3.4.&5

Pp.° 5 Feby 1823

3·5a

US Tales
3 vs
Tho Dukehart
Wm Vanlier
Peter Robertson

Fifa DL $259
Cost — 22.25
addn — .60

Release $131.40 Int 5 Sept 1822

Indgt 3 Decem 1822

Same
4 v
Wm Vanlier
Peter Robertson
Owen McManus

Fifa DL $396
Cost — 22.25
addn — .60
Release $186 — Int 20 Oct 1822

Indgt 3 Decem 1822

Same
5 v
Wm Vanlier
P. Robertson
Dave Pendleton

Fifa DL $576 —
Cost — 22.25
addn — .60
Release $282. Int 1 Nov 1822

Indgt 3d Decr. 1822.

I, Theodorick Bland judge of the District court in and for the District of Maryland do hereby certify and return to the said District court to be kept upon the files and record of the same court; that on the twentieth day of December in the year eighteen hundred and twenty two John Chase presented to me a petition in the following words; (here insert the petition marked A,) whereupon I ipsued a notice by cetation in the following words, (here insert the notice marked B,) And, it being my opinion, that the examination and proceedings under the said Petition could not be had with convenience in the prison where the said debtor was confined, I therefore determined to have the same made at the federal court room in the masonic Hall in the city of Baltimore, as specified in the said notice by cetation, the same being a place

convenient, and near to the prison where the said Petitioner was confined; and accordingly, on the 20th day of January in the year 1823 I issued a warrant under my hand and seal to the Marshal for the said District to cause the said Chase to be brought before me in the following words, (here insert the warrant marked C,) By virtue of which warrant the body of the said Chase was brought before me at the time and place aforesaid; When and where the service of the said notice by citation was acknowledged by the said John Purviance, counsel for the said Vasques to have been served on him on the 20th day of December in the year 1822; and the said Purviance, and also David Hoffman then and there appeared as counsel for the said Vasques and propounded to the said Chase interrogatories in the following words, (here insert the interrogatories marked D,) and the said Chase being by

8-150

me sworn to answer all interrogatories necessary for the inquiry into, and discovery of the true state of his property transactions and affairs, made answer unto the said several interrogatories in the following words, (here insert the answers marked E,) And there being in my opinion no sufficient cause shewn, or appearing by the said examination why the said Petitioner should not have the oath administered to him and be discharged as prayed in his said petition; I thereupon administered to him the oath in the words prescribed by the said act of Congress. Which oath having been administered I certified the same to the prison keeper in the following words, "To the Sheriff and keeper of the Jail of Baltimore County in the State of Maryland: I do hereby certify, that John Chase who was lately in your custody under process of execution issued from the circuit court of the United States in and for the District of Maryland, having been this day brought before me, has taken the oath prescribed by an act of Congress entitled An act

for the relief of persons imprisoned for debt; approved on the sixth day of January in the year eighteen hundred, and that he is hereby discharged from his imprisonment on the judgment on which the said process issued - Given under my hand and seal this twenty first day of January in the year eighteen hundred & twenty three -

Theodoruk Bland (L.S.)

All which acting and doings I do hereby certify and return unto the District court of the United States in and for the District of Maryland.

Given under my hand and seal this twenty eighth day of January in the year eighteen hundred and twenty three -

Theodoruk Bland (L.S.)

51-8

John Chase answers ~~to the~~ questions propounded
to him by David Hoffman Esqre Counsel
on behalf of Dr Augustus Jr Bonaparte

1st ~~That house~~ & lot conveyed to his wife Sophia
Chase was ~~conveyed~~ sold ~~by authority of respondent~~
by Saml C Child deponents agent during deponent
absence from this Country in the year 1819
1820 or 1821 deponent does not precisely recollect
which year

2nd The property was sold to Joseph E Janney the exact
time deponent does not know by Saml C Child
as deponents agent deponent never has executed
a deed - deponent agent was paid for said house
by notes which notes have been applied in
payment of deponents debts -

3. - The said lot mentioned in this interrogatory was
sold at the said time with the frames by Child
~~the~~ notes collected by Child & disposed of in
payment of deponents debts -

4th - The house is now inhabited by deponents family
the lot is unoccupied in possession of itself
& always has been so inhabited

5th Wanted

6th - On my arrival I determined to leave Baltimore
with my family and in August last sold my
furniture to Captain Child and Mrs Allen

I gave no bill of sale for the same but gave a receipt for payment of the money - the sale was on condition that it should remain in deponents possession until he & his family left the country I actually received the money therefor and I had no interest or advantage or expectation of interest or advantage from said replevin - I have sold no household furniture since August last - all my interest in the above property I had any supposable interest in was taken by the original replevin at the suit of Oas Gregg & the house & furniture sold - the household property has been replevied from the marshal but deponent expects to derive no advantage therefrom - I had no interest in either vessel or cargo except my commission & shares which was estimated at $350 or thereabouts by Vergues Counsel & was paid to Vasques from the sale of said Cargo -

