ANNO PRIMO & SECUNDO

GEORGII IV. REGIS.

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C A P. LXIX.

An Act for vesting all Estates and Property, occupied for the Ordnance Service, in the principal Officers of the Ordnance; and for granting certain Powers to the said principal Officers.

[2d *July* 1821.]

WHEREAS divers Manors, Messuages, Lands, Tenements, and Hereditaments, have been at various Times purchased for the Use of the Department of His Majesty's Ordnance, and have been conveyed to or to several different Persons, in Trust for His Majesty and His Royal Predecessors, and His and their Heirs and Successors, and the same have been placed under the Charge of the said Department: And whereas certain Parts of the said Manors, Messuages, Lands, Tenements, and Hereditaments, not being now wanted for the Service of the said Department, the principal Officers of His Majesty's Ordnance have lately entered into conditional Contracts or Agreements in Writing for the Sale and Disposal thereof to sundry Persons, but such Contracts or Agreements cannot be carried into Effect without the Aid and Authority of Parliament: And whereas it may be expedient that such other Parts of the said Manors, Messuages, Lands, Tenements, and Hereditaments, as may not be wanted for the Service of the said Department, should from Time to Time be also sold and disposed of: And whereas for effectuating such Sales it is necessary that all and every the said

Manors, Messuages, Lands, Tenements, and Hereditaments, so already purchased or used, and occupied by or for the Service of the said Ordnance Department, and all other Manors, Messuages, Lands, Tenements, and Hereditaments, that may be hereafter purchased, or in any Manner used and occupied by or for the Service of the said Department, should be vested in the principal Officers of His Majesty's Ordnance for the Time being: 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 Manors, Messuages, Lands, Tenements, and Hereditaments, which have been heretofore purchased or taken by or in the Name of or by any Person or Persons in Trust for His Majesty or His Royal Predecessors, and His or their Heirs and Successors, for the Use or Service of the said Ordnance Department (by whatever Mode of Conveyance the same shall have been so purchased or taken), either in Fee, or for any Life or Lives, or any Term or Terms of Years, or any other or lesser Interest; and all Erections and Buildings which now are or which shall or may 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), shall be and become and remain and continue vested in the principal Officers of His Majesty's Ordnance for the Time being, and their Successors in the said Office, according to the respective Nature and Quality of the said Manors, Messuages, Lands, Tenements, and Hereditaments, and the several Estates and Interests of and in the same Hereditaments respectively, in Trust for His Majesty, His Heirs and Successors, for the Service of the said Ordnance Department, or for such other public Service or Services as His said Majesty, His Heirs or Successors, shall from Time to Time, by any Order in Council, be pleased to direct.

Lands purchased for the Service of the Ordnance, and all Buildings thereon, vested in principal Officers.

II. And be it further enacted, That from and after the Purchase and Conveyance, Grant or Demise thereof, all other Manors, Messuages, Lands, Tenements, and Hereditaments (other than and except as aforesaid), which shall at any Time or Times hereafter be purchased by the principal Officers of His Majesty's Ordnance for the Time being, or by any other Person or Persons, by their Order, for the Service of the said Ordnance Department, and all Erections and Buildings which shall then, or which may thereafter be erected and built thereon, with the Rights, Members, Easements, and Appurtenances to the same respectively belonging, shall in like Manner be and become and remain and continue vested in the principal Officers of His Majesty's Ordnance for the Time being, and their Successors in the said Office, according to the Nature and Quality of the said Manors, Messuages, Lands, Tenements, and Hereditaments, and the several and respective Estates and Interests of and in the same respectively, in Trust as aforesaid.

Lands to be hereafter purchased, and also the Buildings thereon, shall be vested in like Manner.

