



ANNO TRICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. xiii.

An Act to authorize the Company of Proprietors of the *Lewes* Waterworks to raise more Money; and for other Purposes. [29th *May* 1868.]

WHEREAS by the (Local) Act 3 and 4 *William* IV., Chapter 3 & 4 W. 4. c. civ. 104, (in this Act called "the recited Act,") the Company of Proprietors of the *Lewes* Waterworks (in this Act called "the Company") were incorporated for the Purpose of supplying with Water the Town and Borough of *Lewes* and the Neighbourhood thereof, and for other the Purposes in the recited Act mentioned, and were empowered to raise (Section 16) by way of Capital or Joint Stock the Sum of Six thousand Pounds, to be divided into Shares of Twenty-five Pounds each, and (Section 27) by borrowing on Mortgage the Sum of Three thousand Pounds, and (Section 61) to take for the Supply of Water the Rates or Rents specified in the Schedule to the Act, with Power (Section 62) to reduce the same, and again to raise the Rates or Rents so reduced, subject to a Proviso that the same should not be raised so as to exceed in any One Quarter of a Year by more than One Third the Rates or Rents specified in the said Schedule, and to a Proviso that the Rates or Rents should not be reduced whilst any Principal Sums borrowed under the Act in relation to the Waterworks remained unpaid: And whereas the recited Act did not limit the

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Dividends of the Company or the Application of their Profits : And whereas the Company raised the whole of the said Share Capital of Six thousand Pounds, and borrowed (and now owe) on Mortgage the Sum of Three thousand Pounds, and have also expended in the Improvement and Extension of their Works more than Three thousand Pounds out of their Revenue applicable to Dividend, Part of which they desire to capitalize : And whereas the present Capital of the Company is insufficient for their Undertaking, and it is expedient that they be empowered to raise more Money : And whereas it is expedient that the recited Act be repealed, and that other Provisions be made in lieu thereof : And whereas the Objects aforesaid cannot be effected without the Authority of Parliament : May it therefore please Your Majesty that it may be enacted ; and be it enacted by the 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 :

Title of Act. 1. This Act may be cited for all Purposes as "*Lewes Waterworks Act, 1868.*"

Commencement of Act. 2. This Act shall commence and have Effect on and from the Twenty-fifth Day of *June* One thousand eight hundred and sixty-eight.

8 & 9 Vict. cc. 16. & 18.,
10 & 11 Vict. c. 17.,
23 & 24 Vict. c. 106., and
26 & 27 Vict. cc. 93. & 118.
incorporated.

3. "The Companies Clauses Consolidation Act, 1845," "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts (Amendment) Act, 1860," and "The Waterworks Clauses Acts, 1847 and 1863," are (except where expressly varied by this Act) incorporated with and form Part of this Act.

Interpretation of Terms.

4. In this Act the several Words and Expressions to which Meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective Meanings unless there be something in the Subject or Context repugnant to such Construction ; the Expression "the Company" or "the Undertakers" shall respectively mean the Company incorporated by the recited Act and continued by this Act ; the Expression "the Works," or "the Waterworks," or "the Undertaking," shall mean the Waterworks and Works connected therewith by this Act authorized to be made or maintained by the Company, including the Works which immediately before the Commencement of this Act are vested in them under the recited Act ; the Word "Share" shall include "Stock ;" and the Expression "Superior Court," or "Court of competent Jurisdiction," or any other like Expression in this Act or any Act wholly or partially incorporated herewith, shall be read and have Effect as if the

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the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute; and in the Acts incorporated herewith the Expression "the Special Act" shall mean this Act; and for the Purposes of reborrowing and Conversion of borrowed Money into Capital the existing Mortgage Debt of the Company shall be deemed Money borrowed under this Act; and for the Purposes of "The Waterworks Clauses Act, 1847," with respect to the Amount of Profit to be received by the Undertakers when the Waterworks are carried on for their Benefit, each Year shall be deemed to end with the Twenty-fourth Day of *June*; and in the Eighty-third Section of that Act the Word *October* shall be deemed to be substituted for *January*.

5. The Limits of this Act comprise the Town and Borough of *Lewes*, and the several Parishes and Precinct herein-after mentioned; that is to say, the Parish of *Saint Peter* and *Saint Mary Westout* otherwise *Saint Ann*, *Saint Michael*, *Saint John under the Castle*, and *All Saints* Precinct of the Castle of *Lewes*, and the Parishes of *Saint Thomas-a-Becket in the Cliffe*, *South Malling*, and *Saint John the Baptist*, *Southover*, all in the County of *Sussex*. Limits of Act.

