



ANNO QUINQUAGESIMO QUARTO

# GEORGI III. REGIS.

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## Cap. 108.

An Act for lighting, watching, and improving the  
Town of *Dartford*, in the County of *Kent*.

[17th June 1814.]

**W**HEREAS the Town of *Dartford*, in the County of *Kent*, is very populous, and is also a great Thoroughfare for Travellers, and the several Streets, Ways, Lanes, and other public Passages and Places within the same, are not properly lighted, watched, and cleansed, and are subject to various Nuisances, Annoyances, and Encroachments: And whereas it would greatly tend to the Convenience, Benefit, and Safety of the Inhabitants of the said Town, and of all Persons resorting to or passing through the same, if such Streets, Ways, Lanes, and other public Passages and Places, were properly lighted, watched, cleansed, improved, and regulated, and the Nuisances, Annoyances, Obstructions, and Encroachments therein were removed, and prevented for the future; May it therefore please Your Majesty, that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That Sir *Edward Knatchbull* Baronet, Sir *William Geary* Baronet, and all the Members for the County of *Kent*, for the Time being; Sir *Charles Morgan* Baronet, the present Lord of the Manor of *Dartford*, and his Successors Lords of the said Manor for the Time being; the Reverend *John Currey*, the present Vicar of the said Parish, and his Successors Vicars thereof for the Time being; *Percival Hart Dyke*, *John Mumford*, *Robert Talbot*, *Francis Luceirs Austen*, Esquires; the Reverend *Peter Rasbleigh*, and *Edward Barnard*, Clerks, and the

[*Loc. & Per.*] Commissioners.

22 N future



future Justices of the Peace, who may act at the Petty Sessions held within the said Town; *Thomas Caldecot Esquire, William Budgen, William Peete, Edward Rawlings, Simmons Hammond, Charles Hussy Fleet, James Hards, John Sears, George Sparkes Esquire, Robert Wilks,* the Reverend *John Bradley* Clerk, and also every Person being, in his own Right, or in the Right of his Wife, in the actual Possession or Enjoyment, or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, situate within the Parish of *Dartford*, of the clear yearly Value of Fifty Pounds above Reprizes; and also every other Person paying parochial Taxes, and occupying a Messuage or Dwelling-house or Lands with the Appurtenances, in *Dartford* aforesaid, of the yearly Rent or Value of One hundred Pounds, or during the Term of such Residence only, possessed of or entitled unto a personal Estate alone of the clear Value of Three thousand Pounds, shall be and are hereby appointed Commissioners for putting this Act in Execution.

Commissioners' Oath.

II. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, (except the Lord of the Manor, Vicar, and Justices for the Time being respectively,) unless he shall, at a previous Meeting of the said Commissioners, have taken and subscribed the following Oath (or, Affirmation, if one of the People commonly called Quakers,) before any Two or more of the said Commissioners, who are hereby authorized and required to administer the same, before he takes upon himself to act in the Trusts and Authorities by this Act granted; which Oath or Affirmation shall be in the Words, or to the Effect following; that is to say,

‘ I *A. B.* do swear, [or affirm, as the Case may be,] that I am, in my  
 ‘ own Right, or in the Right of my Wife, in the actual Possession  
 ‘ and Enjoyment or Receipt of the Rents and Profits of Lands, Tene-  
 ‘ ments, or Hereditaments, situate within the Parish of *Dartford*, in  
 ‘ the County of *Kent*, of the clear yearly Value of Fifty Pounds above  
 ‘ Reprizes; or, that I am a Resident in the said Parish paying parochial  
 ‘ Taxes, and am truly and *bonâ fide* in the Occupation of a Messuage or  
 ‘ Dwelling-house, or Lands situate therein with the Appurtenances, of  
 ‘ the Annual Rent or Value of One hundred Pounds; or, that I am a  
 ‘ Resident in the said Town, and possessed or entitled unto a personal  
 ‘ Estate alone of the clear Value of Three thousand Pounds; and that  
 ‘ I will truly and impartially, according to the best of my Skill and Judg-  
 ‘ ment, execute and perform the several Powers and Authorities re-  
 ‘ posed in me as a Commissioner by virtue of an Act passed in the Fifty-  
 ‘ fourth Year of the Reign of His Majesty King *George* the Third, in-  
 ‘ titled, [here insert the Title of this Act.] So help me GOD.’

And if any Person, not being named in or appointed by this Act, or otherwise duly qualified, shall nevertheless act as a Commissioner in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Complaint, or Information, wherein no Essoign, Protection, Wager of Law, or more than one Imparlance shall be allowed; and every Person so sued or prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of  
 the



the Plaintiff or Prosecutor than that such Person hath acted as a Commissioner in the Execution of this Act: Provided always, That all Acts and Proceedings of any Person or Persons acting as a Commissioner or Commissioners in the Execution of this Act, though not duly qualified as aforesaid, previous to his or their being convicted of the said Offence, shall, notwithstanding such Conviction, be as good, valid, and effectual, as if such Person or Persons had been duly qualified to act as a Commissioner or Commissioners according to the Directions of this Act.

III. And be it further enacted, That the said Commissioners, or any Five or more of them, shall meet together at the House of *John Essenhigb*, the *Bull Inn*, in the said Town of *Dartford*, on the Twenty-second Day of *August* One thousand eight hundred and fourteen, at Eleven of the Clock in the Forenoon, and proceed to the Execution thereof; and may then, and from Time to Time, adjourn, and afterwards meet there, or at any other Place within the said Town, as the said Commissioners, or any Five or more of them, shall think most convenient, as often as it shall be necessary for putting this Act in Execution; and that Three Commissioners shall be sufficient for the Purpose of Adjournment only; and if it shall happen that there shall not at any Meeting be a sufficient Number of Commissioners to act or to adjourn to another Day, or in case the Commissioners at any Meeting assembled shall neglect or omit to adjourn, then and as often as the Case shall happen, the Clerk or Clerks to the said Commissioners, or any Three or more of the said Commissioners, shall and may, by Notice in Writing, to be affixed at the Market-gate, and some other public Place or Places within the said Town of *Dartford*, Seven Days at least before such intended Meeting, appoint the Commissioners to meet on the Day to be fixed in such Notice; and all Matters and Things which shall be done and transacted at any Meeting which shall be held in pursuance of such Notice, shall be as valid and effectual as if the same had been done at any other Meeting held by virtue of this Act: Provided also, That no Act of the said Commissioners shall be valid unless done at a public Meeting or Meetings to be held by virtue of this Act, (except in the Case before mentioned, where Adjournments shall not have been made as aforesaid;) and that no Person during the Time he shall have any Share or Interest in any Contract or beneficial Employment under this Act, or while any Appeal shall be depending wherein he shall be interested, shall be capable of acting as a Commissioner in the Execution of this Act; and that at all Meetings to be held in pursuance of this Act, the Commissioners present at such Meeting shall defray and bear their own Expences.

