



Defence Act 1842

1842 CHAPTER 94

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.

And be it enacted, That it shall be lawful for the said principal Officers, and their Successors for the Time being, and they are hereby authorized and empowered, to bring, prosecute, and maintain any Action or Actions of Ejectment, or other Proceedings at Law or in Equity, for recovering Possession of any Messuages, Buildings, Castles, Lines, or other Fortifications, Manors, Lands, Tenements, or Hereditaments, as now are or hereafter may be vested in them by this Act, or otherwise howsoever, and to distrain or sue for any Arrears of Rent which shall have become or shall become due for or in respect thereof under any Parol or other Demise from the said principal Officers, and also to bring, prosecute, and maintain any other Action or Suit in respect of or in relation to such Messuages, Buildings, Castles, Forts, Lines, or other Fortifications, Manors, Lands, Tenements, or Hereditaments last aforesaid, or of any Trespass or Encroachment committed thereon, or Damage or Injury done thereto, and also upon all Covenants and Contracts whatsoever now or hereafter made by, to, or with the said principal Officers relating to the said Ordnance or Barrack Department, or the Defence of the Realm ; and also to prosecute any other Action, Suit, or legal Proceedings, Civil or Criminal, concerning the Goods or Chattels, Stores, Monies, and other Property, under the Care, Control, and Disposition of the said principal Officers ; and that in every such Action, Suit, or other Proceedings the said principal Officers for the Time being shall be called " The principal Officers of Her Majesty's Ordnance," without naming them or any of them; and no such Action, Suit, or other Proceedings 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; Provided nevertheless, that nothing herein contained shall be taken to defeat or abridge, in any such Action, Suit, or other Proceedings, the legal Rights, Privileges, and Prerogatives of Her Majesty, Her Heirs and Successors, but that in all such Actions, Suits, or other Proceedings, brought or instituted in the Name and on behalf of the principal Officers of Her Majesty's Ordnance, and in all Matters relating thereunto, it shall be lawful for the said principal Officers to claim, exercise, and enjoy all the same Rights, Privileges, and Prerogatives which have been heretofore claimed, exercised, and enjoyed in any Actions, Suits, or other Proceedings

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whatsoever in any Court of Law or Equity, by Her Majesty or Her Predecessors, in the same Manner as if the Subject Matter of the said Suits or other Proceedings were vested in the Crown, and as if the Crown were actually a Party to such Actions, Suits, or other Proceedings: Provided also, that it shall be lawful for Her Majesty to proceed by Information in Her Court of Exchequer, or by any other Crown Process, legal or equitable, in any Case in which such Actions, Suits, Arbitrations, or other Proceedings might have been otherwise instituted.