

MSA SC S463-3-7

Sam Swann

①

Capt Loomis

Petition for Habeas

Corpus —

Filed 16 Decr 1828

Writ issued returnable  
18<sup>th</sup> Inst at half past  
Nine o'clock in the  
Morning in the Circuit  
Court Room —

Discharged

Swann Swann is discharged from his indictment he  
being a minor under twenty one year of age  
and being indicted without the consent of his Bond  
Guardian, a warrant being first had and  
obtained —

Decr 19<sup>th</sup> 1828

to the Hon Elias Glenn District Judge  
of the United States Court for the  
District of Maryland -

Anne Swan your Petitioner respectfully  
states to your Honor that Isaac Swan her  
infant son who will not be one and twenty  
until the 16<sup>th</sup> day of June next in the year  
1829 was on the 13<sup>th</sup> of December eighteen hundred  
and twenty eight enlisted into the Army  
of the United States by Capt Gustavus Loo-  
mis one of the recruiting officers of the  
United States of America without the consent  
of your Petitioner who is his only nursing  
-ing parent - your Petitioner further  
states her child Isaac Swan is still held  
and illegally kept in the service of the  
United States by said Gustavus - your  
Petitioner further says that said Isaac has  
no parent Guardian or Master except her-  
-self - she therefore humbly prays your  
Honor that the United States writ of  
Habeas <sup>ad subpendendum</sup> corpus, may issue to said Gustavus

dooms directing him to appear before  
your Honor and to bring with him  
the body of said Isaac Swon to abide  
such disposition as your Honor  
may adjudge - and your Petitioner  
will ever pray

Anne <sup>Swon</sup> Swon  
Worth

Personally appears before me the underscriber a Justice of the Peace for the City of Baltimore Anne Swon and made oath on the Holy Evangelij of Almighty God that the facts stated in the foregoing Petition are just and true to the best of her knowledge and belief so help her God

James Pickering

2-1  
Issue the Writ and make it returnable  
at half past nine o'clock <sup>Friday after</sup> tomorrow  
Dec 14<sup>th</sup> 1828 E. Glenn

I claim the within named Isaac Swan  
as a Recruit Regularly enlisted into the Service  
of the U. States

A. J. Loomis  
Capt. 1<sup>st</sup> Regt.

The United States of America  
District of Maryland to wit  
To Captain Gustavus Loomis of the United  
States Army Greeting —

You are hereby enjoined and  
Commanded to be and appear  
before the Honorable Elias Glenn  
Judge of the District Court of the United States  
for the Maryland District at the United States  
Court Room in the Masonic Hall at  
half past nine o'clock in the morning  
of Thursday 18<sup>th</sup> Dec<sup>r</sup> 1828  
and that you have with you the body  
of Isaac Swann now in your possession,  
and that you certify and make known  
the day and cause of the capture and  
detention of the said Isaac Swann, and  
that you then and there do submit to, and  
receive whatsoever the said Judge shall deter-  
-mine upon concerning you in this behalf  
according to law, and have you then and  
there this writ — Witness the Honorable  
Elias Glenn Judge of our said District Court  
the 16<sup>th</sup> day of December 1828.

Philip Moore (H)  
Clerk