

Id s 8  
1819, c 137, s 2  
Penalty for neglect to execute

**8.** If the sheriff to whom any such writ of habeas corpus as is referred to in the preceding section may be delivered, shall neglect or refuse immediately to execute the same, and when executed to make return thereof to the court or judge granting the same, and take with him the person charged with the detention (or one of the persons detaining, if there be more than one), together with the person detained, he shall, upon conviction thereof, forfeit the sum of five hundred dollars, to be paid to the person in whose behalf such writ of habeas corpus shall have issued; and if the said person, or some one on his behalf, shall not prosecute for the same within six months after such neglect or refusal, then one half of said forfeiture shall go to the State, and the other half to the person who may prosecute for the same.

Id s 9  
1809, c 125, s 3  
Penalty for neglecting to return or obey

**9.** If any officer or other person to whom a writ of habeas corpus may be directed, shall neglect or refuse to make return thereof, or to bring the body of the person detained according to the command of said writ, within the time hereinbefore limited, he shall forfeit to the person detained five hundred dollars.

Id s 10  
1809, c 125, s 3  
Person detained to have copy of commitment

**10.** Any person committed or detained, or any person in his behalf, may demand a true copy of the warrant of commitment or detainer; and any officer or other person who shall neglect or refuse to deliver a true copy of the warrant of commitment or detainer, if any there be, within six hours after the same shall have been demanded, shall forfeit to the person detained five hundred dollars. The right of action to recover which, or to recover the forfeiture in the next preceding section, shall not cease by the death of either or both of the parties.

Penalty for refusing copy

Id s 11  
1809, c 125, s 2  
Legality of detainer to be examined into on return

**11.** On the return of a writ of habeas corpus, and producing the person detained, and the cause of his detention, before the court or judge who granted the writ, the court or judge shall immediately inquire into the legality and propriety of such confinement or detention, and if it shall appear that such person is detained without legal warrant or authority, he shall immediately be released or discharged; or if the court or judge shall deem his detention to be lawful and proper, he shall be remanded to the same custody, or admitted to bail, if his offence be bailable, and if bailed, the court or judge shall take a recognizance to answer in the proper court, and shall transmit the same to such court

If illegal, party to be discharged

Id s 12  
1813, c 175  
Party may controvert truth of return or may plead  
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**12.** Any person at whose instance or in whose behalf a writ of habeas corpus has been issued, may controvert by himself or his counsel the truth of the return thereto, or may plead any matter by which it may appear that there is not a sufficient legal cause for his detention or confinement, and the court or judge, on the application of the party complaining, or the officer or other person making the return, shall issue process for witnesses or writings, returnable at a time and place to be named in such process, which shall be served and enforced in like manner as similar process from courts of law is served and enforced, but, before issuing such process, the

Witnesses to be sworn and examined