CHAPTER cxcii.

An Act for incorporating the Windsor and Eton Waterworks Company and for vesting in them the Windsor and Eton Waterworks; and for other purposes. [20th August 1883.] A.D. 1883.

WHEREAS Windsor and Eton and part of the parish of Clewer are now and have been for upwards of a century and a half supplied with water by means of waterworks situate at Eton:

And whereas the said Waterworks and certain other property are or purport to be vested in the trustees of the marriage settlement of William Henry Cutler dated the 13th day of October 1856 (in this Act referred to as the "settlement") and the said William Henry Cutler is or claims to be under the settlement equitable tenant for life in possession of the said Waterworks:

And whereas there are no charges upon the estates included in the settlement except an annuity of fifty pounds per annum to Emily Cutler the wife of the said William Henry Cutler for life:

And whereas by the Windsor and Eton Waterworks Act 1868 (hereinafter called the Act of 1868) various powers were conferred upon the owner or owners for the time being of the said Waterworks for enabling them to supply water within the limits defined in that Act and the said owner or owners were invested with the powers of and took upon themselves the duties and obligations imposed by the Waterworks Clauses Acts 1847 and 1863 and their limits of supply were defined to be the town parish and borough of New Windsor and the parish of Clewer in Berkshire and the parish of Eton in Bucks:

And whereas it was provided by section 23 of the Act of 1868 that the said owner or owners should (in addition to the annual sum of two thousand two hundred pounds to which he and they were declared to be entitled in respect of the capital already invested in the undertaking) be entitled to eight pounds per centum per annum on all moneys not exceeding ten thousand pounds which should thereafter be from time to time bonâ fide expended in permanent

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works connected with the undertaking provided that the amount of monies so expended should be proved to the satisfaction of and be certified by the chairman for the time being of the general quarter sessions of the peace for the county of Berks:

And whereas the said William Henry Cutler has expended in extensions of mains and other permanent works the full sum of ten thousand pounds mentioned in the Act of 1868 such sums having been provided by him partly out of the profits of the Waterworks and partly by borrowing money with the collateral security of an insurance upon his life and that amount has been duly certified in accordance with the provisions of section 23 of that Act:

And whereas the population within the limits of supply defined by the Act of 1868 and the demand for water within those limits have of late years greatly increased and are still rapidly increasing and a further expenditure for mains and other works in connection with the said Waterworks has become necessary in order to meet the requirements of the public:

And whereas under the settlement neither the said William Henry Cutler nor the trustees of the settlement have any power to borrow money upon the security of the settled estates or to raise or apply money for the purposes of the Waterworks and the said William Henry Cutler cannot raise money on his personal security except upon terms which would not only render any further outlay by him upon the Waterworks unremunerative but would diminish the net income which he now derives therefrom:

And whereas in the settlement power is conferred on the trustees at the request and by the direction of the said William Henry Cutler and Emily his wife to sell by public auction or private contract all or any part of the settled estates investing the purchase money in the purchase with the consent of the said William Henry Cutler and Emily his wife of other messuages lands or hereditaments in England or Wales to be settled to and upon the same uses and trusts as those affecting the settled estates with power to invest the same in the meanwhile with the like consent in (amongst other things) the purchase of shares stocks or securities of any Company incorporated by Act of Parliament and paying a dividend:

And whereas under the above circumstances and in order to render practicable the necessary extension of the Waterworks the said William Henry Cutler and Emily his wife and Francis Bartram Austin and Henry Granville Wright the present trustees of the settlement are willing and desirous that the Waterworks undertaking and certain other parts of the settled estates which would be conveniently held with the Waterworks undertaking should be transferred upon the terms and subject to the conditions expressed in

this Act to and vested in a Company to be incorporated for the purpose and the persons hereinafter in that behalf named are willing if incorporated with others into a Company with the necessary powers to undertake the maintenance and extension of the said Waterworks:

And whereas the said trustees and the said William Henry Cutler and Emily his wife are willing that the said Waterworks and other parts of the settled estates should be transferred to the Company to be so incorporated in consideration of shares fully paid-up in that Company of the nominal amount of seventy-five thousand pounds:

And whereas the rates authorised by the Act of 1868 to be taken for the supply of water for domestic purposes in that part of the limits of supply which lies in the county of Berks and outside the boundary of New Windsor are not reasonably remunerative and it is expedient that such rates be increased:

And whereas the objects aforesaid cannot be accomplished 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 (that is to say):—

Short title.

