



Defence Act 1842

1842 CHAPTER 94

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.

Provided always, and be it 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, Building, Castles, Forts, Lines, or other Fortifications, Lands, Tenements, or 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, Castles, Forts, Lines, or other Fortifications, Lands, Tenements, or Hereditaments, of any such Tenure, shall hereafter be purchased or taken as aforesaid, the Secretary for the Time being of the said principal Officers, 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 Messuages, Buildings, Castles, Forts, Lines, or other Fortifications, Lands, Tenements, or Hereditaments, 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 Messuages, Buildings; Castles, Forts, Lines, or other Fortifications, Lands, Tenements, or Hereditaments, 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 Messuages, Buildings, Castles, Forts, Lines, or other Fortifications, Lands, Tenements, or Hereditaments; and that on: the respective Deaths of the Person or Persons. in whom the Messuages, Buildings, Castles, Forts, Lines, or other Fortifications, Lands, Tenements, or Hereditaments, 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

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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 Messuages, Buildings, Castles, Forts, Lines, or other Fortifications, Lands, Tenements, or Hereditaments, 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 and their Successors for the Time being.