

ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

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CAP. XXXVIII.

An Act to facilitate the Drainage of Lands in *England* and *Wales*. [21st *June* 1847.]

WHEREAS it is expedient that Provision should be made for promoting the Drainage of Lands in *England* and *Wales*: Be it therefore 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, That the Inclosure Commissioners for *England* and *Wales* shall be the Commissioners to carry this Act into execution, and that the Assistant Commissioners, Secretary, Clerks, Messengers, and Officers who may be from Time to Time appointed under the Provisions of an Act passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to facilitate the Inclosure and Improvement of Commons and Lands held in common, the Exchange of Lands and the Division of intermixed Lands, to provide Remedies for defective or incomplete Executions, and for the Non-execution of the Powers of general and local Inclosure Acts, and to provide for the Revival of such Powers in certain Cases*, shall assist in carrying this Act into execution, in like Manner as if the Matters and Proceedings by this Act directed or authorized were Matters and Proceedings directed or authorized by the said recited Act.

Inclosure Commissioners to be the Commissioners to carry this Act into execution, and Officers, &c. appointed under 8 & 9 Vict. c. 118. to assist in the same.

Powers of recited Act to extend to this Act.

II. And be it enacted, That all the Powers by the said recited Act given to the Assistant Commissioners to require the Attendance of Witnesses, to administer or receive Declarations and examine Witnesses, and to cause to be produced before them Writings and Documents, and the Power given to the said Commissioners to delegate to the Assistant Commissioners, or to any One or more of them, the Powers given to such Commissioners, except the Power to do any Act required to be done under the Seal of the Commissioners, shall be applicable to and may be exercised for the Purposes of this Act as fully and effectually as if the Matters and Proceedings hereby authorized or directed to be done and taken by the Commissioners, or by any Assistant Commissioner, were Matters and Proceedings authorized or directed to be done and taken under the said recited Act.

Commissioners to make Reports to Secretary of State, and to both Houses of Parliament.

III. And be it enacted, That the said Commissioners shall from Time to Time give to any one of Her Majesty's Principal Secretaries of State such Information respecting their Proceedings under this Act as such Principal Secretary of State shall require, and shall once in every Year send to one of the Principal Secretaries of State a general Report of such Proceedings, and every Year such general Report shall be laid before both Houses of Parliament within Six Weeks after the Receipt of the same by such Principal Secretary of State if Parliament be sitting, or if Parliament be not sitting then in Six Weeks after the next meeting thereof.

Persons desirous of draining Land may memorialize Commissioners for Authority to effect the same under Provisions of this Act.

IV. And be it enacted, That where any Land shall be capable of being drained or improved by Drainage or Warping, by means of Works to be executed on the same and other Lands, for obtaining or improving the Outfall or otherwise, it shall be lawful for any Persons interested in the Land so capable of being drained or improved, and who shall be desirous for that Purpose to execute all or any of the Works herein-after mentioned, and shall be unable to execute such Works by reason of the Objection or Disability of any Person whose Land would be entered upon, cut through, or interfered with by or for the Purpose of such Works, to apply by Memorial to the Commissioners, showing the Means by which such Land may be drained or such Improvement may be effected, and praying for Authority to effect such Drainage or Improvement under the Provisions of this Act; and to such Memorial shall be annexed a Map or Plan showing the Land to which such Application shall relate, and the Land and Property required to be entered upon, cut through, or interfered with for the Purposes of such Drainage or Improvement, or likely to be affected by the proposed Works, and also the Rivers, Watercourses, Ditches, and Drains intended to be cleared, scoured, deepened, or embanked, and the proposed Variations, Diversions, Abridgments, or Enlargements of the same, and the new Cuts, Embankments, Drains, Watercourses, and other Works proposed to be made, and the Engines and Machinery proposed to be erected for the Purposes of such Drainage or Improvement, and also Schedules showing the reputed Proprietors, Lessees, and Occupiers of the Lands proposed to be drained and improved, and the Lands and Property required to be entered upon, cut through, or interfered with respectively for the Purposes of such Drainage or Improvement, and also an Estimate of the

Map or Plan, Schedules, and Estimates to be annexed to Memorial.

