

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.

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.

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 court or judge shall be satisfied by affidavit or otherwise of the materiality of such testimony.

13. If the court or judge granting the habeas corpus shall not be in session, or absent at the return thereof, the said writ shall be returned before any other court or judge.

14. No person who shall be released upon habeas corpus, shall afterwards be imprisoned or committed for the same offence, unless he be surrendered by his bail, or convicted of the offence for which he gave bail.