1. This Act may be cited for all purposes as the Windsor and Eton Waterworks Act 1883.

Incorporation of general Acts.

2. The Companies Clauses Consolidation Act 1845 Parts I. and III. of the Companies Clauses Act 1863 (relating respectively to cancellation and surrender of shares and to debenture stock) the Lands Clauses Consolidation Acts 1845 (except such of the provisions thereof as relate to the purchase and taking of lands otherwise than by agreement and to the entry upon lands by the promoters of the undertaking) 1860 and 1869 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.

3. 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 Waterworks" means the Waterworks and all mains pipes machinery stock (as hereinafter defined) works offices buildings lands property rights easements powers and

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privileges connected therewith and comprised in the settlement:

The word "stock" means and includes the articles matters and things specified in the Schedule to this Act:

The expression "the trustees" means the trustees or trustee for the time being of the settlement:

The expression "the proprietors" means the persons in whom the Waterworks were immediately before the passing of this Act vested and including when necessary the said William Henry Cutler and Emily his wife:

and the expression "superior courts" 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 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.

Repeal of Act of 1868.

4. The Act of 1868 is hereby repealed.

Company incorporated.

5. Charles Clarke Higgins Francis Bowry Buckland Edward Pearl and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking and their executors administrators successors and assigns respectively shall be and are hereby united into a Company for the purpose of supplying water within the limits of this Act and for those purposes shall be and are hereby incorporated by the name of "the Windsor and Eton Waterworks Company" and by that name shall be a body corporate with perpetual succession and a common seal and with power to carry on the said undertaking and to purchase hold and dispose of lands and other property for the purposes of this Act.

Waterworks &c. to vest in the Company.

6. The Waterworks and all the lands shown by the green colour on a certain plan signed in duplicate by Alexander Hugh Baron Balfour of Burley the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred and the copies whereof have been deposited in the office of the Clerk of the Parliaments and in the Private Bill Office of the House of Commons and all buildings standing on those lands and all streams and waters shown on the said plan within the red lines thereon and all water power derived or derivable from the said streams and waters with full free and uninterrupted right of way and access thereto at all times and all the deeds papers books and plans exclusively relating thereto respectively and all choses in action effects claims and demands rights and remedies whatsoever in relation to or in

connection with the Waterworks which immediately before the passing of this Act were vested in the proprietors or any of them or any person or persons on their behalf or of or to which the proprietors or any person or persons on their behalf were then seised possessed or entitled either at law or in equity or otherwise howsoever or over which they or any of them either absolutely or with the consent of any other person or persons then had any disposing power and all things purchased or provided for them or any of them for the supply of water in any place within the limits of the Act of 1868 shall be and the same are hereby vested in the Company free as between the proprietors and the Company from all encumbrances obligations debts and liabilities upon or affecting the same save as hereinafter provided but otherwise subject thereto and may be held used and enjoyed accordingly.

Former deeds bonds contracts &c. to remain in force.

7. All deeds bonds contracts and other acts and things done made executed or entered into prior to the passing of this Act by or with the proprietors or any of them and now in force shall be as binding in all respects in favour of or with reference to the Company and may be enforced as fully and effectually as if instead of the proprietors or any of them the Company had been a party thereto.

Actions &c. not to abate &c.

8. Nothing herein contained shall release discharge or suspend any action suit or other proceeding at law or in equity pending by or against the proprietors or any of them but the same may be maintained prosecuted or continued by or against the Company (as the case may be) in the same manner and as effectually and advantageously as the same might have been maintained prosecuted or continued by or against the proprietors or any of them.

Provision as to the payment of water rates &c. now due.

9. All water rates and rents which immediately before the passing of this Act were due and accruing due to the proprietors or any of them shall be payable to and may be collected and received by the Company in like manner as the water rates or rents by this Act authorised to be taken. Provided always that the Company shall pay to the trustees all such rates or rents which had accrued due before the passing of this Act and a proportionate part up to the passing of this Act of any such rates or rents received by the Company in respect of the supply of water during any period commencing before and terminating after the passing of this Act.

Provision as to the payment of existing debts.