6. On the Commencement of this Act the recited Act is hereby repealed. Recited Act repealed.

7. Notwithstanding the Repeal of the recited Act, the Company shall for the Purposes of this Act be and continue One Body Corporate under their present Name of "The Company of Proprietors of the *Lewes Waterworks*," with perpetual Succession and a Common Seal, and with Power (subject to the other Provisions of this Act) to maintain and renew Waterworks, and to supply Water, and to carry on the Business of a Waterworks Company, and to purchase (but not otherwise than by Agreement), take on Lease, or rent and hold and sell Lands and other Property for the Purposes of their Undertaking. Company continued.

8. Notwithstanding the Repeal of the recited Act, and excepting as is by this Act otherwise expressly provided, everything before the Commencement of this Act done or suffered under the recited Act shall be as valid as if this Act were not passed, and such Repeal and this Act shall accordingly be subject and without Prejudice to anything so done or suffered respectively, and to all Rights, Liabilities, Claims, and Demands, both present and future, which, if such Repeal had not taken place and this Act were not passed, would be incidental to or consequent on any and every thing so done or suffered respectively; and with respect to all such Rights, Liabilities, Claims, Saving previous Rights and Liabilities.
and

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and Demands, the Company as by this Act continued shall to all Intents and Purposes represent the Company as incorporated by the recited Act: Provided always, that the Generality of this Enactment shall not be restricted by any of the other Clauses and Provisions of this Act.

Company to continue entitled to Property.

9. Notwithstanding the Repeal of the recited Act, the Company shall be and remain seised and possessed of and entitled to all the Waterworks, Reservoirs, Filter Beds, Conduits, Mains, Pipes, Gauges, Meters, Engines, Works and Conveniences, Lands, Tenements, Hereditaments, Buildings, Easements, Appurtenances, prospective and other Rights, Powers, Privileges, Goods, Chattels, Choses in Action, Monies, Effects, Bonds, Deeds, Books, Writings, Papers, Maps, Plans, and Personal Estate, and Property Claims and Demands whatsoever of or to which the Company or any Person in trust for them is or are under or virtue of the recited Act, or otherwise howsoever, immediately before the Commencement of this Act seised, possessed, or in anywise entitled at Law or in Equity, or otherwise howsoever, and that as fully and effectually to all Intents and Purposes whatsoever as if the recited Act were not repealed.

Conveyances, Leases, &c. to remain in force.

10. Notwithstanding the Repeal of the recited Act, all Deeds, Conveyances, Leases, Contracts, Mortgages, Bonds, Covenants, Liabilities, Securities, Orders, Resolutions, Proceedings, Arrangements, or Agreements, and other Acts and Things before the Commencement of this Act made, done, entered into, executed, or instituted under or by virtue or with reference to the Purposes of the recited Act, shall be as good, valid, and effectual to all Intents and Purposes whatsoever for, against, with reference to, or in favour of the Company as if the recited Act were not repealed, and may be proceeded on and enforced accordingly.

Debts due to or by the Company to be paid to or by them.

11. Notwithstanding the Repeal of the recited Act, all Persons who immediately before the Commencement of this Act owe any Sum of Money to the Company, or to any Person on their Behalf, shall pay the same, with all Interest (if any) due or to accrue due for the same, to the Company; and all Debts and Monies which immediately before the Commencement of this Act are due or owing by or recoverable from the Company, or for the Payment of which the Company are or but for the passing of this Act would have been liable, shall be paid, with all Interest (if any) due or to accrue due thereon, by or be recoverable from the Company.

Rates and Rents to be recovered.

12. Notwithstanding the Repeal of the recited Act, all Rates, Rents, and Sums of Money which immediately before the Commencement of this Act are due and payable to the Company shall be

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be payable to the Company, and shall be recoverable as Rents and Rates under this Act.

13. Notwithstanding the Repeal of the recited Act, any Action, Suit, Prosecution, or other Proceeding commenced by or against the Company previous to the Commencement of this Act shall not abate or be discontinued or prejudicially affected by this Act, but the same shall continue and take effect in favour of or against the Company in the same Manner in all respects as the same would have continued and taken effect if the recited Act were not repealed; and all Penalties incurred for any Offence against the Provisions of the recited Act previously to the Commencement of this Act may be sued for, and all Offences which may have been committed before the Commencement of this Act against the Provisions of the recited Act may be prosecuted, in the like Manner as the same might have been sued for and prosecuted respectively if the recited Act were not repealed.

