



Ordnance Board Transfer Act 1855

1855 CHAPTER 117

An Act for transferring to One of Her Majesty's Principal Secretaries of State the Powers and Estates vested in the Principal Officers of the Ordnance. [14th August 1855]

WHEREAS by various Acts of Parliament, and particularly by an Act of the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Ninety-four, and by another Act of the Session of Parliament holden in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, Chapter Sixty-seven, various Powers and Authorities were given to or vested in and exercisable by the Principal Officers of Her Majesty's Ordnance, and by the said Acts, and by or under divers Conveyances, Surrenders, Assignments, and Leases, or by some other Means, divers Lands, Hereditaments, Estates, and Property purchased, taken, used, and occupied for the Ordnance and Barrack Services throughout the United Kingdom before and at the Time of the Revocation by Her Majesty next herein-after mentioned, were vested in the said Principal Officers: And whereas Her Majesty hath thought fit to revoke the Letters Patent of some of the said Principal Officers, and by other Letters Patent, to transfer to One of Her Majesty's Principal Secretaries of State the Administration of the Department the Duties of which were previously executed by the said Principal Officers of Her Majesty's Ordnance: And whereas it is expedient that the said several Powers and Authorities, and the said Lands, Hereditaments, Estates, and Property, and all Title, Estate, and Interest therein respectively, should be also transferred from the said Principal Officers, and vested in One of Her Majesty's Principal Secretaries of State :

Be it therefore enacted by the Queen'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, as follows:

I Powers, &c. vested in the Principal Officers of the Ordnance to be transferred to Her Majesty's Secretary of State for the War Department.

All the Powers, Authorities, Rights, and Privileges whatsoever, which by virtue of the said recited Acts or either of them, or of any other Act or Acts of Parliament, or of any other Law, Custom, or Usage whatsoever have been or were at any Time vested in or exercised or exercisable by the Principal Officers of Her Majesty's Ordnance, or any

of them, shall from henceforth continue in full Force, and shall be and the same are hereby declared to be transferred to and vested in and exercisable by Her Majesty's Principal Secretary of State for the Time being to whom Her Majesty shall think fit to intrust the Seals of the War Department, and such last-mentioned Principal Secretary of State shall be entitled to the same Exemption from personal Responsibility as the said Principal Officers were entitled to.

II All Lands, &c. vested in such Officers vested in the said Secretary of State.

All Lands, Hereditaments, Estates, and Property whatsoever which by virtue of the said recited Acts or either of them, or of any other Act or Acts of Parliament, or of any Conveyance, Surrender, Lease, or other Assurance, or of any Law, Custom, or Usage whatsoever, before and at the Time of the Revocation by Her Majesty herein-before mentioned were vested in the Principal Officers of the Ordnance, on behalf of Her Majesty, or which have been at any Time before the passing of this Act held, used, or occupied, or purchased, vested, or taken, by or in the Name of or by any Person or Persons, in trust for Her Majesty, for the Use and Service of the said Department or for the Defence and Security of the Realm, and which have not been sold, aliened, or parted with, shall from henceforth be and the same are hereby declared to be transferred to and vested in the last-mentioned Principal Secretary of State for the Time being, on behalf of Her said Majesty ; and when and so often as the said last-mentioned Principal Secretary of State, and any succeeding Principal Secretary of State to whom Her Majesty shall have intrusted the Seals of the War Department, shall cease to hold such Office, the said several Lands, Hereditaments, Estates, and Property, and all Lands, Hereditaments, Estates, and Property which hereafter shall be purchased or otherwise acquired by any such last-mentioned Principal Secretary of State for the Time being, on behalf of Her said Majesty, shall by virtue of this Act be absolutely divested out of such Secretary of State so ceasing to hold such Office as aforesaid, and shall by virtue of this Act be transferred to and vested in his Successor in the said Office, immediately upon his receiving the Seals of the said Department, absolutely ; and the said Lands, Hereditaments, Estates, and Property hereby vested and hereafter to be vested in the said last-mentioned Principal Secretary of State and his Successors shall, as to such of them as were or shall have been purchased, or are or shall be held for an Estate of Inheritance in Fee Simple, be so vested in such last-mentioned Principal Secretary of State and his Successors in the same Manner as if the Fee Simple thereof had been originally conveyed to such Principal Secretary of State as a Corporation Sole and his Successors ; and as to all Lands, Hereditaments, and Property purchased or held for any less Estate than an Estate of Inheritance in Fee Simple, as if the same Lands, Hereditaments, and Property had been originally conveyed, surrendered, demised, or otherwise assured to such Principal Secretary of State as a Corporation Sole, and his Successors, for all the existing Estates or Interests therein respectively, and so from Time to Time; nevertheless, with respect to all Lands or Hereditaments of Copyhold or Customary Tenure, the same shall, for the Purpose mentioned in the Eighth Section of the first-mentioned Act, (videlicet, the said Act of the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Ninety-four,) remain vested in or be surrendered to some Person to be approved of or named by the last-mentioned Principal Secretary of State for the Time" being as Tenant thereof.

