deposited with the principal sheriff clerk of the county of Fife at his office at Cupar and another with the session clerk of the parish of St. Andrews and the other with the town clerk of the burgh and such certificates respectively shall be kept by such sheriff clerk session clerk and town clerk respectively with the other documents to which the same relate and thereupon the deposited plan and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Commissioners to take the links or lands in accordance with such certificate.

Limitation of time for compulsory purchase.

6. The powers of the Commissioners under this Act for the compulsory purchase of lands shall not be exercised after the expiration of three years from the passing of this Act.

Purposes for which links to be acquired.

7. The Commissioners shall hold and maintain the links as a public park and place of public resort and recreation for the inhabitants of the burgh and others resorting thereto and may erect and maintain thereon shelters and other conveniences and form improve and maintain roads footpaths and walks thereon and do such other things as from time to time may appear to them expedient for the use and enjoyment of the links by the public Provided always that the road commonly called the Mussel Road being the road numbered 49 on the deposited plan shall always remain open and undisturbed as a public road.

Power of appropriation of portions of links for golf &c.

8. The Commissioners may from time to time allocate or appropriate any parts or portions of the links to the playing of golf or other games thereon and maintain the present golf course on the links and lay out open up and maintain new and additional golf courses thereon and acquire or take over any golf course formed or that may be formed on the links and regulate the play on all or any golf courses on the links and they may likewise from time to time set apart or lease or let any course or any part of the links for a golf course or for the playing of golf or any other game thereon on such terms and under such conditions and for such period or periods as the Commissioners may think proper Provided always

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that the Commissioners shall not lease or let the present golf course on the links but subject to the provisions of this Act in other respects the same shall remain available for the use of the public generally Provided further that the Commissioners shall not lease or let any part of the links to any company or adventurer for purposes of gain.

Power to levy rates for use of golf courses &c.

9. The Commissioners may levy reasonable charges from persons or bodies of persons using the present golf course on the links for the upkeep and maintenance of the same so far as such maintenance and upkeep may not be provided for by other persons or from other sources and they may also levy reasonable charges from persons or bodies of persons who may use any new golf course that may hereafter be laid out or opened up by the Commissioners or others from whom the Commissioners may acquire or take over the same to recoup the Commissioners the cost of such laying out or opening up or acquisition and to enable them to uphold and maintain the same Provided always that nothing in this section contained shall authorise the Commissioners to levy any charges upon the citizens of St. Andrews Further the Commissioners may exercise and apply to the links and for the maintenance and improvement thereof all or any of the powers available to or vested in them by or under the Police Act for the maintenance and improvement of open spaces.

Byelaws.

10. In addition to and over and beyond any powers to make byelaws under the Police Act and the exercise thereof the Commissioners may from time to time make byelaws for all or any of the following purposes and may from time to time repeal alter or amend any such byelaws and all such byelaws may be enforced by the imposition of the penalties and shall be confirmed and published under and according to the provisions contained in the Police Act as regards the byelaws thereby authorised (that is to say) :—

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

For appointing and regulating keepers and other persons to be employed on and about the links :

For licensing appointing and regulating golf caddies and professional golfers and golf experts and others who may be employed on the links for remuneration or reward and 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 other games thereon :

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

For regulating the days and hours at which games are to be permitted on the links and the particular parts or places for the same :

For preventing or regulating the admission to the links of 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 pin-flags and other fittings connected therewith :

For regulating and varying from time to time any charges to be charged from persons using all or any golf courses or places for the playing of golf or other games on the links and the recovery thereof and the exclusion and removal of persons refusing or evading payment thereof :

Provided that all offences against any byelaw hereby authorised to be made may be tried before the magistrates of the burgh and section 487 and sub-section (*b*) of section 501 of the Police Act shall be and the same are hereby made applicable thereto 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.

Confirming agreement between the Commissioners and Royal and Ancient Golf Club.

