



ANNO DECIMO SEPTIMO & DECIMO OCTAVO

# VICTORIÆ REGINÆ.

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## Cap. cxxv.

An Act for the Regulation of the Municipal Corporation of the Borough of *Yeovil* in the County of *Somerset*, and for the Extension of the Boundaries of the said Borough, and for the Improvement of the said Borough.

[3d July 1854.]

**W**HEREAS the existing Borough of *Yeovil* is a Corporate Borough by Prescription, and certain of the Inhabitants of the existing Borough are a Body Politic and Corporate, called and known by the Name of "The Portreeve and Burgesses of the Borough of *Yeovil*:" And whereas an Act was passed in the Eleventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for paving, lighting, watching, watering, cleansing, repairing, widening, and otherwise improving the Streets, Lanes, and other public Passages and Places within the Town of Yeovil in the County of Somerset, and for regulating the Police thereof*, and certain Persons were thereby appointed Commissioners for carrying the said Act into execution, and were to be and are called "The Commissioners for improving the Town of *Yeovil*:" And whereas an Act was passed in the Tenth Year of the Reign of Her

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c. ccxviii.

present Majesty, intituled *An Act for regulating the Markets and Fairs in the Borough and Town of Yeovil in the County of Somerset*, and the Members of the Corporation for the Time being of the Borough of *Yeovil*, together with the several Persons who may for the Time being be the said Commissioners for improving the Town of *Yeovil*, were thereby made and constituted a Body Corporate, under the Name and Style of "The Special Commissioners of the Town of *Yeovil*," and with a Common Seal and perpetual Succession, under the Style and Title aforesaid, and were to have Power to purchase and hold Lands and Hereditaments for the Purposes of the said Act, and were thereby empowered to carry the said Act and the several Powers thereof into execution, and to purchase all existing Rights, Franchises, and Privileges of keeping and holding Fairs and Markets within the said Borough and Town of *Yeovil*, together with all the lawful Tolls, Duties, Privileges, and Advantages thereof, and all Buildings, Lands, and Hereditaments then used for the Purposes of such Fairs and Markets, and the Freehold and Inheritance thereof:

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c. ccclxvi.

And whereas another Act was passed in the said Tenth Year of the Reign of Her present Majesty, intituled *An Act to enable the Special Commissioners of the Town of Yeovil to sell certain Estates in the Parish of Yeovil in the County of Somerset*, and the Real Property of the said "Portreeve and Burgesses of the Borough of *Yeovil*" is thereby vested in the said Special Commissioners of the Town of *Yeovil*, for the Purposes for which the same was then held by the said Portreeve and Burgesses, and certain Powers were thereby given to the said Special Commissioners to sell the said Real Property: And whereas, under the Provisions of the said recited Acts, and for the Purposes thereof, the said Franchise and Liberty of holding Fairs and Markets within the Town of *Yeovil* and certain other Property have been purchased or acquired, and certain Mortgages created, and certain Debts and Liabilities incurred, by the said Bodies called "The Commissioners for improving the Town of *Yeovil*," and "The Special Commissioners of the Town of *Yeovil*:" And whereas it is expedient that Provision should be made for altering the Constitution of and for regulating the said Body Corporate, called "The Portreeve and Burgesses of the Borough of *Yeovil*:" And whereas the said existing Borough is locally situate within, and constitutes a small Part only of, the District or Place known as the Town of *Yeovil* in the County of *Somerset*, and it is expedient to extend the Limits of the said existing Borough: And whereas it would be attended with great public Advantage if the draining and cleansing, watching, watering, lighting, paving, supplying with Water, regulating the Markets and Fairs in, and otherwise improving the said Borough as extended by this Act, were placed under the Control of the Council of the Borough to be appointed under this Act; and it is therefore expedient that the said recited Acts should be repealed, and that the Estates,  
Property,



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Property, and Effects now vested in the Commissioners acting under those Acts, or any of them, should be transferred to and vested in the Corporation of the Borough as constituted and regulated by this Act, and that other Powers should be granted to the said Corporation for the Purposes aforesaid, and for the general good Government, Regulation, and Management of the said extended Borough: And whereas such several Purposes 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; (that is to say,)

I. That in citing this Act for any Purpose it shall be sufficient to use the Expression "The Borough of *Yeovil* Extension and Improvement Act, 1854." Short Title.

II. That in this Act, and in any Act incorporated herewith, the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) Interpretation of Terms.

The Words "existing Borough" shall mean the Borough of *Yeovil* in the County of *Somerset* as it exists and according to the Limits thereof at the Time of the passing of this Act:

The Word "Borough" shall mean the Municipal Borough of *Yeovil* as constituted, altered, and extended by this Act:

The Word "Corporation" shall mean the Body Corporate called the Mayor, Aldermen, and Burgesses of the Borough of *Yeovil*, as constituted, altered, and extended by this Act:

The Word "Council" shall mean the Council of the Borough of *Yeovil* as constituted, altered, and extended by this Act.

III. That the Limits of the existing Borough shall be and the same are hereby altered and extended so that the Borough shall henceforth be deemed and taken to comprise all such Parts of the Parish of *Yeovil* as are included in and circumscribed by the Boundary herein-after set forth; (that is to say,) Limits of the Borough altered and extended.

Commencing at the Western Termination of *Yeovil Bridge*, and proceeding down the Western Bank of the River *Yeo* for the Distance of Three Chains and a Half or thereabout, to a Point directly opposite the South-eastern Corner of a Close numbered 862 on the *Yeovil* Tithe Map, and thence by an imaginary straight Line to such Corner, and up the Eastern Hedge of the said Close and of the adjoining Close numbered 864 on the said Map, to the *Wilts, Somerset, and Weymouth* Railway; from thence directly across the said Railway, and along the Eastern Hedge of a Close numbered 865 on the said Map to  
*Lyde*



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*Lyde Lane*, and along the Northern Hedge of the said Close to a Point opposite to the Eastern Hedge of a Close numbered 974 on the said Map, and then across the said Lane called *Lyde Lane* to the said Eastern Hedge of the said Close numbered 974, and along the same Hedge and the cross Hedge at the Top of the same Close to its Junction with the Hedge of another Close numbered 980 on the said Map, up the Eastern Hedge of the said last-mentioned Close to the Extremity thereof, and then along the Northern Edge of the same Close to *Brickyard Lane*, and directly across such Lane to the Western Side thereof, and up such Side to the North-eastern Corner of the Close abutting on the said Lane, and numbered 990 on the said Map; then following the Course of the Hedge bounding the said Close numbered 990, and also the Closes adjoining numbered 991 and 992 on the said Map on the Northern Side thereof, to the End of the said Close numbered 992; and from thence by an imaginary straight Line to the higher or Eastern Corner of a Close numbered 1013 on the said Map, abutting on *Kiddle's Lane*, and then following the Northern Boundary Hedge of the said last-mentioned Close and Orchard adjoining, numbered 1016 on the said Map, to the Stream which flows down from *Milford*, and up the Eastern Side of such Stream to the Lane leading from *Milford Cross* to *Brickyard Lane*, and along the Southern Side of the said first-mentioned Lane to the Northern Corner of a Close numbered 578 on the said Map, at *Milford Cross* afore-said; and then along the Western Side of *Milford Lane* up to its Junction with the Turnpike Road leading to *Mudford*, and across the said Turnpike Road to the Southern Corner of the Close Number 1080 on the said Map; and following the Fence dividing the said Close from the adjacent Close numbered 1081 on the said Map, to the Extremity thereof; and from thence along the Fence forming the Northern Boundary of the same Close, and the Closes numbered 1081 a, 1082, and 1084 on the said Map, into *Marsh Lane*; and from thence along the Western Side of *Marsh Lane* to the Turnpike Road leading to *Ilchester*, down to a Point opposite the Northern Corner of the Close numbered 1432 on the said Map; and across the said Turnpike Road to such Corner, and proceeding thence in a Westerly Direction along the Northern Fence of the same Close, and of a Close adjoining, numbered 1431 on the said Map, to the Extremity of the said last-mentioned Close; and thence down the Western Fence thereof, and of the adjoining Close, numbered 1435 on the said Map, to a Point directly opposite the North-eastern Corner of the Close or Piece of Arable Land numbered 1464 on the said Map; and by an imaginary straight Line across *Long Close*, numbered 1436 on the said



