

MSA SC 5463-4-4

Act of Congress 1829. Ch 202. p 2169. of 4 Vol. Sharwood Law U.S.
app. 21st 29

On application of a consul or vice consul of any foreign government having a treaty with the U.S. stipulating for the restoration of seamen deserting, made in writing, stating that the person therein named has deserted from a vessel of any such government while in any port of the U.S. and on proof by the exhibition of the register of the vessel, it shall be the duty of any Court Judge Justice or other Magistrate having competent power, to issue warrants to cause the said person to be arrested for examination, and if on examination the facts stated are found to be true, the person arrested, not being a citizen of the U.S. shall be delivered up to the said Consul or vice Consul, to be sent back to the dominions of any such government, or, on the request and at the expense, of the said Consul or vice Consul, shall be detained until the Consul or vice Consul finds an opportunity to send him back to the dominions of any such government. Provided nevertheless That no person shall be detained more than two months after his arrest, but at the end of that time shall be set at liberty and shall not be again molested for the same cause. And provided further. That if any such deserter shall be found to have committed any crime or offence, his surrender may be delayed until the tribunal before which the case shall be depending or may be cognizable shall have pronounced its sentence and such sentence shall have been carried into effect.

Joachim A. Ahrens.
Jacob Vandenberg
Remer Behrens
vs
The Warden of the
Jail of Baltimore
City and Court.

STATE OF MARYLAND, — BALTIMORE CITY, to wit:

To the Warden of Baltimore City and County Jail, — Greeting:

You are hereby commanded to receive from *H. S. McDonnell, Constable,*
the body ^{ies} of *Joachim Nicholas, Ahrens, Jacob Vandenburg, & Reinis Behrens* who ^{are} charged with having absconded
and quit the Brig *Amasis* under the command of Captain *H. A. Feyer*
after having signed articles and received their advance money
for a voyage ^{not yet completed}

contrary to law; and ^{them} ~~him~~, the said *Ahrens, Vandenburg & Behrens* safe keep in your
Jail and Custody, until ^{they} ~~he~~ shall be thence delivered according to law. — Hereof fail not at your peril.

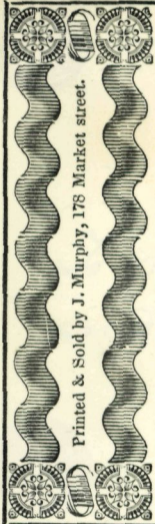
WITNESS, the subscriber, a Justice of the Peace of the said State, for the City aforesaid, who hath
hereto set his Hand and Seal, this

23rd day of *October* — 1848

H. K. Long

SEAL.

Printed & Sold by J. Murphy, 178 Market street.



True copy
for Thos Kelly
Warden

J. C. Cline
C.K.

The United States of America
District of Maryland. Court.
To the Warden of the Jail of Baltimore City
and County

You are hereby commanded
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 clerks office of the said District Court in the
Masonic Hall on Tuesday the 31st Instant at 11
o'clock A.M.

and that you have then and there the bodies of
Joachiam A Ahrens, Jacob Vandenberges & Remer
Behrens now in your custody, and that you
certify and make known the day and cause of the
caption and detention of the said Joachiam A Ahrens,
Jacob Vandenberges and Remer Behrens, 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 our said District Court
the first Tuesday in September in the year of our
Lord one thousand eight hundred and forty eight.
Issued 30th October 1848.

J. H. Spicer
District

In obedience to the above writ I hereby
produce the parties named therein, together with
a copy of their commitment, which shews "the day
and cause of their caption & detention;" and res-
pectfully await the action of the Honorable Court.

J. O. Sellers.

Warden.

Isachian A Athens
Jacob Vandenberg
and Remer Behrens

vs

The Warden of the
Jail of Baltimore City
& County.

Petitioners Subp
Capt Feyer of the
Brig Amasis,
1st & 2d mates.

Geo Truttfelder, 2nd St.
H H Long, 1st.

J. H. Hays, Tavern



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

To the Marshall for the Maryland District,
Greeting.

Summon Capt Feyen of the Brig
Amasis. The First mate of said
Brig. The Second Mate of said
Brig. John Troutfelter and A K
Long (to bring with him all papers
in his possession relative to the
imprisonment of Athens and others
confined in Jail by his special act, to bring with
him the shipping articles of the Brig Amasis on
her last Voyage from Antwerp to the Pacific) to
appear before the Judge of the District Court of the
United States in and for the Maryland District
at the Clerks office of said Court on Tuesday the
31st instant at eleven o'clock A.M. and have you
then and there this Writ. Witness the Honorable
Upton S. Heath Judge of our said District Court
the first Tuesday in September in the year of our Lord
one thousand eight hundred and forty eight
Given the 30th October 1848.