11. The agreement between the Commissioners of the first part and the Royal and Ancient Golf Club of St. Andrews of the second part as set forth in the Second Schedule to this Act is hereby confirmed and shall have the same force and effect as if the provisions thereof had been incorporated with this Act and sections 7 8 9 and 10 of this Act shall be read subject to the provisions of the said agreement which shall determine the matters in the said agreement contained and the plan referred to in the said agreement signed by the Right Honourable the Lord Brougham and Vaux the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred shall be deposited in the Parliament Office of the House of Lords Provided always that within three months after the execution of the deed of conveyance or other deed or instrument of title contemplated by the said agreement the Commissioners shall produce the same to the Commissioners of Inland Revenue duly stamped and in default of production the ad valorem stamp duty together with interest at the rate of five pounds per centum per annum shall be a debt due to the Crown and recoverable from the

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Commissioners with full costs of suit and all costs and charges attending the same.

For the protection of James Cheape.

12. For the protection of James Cheape and his successors proprietors of the estate of Strathtyrum (all of which are included in the expression "the said James Cheape") the following provisions shall unless otherwise agreed between the Commissioners and the said James Cheape apply and have effect (that is to say) :—

(1.) The said James Cheape shall have the sole and exclusive right of digging shells in the shell pits near the mouth of the River Eden in the part of the links which is situated between the Swilken Burn and the River Eden together with right of access to the said pits through the foresaid part of the links but that only for the purpose of taking away the said shells :

(2.) The Commissioners shall not erect any buildings or structures of any kind whatever on the foresaid part of the links other than wooden erections as shelters for golfers :

(3.) The said James Cheape may lay drains or sewers from the estate of Strathtyrum through the foresaid part of the links at his own expense but without being liable to pay any compensation or wayleave Provided that all such drains or sewers shall so far as reasonably practicable be carried under the surface of the ground and that the said James Cheape shall properly fill up level and re-turf the track in which any such drains or sewers shall be laid :

(4.) The said James Cheape and his family and guests resident for the time at Strathtyrum House shall have free right without payment of any rates at all times and in all time coming (subject to the byelaws or rules for the time being in force applicable to golf players) to play golf on any existing course or on any new course that may be formed by the Commissioners on the foresaid part of the links :

(5.) The reservation of the right of pre-emption to the said James Cheape contained in his conveyance to the trustees of the Royal and Ancient Golf Club of St. Andrews dated the eighth day of November one thousand eight hundred and ninety-three shall for the purposes of the Lands Clauses Acts and this Act be held to be a right and interest in lands and the said James Cheape shall for the purposes of the said Acts be deemed in respect of such reservation to be a party interested in the lands to be acquired by virtue of this Act.

Power to borrow money.

13. The Commissioners in addition to any money which they may have borrowed independently of this Act may by virtue and under

the authority of this Act from time to time borrow at interest on the credit and security of the burgh general assessment leviable by them under the Police Act and of the rates and assessments authorised to be levied by them under this Act or of any one or more of them as they may resolve such sums of money not exceeding in the whole the sum of ten thousand pounds as shall be necessary for the purposes or any of the purposes of this Act and if after having borrowed the said sums or any part thereof the Commissioners pay off the same otherwise than by means of the sinking fund herein-after provided they may again borrow the amount so paid off and so from time to time:

Provided as regards any money to be borrowed under the authority of this Act that the said burgh general assessment shall not in any one year be liable therefor or be appropriated or applied in payment of the interest or in repayment of the capital thereof further than to the extent of fourpence of the two shillings or four shillings in the pound as the case may be to which such assessment is limited by the Police Act.

Bonds for borrowed money.

