



Habeas Corpus Act 1679

1679 CHAPTER 2 31 Cha 2

VIII Persons committed for criminal Matter not to be removed but by Habeas Corpus or other legal Writ. Unduly making out, &c. Warrant for Removal; Penalty.

Provided alwaies That if any person or persons Subject of this Realme shall be committed to [^{X1}any] Prison or in Custodie of any Officer or Officers whatsoever for any Criminall or supposed Criminall matter That the said person shall not be removed from the said Prison and Custody into the Custody of any other Officer or Officers unlesse it be by Habeas Corpus or some other Legall Writt or where the Prisoner is delivered to the Constable or other inferiour Officer to carry such Prisoner to some Common [^{X2}Goale or where any person is sent by Order of any [^{F1}judge of the Crown Court] or Justice of the Peace to any common Worke-house or House of Correction or where the Prisoner is removed from one Prison or place to another within the same County in order to his or her Tryall or Discharge in due course of Law or in case of suddaine Fire or Infection or other necessity] and if any person or persons shall after such Committment aforesaid make out and signe or countersigne any Warrant or Warrants for such removeall aforesaid contrary to this Act as well he that makes or signes or countersignes such Warrant or Warrants as the Officer or Officers that obey or execute the same shall suffer and incurr the Paines and Forfeitures in this Actbeforementioned both for the first and second Offence respectively to be recovered in manner aforesaid by the Partie grieved.

Editorial Information

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

Textual Amendments

- F1** Words substituted by [Courts Act 1971 \(c. 23\), Sch. 8 para. 4\(2\)](#)

Changes to legislation:

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