such Person is otherwise entitled to be created and admitted to such Office by the Laws now in force relating thereto.

Not to restore Persons to any Office avoided by Judgment.

VII. Provided always, and be it further enacted, That this Act or any thing herein contained shall not extend or be construed to extend to restore or entitle any Person or Persons to any Office or Employment, Benefice, Matter, or Thing whatsoever, already actually avoided by Judgment of any of His Majesty's Courts of Record, already legally filled up and enjoyed by any other Person; but that such Office or Employment, Benefice, Matter, or Thing so avoided, or legally filled up and enjoyed, shall be and remain in and to the Person or Persons who is or are now or shall at the passing of this Act be legally entitled to the same, as if this Act had never been made.

General Issue.

VIII. And be it further enacted, That in case any Action, Suit, Bill of Indictment, or Information shall from and after the passing of this Act be brought, carried on, or prosecuted against any Person or Persons hereby meant or intended to be indemnified, recapacitated, or restored, for or on account of any Forfeiture, Penalty, Incapacity, or Disability whatsoever, incurred or to be incurred by any such Neglect or Omission, such Person or Persons may plead the General Issue, and upon their Defence give this Act and the special Matter in Evidence upon any Trial to be had thereupon.

CAP. XXV.

An Act to extend and render more effectual Two Acts of the First and Second and Third Years of His late Majesty King *George* the Fourth, respecting the Estates thereby vested in the principal Officers of the Ordnance, and to facilitate the public Business in the Ordnance Department. [9th *April* 1832.]

'WHEREAS an Act was passed in the First and Second Years of the Reign of His late Majesty King *George* the Fourth, intituled *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:* And whereas another Act was passed in the Third Year of the Reign of His said late Majesty, intituled *An Act for 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 divers Messuages, Lands, Tenements, and Hereditaments, of Copyhold, Customary, or Ancient Demesne Tenure, are now held and may hereafter be purchased and taken for the Service of the said Ordnance Department, and much Inconvenience has arisen and may arise by reason of Copyhold Estates and Hereditaments having been excepted out of the Provisions and Operation of the said recited Acts, and also by reason of the said Acts not extending to Lands and Hereditaments which have been or may be taken or limited by way of Mortgage, or for securing Money, or by way of Indemnity for the Use of the Ordnance Service, or

1 & 2 G. 4. c. 69.

3 G. 4. c. 108.

'Objects connected therewith: And whereas the Covenants and 'Contracts made by and with the said principal Officers, as well 'with respect to their Estates as with respect to other Matters and 'Things relating to the Service of the Ordnance Department, are 'numerous and important: And whereas many of such Covenants 'and Contracts cannot be enforced by Law by the Officers for 'the Time being, who were not or may not be Parties thereto, 'and it is expedient that the Power to sue upon all manner of 'such Covenants and Contracts, as well as upon other Causes of 'Action relating to the said Service, should be vested in the 'Officers of His Majesty's Ordnance for the Time being: And 'whereas His Majesty has been pleased to reduce the Number of 'the principal Officers of the Ordnance, and it is expedient that 'Two or more of such Officers should be enabled to exercise and 'execute the respective Powers, Authorities, and Duties, and to 'perform and execute all such Contracts, Conveyances, Leases, 'and other Deeds and Instruments relating to the public Service 'of the said Department, and to do and execute all such Deeds, 'Matters, and Things as by any Act or Acts, or otherwise, might 'or ought to be exercised, performed, done, or executed by Three 'or more of such principal Officers;' 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, Buildings, Lands, Tenements, and Hereditaments, in *Great Britain* or *Ireland*, of Copyhold or Customary or Ancient Demesne Tenure, which have been heretofore purchased or taken by or in the Name of 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, or for the Use and Service of the said Barrack Department, either in Fee or for any Life or Lives, or otherwise howsoever, and the Appurtenances to the same respectively belonging, shall be and become 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 and the respective Estates and Interests in such Hereditaments and Premises, for the Use and Service of the said Ordnance Department, and upon and for such Trusts, Intents, or Purposes as are, in and by the said recited Act of the First and Second Years of the Reign of His late Majesty, expressed and declared or referred unto of and concerning the Estates and Property thereby vested in the said principal Officers and their Successors in the said Office.

