ANNO QUINTO

VICTORIÆ REGINÆ.

Sess. 2.

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C A P. XXII.

An Act for consolidating the Queen's Bench, Fleet, and Marshalsea Prisons, and for regulating the Queen's Prison. [31st *May* 1842.]

WHEREAS the Prison of the Marshalsea of the Court of Queen's Bench is a Prison for Debtors, and for Persons confined under the Sentence or charged with Contempt of Her Majesty's Court of Queen's Bench: And whereas the Fleet Prison is a Prison for Debtors and Bankrupts, and for Persons charged with Contempt of Her Majesty's Courts of Chancery, Exchequer, and Common Pleas: And whereas the Prison of the Marshalsea of Her Majesty's Household is a Prison for Debtors, and for Persons charged with Contempt of Her Majesty's Courts of the Marshalsea, the Court of the Queen's Palace of *Westminster*, and the High Court of Admiralty, and also for Admiralty Prisoners under Sentence of Courts-martial: And whereas by an Act passed in the Second Year of the Reign of Her Majesty, intituled *An Act for abolishing Arrest on Mesne Process in Civil Actions, except in certain Cases; for extending the Remedies of Creditors against the Property of Debtors; and for amending the Laws for the Relief of Insolvent Debtors in* Eng- 1 & 2 Vict. c. 110.

land, Arrest on Mesne Process in Civil Actions was abolished, except in certain Cases, and further Provision was made for the Relief of Insolvent Debtors, by reason whereof the Prison of the Court of Queen's Bench is sufficient to contain all the Persons who are now imprisoned within the said several Prisons, or who will be hereafter taken in Execution of Process of the said several Courts: Be it 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, That after the passing of this Act the Prison now known as the Prison of the Marshalsea of the Court of Queen's Bench shall be called the Queen's Prison, and shall be the only Prison for all Debtors, Bankrupts, or other Persons who before the passing of this Act might lawfully have been imprisoned in any of the said Prisons of the Marshalsea of the Court of Queen's Bench, the Fleet Prison, or the Prison of the Marshalsea and of the Court of the Queen's Palace of *Westminster*; and after the passing of this Act no Person shall be committed from any of the said Courts to the Fleet Prison or Prison of the Marshalsea; and that the Persons imprisoned in the Queen's Prison shall be there in the Custody of the Marshal or Keeper of the Queen's Prison, from whichever of the said Courts they shall have been severally committed; and all Securities taken from any Officer of the Queen's Bench Prison for Performance of his Duty respecting the Prisoners now confined in the Queen's Bench Prison shall endure for securing the Performance of the like Duty respecting the Prisoners who shall be confined in the Queen's Prison under this Act; and all Rules, Orders, and Enactments now in force respecting the Queen's Bench Prison and the Prisoners therein shall be taken to apply in all respects to all the Prisoners who shall be confined in the Queen's Prison, subject to the Provisions herein-after contained: Provided always, that until the Removal of the Persons now imprisoned in the Fleet Prison and Prison of the Marshalsea and of the Court of the Queen's Palace of *Westminster*, as herein-after provided, such Persons may be lawfully detained within the Prison in which they are now severally confined, and shall be there in the same Custody and subject to all the Rules now in force respecting such Prisoners as if this Act had not been made.

The Queen's Bench Prison to be called the Queen's Prison, and to be the only Prison for Debtors, Bankrupts, &c. instead of the Queen's Bench, Fleet, and Marshalsea Prisons.

Proviso.

Prisoners to be removed by Warrant of Lord Chief Justice of Queen's Bench.

II. And be it enacted, That within One Calendar Month after the passing of this Act the Warden of the Fleet Prison and the Keeper of the Prison of the Marshalsea and of the Court of the Queen's Palace of *Westminster* shall severally certify under their Hands to the Lord Chief Justice of the Court of Queen's Bench a true List of the Names of the Prisoners then in their Custody, with the several Causes and Times of their Commitments; and as soon thereafter as the Queen's Prison can be conveniently made ready for the Reception of the Prisoners to be removed under this Act, the Lord Chief Justice of the Court of Queen's Bench shall issue his Warrant or Warrants from Time to Time, under his Hand, severally directed to the Warden of the Fleet Prison and to the Keeper of the Prison of the Marshalsea and of the Court of the Queen's Palace of *Westminster*, requiring them severally to deliver into the Custody of the Marshal of the Queen's Prison the Persons then in their

