ANNO QUINTO

GEORGII IV. REGIS.

****

C A P. XXVI.

An Act to remove Doubts as to certain Property formerly vested in the Barrack Department.

[15th *April* 1824.]

WHEREAS an Act passed in the First and Second Year of the Reign of His present Majesty, intituled *An Act for* 1 & 2 G. 4. *vesting all Estates and Property occupied for the Ordnance* c. 69. *Service, in the Principal Officers of the Ordnance; and for granting certain Powers to the said Principal Officers:* And whereas Doubts have arisen as to the Execution of certain of the Powers of the said Act by the Barons of the Exchequer in *Ireland:* And whereas another Act passed in the last Session of Parliament, intituled *An Act for* 3 G. 4. c. 108. *vesting all Estates and Property occupied for the Barrack Service, in any Part of the United Kingdom, in the Principal Officers of His Majesty's Ordnance; and for granting certain Powers to the said Principal Officers in relation thereto:* And whereas since the passing of the last-recited Act, the Office of Comptroller of the Barrack Department has been abolished, and Doubts have consequently arisen whether any Messuages, Lands, Tenements, or Hereditaments which had been sold, or which were at the Time of passing the last-recited Act under Contract to be sold, or which had been put up to Sale, whether by Public Auction or otherwise, by the then Comptroller of the Barrack Department in *Great Britain,* or any Commissioner of Barracks in *Ireland,* can now be legally and effectually sold, conveyed, or otherwise assured, and whether any Sum of Money remaining in the Hands

 of

of the Accountant General of the Court of Chancery in Trust, in the Cause *Weeley* against the Commissioners of the Affairs of Barracks, and which was ordered to be paid to *Osborn Markham* Esquire, who was at the Time of such Order the Comptroller of the Barrack Department, can now be demanded and received for the Public Service: For Remedy whereof, be it therefore declared and 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 all Powers and Authorities which are by the said first-recited Act given to the Barons or Judges of His Majesty's Courts, may and shall be performed and exercised by the Barons and Judges of His Majesty's Courts at *Dublin* and *Edinburgh* for the Time being, although such Barons and Judges may not be of the Degree of the Coif; any thing in the said first-recited Act to the contrary notwithstanding.

Powers given by first recited Act to Barons or Judges may be exercised by the Barons and Judges of the Courts at Dublin and Edinburgh, though not of the Degree of the Coif.

II. And be it further enacted, That from and after the passing of this Act, the Manors, Messuages, Lands, Tenements, and Hereditaments, which were at the Time of passing the said last-recited Act under Contract to be sold or put up to Sale, whether by Public Auction or otherwise, by the Comptroller of the Barrack Department in *Great Britain*, or any Commissioner of Barracks in *Ireland*, and which were then vested in the Comptroller, or which were in any manner held by any Person or Persons whatever, for or for the Use of His Majesty, His Heirs and Successors, for the Service of the Barrack Department, whether the same were holden 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 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 are of Copyhold Tenure), shall become and be, and be deemed and taken to be, 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 Estate and Interest of the said Comptroller or Commissioner in the said Messuage, 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, to the Intent that all and every such Contracts or Sales, Contract or Sale, may be carried into Effect; but in case the same or any of them shall be rescinded or abandoned, then as to such Messuages, Lands, Tenements, and Hereditaments, the Sale or Contracts for Sale whereof shall be rescinded or abandoned, 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.

All Property under Contract to be sold by the Comptroller of the Barrack Department, or any Commissioner of Barracks in Ireland, &c. shall be vested in the Principal Officers of the Ordnance, in Trust for His Majesty, that Contracts for Sale may be carried into Effect, &c.

III. And be it further enacted, That no Action, Suit, or Proceeding, commenced before the passing of the said last-recited Act, or before the passing of this Act, by the Commissioners for the Affairs of Barracks, or by the Comptroller of the Barrack Department, shall abate or be deemed to have abated by reason of the Abolition of the said

Actions not to abate by reason of the Abolition of the Office of Comptroller

being shall, upon the Receipt of any such Sum or Sums of Money, carry the same to the Public Account of the Ordnance Department, for the Public Service of the said Department.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1824.

said Office of Comptroller or Commissioners; but that any such Action, Suit, or Proceeding shall and may, after the passing of this Act, be carried on and proceeded in by and in the Name of the said Principal Officers for the Time being, as they may deem fit; 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.

or Commissioners of Barracks, &c.

IV. And be it further enacted, That all Powers, Authorities, Provisions, Regulations, Clauses, Matters, and Things in the hereinbefore recited Acts of Parliament or either of them contained, in relation to any Messuages, Lands, Tenements, and Hereditaments, vested by the said Acts, or either of them, in the Principal Officers of His Majesty's Ordnance, and also in relation to the Sale or Exchange of any Copyhold Messuages, Lands, Tenements, and Hereditaments, shall extend and be construed to extend to all Messuages, Lands, Tenements, and Hereditaments, as well in *Ireland* as in *Great Britain*, vested in the said Principal Officers by this Act, as also to 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, or in any other Manner holden for the Service of the Barrack Department, as fully and effectually to all Intents and Purposes as if such Powers, Authorities, Provisions, Regulations, Clauses, Matters, and Things were respectively, severally, and separately repeated and re-enacted in and made Part of this Act.

Powers of recited Acts in relation to Property vested in the Principal Officers of the Ordnance, &c. shall extend to all Property vested in them by this Act, &c.

V. And be it further enacted, That it shall be lawful for the Treasurer of His Majesty's Ordnance for the Time being to, and such Treasurer is hereby authorized to demand and receive from the Accountant General of the High Court of Chancery, any Sum or Sums of Money which may remain or be in the Hands of the said Accountant General, in Trust, in the said Cause *Weeley* against the Commissioners for the Affairs of Barracks, which was ordered to be paid to the said *Osborn Markham*, and which was payable to but had not been received by the said *Osborn Markham* Esquire, the late Comptroller of the Barrack Department, before he ceased to be such Comptroller; and the said Accountant General is hereby authorized and required to pay the Sum of Forty-six Pounds Fourteen Shillings and Nine-pence, or whatever other Sum may have remained due or payable to the said *Osborn Markham* in the said Suit, to the Treasurer of the Ordnance for the Time being; and the Receipt of the Treasurer of the Ordnance for the Time being shall be a good Discharge and Acquittance to the said Accountant General for the Payment of such Sum, without any Order or other Authority for paying the same; and the said late Comptroller of the Barrack Department is hereby fully acquitted and discharged from any Account as to the said Sum of Money; and the Treasurer of the Ordnance for the Time being

Treasurer of the Ordnance authorized to receive from the Accountant General in Chancery any Sum in his Hands in the Cause Weeley v. Commissioners for Barracks, &c.