III. And be it further enacted, That upon the Death, Resignation, or Removal of the present principal Officers of the Ordnance,

In case of Death or Removal,

or of any of them, or of any future principal Officers or principal Officer, all such Manors, Messuages, Lands, Tenements, and Hereditaments respectively (other than and except as aforesaid) shall become vested in, and be held by the succeeding principal Officers, according to the respective Nature and Quality of the said Manors, Messuages, Lands, Tenements, and Hereditaments, and the several Estates and Interests of and in the same respectively, in Trust as aforesaid.

such Premises shall vest in the Successors of such principal Officers.

IV. And be it further enacted, That it shall and may be lawful for the said principal Officers for the Time being, or any Three or more of them, to sell, exchange, or in any Manner dispose of, or to let or demise, as well any of the Freehold and Leasehold Manors, Messuages, Lands, Tenements, or Hereditaments respectively, which shall be vested in them under and by virtue of this present Act, with their respective Appurtenances, as also any of the Copyhold Messuages, Lands, Tenements, and Hereditaments which shall have been surrendered to and vested in any Person or Persons, and his, her, or their Heirs and Assigns, in Trust for His said Majesty, His Heirs and Successors, for the Service of the said Ordnance Department, either by Public Auction or Private Contract; and as to the said Freehold and Leasehold Manors, Messuages, Lands, Tenements, or Hereditaments, that it shall and may be lawful to and for the said principal Officers, or any Three or more of them, and as to the said Copyhold Messuages, Land, Tenements, and Hereditaments, that it shall and may be lawful to and for the said Person or Persons in whom the same shall be so vested as aforesaid, in due Form of Law, to convey, surrender, assign, or make over, or to grant or demise the same respectively (as the Case may require) to any Person or Persons who shall be willing to purchase or take the same in exchange or otherwise respectively, and also to do any other Act, Matter, or Thing in relation to any such Manors, Messuages, Lands, Tenements, and Hereditaments, which shall by the said principal Officers be deemed beneficial to the Public Service, in relation thereto or for the better Management thereof, which might be done by any Person having a like Interest in any such like Manors, Messuages, Lands, Tenements, or Hereditaments: Provided always, that nothing in this Act contained shall be construed to give to the said principal Officers of His Majesty's Ordnance for the Time being, a greater or better Estate in the said Manors, Messuages, Lands, Tenements, and Hereditaments, or any of them, than was vested in His Majesty at the Time of the passing of this Act.

Lands may be sold, exchanged or let.

V. And be it further enacted, That the Monies to arise and be produced by the Sale or Exchange of any of the said Manors, Messuages, Lands, Tenements, or Hereditaments, which shall be so sold or exchanged under the Provisions of this present Act, shall be paid by the respective Purchaser or Purchasers thereof, or the Person or Persons making such Exchange, into the Treasury of His Majesty's Ordnance in the Tower of *London*, unto the Ordnance Treasurer there for the Time being, or to such other Person or Persons as the said principal Officers for the Time being, or any Three or more of them, shall direct or appoint to receive the same, for the Use of His Majesty, His Heirs and Successors; and that the Receipt of the said principal Officers,

Purchase Monies shall be paid to the Ordnance Treasurer, &c.

or

or of any Three or more of them, for such Monies (such Receipt to be indorsed on every such Conveyance, Surrender, or Assignment as aforesaid), shall effectually discharge the Purchaser or Purchasers, or Person or Persons by whom or on whose Account the same shall be paid.

After Purchase Money paid, &c. the Purchaser to have full Right and Possession.

VI. And be it further enacted, That immediately from and after the Payment of such Purchase Money, and the Execution of every such Conveyance, Surrender, and Assignment as aforesaid, the Purchaser or Purchasers therein named, or the Person or Persons making such Exchange as aforesaid, shall be deemed and adjudged to stand seized and possessed of the Manors, Messuages, Lands, Tenements, and Hereditaments which shall be so purchased or taken in exchange by, and conveyed, surrendered, assigned, or made over to him, her, or them respectively, freed and absolutely discharged of and from all and all manner of prior Estates, Leases, Rights, Titles, Interests, Charges, Incumbrances, Claims, and Demands whatsoever, which can or may be had, made, or set up, in, to, out of, or upon or in respect of the same Manors, Messuages, Lands, Tenements, or Hereditaments, by any Person or Persons whomsoever on any Account whatever (save and except such Estates, Leases, Rights, Titles, Interests, Charges, Incumbrances, Claims, and Demands, as in any such Conveyance, Surrender, Deed of Exchange or Assignment, shall be excepted).