Actions, &c.
not to abate.

14. Notwithstanding the Repeal of the recited Act, all Certificates, Sales, Transfers, and Dispositions heretofore made or executed under that Act of any Share in the Capital of the Company shall remain in full Force and continue and be available in all respects as if that Act were not repealed.

Transfers of
Shares to
remain in
force.

15. Notwithstanding the Repeal of the recited Act, all Books and other Documents by that Act authorized or directed to be kept, and which would have been Evidence if that Act had not been repealed, shall be admitted as Evidence in all Courts whatsoever.

Books, &c.
made Evi-
dence by
previous
Act to con-
tinue.

16. Notwithstanding the Repeal of the recited Act, the Clerk, Officers, and Persons appointed by virtue of or acting under the Authority of that Act shall hold their respective Offices and Employments, together with the Salaries and Emoluments thereunto annexed, until they shall resign or be removed therefrom, and such Clerk, Officers, and Persons shall have the like Power and Authorities for the Purposes of this Act, and for carrying the same into execution, and such Clerk, Officers, and Persons, and their respective Sureties, shall be subject and liable to the like Conditions, Obligations, Pains, and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations, in all respects whatsoever as if they had been appointed and such Sureties had become bound respectively under this Act.

Officers to
continue
until re-
moved.

17. The Capital of the Company shall (subject to the future Increase thereof under the Authority of this Act) be Eight thousand four hundred Pounds, of which Six thousand Pounds shall be divided

Capital
of the
Company.

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into

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into Two hundred and forty Shares of Twenty-five Pounds each, and Two thousand four hundred Pounds shall be Stock, and shall bear a perpetual preferential Dividend at the Rate of Five Pounds *per Centum per Annum*.

Appropriation thereof.

18. The said Shares and Stock shall be appropriated and belong to the several Persons and Corporations who immediately before the Commencement of this Act are the registered Shareholders in the Company in the Proportion of One Share of Twenty-five Pounds and Stock of the Amount of Ten Pounds for every then existing Share of Twenty-five Pounds in the Capital of the Company as then existing, and in substitution for the said existing Shares, and every Share and all Stock so appropriated shall be deemed fully paid up.

New Shares to be subject to the same Trusts, &c. as old Shares.

19. Every Share and Portion of Stock so appropriated shall be subject and liable to the same Trusts, Powers, Provisoes, Declarations, Agreements, Charges, Liens, and Incumbrances as immediately before the Commencement of this Act affected the then existing Share in the Company for which it is substituted, and so as to give effect to and not to revoke any Testamentary Disposition of or affecting such existing Share.

Company to call in and cancel existing Share Certificates, and issue new Certificates in lieu thereof.

20. The Company shall call in and cancel the existing Certificates of the Shares of the Company created under the recited Act, and issue in lieu thereof Certificates of Proprietorship under this Act in the Form and under the Conditions prescribed by "The Companies Clauses Consolidation Act, 1845," but the Holders of such existing Certificates of Shares shall not be entitled to any Certificates of Proprietorship under this Act until they shall have delivered up to the Company to be cancelled the Certificates of Shares issued to them before the Commencement of this Act, or shall have proved to the reasonable Satisfaction of the Directors of the Company the Loss or Destruction thereof.

Power to raise additional Capital.

21. It shall be lawful for the Company from Time to Time, with the Consent of Three Fifths of the Votes of the Shareholders present in person or by proxy at any General Meeting or Meetings specially convened for the Purpose, to raise by the Creation and Issue of new Ordinary and Preference Shares or Stock in their Capital, or, at the Option of the Company, by any of those Modes, such further Sum or Sums as they may think proper, not exceeding in the whole the Sum of Thirteen thousand Pounds, provided that no such Share shall be of less Amount than Ten Pounds.

Shares not to issue until One Fifth paid up.

22. Except Shares substituted for existing Shares, the Company shall not issue any Share or Portion of Stock created under the Authority

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Authority of this Act, nor shall any Share or Portion of Stock vest in the Person accepting the same, unless and until a Sum not being less than One Fifth of the Amount of such Share or Portion of Stock shall have been paid in respect thereof.