First Meeting  
of Commis-  
sioners.

IV. And be it further enacted, That all the Powers and Authorities by this Act granted to or vested in the said Commissioners, shall and may, from Time to Time, be exercised by any Five of them present at any public Meeting to be holden in pursuance of this Act; or the major Part of such Commissioners as shall be present at any such Meeting, the Number so present not being less than Five: And all Acts and Proceedings of such Commissioners, or the major Part of them at such Meeting, shall be as valid and effectual for the Purposes of this Act, as if all the Commissioners for executing this Act had been present at such Meeting and had concurred therein; and a Chairman or President shall and may be appointed at every such Meeting, and in case of an equal Number of Votes upon any Question at any Meeting to be held

Quorum of  
Commission-  
ers.

Five the  
Number to be  
present.



held by virtue of this Act, (including the Vote of the Chairman or President,) the Chairman or President shall have the casting or decisive Vote.

No Order made at a Meeting of the Commissioners, to be revoked but at a special Meeting.

V. And be it further enacted, That no Order made by the said Commissioners at any of their Meetings, shall be revoked or altered, unless at some Meeting to be specially called and holden for that Purpose, of which Fourteen Days' Notice in Writing shall have been given, by affixing the same at the Market-Gate, and some other public Place or Places in *Dartford* aforesaid; and also, unless a greater Number of such Commissioners shall attend at such Meetings to revoke or alter such Order, than were present when such Order was made, any Thing in this Act contained to the contrary thereof notwithstanding.

Proceedings of Commissioners to be entered in Books.

VI. And be it further enacted, That all the Acts, Orders, and Proceedings of the said Commissioners, shall from Time to Time be written and entered in a proper Book or Books to be kept for that Purpose; and all such Books shall at all Meetings of the said Commissioners, and at such other reasonable Times, and at such Places as shall be appointed by the said Commissioners, be open to the Inspection of any Person or Persons, rated and paying the Rates or Assessments to be made for the Purposes of this Act, without Fee or Reward; and all such Orders and Proceedings so entered shall be signed by the said Commissioners, or any Five or more of them, and shall be deemed Originals, and shall be admitted to be read in Evidence in all Courts whatsoever, in all Causes, Suits, and Actions, touching any Thing to be done in pursuance and under the Authority of this Act; which Book or Books shall be kept by the Clerk or Clerks, for the Time being to the said Commissioners, or by such Person or Persons, and at such Place or Places, as the said Commissioners shall direct and appoint.

Appointment of Clerk and Treasurer, and other Officers, who are to account for Monies received.

VII. And be it further enacted, That the said Commissioners shall and may, and they are hereby required, at their first Meeting to be holden as aforesaid, and afterwards from Time to Time, to appoint one or more Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors, of the Rate or Rates hereinafter mentioned; and such other Officer or Officers for the Execution of this Act; as the said Commissioners shall from Time to Time think proper; and may also from Time to Time remove them or any of them, and appoint other or others in the Room of such of them as shall be so removed, or shall die, relinquish, or discontinue such Office, or become incapable of acting therein; and out of the Monies to be raised by virtue of this Act, the said Commissioners shall and may make such Allowances to such Officers, and to all other Persons by them the said Commissioners employed in the Execution of this Act, as they shall think reasonable; and shall and may take such Security from the Treasurer or Treasurers and other Officers, for the due Execution of their respective Offices, as the said Commissioners shall think proper; and all such Officers so to be appointed, shall, under their Hands, at such Time or Times, and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing, of all Matters and Things committed to their Charge by virtue of this Act, and also of all the Monies which shall have been by such

such Officers and Persons respectively received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with proper Vouchers for such Payments; and shall pay all such Monies as shall remain due from them respectively to the said Commissioners, or to such Person or Persons as they shall appoint; and all the said Officers so accounting as aforesaid, shall, upon Oath, if thereunto required by the said Commissioners, (which Oath any One of the said Commissioners being a Justice of the Peace is hereby empowered to administer) verify their said Accounts; and if any such Officer shall neglect or refuse to make and render or to verify upon Oath any such Account, or to produce or to deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall neglect or refuse to deliver to the said Commissioners, or to such Person as they shall appoint, within Seven Days next after being thereunto required by the said Commissioners, by Notice in Writing given to or left at the last or usual Place of Abode of such Officer, all Books, Papers, and Writings in his Custody or Power, relating to this Act, or give Satisfaction to the said Commissioners respecting the same, then and in any of the Cases aforesaid, the said Commissioners may and are hereby authorized and empowered to cause an Action to be brought against the Officer so neglecting or refusing as aforesaid, for the Recovery of the Monies that shall remain due from him, with Costs of Suit; or if Complaint shall be made by the said Commissioners, or by such Person or Persons as they shall appoint for that Purpose, of any Neglect or Refusal as aforesaid, to any Justice of the Peace of the said County, who may act at the Petty Sessions held within the said Town, such Justice may and is hereby authorized and required to issue a Warrant under his Hand and Seal, for the Officer so neglecting or refusing to be brought before him, and upon his appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath, (which Oath such Justice is hereby empowered to administer) it shall appear to such Justice, that any of the Monies which shall have been collected or raised by virtue of this Act shall remain due from such Officer, such Justice may and is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer; and if no Goods and Chattels of such Officer can be found sufficient to answer and satisfy the said Money, and the Charges of such Distress and Sale, or if it shall, in Manner aforesaid, appear to such Justice, that such Officer shall have neglected or refused to render and give such Account, or to verify the same as aforesaid, or to Produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act shall be in the Custody or Power of such Officer, and he shall have neglected or refused to deliver or give Satisfaction respecting the same as aforesaid, then and in any of the Cases aforesaid, such Justice shall commit such Offender to the Gaol or House of Correction for the County or Place where such Offender shall be or reside, there to remain without Bail or Mainprize, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners for such Money, and shall have paid such Composition, in such Manner as they shall appoint, (which Composition the said Commissioners



are hereby empowered to make and receive,) and until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Commissioners as aforesaid: Provided always, that no such Person committed for want of sufficient Distress shall remain in Prison for any longer Space than Six Calendar Months.