Custody, or such of them as shall be named in any such Warrant; and upon the Receipt of any such Warrant the said Warden and Keeper shall severally deliver into the Custody of the Marshal of the Queen's Prison the Persons named in the said Warrant, with the several Warrants of Commitment of such Persons delivered, and the Marshal of the Queen's Prison shall forthwith convey the Prisoners so delivered into his Custody to the Queen's Prison; and if any Person named in any such Warrant of the Lord Chief Justice shall have been lawfully discharged out of the Custody of the said Warden or Keeper before the Execution of the Warrant, the said Warden or Keeper shall certify the Fact under his Hand to the said Lord Chief Justice, and shall deliver such Certificate to the Marshal of the Queen's Prison; and the Removal of any such Prisoners in obedience to the Warrant of the Lord Chief Justice as aforesaid shall not be construed to be an Escape.

Abolition of Offices of Fleet and Marshalsea Prisons.

III. And be it enacted, That as soon as all the Prisoners confined in the Fleet Prison shall have been discharged, or removed under this Act into the Custody of the Marshal of the Queen's Prison, all Records, Books, and Papers in the Custody of any Officer of the Fleet Prison relating to the Business of the said Prison shall be delivered to the Marshal of the Queen's Prison, and the Offices of Warden of the Fleet, Deputy Warden, Clerk of the Papers, and all other Offices of the Fleet Prison shall be abolished; and as soon as all the Prisoners confined in the Prison of the Marshalsea and of the Court of the Queen's Palace of *Westminster* shall have been discharged, or removed under this Act into the Custody of the Marshal of the Queen's Prison, all Records, Books, and Papers in the Custody of any Officer of the Prison of the said Marshalsea and Palace Court relating to the Business of the said Prison shall be delivered to the Marshal of the Queen's Prison, and the Offices of Keeper, Chaplain, Surgeon, and all other Offices of the Prison of the said Marshalsea and Palace Court shall be abolished.

Officers whose Offices are abolished may make Claims for Compensation.

IV. And be it enacted, That it shall be lawful for any Officer of the Fleet Prison or Marshalsea Prison whose Office will be abolished, and for every other Person whose Emoluments will be affected by this Act, to make a Claim for Compensation, within Six Calendar Months after the passing thereof, to the Commissioners of Her Majesty's Treasury, including in the Case of the Warden of the Fleet Prison and Keeper of the Prison of the Marshalsea and Court of the Queen's Palace of *Westminster* a Claim for the Value of the Furniture and Fixtures (if any) belonging to the said Warden and Keeper in the said Prisons respectively; and the said Commissioners shall proceed, in such Manner as they may think proper, to inquire whether any Compensation ought to be made to such Claimant, and, if any, what were the lawful Fees and Emoluments in respect of which the same should be allowed; and in every Case in which such Claim shall be established to the Satisfaction of the said Commissioners they shall be empowered to determine, by an Order under the Hands of any Three of them, the Amount of the annual Compensation which shall seem to them to be just and reasonable for the Loss sustained

sustained by such Claimant, not being in any Case less than Three Fourth Parts of the full net annual Value of the lawful Fees and Emoluments of the Office so abolished or affected; and the Amount of such annual Value as aforesaid shall be ascertained by the said Commissioners according to such an Average of yearly Receipts and Disbursements before the passing of this Act as they shall think proper, and such annual Compensation shall commence from the passing of this Act; and until the Amount of such Compensation shall be settled in each Case the Salary of each Officer so to be compensated shall continue to be paid to him in like Manner as before the passing of this Act, but shall be accounted for by such Officer to the said Commissioners upon the Settlement of the Compensation in each Case; and an Account of all such Compensations shall be laid upon the Table of the House of Commons within Fourteen Days next after the same shall be so granted, if Parliament shall then be sitting, or if Parliament shall not be then sitting, then within Fourteen Days after the Meeting of Parliament then next following.

Salaries now paid out of Civil List to be retained as Part of the Consolidated Fund.

V. And be it enacted, That as soon as the Compensation to be granted to the Keeper and Officers of the Prison of the Marshalsea and Court of the Queen's Palace of *Westminster* shall be settled, the Lord High Treasurer or Commissioners of Her Majesty's Treasury shall retain in each Year during the Life of Her Majesty, out of the Revenues granted to Her Majesty, the Amount of the Salaries and Allowances paid to the said Keeper and Officers which are now charged upon and paid out of the said Revenues granted to Her Majesty, and the Amount so retained shall continue to form a Part of the Consolidated Fund.