23. One Fifth of the Amount of a Share shall be the greatest Amount of a Call, and Three Months at least shall be the Interval between successive Calls, and Three Fourths of the Amount of a Share shall be the utmost aggregate Amount of the Calls made in any Year upon any Share. Calls.

24. The Company shall not in any Year make out of their Profits any larger Dividend on the additional Share Capital of Thirteen thousand Pounds to be raised under the Powers of this Act than Seven Pounds in respect of every One hundred Pounds actually paid of such Capital on Ordinary Shares, or Six Pounds in respect of every Hundred Pounds actually paid of such Capital on Preference Shares. Limit of Dividends on new Capital.

25. The Company may from Time to Time borrow on Mortgage (in addition to their present Mortgage Debt) any Sums not exceeding in the whole,— Power to borrow on Mortgage.

In respect of the First Seven thousand Pounds of additional Capital to be created under the Authority of this Act, One thousand Pounds :

In respect of the further Six thousand Pounds of additional Capital to be created under the Authority of this Act, One thousand five hundred Pounds.

26. Provided that no Part of the said Sum of One thousand Pounds or of the said Sum of One thousand five hundred Pounds to be so borrowed shall be borrowed until the whole of the respective Portion of additional Capital in respect of which it is to be borrowed is subscribed for, issued, and accepted, and One Half thereof is paid up, and the Company prove to the Justice who is to certify under Section 40 of "The Companies Clauses Consolidation Act, 1845," (before he so certifies,) that the whole of the Portion of additional Capital in respect of which it is authorized to be borrowed has been subscribed for, issued, and accepted, and that One Half thereof has been paid up, and that not less than One Fifth Part of the Amount of each separate Share or Portion of Stock in such Portion of additional Capital has been paid on account thereof before or at the Time of Issue or Acceptance thereof, and that such Portion of additional Capital was issued *bonâ fide*, and is held by the Subscribers or their Assigns, and that the Subscribers or their Assigns are legally liable for the same; and upon Production to such Justice of the Books of the Company, and of such other Evidence Restriction on borrowing.

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as he shall think sufficient, he shall grant a Certificate that the Proof aforesaid has been given, which Certificate shall be sufficient Evidence thereof.

Arrears may be enforced by Appointment of a Receiver.

27. The Mortgagees of the Company may enforce Payment of Arrears of Interest or Principal, or Principal and Interest, due on their Mortgages, by the Appointment of a Receiver, and in order to authorize the Appointment of a Receiver in respect of Principal, or Principal and Interest, the Amount owing to the Mortgagees by whom the Application for a Receiver shall be made shall not be less than Five hundred Pounds in the whole.

Existing Mortgages to have Priority.

28. All Mortgages granted by the Company in pursuance of the Powers of the recited Act which shall be subsisting at the Time of the Commencement of this Act shall, during the Continuance of such Mortgages, have Priority over any Mortgages to be granted by virtue of this Act.

Application of Monies.

29. All Monies raised under this Act, whether by Shares or borrowing, shall be applied for the Purposes of this Act only.

Ordinary Meetings.

30. There shall be One Ordinary Meeting of the Company in each Year, and it shall be held in the Month of *September* or *October* in each Year, or at such other stated Period as shall be appointed for that Purpose by a Resolution of the Directors, and the First Ordinary Meeting shall be held in the Month of *September* or *October* next after the Commencement of this Act, and the Quorum to constitute a Meeting (whether ordinary or extraordinary) shall be Seven Shareholders, whatever be their holding in the Capital of the Company.

Convening Extraordinary Meetings. Notice of Meetings.

31. Any Five Shareholders holding in the aggregate Ten Shares or more may require the Directors to call an Extraordinary Meeting, and it shall not be necessary to give more than Seven Days public Notice by Advertisement of any Meeting, whether ordinary or extraordinary.

Periods for balancing and inspecting Books, &c.

32. For the Purposes of the Section numbered 116 of "The Companies Clauses Consolidation Act, 1845," the prescribed Period is Seven Days at least before each Ordinary Meeting, and for the Purposes of the Sections numbered respectively 117 and 119 of the same Act the prescribed Period is Seven Days before and One Month after each Ordinary Meeting.

Certain Officers to be appointed at Meetings.

33. The Company's Powers of appointing and removing the Treasurer and Secretary shall be exercised only at a General Meeting of the Company.