8th I have a watch my wife has and - which we have worn for many years ~~they~~ watch I have worn for seven years - we have no jewels - these watches I have ever carried as part of my wearing apparel if they be not I am ready to give them up - I will also add that I have applied for the benefit of the homestead laws of Maryland and if watches be not wearing apparel they belongs to my trustee who has been appointed under that application

9th I received an agent about $44.000 from a house in New York in 1817 or 1818 or thereabouts part was paid to the officers & crew - part I retained myself which I have lost in business part being loaned to William Pennington & part was invested in a vessel which was also lost - the residue was paid to the owners of said cargo

10th ~~Not an Bailee~~ None -

11th No -

John Chase

E

8-8

To John Purviance Esquire Attorney for Juan Jose Vasquez -

You are hereby cited & summoned to appear before me at ~~my chambers~~ the federal court room in the Masonic Hall in the City of Baltimore on the twenty first day of January next at ten o'clock in the forenoon if you see fit to shew cause why the oath prescribed by an Act of the Congress of the United States of America entitled "An Act for the relief of persons imprisoned for debt" should not be administered to John Chase in order to obtain his release from custody under an execution in a cause wherein the said Vasquez is plaintiff, and said Chase is defendant

Witness my hand this 20th day of December 1822

Theodorick Bland
Judge of the United States for the Maryland District

Acknowledge the service of this Notice on the 20th December 1822.

Jno Purviance

28/10/18 2

8-14

B

To the Honorable Theodorick Bland Judge of the United States for the Maryland District —

The petition of John Chore humbly sheweth

That he is imprisoned in the Gaol of Baltimore County on process of execution issuing out of the Circuit Court of the United States for the fourth Circuit in the Maryland District in a civil action wherein Juan Fernandez is plaintiff and another petitioner is defendant

He therefore prays your Honor to administer to him the oath prescribed by the Act of Congress entitled An Act for the relief of persons imprisoned for debt.

Your petitioner further states that the said plaintiff does not reside within the Maryland District nor within one hundred miles of the place of imprisonment but that John Purviance Esquire his attorney doth reside within such district — He therefore prays that the proper citation may be issued to said Purviance by your Honor & that petitioner may be discharged from his confinement & he will pray

Wm H Winder
J Glenn
} for petr.

8-13

A

Filed 20th December 1822

To the Marshal of the District of Maryland

You are hereby ordered and required to have before me at the federal court room in the Masonic Hall in the city of Baltimore, tomorrow at 10 O clock in the forenoon, the body of John Chase, now a prisoner in custody under process from the Circuit Court of the United States for the District of Maryland at the suit of Juan José Vasquez, the said Chase having petitioned to be released from his confinement according to the provisions of the act of Congress in such case made and provided - Herein fail not -

Given under my hand & seal this 20th day of January 1823

Theodorick Bland (L.S.)

Executed as directed

Basil Montague Marshal

C

Filed 21 January 1823

8-12

Ms
v
Dutchart

refer

Jane
vs
Vaulx

2 cases
refer

E.

The Post Master Gen

v

Stephen Lucas Jun
Geo W Pratt. Sp Bl
Wm Mullikin
Saml Lucas —

3 Cus a Dt on feifa $ 600 —
Costs —— 23.25
Costs feifa —— 22.25
addn —— 1.80

Release $378.61 Jul 1 Octr
1819 and costs —

Judgmt 6 March 1821

2°

8-6

The United States
vs
Alex McIlhenny

Case Damn $3000 -
Costs — 19.25
add — .60

Release $1369.10 Int. from 3 Dec
1822 H 005

Judgmt 3d December 1822 -

19.25
14.75
4.50

1.50
2
4.75
19.25

1.50
9.25
5.25
2.12

8-7

Judicials to
March Term
1823

84

8: What do you understand by your necessary Wearing apparel, State whether you ~~have~~ or your family have not watches and jewelry or other valuable articles - How many watches do you own, and what Jewelry have you or any member of your family -

9: Did you not receive from Messrs. of New-york between the years 1819 and 1822 a large sum of money exceeding $50000, or what sum did you receive - What have you done with said sum of money

10: Have you not given to your Wife or other relations large sums of money or some money for what you expect some future advantage, state what property you have delivered to her.

11 Have you not placed property real or personal in the possession of some relation or friend from which you expect hereafter that you or your family may be benefitted -

All of which is respectfully submitted
by David Hoffman
for G. J. Vasques

8-10

D

In the Matter of the
Petition of John Chase
In Execution at the Suit
of Joaquim Jose Vasques

vs

Joaquim Jose Vasques
Consul General of Portugal

} Circuit

The undersigned Counsel on behalf of Joaquim Jose Vasques begs leave to submit to the Judge the following Interrogatories to be exhibited to said John Chase to be answered by him on oath.

1. What disposition did you make of certain property consisting of a House & Lot on Fells Point in which you lately resided, conveyed to your wife Sophia Chase.