Penalty on  
Officers act-  
ing impro-  
perly.

VIII. And be it further enacted, That if any Clerk, Officer, or Servant, who shall be employed by the said Commissioners in the Execution of this Act, shall exact, take, or accept, by any Ways or Means, any Fee or Reward whatsoever, other than such Salaries and Allowances as shall be appointed by the said Commissioners, for or on Account of any Thing done or to be done by virtue of this Act, or on any Account whatsoever relative to the putting of this Act in Execution, or shall be by any Ways or Means concerned or interested in any Bargain made or to be made by the said Commissioners, for any of the Purposes intended by this Act, every Person so offending shall thenceforth for ever be incapable of being employed under this Act, and shall likewise forfeit and pay the Sum of Five Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record, by Action of Debt, Bill, Plaint, or Information, to be commenced within Three Calendar Months next after the Offence shall be committed; in which Action or Suit, no Protection, Essoign, or Wager at Law, or more than one Imparlance, shall be allowed.

Commis-  
sioners may  
sue and be  
sued in the  
Name of  
their Clerk.

IX. And be it further enacted, That the said Commissioners shall and may sue and be sued and otherwise proceeded against at Law, in the Name or Names of their Clerk or Clerks, Treasurer or Treasurers for the Time being; and that all Actions or Suits which it may be necessary to bring for the Recovery of any Penalty or Sum of Money due or payable by virtue of this Act, or for or in respect of any Matter or Thing relating to this Act, shall be brought or prosecuted in the Name or Names of their said Clerk or Clerks, Treasurer or Treasurers for the Time being; and that no Action or Actions which may be brought, commenced, or prosecuted, by or against the said Commissioners or any of them by virtue or on account of this Act, in the Name or Names of their Clerk or Clerks, Treasurer or Treasurers, shall abate or be discontinued by the Death or Removal of such Clerk or Clerks, Treasurer or Treasurers, or any or either of them, or by any Act or Default of such Clerk or Clerks, Treasurer or Treasurers, any or either of them, done or suffered without the Direction or Consent of Nine or more of the said Commissioners for the Time being; but the Clerk or Clerks, Treasurer or Treasurers to the said Commissioners for the Time being, shall always be deemed Plaintiff or Plaintiffs, Defendant or Defendants as the Case may be, in such Actions or Suits: Provided always, that every such Clerk or Clerks, Treasurer or Treasurers, in whose Name or Names any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall always be reimbursed and paid out of the Monies to be raised by virtue of this Act, all such reasonable Costs, Charges, and Expences as he or they shall sustain or be put unto, or become chargeable with, by reason of his, their, or any of them being so made Plaintiff or Plaintiffs, Defendant or Defendants therein.

X. And



X. And be it further enacted, That the Right and Property of, in, and to all Lamps, Lamp Irons, Posts, Watchboxes, Watchhouses, and other Things thereto belonging, which shall be erected and fixed by virtue of this Act, and of, in, and to all Things, Materials, and Utensils whatsoever which shall be purchased for the purposes of this Act, shall be and are hereby vested in the said Commissioners; and they are hereby authorized and empowered to bring or Cause to be brought any Action or Actions, or to prefer any Bill or Bills of Indictment, as the Case may require, against any Person or Persons who shall steal, take, and carry away, spoil, injure, or destroy, any Part or Parts thereof, or any other Matter or Thing vested in the said Commissioners as aforesaid, or disturb them in the Possession thereof; and in all such Actions and Bills of Indictment it shall be and be deemed and taken to be sufficient to state generally that the said Articles, Matters, and Things, for or on Account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, are the Property of the Commissioners for lighting, watching, and improving the Town of *Dartford*, in the County of *Kent*, without particularly stating or specifying the Name or Names of all or any of the said Commissioners; and the said Commissioners shall have full Power and Authority from Time to Time to sell, by public Auction or otherwise, all or any Part of the Materials and Things which shall not be wanted for the Purposes of this Act, and the Money arising therefrom shall be applied to the Purposes of this Act.

XI. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time, to cause Lamp Irons or Lamp Posts to be put up, fixed into, upon or against the Ground adjoining to the Walls or Pallisadoes of any of the Houses, Tenements, or Buildings, already built or hereafter to be built within the said Town, as they the said Commissioners shall from Time to Time think proper and convenient; and also to cause such Number of Lamps of all Sizes and Sorts to be provided and fixed or put upon such Lamp Irons or Lamp Posts, and to cause the same, when so provided and fixed, to be altered, taken down, or removed, as they shall from Time to Time think proper, for well and effectually lighting the said Town of *Dartford*; and to cause such Lamps to be lighted at such Time or Times, and to be kept lighted during the Whole or such Part of the Night as they the said Commissioners shall think proper; and if any Person or Persons shall take away or wilfully break, throw down, or otherwise damage, any of the Lamps which now are or shall be erected by or by Order of the said Commissioners, or any of the Posts, Iron, or Furniture thereof, or shall wilfully extinguish the Light or Lights of any of the said Lamps, it shall be lawful for any Justice of the Peace for the said County of *Kent*, who may act at the Petty Sessions held within the said Town, and he is hereby required, upon Complaint of the said Commissioners, or any Two or more of them, or of their Clerk or Clerks, Treasurer or Treasurers, and on the Oath of any credible Witness or Witnesses, of any such Offence having been committed, to issue a Warrant for apprehending the Party accused; or it shall be lawful for any Person or Persons who shall see such Offence committed to apprehend, and also for any Person or Persons to assist in apprehending, the Offender or Offenders, and by Authority of this Act, without any other Warrant, to deliver him, her, or them into