Compensation to be made where Equitable Rights are established:

VII. Provided always, and be it further enacted, That in case any Person or Persons shall have any just and legal or equitable Right to any of the Manors, Messuages, Lands, Tenements, and Hereditaments which shall be so sold, exchanged, and conveyed as aforesaid, or to any Part or Parts thereof, or to any Charge, Incumbrance, or Demand affecting the same, and not being under any of the Disabilities herein-after mentioned, and shall within Five Years next after such Right shall by Law or Equity accrue to or become vested in him, her, or them respectively, or being Femes Covert (except Femes Covert whose Estates have been or may be sold under the Authority of this or any other Act of Parliament for that Purpose), Persons within the Age of Twenty-one Years, or out of the Realm, or not of whole Mind at the Time of such Sale, Exchange, and Conveyance as aforesaid, shall within Five Years next after they shall respectively come and be discovert, at their full Age of Twenty-one Years, out of Prison, within this Land, or of whole Mind, make out and establish such Right or Claim to the Satisfaction of the principal Officers of His Majesty's Ordnance for the Time being, then and in such Case the said principal Officers shall make or cause to be made a fair and reasonable Compensation or Satisfaction for every such Right and Claim so made out and established as aforesaid; but such Compensation or Satisfaction shall not in any Case exceed the Amount of the Purchase Money or Purchase Monies which shall have been paid to and received by the said principal Officers, for the Manors, Messuages, Lands, Tenements, and Hereditaments in respect whereof such Right or Claim shall be so made out as aforesaid, or a proportional Part thereof, exclusive of the Value of any Buildings or Improvements which shall have been erected or made thereon for the Use of the said Ordnance Department.

But not to exceed the Purchase Money received by such principal Officers.

VIII. Provided also, and be it further enacted, That until any such Sale, Exchange, and Conveyance of any of the said Manors, Messuages, Lands, Tenements, and Hereditaments, or of any Part thereof, shall be made and executed under the Powers and Authorities of this Act, and as to all such the said Manors, Messuages, Lands, Tenements, and Hereditaments, whereof no such Sale or Exchange and Conveyance shall be made and executed as aforesaid, no Term or Terms of Years which shall or may have been or which shall or may be assigned to any Person or Persons, his, her, or their Executors, Administrators, or Assigns, in Trust to attend the Inheritance of the same Premises, and to protect the same from mesne Incumbrances (if any) shall, by reason of any thing herein contained, merge in the same Premises, but that until such Sale or Exchange and Conveyance as aforesaid, and as to all such the said Manors, Messuages, Lands, Tenements, and Hereditaments, whereof no such Sale or Exchange and Conveyance as aforesaid shall be made and executed as aforesaid, all and every such Terms or Term of Years shall remain, continue, and be vested in the Person or Persons, his, her, or their Executors, Administrators, and Assigns in whom the same now are or shall at any Time hereafter be vested, in Trust to attend the Inheritance of the same Premises, and to protect the same from mesne Incumbrances (if any); any Law, Custom, or Usage, or any Clause, Matter, or Thing herein-before contained to the contrary thereof in anywise notwithstanding. Terms of Years to remain vested.

