

MSA SC 5463-3-2

Petition of John
Lefford for
Habeas Corpus

Filed Sept. 4th 1846
writ issued returnable 5th Sept
1846 at 11 o'clock A.M.

Mr. Spence, I have the writ as before
directed by the Court below and
make it returnable before the
the British Council at the same
place on tomorrow at 11 o'clock
A.M.

W. H. A. H.
Esq. Justice

To the Honorable U. S. District
Judge of the United States District for the
District of Maryland.

The Petition of John Safford
humily shews that he is now illegally
detain'd at Fort M. Henry (the said John
Safford being under the eye of a Captain
by Lieut. Col. Francis S. Pelton Commanding
at Fort M. Henry through prays that
the United States writ of Habeas Corpus
may be directed to the said
requiring him to produce the body of
the said John Safford before your honorable
Court to enquire into the legality of
his detention - and that your Honor will
allow him therefor -

Yours truly
for Petitioner

State of Maryland

City of Baltimore

Before me the undersigned Justice of the Peace of the State of Maryland in and for Baltimore City personally appeared James Lapsford and made oath that the facts contained in the foregoing petition are true to the best of his knowledge and belief

Given under my hand

James P. Bell

September 4th 1846



The United States
Writ of Habeas Corpus
to
Lieut. Col. F. S. Belton

The United States of America
District of Maryland, to-wit:

To Lieut. Col. Francis S. Belton

You are hereby enjoined and commanded to be and appear before the Honorable Upton S. Heath Judge of the District Court of the United States in and for the Maryland District, at the District Court Room on Saturday the 5th day of September, next, at 11 o'clock A. M. and that you have with you the body of John Sessford now in your possession, and that you certify and make known the day and cause of capture and detention of the said John Sessford, and that you then and there do submit to and receive whatsoever the said Upton S. Heath Esquire 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 ^{the} said District Court of the United States in and for the Maryland District
Given September 4th 1846

Thos. Spier

On review of the writ of habeas corpus it is certified that John Sessford is held as a duly enlisted soldier in the Company of Captain Thomas Mearns 9th Reg^t of Riflemen representing himself to be full twenty one years of age. Fort M. Henry 5th Sept 1846.

F. S. Belton
At the said
Court.

District of Maryland
District Court - Feb Term 1846

In the matter of Mr. Sefford -
on Petition for a Habeas Corpus
directed to Lt. Col. Belton Court
of Robert Henry -

Margaret Sefford a Witness
of lawful age - says she is the
mother of the Petitioner - who
was born between the 8th & the 20th
of February 1829. she does
recall the Day - that she gave
no consent to his enlistment
that he is not bound as an
apprentice to any one - that
about a month ago she agreed
that her son should remain
two years with Mr. Henry
and gave a Certificate to
effect - He received no advance
and the clothes he received has
been returned this morning
says the Officer in whose charge
he was brought up under the
Habeas Corpus - His brothers
who were in Court as Witnesses
of his age were not examined

The Petitioner discharged
and to pay the Costs -

W. A. Smith
Feb. 5. 1846