into the Custody of a Peace Officer, in order to be secured and conveyed before such Justice of the Peace as aforesaid; and the Party accused being brought before any such Justice, or Oath being made before him that such Party cannot be found, such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence; and if the Party accused shall be convicted of such Offence, either by his, her, or their Confession, or upon Information and Oath as aforesaid, he, she, or they so convicted, shall for every such Offence respectively forfeit and pay any Sum not exceeding Five Pounds; and full Satisfaction (to be ascertained by such Justice) shall be made to the said Commissioners, or to their said Treasurer or Treasurers, Clerk or Clerks, by such Offender or Offenders, for the Damage so by him, her, or them done; and in case such Offender or Offenders shall not upon Conviction pay the Forfeiture by him, her, or them incurred, and make such Satisfaction as aforesaid, the Justice before whom such Offender or Offenders shall be so convicted, is hereby required to commit him, her, or them, to the Common Gaol or House of Correction for the said County of *Kent*, there to be kept to hard Labour for any Time not exceeding Three Calendar Months; and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be committed, unless such Forfeiture and Satisfaction shall be sooner paid and given; and One-half of the said respective Forfeitures when recovered shall be paid to the Informer or Informers, and the other Half shall be applied for the Purposes of this Act; and if any Person or Persons shall negligently or accidentally break, throw down, or otherwise damage any of the said Lamps, or any of the Posts, Irons, or other Furniture thereof, and shall not upon Demand made by the said Commissioners, or by their Treasurer or Treasurers, Clerk or Clerks, make Satisfaction to them, or to some or One of them, for the Damages by such Person done, it shall be lawful for any Justice of the Peace of the said County, who may act at the Petty Sessions held in the said Town, and he is hereby required, upon Complaint thereof made by any Two of the said Commissioners, or by their Clerk or Clerks, Treasurer or Treasurers, to summon the Party complained of, and upon his, her, or their appearing, or making Default to appear, (Oath being made that the Party complained of was served with such Summons, or that the same was left at his, her, or their Dwelling House or Place of Abode if known, or that he or they could not be found,) such Justice shall proceed to examine the Cause of such Complaint, and upon Proof thereof, either by the Confession of the Party complained of, or by the Oath of any credible Witness or Witnesses, shall award and order such Satisfaction to be made by the Party complained of, for the Damage so by him, her, or them done, as to such Justice shall appear just and reasonable; and shall cause the Sum so awarded in case the same be not paid forthwith upon the making of such Award and Order, to be recovered by Distress and Sale of the Goods and Chattels of the Person or Persons complained of, rendering to him, her, or them, upon Demand, the Overplus, (if any be,) after the Charges of prosecuting such Complaint and of such Distress and Sale shall be deducted.

Contracts.

XII. And be it further enacted, That it shall be lawful for the said Commissioners, from Time to Time, at any of their Meetings, to  
 I contract



contract and agree with any Person or Persons for watering, regulating, cleansing, and improving all or any of the said Streets, Roads, Ways, Lanes, and other public Passages within *Dartford* aforesaid, or any Part or Parts thereof, and also for providing a sufficient Number of Lamps necessary to be fixed up in the said Town, and Lamp Irons, Posts, and other Materials necessary or convenient for fixing the same from Time to Time, and for providing and furnishing the same Lamps with all Requisites, and for lighting, supporting, amending, and repairing the same, as the said Commissioners shall think proper.

XIII. And be it further enacted, That the said Commissioners shall and may, and they are hereby authorized and empowered to order, establish, and appoint, such Number of Watchmen as they shall judge necessary to be kept and employed in or about the said Town of *Dartford*; and likewise direct and appoint how and where the several Watchmen shall be stationed, and in what Manner they shall be armed; how often they shall go their Rounds; how long they shall continue upon Duty, and what Wages shall be allowed to such Watchmen for their Service; and shall and may also erect and provide proper Places, Boxes, or Watch Houses, for the Reception of such Watchmen as aforesaid, and shall make Orders and Regulations from Time to Time for the better Direction and Government of such Watchmen; and it shall be lawful for such Watchmen, and they are hereby authorized and required, to keep Watch and Ward within the said Town of *Dartford*, to arrest, apprehend, and detain in some Watchhouse or other convenient Place of Security within the said Town, to be provided and appointed by the said Commissioners, all Disturbers of the public Peace, disorderly Persons, Vagrants, Beggars, and all such other Persons as shall be found misbehaving themselves, and shall take them, as soon as conveniently may be, before any One of His Majesty's Justices of the Peace for the said County of *Kent*, to be examined and dealt with according to Law.

XIV. And be it further enacted, That if such Watchmen or any of them, shall not observe, perform, and keep the Orders, Rules, and Regulations, which shall be made for the Purposes aforesaid by the said Commissioners, or shall in any Manner neglect their Duty, or misbehave themselves, every Person so offending shall forfeit and pay, for every such Neglect or Offence, any Sum not exceeding Forty Shillings, and also, if the said Commissioners shall think proper, shall be immediately discharged from his or their respective Office or Employment.

XV. And be it further enacted, That if any Victualler, or Publican, or other Person selling or dealing in Spirituous or other Liquors, shall knowingly or wilfully entertain or harbour, in his, her, or their House or Habitation, or Shop, any Watchman to be appointed under this Act, during any of the Hours or Times appointed for such Watchmen to be on Duty by virtue or in pursuance of this Act, every Victualler, Publican, or other Person, shall forfeit and pay any Sum not exceeding Twenty Shillings.

XVI. And be it further enacted, That the said Commissioners shall and they are hereby authorized and empowered to cause the said Streets, Ways, Lanes, and other public Passages, to be watered as often as they

[*Loc. & Per.*]

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shall

Watchmen.

Their Duty.

Penalty on Watchmen not doing their Duty.

Penalty on Publicans harbouring Watchmen, &c.

Watering the Streets, &c.



shall think fit; and also cause any Well or Wells to be dug and sunk, and any Pump or Pumps to be erected in such Places as they shall think proper, within the Streets, Ways, Lanes, and other public Passages, for the Purpose of watering the same, or for any other Purpose; and to cause the same to be removed and altered, and the Expences thereof to be defrayed out of the Monies to be raised by this Act.

Occupiers of Houses to take down Spouts and Gutters.

XVII. And be it further enacted, That the Occupier of every House, Building, or Tenement, in the said Town of *Dartford*, shall, and he or she is hereby required, at his or her own Costs and Charges, within such Time, and in such Manner, as the said Commissioners shall from Time to Time, by Notice in Writing under their Hands, to be delivered to every such Occupier as aforesaid, or left at his or her usual or last Place of Abode, direct to take down, or cause to be taken down, all Spouts and Gutters which now or hereafter shall belong to such House or Building in the said Town, and to cause the Water to be conveyed from the Roof or Roofs of or belonging to such House, Building, or Tenement, by proper and sufficient Pipes or Trunks, to be fixed to and down the Sides thereof, and carried under the Flag or other Pavement to the common Channel; and in case any such Person shall neglect or refuse so to do, it shall be lawful for the said Commissioners, and they are hereby required, to cause the same to be done, and to levy the Costs and Charges attending the same upon or from the Persons aforesaid, in like manner as the Rates or Assessments to be made in pursuance of this Act are hereby authorized and directed to be levied and recovered; and every such Person, being Tenant at Rack Rent, may deduct and retain the same out of his or her Rent; and the Person entitled to such Premises is hereby required to allow such Deduction.

Tenants to deduct the Expences out of their Rents.