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said Map, to the said Corner; and then following the Line of the Fence which bounds the Closes respectively marked 1464, 1463, 1462, 1461, 1460, 1459, 1457, 1456, to the Extremity of the said last-mentioned Close belonging to the Guardians of the *Yeovil* Union, down to the Western Hedge of such Close, to the Turnpike Road leading to *Preston*, and thence across such Turnpike Road, and round the Southern Boundary Fence of the Cottage and Garden, and Close adjoining, called *Long Close*, not numbered in the said Map, to the Commencement of a Close called *Lower Ram Park*, numbered 590 on the said Map, and along the Western Side of the Ditch or Stream abutting thereon which divides the Parishes of *Yeovil* and *Preston*, as far as its Junction with another Stream which flows from *Watercombe*, and down the Western Side of the same Stream to *Horseys Lane*, and directly across such Lane, and then in a Westerly Direction along the Southern Side of the said Lane to the Western End of a Close numbered 671 on the said Map, and along the Western Boundary Hedge of the said Close and of the Closes adjoining, numbered 684 and 685 on the said Map, to the North-western Corner of such last-mentioned Close; and then along the Northern Hedges of the Closes numbered 688, 689, and 690, on the said Map, to the North-west Corner of the said last-mentioned Close, and thence up the Western Hedge of the same Close and of the adjoining Close, numbered 694 on the said Map, to the Turnpike Road leading to *Crewkerne*; and thence across such Turnpike Road, and returning by the Southern Side of the said Turnpike Road towards *Yeovil* down *Henford Hill* as far as the Entrance to a Close called *Bragchurch*, at the North-western Corner of the Close (now a Nursery Ground) numbered 781 on the said Map; and thence along the Western Hedge of such last-mentioned Close and the Boundary of the Orchard, numbered 780 on the said Map, to a Lane leading to *Gage Hill*, and down the South-western Side of such Lane to the *Durston* Railway, and along the Southern Side of such Railway to the Point where it crosses the *Henford Brook*, and then down by the Southern Bank of the said Brook to the Commencement of a Close numbered 811 on the said Map, and then up the South Boundary Line of the said Close to the Extremity thereof, and from thence along the Boundary of the same Close and of the adjoining Closes, numbered 812 and 813 on the said Map, round and down again to the aforesaid Brook, and following the Course of such Brook on the Southern Side thereof down to the said River *Yeo*, and along such River to the Weir, and from the said Weir along the Southern Bank of the Mill Stream down to the said River again; and thence along the Western Bank of the



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said River down to the said Western Termination of *Yeovil Bridge*, where the Boundary commenced.

Inhabitants of the Borough, as extended, incorporated.

IV. That the Inhabitants of the said Borough and their Successors shall be for ever One Body Politic and Corporate, in Deed, Fact, and Name, and that the said Body Corporate shall be called "The Mayor, Aldermen, and Burgesses of the Borough of *Yeovil*."

Corporation to have Perpetual Succession and all the Privileges of a Municipal Corporation.

V. That the Corporation shall have perpetual Succession and a Common Seal, and be for ever hereafter able and capable in Law to have and exercise, and do and suffer, all the Acts, Powers, Authorities, Immunities, and Privileges which are now held and enjoyed, done and suffered, by the several Boroughs and Bodies Corporate named or referred to in the Schedule (A.) annexed to the Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in England and Wales*, in like Manner and subject to the same Provisions, except as the same may be varied or altered by or inconsistent with this Act, and as fully and amply to all Intents and Purposes whatsoever as if the said Borough of *Yeovil*, as altered and extended by this Act, had existed at the Time of the passing of that Act, and had been named or referred to in the said Schedule (A.)

Provisions of the Acts for regulating Municipal Corporations extended to the Borough.

VI. That all the Powers and Provisions of the said Act for regulating Municipal Corporations in *England* and *Wales*, and of all and every other Acts or Act of Parliament made and passed for altering, amending, or enlarging the same Act, and the Powers and Provisions thereof, or in anywise relating thereto, shall be and the same hereby are extended to the Inhabitants of the said Borough, except as the same may be altered or varied by this Act.

Corporation empowered to purchase Lands.

VII. That the Corporation may purchase and acquire Lands, Tenements, and Hereditaments for the Purposes of this Act and the Acts incorporated herewith.

Constitution of the Council of the Borough.

VIII. That from and after the Declaration of the First Election of Councillors for the Borough under the Provisions of this Act, the Council of the Borough shall consist of a Mayor, Four Aldermen, and Twelve Councillors, to be respectively elected at such Times and Places, and in such and the like Manner, as the Mayor, Aldermen, and Councillors for the Boroughs named in the Schedules to the said Act for the regulation of Municipal Corporations in *England* and *Wales*, except as herein-after mentioned, and except that the First Mayor, Aldermen, and Councillors, and the First Auditors and Assessors for the said Borough, to be elected under the Provisions of this Act, shall be respectively elected at such Times and in such Manner as herein-after mentioned; and that the said Mayor, Aldermen,  
and



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and Councillors, Auditors and Assessors, so to be elected for the said Borough, shall respectively have the same Qualifications, and have, exercise, and enjoy all the Powers, Immunities, and Privileges, and be subject to the same Duties, Penalties, Liabilities, and Disqualifications, as the Mayor, Aldermen, and Councillors, and Auditors and Assessors, of the several Boroughs enumerated in the Schedules to the said Act for the regulation of Municipal Corporations in *England* and *Wales*, so far as the same are applicable to the said Borough.

IX. That the Title and Qualification of the Burgesses of the said Borough shall be the same with regard to the said Borough as the Title and Qualification of the Burgesses of the Boroughs named in the Schedules to the said Act for regulating Municipal Corporations in *England* and *Wales* are with regard to such Boroughs, exactly as if the said Borough as altered and extended by this Act had existed at the Time of the passing of that Act, and been named in the said Schedule (A.) thereto, and that all Persons possessing such Title or Qualification with respect to the said Borough shall be entitled to be placed upon the Burgess List herein-after mentioned.

Qualification of the Burgesses of the Borough.

X. That *John Ryall Mayo* of *Yeovil*, Esquire, and in case of his Death, Inability, Incapacity, Refusal, or Default, then that any Person to be nominated by the present Portreeve of the existing Borough, by Writing under his Hand, shall and do, on the Fifth Day of *September* One thousand eight hundred and fifty-four, make out an Alphabetical List (to be called the Burgess List) of all Persons who shall possess the Title and Qualification required by the said Act for the Regulation of Municipal Corporations in *England* and *Wales*, of Burgesses of the said Borough as altered and extended by this Act, and shall sign such List, and cause a Copy of it to be fixed on or near the outer Door of the Town Hall, or in some other public and conspicuous Situation within the Borough, on every Day during the Week next preceding the Fifteenth Day of *September* One thousand eight hundred and fifty-four.

List of Persons entitled to be Burgesses to be made out.

XI. That every Person whose Name shall have been omitted in such Burgess List, and who shall claim to have his Name inserted therein, shall, on or before the said Fifteenth Day of *September* One thousand eight hundred and fifty-four, give Notice thereof to the said *John Ryall Mayo*, or whoever shall be acting in the Premises, in Writing, according to the Form No. 2. in the Schedule (D.) annexed to the said Act for regulating Municipal Corporations in *England* and *Wales*, or to the like Effect; and that every Person whose Name shall have been inserted in such Burgess List may object to any other Person as not being entitled to have his Name retained in the said Burgess List, and every Person so objecting shall, on or before the said Fifteenth Day of *September*, give to the said *John Ryall Mayo*, or whoever

Persons omitted from the Burgess List to give Notice.

Persons not entitled to be in the List may be objected to.



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whoever shall be acting in the Premises, and also give to the Person so objected to, or leave on the Premises for which he shall appear to be rated in such Burgess List, Notice thereof in Writing, according to the Form No. 3. in the said Schedule (D.), or to the like Effect; and the said *John Ryall Mayo*, or whoever shall be acting in the Premises, shall include the Names of all Persons so claiming to be inserted in the said Burgess List in a List according to the Form No. 4. in the said Schedule (D.), and shall also include the Names of all Persons so objected to as not entitled to be retained on the said Burgess List in a List according to the Form No. 5. in the said Schedule (D.), and shall cause Copies of such several Lists to be fixed on or near the outer Door of the Town Hall, or in some other public and conspicuous Situation within the said Borough, during the Eight Days next before the First Day of *October* One thousand eight hundred and fifty-four.

List of Claimants and of Persons objected to be published, &c.

Lists to be revised, &c.

XII. That a Barrister-at-Law of not less than Five Years standing, to be appointed by the Senior Judge, or, in case of his Absence from the Kingdom, the next Judge in the Commission of Assize for the Summer Circuit for the County of *Somerset*, for the Year One thousand eight hundred and fifty-four, shall, between the First Day of *October* One thousand eight hundred and fifty-four and the Fifteenth Day of *October* One thousand eight hundred and fifty-four, both Days inclusive, hold an open Court within such Borough for the Purpose of revising, and shall revise, the said Burgess List, as well as the said Lists of Claimants and of Persons objected to, in the Manner directed in the said Act for the Regulation of Municipal Corporations in *England* and *Wales*, or in any Act or Acts passed to alter, amend, or enlarge the same, having first given Three clear Days Notice of the Holding of such Court, to be fixed on or near the outer Door of the Town Hall, or in some other public and conspicuous Situation within the Borough.

Powers of the Revising Barrister.

XIII. That such Barrister-at-Law shall have and may exercise the same Powers with respect to and for the Purpose of revising the said Lists as by the said Act for the Regulation of Municipal Corporations in *England* and *Wales* are given for the like Purpose to the Mayor and Assessors of the Borough named in the said Act, and shall be paid the same Fees and Expenses as if he had been appointed to revise and had revised such Lists under the Provisions of the said last-mentioned Act.