34. For

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34. For the Purposes of the Section numbered 145 of "The Companies Clauses Consolidation Act, 1845," the Company's Reservoir in the *High Street* of *Lewes* shall be deemed their principal Place of Business. Provision as to Publication of Particulars of Offences.

35. The Number of Directors shall be Eight, but the Company may at any Time reduce the Number to not less than Three. Number of Directors.

36. The Quorum of a Meeting of Directors shall be Four so long as the Number of the Directors exceeds Six, and shall be Three when the Number exceeds Three and does not exceed Six, and shall be Two when the Number of the Directors is reduced to Three. Quorum.

37. The Persons who immediately before the Commencement of this Act are the Directors of the Company shall continue in Office until the First Ordinary Meeting held after the Commencement of this Act, and at that Meeting the Shareholders present in person or by proxy may either continue in Office the Directors appointed by this Act, or any of them, or may elect a new Body of Directors, or Directors to supply the Place of those not continued in Office, the Directors appointed by this Act being (if qualified) eligible for Re-election; and at the Ordinary Meeting to be held in every Year after the First Ordinary Meeting the Shareholders present in person or by proxy shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by the same Act. First Directors.

38. Subject to the Provisions of this Act, the Company may from Time to Time maintain or renew all or any of their existing Works, and may lay down, maintain, and renew additional Mains and Pipes, and other Works, Apparatus, and Conveniences, and do all such other Acts as they shall think proper for supplying Water within the Limits of this Act. Powers as to Supply of Water.

39. Water supplied under this Act need not be constantly laid on under Pressure, or be continuously supplied, or be supplied in any Case at a Level above that at which Water can be supplied by Gravitation from the Service Reservoirs from which the Supply is furnished. Constant Pressure, &c.

40. Three Quarters of an Inch is the prescribed Limit for the Bore of a Service or Communication Pipe. Bore of Service Pipe.

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Rate at which Water is to be supplied for domestic Purposes.

41. The Company shall at the Request of the Owner or Occupier of any House or Part of a House in any Street in which any Pipe of the Company is or shall be laid, or on the Application of any Person who under the Provisions of this Act is entitled to demand a Supply of Water for domestic Purposes, furnish to such Owner or Occupier a sufficient Supply of Water for domestic Use at Rates not exceeding those specified in the Schedule to this Act.

Rates for Waterclosets and Baths.

42. In addition to the Rates for the Supply of Water for domestic Purposes, the Company may demand and take for every Water-closet or private Bath in any House any Sum not exceeding One Shilling and Threepence for every Quarter of a Year.

For preventing fouling Water.

43. Provided always, that the Company shall not be compellable to supply with Water any Watercloset or any private Bath, or the Apparatus or Pipes connected therewith respectively, unless the same be so constructed and used as to prevent the Waste or undue Consumption of the Water of the Company, and the Return of foul Air or noisome and impure Matter into the Mains or Pipes belonging to or connected with the Mains or Pipes of the Company, nor if such private Bath shall be capable of containing when filled for Use more than Fifty Gallons of Water.

As to Supply of Water by Measure.

44. The Company may supply Water by Measure, provided that no Water Meter nor any Index thereto, whether supplied by the Company or the Consumer, shall at any Time or Times be altered or repaired, connected or disconnected, except under the Direction or with the Consent of the Company or their Manager; and every Person offending against this Enactment shall for every such Offence forfeit and pay to the Company any Sum not exceeding Five Pounds.

Water for other than domestic Purposes.

45. The Company may supply any Person with Water for other than domestic Purposes on such Terms as he and the Company agree on, but notwithstanding any such Agreement no Person shall be entitled to such a Supply whenever and as long as the Company are of opinion that the same would interfere with the proper Supply of Water for domestic Purposes under this Act, and every such Agreement shall be by virtue of this Act determinable by the Company on One Month's Notice in Writing.

Notice of Discontinuance.

46. A Notice to the Company from a Consumer for the Discontinuance of a Supply of Water shall not be of any Effect unless it is in Writing, and is left at the principal Office for the Time being of the Company.