Discontinued Prisons declared to be vested in the Crown.

VI. And be it declared and enacted, That upon the Abolition of the Office of Warden of the Fleet Prison the said Prison so to be discontinued, with all the Messuages, Lands, and Tenements, Furniture and Fixtures, thereunto in anywise belonging, and upon the Abolition of the Office of Keeper of the Prison of the Marshalsea and of the Court of the Queen's Palace of *Westminster* the last-mentioned Prison so to be discontinued, with all the Messuages, Lands, and Tenements, Furniture and Fixtures, thereunto in anywise belonging, shall vest absolutely in Her Majesty, Her Heirs and Successors, and shall be within the ordering and Survey of the Court of Exchequer, and under the Management of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and within the Provisions of all Acts passed respecting any Parts of the Possessions and Land Revenues of the Crown within the ordering and Survey of the said Court of Exchequer.

Enactments respecting the Fleet and Marshalsea to apply to the Queen's Prison.

VII. And be it enacted, That where by any Act now in force any thing is provided to be done with respect to the Fleet or Marshalsea Prison or the Prisoners therein, or the Warden or Keeper of either of the said Prisons, the said Acts, unless so far as any such Provision is repealed or altered by this Act, shall continue in force, and shall be taken to apply to the Queen's Prison and to the Prisoners therein, and to the Marshal or Keeper of the Queen's Prison, respectively.

VIII. And

Sums payable for the Relief of poor Prisoners to the Treasurer of the County of Surrey and Chamberlain of the City of London under 53G.3.c.113. to be paid to the Keeper of the Queen's Prison.

VIII. And whereas by an Act passed in the Fifty-third Year of the Reign of King *George* the Third, intituled *An Act for providing Relief for the poor Prisoners confined in the King's Bench, Fleet, and Marshalsea Prisons*, Provision is made for the Payment of several Sums of Money by the Treasurers of the several Counties and Divisions of Counties mentioned in the Schedule annexed to the said Act, in part to the Treasurer of the County of *Surrey*, for the Relief of the Prisoners confined in the King's Bench and Marshalsea Prisons, and in part to the Treasurer or Chamberlain of the City of *London*, for the Relief of the Prisoners confined in the Fleet Prison; be it enacted, That after the Removal of all the Prisoners in the Fleet and Marshalsea Prisons to the Queen's Prison the whole Sums provided by the said Act to be paid by the said several Treasurers for any of the Purposes of the said Act, and also any Balance of any such Sums which at that Time shall remain unappropriated in the Hands of the Chamberlain of the City of *London* or of the Treasurer of the County of *Surrey*, shall be by them paid to the Marshal or Keeper of the Queen's Prison, to be by him applied, under the Direction of One of Her Majesty's Principal Secretaries of State, for the Relief of the Prisoners confined in the Queen's Prison; and Receipts signed by the said Marshal or Keeper for any Monies payable to him by virtue of this Act shall be sufficient Discharges for the same; and all Provisions of the last-recited Act respecting Monies paid or which ought to be paid to the Treasurer of the County of *Surrey*, or the Persons entitled to be relieved thereby, shall apply to the Monies so paid or to be paid to the said Marshal or Keeper by virtue of this Act, and to the Prisoners confined in the Queen's Prison; and all the Surplus and Residue (if any) of the said Monies shall be paid as provided by the last-mentioned Act to the Treasurer for the Time being of the Royal Hospital of *Bethlehem*, for the Relief and Benefit of the said Hospital.

So much of 53G.3.c.113. as provides for the Administration of the Relief to Prisoners in Execution, and the accounting for the Monies received for that Purpose, repealed.

Keeper of the Queen's Prison to account.

IX. Provided always, and be it enacted, That after the said Removal of all the Prisoners in the Fleet and Marshalsea Prisons to the Queen's Prison, so much of the last-recited Act as provides that no Prisoner who shall be charged in Execution for Debt shall be relieved by virtue of that Act after the First Day of the Term next following the Time when he or she should be charged in Execution, and that the Relief to be given to the said Prisoners shall be given under the Direction of any Justice of the Peace for the County of *Surrey*, and that the Justices of the Peace for the County of *Surrey*, or the major Part of them, at their General Quarter Sessions, shall make any Orders, Rules, or Regulations respecting the Monies to be collected under the last-recited Act, and that the Treasurer of the County of *Surrey*, or any Person appointed to receive and distribute any of the said Monies, shall render to the said Justices any Account of their Receipts and Disbursements under the last-recited Act, shall be repealed; and the Marshal or Keeper of the Queen's Prison shall account for the Receipt and Disbursement of the said Monies, in such Manner as the Commissioners of Her Majesty's Treasury shall direct.