10. All persons who immediately before the passing of this Act owed any sum of money to the proprietors or any of them or to any person on their behalf and in respect of the Waterworks shall pay the same with interest (if any) due or to accrue due for the same

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to the Company and all debts and moneys which immediately before the passing of this Act were due or owing by or recoverable from the proprietors or for the payment of which they are or but for this Act would be liable shall be paid with all interest (if any) due or to accrue due thereon by or be recoverable from the Company.

Capital.

11. The capital of the Company shall be ninety-five thousand pounds in shares of ten pounds each.

Consideration for transfer.

12. Seven thousand five hundred shares (hereinafter referred to as "the vested shares") in the capital of the Company are by this Act vested in the trustees and shall be deemed to be fully paid up and the names of the trustees shall be entered in the register of shareholders accordingly as the persons entitled to such shares and the Company shall cause a certificate or certificates of the proprietorship thereof to be delivered to the trustees without fee or reward.

Shares to vest in the trustees upon the trusts of the settlement as to shares.

13. The said shares shall for all purposes of the settlement be deemed to be shares purchased by the trustees with the consent of the said William Henry Cutler and Emily his wife by way of interim investment as provided by the settlement of money arising by sale of part of the settled estates and shall vest in and be held by the trustees upon and subject to all the same trusts and conditions and with the same power of sale and reinvestment as are contained or expressed in the settlement with respect to shares so purchased.

Dividends to be paid to persons entitled to profits of waterworks.

14. The dividends upon the shares by this Act vested in the trustees as aforesaid shall be paid by the trustees to the person or persons who but for this Act would have been entitled to the profits of the Waterworks.

Company to take over certain mains.

15. Immediately after the passing of this Act the Company shall purchase or take over all new mains which have been laid down by the proprietors since the month of June 1882 at the actual cost of such mains and the laying down of the same.

Shares not to be issued until one-fifth paid.

16. The Company shall not issue any share other than the vested shares created under the authority of this Act nor shall any such share vest in the person or corporation accepting the same unless and until a sum not being less than one-fifth of the amount of such share is paid in respect thereof.

Calls.

17. 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.

As to dividends on vested shares.

18. Unless and until otherwise determined as hereinafter provided the maximum dividend to which the vested shares shall be entitled in any year shall be three thousand pounds and no more. If within three months after the passing of this Act the proprietors or the trustees or any of them respectively give notice in writing to the mayor aldermen and burgesses of the borough of Windsor (hereinafter called "the Corporation") of their or his desire that the maximum dividend to which the vested shares shall be entitled under this Act shall be determined by arbitration then the amount of such maximum dividend shall be determined by arbitration in manner provided by the Companies' Clauses Consolidation Act 1845 with respect to the settlement of disputes by arbitration and the arbitrators arbitrator or umpire as the case may be shall determine the amount of such maximum dividend on the following basis that is to say :—

(A.) In respect of the undertaking as it existed at the passing of the Act of 1868 and of any additional works constructed and property acquired for the purpose of the Waterworks by the expenditure of the ten thousand pounds of additional capital by that Act authorised or any part thereof the maximum dividend shall be three thousand pounds and no more:

(B.) In respect of any property of the proprietors or the trustees by this Act transferred to the Company and not included under the preceding sub-paragraph (A.) an additional maximum dividend shall be allowed at the rate of seven pounds per centum per annum on the value of such property:

(C.) The aggregate of the amounts awarded by the arbitrators arbitrator or umpire as the case may be under sub-paragraphs (A.) and (B.) shall be the maximum dividend to which the vested shares shall be entitled as if such maximum dividend had been specifically prescribed by this Act:

(D.) In any arbitration under this Act the Corporation shall be a party and shall exclusively represent the interests of all parties other than the proprietors and the trustees.

Limiting amount of dividend.

19. The amount of dividend to be paid on the shares in the capital created under this Act other than the vested shares shall not exceed seven pounds per centum per annum.

As to votes in respect of vested shares.

20. At all general meetings of the Company (including any meetings called in pursuance of the Standing Orders of either House of Parliament) the trustees notwithstanding anything contained in the Companies Clauses Consolidation Act 1845 shall not be entitled to any greater number of votes in respect of the vested shares or of such of them as for the time being shall remain registered in the

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names of the trustees than one-fourth of the aggregate number of votes to which the proprietors of shares of the Company other than the vested shares attending and voting at the respective meetings shall be entitled.

Receipt in case of persons not sui juris.

