

MSA SC 5463-3-14

Albert Stansbury alias  
Albert Moon, by his  
next friend Daniel  
Stansbury -

J. S. Nicholas

Petition for Habeas  
Corpus -

Filed 4<sup>th</sup> September 1845.

Writ issued, returnable  
Saturday morning 6<sup>th</sup> inst<sup>o</sup>  
at 10 o'clock

To the 1 Wpln & Heath judge for the  
District of Maryland  
The petition of <sup>of Albert & family by his next friend</sup> Daniel Hanbury a  
citizen of the United States and  
respectfully represents unto your  
Honor that his son <sup>(said)</sup> Albert Hanbury  
has enlisted by the name of Albert  
Thorn in the Naval Service of  
the United States & is now detained  
as a marine in said service by Captain  
J. S. Nicholas the recruiting officer  
of the Station at Baltimore  
Your petition further represents  
that her said son is an infant being  
only sixteen years of age last  
July - wherefore your petition prays that  
the writ of Habeas Corpus may  
be directed to Captain Nicholas  
commanding him to produce before  
your Honor the body of the said  
minor to be dealt with according  
to Law &c.

Yours truly  
for Petitioner

Personally appeared in open Court  
Daniel Hanbury & makes oath in  
due form of Law that the matters  
& things above stated are true

Sworn to in open Court  
4 Sept. 1845. Thos. Spier }  
Clerk

W. Spicer

Issue the Habeas Corpus  
as prayed returnable on Saturday  
next at 10 O'Clock. At the District  
Court Room

W. S. Heath  
D. Judge  
Sep 4. 1845

orders this sixth day of September 1845 that  
the Petitioner Albert Stanbury, alias Albert  
Moon be discharged upon his returning the  
advance made to him on the clothing therein  
purchased, or any clothing he may have received  
from the United States, and also upon payment  
of costs.

W. S. Heath  
D. Judge

Albert Stansbury, alias  
Albert Moon, by his  
next friend Daniel  
Stansbury

vs

Capt J. S. Nicholas

Habeas Corpus.

In obedience to the exigency of the within writ the undersigned returns and certifies that the within named Albert Stansbury alias Albert Moon was shipped as a seaman in the service of the United States of America on the third day of September 1845 and that he is now held under the command of the undersigned in virtue of such shipment all of which will appear by the shipping articles, held ready to be presented when required by this Hon. Court — J. S. Nicholas

The United States of America  
District of Maryland to wit.

To Captain J. S. Nicholas greeting.

You are hereby enjoined and com-  
manded to be and appear before the  
District Court of the United States in  
and for the Maryland District, at  
the United States Court Room on Saturday morning the  
sixth day of September, Instant, at ten o'clock, and that  
you have with you the body of Albert Stansbury  
alias Albert Moon, now in your custody, and that  
you certify and make known the day and cause  
of the capture and detention of the said Albert Stans-  
bury alias Albert Moon, and that you then and  
there do submit to and receive whatsoever the said  
court shall determine upon concerning you in this  
behalf, according to law, and have you then and there  
this writ. Witness the Honorable Upton S Heath Esq-  
of our said District Court the first Tuesday in September  
in the year of our Lord one thousand eight hundred  
fifty five

Given 4<sup>th</sup> September 1845.

Thos. Spicers Esq  
District Clerk