All Copyholds, &c. now holden for the Ordnance Service to be vested in the principal Officers of the Ordnance for the Time being.

II. And be it further enacted, That all other Messuages, Buildings, Lands, Tenements, and Hereditaments, in *Great Britain* or *Ireland*, of Copyhold or Customary or Ancient Demesne Tenure, which shall at any Time or Times hereafter be purchased or taken 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 the Appurtenances to the same respectively belonging, shall be granted, surrendered, conveyed, and assured unto, and shall thereupon, and upon the Admittance of the Secretary or other Person herein-after directed to

All Copyholds, &c. to be purchased hereafter for the Ordnance to be vested in same Officers on Admittance of their Secretary or other Officer.

to be admitted, be and become 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 and the respective Estates and Interests in such Hereditaments and Premises, and without any Words of Limitation whatsoever, for the Use and Service of the said Ordnance Department, and upon and for such Trusts, Intents, and Purposes as aforesaid.

All Lands, &c. in Great Britain and Ireland mortgaged for securing any Debt to the Ordnance to be vested in the same Officers.

III. And be it further enacted, That all Messuages, Buildings, Lands, Tenements, and Hereditaments, of every Description, and whether in *Great Britain* or *Ireland*, which before the passing of this Act shall have been taken or conveyed or surrendered and are now held by way of Mortgage, or for securing any Sum or Sums of Money for the Use of the Ordnance Service or Barrack Service, shall from and after the passing of this Act be and become and continue, and all Messuages, Buildings, Lands, Tenements, and Hereditaments of every Description, and whether in *Great Britain* or *Ireland*, which shall hereafter be taken or limited by way of Mortgage, or for securing any Sum or Sums of Money, or by way of Indemnity, or for any other Purpose or Purposes, for the Use of the Ordnance Service or any Objects connected therewith, shall be taken and conveyed and surrendered, and shall thereupon, and when any Admittance is necessary, upon any such Admittance as hereinafter mentioned, shall be and become 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 and the respective Estates and Interests in such Hereditaments and Premises respectively, and without any Words of Limitation whatsoever, upon and for the Trusts, Intents, and Purposes to which the same are or shall be subject or made liable.

Terms assigned to attend the Inheritance of Lands, &c. holden for the Ordnance to remain in same Trustees on same Terms.

IV. Provided nevertheless, and be it further enacted, That any Term or Terms of Years which shall have been or may be assigned to attend the Inheritance in any of the Hereditaments and Premises which shall be or become vested by virtue of this Act in the said principal Officers of His Majesty's said Ordnance, shall remain and be vested in the Trustee or Trustees to whom the same have been or shall be respectively assigned; and that it shall be lawful for the said principal Officers for the Time being to convey, surrender, or assign all or any of the Hereditaments and Premises which now are or hereafter shall be vested in them, and to direct all or any of the Hereditaments and Premises which shall hereafter be agreed to be purchased or taken by them, to be conveyed, surrendered, or assigned to a Trustee or Trustees for the Use of the Ordnance Service, or upon the Trusts to which the same shall or ought to be subject, in case, from any Circumstance whatsoever, it shall, in the Judgment of the said principal Officers for the Time being, be expedient so to do; any thing herein or in the said recited Acts contained to the contrary notwithstanding.

On the Death of any Person now holding Copyholds, &c. for the Ordnance, the Secretary to be admitted on Payment of

V. Provided always, and be it further enacted, That when and as the Person, or, in those Cases where there shall be more than One, the Survivor of the Persons, in whom any Messuages, Buildings, Lands, Tenements, and Hereditaments of Copyhold, Customary, or Ancient Demesne Tenure, heretofore purchased or taken as aforesaid, are now respectively vested, shall die, and when any Messuages, Buildings, Lands, Tenements, and Hereditaments

customary Fines, &c.