Appropriation of charitable Gifts and Bequests.

X. And be it enacted, That the Warden of the Fleet Prison and Keeper of the Prison of the Marshalsea and Court of the Queen's

Palace of *Westminster* shall severally make out and deliver to the Marshal of the Queen's Prison a true List of all charitable Gifts and Bequests heretofore made for the Relief of poor Prisoners or for the Discharge of poor Debtors in the Fleet and Marshalsea Prisons respectively; and all the said Gifts and Bequests, and also all charitable Gifts and Bequests heretofore made for the Relief of poor Prisoners or for the Discharge of poor Debtors in the King's Bench Prison, shall be applied, after the Removal of all the Prisoners in the Fleet and Marshalsea Prisons to the Queen's Prison, for the Relief of poor Prisoners or Discharge of poor Debtors (as the Case may be) in the Queen's Prison, as well of those who but for the passing of this Act would have been imprisoned in the Queen's Bench Prison, as of those who but for the passing of this Act would have been imprisoned in the Fleet Prison or Marshalsea Prison, indiscriminately, according to their Wants, at the Discretion of the Persons lawfully administering such charitable Gifts and Bequests respectively.

Prisoners Fees abolished. 55 G. 3. c. 50.

XI. And whereas by an Act passed in the Fifty-fifth Year of the Reign of King *George* the Third, intituled *An Act for the Abolition of Gaol and other Fees connected with the Gaols in* England, it was provided, that nothing therein contained should be construed to extend to the King's Bench Prison, His Majesty's Prison of the Fleet, the Marshalsea and Palace Courts; be it enacted, That after the passing of this Act all Fees and Gratuities paid or payable by any Prisoners on the Entrance, Commitment to, Continuance in, or Discharge from the Queen's Prison, except as herein-after provided, shall absolutely cease, and any Marshal or Keeper or other Officer of the Queen's Prison who, after the passing of this Act, shall exact from any Prisoner any Fee or Gratuity for or on account of the Entrance, Commitment, or Discharge of such Prisoner, or in the Name of Chamber Rent, or for any other Purpose whatsoever, except such as shall from Time to Time be sanctioned by the Commissioners of Her Majesty's Treasury, for any Work and Labour actually performed for the Use and Benefit of any Prisoner, or who shall detain any Prisoner in Custody for Nonpayment of any Fee, Rent, or Gratuity, shall be rendered incapable of holding his Office, be guilty of a Misdemeanor, and be punished by Fine and Imprisonment.

Abolition of the Liberty of the Rules.

XII. And whereas, owing to the former crowded State of the Queen's Bench and Fleet Prisons, a Practice hath prevailed of suffering Prisoners to go at large within Districts adjacent to the said Prisons, and known by the Names of "The Rules of the Queen's Bench Prison," and "The Rules of the Fleet Prison," on Payment of certain Fees, and on giving Security to the Marshal and Warden respectively: And whereas it is expedient that such Practice, and also the Practice of granting Day Rules, be abolished; be it enacted, That after the passing of this Act it shall not be lawful for the Marshal or Keeper of the Queen's Prison to grant any Day Rule, or to grant the Liberty of the Rules to any Person, except for the Purpose of continuing the Liberty of the Rules of the Queen's Bench Prison for such Time as the Marshal shall think fit, not more than Twelve Calendar Months after the passing of this Act, to those Persons who shall be in the Enjoyment of the Liberty of the

Rules of the Queen's Bench or Fleet Prison at the Time of the passing of this Act; and that all Persons in the Custody of the Marshal or Keeper to whom the Liberty of the Rules of one of the said Prisons shall not have been granted before the passing of this Act, and also those Persons to whom such Liberty shall have been granted before the passing of this Act, after the next Determination of such Liberty, shall be confined within the Walls of the Queen's Prison, and that it shall be deemed an Escape if any such Prisoner be suffered to go beyond the Walls of the Prison, except as herein-after provided.

