

MSA SC 5463-2-7

George Mason
by their next friend
J^r L. Van Derlip

vs
Daniel Kent.

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

do - William F. Giles

Filed April 1st 1868
Writ issue?

It appears by the return filed in this
case by the Defendant, that before the filing
of this petition, the petitioners had been seen
- rendered and their indentures of Apprenticeship
cancelled by the Orphan Court for Calvert County
it is the 12th of May 1868 ordered, that the petition be
dismissed. ~~Added~~ out to be paid by ^{the} petitioners ~~of~~ Giles

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

The Petition of George Mason (Colored)
Thomas Mason (Colored), Jane Mason (Colored)
Mary Mason (Colored), ^{Moses Mason (Colored)} and John Edward Mason
(Colored) by their next friend W^m L. Van Derlip
respectfully represents that they are the children of Halley Gassoway (formerly Halley Mason), that they are restrained of their liberty and held in custody by Daniel Kent, residing at or near Lower Marlboro, Calvert County in the State of Maryland, in violation of the Constitution and Laws of the United States.

That your Petitioners are restrained of their liberty by the said Daniel Kent 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 the making of the said alleged indentures of Apprenticeship the mother of your Petitioners was able, ready and willing to support such of your Petitioners as were not able to support themselves, that she was residing in Calvert County aforesaid, that neither she nor your Petitioners, nor any of them 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 David Kent is not bound by the said alleged Indentures of Apprenticeship to give your Petitioners any education in reading, writing and arithmetic nor to teach your Petitioners George, Thomas^{Moses}, and John Edward, "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 Petitioners therefore pray your Honor to grant unto them the Writ of Habeas Corpus addressed to the said David Kent requiring him to produce in this Honorable Court upon a day in said Writ to be named, the persons of your Petitioners, to certify the true cause of their detention and to show cause, if any he has, why your Petitioners should not be discharged from their said unlawful detention & as in duty bound &c.

Henry Stockbridge &
Nathan P. Pusey
attys 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 Wm. G.

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.

ProDyon Rogers

United States Commissioner

Washington District of Col.

In compliance with the within writ I herewith
produce the bodies of George Mason, Thomas Mason,
Jane Mason, Maas Mason & John Edward Mason
And I would state that said negro have been
released, as will appear by a certificate of the Register
of wills of Calvert County hereto annexed, & have been
ordered to leave my premises, but that they have
persistently refused to do so. The order to cancel
the indentures of Apprenticeship was given on
the 18th of March last. I was sick in bed &
wrote to Mr Sedwick. This was done as soon
as I saw Judge Giles opinion, coinciding with
Judge Chases. The only letter I rec^d from Mr
Vanderlip was in March, ^{last} telling me I must
release Elizabeth Gorman (negro) within ten
days, or a writ of Habeas Corpus would issue
which he would ask for Exemplary damages.
I released her at once, within 4 or 5 days, as
soon as I could get her clothes fixed. I release
the others (the Masons) of my own accord before
the writ was served on me, ^{by Mr 18th of March.} & commenced
^{Tom's} wages on the 19th of March. & determined
to get rid of the rest.

Wm. Kent

Subscribed & sworn to this
12th day of May, A.D. 1868

before me

W. H. H. H.

U.S. Com. m.

George Mason
& others
by their next friends
Jm L. Van Derlip

Habeas Corpus

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Stockbridge & Pursey

The United States of America

District of Maryland, to wit

To Daniel Kent near Lower Marlboro, 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 (Inst) at
10 o'clock A. M. and that you have with you the
body of George Mason (Colored) Thomas Mason (Colored)
Jane Mason (Colored) Mary Mason (Colored) Moses
Mason (Colored) and John Edward Mason (Colored)
now in your custody as it is said, and that you
certify and make known the day and cause of
the capture and detention of the said George Mason,
Thomas Mason, Jane Mason, Mary Mason, Moses
Mason & John Edward Mason, 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 Fifty eight.

Spued April 4 1868

J. A. W. Chew cler
Deu et

I hereby certify, that it appears by the record of this
Office, that the indentures of Apprenticeship executed
on the 14th day of January 1865 by David Hunt, binding
negro children Geo. Mason, Thos. Mason, Moses
Mason, Edward Mason, Jane Mason and Mary
Mason with said Hunt have been canceled by an
order of Orphan's Court for Cabnet County -
Test:

W. J. Seawick
Reg^y of Wills for
Cabnet County