2 When did you dispose of the same, and to whom and when did you give any claim legal or equitable to said property or any part thereof. Have you been paid, and when paid, and what amount

3 What disposition, if any, have you made, and when and to whom have you made any conveyance, lien or contract in relation to a vacant lot on Fells Point also conveyed to your wife, and lately taken in execution at the suit of said Joaquim

8-9

Jose Vasques

4th: Who is in possession of said property or any part thereof, who put the person in possession, when was such person put into possession, and what is the extent and nature of that persons claim

5: When did you deliver the key of said House to such person

6: Had you not household furniture within the ~~last~~ years preceding your present application. What disposition did you make of the same. Was not an action of Replevin instituted against said property to take it out of the custody of the marshal of this Court who had taken the same at the suit of said Vasques; if so had you any interest in the same in law or equity, or any expectation of deriving an advantage from said Replevin. Have you not sold some Household furniture since August last

7: Had you not an interest in the Cargo & Vessel lately seized at the suit of said Vasques and by him relinquished, what disposition did you make of the same.

Monday

The Marshal will oblige me by advertising the property of C. A. Warfield immediately, in one newspaper in Baltimore & one at Annapolis, so that the sale may be made as soon after the 10th November, as practicable. Take care to give sufficient notice —

Very respectfully
R. B. Magruder

For
Col. Bontalou
Marshal &c

at 10 Oclock A.M.

Capt. Bolton is allowed untill thursday next the 24th of this month to show cause why Thomas Pumphry should not be discharged; and in the mean time he will retain him in his custody - proof having been made that on Dec. 1823 said Pumphry was a minor

Elias Glenn D.J

Geo. W. Dunn

Filed at Annapolis

Wm. Wirt Bladen

Clerk

8.11

The U. States to Capt Bellow, commander of Fort McHenry Greeting, ye You are hereby enjoined & commanded ~~immediately~~ to be & appear before the ~~Honourable Elias Glenn~~ Hon. Judge of the District Court of the U. States in & for the Maryland District, at the office of the Clerk of the District Court U. States in the City of Baltimore, on Saturday the 19th instant at ten o'clock A.M. & that you have with you the body of Thomas Phumpey detained at Fort McHenry as a deserter (as it is said) under a safe & secure conduct, & that you certify & make known the day & cause of the caption & detention of the said Thomas Phumpey; & that you then & there do submit to & receive whatsoever the said District Judge shall determine upon concerning said Phumphry on this behalf, according to law; & have you then & there this writ. Witness Nov 18th 1825

Elias Glenn Dist Judge

Trial

To the Honble Elias Glenn, District Judge of the U. States in & for the Maryland District —

The petition of Thomas Plumpey respectfully represents — That he is detained in custody at Fort McHenry near the City of Baltimore on a charge of desertion from the Fort at Old Point Comfort — Your Petitioner further represents, that at the time of his enlistment in the Army of the U. States, he was only in his twentieth year & therefore under the law of Congress, could not be legally detained as a Soldier at the time of his leaving Old Point Comfort — All which Your Petitioner is ready to verify & prove — He therefore prays Your Honour to grant him the U. States gracious writ of Habeas Corpus directed to Capt Betton the commanding officer of Fort McHenry to have

his body before your Honour for investigation of the facts herein stated.

Alex^r C. Bullitt
for Petitioner.

City of Baltimore, to wit}

Personally appeared before me, the Subscriber one of the State of Maryland, Justice of the peace in & for the City aforesaid Mary Barnes, mother of the above named Petitioner & make oath on the Holy Evangely of Almighty God that the facts stated in the above petition are true, as witness my hand this 17th day of November, 1825.

Elizabeth Barnes

3 May 1826.

Filed 24 Nov 1825

The within named Thomas Pumphrey is detained as a Deserter from the U.S. Army, as appears by his own confession, when he surrendered himself at this Post on the 17th Nov.r 1825.

Fort McHenry 18th Nov.r 1825.

J. W. Belton
Lt. U.S. Artillery Comdg.

To Major Belton of the U.S. Army
Comdg.

It appearing from the evidence in this case that Thomas Pumphrey was a minor under the age of twenty one years at the time of his enlistment, and there being no assent on the part of his parent to his enlistment he is therefore discharged from the same and it also appearing that he returned to Major Belton quarters under the advice of his counsel as the only mode by which he could be liberated by way of Habeas Corpus and not with a view of confirming his contract, ~~it~~ that act does not make valid the enlistment which was originally invalid —

Nov.r 24 - 1825 —

Elias Glenn Dist. Judge
of the U.S. for Maryland

Thomas Pumphrey
vs
The United States

Habeas Corpus and
Discharge

Filed 24 November 1825

WASH. CITY
APR 19

Treasury Department
Wm H Crawford

FREE

Hon: Frederick Bland

Baltimore

Filed 22 April 1823

8-18

Treasury Department
April 19 - 1823.

Sir,

I have the honor to transmit a duplicate of the decision upon the petition of Benjamin Harmon to remain

Very respectfully
Your Obed. Serv.

S. M. McKean

Hon Theo. Bland.