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47. The Company, after Forty-eight Hours Notice in Writing under the Hand of the Secretary or some other Officer of the Company to the Occupier, or if there is no Occupier then to the Owner or Lessee of any Building or Lands in which any Pipe, Meter, or Fitting belonging to the Company is laid or fixed, and through or in which the Supply of Water is from any Cause other than the Default of the Company discontinued, may enter such Building or Lands between the Hours of Nine in the Morning and Four in the Afternoon, or at any other Time, with the Authority in Writing of a Justice, for the Purpose of removing and may remove every such Pipe, Meter, and Fitting, repairing all Damages caused by such Entry or Removal; and every such Notice shall be served by being delivered to the Person for whom it is intended, or left at his usual or last known Place of Abode or Business in *England*, or if such Person or his usual Place of Abode or Business in *England* is not known to the Company after proper Inquiry, then by being affixed on some conspicuous Part of such Building or Lands.

Power to
remove
Pipes and
Fittings.

48. The Company's Manager or other Officer duly appointed for the Purpose by the Company may, between the Hours of Nine of the Clock in the Forenoon and Four of the Clock in the Afternoon, enter any Building or Place supplied with Water by the Company, and inspect the Meters, Pipes, Fittings, and Apparatus for regulating the Supply of Water, and see whether they are in good Repair; and if such Manager or other Officer at any such Time be refused Admittance into such Premises for the Purposes aforesaid, or be prevented from making such Examination, the Occupier of such Premises shall for every such Offence forfeit to the Company a Sum not exceeding Five Pounds.

Company's
Officers to
enter Build-
ings.

49. The Company shall not be entitled to require from the incoming Tenant of any Property the Payment of Arrears of Water Rate or Rent left unpaid by any former Tenant unless the incoming Tenant has undertaken with such former Tenant to pay or exonerate him from the Payment of such Arrears.

In-coming
Tenant not
liable for
Arrears.

50. If any Person fails to pay any Water Rate or Rent, Damages, Costs, Expenses, or other Sum due to or recoverable by the Company under this Act, or any Act incorporated wholly or in part with this Act, they may recover the same by Proceedings in any Court of competent Jurisdiction, or, if the Amount thereof is not *bonâ fide* disputed, the same may be levied by Distress (the Person in default being first duly summoned), and any Justice may issue his Warrant accordingly, and the Remedies of the Company under this Section shall be in addition to their other Remedies for Recovery of any such Rent, Rate, Damages, Costs, Expenses, or other Sum.

Recovery of
Sums due.

51. A Justice

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Liability to
Water Rent
not to dis-
qualify
Justices, &c.

51. A Justice or a Judge of any Court shall not be disqualified from acting in the Execution of this Act by reason of his being liable to the Payment of any Water Rate, Rent, or Charge under this Act, or of his being a Shareholder of the Company.

Contents of
Summons,
&c.

52. Any Summons or Warrant issued for any of the Purposes of this Act may contain in the Body thereof, or in a Schedule thereto, several Names and several Sums.

Costs of
Distress.

53. Any Justice who issues a Warrant of Distress for any of the Purposes of this Act may order that the Costs of the Proceedings for Recovery of the Money to be levied be paid by the Person liable to pay such Money, and in that Case such Costs shall be ascertained by the Justice, and shall be included in the Warrant of Distress.

Penalties not
cumulative.

54. Penalties imposed on the Company for one and the same Offence by several Acts of Parliament shall not be cumulative, and for this Purpose this Act and any Act incorporated wholly or in part with this Act shall be deemed several Acts.

Steam
Engines to
consume
their own
Smoke.

55. The Boiler or Boilers, Furnace or Furnaces, of every Steam Engine to be erected, built, or used by the Company, or their Successors, Agents, Deputies, or other Persons by them authorized or employed, shall be constructed upon the best and most improved Principle for consuming the Smoke of every such Engine, so that the Smoke of every such Engine shall at all Times be completely and effectually consumed; or the Company, their Successors, Agents, Deputies, or other Persons by them authorized or employed, shall at all Times use, burn, or consume in the Fire or Furnace of every Steam Engine to be erected, built, or used by them the Coal commonly called *Welsh* Coal or Coke; and the Company shall be liable to a Penalty of Forty Shillings for every Day during any Part of which they use any Coal, except the Coal commonly called *Welsh* Coal, in or for any Boiler or Furnace not so constructed as aforesaid, or during which the Smoke is not effectually consumed; provided that the Justices by whom any such Penalty is imposed shall, if the Informer is injured or liable to Injury by the Smoke, award the whole Penalty to him, and if he is not injured or liable to Injury by the Smoke shall award the whole Penalty to the Overseers of the Poor of the Parish of *Kingston* in the County of *Sussex*, to be applied in aid of the Poor's Rate of that Parish.