Lists when revised to be signed, &c.

XIV. That the Burgess Lists so revised shall be signed by the said Barrister-at-Law in the Manner pointed out by the last-mentioned Act, and shall be delivered to the said *John Ryall Mayo*, or whoever shall be acting in the Premises.

Burgess Roll to be made out.

XV. That the said *John Ryall Mayo*, or whoever shall be acting in the Premises, shall make out a Burgess Roll of the Burgesses of the



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the Borough, and shall cause such Burgess Roll to be completed on or before the Twenty-third Day of *October* One thousand eight hundred and fifty-four, and that such Burgess Roll shall be the Burgess Roll of the Burgesses of the said Borough entitled to vote in the Choice of Councillors, Auditors, and Assessors of the said Borough, at any Election or Elections which may take place in such Borough between the First Day of *November* inclusive One thousand eight hundred and fifty-four and the First Day of *November* One thousand eight hundred and fifty-five.

XVI. That the First Election of the Mayor, Aldermen, and Councillors, Auditors and Assessors for the said Borough, under the Provisions of this Act, shall be respectively holden as follows; (that is to say,) that the First Election of Councillors shall be holden on the First Day of *November* One thousand eight hundred and fifty-four; that the First Aldermen shall be elected by the Councillors of the said Borough on the Ninth Day of *November* One thousand eight hundred and fifty-four; that the Councillors, immediately after the First Election of Aldermen, shall appoint who shall be the Aldermen who shall go out of Office, according to the said Act for regulating Municipal Corporations in *England* and *Wales*, upon the Ninth Day of *November* in the Year of our Lord One thousand eight hundred and fifty-five; and thereafter those who shall go out of Office shall always be those who have been Aldermen for the longest Time without Re-election; that the First Mayor of the said Borough to be elected under the Provisions of this Act shall be elected by and out of the Aldermen or Councillors of the said Borough on the Ninth Day of *November* One thousand eight hundred and fifty-four, and that the First Election of Auditors and Assessors for the said Borough under the Provisions of this Act shall take place on the First Day of *March* in the Year of our Lord One thousand eight hundred and fifty-five.

Times, &c.  
of holding  
First Elec-  
tion under  
this Act.

XVII. That *John Ryall Mayo*, or in case of his Death, Incapacity, Refusal, or Default, then that any Person to be nominated by the present Portreeve of the existing Borough, shall act as Returning Officer at such First Election of Councillors, Aldermen, and Mayor of the said Borough, and at any subsequent Election which may take place, or which it may be necessary to hold before a valid Election can be held in the said Borough, under and according to the Provisions of this Act, and of the said Act for the Regulation of Municipal Corporations in *England* and *Wales*, with the same Powers as by the said last-mentioned Act are given to the Mayor and Assessors, and to an Alderman and Assessors, at Elections of Councillors for the Boroughs named in the Schedules to that Act annexed; and all reasonable Expenses which shall be incurred by the said *John Ryall Mayo* or other Person acting in the Premises, in preparing, printing, and publishing the Burgess Lists, Burgess Roll, and Notices

Appointment  
of Returning  
Officer to act  
at First  
Election.



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herein-before mentioned, and in or about the said Elections, shall be repaid to him by the Treasurer of the said Borough out of the Borough Fund: Provided always, that the said *John Ryall Mayo* shall not, by reason of any of the Duties herein-before expressly imposed upon him, be disqualified from being elected to or filling the Office of Councillor, Alderman, or Mayor of the said Borough.

Repeal of all Laws, &c. inconsistent with this Act.

XVIII. That so much of all Laws, Statutes, and Usages, Customs, Powers, Prescriptions, Rights, and Privileges, and so much of Royal and other Charters, Grants, and Letters Patent, now in force relating to the existing Borough of *Yeovil* or to the Inhabitants thereof, or to the Borough of *Yeovil* as altered and extended by this Act, or to the Inhabitants thereof, or to the Body Corporate called the Portreeve and Burgesses of *Yeovil*, or any of them, as are contrary to the Provisions of this Act, shall, from the Time of the passing of this Act, be and the same are hereby repealed and annulled.

Recited Acts repealed, except as to Acts done under them.

XIX. That from and after the said Ninth Day of *November* One thousand eight hundred and fifty-four, the said Three recited Acts of the Eleventh of *George* the Fourth, Chapter 116, Ninth and Tenth of *Victoria*, Chapter 218, and Ninth and Tenth of *Victoria*, Chapter 366, and all the Powers and Authorities, Matters and Things, therein contained, shall be and the same are hereby repealed, but without Prejudice to any Acts or Proceedings previously had, transacted, or commenced under the said respective Acts, and to any Demands or Liabilities by reason or in consequence thereof, or of any Act done or omitted to be done by the said Commissioners, and which shall be existing at the Time of the Commencement of this Act, or shall hereafter arise, and which are hereby transferred to and imposed upon the said Corporation.

Members of existing Corporation to go out of Office on First Election of Councillors under this Act.

XX. That after the Declaration of the First Election of Councillors of the said Borough under the Provisions of this Act, the present Portreeve and Burgesses of the existing Borough of *Yeovil* (other than and except such of them as shall be elected Councillors under the Provisions of this Act) shall go out of Office, and their whole Powers and Duties shall cease.

Corporation by their Council to execute Act.

XXI. That the Corporation acting by the Council, and their Officers and Servants for the Time being, shall carry this Act into execution, except where it is otherwise expressly provided.

Property of Commissioners vested in Corporation.

XXII. That from and after the said Ninth Day of *November* One thousand eight hundred and fifty-four, all the Public Buildings, Messuages, Lands, and Hereditaments, of whatsoever Tenure or Description, whether corporeal or incorporeal, which shall immediately before that Day belong to or be vested in the respective Commissioners under the  
said



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said recited Acts, or in any Person or Persons in trust for the said respective Commissioners, for all or any of the Purposes of the said recited Acts, or any or either of them, and all Rights and Privileges whatsoever, including the Right of holding Markets and Fairs in the Borough or Town of *Yeovil*, which are now vested in the said respective Commissioners under any or either of the said Acts or which may have been acquired under or by virtue of such Acts, or any or either of them, or with the Money or Funds raised under the same Acts respectively, and also all the Monies, Securities for Money, Deeds, Books, Writings, Maps, Plans, and Personal Estate whatsoever, and the Benefit of all Covenants and all Claims which shall then belong to or be vested in the said respective Commissioners under the said recited Acts, or any or either of them, shall be and the same are hereby vested in the Corporation for the like respective Estates, Rights, and Interests, and shall be capable of being enforced by them in like Manner as the same would have remained or been so vested in, or would have belonged to or might have been enforced by the said Commissioners respectively, if this Act had not been passed; and all Persons who shall then owe or be subject to any Liability, whether immediate or future, to pay any Money to the said Commissioners respectively, shall pay the same, with all Interest (if any) due or to accrue due thereon, to the Treasurer of the Borough.

XXIII. That from and after the said Ninth Day of *November* One thousand eight hundred and fifty-four, all Bonds, Debts, Mortgages, Annuities, Monies, and Securities for Money, which before the said Ninth Day of *November* One thousand eight hundred and fifty-four were given, contracted, and payable by the said respective Commissioners under the Powers and Provisions of the said recited Acts, or any or either of them, shall, together with all Interest due or to accrue due thereon, be a Charge upon the Borough Rate hereby authorized to be levied, and the Monies, Tolls, Rents, and Rates hereby transferred to and vested in, or authorized to be raised and received by the said Corporation, and shall have the same Priority as nearly as Circumstances will admit, and shall be paid by the said Corporation accordingly, and shall be recovered from them in like Manner (*mutatis mutandis*) as the same could have been recovered from the said Commissioners respectively previous to the said Ninth Day of *November* One thousand eight hundred and fifty-four.

Debts of Commissioners to be paid by Corporation.

XXIV. That immediately from and after the said Ninth Day of *November* One thousand eight hundred and fifty-four, all Persons acting or who have acted under the said recited Acts, or any or either of them, who shall have in their Custody, Power, or Possession any Money collected by virtue of the same Acts, or any or either of them, or any Books, Papers, Writings, or Property relating to the Execution of any or either of the same Acts, shall pay and deliver up the

Persons who have acted under Local Acts to account for Monies and deliver up Books.



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Penalty on  
Refusal.

the same to the Corporation, or to such Person or Persons as the Corporation shall appoint to receive the same; and in case of Neglect or Refusal, the Person or Persons so neglecting or refusing shall for every such Offence be liable to a Penalty not exceeding Fifty Pounds, and shall also be liable to such Actions as the Corporation may commence for the Recovery of the Money, Books, Papers, or Writings so refused or neglected to be paid or delivered up as aforesaid.

Subsisting  
Contracts of  
Commission-  
ers may be  
enforced  
against Cor-  
poration.

