

MSA SC 5463-3-15

To the Honorable Weston G. Heath
Judge of the District Court of the United States
in and for the Maryland District.

The petition of Alfred C. Harris
respectfully represents that John B.
Bridgman, a minor, under the age
of twenty one years, to wit, of the age of
eighteen years, on or about the ninth
day of May, 1848, was enlisted as a private
into the Army of the United States, and
is at the present time, illegally held in
confinement at Fort M'Henry in said
District, in the custody of Henry Swastout,
a Captain in the Army of the United States
That on or about the first of April
in 1844, the father and mother of the
said John B. Bridgman both being
dead, the said John B. Bridgman, being
the nephew of your petitioner, came
to your petitioner as his ward and appren-
tice, and as such has ever since lived
with and ^{been} supported by him.

That the said John B. Bridgman was
enlisted as aforesaid without the
knowledge and consent of your
petitioner. He therefore prays your
honor to grant him the writ of Habeas
Corpus to be directed to the said Henry
Swastout, Captain as aforesaid, or
to whomsoever may be in command
at the Fort aforesaid, commanding
him on ~~and~~ a day certain therein
to be named to produce before your
honor the body of the said John B.
Bridgman, with the cause of his

caption and detention.

And he will be

Charles Gilman

Attorney for petitioners

State of Maryland

City of Baltimore, Md.

On this 26th day of May in the year of our Lord Eighteen hundred and forty eight, before me the subscriber a justice of the peace of the State of Maryland in and for the city of Baltimore personally appeared Alfred C. Harris and made oath in due form of law that the matters and things set forth in the foregoing petition are just and true according to the best of his knowledge and belief.

Sworn before

John L. Supter

W. Spicer - will give the writ of Habeas Corpus as prayed for making the same returnable before me on Monday next at 10 o'clock at W (the 29th) at the office of the Clerk of the District Court - Given under my hand this 26th day of May 1848

W. Spicer

D. Judge

The undersigned make the following
return, the man is absent

Fort Mifflin
May 29. 1848

H. Swartwout
Capt. 2nd Regt
Infy

The undersigned returns that the man spoken of
in the within writ is held as a regularly enlisted
soldier in the service of the United States, He having
enlisted as such on the 9th day of May 1848

May 29th 1848

W. Marshall
for Capt H. Swartwout

John B. Bridgman by
his next friend
Alfred C. Harris

vs

Capt. Henry Swartwout
or whomsoever may be in
Command at Fort Mifflin

The United States of America

District of Maryland to wit

To Captain Henry Smartwout, or whomsoever may be in
Command at Fort Mifflin Greeting.

You are hereby Commaned and enjoined
to be and appear before the Judge of the
District Court of the United States in and
for the Maryland District at the Clerk's
Office of the said District ^{Court} in the Masonic

Hall on Monday the 29th Instant at ten o'clock A. M.

and that you then and there have with you the body of John
B. Bridgman now in your Custody, and that you Certify
and make known the day and Cause of the Capture and
detention of the said John B. Bridgman, 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 Upton S. Heath Judge of said
District Court the first Monday in March in the year of
our Lord One thousand Eight hundred and forty Eight.

Spued 26th May 1848

Thos. Spier, C.
District