ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. XXII.

An Act to abolish Franchise Prisons.

[14th *June* 1858.]

WHEREAS it is expedient that the several Prisons mentioned in the Schedule to this Act, which are now used for the Confinement of Debtors, should be abolished: 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:

After Aug. 1, 1858, no Persons to be confined in the Prisons named in Schedule to this Act.

I. From and after the First Day of *August* One thousand eight hundred and fifty-eight, no Person shall be confined in any Prison or Gaol mentioned in the Schedule to this Act; and all Persons who, if this Act had not been passed, might have been confined in any such Prison or Gaol, shall be confined in the Common Gaol of the County or Riding in which such Persons respectively may be arrested.

All Writs, &c. authorizing Arrests to be executed by Bailiffs of Liberties, &c.

II. Provided always, That all Writs, Process, Warrants, and Authorities authorizing the Arrest of any Person within any Liberty or Franchise to which any of the Prisons and Gaols mentioned in the Schedule to this Act belongs who might, if this Act had not been passed, have been confined in such Prison or Gaol, shall be executed within such Liberty or Franchise by such Bailiff or Officer as might have executed the same if this Act had not been passed, and such Bailiff or Officer

shall have all such Powers and Authorities for conveying such Person to the Common Gaol of the County as the Bailiffs of the Sheriff have in the Execution of Writs, Process, Warrants, or Authorities for the like Purposes, and the like Punishments and Penalties shall attach in the Case of an Escape or Rescue from the Bailiff or Officer of such Liberty or Franchise, or other Interference with such Bailiff or Officer in the Discharge of his Duty, as in the Case of an Escape or Rescue from or like Interference with the Bailiff of the Sheriff.

Prisoners confined on Aug. 1, 1858, in Prisons named in Schedule, to be removed to County Gaol.

III. Every Person who on the said First Day of *August* may be confined in any of the Prisons or Gaols mentioned in the Schedule to this Act shall, as soon as conveniently may be thereafter, without Writ of Habeas Corpus or other Writ for that Purpose, be removed by the Gaoler or Keeper of such Prison or Gaol to the Common Gaol of the County or Riding in which he may have been arrested under the Writ or other Process for his Arrest and Imprisonment, and shall be by such Gaoler or Keeper delivered into the Custody of the Gaoler or Keeper of such Common Gaol, together with the Writ or other Process by virtue of which such Person was arrested and imprisoned, and all Writs or other Process lodged with such first-mentioned Gaoler or Keeper by virtue of which such Person was or might be detained in the Prison or Gaol from which he is so removed; and the Gaoler or Keeper of the said Common Gaol shall give a Receipt in Writing for every Person so removed to such Common Gaol; and the reasonable Expenses of such Removal shall be paid by the Treasurer of the County or Riding to the Common Gaol of which such Persons are so removed; and all Persons who may be lawfully confined in any of the Prisons or Gaols mentioned in the said Schedule on the said First Day of *August* shall, until removed as aforesaid, and for and during the Time of such Removal, be to all Intents and Purposes deemed and considered to be in the proper legal Custody, unless and until they respectively be sooner discharged in due Course of Law; and all Persons so removed shall, after being delivered into the Custody of the Gaoler or Keeper of the Common Gaol of such County or Riding as aforesaid, be deemed to be in the legal Custody of the Sheriff and of such Gaoler or Keeper, in like Manner as if all such Persons had been originally arrested in Parts of such County or Riding (not within any Liberty or Franchise), and not been originally imprisoned in such Common Gaol.

SCHEDULE.

Swansea Debtors Prison for the Liberty of Gower.
Newark Liberty Prison for Debtors.
Halifax Home Gaol for the Manor of Wakefield.
Gaol for the Forest and Forest Liberty of Knaresborough, belonging to the Duchy of Lancaster.
Gaol for the Borough and Township of Knaresborough, belonging to the Duchy of Lancaster.
Sheffield Debtors Gaol for the Liberty of Hallamshire.
Hexham Debtors Prison.

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