21. If any money is payable to a shareholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Representation of the Company in bankruptcy &c.

22. In proceedings under any bankruptcy or deed of composition or arrangement the secretary of the Company or any person appointed in his behalf by writing under his hand may represent the Company and shall be competent to act for the Company and his acts and omissions shall bind the Company in all respects as if the claim or demand of the Company in such proceedings were the personal claim or demand of such secretary or person and not of the Company.

Power to borrow.

23. The Company may at any time after the passing of this Act and from time to time borrow on mortgage of the undertaking in respect of the capital represented by the vested shares any sum or sums not exceeding in the whole five thousand pounds and the Company may from time to time borrow on mortgage in respect of the remaining twenty thousand pounds of their capital any sum or sums not exceeding in the whole five thousand pounds and of that last-mentioned sum they may borrow from time to time not exceeding two thousand five hundred pounds in respect of each ten thousand pounds of their last-mentioned capital but no part of any such sum of two thousand five hundred pounds shall be borrowed until the whole of the respective ten thousand pounds of capital in respect of which it is to be borrowed is issued and accepted and one-half thereof is paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 (before he so certifies) that the whole of the respective ten thousand pounds of capital has been 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 in such ten thousand pounds of capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that the respective ten thousand pounds of capital was issued bonâ fide and is held by the persons or corporations to whom the same was issued or their executors administrators successors or assigns and that such persons or corporations their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence

as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which shall be sufficient evidence thereof.

Limiting rate of interest on mortgages.

24. The Company shall not grant any mortgage under this Act bearing a higher rate of interest than five per centum per annum.

As to conversion of borrowed money into capital.

25. The Company shall not have power to raise the money by this Act authorised to be borrowed on mortgage or any part thereof by the creation of shares or stock instead of borrowing or to convert into capital the amount borrowed under the provisions of this Act unless in either case all dividends upon the shares or stock are limited to a rate not exceeding five pounds per centum per annum.

For appointment of a receiver.

26. 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. In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one thousand pounds in the whole.

Debenture Stock.

27. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time created and issued or granted by the Company under this or any subsequent Act shall subject to the provisions of any subsequent Act rank pari passu (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock or mortgages were authorised) and shall have priority over all principal moneys secured by such mortgages.

Priority of mortgages over other debts.

28. All money raised or to be raised by the Company on mortgage or debenture stock under the provisions of this Act shall have priority against the Company and the property from time to time of the Company over all other claims on account of any debts incurred or engagements entered into by them after the passing of this Act: Provided always that this priority shall not affect any claim against the Company or their property in respect of any rentcharge granted or to be granted by the proprietors or by the Company in pursuance of the Lands Clauses Consolidation Act, 1845, or the Lands Clauses Consolidation Acts Amendment Act, 1860, or in respect of any rent or sum reserved by or payable under any lease granted or made to the Company in pursuance of any Act relating to the Company

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which is entitled to rank in priority to or pari passu with the interest on their mortgages or debenture stock.

Application of moneys.

29. All moneys raised under this Act whether by shares debenture stock or borrowing shall be applied only for the purposes of this Act to which capital is properly applicable.

First ordinary meeting.

30. The first ordinary meeting of the Company shall be held within six months after the passing of this Act.

Number of directors.

31. The number of directors shall be six but the Company may from time to time reduce the number provided that the number be never less than three.

Qualification of directors.

32. The qualification of a director shall be the possession in his own right of not less than fifty shares.

Quorum.

33. The quorum of a meeting of directors so long as the number of directors be four or more shall be three but if the number of directors be reduced to three the quorum shall be two.

First directors.

34. Charles Clarke Higgins Francis Bowry Buckland and Edward Pearl and three other duly qualified persons to be nominated by them or by the majority of them and consenting to such nomination shall be the first directors of the Company and shall continue in office until the first ordinary meeting held after the passing of this Act. At that meeting the shareholders present in person or by proxy may subject to the power of reducing the number of directors herein contained either continue in office the directors appointed by this Act or nominated as aforesaid or any of them or may elect a new body of directors or directors to fill up the number of directors or to supply the place of those not continued in office the directors appointed by this Act or nominated as aforesaid being (if qualified) eligible for re-election and at the first 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 of the Companies Clauses Consolidation Act 1845 and the several persons elected at any such meeting being neither removed nor disqualified nor having died or resigned shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Election of directors.