14. All bonds to be granted for money to be borrowed under the authority of this Act may be in the form contained in the Police Act and shall be executed and completed as in that Act provided and the Commissioners may grant bonds accordingly for the moneys so to be borrowed and may assign the said burgh general assessment and the rates and assessments authorised to be levied by them under this Act respectively in security of the money to be so borrowed and of the interest thereof and all such bonds may be assigned in manner and according to the form provided in the Police Act and sections 375 376 377 and 378 of the Police Act shall be and are hereby made applicable to the moneys to be borrowed by the Commissioners and to the bonds and assignations to be executed under the authority of this Act in the same manner as if such money and such bonds and assignations had been borrowed or executed under the authority of the Police Act Provided always that all bonds to be granted for money to be borrowed under the authority of this Act shall specify that such money was borrowed by virtue and under the authority of this Act.

Present bonds and securities by Commissioners not to be prejudiced.

15. Nothing herein contained shall prejudice or affect any bonds or securities which may have been granted by the Commissioners for money borrowed by them previous to the passing of this Act but the same shall as to the rates funds and property comprised therein respectively have priority over all money borrowed under this Act.

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Protection of lenders from inquiry.

16. Any person lending or paying money under this Act to the Commissioners or their treasurer shall not be bound to inquire as to the observance by them of any provisions of this Act or be bound to see to the application or be answerable for any loss or non-application of such money or of any part thereof.

Application of money borrowed.

17. All money borrowed by the Commissioners under the authority of this Act shall be applied to the purposes of this Act and to no other purpose whatsoever Provided always that no borrowed money shall be applied to any purpose for which capital is not properly applicable.

Act not to restrict borrowing powers of Commissioners.

18. Nothing in this Act shall restrict any of the powers of the Commissioners under the Police Act or otherwise for borrowing money.

Application of Commissioners existing powers of rating &c. to purposes of Act and additional powers of rating.

19. The Commissioners may levy and apply any of the rates and assessments they are entitled to levy under the Police Act to all or any of the purposes of this Act and they may also make and levy new and additional rates and assessments for the repayment of moneys borrowed under and for the purposes of this Act and the interest thereof.

Rates to include interest and sinking fund.

20. The Commissioners shall subject to the provisions of this Act annually include in and as part of the burgh general assessment authorised to be assessed and charged by them by or under the Police Act and the rates and assessments authorised to be levied by them under this Act or either of them such sums as shall be necessary for paying the interest of any money borrowed by them under the authority of this Act and also the sums to be set apart annually as a sinking fund as herein-after in this Act provided.

Sinking fund.

21. The Commissioners shall from and out of the assessments and rates on the security of which they are authorised to borrow under the authority of this Act set apart annually as a sinking fund such sums as with the accumulations thereof by way of compound interest at a rate of three per centum per annum shall be from time to time calculated to be sufficient to pay off within ten years all money borrowed for paying the costs charges and expenses of this Act and within sixty years all the other money borrowed under the authority of this Act from the respective dates of borrowing.

Investment and application of sinking fund and income thereof.

22. The said sinking fund and the income arising therefrom shall from time to time be invested in the public or Government funds of Great Britain and Ireland or on heritable securities or by way of deposit with any bank or on any security in which trustees in Scotland are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money

other than securities of the Commissioners or on any mortgage bond debenture debenture stock corporation stock annuity rentcharge rent or other security (except securities transferable by delivery) authorised by or under any Act of Parliament passed or to be passed of any municipal corporation in Great Britain except the Commissioners and shall be applied at such time as the Commissioners shall see fit in or towards the repayment of moneys borrowed under the authority of this Act in such order and manner as they deem proper Provided that in case the income from investments of the sinking fund shall in any year fall short of the prescribed rate of accumulation the deficiency shall be made good out of the current assessments and rates on the security of which the Commissioners are authorised to borrow under the authority of this Act Provided further that whenever the Commissioners repay any moneys so borrowed by them out of the said sinking fund they shall thenceforth until the whole of the moneys borrowed by them under the authority of this Act is repaid pay annually into such sinking fund in addition to the amount by this Act directed to be set apart thereto a sum equal to the annual interest of the moneys so paid off Provided also that whenever and so long as the yearly income arising from the said sinking fund shall be equal to the annual interest of the moneys borrowed as aforesaid and remaining due by the Commissioners they may in lieu of investing such yearly income as aforesaid apply the same in payment of such interest and may during such periods discontinue the payments to the sinking fund by this Act directed to be made.