of any such Tenure shall hereafter be purchased or taken as aforesaid, the Secretary for the Time being of the principal Officers of His Majesty's Ordnance, or any other Officer of the Ordnance Department, or other Person whom the said principal Officers, or any Two or more of them, shall from Time to Time appoint, shall be admitted to such Hereditaments and Premises, except that in the Case of any Mortgage or Security such Admittance shall be at the Option of the said principal Officers; and that on the Death of any Person filling or who shall have filled the Office of such Secretary or the Office of such Officer as shall be so appointed, and who shall have been admitted, or of the Person who shall have been admitted to any such Hereditaments and Premises, the Secretary for the Time being of the said principal Officers who shall succeed or then be in Office, or any other Officer of the Ordnance Department, or other Person who shall be from Time to Time appointed as aforesaid (as the Case may be), shall be admitted to such Hereditaments and Premises; and that on the respective Deaths of the Person or Persons in whom the Hereditaments and Premises herein-before in that Behalf mentioned are now vested, and on whose Death or Deaths a Heriot, Fine, or any other Sum or Due would be due or payable, and on the Death of the Secretary or other Officer or other Person who shall be admitted as aforesaid, the Lords and Ladies of the Manor of which the said Premises are respectively holden, and their Stewards, shall be entitled (in case no Alienation shall have previously taken place) to such Heriots, Fines, and Fees, and Sums of Money and other Dues, as shall be due and payable and of right accustomed upon the Death of a Tenant and the Admission of a new Tenant, and as they would have been entitled to in case this Act had not been passed; but nevertheless that such Person or Persons shall only continue Tenant or Tenants, and such Secretary or Officer or other Person as aforesaid shall only be admitted, for the Purpose of ascertaining and preserving to the Lord or Lady of the Manor the Right of Escheat and all other Rights, and for the Purpose of performing such Services (if any) as ought to be performed, and of determining when the Heriots, Fines, Fees, and Sums of Money and Dues due or payable on the Death of a Tenant and the Admission of a new Tenant shall become due and payable; and the said Hereditaments and Premises, as regards the legal Estate, and for all Purposes of Alienation and all other Purposes, save as aforesaid, shall be and become and continue vested in the said principal Officers for the Time being.

Power of selling, exchanging, &c. given by recited Act of 1 & 2 G. 4. to Three Officers to be vested in Two.

VI. And be it further enacted, That all the Powers and Authorities of selling, exchanging, letting, conveying, and surrendering, bringing and defending Actions and Suits, and distraining, and all other Powers and Authorities whatsoever given to the said principal Officers for the Time being, or any Three or more of them, by the said recited Act of the First and Second Years of the Reign of His late Majesty, with respect to the Estates and Property thereby respectively vested in them respectively, shall apply to the Hereditaments and Premises which shall be or become vested in the said principal Officers by virtue of this Act, except so far as the same may be inapplicable to any Hereditaments vested in them by way of Mortgage or Security, while the same shall continue to be

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so held; and all the Powers and Authorities by the said last-mentioned Act given to Bodies Politic or Corporate, and others, of contracting, and of conveying and surrendering Lands and Hereditaments, and otherwise, shall apply to Messuages, Lands, Tenements, and Hereditaments of Copyhold, Customary, and Ancient Demesne Tenure, and to the Purchase Monies for the same; and all Powers and Authorities by the same Act given to the Barons or Judges of His Majesty's Courts of Exchequer relating to the Purchase Monies therein mentioned, and all other Clauses, Matters, and Things whatsoever therein contained relating thereto, whether arising from the Sale or Purchase of Lands or Hereditaments or otherwise howsoever, shall apply to the Monies which shall arise or become payable under this Act; and all other Clauses, Matters, and Things in the said recited Acts or either of them contained, as far as the same shall be applicable to and not inconsistent with this Act, shall apply to this Act as fully and effectually to all Intents and Purposes as if all such Powers, Authorities, Clauses, Matters, and Things were respectively, severally, and separately repeated and re-enacted in and made Part of this Act.

Ordnance may sue as "The principal Officers of His Majesty's Ordnance," without naming them.

VII. And be it further enacted, That from and after the passing of this Act it shall and may be lawful for the said principal Officers of the Ordnance, and their Successors for the Time being, to sue in the Name and by the Description of "The principal Officers of His Majesty's Ordnance," without naming them or any of them, in all Actions, Suits, and Proceedings whatsoever concerning the Estates and Interests which now are or hereafter may be vested in them by virtue of the said Acts or any of them, or of this Act, or otherwise howsoever, and also upon all Covenants and Contracts whatsoever now or hereafter made by the said Officers of the said Ordnance relating to the said Service, and upon all other Cause and Causes of Action concerning the Goods or Chattels, Stores, Monies, and other Property under the Care, Controul, and Disposition of the Officers of His Majesty's Ordnance; and that no such Action, Suit, or Proceeding shall abate or be delayed by reason of the Death, Removal, or Resignation of any of such principal Officers.