Contracts not to disqualify for office of director.

35. Any contract to be made under this Act with any local board corporation or public body shall not disqualify any of the members of such local board corporation or public body for the office of director of the Company and no director or shareholder of the Company shall be disqualified for the office of director of

the Company by reason of any contract between him and the Company for any loan of money to the Company but no director of the Company being a member of any such local board corporation or public body shall vote upon any question with reference to any contract with such local board corporation or public body.

Limits of Act.

36. The limits of this Act shall comprise and include the town parish and borough of New Windsor Windsor Castle and precincts and the parish of Clewer in the county of Berks and the parish of Eton in the county of Bucks.

Power to make waterworks.

37. Subject to the provisions of this Act the Company may maintain and repair and from time to time renew Waterworks and works and conveniences connected therewith respectively and may collect take and divert into the said Waterworks and therein impound and thence distribute all waters in upon or under any lands for the time being belonging to the Company.

Power to purchase lands by agreement.

38. The Company may for the purposes of their undertaking purchase take and hold (by agreement but not otherwise) any further lands and hereditaments not exceeding in the whole five acres which the Company may from time to time require for the purposes of their works and undertaking but the Company shall not use any such lands or hereditaments for any building except buildings required for the Waterworks undertaking of the Company.

Company may sell spare lands of undertaking.

39. The Company may from time to time demise and also either before or after making any demise thereof absolutely sell and dispose of to such persons and in such manner as the Company think fit any lands or works by this Act vested in them or which may be acquired by them under this Act which they do not require for the purposes of their undertaking (subject nevertheless to the provisions of the Lands Clauses Consolidation Act 1845 with respect to the sale of superfluous lands) and on the sale by the Company of any lands or works they may reserve to themselves all or any part of the water or water rights or other easements belonging thereto and may make the sale subject to such reservations accordingly and may also make any such sale subject to such other reservations special conditions restrictions and provisions with respect to use of water exercise of noxious trades or discharge or deposit of manure sewage or other impure matter as they think fit.

Reservation of water rights &c. on sale.

Constant pressure &c.

40. Water supplied under this Act need not be constantly laid on under pressure or be supplied in any case at a greater pressure at the works than would be sufficient to raise the water to the height of one hundred and twenty-five feet at such works.

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Rates at which water is to be supplied for domestic purposes.

41. The Company shall at the request of the owner or occupier of any private dwelling-house or part of a private dwelling-house in any street in which any water pipe of the Company shall be laid or on the application of any person who under the provisions of this Act or any Act incorporated herewith shall be entitled to demand a supply of water for domestic purposes to such private dwelling-house or part of a private dwelling-house furnish to such owner or occupier or other person a sufficient supply of water for domestic purposes at yearly rates as regards the borough of New Windsor and Windsor Castle and precincts not exceeding four pounds ten shillings per centum on the gross yearly value and as regards so much of the parish of Clewer as lies outside the borough of New Windsor not exceeding five pounds per centum on the gross yearly value and as regards the parish of Eton not exceeding three pounds ten shillings per centum on the gross yearly value of such dwelling-house or part of a dwelling-house: Provided always that the Company shall not be obliged to furnish any such supply for any less sum than two pence per week. There shall be paid in addition to the before-mentioned rates the following rates that is to say—

For any water-closet beyond the first in any private dwelling-house not being in the parish of Eton or in any part of such dwelling-house or appurtenant thereto any sum not exceeding five shillings per annum:

For every water-closet beyond the first in any private dwelling-house in the parish of Eton or in any part of such dwelling-house or appurtenant thereto any sum not exceeding five shillings per annum. Provided that when the gross yearly value of any such dwelling-house in the parish of Eton exceeds one hundred pounds the Company shall make no charge for one additional water-closet in respect of each additional hundred pounds of gross yearly value beyond the first one hundred pounds of gross yearly value:

For every private bath any sum not exceeding ten shillings per annum.

Inhabitants not to make communication before agreement for supply of water.

42. No inhabitants within the limits of this Act (except the owner or occupier of a private dwelling-house or part of a private dwelling-house laying any service pipe for the supply of water to the same) shall make any service pipe to communicate with the pipes of the Company except he shall have agreed with the Company for a supply of water to his buildings and premises.

As to supply of water for flushing sewers, &c.