III Contracts, &c. made by the Principal Officers relating to the Public Service to be enforced by such Secretary of State.

All Contracts, Covenants, and Agreements heretofore made or entered into by any Person or Persons whomsoever with the said Principal Officers of the Ordnance, or any Person or Persons on their Behalf, as to or concerning any Lands, Hereditaments, Estates, and Property vested in or agreed to be purchased by the said Principal Officers, or in anywise relating to the Public Service, shall be deemed and taken to have been made or entered into with such Principal Secretary of State as last aforesaid, and shall be executed and enforced by him in like Manner as if he had originally been Party thereto instead of the said Principal Officers of the Ordnance; and all Proceedings whatsoever which have been or might or may have been commenced, taken, or done in the Names of the said Principal Officers, on behalf of Her Majesty, shall and may hereafter be commenced, continued, taken, and done in the Name of such Principal Secretary of State as aforesaid, in like Manner (in the Case of Proceedings already commenced, taken, or done,) as if he had originally been Party thereto, instead of the said Principal Officers of the Ordnance.

IV Powers given by 10th and 18th Sections of 5 & 6 Vict. c.94 to Bodies Corporate, &c. to sell, to be exercised by such Secretary of State.

All Powers by the Tenth and Eighteenth Sections of the said first-mentioned Act given to Bodies Politic or Corporate, Feoffees or Trustees for charitable or other public Purposes, Tenants for Life and Tenants in Tail, Husbands, Guardians, Trustees, Committees, Curators, and Attornies, respectively therein mentioned, to contract and agree for the absolute Sale or Exchange of any Messuages, Buildings, Castles, Forts, Lines, or other Fortifications, Manors, Lands, Tenements, or Hereditaments, and for the Sale of any Reversion, and the Grout of any Lease, and to convey, surrender, demise, or grant the same accordingly, shall continue in full Force, and hereafter may or shall be exercised or exercisable, and be acted under or take effect, in favour or at the Instance of the last-mentioned Principal Secretary of State for the Time being, on behalf of Her said Majesty, and for the Public Service, in the same Manner and as effectually as the said Powers are in and by such recited Acts given or created or made exercisable in favour or at the Instance of the said Principal Officers for the Time being on behalf of Her said Majesty, or for the Public Service, and all Enactments, Directions, and Provisions in the said recited Acts contained shall continue in full Force, and may or shall at all Times hereafter be by the last-mentioned Principal Secretary of State for the Time being acted on and take effect, and shall enure or take effect in favour of, and may be enforced by, such last-mentioned Principal Secretary and his Successors, on behalf of Her Majesty, and for the Public Service.

V Such Secretary of State to be described in Conveyances, &c. as "Her Majesty's Principal Secretary of State for the War Department."

In every Contract, Conveyance, Surrender, Lease, or other Assurance of any Lands, Hereditaments, Estates, or Property, with, unto, or by the last-mentioned Principal Secretary of State for the Time being, and in every other Deed or Instrument relating to any Lands, Hereditaments, Estates, or Property, or in anywise to the Public Service, to which the last-mentioned Principal Secretary of State for the Time being shall be or shall be intended to be a Party, it shall be sufficient to call or describe him by the Style or Title of " Her Majesty's Principal Secretary of State for the War Department," without naming him; and every such Contract, Conveyance, Surrender, Lease, Assurance, Deed, or Instrument may be executed by such last-mentioned

Status: This is the original version (as it was originally enacted).

Principal Secretary of State, or by any other of Her Majesty's Principal Secretaries of State for the Time being, by signing his Name thereto, and if the Instrument so executed be in the Form of a Deed by setting or affixing a Seal thereto and delivering the same as his Deed; and whenever any Contract, Conveyance, Surrender, Lease, Assurance, Deed, or Instrument shall be executed by any other Principal Secretary of State than the Principal Secretary of State for the War Department the Principal Secretary of State so executing the same shall for that Time and on that Occasion, and for the Purposes thereof, be deemed to be the Principal Secretary of State for the War Department.