Annual return to Secretary for Scotland with respect to sinking fund.

23. The treasurer to the Commissioners shall within two months after the expiration of each year during which any sum is by this Act required to be set apart for a sinking fund 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 set apart in respect of that year and the description of the securities upon which the same 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 amount remaining invested at the end of the year and in the event of any wilful 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 Commissioners have failed to set apart the sum required by this Act to be set apart for the sinking fund or have applied any portion of the moneys set

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apart for that fund or any interest or income thereof to any purposes other than those authorised by this Act 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 set apart and invested as part of the sinking fund 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.

Sinking fund may be adjusted in certain events.

24. If the Commissioners out of the proceeds of the sale or disposition of lands or out of other moneys received by them on capital account other than borrowed moneys repay any principal moneys borrowed under the powers of this Act the payments to the sinking fund established under the provisions of this Act for the repayment of such principal moneys may be reduced to such extent and upon such terms as may be from time to time approved by the Secretary for Scotland.

Costs of Act.

25. All the costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Commissioners out of the assessments and rates leviable by them under the Police Act and this Act or out of the moneys to be borrowed by them under the authority of this Act.

The SCHEDULES referred to in the foregoing Act. A.D. 1894.

THE FIRST SCHEDULE.

The lands and property sometime known partly as Pilmor or Pilmour Lands or Links and partly as the Links of St. Andrews and now commonly known as and called the Links of St. Andrews and other lands adjacent thereto all situate in the parish of St. Andrews and county of Fife and partly within the burgh of St. Andrews and all included within the limits and boundaries following viz. Commencing on the east at the point of the south-west corner of the wall forming the western boundary of the ground surrounding St. James' Roman Catholic Church St. Andrews and extending therefrom northward along the west side of the said wall and of a straight line in continuation of said wall northward to the high-water mark of ordinary spring tides in that part of the North Sea or German Ocean called St. Andrews Bay and from thence (partly in an irregular course or direction) north-westwards and northwards following the line of the said high-water mark in St. Andrews Bay to the high-water mark of ordinary spring tides in the River Eden or estuary of the River Eden and from thence south-westward following the line of said high-water mark in said river or estuary to a point in the said high-water mark of the said river or estuary opposite to and ten yards or thereabouts in a straight line north-westward from the north-west corner of the stone wall separating the links from the Balgove Grass Parks which parks lie between said stone wall and the St. Andrews Branch Railway of the North British Railway Company and from the said point in the said high-water mark in the said river or estuary in a straight line south-east to the said north-west corner of the said wall and from thence following the line of the said wall in an irregular southerly direction to a point on the east side of the said branch railway seven hundred and forty-two yards or thereabout from the said north-west corner of the said wall measured in a straight line southward from said corner to said point and from thence south-eastwards along the east side of said railway and of the railway station at the links to a point on the road formerly part of the highway from St. Andrews to Cupar two hundred and fifty-five yards or thereabout westward from the bridge carrying the said highway over the Swilken Burn measured from the centre of the said bridge along the said highway and from said point eastward along the north side of said highway to its junction with the road or street running along the south side of the links (herein-after called the Links Road) from at or near the Swilken Burn to the street or road in front of Golf Place St. Andrews and from said junction along and by the south side of the Links Road to its junction with said street or

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road in front of Golf Place and from thence northwards along the west side of that street or road to the junction with it of the street or road called the Scores of St. Andrews and from thence along the north side of the said street or road called the Scores eastward to the south-west corner of the said wall forming the western boundary of the ground surrounding the said Roman Catholic Church But excluding from the lands and property above described the Royal and Ancient Golf Club House property at the links and the Martyrs' Monument on the links.

THE SECOND SCHEDULE.