43. The Company shall supply any sanitary authority within the limits of this Act with water by meter for flushing the sewers

or for watering streets at a rate not exceeding six pence for every one thousand gallons.

Regulations as to water closets and private baths.

44. The Company shall not be compellable to supply with water any water-closet or private bath or the pipes or apparatus connected therewith respectively unless the same shall be so constructed and used as to prevent the waste misuse or undue consumption of water of the Company and the flow or return of foul air or other noisome or impure matter into the mains or pipes of the Company or into any pipes connected or communicating therewith nor any private bath which shall be so constructed as to contain when filled for use more than fifty gallons of water.

Incoming tenant not liable for arrears of water rate.

45. If any consumer leaves the premises where water was supplied to him without paying to the Company the water rate due from him the Company shall not be entitled to require from the next tenant of the premises payment of the arrears left unpaid by the former tenant unless the incoming tenant had agreed with the defaulting consumer to pay the arrears.

Power to Company to compel the repair of pipes &c.

46. The Company may by notice in writing under the hand of their surveyor or other authorised officer require any person who shall have suffered any pipe cock cistern or other apparatus under his control used in connection with the undertaking to be out of repair forthwith to put the same into a proper state of repair and if such person shall not within three days after the service of such notice repair such pipe cock cistern or other apparatus so as to prevent any waste from the same the Company may repair the same and if the expense of such repair be not repaid to the Company on demand the same may be recovered by the Company as damages.

Water may be supplied by agreement.

47. The Company may supply any person with water for any purpose in respect of which no special rates are by this Act granted for such remuneration and upon such terms and conditions as shall be agreed upon between the Company and the person desiring such supply and if the consumer shall desire to be supplied with water for other than domestic purposes by meter then such supply shall be afforded at rates not exceeding the following for every one thousand gallons (that is to say):—

For water supplied within half-a-mile of the pumping station of the Company at Eton nine pence:

Beyond half-a-mile and not exceeding one mile of such station one shilling:

Beyond one mile and not exceeding one mile and a-half from such station one shilling and three pence:

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Beyond one mile and a-half of such station one shilling and sixpence:

The distance to be taken along the line of water mains.

Power to sell or let meters.

48. The Company may from time to time manufacture hire sell and dispose of meters fittings and apparatus or let meters fittings and apparatus on hire upon and subject to such terms (pecuniary and otherwise) and conditions as the Company think fit.

Power to Company to agree for supplies of water for other than domestic purposes.

49. Subject to the provisions of this Act the Company may from time to time enter into and carry into effect such contracts and arrangements with any corporation local board of health urban or rural sanitary authority and the trustees of any turnpike or other road or any highway board or any surveyors of any highway and any railway company and any other companies bodies or persons with respect to the supply of water in bulk or otherwise as the Company think fit within or beyond the limits of supply and every such contract and arrangement may be for such period on such terms pecuniary or otherwise and conditions as the Company think fit and the Company may from time to time by agreement vary or rescind any such contracts or arrangements. Provided that no water shall be supplied under the powers of this section in any place beyond the limits of supply within which any company or sanitary authority is authorised to supply water without the consent in writing of such company or sanitary authority.

Domestic supply within limits of Act not to be interfered with by supply for other purposes.

50. Notwithstanding anything in this Act contained the Company shall not supply water in bulk or otherwise to any corporation body or person beyond the limits for the supply of water by this Act authorised nor to any person within those limits for other than domestic purposes if and so long as in either case the affording such supply would prevent the Company from giving a full and efficient supply for domestic purposes within the limits by this Act authorised.

Entry on premises to cut off supply in certain cases.

51. In all cases in which the Company are authorised to cut off the pipe or to turn off water from any premises the Company their agents and workmen (after giving notice to the owner or occupier as hereinafter provided) may enter into such premises between the hours of nine in the forenoon and four in the afternoon for the purpose of cutting off any pipe by which the water of the Company shall be supplied to such premises.

Mode of giving notice.

52. The notice to be given previously to such entry shall be in writing and shall be served in manner following (that is to say):—

If the premises intended to be entered be occupied then by leaving the notice thereat or by delivering the same to the occupier thereof twenty-four hours at least previously to such entry :

If such premises be unoccupied and the owner thereof and his usual place of abode be in England and be known to the Company then by delivering the notice to such owner or by leaving the same at his usual place of abode twenty-four hours or by sending the same by post in a registered letter addressed to him at his usual place of abode and posted forty-eight hours at least previously to such entry :

If such premises be unoccupied and the owner thereof or his usual place of abode be not in England or be not known to the Company after due inquiry then by affixing the notice on some conspicuous part of such premises three days at least previously to such entry.