the Expense of the proposed Works, Engines, and Machinery, including the probable Amount of Money payable as Purchase and Compensation Money in respect of the Land and Property required to be entered upon, cut through, or interfered with, and also a Statement of the actual Condition of the Lands proposed to be drained or improved, and of the probable increased Value of the Land consequent upon the proposed Works; or in case it shall appear to the Commissioners that a correct Judgment can be formed on the proposed Means of Drainage or Improvement without a Map or Plan and Estimates, including the whole of the Land to which such Memorial shall relate, then a Map or Plan showing only the proposed Works, or such other Map or Plan as the Commissioners shall think necessary, and such Memorial, or some Schedule thereto, shall also show the Persons by whom the Works are proposed to be executed; and the Persons by whom such Application shall be made shall, upon the Request of the Commissioners, furnish such further Details in respect of the said Map or Plan, Schedules, Estimates, and Statements, or any of them, as the Commissioners shall think fit for their Guidance in the Matter of the Memorial; and the Persons by whom such Application shall be made shall cause Copies of the said Memorial, Map, or Plan, Schedules, Estimates, and Statements, or of such of them as shall have been furnished to the Commissioners under the Provisions herein-before contained, to be deposited in such convenient Place or Places as the Commissioners shall approve within or near the Parish or One of the Parishes in which the Land to which such Application shall relate shall be situate, there to remain open for public Inspection for a Period of One Month; and the Deposit of such Copies shall be certified to the Commissioners in such Manner as they shall require; and all Persons shall be at liberty to inspect and make Copies of or Extracts from the said Memorial, Map, or Plan, Schedules, Estimates, and Statement, or any of them, and Copies thereof or Extracts therefrom shall be made by such Person as the Commissioners shall direct for any Person who shall require the same, on Payment of the Costs of making such Copies or Extracts.

Memorial, &c. to be deposited, and open to Inspection.

V. And be it enacted, That the Commissioners shall require the Persons making such Application as aforesaid to cause a Notice of such Memorial having been presented, and of the Parishes in which Works are by such Memorial proposed to be executed, and of the Places in which Copies of the said Memorial, Map, or Plan, Schedules, Estimates, and Statements, have been deposited as aforesaid, to be given by Advertisement twice in One or more Newspapers circulated in the County in which such Works are proposed to be executed, and to cause a like Notice to be served on all Persons not Parties to the said Application whose Lands are proposed to be entered upon, cut through, or interfered with; and such Service shall be either personally on the Lessee or Occupier of such Land, or by leaving such Notice at the usual or last known Place of Abode of such Lessee or Occupier, and also cause a like Notice to be served on the Proprietor or reputed Proprietor of such Land, or his Agent, either personally or by leaving the same at his usual or last known Place of Abode; and by such Notice all Parties interested or in any way affected by the proposed Works shall be required, on or before a Day to be therein named, not

Notices to be given that Memorial, &c. has been deposited.

Notices of Objections to be sent to Commissioners in Writing.

not sooner than Six Weeks from such Publication and Service as aforesaid of such Notice, to transmit in Writing to the Commissioners all Objections which such Parties shall think fit to make with respect to any thing by the said Memorial proposed to be done under the Provisions of this Act.

Commissioners may require Security for Payment of Costs of Inquiries.

VI. And be it enacted, That the Commissioners may in every Case, before they shall proceed to act or inquire on or in relation to any such Memorial as aforesaid, require such Provision or Security to be made or given as they shall think fit for the Payment by the Parties making the Application of all Costs incident to or to be occasioned by the Inquiries and Proceedings in relation thereto.

Commissioners to appoint an Assistant Commissioner to examine and hear Objections.