Company
not to erect
Dwelling
Houses on
certain
Property.

56. It shall not be lawful for the Company to erect or build any Dwelling House, Cottage, or other Building for the Purpose of a Residence or Habitation of any Person or Persons whomsoever upon any Part of the Lands or Premises described in the Plan mentioned

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in the recited Act as belonging to the Devises of *Thomas Swaysland* deceased, nor to permit or suffer any Building or Buildings which may be erected by them or under their Permission and Direction upon any Part of the said Lands or Premises to be used or occupied for the Purpose of such Residence or Inhabitaney.

57. It shall not be lawful for the Company to enter upon or take or use any Lands, Tenements, or Hereditaments which at the Time of the passing of the recited Act belonged to *John Mercer Bosville Durrant* Esquire, or any Spring or Stream arising within any such Lands, Tenements, or Hereditaments as last aforesaid, without the Consent in Writing of the said *John Mercer Bosville Durrant*, or the Proprietor for the Time being of such Lands, Tenements, and Hereditaments, first had and obtained, anything in this Act contained to the contrary notwithstanding; provided also, that such Lands, Tenements, or Hereditaments as last aforesaid shall not be deemed to extend to the *Cockshut* Stream.

Not to enter Lands of Mr. Durrant or take Water therefrom.

58. Nothing in this Act contained shall extend or be construed to extend in any way to invalidate, lessen, diminish, alter, or take away any of the Rights, Privileges, Powers, and Authorities vested in the Lords of the said Borough of *Lewes*, or the Constables of the said Borough, or in the Commissioners acting under and by virtue of a certain Act of Parliament for paving, lighting, cleansing, watching, repairing, and improving the Roads, Streets, Lanes, and other public Passages and Places within the Borough of *Lewes* within the County of *Sussex*, and for preserving and preventing Nuisances and Encroachments therein, the Commissioners for the Improvement of the Parish and Ville of the *Cliffe, Lewes*, or in the Commissioners for improving the Navigation of the River *Ouse* between *Newhaven Bridge* and *Lewes Bridge* in the County of *Sussex*, and for the better draining of the Low Lands lying in *Lewes* and *Laughton Levels* in the said County, or the present or any future Commissioners of Sewers for the said *Lewes* and *Laughton Levels* (save and except so far as regards Power given to the Company by this Act to open the Streets, Lanes, and Passages within the said Town and Borough of *Lewes* and the said several Parishes for the Purposes of this Act), but all and every such Rights, Powers, and Authorities may remain, continue, and be in the said several Lords, Constables, and Commissioners, and every of them, in as full and ample a Manner to all Intents and Purposes as the same were enjoyed before the passing of this Act.

Saving of Rights.

59. All 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 Company.

Expenses of Act.

[Local.]

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The

Lewes Waterworks Act, 1868.

The SCHEDULE referred to in the foregoing Act.

The SCALE of WATER RATES or RENTS to be paid to the Company
for the Supply of Water for domestic Purposes.

	Per Quarter of a Year.
	£ s. d.
If the yearly Rack Rent or (if not let at Rack Rent) the annual Value of the House or Part of a House supplied does not exceed Six Pounds - - - - -	0 2 0
If it exceeds Six Pounds and does not exceed Ten Pounds - -	0 3 0
If it exceeds Ten Pounds and does not exceed Fifteen Pounds -	0 4 0
If it exceeds Fifteen Pounds and does not exceed Twenty Pounds -	0 5 0
If it exceeds Twenty Pounds and does not exceed Thirty Pounds -	0 7 6
If it exceeds Thirty Pounds and does not exceed Forty Pounds -	0 10 0
If it exceeds Forty Pounds and does not exceed Fifty Pounds -	0 12 6
If it exceeds Fifty Pounds and does not exceed Sixty Pounds -	0 15 0
If it exceeds Sixty Pounds and does not exceed Seventy Pounds -	0 17 6
If it exceeds Seventy Pounds and does not exceed Eighty Pounds -	1 0 0
If it exceeds Eighty Pounds and does not exceed Ninety Pounds -	1 2 6
If it exceeds Ninety Pounds and does not exceed One hundred Pounds - - - - -	1 5 0
If it exceeds One hundred Pounds then at the Rate of One and a Half per Centum for every Quarter of a Year.	

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