XXV. That from and after the said Ninth Day of *November* One thousand eight hundred and fifty-four, all Contracts, Bonds, Assurances, Engagements, Acts, and Proceedings entered into, made, done, or transacted by virtue and under the Authority of either of the said Three recited Acts, previous to or on that Day, and all Forfeitures and Penalties theretofore imposed on, and all Liabilities whatsoever incurred by the said Commissioners respectively under and by virtue of the same Acts, or any or either of them, shall be binding on and enforced by and against and incumbent on the Corporation, and all Persons interested therein, as fully as they would have been binding or enforceable by and against and incumbent on the said Commissioners respectively, or any of them, or any other Persons, if the same Acts had not been repealed; and the several Rates and Assessments made by virtue of the said first-recited Act previous to the said Ninth Day of *November* One thousand eight hundred and fifty-four, may be levied and recovered by the Corporation, in the same Way and with the same Powers as they might have been levied and recovered by the said Commissioners of the said first-recited Act, in case the said first-recited Act had not been repealed; and such Rates and Assessments, when so levied and recovered, shall be paid to the Treasurer of the Borough.

Books of  
Commission-  
ers to be  
Evidence.

XXVI. That all Rate Books and all Entries therein, and all Registers and Books of Proceedings, and other Books whatsoever, of the Commissioners under the said recited Acts, kept according to the said Acts or either of them, and made Evidence thereby, or which might have been received as Evidence previous to the said Ninth Day of *November* One thousand eight hundred and fifty-four, shall at all Times hereafter be admitted in Evidence, in like Manner as the same might have been admitted in Evidence if this Act had not been passed.

Actions  
brought by  
or against  
Commission-  
ers not to  
abate.

XXVII. That no Action, Suit, Prosecution, or other Proceeding whatever commenced or liable to be commenced by or against the said Commissioners acting in execution of any or either of the said recited Acts shall abate, cease, or be discontinued or prejudicially affected by this Act, but the same shall continue or commence and take effect, both in favour of and against the Corporation, in the same Manner in all respects as the same would have continued, been commenced, and taken effect in relation to the said Commissioners respectively



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respectively under the said recited Acts, or any or either of them, if this Act had not been passed; and that all Persons who, before the said Ninth Day of *November* One thousand eight hundred and fifty-four, shall have committed any Offence or incurred any Penalty or Forfeiture under the Provisions of any of the said recited Acts may be sued and prosecuted for such Offences, or for the Recovery of such Penalties and Forfeitures, in such and the like Manner as they might have been sued and prosecuted respectively if this Act had not been passed, the Corporation being and the same is hereby in reference to the Matters aforesaid, from and after the said Ninth Day of *November* One thousand eight hundred and fifty-four, in all respects substituted in place of the respective Commissioners under the said recited Acts.

XXVIII. That the Corporation may appoint from Time to Time such Surveyors, Inspectors of Nuisances, Collectors or Receivers of Monies to be raised and paid under this Act, and such other Officers and Servants as they may think necessary for carrying this Act into execution, and fix the Salaries, Wages, and Allowances of such Officers and Servants, and may pay such Salaries, Wages, and Allowances out of the Borough Rate authorized to be levied by this Act, and may make Byelaws for the Government of such Surveyor, Inspector, Officers, and Servants, and may discontinue or remove any of them from Time to Time as they shall think fit.

Power to Corporation to appoint and remove other Officers.

XXIX. That no Officer or Servant appointed or employed by or under the Corporation shall in anywise be concerned or interested in any Bargain or Contract made with the Corporation for the Purposes of this Act; and if any such Officer or Servant be so concerned or interested, or shall, under colour of his Office or Employment, exact, take, or accept any Fee or Reward whatsoever other than his proper Salary, Wages, and Allowances, he shall be incapable of afterwards holding or continuing in any Office or Employment under this Act, and shall forfeit and pay the Sum of Fifty Pounds, which may be recovered by any Person with full Costs of Suit by Action of Debt.

Penalty upon Officers, &c. being interested in Contracts or taking Fees improperly.

XXX. That the Limits of the Borough as defined by this Act shall be for all Purposes (except the Construction and Maintenance of the Waterworks) the Limits of this Act.

Limits of Act.

XXXI. That "The Lands Clauses Consolidation Act, 1845," shall (save so far as the same Act is expressly varied by this Act) be incorporated with and form Part of this Act, and shall be construed as if the Expression "the Corporation" had been inserted therein instead of the Expression "the Promoters of the Undertaking:" Provided always, that nothing in that Act contained shall authorize the Corporation to purchase or take any Lands otherwise than by Agreement,

8 & 9 Vict. c. 18. incorporated.

[Local.]



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except for the Purposes of the Waterworks by this Act authorized to be constructed according to the Plans and Sections herein-after particularly described.

Power to Corporation to sell Estates vested in them.

XXXII. That the Corporation may from Time to Time, without the Concurrence of any Person or Persons whomsoever, make Sale, and absolutely dispose of and convey, and receive, and give effectual Receipts and Discharges for the Purchase Monies of the Lands and Hereditaments which the Special Commissioners of the Town of *Yeovil* were authorized and empowered by the "*Yeovil Borough Estate Act, 1846*," to sell and dispose of, and which may remain unsold and undisposed of at the Time of the passing of this Act.

Certain Provisions of 10 & 11 Vict. c. 34. incorporated.

XXXIII. That the several Provisions of "*The Towns Improvement Clauses Act, 1847*," with respect to the following Matters, (that is to say),

With respect to making and maintaining the Public Sewers (except the Sections numbered respectively XXIII. XXVII. XXVIII. and XXIX.);

With respect to Drainage of Houses;

With respect to paving and maintaining Streets;

With respect to laying out new Streets;

With respect to naming the Streets and numbering the Houses;

With respect to improving the Line of the Streets and removing Obstructions;

With respect to ruinous and dangerous Buildings;

With respect to Precautions during the Construction and Repair of the Sewers, Streets, and Houses;

With respect to cleansing the Streets;

With respect to Prevention of Nuisances;

With respect to the Prevention of Smoke;

With respect to Lodging-houses;

With respect to lighting the Town or District;

With respect to the Supply of Water (except so much of Section CXXI. as provides for certain Approval of new Works);

With respect to Slaughter-houses;

With respect to Things to be done by the Commissioners by special Order only;

With respect to Clocks;

With respect to Entry by the Commissioners or their Officers in execution of that or the Special Act; and with respect to the ensuring the Execution of the Works by that or the Special Act required to be done by the Owners or Occupiers of Houses or Lands;

With respect to the Tender of Amends, and also the Sections numbered respectively CLVI. CLVII. CLXIII. CLXIV. CLXV. and CLXVI.;

With



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With respect to the Rates to be made for Sewers, Drains, and private Improvements ;

With respect to the Manner of making Rates ;

With respect to the Appeal to be made against any Rate ;

With respect to the Recovery of Rates ;

With respect to the Tender of Amends ;

With respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices ;

And with respect to the Access to the Special Act ;

Shall, so far as the same are not expressly varied or excepted by this Act, be incorporated with and form Part of this Act, and shall be construed as if the Word "Corporation" had been inserted therein instead of the Word "Commissioners."

XXXIV. That it shall be lawful for the Corporation from Time to Time, as they may think fit, to construct and provide upon any Land belonging to or become vested in them by virtue of this Act, such Buildings, Cesspools, Tanks, or other Receptacles as may be necessary for the Purpose of collecting and depositing the Sewage Water, Filth, Mud, and Refuse from the Drains and Sewers and other Places in the said Borough, and also such Apparatus and Machinery as they may think necessary or requisite for the Purposes aforesaid, or for disinfecting the same, but not so as to create any Nuisance, and to sell or otherwise dispose of the same to any Person who may from Time to Time agree with the Corporation to take the same by Sale or otherwise.

Power to provide Receptacles for Sewage Water.

XXXV. That the several Provisions of "The Town Police Clauses Act, 1847," with respect to the following Matters, (that is to say,)

With respect to the Appointment and the Powers, Duties, and Privileges of Constables ;

With respect to Obstructions and Nuisances in the Streets ;

With respect to Fires ;

With respect to Places of public Resort ;

Shall, so far as the same are not expressly varied or excepted by this Act, be incorporated with and form Part of this Act, and shall be construed as if the Word "Corporation" had been inserted therein instead of the Word "Commissioners."

Certain Provisions of 10 & 11 Vict. c. 89. incorporated.

XXXVI. That for the greater Safety of the Inhabitants of the said Town from Danger by Fire, no Person or Persons whomsoever shall at any Time hereafter cover any House or other Building within the said Borough, other than the Houses or Buildings now covered, either wholly or in part, with any Straw or Thatch, nor shall renew or repair the Covering of any such House or other Building, other than as aforesaid, either

Houses hereafter built or repaired not to be covered with Thatch.



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either wholly or in part, with any Straw or Thatch; nor shall cause or procure any such House or Building, other than as aforesaid, to be so covered, or the Covering of any such House or Building, other than as aforesaid, to be renewed or repaired with such Materials, under pain of forfeiting and paying for every such Offence a Sum not exceeding Twenty Pounds; and it shall also be lawful for the Corporation to order and cause any Straw or Thatch which shall be placed on any House or Building, other than as aforesaid, within the said Borough, contrary to the Provisions aforesaid, to be taken down and removed at such Time and in such Manner as to them shall seem meet, and the same shall and may accordingly be taken down and removed by any Person or Persons authorized or employed by the Corporation, or their Surveyor, for such Purpose, upon Five Days previous Notice.