No Fees or Stamp Duties to be paid on Securities for granting Liberty of Rules to certain Fleet Prisoners.

XIII. And be it enacted, That if the Marshal of the Queen's Prison shall think fit to grant the Liberty of the Rules of the Queen's Bench Prison to any Person who at the Time of the passing of this Act shall be in the Enjoyment of the Liberty of the Rules of the Fleet Prison, and shall be removed into the Custody of the said Marshal under this Act, the said Marshal shall not exact any Fee from such Person for granting such Liberty; and the Securities to be entered into and executed in favour of the said Marshal, for Assurance that such Person will not escape out of the Custody of the said Marshal, shall not be liable to any Stamp Duty.

Lunatic Prisoners to be removed to Bethlehem Hospital.

XIV. And be it enacted, That if any Prisoner confined in the Queen's Prison shall become or be found to be of unsound Mind during his or her Imprisonment, and shall be so reported by the Marshal or Keeper thereof to One of Her Majesty's Principal Secretaries of State, it shall be lawful for such Secretary of State, by Warrant under his Hand directed to the said Marshal or Keeper, upon the Certificate of Two Physicians or Surgeons that such Prisoner is of unsound Mind, to order that such Prisoner shall be forthwith removed to the Royal Hospital of *Bethlehem*, and the President, Treasurer, and Governors of *Bethlehem* Hospital shall be bound to receive such Prisoner, and him or her safely to keep, until a Warrant of the Secretary of State shall be directed to them for Re-delivery of such Prisoner into the Custody of the Marshal or Keeper of the Queen's Prison as herein-after provided, and such Removal shall not be construed to be an Escape; and every Prisoner so removed shall remain under Confinement in *Bethlehem* Hospital until it shall be duly certified to One of Her Majesty's Principal Secretaries of State, by Two Physicians or Surgeons, that such Prisoner hath become of sound Mind, whereupon the Secretary of State shall issue his Warrant to the President, Treasurer, and Governors of *Bethlehem* Hospital, ordering that such Prisoner be re-delivered into the Custody of the Marshal or Keeper of the Queen's Prison, for the Purpose of being remanded to the Queen's Prison, and neither the Marshal or Keeper of the Queen's Prison, nor the President, Treasurer, and Governors of *Bethlehem* Hospital, shall be answerable for any Escape which such Prisoner may make out of *Bethlehem* Hospital.

Removal of Prisoners in Cases of contagious

XV. And be it enacted, That whenever One of Her Majesty's Principal Secretaries of State shall deem it necessary that the Prisoners, or any of them, shall be removed on account of any contagious

Diseases or Emergency.

contagious or infectious Disease in the Prison, or upon any other Emergency, it shall be lawful for the Secretary of State, by a Warrant under his Hand, directed to the Marshal or Keeper of the Queen's Prison, to order that such Prisoners shall be removed, in the Custody of the said Marshal or Keeper, to such other Place of Imprisonment as the Secretary of State shall direct, such Place having been first reported by the Marshal or Keeper of the Queen's Prison to the Secretary of State as a safe Place of Custody, and fit for the Reception of such Prisoners; and when such Disease shall have ceased, or the Purposes for which the Prisoners shall have been removed shall have been fulfilled, it shall be lawful for the Secretary of State, by a like Warrant, to order that such Prisoners be removed back to the Queen's Prison; and any Place to which any Prisoners shall be removed under any such Warrant shall be deemed, during their Imprisonment therein, to be a Part of the Queen's Prison, and no such Removal of any Prisoner shall be construed to be an Escape.

Rules for the Government of the Queen's Prison to be made by the Secretary of State.

XVI. And be it enacted, That after the passing of this Act the Rules for the Government and Regulation of the Queen's Prison shall be made from Time to Time by One of Her Majesty's Principal Secretaries of State, who shall subscribe a Certificate that such Rules are fit to be enforced; and all Rules so made shall be binding upon the Marshal or Keeper and other Officers of the Prison, and upon the Prisoners confined therein; and all such Rules shall be laid before Parliament within Six Weeks after such Rules shall be certified, or if Parliament be not then sitting within Six Weeks after the next Meeting of Parliament; and so much of any Act as relates to the making of Rules for the said Prison by any Court in *Westminster Hall* shall be repealed: Provided always, that the Judges of Her Majesty's Courts of Queen's Bench, Exchequer, and Common Pleas, and of Her Majesty's High Courts of Chancery and Admiralty, shall have and exercise the same Powers with respect to ordering the Marshal or Keeper of the Queen's Prison to take into his Custody any Person committed by them respectively, or to bring before them respectively any Prisoner in his Custody, which the said Judges now have with respect to the several Keepers of the Prisons now belonging to the said Courts, or any of them.