For removing Projections, &c. from Streets.

XVIII. And be it further enacted, That the respective Occupiers of Houses and other Buildings within the several Streets, Lanes, and other public Passages and Places, to be cleansed and watched within the said Town and Parish by virtue of this Act, shall, and they are hereby required, at their own Costs and Charges, within such Time and in such Manner as the said Commissioners shall, from Time to Time, by Notice in Writing under the Hand of their Clerk, to be delivered to such Occupiers, or left at their respective Dwelling Houses or usual or last Place of Abode, direct and appoint, to cause all Signs and Show Boards, and other Emblems used to denote the Trade, Occupation, or Calling of any such Occupier, which now or hereafter shall belong to, or be fixed up, near, or against such respective Houses or other Buildings as aforesaid, to be fixed or placed flat on the Fronts thereof; and all Signs, Irons, Sign Posts, Barbers' Poles and other Posts, Pallisadoes, Rails, Pillars, Penthouses, Porches, Sheds, Butchers' Hooks, Spouts, Water Pipes, Steps, Bars, or projecting Window Blinds and Cellar Windows, Stalls, Bulks, Doors, Hatchways, and other Encroachments, Obstructions, Projections, and Annoyances, in, over, or upon any of the said Streets, Lanes, Highways, or other public Passages or Places, which now or hereafter shall belong to such respective Houses or other Buildings, to be taken down, removed, altered, or otherwise reformed, in such Manner as the said Commissioners, by Writing signed by their Clerk, shall direct; and in case the Occupier of any such House or other Building as aforesaid, shall neglect or refuse, or cause any such Sign or Iron, Sign Posts, Barbers' Poles or other Posts, Rails,



Rails, Pallisadoes, Pillars, Penthouse, Step, Porch, Shed, Butchers' Hooks, Bars, or projecting Window Blinds, Cellar Window, Stall, Bulk, Door, Hatchway, or other Encroachment, Obstruction, Projection, or Annoyance as aforesaid, to be removed, altered, or reformed as hereinbefore directed, within such Time, and in such Manner, as in such Notice shall be expressed, it shall and may be lawful for the said Commissioners, and they are hereby required to cause the same to be done, and to levy the Costs and Charges attending the same upon or from the Persons aforesaid, in like Manner as the Rates or Assessments to be made in pursuance of this Act are hereby authorized and directed to be levied and recovered; and every such Person, being Tenant at Rack Rent, may deduct and retain the same out of his or her Rent; and the Owner, Proprietor, or Landlord of every such House or other Building, or the Person entitled to the Rent of such Premises, is hereby required to allow such Deduction accordingly.

XIX. And be it further enacted, That if any Person or Persons shall, upon any of the Footways or Foot Pavements within the said Town and Parish, wilfully run, draw, drive, carry, or place any Wheel, Sledge, Dray, Wheelbarrow, Truck, or Carriage whatsoever, or shall roll any Cask or Tub, or drag any Timber or Log of Wood along or upon the same, or shall wilfully ride, drive, or lead any Horse or other Beast or Cattle whatsoever, on any of the Footways or Foot Pavements as aforesaid, or wilfully break or damage any of the said Footways or Foot Pavements, or shall kill, slaughter, singe, scald, dress, or cut up any Beast, Swine, Calf, Sheep, Lamb, or other Cattle, either wholly or in Part, or hoop, cleanse, fire, wash, or scald any Cask, or hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber, or build, make, or repair any Coach, Chaise, Waggon, Sledge, or other Carriage whatsoever, or any Wheel or Wheels of any or either thereof, except such as may want immediate Repair from any sudden Accident on the Spot, or which cannot be conveniently removed for that Purpose, or shall shoe, blood, dress, or carry any Horse or other Beast or Cattle, (except in Cases of Accident,) or keep any Swine in any of the said Streets, Lanes, or other public Passages and Places, within the said Parish, or if the Occupier of any House, Cellar, or other Tenement within the said Parish, shall suffer any Window, Hatch, Door, or Hatchway, opening and leading over, upon, or from any of the said Streets, Lanes, or other public Passages or Places, into or giving light to any Kitchen, Cellar, Vault, or other Place whatsoever, to be left open after the setting of the Sun in the Evening, and before the rising of the Sun in the Morning; or shall obstruct or in anywise incommode the free Passage of any or either of the said several Streets, Lanes, or other public Passages and Places within the said Parish; or shall wilfully discharge any Musket or Pistol in any or either of them; or shall make or assist in the making of any Fire or Fires commonly called Bonfires, or shall set fire to, or let off or throw any Squib, Serpent, Rocket, Cracker, or other Fireworks whatsoever therein; or if at any Time hereafter any Person or Persons shall suffer any Waggon, Cart, Dray, or other Carriage, to stand or remain in any public Street, Way, Lane, or other Passage or Place within the said Parish, with or without any Horse or Horses, or other Cattle, for any Time longer than shall be necessary for the loading or unloading thereof; or shall not, during such Time, cause such Waggon,

Preventing  
Annoyances  
in Streets.



Cart, Dray, or other Carriage, to stand as near to the Side of the Street, Way, Lane, or Passage, as conveniently may be; or suffer any Coach, Postchaise, or other Carriage whatsoever, to stand or remain in any such public Street, Way, Lane, or other Place, with or without any Horse or Horses or other Cattle, for any longer Time than shall be necessary for taking up or setting down any Passengers or Travellers, or the Person or Persons belonging thereto, or for loading or unloading their luggage; or suffer any Horse, Beast, or other Cattle or Swine to wander or be loose and unattended in or about any of the said Streets, Ways, public Passages, or Places; or suffer any Timber, Iron, Lead, Bricks, Stone, Slates, Ashes, Rubbish, Lime, Mortar, Dung, Dust, Filth, Hay, Straw, Coal, Wood, Faggots, Furze, or Ricks, or Ricks of Furze, Fern, Hurdles, Boards, Stalls, Blocks, Goods, Wares, Merchandize, or other Thing or Things whatsoever, to be laid or placed, and left to remain in any of the said Streets, Ways, Lanes, or other public Passages or Places, during the Night, or for any longer Time than shall be necessary for removing and housing the same, (excepting in building, taking down, altering, or repairing any House or Building;) or shall show or expose any Stallion or Stallions, or ride any Horse or Horses for the Purpose of exercising the same, or for trying or exposing the same for Sale, in any of the said Streets, Ways, Lanes, or other public Passages or Places, or shall permit or suffer any Bull Dog, Mastiff, or other ferocious Dog or Bitch, to go at large, not being muzzled, in any of the said Streets, Ways, Lanes, or other public Passages or Places, then, and in every such Case aforesaid, every Person and Persons so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Nuisances to  
be removed.