Certain Provisions of 10 & 11 Vict. c. 14. incorporated with this Act.

XXXVII. That "The Markets and Fairs Clauses Act, 1847," except the Clauses with respect to the Byelaws to be made by the Undertakers, with respect to the Receipts and Expenditure of the Undertakers, and with respect to the Tender of Amends, and except so far as expressly varied by this Act, shall be and is incorporated with this Act; and the Expression "the Undertakers" shall mean "the Corporation."

Corporation empowered to provide Places for holding Markets and Fairs.

XXXVIII. That the Corporation may maintain and improve the present Fair Ground, Market Halls, and Market Places, and Town Hall, and provide and furnish the said Fair Ground, Market Halls, and Market Places, and Town Hall, with all Things necessary for carrying on Business therein; and may also build and provide on such Land as they from Time to Time purchase, or appropriate within the said Borough for the Purpose, and for ever after maintain and improve as they think fit, Fair Grounds, Market Halls, and Market Places, for buying and selling Cattle and other Live Stock, Coals, Lime, Hay, Straw, Flax, Meal, Poultry, Fish, Goods, Wares, Merchandise, and all such other marketable Commodities as the Corporation from Time to Time see fit to allow to be brought and sold therein, together with all Stalls, Standings, and other Conveniences and suitable Approaches for all Persons resorting thereto.

Power of leasing Markets, &c.

XXXIX. That the Corporation may from Time to Time demise and let the Fair Ground, Market Halls, Market Places, Town Hall, or any Part of them, or the Stalls, Standings, or other Conveniences therein, and the Slaughter-houses, Weighing Houses or Places and Machines, or any of them, or the Stallages, Rents or Tolls, or any of them, for any Period not exceeding Three Years, upon such Terms as are agreed upon between the Corporation and the Person to whom such Lease is made.

XL. That



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XL. That the Corporation may set apart any Buildings for, or erect on any Land belonging to them, or otherwise provide, such Slaughter-houses as they from Time to Time think sufficient for the slaughtering of Cattle, Beasts, and Swine, for the Supply of the said Borough and its Neighbourhood, and for ever afterwards maintain and improve the same as they think fit.

Slaughter-houses.

XLI. That the Corporation and their Lessees may from Time to Time demand and take from any Person occupying or using any Stall, Shed, or Stand, in any Fair Ground or Market Place, for the Time being belonging to or under the Management of the Corporation, or bringing therein any Cattle, Animal, Provisions, Article, or Thing specified in the Schedule to this Act annexed, such Stallage, Rents, and Tolls as the Corporation or their Lessees from Time to Time appoint, not exceeding the several Stallages, Rents, and Tolls specified in the said Schedule.

Tolls for Markets and Fairs.

XLII. That the Person for the Time being appointed to attend the Weighing Houses or Places for weighing or measuring any Articles sold in the Market by Weight or Measure may from Time to Time demand and take the several Tolls in that Behalf specified in the Schedule to this Act annexed.

Tolls for weighing and measuring.

XLIII. That the Person for the Time being appointed to attend the Machines for weighing Waggons, Carts, or Carriages may demand and receive from the Person requiring the same to be weighed such Tolls as the Corporation appoint, not exceeding the Tolls specified in respect of the same in the Schedule annexed to this Act, and such Tolls shall be paid before any Waggon, Cart, or Carriage in respect of which the same are payable shall be weighed.

Tolls for weighing Carts.

XLIV. That if at any Time after the passing of this Act it shall be determined to provide a Burial Ground for the Parish of *Yeovil*, in pursuance of an Act passed in the Fifteenth and Sixteenth Years of Her present Majesty, intituled *An Act to amend the Laws concerning the Burial of the Dead in the Metropolis*, and of another Act passed in the Sixteenth and Seventeenth Years of Her present Majesty, intituled *An Act to amend the Laws concerning the Burial of the Dead in England beyond the Limits of the Metropolis, and to amend the Act concerning the Burial of the Dead in the Metropolis*, the Corporation shall be and they are hereby constituted, for all the Purposes of the said Acts, the Burial Board for the said Parish, and no other Burial Board shall be formed or elected for such Purposes; and the Council acting in relation to the said Acts shall have and exercise the same Powers, Duties, and Privileges, and be subject in all respects to the same Provisions, as if they were a Burial Board

Corporation to be the Burial Board for the Parish of Yeovil under 15 &amp; 16 Vict. c. 85. and 16 &amp; 17 Vict. c. 134.



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constituted, appointed, and elected, in the Manner directed by the said Acts.

10 & 11 Vict.  
c. 15. incor-  
porated.

XLV. That the Clauses of "The Gasworks Clauses Act, 1847," with respect to the Construction thereof, and of any Act incorporated therewith, and with respect to the breaking up of Streets for the Purpose of laying Pipes, and with respect to the Provision for guarding against fouling Water or other Nuisance from Gas, and with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices, shall be incorporated with and form Part of this Act; and the Expression "the Undertakers" in the said "Gasworks Clauses Act, 1847," shall or may, in reference to this Act, mean any Person whom the Corporation may contract with to supply any Gas within the said Borough: Provided always, that it shall not be lawful for the Corporation, in the Execution of the Powers of this Act, to erect any Works for the Manufacture of Gas upon Land not now vested in the *Yeovil Gas and Coke Company* without the Consent of the Owner and Occupier of every Dwelling House situate within Threë hundred Yards of the Boundary of such Works.

Power to  
Corporation  
to manufac-  
ture Gas and  
to provide  
Apparatus.

XLVI. That, for the Purpose of supplying the Streets or any Public Ways or Buildings with Gas, it shall be lawful for the Corporation to manufacture Gas, and to provide Gasometers and all Apparatus and Machinery necessary for that Purpose, and to sell Gas for public and private Purposes, and also to sell, dispose of, or manufacture the Refuse of any such Gas; and also it shall be lawful for the Corporation to contract for and purchase the Gasworks and Gas Apparatus of the *Yeovil Gas and Coke Company*; and in like Manner it shall be lawful for the said Company, and the Owners or Proprietors of the Shares therein, and of the Gasworks and Gas Apparatus belonging thereto, to sell and convey the same, and all their Right and Interest therein, to the Corporation, for such Price or Consideration as shall be agreed upon for the Purchase of the same, and the Corporation may pay the said Price or Consideration out of any Monies to be levied or raised for that Purpose: Provided always, that if the Corporation and the said Company, Owners, or Proprietors, shall not agree as to such Price or Consideration, the same shall be settled by Arbitration the Manner provided by "The Lands Clauses Consolidation Act, 1845," for the Settlement of Disputes by Arbitration: Provided also, that until the Corporation shall have purchased the said Gasworks of the *Yeovil Gas and Coke Company* it shall not be lawful for them to manufacture, supply, or sell Gas for any other Purpose than that of supplying the Streets or any Public Ways or Buildings with Gas.

Lamps to be  
set up.

XLVII. That for the Purpose of lighting the Streets within the said Borough it shall be lawful for the Corporation from Time to Time

to



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to provide Lamps, Lamp Irons, Lamp Posts, and all other Matters and Things for lighting such Lamps, either by Oil or Gas, and to cause such Lamps or any of them to be lighted at such Seasons of the Year, on such Evenings, in such Manner, and at such Hours of the Evening as they shall think proper.

XLVIII. That after the Gasworks within the Limits of this Act shall have been purchased by the Corporation, "The Gasworks Clauses Act, 1847," shall be incorporated with and form Part of this Act, and shall be construed as if the Expression "the Corporation" had been inserted therein instead of "the Undertakers."

After Gas-works are established, Provisions of 10 & 11 Vict. c. 15. to be incorporated with this Act.

XLIX. That the Corporation may provide the said Borough with such a Supply of Water as may be proper and sufficient for the Purposes of this Act, and for private Use to the Extent required by this Act, and for those Purposes or any of them the Corporation may from Time to Time contract with any Person whomsoever, or purchase, take upon lease, hire, construct, lay down, and maintain such Waterworks, and do and execute all such Works, Matters, and Things, as shall be necessary and proper; and any Waterworks Company may contract with the Corporation to supply Water for the Purposes of this Act, in any Manner whatsoever, and may sell and dispose of or lease their Waterworks to the Corporation; and the Corporation may provide and keep in any Waterworks constructed or laid down by them under the Powers of this Act a Supply of pure and wholesome Water: Provided always, that before constructing or laying down any Waterworks under the Powers of this Act within any Limits within, for, or in respect of which any Waterworks Company shall have been or shall be hereafter established for supplying Water, the Corporation shall give Notice in Writing to every Waterworks Company within whose Limits the Corporation may be desirous of laying on or supplying Water, stating the Purposes for, and (as far as may be practicable) the Extent to which Water is required by the Corporation; and it shall not be lawful for the Corporation to construct or lay down any Waterworks within such Limits if and so long as any such Company shall be able and willing to lay on Water proper and sufficient for all reasonable Purposes for which it is required by the Corporation, upon such Terms as shall be settled by Arbitration in the Manner provided by "The Lands Clauses Consolidation Act," 1845, for the Settlement of Questions of disputed Compensation by Arbitration; and in case any Difference shall arise as to whether the Water which any such Company is able and willing to supply and lay on is proper and sufficient for the Purposes for which it is required by the Corporation, or whether the Purposes for which it is required are reasonable, the same shall be settled by Arbitration in the Manner herein-before mentioned.

