



# Habeas Corpus Act (Ireland) 1781 (I)

1781 CHAPTER 11 21 and 22 Geo 3

**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.**

Provided always, That if any person or persons subjects of this realm, shall be committed to any prison, or in custody of any officer or officers whatsoever, for any criminal or supposed criminal matter, the said person shall not be removed from the said prison and custody into the custody of any other officer or officers, unless it be by habeas corpus or some other legal writ, or where the prisoner is delivered to the constable or other inferior officer to carry such prisoner to some [<sup>F1</sup>prison], or where any person is sent by order of any [<sup>F2</sup>judge of the Crown Court] or justice of the peace to . . . <sup>F3</sup>[<sup>F1</sup>prison], or where the prisoner is removed from one prison or place to another within the same county, in order to his or her trial or discharge in due course of law, or in case of sudden fire or infection, or other necessity; and if any person or persons shall after such commitment aforesaid, make out and sign or counter-sign any warrant or warrants for such removal aforesaid, contrary to this act, as well he that makes or signs, or counter-signs such warrant or warrants, as the officer or officers that obey or execute the same, shall suffer and incur the pains and forfeitures in this act before mentioned, both for the first and second offence respectively, to be recovered in manner aforesaid, by the party grieved.

## Textual Amendments

- F1** Words substituted by virtue of [Prison Act \(Northern Ireland\) 1953 \(c. 18\), s. 45](#)  
**F2** Words substituted by [Judicature \(Northern Ireland\) Act 1978 \(c. 23\), Sch. 5 Pt. II](#)  
**F3** Words repealed by [Statute Law Revision \(Northern Ireland\) Act 1980 \(c. 59\), Sch. Pt. XII](#)

**Changes to legislation:**

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