

MSA SC 5463-2-15

ordered by the Court
the 24th of April 1868
that Dennis Holland,
infant, the petitioner in
this case be discharged
from the custody of
W^m. Robert Mackelhaney
and that the costs of
this process be paid
by the Defendant —

William F. Giles
" "

11

Dennis Holland
by his next friend
W^m. L. Van Derlip

vs

Mrs Robert Mackelhaney

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

William F. Giles
" "

Feb. April 4 1868
Attest
15-1

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

The Petition of Dennis Holland
(Colored) by his next friend W^m L. Van Derlip
respectfully represents unto your Honor that
he is the son of Rhoda Holland, that he is
restrained of his liberty and held in custody
by Mrs Robert Mackelhaney, residing at
Huntingtown in Calvert County in the State
of Maryland, in violation of the Constitution
and Laws of the United States,

That your Petitioner is restrained of his
liberty by the said Mrs Robert Mackelhaney
by virtue of certain alleged Indentures of Ap-
prenticeship made not in accordance with
the Laws of the State of Maryland as appli-
cable to the binding of white children, That
at the time of making the said alleged Inden-
tures of Apprenticeship the mother of your
Petitioner was able, ready and willing to
support him, that she was residing in Cal-
vert County aforesaid, that neither she nor
your Petitioner were summoned to appear
before the Orphans Court of Calvert County
aforesaid on the day of the making of the
said alleged Indentures of Apprenticeship
and that the said Mrs Robert Mackelhaney
is not bound by the said alleged Indentures
of Apprenticeship to give your Petitioner any

education in reading, writing and arithmetic
nor to teach your ^{Petitioner} "some 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.

Your Petitioner therefore prays your
Honor to grant unto him the Writ of Habeas
Corpus addressed to the said Mrs Robert
Mackelhaney, requiring her to produce in
this Honorable Court upon a day in said
Writ to be named, the person of your Peti-
tioner, to certify the true cause of his de-
tention and to show cause, if any he has,
why your Petitioner should not be discharged
from his said unlawful custody & detention
& as in duty bound &c.

Henry Stockbridge &
Nathan M. Pusey
Attys. for Petitioner.

State of Maryland

City of Baltimore, to wit,

I hereby certify that on this 27th day of March
A.D. 1865 before me, a Commissioner of the
United States, personally appeared Mr. L. Van
Derlip & 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.

Robt. Rogers

United States Commissioner
in for the District of Maryland

11
In the Matter of
The Petition of
Dennis Holland
by his next friend
Wm L. Vanderlip

Habeas Corpus

Stockb. & Purv

15-2

The United States of America
District of Maryland, to wit
To Mr. Robert Mackelhaney, at Huntington in Cal-
vert County in the State of Maryland - Greeting:

You are hereby commanded to be
and appear before the Honorable Mr.
J. 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 (Inst) at 10 o'clock A.M.
and that you have with you the body of Dennis
Holland (Colored) now in your custody, as it is said
and that you certify and make known the day &
cause of the capture and detention of the said
Dennis Holland, 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 J. Giles Judge
of our said District Court the first Tuesday in March
in the year of our Lord one thousand eight hundred
and eighty eight

Spec^d April 4/1868

J. W. Chew Clerk
JWC

In compliance with the within writ I
herely produce the body of Dennis Holland
& state that he is not detained against
his will but that he remains in my
service of his own accord with the
Consent of his mother, & I do not
claim to hold him under any in-
denture of Apprenticeship whatever *

~~never had any articles of apprenticeship & never
intended to take him under any articles
& am willing to surrender him~~

Shown to in Open Court

before me this 24 day of Robert M. Thayer
April 1868.

J. W. Chew Clerk
J. W. C.

Dennis Holland
or
Mrs Mackelhamy

Habeas Corpus

Sewer
87

\$ 2.

4.86

\$ 6.86