



Land Clauses Consolidation Act 1845

1845 CHAPTER 18 8 and 9 Vict

Interpretation

3 Interpretations in this and the special Act:

The following words and expressions, both in this and the special Act, shall have the several meanings hereby assigned to them, unless there be something either in the subject or context repugnant to such construction; (that is to say,)

'number': Words importing the singular number only shall include the plural number, and words importing the plural number only shall include the singular number;

'gender': Words importing the masculine gender only shall include females:

'lands': The word "lands" shall extend to messuages, lands, tenements, and hereditaments of any tenure:

'lease': The word "lease" shall include an agreement for a lease:

'month': The word "month" shall mean calendar month:

'superior courts': The expression "superior courts" shall mean Her Majesty's superior courts of record at Westminster or Dublin, as the case may require:

^{F1}

^{F2}

'the sheriff': 'the clerk of the Peace': The word "sheriff" shall include under sheriff, or other legally competent deputy; and where any matter in relation to any lands is required to be done by any sheriff, or by any clerk of the peace, the expression "the sheriff", or [^{F3}the expression "the clerk of the peace," shall in such case be construed to mean the sheriff or the clerk of the peace of the ^{F4} . . . place where such lands shall be situate; and if the lands in question, being the property of one and the same party, be situate not wholly in one ^{F4} . . . place, the same expression shall be construed to mean the sheriff or clerk of the peace of any ^{F4} . . . place where any part of such lands shall be situate]:

'justices': [^{F5}The word "justices" shall mean justices of the peace acting for the ^{F6} . . . place where the matter requiring the cognizance of any such justice shall arise, and who shall not be interested in the matter; and where such matter shall arise in respect of lands, being the property of one and the same party, situate not wholly

Changes to legislation: There are currently no known outstanding effects for the Land Clauses Consolidation Act 1845, Section 3. (See end of Document for details)

in any one ^{F6}... place, the same shall mean a justice acting for the ^{F6}... place where any part of such lands shall be situate, and who shall not be interested in such matter: and where any matter shall be authorized or required to be done by two justices, the expression “two justices” shall be understood to mean two justices assembled and acting together.]

’owner’: Where under the provisions of this or the special Act, or any Act incorporated therewith, any notice shall be required to be given to the owner of any lands, or where any Act shall be authorized or required to be done with the consent of any such owner, the word “owner” shall be understood to mean any person or corporation who, under the provisions of this or the special Act, would be enabled to sell and convey lands to the promoters of the undertaking:

’the Bank’: The expression “the Bank” shall mean the Bank of England where the same shall relate to monies to be paid or deposited in respect of lands situate in England, and shall mean the Bank of Ireland where the same shall relate to monies to be paid or deposited in respect of lands situated in Ireland.

[^{F7}Any reference to the Senior Courts shall, where it relates to monies to be paid or deposited in respect of lands situate in Northern Ireland, be read as a reference to the Court of Judicature.]

[^{F8}Where any matter in relation to any lands is required to be done by an enforcement officer, the expression “the enforcement officer” means the officer or officers identified for that purpose in paragraph 3A of Schedule 7 to the Courts Act 2003]

Textual Amendments

- F1** Definition of “oath” repealed by Statute Law (Repeals) Act 1981 (c. 19), s. 2, **Sch. 1 Pt. VIII**
- F2** S. 3 definition of “county” repealed (N.I.) by Statute Law Revision (Northern Ireland) Act 1980 (c. 59), s. 1, **Sch. Pt. I**; definition of “county” wholly repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIV** Group1
- F3** Definition of “clerk of the peace” repealed (N.I.) by S.R. (N.I.) 1979/103, Sch. 2
- F4** Words in s. 3 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIV**, Group1
- F5** Words in s. 3 repealed (E.W.) (1.4.2005) by Courts Act 2003 (c. 39), s. 110(1), Sch. 8 para. 19(1), **Sch. 10**; S.I. 2005/910, **art. 3(y)**
- F6** Words in s. 3 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIV**, Group 1
- F7** Words in s. 3 substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), s. 148(1), **Sch. 11 para. 9(3)**; S.I. 2009/1604, **art. 2(d)**
- F8** Words in s. 3 inserted (E.W.) (1.4.2008) by Tribunals, Courts and Enforcement Act 2007 (c. 15), **ss. 139(1)**, 148; S.I. 2007/2709, **art. 5(a)**

Changes to legislation:

There are currently no known outstanding effects for the Land Clauses Consolidation Act 1845, Section 3.