

ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

CAP. LXIV.

An Act to facilitate Proceedings against the Warden of *The Fleet*, in Vacation. [2d *July* 1819.]

WHEREAS by the Practice of His Majesty's Courts of Common Pleas and Exchequer at *Westminster*, and also by reason of the Enactment made in the Twelfth Section of the Statute made and passed in the Eighth and Ninth Years of the Reign of His late Majesty King *William* the Third, Chapter twenty-seven, no Proceedings can be commenced in the Time of Vacation, at the Suit of any Person or Persons, against the Warden of His Majesty's Prison of *The Fleet*, for or in respect of the Escape of any Prisoner or Prisoners from and out of his Custody: And whereas it is expedient that the Law and the Practice of the said Courts should be altered in this respect; be it therefore enacted by the King'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 from and after the passing of this Act it shall and may be lawful for any Person or Persons, having Cause or Causes of Action against the Warden of the said Prison, for or in respect of the Escape of any Person or Persons in his Custody, from and out of the said Custody, to commence his or their Action against the said Warden by filing his or their Bill against the said Warden, at any Time in Vacation, in the Office of the Prothonotaries of the said Court of Common Pleas, or with the Clerk or Deputy Clerk of the Pleas in the Office of Pleas in the Court of Exche-

8 & 9 W. 3. c. 27.

Bill may be filed against the Warden of the Fleet, in Vacation.

quer, for or in respect of such Escape, and to entitle such Bill as of the preceding Term, a Copy of which said Bill so filed shall, within Twenty-four Hours after the filing thereof, unless a *Sunday* or Public Holiday intervene, and in that Case on the Day next after such *Sunday* or Public Holiday, be delivered to the said Warden or his Deputy, or to the Turnkey or Porter of the said Prison; and the said Warden shall appear and plead to the said Bill within the first Four Days of the following Term, otherwise it shall be lawful for such Person or Persons, having such Cause or Causes of Action as aforesaid, to sign Judgment against the said Warden in such Action; and for the better ascertaining, as well the Time of filing such Bill, as of delivering such Copy thereof as aforesaid, the proper Officer of the Court in which such Bill shall be filed, or his lawful Deputy, shall and he is hereby directed, at the Time of filing such Bill, to indorse upon the same a Memorandum of the Time of filing such Bill; and the said Warden or his Deputy, or the Turnkey or Porter of the said Prison shall, and he is hereby directed, at the Time of receiving such Copy of the said Bill, to indorse upon such Copy a Memorandum of the Time of receiving such Copy as aforesaid.

Memorandum of the Time of filing and receiving such Bill shall be indorsed.

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