XX. And be it further enacted, That in case any Hogstye, Slaughter House, Necessary House, Dung, Carrion, Soil, Filth, Ashes, Cinders, Rubbish, or other noisome or offensive Building, Place, or Thing, shall be a Nuisance to any of the Inhabitants of the said Parish, it shall be lawful for the said Commissioners, if they shall think fit, upon Complaint thereof made to them by such Inhabitant, by Notice in Writing under the Hand of their Clerk for the Time being, to order the Person occasioning such Nuisance, or to whom the same shall belong, to remove such Nuisance within such Time as they the said Commissioners shall think fit; and in case the same shall not be removed according to such Notice, the Person who ought to remove the same, shall forfeit and pay any Sum not exceeding Ten Shillings for every Day that the same shall continue unremoved after the Expiration of the Time mentioned in such Notice.

Power to im-  
pound Beasts  
wandering in  
the Streets.

XXI. And be it further enacted, That if any Horse, Cow, or any other Beast, or any sort of Swine, shall at any Time be found wandering about any of the Streets, Lanes, or other public Passages or Places within the said Town, it shall and may be lawful to and for any Person or Persons appointed by the said Commissioners, to seize and impound such Horse, Cow, or other Beast, or such Swine, in the common Pound of the said Town, or in such other Place as the said Commissioners shall appoint, and the same there to detain until the Owner or Owners thereof shall, for every such Horse, Cow, or other Beast, and for every such Head of Swine so impounded, pay the Sum of Five Shillings to the Person  
impounding



impounding the same, together with the reasonable Charges and Expences of impounding and keeping the same; and in case the said Sum, Charges, and Expences, shall not be paid within Five Days after such impounding, it shall and may be lawful to and for the said Commissioners to sell, or cause to be sold, the same, and the Money arising from such Sale, after deducting the said Sum, and the Charges and Expences of impounding, keeping, and selling such Horse, Cow, or other Beasts and Swine, shall be paid on Demand to the Person whose Property the Horse, Cow, or other Beast or Swine so sold, shall appear to have been.

XXII. And be it further enacted, That it shall and may be lawful for the said Commissioners, from Time to Time, and at all Times hereafter when they shall think proper, to nominate and appoint any Person or Persons, and to purchase any Cart or Carts, or other Carriage or Carriages, and also any Horse or Horses, for the Purpose of cleansing the several Streets, Lanes, public Passages, and Places within the said Town of *Dartford*, and of carrying away the Dust, Dirt, Ashes, Filth, and Soil thereof, and also the Soil, Ashes, Rubbish, Dust, Dirt, and Filth, from the Houses and Premises of the Inhabitants within the said Town; or it shall and may be lawful to and for the said Commissioners to contract with any Person or Persons for the doing thereof.

Commissioners may direct the Streets to be cleaned.

XXIII. And be it further enacted, That all and every Person and Persons inhabiting within the said Town, shall sweep and cleanse, or cause to be swept and cleansed the Footpaths before their respective Houses, Buildings, and Walls, once in every Day, between the Hours of Six and Ten of the Clock in the Forenoon (Sundays excepted), upon Pain of forfeiting any Sum not exceeding Five Shillings for every such Neglect therein.

Foot Pavement to be swept.

XXIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, from Time to Time, and at all Times hereafter, if and when they shall think proper, to order and direct all or any of the several Streets, Roads, Lanes, public Passages, and Places of the said Town, or any Part or Parts thereof, to be repaired, amended, regulated and improved, and the Ground thereof to be raised, lowered, or altered, from Time to Time in such Manner as they shall think fit; and also to direct and cause the Course of any Gutter or Channel running in or through the said Streets, Roads, Lanes, public Passages, and Places, or any of them, to be turned or altered in such Manner as they shall think proper, and to direct the Grates already placed, or hereafter to be placed over any Sewer, to be removed and replaced in such Manner, and at such Place and Places, as they shall think most proper, and be from Time to Time done at the Expence of the said Commissioners, and paid for out of the Money arising by virtue of this Act, any Law, Usage, or Custom to the contrary notwithstanding.

Commissioners empowered to repair Highways, &c.

XXV. And be it further enacted, That the said Commissioners from Time to Time, if they shall see cause, shall and may offer, pay, and apply, out of the said Rates and Assessments to be raised by virtue of this Act, such Sum and Sums of Money as they shall see proper, as a Reward and

Reward for apprehending Offenders.

[*Loc. & Per.*]



Encouragement to Persons discovering, or apprehending, or convicting Offenders against this Act.

Rates.

XXVI. And be it further enacted, That the Charges and Expences of lighting, watching, cleansing, watering, and regulating the said Streets, Ways, Lanes, Public Passages, and Places within the said Town of *Dartford*, and of putting this Act in Execution in respect thereof, shall at all Times be borne and defrayed by the Tenants or Occupiers of Houses, Shops, Malt-houses, Stables, Yards, Gardens, Cellars, Vaults, and other Buildings, within *Dartford* aforesaid; and the said Commissioners shall and they are hereby authorized, empowered, and required Twice in every Year, or oftener if they shall think it necessary, to make one or more separate Rate or Rates, Assessment or Assessments, to be signed by the said Commissioners, or any Five or more of them, upon the Tenants or Occupiers of all such Houses, Shops, Malt-houses, Warehouses, Coach-houses, Yards, Gardens, Stables, Cellars, Vaults, or Buildings, in *Dartford* aforesaid, for the Purpose of defraying such Charges and Expences, in the same Manner and in the same Proportions as the same Hereditaments and Premises respectively shall be rated and assessed for the Time being, towards the Relief of the Poor within the said Parish; and so as the whole Sum to be raised under the said Rates or Assessments respectively do not exceed, in any one Year, the Sum of One Shilling in the Pound; the Quotas or Proportions of which Sum shall be fixed and settled by such Commissioners; and the Money or Monies so rated or assessed on the said Tenants or Occupiers, shall be paid by them respectively to the Collector or Collectors, or other Person or Persons appointed by the said Commissioners to collect the same; and if any Tenant or Occupier of any of the Premises aforesaid shall neglect or refuse to pay his or her Proportion or Proportions of any of the said Rates or Assessments respectively, to the said Collector or Collectors, or other Person or Persons, for the Space of Ten Days after Demand made thereof, the same shall be levied and recovered on all and every such Tenant or Tenants, Occupier or Occupiers, so neglecting or refusing, by Distress and Sale of his, her, or their Goods and Chattels, by Warrant under the Hand and Seal, or Hands and Seals, of any One or more Justice or Justices of the Peace for the said County acting at the Petty Sessions held in the said Town of *Dartford*; and the Overplus (if any) of the Monies to be raised by such Distress and Sale, shall be returned on Demand to the Owner or Owners of the Goods and Chattels so distrained and sold, together with what shall remain unsold, after deducting all Charges attending such Distress and Sale.