Corporation may provide sufficient Supplies of Water.

L. That



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Certain Provisions of 8 & 9 Vict. c. 17. incorporated.

L. That "The Waterworks Clauses Act, 1847," with the Exception of Sections numbered from LXXV. to LXXXIII. both inclusive, shall be incorporated with and form Part of this Act, and shall be construed as if the Expression "the Corporation" had been inserted therein instead of the Expression "the Undertakers."

Power to construct Works according to deposited Plans.

LI. And whereas Plans and Sections showing the Line and Levels of the Waterworks proposed to be constructed for the Purposes of this Act, and also Books of Reference containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and Occupiers of the Lands in or through which the same are intended to be made or to pass, or which are required for the Purposes of this Act, have been deposited with the Clerks of the Peace for the Counties of *Somerset* and *Dorset*: It shall be lawful for the Corporation, subject to the Provisions and Restrictions in this Act and the Acts incorporated therewith contained, to make and maintain the said Waterworks, with all proper Reservoirs, Conduit Pipes, and other Works connected therewith, in the Line and on the Levels and upon the Lands delineated on the said Plans and Sections and described in the said Books of Reference, and to purchase, enter upon, take, and use such of the Lands, Streams, Springs, and Waters on the Line of the said Works delineated on the said Plan, and described in the said Books of Reference, as shall be necessary for that Purpose.

Power to take, alter, and divert Springs, &c.

LII. That it shall be lawful for the Corporation from Time to Time to take and store up in the said Reservoirs and Works constructed or so to be constructed as aforesaid the Waters of any Springs, Brooks, Rivulets, Streams, or Drains shown on the Plans deposited as aforesaid, which may be intercepted or collected by any of the intended Works, and from Time to Time to draw off and use the Waters so stored up for the Purposes of this Act, and for the Purposes aforesaid to alter and divert the Course of the said Springs, Brooks, Rivulets, Streams, and Drains, and their Tributaries, to the Extent and in manner shown on the said Plans.

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

LIII. That the Corporation shall, at the Request of the Owner or Occupier of any House or Part of a House, in any Street or Place in which any Pipe of the Corporation shall be laid, or of any Person who, under the Provisions of this Act or any Act incorporated therewith, shall be entitled to demand a Supply of Water for domestic Purposes, furnish to such Owner or Occupier or other Person a sufficient Supply of Water for their domestic Uses for the Rents herein-after specified; (that is to say,)

Where the annual Rent or Value of such House shall not exceed Five Pounds, at a Rate *per House per Annum* not exceeding Five Shillings:

Where



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Where the annual Rent or Value of such House shall exceed Five Pounds, but shall not exceed Seven Pounds, at a Rate *per* House *per Annum* not exceeding Eight Shillings and Sixpence :

Where the annual Rent or Value of such House shall exceed Seven Pounds, but shall not exceed Ten Pounds, at a Rate *per Centum per Annum* not exceeding Six Pounds Ten Shillings :

Where the annual Rent or Value of such House shall exceed Ten Pounds, but shall not exceed Twenty Pounds, at a Rate *per Centum per Annum* not exceeding Six Pounds :

Where the annual Rent or Value of such House shall exceed Twenty Pounds, but shall not exceed Forty Pounds, at a Rate *per Centum per Annum* not exceeding Five Pounds Ten Shillings :

Where the annual Rent or Value of such House shall exceed Forty Pounds, but shall not exceed Sixty Pounds, at a Rate *per Centum per Annum* not exceeding Five Pounds :

Where the annual Rent or Value of such House shall exceed Sixty Pounds at a Rate *per Centum per Annum* not exceeding Four Pounds Ten Shillings.

LIV. That the Corporation shall not be bound to supply any Watercloset, or Apparatus, Cisterns, or Pipes connected therewith, or any Water for domestic Purposes, unless the Cisterns, Pipes, and Cocks necessary for such Supply shall be constructed in manner approved by the Corporation.

Corporation not bound to supply Water unless Apparatus approved by them.

LV. That the Water to be supplied by the Corporation need not be constantly laid on under Pressure.

Water need not be supplied under Pressure.

LVI. That a Supply of Water for domestic Purposes shall not include a Supply of Water for Cattle, or for washing Carriages, or for Horses, where such Carriages or Horses are kept for Hire, or by Common Carriers, or for any Trade, Manufacture, or Business, or for watering Gardens, or for Fountains, or for any ornamental Purpose whatsoever.

What shall be considered domestic Purposes.

LVII. That it shall be lawful for the Corporation to supply any Person with Water for trading or manufacturing Purposes, or for any Purpose other than domestic Purposes, at such Rate or Price and upon such Terms and Conditions as shall be agreed upon between the Corporation and the Persons desirous of having such Supply of Water.

Supply for trading and manufacturing Purposes by Agreement.

LVIII. That if it shall appear to the Corporation that any House is without a proper Supply of Water, and that such a Supply of Water can be furnished thereto at a Rate not exceeding Twopence *per* Week, the Corporation shall give Notice in Writing to the

Corporation may require Houses to be supplied with Water, &c.

[Local.]

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Occupier,



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if a Supply can be furnished at a Rate not exceeding 2*d.* per Week.

Occupier, requiring him, within a Time to be specified therein, to obtain such Supply, and to do all such Works as may be necessary for that Purpose; and if such Notice be not complied with, the Corporation may, if they shall think fit, do such Works and obtain such Supply accordingly, and make and levy Water Rents upon the Premises, not exceeding in the whole the Rate of Twopence *per* Week, in the Manner herein-after provided, as if the Owner or Occupier of the Premises had demanded or requested a Supply of Water, and was willing to pay Water Rates for the same; and the Expenses incurred by them in doing such Works as last aforesaid shall be Private Improvement Expenses, and be recoverable in the Manner in which Private Improvement Expenses are recoverable by "The Towns Improvement Clauses Act, 1847."

Powers for compulsory Purchase of Land limited.

LIX. That the Powers of the Corporation for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Time for the Exercise of other Powers limited.

LX. That after the Expiration of Five Years from the passing of this Act, all the Powers hereby granted to the Corporation for making the Waterworks hereby authorized, or otherwise in relation thereto, shall cease to be exercised except as to so much of the same as shall then be completed.

Mains, &c., belonging to Corporation to have a distinguishing Mark upon them.

LXI. That the Water Mains and Water Pipes, and also the Gas Mains and Gas Pipes of the Corporation, shall be so made and manufactured as to have a distinguishing Mark, Stamp, or Letter on the Outside thereof, cast with or cut into the Metal of the Pipe, so that the same may be readily distinguished from the Mains or Pipes of any other Persons or Company; and in case the said Corporation shall lay down any Mains or Pipes not having such distinguishing Mark, Stamp, or Letter, they shall forfeit and pay a Sum not exceeding Twenty Shillings for every Length of Nine Feet of Pipe laid contrary to the Directions aforesaid.

Company to compensate Ecclesiastical Commissioners for Injuries done to Lands in Yetminster.

LXII. That inasmuch as the Stream from which the Corporation propose to take their Supply of Water by means of the Works shown on the said Plans passes through certain Demesne Lands of the Ecclesiastical Commissioners for *England* situate in the Parish of *Yetminster*, and the Diversion of such Stream may affect such Lands, therefore the Corporation shall make full Compensation to the said Ecclesiastical Commissioners, their Successors and Assigns, for all actual or consequential Damage or Injury which may be sustained by them in respect of their said Lands by reason of the Abstraction by the Corporation of the Waters of the said Stream; and the Amount of such Compensation shall, in case of Difference be determined



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determined by Arbitration in manner in that Behalf provided by "The Lands Clauses Consolidation Act, 1845."

LXIII. That the several Provisions of "The Towns Improvement Clauses Act, 1847," with respect to the Byelaws to be made by virtue of that Act or the Special Act, of "The Markets and Fairs Clauses Act, 1847," with respect to the Byelaws to be made by the Undertakers, and of "The Commissioners Clauses Act, 1847," with respect to the making of Byelaws, shall be and the same are hereby incorporated with this Act, and shall be construed as if the Word "Corporation" had been inserted in such Acts respectively, instead of the Words "Commissioners" or "Undertakers," as the Case may be: Provided nevertheless, that all Byelaws to be made by virtue of this Act shall be confirmed only in the Manner provided by the said Act for the Regulation of Municipal Corporations in *England* and *Wales*, and not in the Manner directed by "The Towns Improvement Clauses Act, 1847," "The Markets and Fairs Clauses Act, 1847," and "The Commissioners Clauses Act, 1847," respectively.