AGREEMENT between the COMMISSIONERS OF THE CITY AND BURGH OF ST. ANDREWS of the first part and the ROYAL AND ANCIENT GOLF CLUB OF ST. ANDREWS of the second part.

WHEREAS the first parties have applied to Parliament in the ensuing session for authority inter alia to acquire the Links of St. Andrews which are at present the property of the second parties by a depesited Bill intituled "A Bill "to empower the Commissioners of the city and burgh of St. Andrews to take "and hold the Links of St. Andrews for a public park and recreation ground "and for other purposes" And whereas the second parties have in time past kept up the golf course upon the said Links of St. Andrews at their own expense and have managed the same And whereas it is expedient that the management of the golf courses upon the Links of St. Andrews should continue to be in the hands of the second parties in manner herein-after mentioned and the said second parties are willing in future to continue to be at the expense of keeping up the old golf course and further to lay out and keep up a new golf course separate and distinct from the said old golf course and further to make certain contributions to the first parties upon certain terms Therefore it is agreed between the parties as follows:—

First. The second parties on receiving from the first parties a payment of five thousand pounds being the price paid by them to Mr. Cheape of Strathtyrum and on being relieved by the first parties of the expense of the disposition by Mr. Cheape so far as payable by the second parties shall with consent of Mr. Cheape duly convey to the first parties the Links of St. Andrews under and for the purposes of the said deposited Bill or in the event of Mr. Cheape refusing his consent then and in that case the first parties shall be entitled to exercise and put in force and carry out as regards all parties the compulsory powers of the statutes and obtain and complete a title to the links as the statutes provide for or allow but in such case the purchase price and compensation to the second parties shall be five thousand pounds and expenses aforesaid and neither less nor more.

Second. The first parties shall relieve the second parties of the whole obligations in any way incumbent on the second parties under a minute of agreement between Charles Stuart Grace as secretary for and on behalf of the second parties and John Miller Roger dated third and seventh November one

thousand eight hundred and ninety-three and of the payment of one hundred pounds per annum therein stipulated to be paid to the present tenant of the grazing on the links during the currency of his lease but on the other hand the first parties shall receive from such tenant one hundred pounds per annum being the proportion of the cumulo rent of the farm of Balgove agreed to be allocated to the grazing of the links under the agreement between the second parties and Mr. Cheape.

Third. The old golf course and the new course to be laid out and kept up as before and after mentioned shall be managed by a committee consisting of five members of the Royal and Ancient Golf Club and two persons nominated by the magistrates and town council of St. Andrews The five members of the club and the two nominees of the magistrates and town council shall be nominated yearly by the said club and magistrates and town council respectively on or before the fifteenth day of October for the ensuing year and shall hold office for a year The said committee shall be called the Green Committee of St. Andrews Links and four shall be a quorum thereof The said committee shall have the sole charge of the said golf courses after mentioned and shall also have the power to turf and repair the same using therefor turf from any part of the links so far as not injuriously affecting any other vested rights or interests provided that the ground from which turf is taken shall be covered with soil and sown out in grass to fix the place and situation of the holes to make and fill up bunkers to regulate the play to provide for the order of starting and to close one or other of the courses in whole or in part for purposes of repair subject to the provisions of this agreement Provided always that all regulations of the green committee applicable to play and the order of starting shall be submitted to the first parties and be subject to their approval but such approval shall not be unreasonably withheld and in case of disapproval the green committee may appeal as to whether approval has been unreasonably withheld to the sheriff principal of the county of Fife whom failing the Lord President of the Court of Session for the time whose decision shall be final.

Fourth. The second parties shall at their own expense maintain the present golf course in as efficient a state as heretofore which course consists and shall consist of the eighteen holes as they have been in use to be played The second parties shall also lay out and keep up a new course in and within the lines marked red on the plan to be signed as relative hereto The second parties shall also maintain a short hole course within the lines marked blue on the said plan.

Fifth. The old course shall be always open to all members of the public free of charge provided always that it shall be lawful for the said committee for purposes of repair to shut up the said course for a period of not more than one month in each year in any month except June July August and September.

