



Habeas Corpus Act 1679

1679 CHAPTER 2 31 Cha 2

IV Officer neglecting, &c. to make the said Returnes, &c. or upon Demand to deliver a Copy of Warrant of Commitment; First Offence, Penalty £100. Second Offence, £200 and Incapacity. Judgment at Suit of Party sufficient Conviction.

And if any Officer or Officers his or their Under-Officer or Under-Officers Under-Keeper or Under-Keepers or Deputy shall neglect or refuse to make the Returnes aforesaid or to bring the Body or Bodies of the Prisoner or Prisoners according to the Command of the said Writt within the respective times aforesaid or upon Demand made by the Prisoner or Person in his behalfe shall refuse to deliver or within the space of Six houres after demand shall not deliver to the person soe demanding a true Copy of the Warrant or Warrants of Commitment and Detayner of such Prisoner, which he and they are hereby required to deliver accordingly all and every the Head Goalers and Keepers of such Prisons and such other person in whose Custodie the Prisoner shall be detained shall for the first Offence forfeite to the Prisoner or Partie grieved the summe of One hundred pounds and for the second Offence the summe of Two hundred pounds and shall and is hereby made incapable to hold or execute his said Office, the said Penalties to be recovered by the Prisoner or Partie grieved his Executors or Administrators against such Offender his Executors or Administrators by any Action or Information in any of the Kings Courts at Westminster wherein noe . . .^{F1} Injunction . . .^{F1} or stay of Prosecution by Non vult ulterius prosequi or otherwise shall bee admitted or allowed . . .^{F1}, and any Recovery or Judgement at the Suite of any Partie grieved shall be a sufficient Conviction for the first Offence and any after Recovery or Judgement at the Suite of a Partie grieved for any Offence after the first Judgement shall bee a sufficient Conviction to bring the Officers or Person within the said Penaltie for the second Offence.

Textual Amendments

F1 Words repealed by virtue of Statute Law Revision Act 1948 (c. 62), s. 4(a)

Modifications etc. (not altering text)

C1 Reference to the Kings Courts at Westminster to be construed as reference to the Royal Courts of Justice: Supreme Court of Judicature (Consolidation) Act 1925 (c. 49), s. 224(1)

Changes to legislation:

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