Church or Place.	Dates.
The Parish Room of Cadney, in the parish of Cadney-cum-Howsham (Lincoln).	Between 1st January 1895 and the date of the passing of this Act.
The Chapel of Howsham, in the parish of Cadney-cum-Howsham (Lincoln).	Between 1st January 1899 and the date of the passing of this Act.
St. Tanwg's Church, Harlech, in the parish of Llandanwg, Merioneth.	Between 18th February 1839 and the date of the passing of this Act.
The Parish Church of Uldale, in the county of Cumberland.	Between 17th August 1869 and 4th July 1901.

CHAPTER 24.

An Act to amend the Law in regard to the Sewerage and Drainage and Water Supply of Burghs in Scotland.

[17th August 1901.]

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:

PART I.

Security for sums borrowed for sewers, &c. 55 & 56 Vict. c. 55. 63 & 64 Vict. c. 49.

1. Where sums of money have been borrowed or are owing by the town council or commissioners of a burgh under any Act for purposes of sewerage and drainage or water supply, the town council as the authority under the Burgh Police (Scotland) Act, 1892 (herein-after referred to as the principal Act), as amended by the Town Councils (Scotland) Act, 1900, shall provide the sums necessary for repaying the principal and paying the interest of such sums out of the assessments herein-after mentioned, and the said sums shall constitute a charge on the said assessments, and the creditors shall have all the powers, rights and remedies at the passing of this Act exerciseable by a lender of money on the security of the assessments originally assigned to them, and the said assessments herein-after mentioned shall be deemed to be assigned to such creditors in security of their debt.

Sewer and water assessments.

2. In any burgh or in any special or separate drainage district formed therein under any Act, the expense incurred either before or after the passing of this Act for sewerage and drainage or water supply, as the case may be, within the same or for the purposes thereof and the sums necessary for repayment of any money borrowed therefor either before or after the passing of this Act, together with the interest thereof, shall be paid out of a sewer assessment or water assessment, as the case may be, which the town council of the burgh shall raise and levy on and within such

burgh or (in the case of the sewer assessment) within such special or separate district, in the same manner and with the same remedies and modes of recovery and incidents as are provided for the public health general assessment therein.

Provided that, where a special or separate drainage district has been formed under the provisions of any Act and drainage works have been executed and are maintained therein, the lands and heritages situated within such special or separate district shall not be liable to assessment for the expense of sewerage and drainage works in other parts of the burgh: Provided also that for shops the water assessment shall be chargeable only on one-fourth of the rental of the premises, unless in special circumstances the town council see cause to charge the ordinary rates, and in that case it shall be lawful for any person who may think himself aggrieved to apply to the sheriff in the manner provided in the principal Act.

The sewer assessment and the water assessment together shall not in any burgh or special or separate drainage district exceed the rate of four shillings in the pound: Provided that, if the produce of a rate of four shillings in the pound in any burgh or special or separate drainage district shall not be sufficient to meet the expenditure (including the annual charge for interest and repayment of debt) bonâ fide incurred or contemplated within such burgh or special or separate district, it shall be lawful to increase such rate to such extent as may have been approved of by the Local Government Board for Scotland.

Provided also that it shall not be lawful to impose any rate in respect of the expenditure within any special or separate drainage district upon any premises without such district.

Transference of special districts.

3. All special or separate drainage districts that may have been formed in any burgh under any Public Health Act shall, subject to the provisions of this Act, be deemed to be drainage districts under the principal Act, and any special or separate water supply districts which have been so formed shall cease to exist as such and shall be united to the other parts of the burgh for the purposes of water supply and all rights and liabilities connected therewith: Provided that nothing herein contained shall affect any special water supply district partly within a county and partly within a burgh or the provisions relating thereto of section eighty-one of the Local Government (Scotland) Act, 1889, as amended by section forty-four of the Local Government (Scotland) Act, 1894.

52 & 53 Vict. c. 50.
57 & 58 Vict. c. 58.

Amendment of 55 & 56 Vict. c. 55.

4.—(1.) Section two hundred and thirty-three and section two hundred and thirty-six of the principal Act shall be read as if the sewer assessment herein-before mentioned were substituted for the sewer rates therein mentioned.

(2.) Section two hundred and sixty-four of the principal Act shall be read as though for the words "portion of the burgh general assessment applicable to the water supply" the words "water assessment" were substituted.

