

nishment, to the Nature and Degrees of Offences, with a due Regard to the Circumstances of Aggravation and Extenuation; as well as to the Frailties and Infirmities of Human Nature. 'Twas of this Law, that it was truly said, by an *honest, bold Patriot*, an hundred Years since, in Parliament; " Our Laws, " which are the Rules of *Justice*, are the *Ne plus ultra*, to King, " and Subject; and as They are the *Hercules Pillars*, so are they " the Pillar to every *Hercules*, to every *Prince*, which He must " *not pass*. (2)

IT was upon the Foundation of this Law, that it was resolved in the House of Commons, in *March, 1628*, *Nemine contradicente*,

I. " That no Freeman ought to be detained, or kept in Pri-
" son, or otherwise restrained, by command of the King, or of
" the Privy Council, or any Other; unless some Cause of the
" Commitment, Detainer, or Restraint, being express'd, for which,
" by Law, He ought to be committed, detained, or restrained.

II. " THAT the Writ of *Habeas Corpus*, may not be denyed;
" but ought to be granted to every Man, that is committed, or
" detained in Prison, or otherwise restrained, though it be by
" command of the King, the Privy Council, or any other: He
" praying the same.

III. " THAT if a *Freeman* be committed, or detained in
" Prison, or otherwise restrained, by the Command of the King,
" the Privy Council, or any other; no Cause of such Commit-
" ment, Detainer, or Restraint being expressed, for which by
" Law, he ought to be committed, detained, or restrained;
" and the same be returned, upon a *Habeas Corpus* granted for
" the said Party; then He ought to be delivered or bailed.

(2) Mr. Crejwell's Speech, *March 1627*: *Rushworth's Collections*, Vol. 3. p. 506.