Classification of Prisoners.

XVII. And be it enacted, That in the Queen's Prison the Male Prisoners shall be separated from the Female Prisoners, so as to prevent all Communication between them, and that the Prisoners of each Sex shall be divided into the following Classes; that is to say,

1. Debtors remanded by the Commissioners of the Court for the Relief of Insolvent Debtors, on the Ground of Fraud, or for refusing to file a Schedule of their Property:
2. Debtors who do not maintain themselves, and are not included in the First Class:
3. Debtors who do maintain themselves, and are not included in the First Class:
4. Prisoners committed for Libel:
5. Prisoners committed for Assault:
6. Prisoners committed by Courts-martial:
7. Prisoners not included in any one of the foregoing Classes:

And

And that it shall be lawful for the Secretary of State to make separate Rules for each Class of Prisoners, and that, as far as the Construction of the Prison will allow thereof, the Prisoners of each Class shall be separated from each other, and especially the Debtors from the Prisoners confined for other Causes than for Debt.

Regulation as to supply of Food, Liquor, and Necessaries.

XVIII. And be it enacted, That after the passing of this Act no Prisoner in the Queen's Prison shall be allowed to send for or to have any Beer, Ale, Victuals, or other Food, or to send for, have, or use any Bedding, Linen, or other Things, except such as shall be allowed to be brought by them respectively under such Rules, to be made in the Manner directed by this Act, as may be reasonable and expedient to prevent Extravagance and Luxury, and for enforcing due Order and Discipline within the Prison.

Inquests within the Prison.

XIX. And be it enacted, That all Inquests upon the Body of any Person dying within the Queen's Prison, or the Rules of the Queen's Bench Prison, shall be holden after the passing of this Act before the Coroner of the City of *London*, in like Manner as any Inquests holden within the Borough of *Southwark*.

Clerk of the Papers to take Affidavits.

XX. And be it enacted, That the Clerk of the Papers of the Queen's Prison shall be empowered to take the Affidavits of Prisoners within the said Prison on any Proceeding in any Court of Law or Equity in like Manner as he is now empowered to take the Affidavits of Prisoners in the Queen's Bench Prison in any Proceeding in the Court of Queen's Bench; and for taking every such Affidavit the Clerk of the Papers shall be entitled to have a Fee of One Shilling, and no more.

Repeal of so much of 27 G. 2. c. 17. as requires the Marshal to keep the Prison in repair.

XXI. And be it enacted, That so much shall be repealed of an Act passed in the Twenty-seventh Year of the Reign of King *George* the Second, intituled *An Act for re-vesting in the Crown the Power of appointing the Marshal of the Marshalsea of the Court of King's Bench, and for the better Regulation of that Office, and of the inferior Offices thereto belonging, and for rebuilding the King's Bench Prison*, as provides that the Marshal of the Marshalsea aforesaid for the Time being shall from Time to Time and at all Times from thenceforth, at his own Costs and Charges, by and out of the Fees and Profits incident to his said Office, well and sufficiently repair and keep in good Repair the said Prison, and all the Buildings and Appurtenances thereunto belonging.

Appointment and Removal of Officers.

XXII. And be it enacted, That after the next Vacancy of the Office of Marshal of the Queen's Prison the Person having the Custody of the said Prison shall be called the Keeper of the Queen's Prison, and One of Her Majesty's Principal Secretaries of State shall appoint, and at his Pleasure may remove, the Keeper of the Queen's Prison; and that the Offices of Deputy Marshal and Clerk of the Day Rules shall be abolished upon the next Vacancy thereof, and that the Clerk of the Papers shall be thereafter empowered to act as Deputy Keeper in case of the Illness or unavoidable Absence of the Marshal or Keeper; and that the Secretary of State shall appoint,

and at his Pleasure may remove, a Chaplain and Surgeon for the said Prison; and that the Marshal or Keeper, subject to the Approval of the Secretary of State, shall appoint and may remove the Clerk of the Papers and a Matron, and such other Officers and Servants as may be necessary for the Service and Discipline of the Prison: Provided always, that no Keeper of the Queen's Prison hereafter to be appointed shall enter upon his Office until he shall have given good and sufficient Security to the Queen's Majesty, Her Heirs and Successors, for his good Behaviour in the said Office, such Security to be approved by the Lord High Treasurer, or by the Commissioners of Her Majesty's Treasury, and to be for such Amount as he or they from Time to Time shall think fit.