Suit not to abate by Change of Officers.

Such Officers not to be personally liable.

VIII. Provided nevertheless, and be it further enacted, That no Officer of His Majesty's Ordnance shall be personally liable, nor shall the Property of any such Officer be liable, to any legal Process or Execution in such Actions or Suits as aforesaid.

All Powers given by 1 & 2 G. 4. to Three Officers may be executed by Two.

IX. And be it further enacted, That from and after the passing of this Act it shall and may be lawful for Two or more of the principal Officers of His Majesty's Ordnance, and any such Two or more principal Officers are hereby empowered, to exercise and execute all Powers, Authorities, and Duties, and to perform, do, and execute all Acts, Deeds, Matters, and Things appertaining to their Office, which, by any Act or Acts now in force, or otherwise, may or ought to be, or in case this Provision had not been made could or might hereafter have been, exercised, executed, performed, or done by Three or more of such principal Officers; and all such Acts, Deeds, Matters, and Things done, performed, and executed by Two or more of the said principal Officers in their respective Offices shall be as valid and effectual to all Intents and Purposes as

if done, performed, and executed by Three or more of the said principal Officers.

Same Style to be adopted in Deeds, &c.

X. And be it further enacted, That in all Contracts of every Description, and in all Conveyances, Surrenders, Leases, and other Deeds and Instruments whatsoever relating to the Public Service, which from and after the passing of this Act shall or may be made or entered into by, to, or with the principal Officers of the Ordnance for the Time being, or any Two or more of them, or whereunto they or any Two or more of them shall or may be Parties, it shall be sufficient to call or describe the said principal Officers by the Style or Title of "The principal Officers of His Majesty's Ordnance," without naming them or any of them; and that all such Contracts, Conveyances, Surrenders, Leases, and other Deeds and Instruments wherein the said principal Officers shall be called or described by their Style or Title as aforesaid, and the Execution thereof respectively by the said principal Officers or any Two or more of them, shall be as valid and effectual, and shall have the like Force and Operation, to all Intents and Purposes whatsoever, as if the said principal Officers, or any Two or more of them, had been particularly named and described therein.

CAP. XXVI.

An Act to authorize the Commissioners for auditing the Public Accounts of *Great Britain* to examine and audit Accounts of the Receipt and Expenditure of Colonial Revenues. [9th *April* 1832.]

'WHEREAS an Act was passed in the Fifty-fourth Year of the Reign of His Majesty King *George* the Third, intituled
54 G. 3. c. 184. *An Act for the more effectual Examination of Accounts of the Receipt and Expenditure of the Colonial Revenues in the Islands of* Ceylon, Mauritius, Malta, Trinidad, *and the Settlements of the* Cape of Good Hope, *for Five Years:* And whereas it was provided by the said recited Act that the same should continue in force for Five Years and no longer: And whereas by virtue of an Act passed in the Fifty-ninth Year of the Reign of His Majesty King
59 G. 3. c. 67. *George* the Third, intituled *An Act to continue, until the Thirtieth Day of* July *One thousand eight hundred and twenty, an Act of the Fifty-fourth Year of His present Majesty, for the effectual Examination of Accounts of the Receipt and Expenditure of the Colonial Revenues in the Islands of* Ceylon, Mauritius, Malta, Trinidad, *and in the Settlements of the* Cape of Good Hope; and of another Act passed in the First Year of the Reign of His late
1 G. 4. c. 65. Majesty King *George* the Fourth, intituled *An Act to continue, until the Thirtieth Day of* July *One thousand eight hundred and twenty-one, an Act of the Fifty-fourth Year of His late Majesty, for the effectual Examination of the Accounts of the Receipt and Expenditure of the Colonial Revenues in the Islands of* Ceylon, Mauritius, Malta, Trinidad, *and in the Settlements of the* Cape of Good Hope, the said recited Act of the Fifty-fourth Year of the Reign of His late Majesty King *George* the Third, and all Powers therein contained, were continued until the Thirtieth Day of *July* One thousand eight hundred and twenty-one: And whereas by

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