IX. And be it further enacted, That it shall be lawful for the said principal Officers for the Time being, and they are hereby authorized and empowered, to bring, prosecute, and maintain any Action or Actions of Ejectment, or other Proceedings at Law or in Equity, for recovering Possession of any Manors, Messuages, Lands, Tenements, or Hereditaments by this Act vested in them as aforesaid; and to distrain or sue for any Arrears of Rent which shall have become or shall become due for or in respect thereof, under any parol or other Demise from the said principal Officers; and also to bring, prosecute, and maintain, or to defend any other Action or Suit in respect of or in relation to the said Manors, Messuages, Lands, Tenements, or Hereditaments, or of any Trespass or Encroachment committed thereon, or Damage or Injury done thereto; and that in every such Action or Suit the said principal Officers for the Time being shall be called "The principal Officers of His Majesty's Ordnance," without naming them or any of them; and no such Action or Suit shall abate by the Death, Resignation, or Removal of such principal Officers or any of them; any thing in any Act or Acts of Parliament, or Law or Laws, to the contrary thereof notwithstanding. Actions of Ejectment may be brought.

X. And be it enacted, That it shall be lawful for all Bodies Politic or Corporate, Ecclesiastical or Civil, and all Feoffees or Trustees for charitable or other public Purposes, and for all Tenants for Life, and Tenants in Tail, and for the Husbands, Guardians, Trustees, Committees, Curators or Attornies of such of the Owners or Proprietors of or Persons interested in any Manors, Messuages, Lands, Tenements, and Hereditaments which have been or may be hereafter agreed to be purchased or taken for the Use of the said Ordnance Depart- Power given to Bodies Politic and others to treat.

Department, as shall be Femes Covert, Infants, Lunatics, Idiots, or Persons beyond the Seas, or otherwise incapable of acting for themselves, to contract or agree with the said principal Officers for the Time being, either for the absolute Sale or Exchange of any such Freehold or Leasehold Manors, Messuages, Lands, Tenements, or Hereditaments, or for the Enfranchisement of any Copyhold Messuages, Lands, or Hereditaments, or Sale of any Reversion after any Estate or Estates for Lives or Years, or for the Grant of any Lease either for Life or Lives, or for any Term of Years certain therein, or for such Period as the Exigency of the Public Service shall require, and to convey, surrender, demise, or grant the same accordingly; and all Contracts, Sales, Conveyances, Enfranchisements, Surrenders, Leases, and Agreements, which shall be made in pursuance hereof, shall be valid and effectual in Law to all Intents and Purposes whatsoever, and shall be a complete Bar to all Dower and Claims of Dower, Estates Tail, and other Estates, Rights, Titles, Trusts, and Interests whatsoever.

Investment of Purchase Money.

XI. And be it further enacted, That in every such Case of Purchase or Exchange of any Lands or Hereditaments, or of any such Reversion as aforesaid, or of the Enfranchisement of any Copyhold, or Purchase of any other Interest belonging to any such Body or other Person or Persons under any Disability or Incapacity, or not having the absolute Interest therein, the Purchase Money, if the same shall amount to or exceed the Sum of Two hundred Pounds, shall be paid into the Hands or in to the Name of the Accountant General, or other proper Officer of His Majesty's Court of Exchequer at *Westminster* or *Dublin*, or the King's Remembrancer, or other proper Officer of the said Court at *Edinburgh* respectively, for the Time being, for the Use and Benefit of the Owners and Proprietors of such Lands and Hereditaments; and such Accountant General, King's Remembrancer, or other proper Officer respectively, is hereby authorized and required to receive or accept, and to give a Discharge for the same, and upon the Acceptation or Receipt thereof to sign a Certificate to the Barons or Judges of the said Courts of Exchequer, under his Hand, purporting and signifying that such Money or other Consideration was received or accepted by and paid to him in pursuance of this Act, for the Use and Benefit of such Owners or Proprietors as shall be named in such Certificate, and the said Certificate shall be filed or deposited in the said Court of Exchequer at *Westminster*, *Dublin*, or *Edinburgh* respectively, and a true Copy thereof, signed by the said Accountant General, King's Remembrancer, or other proper Officer respectively of such Court, shall and may be read and allowed as Evidence for the Purposes herein-after mentioned; and the said Accountant General, King's Remembrancer, or other proper Officer respectively is hereby required, upon Receipt of any such Sum or Sums of Money as aforesaid, to pay the same into the Bank of *England*, or Bank of *Ireland*, or Bank of *Scotland*, or Royal Bank of *Scotland*, as the Case may require; and immediately upon the filing or depositing of such Certificate, the said Lands or Hereditaments shall be and become vested in the said principal Officers of the Ordnance for the Time being, for the Public Service, in Trust for His Majesty, His Heirs and Successors.