Certain Provisions of 10 & 11 Vict. c. 16, 17, & 34.

LXIV. That all the Provisions, Matters, and Things contained in "The Waterworks Clauses Act, 1847," relating to the opening or breaking up of Streets, and laying down and placing Pipes, Conduits, and other Works in and under such Streets, shall extend to and apply to the opening or breaking up of any Part of the Turnpike Roads under the Care and Management of the Trustees of the *Maiden Newton* Trust and of the *Yeovil* Trustees.

Provisions of 10 & 11 Vict. c. 16, as to breaking up Streets extended to certain Turnpike Roads.

LXV. That, except where it is otherwise provided by this Act, all the Expenses of carrying this Act into execution, including the Sums required for paying all Principal and Interest Monies which may be borrowed by the Corporation under the Authority of this Act, shall be defrayed by a Rate to be called the "Borough Rate," which the Corporation is hereby authorized and empowered to levy upon the Occupiers or Owners of all Buildings and Lands within the said Borough in the Manner herein-after provided; provided always, that such Rate do not exceed in any One Year the Sum of Five Shillings in the Pound on the annual Value of such Buildings and Lands.

Borough Rate to be levied.

LXVI. That for the Purpose of repairing and cleansing any Highways (other than and except such Parts thereof as are herein-after authorized and required to be repaired by the *Yeovil* Trustees acting in execution of "The *Yeovil and Ilchester* Turnpike Trust Act, 1852," and other than and except such Portion thereof adjoining *Yeovil Bridge* aforesaid as is now repaired at the Cost of the County of *Somerset*), it shall be lawful for the Corporation from Time to Time to make, assess, and levy an equal Rate, to be called "The Highway Rate," not exceeding in any One Year the Sum of

Power to levy Highway Rate.



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of Two Shillings and Sixpence in the Pound, on the full net annual Value of the Property included in such Rate: Provided nevertheless, that, with the Consent of Four Fifths at least in Value of a Meeting of the Persons for the Time being rated to such Highway Rate specially called for the Purpose, such Highway Rate may be increased to such Extent as the Corporation may think proper: Provided always, that all Highway Rates shall be assessed only upon Property chargeable to Highway Rates by virtue of the Laws now in force or hereafter to be passed relating to Highways.

Occupiers of Farms, &c. to be assessed at only One Fourth of annual Value.

LXVII. Provided always, That every Person occupying any Farm-house or Buildings connected or occupied therewith, or any Lands used as Arable, Meadow, or Pasture Ground only, or as Woodlands, or Market Gardens, Garden Allotments, or Nursery Grounds, Tithes, Tithe Rentcharges, Moduses, Compositions Real, and other Payments in lieu of Tithe, shall be assessed to the said Borough Rate at One Fourth Part only of the net annual Value thereof.

Saving Rights of Railway Companies.

LXVIII. That (except as expressly enacted in this Act) nothing in this Act contained shall prejudice or affect the Rights or Powers of any Company being the Owners or Lessees of any Railway within the Limits of the said Borough constructed under the Powers of any Act of Parliament for public Conveyance; and any such Company, as the Occupier of any Land within the Limits of the said Borough used only as a Railway, and so constructed, shall be assessed in respect of the same to the Borough Rate in the Proportion only herein-before prescribed with respect to Lands used as Arable, Meadow, or Pasture only.

Limiting Rates to be levied within the Borough.

LXIX. That no Rate, other than the said Borough Rate and the Highway Rate authorized to be levied by this Act, shall be levied or raised under the Authority of this Act, or of any Act incorporated herewith.

Limiting Rights of Trustees of Turnpike Roads within the Borough.

LXX. That the Trustees of any Turnpike Road shall not collect Tolls on any Road within the said Borough, or lay out any Money thereon, save and except that the *Yeovil* Trustees acting by virtue and in execution of "The *Yeovil and Ilchester* Turnpike Trusts Act, 1852," shall, during the Term of the said Act, continue to repair all such Roads within the said Borough as are now repaired by them, and may during the said Term collect Tolls and lay out Money thereon, as fully and effectually as they might have done if this Act had not been passed.

Corporation may remit Rate.

LXXI. That it shall be lawful for the Corporation to reduce, remit, or give Time for the Payment of any Rate authorized to be levied by this Act, on account of the Poverty or Sickness of any Person liable to the Payment thereof.

LXXII. That



*The Borough of Yeovil Extension and Improvement Act, 1854.*

LXXII. That any Person who shall wilfully or maliciously spoil, deface, or injure any Part of any Market Hall, Market Place, Market, or Fair, or the Buildings, Fences, Stalls, or Standings thereof, or any Board affixed thereon, or shall in any such Market Hall, Market Place, Market or Fair, cause any Obstruction, or shall extinguish the Light of any public Lamp, or break, throw down, destroy, deface, or otherwise damage or injure any of the Pavements, Posts, Rails, Fences, Lamps, Lamp Irons, Lamp Posts, or any other Articles, Matters, or Things for the Time being belonging to the Corporation, or any Works executed or about to be executed by them or by their Order in pursuance of this Act, shall be liable for every such Offence to a Penalty not exceeding Five Pounds.

Penalty for committing Damages to Markets.

LXXIII. That the Justice or Justices by whom any Penalty is imposed shall, when the Application thereof is not otherwise provided for, order such Penalty to be paid to the Treasurer of the Borough on account of the Borough Fund.

Penalties where not otherwise provided to be paid to Treasurer.

LXXIV. That it shall be lawful for the Corporation from Time to Time to take up and borrow, on the Mortgage of the Borough Rate herein-before authorized to be levied for the Purposes of this Act, or by Mortgage of the Lands, Rents, Revenues, Tolls, Property, and Effects whatsoever by this Act vested in the Corporation, or hereafter to be acquired by the Corporation under the Powers of this Act, subject and without Prejudice to the prior Mortgages, Debts, and Engagements affecting the same, under or by virtue of this or the Three herein-before recited Acts, and in addition thereto, any Sum or Sums of Money not exceeding in the whole the Sum of Sixteen thousand Pounds, for all or any of the Purposes of this Act, except the Purchase of the said Gasworks and Apparatus, and not exceeding for the Purposes of such Purchase (and to be raised only when a Contract for such Purchase shall have been made) the Sum of Six thousand Pounds: Provided always, that the whole of the Sum or Sums borrowed under this Act and the said recited Acts or either of them, and the Interest accruing due from Time to Time, shall be repaid within Fifty Years from the Time of the passing of this Act; and for the Purposes aforesaid the several Clauses in "The Commissioners Clauses Act, 1847," contained with respect to the Mortgages to be executed by the Commissioners, including the Clause which is numbered LXXXIV. (as altered by this Act) of the same Act, shall be incorporated with and form Part of this Act, and shall be construed as if the Word "Corporation" had been inserted therein instead of the Word "Commissioners," and as if the Words "Town Clerk" had been inserted therein instead of the Words "Clerk to the Commissioners," and that the Form of such Mortgage and of any Transfer thereof shall be similar to the Form of Mortgage and Transfer

Power for the Corporation to borrow Money for the Purposes of this Act.



*The Borough of Yeovil Extension and Improvement Act, 1854.*

respectively contained in Schedules (B.) and (C.) to "The Commissioners Clauses Act, 1847."

Arrears may be enforced by Appointment of Receiver.

LXXV. That the Mortgagees under this Act may enforce the Payment of any Arrears of Interest, or of the Arrears of Principal and Interest due to them, by the Appointment of a Receiver; and in order to authorize the Appointment of such Receiver, the Amount owing to the Mortgagee or Mortgagees by whom the Application for such Receiver shall be made shall not be less than One thousand Pounds in the whole.

Power to borrow at low Interest to pay off Mortgages bearing high Interest.

LXXVI. That the Corporation may at any Time borrow or take up at Interest any Sum or Sums of Money at a lower Rate of Interest than any Securities given by them and then in force shall bear, to pay off Securities of equal Amount with the Sum or Sums of Money so borrowed, and the Money so borrowed at a lower Rate of Interest shall be paid off within the same Period within which the Money originally borrowed would have been payable.

Sinking Fund to be provided.

LXXVII. That in order to discharge the Principal Money borrowed on Mortgage under this Act and the said recited Acts, or either of them, and which the Corporation are, by the Provisions of this Act, required to pay off within the Term of Fifty Years, the Corporation shall every Year (after Payment of the Interest thereon) appropriate and set apart a Sum equal to not less than Two Pounds *per Centum* on the Amount of every Sum so borrowed as aforesaid, and shall apply such Sums respectively from Time to Time as a Sinking Fund in paying off the respective Principal Monies so borrowed, and shall from Time to Time cause such Sinking Fund to be invested in the Purchase of Exchequer Bills or other Government Securities, and to be increased by Accumulation in the way of Compound Interest or otherwise, until the same respectively shall be of sufficient Amount to pay off the principal Debts respectively, to the Payment of which such Sinking Fund shall be applicable, or some Part thereof, which the Corporation shall think ought then to be paid off, at which Time such accumulated Monies, or an adequate Part thereof, shall be so applied in paying off such principal Debts in manner mentioned in the said "Commissioners Clauses Act, 1847."