(3.) Section three hundred and forty-seven of the principal Act shall be read as though for the words "burgh general assessment

" so far as it is applicable to water " the words " water assessment " were substituted.

(4.) Section three hundred and sixty-three of the principal Act shall be read and have effect as if for the words " said assessments " the words " sewer assessments " were substituted.

(5.) Notwithstanding anything contained in section two hundred and sixty-nine of the principal Act, the provisions of that Act with respect to supply of water shall apply in the case of any burgh which is supplied with water by the town council thereof under the powers of any local Act or Acts.

Town council, &c. to have powers of 60 & 61 Vict. c. 38.

5. The powers and duties of the town council of any burgh, as the authority under the principal Act, with reference to sewerage and drainage or water supply shall extend to the whole area of the burgh as existing for the purposes of the Public Health (Scotland) Act, 1897, and the town council of any burgh, as the authority under the principal Act in addition to the powers conferred upon them by the principal Act or any other Act, shall, with reference to sewerage and drainage or water supply within such area, have the same rights, powers and privileges as are conferred by the Public Health (Scotland) Act, 1897, upon local authorities under that Act in districts other than burghs, with the exception of the rights, powers and privileges conferred by sections one hundred and twenty-two and one hundred and thirty-one of the last-mentioned Act, to which sections the present section shall not apply, and in so far as necessary for giving effect to this enactment the last-mentioned Act and the Acts and parts of Acts incorporated therewith are, subject to the necessary modifications, incorporated with the principal Act.

Provided that all costs and charges incurred by the town council in the exercise of such rights, powers and privileges shall be provided for out of the sewer assessment or water assessment before mentioned, as the case may be, and that, where it shall be necessary for the town council to borrow money for the purposes of sewerage and drainage or water supply, they shall be entitled to do so on the security of the sewer assessment or water assessment herein-before mentioned, in lieu of the assessments mentioned in the principal Act or the Public Health (Scotland) Act, 1897, as the case may be.

PART II.

Amendment of 60 & 61 Vict. c. 38.

6.—(1.) Section one hundred and forty-seven of the Public Health (Scotland) Act, 1897, shall be read as though the words " or in the Burgh Police (Scotland) Act, 1892," were inserted after the word " herein."

(2.) Section two hundred and sixty-one of the principal Act shall be read and have effect as if for the words " for other purposes " the words " for these purposes " were substituted.

Repeal.

7. The Acts specified in the schedule to this Act are hereby repealed to the extent mentioned in the third column in so far as the same apply to burghs to which this Act applies from its commencement.

Application of Act.

8. The term "burgh" in this Act has the meaning assigned to it in the principal Act, but Part I. of this Act shall not apply—

(1) to any burgh to which the principal Act does not apply;

(2) to any burgh in which at the passing of this Act a local Act (including an Act confirming a Provisional Order) is in force with respect to sewerage, drainage or water supply.

Provided that it shall be in the power of the town council of any burgh to which Part I. of this Act does not apply from its commencement by resolution to adopt Part I. of this Act, and from and after the date specified in such resolution Part I. of this Act shall come into force in the burgh, and the Acts specified in the schedule to this Act shall in so far as the same apply to such burgh be deemed to be repealed to the extent mentioned in the third column thereof, and all local Acts (including as aforesaid) which apply exclusively to such burgh, so far as inconsistent with or dealing with the same matters as Part I. of this Act, shall also be repealed, which Acts or portions of Acts shall be specified in the resolution. Every such resolution shall be forthwith communicated to the Secretary for Scotland.

Commencement of Act.

9. This Act shall come into operation on the fifteenth day of May, one thousand nine hundred and two, which date is herein called the commencement of this Act.

Short title and extent.

10. This Act may be cited as the Burgh Sewerage, Drainage and Water Supply (Scotland) Act, 1901, and shall apply to Scotland only.

SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
55 & 56 Vict. c. 55 -	Burgh Police (Scotland) Act, 1892.	Section 227 from the words "and the Commissioners" to end of section. Section 232. Section 340 from "a rate equal to four shillings" to "otherwise at." Section 347 the words "in terms of this Act." Section 361. Section 362. Section 364.
60 & 61 Vict. c. 38 -	Public Health (Scotland) Act, 1897.	Sections 101, 113, 133, 134, and 137.