

ed from his imprisonment for such his criminal offence, he shall be kept in custody according to the law for such other suit.

A R T. X.

PROVIDED also and it is hereby further enacted, That it shall and may be lawful to and for any prisoner or prisoners as aforesaid, to move and obtain his or their *Habeas Corpus* out of the court of king's bench. And if the chief justice or commissioners for executing the office of chief justice or judges of the said court of king's bench in the vacation time, upon view of the copy or copies of the warrant or warrants of commitment or detainer, or upon oath made that such copy or copies were denied as aforesaid, shall deny any *Habeas Corpus* by this Ordinance required to be granted (being moved for as aforesaid) they shall severally forfeit to the prisoner or party grieved the sum of five hundred pounds lawful money of Great-Britain, to be recovered in manner aforesaid.

A A T. XI.

AND for preventing illegal imprisonments in prisons without this province, or beyond the seas, Be it further enacted and declared by the authority aforesaid, That no subject of his Majesty, his heirs or successors, that now is or hereafter shall be an inhabitant or resident of this province of Quebec, shall or may be sent prisoner into any province or into any state or place without this province, or into any parts, garrisons, islands or places beyond the seas, which are, or at any time hereafter shall be within or without the dominions of his majesty, his heirs or successors; and that every such imprisonment or transportation is hereby enacted and declared to be illegal. And if any of the said subjects shall hereafter be so imprisoned, every such person and persons so imprisoned, shall and may for every such imprisonment maintain by virtue of this Ordinance an action or actions of false imprisonment against the person or persons by whom he or she shall be so committed, detained, imprisoned, sent prisoner or transported contrary to the true meaning of this Ordinance, and against all or any person or persons that shall frame, contrive, write, seal or counterfeit any warrant or writing for such commitment, detainer, imprisonment or transportation, or shall be advising, aiding or assisting in the same, or any of them; and the plaintiff in every such action shall have judgment to recover his treble costs, besides damages, which damages so to be given shall not be less than five hundred pounds lawful money of Great-Britain, in which action no delay, stay, or stop of proceeding by rule, order, or command, nor any injunction, protection or privilege whatsoever, nor any more than one impaunce or continuance (according to the practice of the court) shall be allowed, excepting such rule of the court wherein the action shall depend, made in open court, as shall be thought in justice necessary, for special cause to be expressed in the said rule.

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