VII. And be it enacted, That in every Case in which there shall have been transmitted to the Commissioners Objections to any thing by the said Memorial proposed to be done the Commissioners shall appoint an Assistant Commissioner to inspect the Lands proposed to be drained or improved, and the Lands intended to be entered upon, cut through, interfered with, or affected by the Works in such Memorial mentioned; and the Commissioners shall, if they shall think necessary, call One or more public Meetings, of which Twenty-one Days Notice at the least shall be given to any Person who may have notified his Objection to the Commissioners, and by Advertisement in One or more Newspapers circulated in the County in which such Works are proposed to be executed, of all Persons likely to be affected by any of the Works proposed to be executed for such Drainage or Improvement, to be held on such Day or Days subsequent to the Expiration of such Period of Six Weeks, and at such convenient Place or Places within the Parish or One of the Parishes wherein such Land so to be drained or improved shall be situate, or in the Vicinity thereof, as the said Commissioners shall specify in such Notice; and at the Time and Place named in such Notice as aforesaid the Assistant Commissioner, so appointed as aforesaid, shall attend and shall have Power to adjourn any Meeting from Time to Time, or hold any new Meeting as he may find necessary, and shall inquire into the Correctness of the Schedules containing the Names of such reputed Proprietors, Lessees, and Occupiers as aforesaid, and shall inquire whether the Notices by the Act required shall have been duly given and served, and shall hear and inquire into all such Objections as shall have been or shall be then and there made by any Person or Persons interested in any Land likely to be affected by any thing by such Memorial proposed to be done; and the said Assistant Commissioner shall receive and hear all such Evidence as may be offered to him in relation to the several Matters aforesaid.

Assistant Commissioner to report to Commissioners who shall consider pro-

VIII. And be it enacted, That the Assistant Commissioner appointed as aforesaid shall report his Opinion on the proposed Drainage or Improvement, and on the Objections thereto, with the Evidence taken by him at the Meeting or Meetings (if any shall be held as aforesaid), or otherwise, to the Commissioners, and the Commissioners

sioners shall consider the proposed Drainage or Improvement, and such Objections as may have been made thereto, and may make further Inquiries, and take further Evidence in relation thereto, if they shall think fit; and in case they shall be of opinion that such Drainage or Improvement may be effected without material Detriment to the Lands proposed to be cut through or affected, or that the Damage to the Lands so proposed to be cut through or affected may be adequately and effectually compensated under the Provisions of this Act, they may allow such Works according to the Proposal in such Memorial contained, or with such Alterations therein as they may think fit; and it shall be lawful for the Commissioners, by an Order under their Seal, to authorize the Persons by whom such Application shall have been made, or any of them, or any other Person or Persons to be named or described by the Commissioners in such Order, to execute the proposed Works, as the same shall have been allowed as aforesaid, within a Time to be limited in such Order; and such Order, or some Plan thereunto annexed, shall specify or describe the Works thereby authorized to be executed; and the Person or Persons authorized in this Behalf by such Order, or the Person or Persons who shall be authorized by any supplementary Order of the Commissioners, shall have full Power to execute the Works in such Order specified and authorized according to the Terms and Intent of such Order, and to maintain such Works for ever thereafter, subject nevertheless to the Provisions herein-after contained, and making Compensation, to be ascertained in manner herein-after mentioned, to all Persons for any Damage occasioned to them by the Exercise of the Powers granted by such Order, or any of them.

posed Drainage.

Commissioners may, by Order under their Seal, authorize the Execution of the proposed Works as allowed by them.

IX. And be it enacted, That it shall be lawful for the Person or Persons authorized as aforesaid to enter into and upon any Land in the Order of the Commissioners, or the Plan thereunto annexed, described or shown, and in conformity with the Terms of such Order, but not otherwise, to widen, straighten, deepen, divert, scour, or cleanse any River, Stream, Ditch, or Drain, Brook, Pool, or Watercourse, and to make, open, and cut any new Watercourse, Side Cut, Ditch, or Drain, and to alter or remove any Bank, Sluice, Floodgate, Clough, Hatch, Weir, Dam, or other Obstruction, and to make or erect any Bank, Sluice, Floodgate, Hatch, Ditch, Drain, Tunnel, or other Works necessary or convenient for Drainage or for warping, and to dam, bar, and stop up with any Weir or Dam any River or Watercourse, and to erect and maintain on such Land Steam and other Engines and Machinery: Provided always, that no Entry shall be made on any Land for the Purposes aforesaid, except with the Consent of the Proprietors thereof, until the Amount of Compensation for the Damage to be occasioned by such Entry, and by the Execution and Maintenance of the Works authorized as aforesaid, shall have been agreed upon or ascertained, as the Case may be, and paid, under the Provisions herein-after contained or agreed to.

Persons authorized to execute Works may enter upon Lands for that Purpose.

No Entry to be made on Land without Consent until Compensation is made.