Thos Spicer
District

A

True copy
for the Voluntary
Warden.

V. C. C. C.

also exchanged with
Constable,

STATE OF MARYLAND,—BALTIMORE CITY, to wit:

To the Warden of Baltimore City and County Jail,—Greeting:

You are hereby commanded to receive from *J. S. McDonnell* Constable,
 the body of *Joachim Nicholas Ahrens* } who ^{are} charged with *having absconded*
Jacob Naudenburger } and quit the Brig *Amasis* under
Remus Behrens } the command of Captain *H. A. Feyer* after having signed articles
 and received their advance money for a voyage not yet completed.
 contrary to law; and ^{them} ~~him~~, the said *Ahrens, Naudenburger & Behrens* safe keep in your
 Jail and Custody, until ^{they} ~~he~~ shall be thence delivered ^{or by the order of said Capt Feyer} according to law. Hereof fail not at your peril.

WITNESS, the subscriber, a Justice of the Peace of the said State, for the City aforesaid, who hath hereto set his Hand and Seal, this

23rd day of October 1848

H. K. Long

SEAL

Printed & Sold by J. Murphy, 178 Market street.

Petition of
Ahrens &
for Habeas Corpus

In District Co. U.S.
for No District

W Spicer. Please give Spina in above

Case returnable 11 o'clock 31 Oct 1848
at the Clerk's office before H. U. Heath Esq
for Capt. Feyer of Brig Amasis. +

The 1st Mate of said Brig

The 2^d Mate of ditto.

Geo. Troutfetter. Tell for Keeps Tavern.

~~H. K. Long Esq. Justice of Peace~~

H. K. Long, to bring into him all papers in his possession relative to the
imprisonment of Ahrens & others confined with him
Spina & c to being

Shipping articles of the Brig Amasis,
on her ^{last} voyage from Antwerp to the Pacific.

W. H. Ing. atty for Petr.

Brig Amasis is on Donnell's Wharf
Fells Point.

District Court of MS
for Maryland District

~ Petition of
Joachim N Ahrens
Jacob Vandenberg
Remer Behrens

~ For Writ of Habeas Corpus

~
Filed 30th October 1848.
Writ ordered and issued
returnable on Tuesday
morning 31st Inst. at
11 o'clock A.M. at the
Clerks office.

To the Honorable

Wm. S. Heath

District Judge of the United States
for the District of Maryland

The Petition of Joachim W. Abrams, Jacob
Vanderheyzer and Remer Behrens most
respectfully represent - That they are now
detained in the public jail of Baltimore
City and County, under color of the laws of the
United States, under and by virtue of a Commitment
issued by H. K. Long Esquire, a Justice of the
Peace of the State of Maryland in and for the
City of Baltimore, a copy of which Commitment
is hereto annexed marked A.

Your petitioners deny all such allegations
as set forth in such Commitment and
respectfully ask your Honor to enquire
into the truth thereof. They further
submit that even if the allegations were
true the Commitment sets forth on its
face no just cause of detention.
They therefore pray your Honor to pass
an order in the premises directing
the Clerk of this Honorable Court
to issue the writ of Habeas Corpus
commanding the Warden of Baltimore
County Jail to produce before your
Honor on some day and hour therein

to be designated, the bodies of the petitioners
with the cause or causes of their detention.
And may your Honor pass such further
order in the premises as to your
Honor upon examination shall appear

just and right

And the petitioners as in duty lie

J. Galer Walsh

Pro. H. Ing

Atty for Petrs

W^m Spicer

Spice the writ of Habeas
Corpus as prayed for to be directed
to the warden of the Jail of Balti-
more City & County commanding
requiring him to have the bodies
of the Petitioners, before me on
tomorrow (the 31st inst) at 11 o'clock
After at the Office of the Clerk of
the District Court, together with
the Cause of their caption & detention

Wm. H. D. Hoag
Octo 30th 1848

District of Maryland
District Court

In the matter of the within Petition
of Jackson A. Shreve & others -

The Petition having been
submitted and the Documentary
evidence examined, and the
whole duly considered it is
therefore this 31st day of October
in the year 1848 adjudged and
ordered by me Nathaniel Heath
District Judge, that the said
Petition be and the same
is hereby dismissed, with costs
and that the Petitioners be
and they are hereby remanded
to the Custody of the Warden
of the Jail of Baltimore City
and County
Given under
my hand the day & year
above written

N. Heath
D. Judge