

MSA SC 5463-3-3

District Court and
District of Maryland

On this 3^d day of September
- 1846 - personally appears
Harriet Polk a competent
woman - who being duly sworn
deposes and she saith that the
Petitioner is her Son - that he
was born on the 6th day of June
1826 - that he was but twenty one
years of age on the 6th day of
June 1827 - that she never gave
any consent to his enlistment
- nor did she know of
it until after it occurred.

also George Polk, who deposes
and saith that the paper pro-
duced is the Family record
of the births of his Family - that
it is the record regularly kept
and is correct - that he is not
twenty one years of age - that
he never has consented to his
enlistment he did not know
of it until after he was - the
Boy seeing to be dissatisfied
with his Mother's wife - who has
recently come into the Family
he told him he might hire out
at his trade - he being a good

workman and receive his
wages himself - and he may
still do so - that he never consented
to his enlisting he has said
to-day to the Judge that if he
could get his Mother, consent
he would not himself object
to his going - but that she will
not give - she appears excited
about it - when he heard he
had enlisted he went to the
Port and finding he had
enlisted - I asked that he should
~~come up and I immediately~~
caused a Petition to be filed
that his son in early life fell
and burst his knee, that at
times he is greatly affected by this
it - that it affects him down to
his feet - that this renders him
especially at times in cold weather
infirm ^{very} that this is one reason
for his Mother's anxiety upon
the subject of his discharge -
Entry on Record - "Thomas McKean
Tolk born 5th June 1826" -
It appeared that he Petitioner

had received clothing but
no advance -

It was ordered that the Pet.
Thomas, de K. Folke be discharged
and that he return
any clothing he may
have received & pay the costs
of the proceedings.

M. H.



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

The United States of America
District of Maryland, Court:

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 Thursday

the 3rd day of September, Inst, at 11 o'clock A. M. and
that you have with you the body of Thomas M. K. Folk
now in your possession, and that you certify and make
the day and cause of caption and detention of the said
Thomas M. K. Folk, 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 there and
there this writ. Witness the Honorable Upton S. Heath
Judge of the District Court of the United States in
and for the District of Maryland
Given September 2nd 1846.

Thos. Spicer, Esq.

Return is made to the above writ duly served
that Thomas M. K. Folk is a duly enlisted Soldier
in the army of the United States Coy C Mounted Regi-
ment of Riflemen & enlisted by G. S. McLean for
said Company & Regiment & that he declared
himself to be the age of twenty ^{one} years, on the
day of Nov. 6. at the City of Baltimore.

Fort M. Stoney
Sept 2nd 1846

F. S. Belton
Col. F. S. Belton
Commy