ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

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C A P. CXXII.

An Act for vesting all Estates and Property occupied for the Barrack Service in the Commissioners for the Affairs of Barracks; and for granting certain Powers to the said Commissioners. [30th *June* 1808.]

WHEREAS an Act passed in the Forty-fifth Year of the Reign of His present Majesty, intituled, *An Act for vesting in the Barrack Master General for the Time being, Estates held or occupied for the Barrack Service, and authorizing him to sell the same with the Consent of the Lords Commissioners of His Majesty's Treasury:* And whereas the Affairs of the Barrack Department are now under the Management of Commissioners appointed for that Purpose by His Majesty; and it is therefore necessary that all Messuages, Lands, Tenements, and Hereditaments which was by the said Act vested in the Barrack Master General, and all other Messuages, Lands, Tenements, and Hereditaments, in any Manner used and occupied for the Service of the Barrack Department, should be vested in the Commissioners aforesaid; and that the said Commissioners should be enabled to maintain and defend Actions and Suits in relation to all Contracts made for the Service of the Barrack Department, or in any Manner relating thereto; be it therefore 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 immediately from and after the passing of this Act all Messuages, Lands, Tenements, and Hereditaments which were by the said Act vested in the Barrack Master General for the Time being; and also all Messuages, Lands, Tenements, and Hereditaments which have since been purchased or taken by any Person or Persons whatever in Trust for His Majesty, His Heirs and Successors, for

45 G. 3. c. 69.

Premises vested in Barrack Master General under recited Act, and all Messuages, &c. since purchased or

which may be purchaſed for the Barrack Department, ſhall be veſted in the Commiſſioners for the Affairs of Barracks, &c.

for the Service of the Barrack Department, either in Fee or for any Lives or any Term of Years or any leſſer Intereſt; and all Erections and Buildings which now are or which ſhall be hereafter erected and built thereon, together with the Rights, Members, Eaſements, and Appurtenances to the ſame reſpectively belonging (other than and except ſuch Meſſuages, Lands, Tenements, and Hereditaments as may be of Copyhold Tenure); and from and after the Purchaſe and Conveyance, Grant or Demiſe thereof, all other Meſſuages, Lands, Tenements, and Hereditaments which ſhall at any Time or Times hereafter be purchaſed by the Commiſſioners for the Affairs of Barracks for the Time being, or by any other Perſon or Perſons by their Order for the Service of the Barrack Department; and all Erections and Buildings which now are or which ſhall hereafter be erected and built thereon, with the Rights, Members, Eaſements, and Appurtenances to the ſame reſpectively belonging, ſhall be and become and remain and continue veſted in the Commiſſioners for the Affairs of Barracks for the Time being, and their Succeſſors in the ſaid Office, according to the Nature and Quality, and Eſtate and Intereſt of and in the ſame Hereditaments and Premiſes reſpectively; and that upon the Death, Reſignation, or Removal of the preſent Commiſſioners, or any or either of them, or of any future Commiſſioner or Commiſſioners, all ſuch Meſſuages, Lands, Tenements, and Hereditaments reſpectively (other than and except as aforeſaid) ſhall become veſted in and be held by the ſucceeding Commiſſioners, and ſo in perpetual Succeſſion according to the Nature and Quality, and Eſtate and Intereſt of and in the ſame reſpectively, in Truſt for His Majeſty, His Heirs and Succeſſors, for the Service of the Barrack Department, or for ſuch other publick Service or Services as His Majeſty, His Heirs and Succeſſors, ſhall from Time to Time be pleaſed to direct.

But on the ſame Terms as they are now held in Truſt for His Majeſty.

II. Provided always, That nothing herein contained ſhall be conſtrued to veſt the ſaid Premiſes upon other Terms with reſpect to former Proprietors, than thoſe on which the ſame are now veſted in the Perſon holding the ſame in Truſt for His Majeſty.

Commiſſioners with Conſent of the Treaſury may ſell Premiſes.

III. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners for the Time being, with the Conſent and Approbation of the Lords Commiſſioners of His Majeſty's Treaſury, or any Three or more of them, (ſuch Conſent and Approbation to be certified by one of the Secretaries to the ſaid Lords Commiſſioners by Writing under his Hand) to ſell and diſpoſe of any of the Meſſuages, Lands, Tenements, or Hereditaments which ſhall be veſted in the ſaid Commiſſioners for the Time being, with their reſpective Appurtenances, either by publick Auction or private Contract, and in due Form of Law to convey, aſſign, and make over the ſame to any Perſon or Perſons who ſhall be willing to purchaſe the ſame reſpectively, making the Firſt Offer to the Perſon, his Heirs or Aſſigns, having adjoining Lands, of whom the ſame were firſt purchaſed or taken in Truſt for His Majeſty.

Purchaſe Money to be paid into the Bank.

IV. And be it further enacted, That the Monies to ariſe and be produced by the Sale of any of the ſaid Meſſuages, Lands, Tenements, or Hereditaments which ſhall be ſold under the Proviſions of this preſent Act, ſhall be paid by the reſpective Purchaſer or Purchaſers thereof into the Bank of *England*, and ſhall be there placed to the Account of the Commiſſioners

missioners for the Affairs of Barracks for the Time being, or to such other Account in the Bank of *England*, as the Lords Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, shall direct, and the Receipt of any one of the Cashiers of the Bank of *England* for such Monies shall effectually discharge the Purchaser or Purchasers by whom or on whose Account the same shall be so paid into the Bank of *England*.

Commissioners may bring and defend Actions.

V. And be it further enacted, That it shall be lawful for the Commissioners for the Affairs of Barracks for the Time being, and they are hereby authorized and empowered to bring, prosecute, maintain, or defend any Action or Suit in respect of or in relation to any Messuages, Lands, Tenements, or Hereditaments by this Act vested in them as aforesaid, or of any Trespass committed thereon, or Damage or Injury done thereto; and also in respect of or in relation to any Furniture, Stores, or other Articles, Matters, or Things, or any Goods or Chattels whatever belonging to the Barrack Department or in the Custody or Charge of, or used by any Officer of the Barrack Department, or Person employed therein; and also for the Breach or Non-performance of any or in respect of or in relation to any Contract or Agreement made by any Person or Persons whatever for the Service of the Barrack Department, or any other Matter or Thing relating to any of the Affairs under the Management or Controul of the said Commissioners; and in every such Action or Suit, the said Commissioners for the Time being shall be called the Commissioners for the Affairs of Barracks, without naming them or either of them; and no such Suit shall abate by the Death, Resignation, or Removal of such Commissioners; any Thing in any Act or Acts of Parliament, or Law or Laws to the contrary notwithstanding.

Commissioners, &c. may administer Oaths.

VI. And be it further enacted, That whenever any Accounts or other Matters or Things relating to any Business or other Subjects or Transactions under the Management of the Commissioners for the Affairs of Barracks shall be refused to be verified by any Oath or Affidavit of any Person or Persons, it shall be lawful for the said Commissioners of Affairs of Barracks, or any one of them, or any Inspector General of Barracks, or Assistant Inspector General of Barracks, or for any Justice of the Peace or Magistrate to administer an Oath and take an Affidavit in that Behalf.

Money standing in the Name of the First Commissioner, shall, on quitting Office, be vested in the other Commissioners.

VII. And be it further enacted, That all Monies which shall at any Time hereafter stand or remain at the Time of the Death or Resignation or quitting of Office of any First Commissioner of the Affairs of Barracks in the Bank of *England* in the Name of such First Commissioner, shall forthwith vest in the other Commissioners, or Commissioner if no more than one, for the Affairs of Barracks for the Time being; and from and after the Appointment of another First Commissioner all such Money shall forthwith vest in such First Commissioner, and so from Time to Time in Succession.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1808.