

MSA SC 5463-2-14

Cyrus Chase,
David Chase &
Caroline Chase by
their next friend
W^m L. Gault Delist

vs.

Virgil Gault.

I allow the Writ of Habeas
Corpus as within prayed,
which the Clerk of the Dis-
trict Court of the United
States for the Maryland
District will issue,
returnable at the Court
Room in the City of Balti-
more on Saturday
25th April 1868 at 10
o'clk - William F. Giles

7th April 1st 1869
Wm F Giles

Return by the Court the 12th day of May 1868 that the
Petitioners Cyrus Chase, David Chase & Caroline Chase be
they are hereby discharged from the custody of Virgil Gault
upon the grounds, that the detentions and restraint. In
pleaded for in orators of the Complainants and laws of the
U.S. and that the costs of this proceedings be paid by Peti-
tioners
Wm F Giles

To the Hon. W.^m Fell Giles, Judge of the District Court
of the United States for Maryland District:

The Petition of Cyrus Chase, David Chase & Car-
oline Chase, ^(all colored) by their next friend W.^m L. Vansalip respect-
fully represent that they are the children of Mercy Chase
that they are restrained of their liberty & held in custody
by Virgil Gantt residing at or near Prince Frederick
Town, Calvert County, in the State of Maryland, in
violation of the Constitution & Laws of the United States.

That your Petitioners are restrained of their liberty
by the said Virgil Gantt by virtue of certain alleged
Indentures of Apprenticeship made not in accordance
with the Laws of the State of Maryland as applicable
to the binding of White Children: that at the time of
making the said alleged Indenture of apprenticeship
the mother of your Petitioners was able, ready &
willing to support them, that she was living in
Calvert County, that neither she nor your Peti-
tioners were summoned to appear before the Orphan's
Court of Calvert County aforesaid on the day of the
making of the said alleged Indentures of Apprenticeship
& that the said Virgil Gantt is not bound by the
said alleged Indenture of Apprenticeship to give your
Petitioners any Education in reading, writing & arith-
metic, nor to teach your Petitioners the said Cyrus
& David Chase "any useful art or trade", all of which
requisites are made necessary by the Laws of the
State of Maryland in the case of the binding of
White Children -

(Yours)

Your Petitioners therefore pray your Honor to grant unto them the Writ of Habeas Corpus addressed to the said Virgil Gault requiring him to produce in this Honorable Court upon a day in the said Writ to be named, the persons of your Petitioners to certify the true cause of their detention & to show cause if any he has, why your Petitioners should not be discharged from their custody & detention, & as in duty bound &c,

Henry Stockbridge &
Nathan M. Pusey
Atty for Petitioners

State of Maryland

City of Baltimore, to wit:

I hereby certify that on this 27th day of March A.D. 1868 before me a Commissioner of the United States personally appeared W^m S. Vandellip & made oath in due form of law that the matters & facts stated in the foregoing Petition are true as therein set forth to the best of his knowledge & belief.

Wm S. Rogers

Commissioner of the United States

in & for the District of Maryland

In answer to the within writ Virgil Gault
deposes & saith that the said Cyrus Chase,
David Chase & Caroline Chase are not now
nor have not been in ^{his} ~~my~~ employ or
in ~~my~~ ^{his} place, or have ~~not~~ had any control
over them ~~for more than twelve months~~ ^{since the day last}
~~past.~~ and therefore it is impossible
for him to bring them before this
court.

V. Gault

Sworn to in open Court
this 24 day of April 1868.

before me

J. A. W. Chew Clerk

Deputy U. S. Commissioner

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 In the Matter of
 the Petition of
 Cyrus Chase
 & others
 by their next friend
 W. L. Vanderlip

Habeas Corpus

Stickney & Purdy

The United States of America

District of Maryland, Court.

To Virgil Gault, near Prince Fredericktown Calvert
County, in the State of Maryland - Greeting;

You are hereby commanded to be
and appear before the Honorable
William F. Giles Judge of the District
Court of the United States, at the United
States Court House in the City of
Baltimore on Saturday the Twenty fifth day of April
(And) at 10 o'clock A.M. and that you have with you
the body of Cyrus Chase, David Chase & Caroline Chase
(all colored) now in your custody, as it is said, and that
you certify and make known the day and cause of the
capture and detentions of the said Cyrus Chase,
David Chase, & Caroline Chase, and that you then
and there do submit to and receive whatsoever
the said Judge shall determine upon concerning
you in this behalf according to law, and have you
then and there this writ.

Witness the Honorable William F. Giles Judge
of our said District Court the first Tuesday in March
in the year of our Lord one thousand eight hundred and
sixty eight.

Given April 4 1868

J. A. W. Chew Clerk
see d