Appointment of Tipstaffs.

XXIII. And be it enacted, That after the passing of this Act the Lord Chancellor, the Lord Chief Justice of the Court of Common Pleas, and the Lord Chief Baron of the Court of Exchequer, shall severally appoint the Tipstaffs heretofore appointed by the Warden of the Fleet Prison to act in the Courts of Chancery, Common Pleas, and Exchequer respectively; and after the next Vacancy of the Office of Marshal of the Queen's Prison the Lord Chief Justice of the Court of Queen's Bench shall appoint the Tipstaffs heretofore appointed by the Marshal of the Queen's Bench Prison to act in the Court of Queen's Bench; and the Tipstaffs so appointed shall perform the same Duties and be entitled to the same Emoluments respectively as the Tipstaffs heretofore appointed by the said Warden and Marshal respectively; and nothing herein contained respecting the Abolition of Fees payable by Prisoners shall be taken to apply to any Fees payable to any of the said Tipstaffs.

Amount of Salaries.

XXIV. And be it enacted, That such yearly Salary as to the Lord High Treasurer or Commissioners of Her Majesty's Treasury from Time to Time shall seem fit shall be paid to the Marshal or Keeper, Clerk of the Papers, Chaplain, Surgeon, Matron, and other Officers and Servants of the said Prison, not being more after the next Vacancy of the Office of Marshal than Eight hundred Pounds to the Keeper, and not being more after the next Vacancy of the Office of Clerk of the Papers than Four hundred Pounds to the Clerk of the Papers, and not being more than One hundred and fifty Pounds to the Chaplain, and such Salaries to the Surgeon, Matron, and other Officers and Servants of the Prison as are suitable for the Services they will have to perform.

Salaries, how to be paid.

XXV. And be it enacted, That the said Salaries and Annuities shall be paid free and clear of all Fees, Taxes, and Charges whatsoever, by Four equal quarterly Payments, on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in every Year, provided that the Payment to be made in each Case on the first of the said quarterly Days which shall happen after the Accrual of the Right thereunto of the Person receiving the same under this Act shall be a rateable Proportion of a Quarter's Salary according to the Time then elapsed since the Accrual of such Right; and in case of Vacancy in the Office of the Marshal or Keeper, Clerk of the Papers, Chaplain, Surgeon, Matron, or any

Officer or Servant of the Prison, the Person making the Vacancy, his Executors or Administrators, shall be entitled to a proportional Part of his quarterly Salary according to the Time elapsed between the Vacancy and the last quarterly Payment.

Salaries and Allowances to be defrayed from the Consolidated Fund.

XXVI. And be it enacted, That the Compensations to be granted in pursuance of the Provisions herein-before contained, and the Salaries of the Marshal, Chaplain, Surgeon, Matron, and other Officers and Servants of the Queen's Prison, shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, after paying and reserving sufficient to pay all Sums of Money directed by any former Act to be paid out of the same, but with Preference to all other Payments which shall hereafter become payable out of the said Fund, and that it shall be lawful for the Lord High Treasurer, or for the Commissioners of Her Majesty's Treasury, by Warrant under his Hand or their Hands, or any Three of them, to direct the several Payments aforesaid to be made out of the Consolidated Fund.

Officers of the Queen's Prison to be within the Provisions of 4 & 5 W. 4. c. 24.

XXVII. And be it enacted, That the Marshal or Keeper of the Queen's Prison, Chaplain, Surgeon, Matron, and other Officers and Servants of the Queen's Prison, shall be within the Provisions of an Act passed in the Fifth Year of the Reign of His late Majesty, intituled *An Act to alter, amend, and consolidate the Laws for regulating the Pensions, Compensations, and Allowances to be made to Persons in respect of their having held Civil Offices in His Majesty's Service*, to all Intents and Purposes as if the Queen's Prison had been mentioned in the Schedule of the said Act.

Act may be amended this Session.

XXVIII. And be it enacted, That this Act may be repealed or amended by any Act to be passed in this Session of Parliament.

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