Higher Rate of 1s. 6d. in the Pound may be levied.

XXVII. Provided always, and be it further enacted, That if it shall be deemed expedient and necessary, at a public General Meeting of the Persons paying Parochial Rates and Taxes within the said Town and Parish of *Dartford*, (to be convened by Notice in Writing, signed by the Clerk to the said Commissioners, and affixed on the Door of the Parish Church, and also on some other public Place or Places within the said Town, at least Twenty-one Days before the Time appointed for such Meeting,) that the Rate of One Shilling in the Pound hereinbefore authorized to be levied, should be increased, then, and in such Case, it shall and may be lawful to and for the said Commissioners, and they are hereby authorized, empowered, and required, to make One or more addi-



additional Rate or Rates, Assessment or Assessments, to be signed by the said Commissioners, or any Five or more of them, upon the Tenants or Occupiers of all and every the Lands, Tenements, Houses, Shops, Malt-houses, Warehouses, Coach-houses, Stables, Yards, Gardens, Cellars, Vaults, Buildings, or Hereditaments respectively (as the Case may be and require) in *Dartford* aforesaid, for the Purpose of defraying the Charges and Expences of carrying this Act into Execution, in the same Manner and Proportions as the said Hereditaments and Premises respectively shall be rated and assessed for the Time being, towards the Relief of the Poor within *Dartford* aforesaid, so as the whole Sum to be raised by the said Rate of One Shilling in the Pound, and the additional Rate hereby authorized to be made, do not exceed in any One Year the Sum of One Shilling and Sixpence in the Pound; the Quotas and Proportions of which Assessment or Sum shall be fixed and settled by such Commissioners; and the said additional Rate or Assessment shall be made, assessed, collected, recovered, and applied, in such and the same Manner as is hereinbefore directed, with respect to the said Rate of One Shilling in the Pound, authorized to be levied as aforesaid.

XXVIII. And be it further enacted, That in all Cases where any Person shall remove from or quit any House, Warehouse, Shop, Cellar, Vault, Stable, Coach-house, Malt-house, or other Building, Yard, Garden, or Hereditaments, which shall be rated or assessed by virtue of this Act, such Persons shall be liable to pay such Rates or Assessments in Proportion to the Time he or she occupied the same, in like Manner as if such Person or Persons had not removed or quitted the same; and in all Cases where any Persons shall come into or occupy any such House, Warehouse, Shop, Cellar, Vault, Stable, Coach-house, Malt-house, or other Building, Yard, Garden, or Hereditaments as aforesaid, out of or from which any other Person who shall have been rated or assessed for the same shall be removed, or which at the Time of making such Rate or Assessment was or were empty and unoccupied, the same shall, for and in respect of his, her, or their Occupation thereof, be liable to any such Rate or Assessment in Proportion to the Time he, she, or they shall occupy the same, in the same Manner as if he, she, or they had been originally rated and assessed for such House, Warehouse, Shop, Cellar, Vault, Stable, Coach-house, Malt-house, or other Building, Yard, Garden, or Hereditaments; which said respective Proportions in case of any Dispute concerning the same, shall be settled and ascertained by the said Commissioners, in such Manner as they shall judge reasonable; and in case any Persons who have been so rated and assessed as aforesaid, shall quit his or her House, Warehouse, Shop, Cellar, Vault, Stable, Coach-house, Malt-house, or other Building, Yard, Garden, or Hereditaments, before he or she shall have paid such Rate or Rates, or a proportionable Part or Parts thereof, by him or her due and payable, and shall afterwards refuse or neglect to pay the same when demanded, it shall and may be lawful for the said Collector or Collectors, by Warrant under the Hand and Seal of any Justice of the Peace acting for the said County, or for the County, Division, Liberty, Town, or Place, where such Person shall remove to or reside, or where any of his or her Goods or Chattels shall be found, (which Warrant such Justice is hereby required to grant, upon Proof made of the Sum so due before him, upon Oath of a credible Witness or Witnesses,) to levy such Rate or Rates, or a pro-

Rates to be apportioned on Persons removing from their Houses.



proportionable Part or Parts thereof by Distress and Sale of the Goods and Chattels of such Person, rendering the Overplus arising from the Sale of such Goods and Chattels (if any) upon Demand, after Payment of the Money due in respect of such unpaid Rate or Rates, or proportionable Part or Parts, and all Expences relating to the Recovery thereof, unto the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Rates on Houses let in separate Tenements.

XXIX. And be it further enacted, That every Person, being Landlord or Tenant, who shall let his or her House in separate Apartments, or ready Furnished, to any Lodger or Lodgers, or for any less Term than One Year, shall, for the several Purposes of this Act, be deemed and taken to be the Occupier thereof, and may be rated and assessed accordingly.

Power for Commissioners to amend Rates, if improper.

XXX. And be it further enacted, That if the said Commissioners shall at any Time or Times, neglect or omit to rate or assess any Person or Persons liable to pay or to be charged with any Rate or Assessment to be made by virtue of this Act, or shall in any such Rate or Assessment over-rate or under-rate any Person or Persons liable to pay any such Rate or Assessment, then and in every such case it shall and may be lawful to and for the said Commissioners to rate and assess, in the said Rate or Assessment, such Person or Persons so omitted to be rated and assessed, and to lessen or raise the Rate or Rates, Assessment or Assessments, of such Person or Persons so over-rated or under-rated, or otherwise to alter and amend such Rate or Assessment as aforesaid, so as to make the same conformable to the true Intent and Meaning of this Act; and it shall and may be lawful to and for the said Commissioners, and they are hereby empowered, to strike out the Name or Names of any Person or Persons not liable to the Payment of the Rates hereby directed to be made; and that all such Additions to or Alterations or Amendments in such Rates or Assessments, shall be as valid and effectual as if the same had been Part of the Rates or Assessments originally made: Provided always, That if the actual Annual Value of any House, Building, Land, Tenement, or Hereditament, shall not amount to the Sum of Four Pounds, or if the respective Tenant or Tenants, Occupier or Occupiers thereof, by reason of his or their Poverty or Inability only, is, are, or shall be excused or left out of the said Rates made for the Relief of the Poor of the said Parish, then and in either of the said Cases such Tenants or Occupiers shall be entirely freed and exempt from Payment of any Rates or Assessments under or by virtue of this Act.