X. And be it enacted, That it shall be lawful for the Commissioners by any such Order as aforesaid to authorize any Person or Persons therein mentioned to purchase and take, as the Site of any Engine House, or for any other Purpose necessary for the Works thereby

Power to purchase Lands for Sites of Engine Houses, &c.

thereby authorized, any Land, not being in any Park or Pleasure Ground, in such Order to be described; provided always, that not more than Three Acres be purchased or taken under this Clause otherwise than by Agreement; and all the Provisions of "The Lands Clauses Consolidation Act, 1845," with respect to the Purchase of Land otherwise than by Agreement shall apply to the Purchase of any Land not exceeding Three Acres which shall be specially described in such Order, and which shall be thereby authorized to be taken otherwise than by Agreement; and the Provisions of the last-mentioned Act with respect to the Purchase of Land by Agreement shall apply to the Purchase of any Land by such Order authorized to be purchased, except as aforesaid; and all Lands to be purchased or taken under this Clause shall be conveyed to or held by such Persons and upon such Trusts as the Commissioners shall by such Order direct.

The Lands Clauses Consolidation Act, 1845, (8 & 9 Vict. c. 18.,) incorporated with this Act.

XI. And be it enacted, That the Compensation to be paid for the Damage or Injury to any Lands which may be entered upon, cut through, or interfered with under any such Order of the Commissioners as aforesaid, may be agreed upon with the Persons and in the Manner provided by "The Lands Clauses Consolidation Act, 1845," with respect to the Purchase of Land otherwise than by Agreement; and the Persons who in such Order of the Commissioners shall be authorized to execute the Works in such Order mentioned shall, for the Purposes of the last-mentioned Act and of this Act, be deemed the Promoters of the Undertaking; and all other the Provisions of "The Lands Clauses Consolidation Act, 1845," shall be incorporated with this Act, and shall apply thereto, and to the Works and Purchases to be authorized by the Commissioners, in such and the same Manner as if the Works and Purchases which shall be authorized by the Commissioners had been set forth and authorized to be executed and made by this Act.

Streams supplying ornamental Waters not to be interfered with without Consent.

XII. Provided always, and be it enacted, That no Order of the Commissioners under this Act shall authorize any Work whereby the Streams, Reservoirs, or Feeders supplying any ornamental Waters shall be cut through, diverted, or interfered with, otherwise than by Agreement and with the Consent of the Persons to whom such ornamental Waters belong.

Copies of Orders of Commissioners authorizing Execution of Works to be deposited.

XIII. And be it enacted, That Two Copies of every Order of the Commissioners by which they shall authorize the Execution of Works under the Provisions of this Act shall be made and sealed with the Seal of the Commissioners, and one such Copy shall be deposited with the Clerk of the Peace of the County in which the Land authorized to be drained, or the greater Part thereof, shall be situate, who is hereby required to deposit and keep the same among the Records of the said County, so that Recourse may be had thereto by any Person interested in the Premises, and the other Copy shall be deposited with the Church or Chapel Wardens for the Time being of the Parish in which the said Land or the greater Part thereof shall be situate, to be kept by them and their Successors in Office with the public Books, Writings, and Papers of the Parish, or shall be deposited with such

other fit Persons as the Commissioners shall approve; and all Persons interested therein may have Access to and be furnished with Copies of or Extracts from any such Copy, on giving reasonable Notice to the Person having Custody of the same, and on Payment of Two Shillings and Sixpence for such Inspection, and after the Rate of Three-pence for every Seventy-two Words contained in such Copy or Extract; and all such Copies of and Extracts from any such Copy of any such Order as aforesaid as shall be furnished by the Clerk of the Peace shall be signed by the Clerk of the Peace or his Deputy, purporting the same to be a true Copy or Extract; and every such Copy and Extract so signed shall be received in Evidence without further Proof thereof.

Copies of Orders to be open to Inspection, &c.