And for the purposes of this section any person receiving the rents of any such premises either on his own account or as agent for any other person shall be deemed the owner of such premises.

Service pipes.

53. All fittings connected with any service pipe to communicate with the mains and pipes of the Company which shall be provided by any person shall be placed and removed under the superintendence of the Company and at the expense of such person.

Power to remove meters and fittings.

54. 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 for not less than forty-eight consecutive hours 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 notice required by this section shall be served by being delivered or sent by post by registered letter addressed 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.

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Penalty for misuse of water.

55. Every person using for other than domestic purposes any water supplied by the Company and not having previously agreed with them for a supply of water for other than domestic purposes or using for any purpose other than the purposes so agreed on any water supplied by the Company or being guilty of any breach or non-observance of any regulations of the Company made under this Act with respect to the waste and misuse of water shall for every such offence forfeit and pay to the Company any sum not exceeding five pounds and a further sum not exceeding forty shillings for every day on which the offence continues.

For preventing frauds and waste of water.

56. If and whenever any person supplied with water under this Act wilfully does or causes or suffers to be done anything in contravention of any of the provisions of this Act or wilfully fails to do anything which under this Act ought to be done for the prevention of waste misuse or undue consumption of water the Company may recover in any court of competent jurisdiction from every person so offending the amount of all damage sustained by reason thereof and the remedies of the Company under this enactment shall be in addition to their other remedies in such cases.

Power for Company to supply materials &c.

57. The Company may if requested by any person supplied or about to be supplied by them with water furnish to him and from to time repair or alter any such meters pipes valves cocks baths soil-pans water-closets apparatus and receptacles as are required or permitted by their regulations and may provide all materials and do all work necessary or proper in that behalf and the cost of providing such materials and executing such work shall be paid by the person requiring the same.

Company not bound to supply several houses by one pipe.

58. The Company shall not be bound to supply more than one house by means of the same pipe but they may if they may think fit require that a separate pipe be laid into each house supplied by them with water.

Meters &c. not subject to distress for rent.

59. No meter pipe or other apparatus supplied by and belonging to the Company shall be subject to distress for rent of the premises where the same is used or to be attached or taken in execution under any process of any court of law or equity or any adjudication in bankruptcy or any other legal proceeding against the person in whose possession the same may be.

Recovery of charges for the supply of water.

60. In case any person who shall have been supplied with water by the Company or who shall be liable to payment in respect of a supply of water under or by virtue of the provisions of this Act shall neglect or refuse to pay the amount due in respect of such supply for the space of fourteen days after demand thereof by the Company

their agent or collector it shall be lawful for any justice having jurisdiction where such person shall then reside or where such water shall have been supplied to issue his summons to such person requiring him to appear before two justices having jurisdiction as aforesaid at a time and place named then and there to show cause why the sum so demanded should not be paid and if on the appearance of such person or in default of his appearance after proof of the service of the summons either personally or at the last known place of abode or of business of such person no sufficient cause shall be shown to the contrary it shall be lawful for such two justices to issue their warrant of distress for the seizure and sale of the goods and chattels of such person for the recovery of the amount which may be proved before such justices to be due from such person together with such costs as to such justices shall seem just and reasonable.

Recovery of sums by action.

61. Where any person fails to pay any water rate or other sum or any penalty due to the Company the Company may recover the same with full costs of suit in any court of competent jurisdiction and the remedies of the Company under this enactment shall be in addition to their other remedies in that behalf.

Several sums in one summons.

62. 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.

63. Any justice who issues any warrant of distress for any of the purposes of this Act may order that the costs of the Company of and incident to the recovery of the money to be levied shall be paid by the person liable to pay the money and the costs shall be ascertained by the justice and shall be included in the warrant of distress for the recovery of the money.

Penalties on the Company not cumulative.

64. 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 the Acts incorporated herewith shall be deemed separate Acts.

Notice of discontinuance.

65. A notice to the Company from a consumer for the discontinuance of a supply of water shall not be of any effect unless it be in writing and be left at the principal office for the time being of the Company.