Tenants whose Rents do not exceed 4l. a Year, or who are excused on account of Poverty from paying Poor Rates, not to pay these Rates.

Houses, Buildings, &c. not to be charged when unoccupied; and no Land at a Distance to be assessed.

XXXI. Provided always, and be it further enacted, That no House, Building, Land, Tenement, or Hereditament as aforesaid, shall be charged or chargeable with any such Rate or Assessment, during the Time the same shall be empty or unoccupied; and that no Land shall be charged or chargeable with such Rate or Assessment, which is not a Yard, Garden, Orchard, or Homestead, not exceeding One Acre, adjoining and appurtenant to and occupied with the House or Building in *Dartford* aforesaid.

Payments to be made by Collectors.

XXXII. And be it further enacted, That all and every Collector and Collectors to be appointed in pursuance of this Act, shall, and is, and are hereby authorized and required to pay all such Monies as he or they shall



respectively collect and receive by virtue of the Rates to be made in pursuance of this Act, into the Hands of the Treasurer or Treasurers to be appointed by the said Commissioners; who is and are hereby authorized and required, out of the Monies collected and paid into his or their Hands, to pay all Sums of Money which the said Commissioners shall from Time to Time direct or order him to pay; and the said Treasurer or Treasurers for the Time being, shall, and is, and are hereby required to keep regular and clear Entries or Accounts in a Book or Books to be for that Purpose by him or them provided and kept, of all and singular the Receipts and Payments on account or in pursuance of this Act; to which Book or Books, and all others kept for the Purpose of this Act, every Person liable to the Payment of the said Rates shall and may have free Access at all convenient Times, with full Liberty to inspect the same without Fee or Reward; and also that the Treasurer or Treasurers for the Time being shall once in every Year have the said Accounts audited, and passed, and allowed by the said Commissioners.

XXXIII. And be it further enacted, That all the Money to arise by or from the Rate or Rates, Assessment or Assessments, and all Penalties and Forfeitures to be recovered or levied by virtue of this Act, and not hereby otherwise disposed of, shall be paid to the said Commissioners, or to such Person or Persons as they shall appoint, to be applied and disposed of, in the first Place, towards paying and defraying all Expences and Charges, with lawful Interest on Monies expended, which shall be incurred or in any Manner incident to and attending the Application for, and obtaining and passing this Act; and in the next Place, for and towards defraying the Charges and Expences of cleansing, lighting, watching, watering, improving, and regulating the Streets, Ways, Lanes, and other public Passages and Places within *Dartford* aforesaid; for removing and preventing Nuisances, Annoyances, Obstructions, and Encroachments therein, in Manner hereby directed; and in paying and defraying all Expences which the said Commissioners and their Officers shall of necessity be put to in carrying this Act into Execution; and for such other Uses and Purposes as are herein expressed, and to and for no other Use, Intent, or Purpose whatsoever.

Application  
of Money  
raised by  
Authority of  
this Act.

XXXIV. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, the Manner of levying and recovering whereof is not hereby otherwise particularly directed, shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of any Justice of the Peace acting for the said County of *Kent*, (which Warrant such Justice is hereby empowered to grant,) upon the Confession of the Party or Parties, or upon Information of any credible Witness or Witnesses upon Oath, (which Oath such Justice is hereby empowered to administer;) and the Penalties and Forfeitures, when recovered, shall be paid to the Treasurer or Treasurers, or such other Person or Persons as the said Commissioners at any Meeting shall appoint for that Purpose, and be applied for the Purposes of this Act; and in case such sufficient Distress shall not be found, or such Penalties or Forfeitures shall not be paid forthwith, it shall and may be lawful to and for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause the Offender or Offenders to be committed to the Common Gaol or House of Correction for the said County of *Kent*, there to remain without Bail or

Recovery and  
Application  
of Penalties  
and Forfeitures.







ceedings relating thereto; nor shall any Party or Parties be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall afterwards be done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for Special Damage in an Action upon the Case: Provided, That no Plaintiff or Plaintiffs shall recover in any Action or Actions for such Irregularity, unless Notice in Writing shall be given Ten Days before such Action shall be commenced of such intended Action, signed by the Attorney for the Plaintiff, specifying the Cause of such Action; nor shall the Plaintiff recover in such Action, if sufficient Tender of Amends hath been made to him, her, or them, or his, her, or their Attorney, by or on Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants in any such Action by leave of the Court after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum or Sums of Money as he, she, or they shall think fit; whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

XXXIX. And be it further enacted, That no Order, Verdict, Assessment, Judgment, or other Proceedings made, touching, or concerning any of the Matters aforesaid, or touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for want of Form only, or be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary thereof in anywise notwithstanding.

Proceedings  
not to be  
quashed for  
want of  
Form.

XL. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act by Order of the said Commissioners, until Ten Days' Notice shall be thereof given to the Clerk or Clerks to the said Commissioners, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calendar Months after the Fact committed; and every such Action or Suit shall be laid or brought in the County or Place where the Matter shall arise, and not elsewhere; and the Defendant or Defendants in every Action or Suit, shall or may, at his or their Election, plead Specially, or plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by Authority of this Act; and if the same shall appear to be so done, or if such Action or Suit shall be brought before Ten Days' Notice shall be thereof given, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict or if the Plaintiff or Plaintiffs shall be nonsuited or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover such Costs, and have such Remedy for the same, as any Defendant or Defendants hath or have in other Cases of Law.

Limitation of  
Actions.

XLI. And



Costs.

XLI. And be it further enacted, That if any Action or Actions shall be brought by the said Commissioners, against any Person or Persons, for any Thing relating to this Act or the Powers herein contained, and a Verdict shall be had and given against the Person or Persons against whom such Action or Actions shall be brought, such Person or Persons shall pay Treble Costs; and the Plaintiff or Plaintiffs in such Action shall have such Remedy and Remedies for recovering the same as any Plaintiff or Plaintiffs may have for his, her, or their Costs, in any other Cases by Law.

Saving of  
Manorial  
Rights.

XLII. And be it further enacted, That nothing in this Act contained shall extend to affect the Tolls, Rights, or Privileges of the Lord of the Manor of *Dartford*.

Public Act.

XLIII. And be it further enacted, That this Act shall be and be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

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