XIV. And whereas by reason of the Neglect of or Want of Co-operation among the Occupiers of Lands to maintain the Banks and cleanse and scour the Channels of existing Drains, Streams, or Watercourses lying in or forming the Boundaries of such Lands, and being or leading to the Outfall from such Lands and from other Lands, much Injury is occasioned and Improvement prevented, but sufficient Powers do not at present exist to remedy the Evil aforesaid; be it therefore enacted, That in all Cases where by reason of the Neglect of any such Occupier to maintain or join in maintaining the Banks, or to cleanse and scour or join in cleansing and scouring the Channels, of existing Drains, Streams, or Watercourses lying in or bounding the Lands of such Occupier, Injury shall be caused to any other Land, it shall be lawful for the Proprietor or Occupier of any Land so injured to require the Proprietor or Occupier so neglecting as aforesaid, by a Notice in Writing delivered to him or left at his usual Place of Abode, effectually to maintain such Banks or cleanse or scour such Channels, or to join in effectually maintaining such Banks or cleansing and scouring such Channels, of such Drains, Streams, and Watercourses; and in case he shall neglect so to do it shall be lawful for the Occupier of the Land to which such Injury shall be caused, immediately after the Expiration of One Calendar Month from the Service of such Notice as aforesaid, to execute or cause to be executed, or to join with any other Person in executing or causing to be executed, all necessary Works for maintaining or repairing such Banks, or cleansing or scouring such Channels as aforesaid; and in case the Expences paid or incurred in executing or causing to be executed such Works as aforesaid, or the just Proportion thereof which should have been paid or borne by the Occupier so neglecting as aforesaid, shall not be paid to the Person by whom the same shall have been paid or incurred by the Occupier so neglecting as aforesaid within One Calendar Month after Demand, it shall be lawful for any Justice, upon the Application of the Person by whom such Expences shall have been paid or incurred, to summon the Proprietor or Occupier so neglecting as aforesaid to appear before Two Justices at a Time and Place to be named in such Summons; and upon the Appearance of the Person so summoned, or in his Absence upon due Proof of the Service of such Summons, it shall be lawful for such Two Justices, upon Proof of such Neglect as aforesaid, and of the Injury occasioned thereby, and of the Expences paid

Where, by Neglect of Parties to join in maintaining, &c. Banks lying near certain Lands, Occupiers may, after giving Notice, maintain the same, and recover the Expences.

or

or incurred as aforesaid, to make an Order for the Payment by the Occupier so neglecting of the Expences aforesaid, or of such just Proportion of the same as such Occupier so neglecting ought in the Opinion of the said Justices to contribute and pay; and it shall be lawful for the said Justices, upon any such Application as aforesaid, to award such Costs to be paid by such Party and in such Manner as to such Justices shall seem reasonable, and the Amount of such Expences and Costs respectively may be recovered by Distress.

No Entry to be made on the Lands of Occupier neglecting to maintain Banks, &c. without Warrant of Two Justices.

XV. Provided always, and be it enacted, That, unless such Drain, Stream, or Watercourse as aforesaid shall be a Boundary of or immediately adjoining to the Land of the Occupier whose Land shall have been injured by such Neglect as aforesaid, it shall not be lawful for the Occupier whose Land shall have been so injured to enter upon the Land of any other Person in the Execution of the Works aforesaid without a Warrant or Authority in Writing so to do from Two or more Justices, which Warrant or Authority such Justices shall grant upon Inquiry had before them, after a Summons served upon the Occupier of the Land so to be entered upon, if it shall appear to such Justices that the Neglect of the Occupier of the Land so to be entered upon has occasioned Injury to the Lands of the Occupier applying for such Warrant or Authority: Provided also, that it shall be lawful for the Justices before whom any Occupier of Land shall be summoned to appear under this Act, and whether such Proprietor or Occupier shall or shall not have appeared, to adjourn the Hearing or further Hearing of any Application for any Order, or for any Warrant or Authority under this Act, to a subsequent Day, and to appoint a competent Person to view in the meantime the Drain, Stream, or Watercourse, and to report thereon to the Justices on the Day to which such Hearing shall have been adjourned, or the said Justices or any of them may in the meantime attend and view such Drain, Stream, or Watercourse.

Expences and Costs of Adjudication of Justices may be levied by Distress.

XVI. And be it enacted, That if upon any Adjudication of the Justices the Amount of the Expences ordered to be paid, and of such Costs as aforesaid, be not paid, the Amount of such Expences and Costs shall be levied by Distress, and such Justices or either of them, or any other Justice, shall issue their or his Warrant of Distress accordingly; and every Sum of Money to be levied by Distress as aforesaid shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same; and the Surplus arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money, and the Expences of the Distress and Sale, shall be returned, on Demand, to the Party whose Goods shall have been distrained.

