



Habeas Corpus Act 1679

1679 CHAPTER 2 31 Cha 2

- XI No subject to be sent Prisoner into Scotland, &c. or any Parts beyond the Seas. Persons so imprisoned may maintain Action against the Person committing or otherwise acting in respect thereof, as herein mentioned; Treble Costs and Damages; and the Person so committing or acting disabled from Office, and incur Premunire 16 R. 11. c. 5. and be incapable of Pardon.**

And for preventing illegall Imprisonments in Prisons beyond the Seas noe Subject of this Realme that now is or hereafter shall be an Inhabitant of Resiant of this Kingdome of England Dominion of Wales or Towne of Berwicke upon Tweede shall or may be sent Prisoner into Scotland Ireland Jersey Gaurnesey Tangeir or into any Parts Garrisons Islands or Places beyond the Seas which are or at any time hereafter [^{X1}shall be] within or without the Dominions of His Majestie His Heires or Successors and that every such Imprisonment is hereby enacted and adjudged to be illegall and that if any of the said Subjects now is or hereafter shall bee soe imprisoned [^{X1}every such person and persons soe imprisoned] shall and may for every such Imprisonment maintaine by vertue of this Act an Action or Actions of false Imprisonment in any of His Majestyes Courts of Record against the person or persons by whome he or she shall be soe committed detained imprisoned sent Prisoner or transported contrary to the true meaning of this Act and against all or any person or persons that shall frame contrive write seale or countersigne any Warrant or Writeing for such Committment Detainer Imprisonment or Transportation or shall be adviseing aiding or assisting in the same or any of them and the Plaintiffe in every such Action shall have Judgement to recover his . . . ^{F1} Costs besides Damages which Damages soe to be given shall not be lesse then Five hundred pounds In which Action noe delay stay or stopp of Proceeding by Rule Order or Command nor noe Injunction . . . ^{F2} whatsoever . . . ^{F1} shall be allowed [^{X2}excepting such Rule of the Court wherein the Action shall depend made in open Court as shall bee thought in Justice necessary for speciall cause to be expressed in the said Rule] and the person or persons who shall knowingly frame contrive write seale or countersigne any Warrant for such Committment Detainer or Transportation or shall soe committ detaine imprison or transport any person or persons contrary to this Act or be any wayes adviseing aiding or assisting therein being lawfully convicted thereof shall be disabled from thenceforth to beare any Office of Trust or Proffitt within the said Realme of England Dominion of Wales or Towne of Berwicke upon Tweede or any of the Islands Territories or Dominions thereunto belonging and [^{F3}be liable to

Changes to legislation: There are currently no known outstanding effects for the Habeas Corpus Act 1679, Section XI. (See end of Document for details)

imprisonment for life] and be incapable of any Pardon from the King His Heires or Successors of the said . . . ^{F4} Disabilities or any of them.

Editorial Information

- X1** interlined on the Roll.
- X2** annexed to the Original Act in a separate Schedule.

Textual Amendments

- F1** Words repealed by [Statute Law Revision Act 1948 \(c. 62\)](#)
- F2** Words repealed by virtue of [Statute Law Revision Act 1948 \(c. 62\), s. 4\(a\)](#)
- F3** Words substituted by [Criminal Law Act 1967 \(c. 58\), Sch. 4 Pt. III para. 1](#)
- F4** Words repealed by [Criminal Law Act 1967 \(c. 58\), Sch. 3 Pt. III](#)

Changes to legislation:

There are currently no known outstanding effects for the Habeas Corpus Act 1679, Section XI.