



Defence Act 1842

CHAPTER 94

DEFENCE ACT 1842

- The above-recited Acts repealed.
- II All other Acts touching the Defence of the Realm and the Ordnance Department repealed.
 - III Repeal of the said Acts not to revive any Act repealed, or prejudice any Sale, Contract, &c.
 - IV Not to exempt from Punishment Offences committed previously to the passing hereof.
 - V Lands, &c. purchased for the Service of the Ordnance, and all Buildings, &c. thereon, vested in the principal Officers.
 - VI Lands to be hereafter taken, &c. to be vested in the same Manner.
 - VII Terms assigned to attend the Inheritance of Lands, &c. holden for the Ordnance to remain in same Trustees on same Terms.
 - VIII On the Death of any Person now holding Copyholds, &c. for the Ordnance, the Secretary to be admitted on Payment of Customary Fines, &c.
 - IX Principal Officers may purchase Lands, &c. and take Leases on behalf of the Crown.
 - X Power given to Bodies Politic and others to treat.
 - XI In case of Death or Removal, Lands, &c. shall vest in the Successors of such principal Officers.
 - XII Lands, &c. may be sold, exchanged, or let.
 - XIII Purchase Monies shall be paid to those whom the principal Officers may direct.
 - XIV After Purchase Money paid, the Purchaser to have full Right and Possession.
 - XV Compensation to be made where equitable Rights are established; but not to exceed the Purchase Money received by such principal Officers.

- XVI Principal Officers may authorize Persons to survey and mark out Lands, and treat with Owners for the absolute Purchase thereof.
- XVII When Footpaths, &c. are stopped up, other Paths to be made in lieu thereof.
- XVIII Bodies Politic may agree for the Sale of Lands, &c.
- XIX In default of treating, or where the Parties do not agree, the Persons authorized by Her Majesty may require Two Justices, &c. to put Her Majesty's Officers in possession. Jury to be summoned to value the Premises.
- XX Appeal may be made to the Court of Exchequer, &c. if either Party is dissatisfied with the Verdict of the Jury.
- XXI Jury may ascertain the Proportion to be paid out of Compensation for Land to Lessees, &c.
- XXII Court to require the Party to give Security for Costs.
- XXIII Lands not to be taken for the Defence of the Realm without Consent of the Owners, unless in certain Cases.
- XXIV Erections on Lands taken for a temporary Purpose to be removed before the Lands are restored to the Owner, and Compensation shall be made for the Injury done. In case of Disagreement, how Compensation shall be settled. Act not to affect any Agreement between the Parties.
- XXV Purchase Money payable to Bodies Politic, &c., how to be invested.
- XXVI Barons, &c. of Exchequer to make Order for the Investment of such Purchase Money.
- XXVII Investment of Purchase Money when less than 200l.
- XXVIII Investment of Purchase Money when less than 20l.
- XXIX Stock and Securities vested in Remembrancer, &c. shall, in case of Death or Removal, vest in the Successor.
- XXX Persons in possession deemed entitled to the same shall be shown.
- XXXI For Enrolment of Deeds relating to Lands, &c. in England and Wales.
- XXXII Deeds not required to be acknowledged, &c.
- XXXIII Office Copies of Enrolments of such Deeds, &c. admissible in Evidence.
- XXXIV Ordnance may sue as "The principal Officers of Her Majesty's Ordnance", without naming them. Privileges and Prerogatives of the Crown not to be curtailed.
- XXXV Style to be adopted in Deeds, &c.
- XXXVI Principal Officers empowered to give Notices, make Claims, and authorize Entries, &c.
- XXXVII Principal Officers exempted from personal Responsibility.
- XXXVIII Two principal Officers may act.
- XXXIX Act not to vest Property belonging to Her Majesty in the Officers of the Ordnance.
- XL Nothing in this Act to repeal or alter 10 G.4 c.50 or 2 & 3 W.4 c.1.
- XLI Act not to vest any Property belonging to the Prince of Wales in the Officers of the Ordnance.