Sixth. 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 the new course shall be open to (first) members of the Royal and Ancient Golf Club (second) ratepayers of St. Andrews including their children (third) the proprietor of Strathtyrum and his family and guests (fourth) persons provided with a ticket of admission from the green

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committee The said committee shall issue tickets at the rates of not more than two shillings and sixpence per day eight shillings and sixpence per week or one pound one shilling per month to such a number of the public as shall not overcrowd such course The charges leviable as aforesaid shall be paid to and applied by the second parties as they may think proper.

Seventh. Both courses shall at no time be closed concurrently One shall always be open.

Eighth. The second parties shall be allowed to let the short hole course mentioned in article four to any club of ladies for their exclusive use at a reasonable rent which shall be paid to the second parties and handed over by them to the first parties.

Ninth. The second parties shall make payment to the first parties of the sum of one hundred and twenty-five pounds yearly for the period of sixty years At the expiry of the said sixty years the said payment shall cease and thereafter the sums levied by the green committee under article sixth hereof shall be applied to the upkeep of both courses.

Tenth. This agreement is made and entered into subject to the sanction of Parliament and to such alterations as Parliament may think fit to make thereon It may either be scheduled to and confirmed by the Bill in which case such alterations in the preamble and clauses of the Bill as are necessary to give effect to this agreement shall be made or otherwise the provisions conditions and stipulations thereof may be inserted in and made part of the Bill and the parties hereto consent to the registration hereof for preservation and execution.

In witness whereof these presents consisting of this and the two preceding pages with the marginal additions on pages second and third hereof are, under the declarations herein-after mentioned subscribed as follows videlicet By George Murray Andrew Aikman and William Rutherford three of the said Commissioners and a quorum of the committee of the said Commissioners duly appointed and authorised at Westminster the fourth day of May one thousand eight hundred and ninety-four before these witnesses Thomas Thornton Solicitor Dundee and William Malcolm Parliamentary Agent 45 Parliament Street Westminster and by Andrew Graham Murray Member of Parliament the convener of the special committee of the Royal and Ancient Golf Club of St. Andrews in charge of the opposition of the said club to the said Bill and Charles Stuart Grace secretary to the said club and duly authorised by resolution passed at an extraordinary general meeting of the said club held at St. Andrews on the tenth day of March one thousand eight hundred and ninety-four to sign these presents on behalf of the said club as follows videlicet by the said Andrew Graham Murray at Westminster the said fourth day of May one thousand eight hundred and ninety-four before these witnesses the Right Honourable Arthur Herbert Dyke Acland Member of Parliament for the Rotherham Division of the West Riding of Yorkshire and John Kennedy Writer to the Signet 38 Parliament Street Westminster and by the said Charles Stuart Grace also at Westminster the day month and year last above mentioned before these witnesses Francis Chalmers Crawford dealer in the Stock Exchange London and the said John Kennedy declaring that the words "including their children" were interlined between lines thirty-four and thirty-five and that the words "one

shilling" were interlined between lines thirty-seven and thirty-eight both of page second hereof and that the words "Eighth. The second parties shall be allowed to let the short hole course" were interlined between lines one and two of page third hereof and that the word "Ninth" was substituted for the word "Eighth" and the word "Tenth" for the word "Ninth" both on the margin of page third hereof and that the words from the word "Bill" in line twelve of the said page third to the word "and" in line sixteen of the same page were deleted all before subscription and that the words "ensuing session" in the fifth and sixth lines of the first page hereof mean "present session."

THOS. THORNTON Witnses.
W. MALCOLM Witness.
A. H. D. ACLAND Witness.
JOHN KENNEDY Witness.
F. C. CRAWFORD Witness.
JOHN KENNEDY Witness.

GEO. MURRAY.
ANDREW AIKMAN.
WM. RUTHERFORD.
A. GRAHAM MURRAY.
C. S. GRACE.

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