

there is probable cause for believing that the person who may be charged with confining or detaining the person making the application, or on whose behalf the same is made, is about to remove the person so detained from the place where he may then be confined or detained, for the purpose of evading any writ of *habeas corpus*, or for other purpose, or that the person charged as aforesaid would evade or not obey any such writ, then the court or judge shall insert in the writ of *habeas corpus* a clause commanding the sheriff of the county in which the person charged as aforesaid may be, to serve the writ on the person to whom the same may be directed, and to cause the said person immediately to be and appear before the said court or judge, together with the person so confined or detained.

1888, art 42, sec 7. 1860, art 43, sec. 7. 1819, ch. 137, sec 1

7. It shall be the duty of the sheriff to whom the writ mentioned in the preceding section may be delivered immediately to execute the same and to carry the person charged with the detention, together with the person detained, before the court or judge, who shall proceed to inquire into the subject-matter.

Ibid. sec 8 1860, art 43, sec 8. 1819, ch. 137, sec. 2.

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.

Ibid. sec. 9. 1860, art, 43, sec. 9 1809, ch. 125, sec. 3.

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.