Service of Summons, &c.

LXXVIII. That any Summons, Notice, or Writ, or other Proceeding at Law or in Equity, requiring to be served upon the Mayor, Aldermen, Burgesses, or upon the Corporation, or upon any Committee thereof, may be lawfully served by delivering the same personally to the Town Clerk, or Person acting as and for the Town Clerk, or leaving the same at the Office of the Town Clerk.

Power to purchase

LXXIX. That it shall be lawful for the Corporation, and they are hereby empowered, to agree with the Persons owning the same for the  
Purchase



*The Borough of Yeovil Extension and Improvement Act, 1854.*

Purchase of, and to purchase any Houses, Buildings, or Lands which they may require, and to appropriate any Houses, Buildings, or Lands vested in the Corporation by virtue of this Act, for the Purpose of constructing any of the Works authorized by this Act, or necessary for the Purposes thereof, or any Act incorporated herewith, and for all other the Purposes of this Act, or for all or any of such Purposes, and all subsisting Leases in any such Houses, Buildings, or Lands, and all Rentcharges, Annuities, Mortgages, or Incumbrances, affecting any such Houses, Buildings, or Lands, and all other Estates or Interests in such Houses, Buildings, or Lands, of what kind soever, for a Consideration in Money, or by way of Exchange for any other Lands or Hereditaments for the Time being vested in the Corporation and not required for the Purposes of this Act:

Houses and  
Lands with  
Consent.

LXXX. That all Monies to be levied, recovered, or received by means, or on account of, or upon the Security of the Borough Rate, and all Fines, Penalties, and Fees (the Application whereof is not specially provided for), and all Rents, Tolls, Rates, Duties, and Sums of Money to be recovered or received by or on account of the Corporation, or in respect of any Property or Franchise vested in them, shall be paid over to the Treasurer of the said Borough, and be carried to the Account of the Borough Fund, and that Fund, subject to the Charges and Payments to which the same will be liable under this Act, shall be applied for all Purposes for which any Borough Fund is applicable under or by virtue of the said Act for the Regulation of Municipal Corporations in *England and Wales*.

All Monies,  
&c. to be  
paid to  
Treasurer.

LXXXI. That the Treasurer of the Borough shall, in Books kept for that Purpose, enter or cause to be entered true Accounts of all Sums of Money by him received and paid, and of the several Matters for which such Sums shall have been received and paid, under and by virtue of any of the Provisions of this Act, and such Books shall at all seasonable Times be open to the Inspection of any of the Aldermen or Councillors of the Borough; and all such Accounts, with all Vouchers and Papers relating thereto, shall be submitted by the Treasurer to the Auditors of the Borough, and such Accounts shall be audited in the same Manner as the Accounts of the Borough are directed to be audited under the Provisions of the said Act for the Regulation of Municipal Corporations in *England and Wales*.

Account to  
be kept by  
Borough  
Treasurer  
and audited  
in the same  
Manner as  
the Borough  
Accounts.

LXXXII. That the Costs, Charges, and Expenses of and incident to the obtaining and passing this Act shall be chargeable upon and paid out of the Borough Rate herein-authorized to be made.

Expenses of  
Act.



The Borough of Yeovil Extension and Improvement Act, 1854.The SCHEDULE to which this Act refers.

## TABLE OF TOLLS, RENTS, AND STALLAGES.

	£	s.	d.
For every Stall, Block, Tressel, or Station used by any Person for exposing to Sale Meat, Fish, or any other live or dead Victuals, Fruit, China, Glass, Earthenware, or other Goods, Articles, Commodities, or Things:—			
If such Stall, Block, Tressel, or Station be within the covered Market Place,—			
If taken by the Year, the Sum of - - - - -	7	0	0
By the Half Year, the Sum of - - - - -	4	0	0
By the Quarter, the Sum of - - - - -	3	0	0
If otherwise taken, for each Market Day or other Day, the Sum of - - - - -	0	3	0
If such Stall, Block, Tressel, or Station be not within the covered Market,—			
If taken by the Year, the Sum of - - - - -	3	10	0
By the Half Year, the Sum of - - - - -	2	0	0
By the Quarter, the Sum of - - - - -	1	10	0
If otherwise taken, for each Market Day or other Day the Sum of - - - - -	0	2	6
For every Waggon used by any Person for exposing or in which shall be exposed to Sale any Article, Commodity, or Thing, for each Market Day or Fair Day the Sum of - - - - -	0	2	0
For any Cart used by any Person for the like Purpose, for each Market Day or other Day:—			
If drawn by One Horse or other Animal, the Sum of -	0	1	0
If drawn by Two or more Horses or other Animals, the Sum of - - - - -	0	1	6
For each Compartment or Space on the Surface of the Ground used by any Person for the like Purpose, according to the Size or Dimensions of the same, (videlicet,) for each Superficial Square Foot thereof:—			
If the Compartment or Space be within the covered Market,—			
If taken by the Year, the Sum of - - - - -	0	2	6

By



*The Borough of Yeovil Extension and Improvement Act, 1854.*

	£	s.	d.
By the Half Year, the Sum of - - -	0	1	6
By the Quarter, the Sum of - - -	0	1	0
If otherwise taken, for every Market Day or other Day in the Week the Sum of - - -	0	0	1
If the Compartment or Space be in the uncovered Market,—			
If taken by the Year, the Sum of - - -	0	1	3
By the Half Year, the Sum of - - -	0	0	9
By the Quarter, the Sum of - - -	0	0	6
If otherwise taken, for each Market Day or other Day the Sum of - - -	0	0	0½
From any Person exposing for Sale any Article, Matter, or Thing not herein specifically charged, and not occupying any Stall, Block, Tressel, or Station, nor any defined Compartment or Space on the Surface of the Ground:—			
If the Spot on which such Person shall stand be within the covered Market,—			
For any Basket, Hamper, Parcel, or Quantity of such Article, Matter, or Thing, for each Market Day or other Day the Sum of - - -	0	0	2
If the Spot be in the uncovered Market,—			
For any Basket, Hamper, Parcel, or Quantity of such Article, Matter, or Thing, for each Market Day or other Day the Sum of - - -	0	0	1
For every Horse, Gelding, or Mare brought or offered for Sale, the Sum of - - -	0	0	6
For every Colt, Filly, Mule, or Ass, the Sum of - - -	0	0	2
For every Score of Sheep or Lambs, and so in proportion for any less or greater Quantity, the Sum of, including the Pens - - -	0	1	6
For every Head of Swine, the Sum of - - -	0	0	1
For every Cart, Gig, or other Two-wheeled Carriage	0	0	3
For every Waggon, Phaeton, or other Four-wheeled Carriage - - -	0	0	6
For every Bull, Ox, Cow, Steer, or Heifer, the Sum of	0	0	3
For Poultry and Game, including Fowls, Chickens, and Ducks, Wild Fowls, Pigeons, Rabbits, Hares, Pheasants, Partridges, and other Game exposed for Sale, according to the Number thereof; (videlicet,)			
Not more than Half-a-Dozen, the Sum - - -	0	0	1
For each additional Half Dozen, the Sum of - - -	0	0	1
For every Waggon Load of Hay or Straw exposed for Sale, the Sum of - - -	0	0	4
For every Cart Load of Hay or Straw exposed for Sale, the Sum of - - -	0	0	2
[Local.]	22	U	Weighing



*The Borough of Yeovil Extension and Improvement Act, 1854.*

		<i>Weighing or Measuring.</i>	£	s.	d.
For every Hide the Sum of	-	-	0	0	1
For every Lot of Tallow the Sum of	-	-	0	0	1
For every Flich of Bacon the Sum of	-	-	0	0	1
For every Skin the Sum of	-	-	0	0	1
For every Sheep, Lamb, or Calf, the Sum of	-	-	0	0	1
For every Bull, Ox, Steer, Cow, or Heifer, the Sum of			0	0	3
If weighed in Quarters, for each Quarter the Sum of	-	-	0	0	1
For all other Articles sold in the Market, being not more than Twenty Pounds Weight, the Sum of	-	-	0	0	0½
Being not more than One Hundredweight the Sum of	-	-	0	0	1
For each additional One Hundredweight the Sum of	-	-	0	0	1
For all Goods and Articles sold in the Market by Measure, for each Bushel the Sum of	-	-	0	0	0½

*Weighing Machines.*

For weighing any Waggon, the Sum of	-	-	0	0	6
For weighing any Cart, the Sum of	-	-	0	0	3

The Stallage and the several Tolls and Rents before-mentioned, and specified to be payable and paid for in respect of the Occupation or Use of any Stall, Standing-place, Bench, Compartment, or Space of Ground, as well by the original Taker or Occupier thereof for a Part or Portion of the Day in case he shall not occupy the same the whole Day, as also by any subsequent Taker or Occupier of the same for the Residue of any Part or Portion of the same Day.

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