Distress not unlawful for Want of Form.

XVII. And be it enacted, That no Distress levied by virtue of this Act shall be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Adjudication, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity afterwards committed by him, but

but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

Nothing to affect Rights of Commissioners, &c. of Sewers or Drainage.

XVIII. Provided always, and be it enacted, That nothing in this Act contained shall affect the Rights, Duties, Privileges, Powers, or Authorities vested in or to be discharged by any Commissioners of Sewers appointed by any Commission under the Great Seal, or under the Seal of the Duchy of *Lancaster*, or by any other lawful Commission of Sewers, or the Commissioners appointed under any local or private Act of Parliament for Sewers or Drainage, or shall extend to or affect any Charter, Law, Usage, or Custom concerning *Romney Marsh*, or concerning the Great Level of the Fens called the *Bedford Level*, or any Part thereof: Provided nevertheless, that if the Persons interested in any Lands authorized to be drained under local or private Act of Parliament for the Inclosure and Drainage of any Lands, or if any Portion, not being less in Number and Value than Two Thirds of the Persons so interested, shall be desirous of having such Lands drained under the Provisions of this Act, and shall notify such their Desire by Writing under their Hands to the Commissioners under this Act, then such Commissioners and their Assistant Commissioners respectively shall and may, notwithstanding any Provision in any such local or private Act contained, have and exercise all the Powers given to them by virtue of this Act with reference to the Lands authorized to be drained by such local or private Act as if all the Clauses therein contained for or regarding the Drainage of such Lands were repealed by this Act.

Persons interested in Lands authorized to be drained under any local Act may have the same drained under the Provisions of this Act.

No Person acting under this Act to construct Works, &c. on the Sea-shore without Consent of the Admiralty.

XIX. Provided always, and be it enacted, That it shall not be lawful for any Person acting or pretending to act under this Act to make or construct, alter or extend, on the Shore of the Sea, or of any Creek, Bay, or Arm of the Sea, or any navigable River communicating therewith, where and so far up the same as the Tide flows, any Work which might not have been lawfully made or constructed in case this Act had not been passed without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom aforesaid for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only according to such Plan and under such Restrictions and Regulations as the said Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral aforesaid, may approve of, such Approval being signified as last aforesaid; and if any such Work shall be commenced or completed contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, at his or their Discretion, to abate and to remove the same, and to restore the Site thereof to its former Condition, at the Cost of the Person, or of any One or more of the Persons by whom the same shall have been so commenced or completed; and nothing herein contained shall authorize or enable any Person acting or pretending to act under this Act to make or construct any Work injurious to the Navigation of any navigable River or Canal, or to use or occupy Land

between High and Low Water Mark, without the Consent of Her Majesty's Commissioners of Woods and Forests.

Definition of Terms.

XX. And be it enacted, That in the Construction of this Act (except where the Nature of the Provision or the Context of the Act is repugnant to such Construction) "the Commissioners" shall mean the said Inclosure Commissioners for *England* and *Wales*; and the Word "Plan" shall extend to Drawings and Sections; and the Word "River" shall extend to all Rivers, Rivulets, Lakes, Canals, Streams, and Estuaries; and the Word "Person" and the Word "Proprietor" shall extend to the Queen's Majesty, and to all Bodies Politic, Corporate, or Collegiate, and also all Bishops, Parsons, and other Ecclesiastical Persons; the Words "Persons interested in the Land" shall mean such Persons as would be deemed to be so interested under the Provisions of the said Act of the Eighth and Ninth Years of Her present Majesty; the Word "Agent" shall extend to any Person employed to receive Rents; the Word "Justice" shall mean Justice of the Peace acting for the County, Riding, City, Division, Liberty, or other Place where the Matter requiring the Cognizance of any such Justice shall arise, and who shall not be interested in the Matter; and the Words "Churchwarden" and "Parish" shall respectively extend to any Chapelwarden, or other Officer executing any similar Duties, and to any Township or other Division or extra-parochial Place for which such Officer is appointed; 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 or more Justices assembled and acting together in Petty Sessions; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing; and every Word importing the Plural Number shall extend and be applied to one Person or Thing as well as several Persons or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male.

Act may be amended, &c.

XXI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

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