XII. And

Barons of Exchequer to make Order for the Investment of such Purchase Money.

XII. And be it further enacted, That the Barons or Judges of His Majesty's Court of Exchequer at *Westminster*, *Dublin*, or *Edinburgh*, of the Degree of the Coif for the Time being, or any One or more of them, shall be and they or he are or is hereby authorized and empowered, in a summary Way, upon Motion or Petition, for and on behalf of any Person or Persons interested in or entitled to the Benefit of the Money so paid to and received by the said Accountant General, King's Remembrancer, or other proper Officer respectively, or the Interest or Produce thereof, and upon reading the Certificate directed to be signed by the said Accountant General, King's Remembrancer, or other proper Officer respectively, concerning the same as aforesaid, and receiving such farther Satisfaction as they or he shall think necessary, to make and pronounce such Orders and Directions for paying the said Money or any Part of the same, or for placing out such Part thereof as shall be Principal, in the Public Funds or upon Government or Real Securities, and for Payment of the Dividends or Interest thereof, or any Part thereof, to the respective Persons entitled to receive the same, or for laying out the Principal or any Part thereof in the Purchase of other Lands or Hereditaments, to be conveyed and settled to, for, and upon the same Uses, Trusts, Intents, or Purposes, as the said Lands and Hereditaments so purchased or taken stood settled at the Time of the Payment of such Money as aforesaid, or as near thereto as the same can be done, or otherwise concerning the Disposition of the said Money or any Part thereof, and the Interest of the same, or any Part thereof, for the Benefit of the Person and Persons entitled to and interested in the same respectively, or for appointing any Person or Persons to be a Trustee or Trustees for all or any of such Purposes, as the said Court shall think just and reasonable.

Investment of Purchase Money when less than 200*l*.

XIII. Provided always, and be it further enacted, That in case such Purchase Money as is lastly herein-before mentioned, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands and Hereditaments so purchased, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Hands of the said Accountant General, King's Remembrancer, or other proper Officer respectively of the said Court of Exchequer, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Three Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said principal Officers, or any Three or more of them, such Nomination or Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money may be invested in the Purchase of Stock in the Public Funds; and that such Stock, when purchased, and the Dividends arising therefrom, may be applied in Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Order, Direction, or Approbation of the said Court of Exchequer.

XIV. Pro-

Investment of Purchase Money less than 20l.

XIV. Provided always, and be it further enacted, That in case such Purchase Money shall be less than Twenty Pounds, then and in all such Cases, the same shall be applied to the Use of the Person or Persons who would for the Time being be entitled to the Rents and Profits of the Lands and Hereditaments so purchased, in such Manner as the said principal Officers, or any Three or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, for the Use and Benefit of such Person or Persons entitled respectively.

Stock and Securities vested in Accountant General, &c. shall, in case of Death or Removal, vest in the Successor.

XV. And be it further enacted, That upon the Death or Removal of any such Accountant General, King's Remembrancer, or other proper Officer respectively, all Stock and Securities vested in him by virtue of this Act shall vest in the succeeding Accountant General, King's Remembrancer, or other proper Officer respectively, for the Purpose herein-before mentioned, without any Assignment or Transfer; and all Monies paid into the said Banks respectively, in pursuance of this Act, or remaining in the Hands of any Accountant General, King's Remembrancer, or other proper Officer respectively, at his Death or Removal, and not vested in the Funds or placed out on Securities as aforesaid, shall be paid over to the succeeding Accountant General, King's Remembrancer, or other proper Officer respectively for the Time being.

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