Liability to water rent not to disqualify justices &c.

66. A justice or a judge of any court shall not (except as in this Act expressly provided) be disqualified from acting in the execution of this Act by reason of his being liable to the payment of any water rent meter rent rate or charge under this Act.

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Company may sell undertaking to Local Authorities.

67. If the mayor aldermen and burgesses of the borough of Windsor and the local board for the district of Eton (hereinafter called "the Local Authorities") shall within twelve months after the passing of this Act by writing under their respective common seals addressed and sent to the secretary or delivered at the principal office of the Company require the Company to sell to the Local Authorities jointly their undertaking property rights powers and privileges as the same exist at the time of the delivery of such notice the Company shall thereupon sell and the Local Authorities shall purchase such undertaking property rights powers and privileges for such price including a sum for compulsory sale and for the prospective value of the Company's undertaking as shall be mutually agreed upon or as failing agreement shall be settled by arbitration in manner provided by the Lands Clauses Consolidation Act 1845 and for the purposes of such arbitration the undertaking property rights powers and privileges of the Company shall be deemed to be lands and in addition to the sum so agreed or settled the Local Authorities shall take over and pay the statutory debt (if any) of the Company at the time of the transfer and vesting of the undertaking and all other debts engagements and liabilities incurred by or on behalf of the Company and existing at the time of the transfer. Provided that if the said local board shall after request in writing by the mayor aldermen and burgesses of the said borough of Windsor neglect or refuse for two months to concur in such joint purchase the said mayor aldermen and burgesses may alone give notice to purchase and alone purchase the said undertaking property rights powers and privileges within the time in the manner and upon the terms aforesaid and after such purchase shall thenceforth at all times supply the said local board if required by them in bulk by meter with a sufficient quantity of water for all domestic and other purposes of the said district and parish of Eton at a price per thousand gallons to be determined failing agreement by an engineer to be appointed by the Local Government Board on the application of either party and shall sell the water mains and pipes within the said district and parish to the said local board at a price to be determined failing agreement in manner aforesaid.

Trustees may apply moneys received on sale in discharge of mortgages.

68. In the event of a sale under the last preceding section the trustees may apply any moneys to be received by them in respect of the vested shares in or towards payment or satisfaction of any moneys secured by mortgage upon the settled estates.

Costs of Act.

69. All 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 Company.

The SCHEDULE referred to in the foregoing Act.

Articles matters and things included in the expression "Stock" in the foregoing Act.

Five Copper Frost Stand Pipes and Cocks.
Five Double Sockets.
Three End Caps.
Thirteen Flange Pieces.
One Flange T Piece.
Two Flange Bends.
Two 6in. and 8in. Back Valves.
One Anvil.
Six Sluice Cock Caps.
Three V Spanners.
Twelve Double Ended Spanners.
One Rachet Brace and Twelve Drills.
One 3in. Branch Pipe.
Two Lengths 7in. Main.
One 10in. Branch Piece.
One 9in. Bend.
One 8in. Flange Pipe.
One T Pipe.
Four Flange Bends 26in. 18in.
One nine inch $\frac{1}{8}$th Bend.
One 10in. Flange Piece.
One End Fire Plug.
One 9ft. 8in. Spur Wheel.
Twelve Lengths 3in. Socket Main.
One do. 6in. do.
Eight do. 4in. do.
Seventeen do. 3in. do.
Five 4in. Fire Hydrant Pieces.
Two 3in. do.
One 3in. Branch Piece.
Twenty-three Double Sockets.
One Centrifugal Pump and Foot Valve and 21ft. of 6in. Flange Suction Pipe.
Four six inch $\frac{1}{8}$th Bends.
Three Fire Devils 2 lead pots 2 ladles.
One 13in. Set of Dies for Cup Leathers.
Two 12in. do. do.
One 9in. do. do.
One $7\frac{1}{2}$in. do. do.

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One Set 12in. brass lined three-throw Pumps.
One Set 8½in. do.
Three Sets Chain Tackle.
Two Ladders.
Six Sets Turncocks' Tools.
Twelve Caulking Tools.
Nine End Caps.
Six Hand Hammers.
Two Grating Rakes.
Three Pails.
Two Copper Stand Pipes for Hydrants.
Three Lengths Canvas Fire Hose.
Two Copper Nozzle Pipes.

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