



# Habeas Corpus Act (Ireland) 1781 (I)

## CHAPTER 11

### HABEAS CORPUS ACT (IRELAND) 1781 (I)

Preamble.

- [I.] Any person bringing H. C. directed to any sheriff, &c. for any person in their custody, sheriff, gaoler, &c. 3 days after service of said H. C. (except committed for treason) on security given, and tender of expences of removing and returning said prisoner if remanded, make return of said writ, and bring up the body, and certify cause of imprisonment.
- II Writs of H. C. how marked. Person imprisoned during vacation, may complain to lord chancellor &c. who on view of copy of warrant of commitment and oath that such copy was denied to prisoner, and request in writing subscribed by 2 witnesses present at delivery thereof, grant a H. C. to sheriff and returnable immediately, and on service thereof, sheriff &c. shall bring such prisoner up, and said lord chancellor shall discharge said prisoner, taking security for his appearance at K. B. assizes, &c. and certify said writ, and return recognizance to court where appearance to be.
- III Any prisoner not applying for two terms for H. C. shall not have one during vacation.
- IV Any officer, &c. neglecting to return as aforesaid, or bring up the body according to command of writ, or on demand, or 6 hours after, refuse copy of commitment, shall for 1st offence forfeit £100 to party aggrieved, 2nd offence £200 and rendered incapable, penalties recovered by action of debt, &c. wherein no injunction, &c. allowed, and recovery by party grieved sufficient conviction for 1st offence, and any after recovery shall bring officer, &c. under penalty for 2nd offence.
- V And to prevent frequent commitments for same offence, no person enlarged by H. C. shall be committed for same offence, except by court having jurisdiction, and if any other person shall recommit said prisoner

*Changes to legislation: There are currently no known outstanding effects for the Habeas Corpus Act (Ireland) 1781 (I). (See end of Document for details)*

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for same offence, or be aiding &c. thereto, shall forfeit to party grieved £500.

- VI .....
- VII Nothing herein to discharge any person for debt, &c.
- VIII Persons committed for criminal offences not removeable but by habeas corpus or legal writ, &c. and persons after such commitment make or sign any warrant for removal, and the officer that obeys such warrant, shall incur the penalties aforesaid.
- IX .....
- X Suits under this act to be brought in 2 years after offence committed, except party grieved in prison, then in 2 years from delivery or decease.
- XI, XII .....
- XIII .....
- XIV .....
- XV Persons committed for being accessory before the fact to petty treason, felony, or murder, &c. not intituled to benefit of this act.
- XVI .....

**Changes to legislation:**

There are currently no known outstanding effects for the Habeas Corpus Act (Ireland) 1781 (I).