

MSA SC 5463.14-8

Thomas Hill

The Warden of the Jail  
of Baltimore City and  
County

Habeas Corpus

The United States of America

District of Maryland to wit  
To the Warden of the Jail of Baltimore City and  
County Greeting.

You are hereby commanded to have  
the body of Thomas Hill detained  
under your custody as it is said  
under a safe and secure conduct  
together with the day and cause of  
his being taken and detained, by whatsoever name  
he shall be called in the same, before the District Court  
of the United States in and for the Maryland District  
on Tuesday morning the 11<sup>th</sup> day of June Inst. at 10 o'clock  
to do and receive all and singular those things which  
the said Court shall then and there consider con-  
cerning him in this behalf and have you then and  
then this writ. Witness the Honorable Upton S  
Heath Judge of our said District Court the first  
Tuesday in June in the year of our Lord one  
thousand eight hundred and forty four.

Given 10<sup>th</sup> June 1844

Thos Spicers Esq  
J. S.



Decision of the Judges of the City Court in the case of a writ of Habeas Corpus issued by a Swedish sailor arrested by authority of the Vice Consul for desertion.

Present Judges Price, Worthington and Masbit.

The Court are of opinion that the arrest and detention of the prisoner is in conformity with the Treaty between this Country and Sweden, and therefore dismiss the petition for Habeas Corpus with Costs, and remand the prisoner to the custody of the Warden, to be at the disposal of the Swedish Vice Consul C. P. Graf Esq<sup>re</sup>, in conformity with the 14<sup>th</sup> Article of said Treaty.

State of Maryland, — City of Baltimore, ss.

To the WARDEN OF BALTIMORE COUNTY, greeting:

You are hereby commanded to receive from *Thomas Quirin* Constable,  
the body of *Thomas Hill* who is charged with *abducting*  
*from the Brigantine Penguin Capt'n Thomas*  
*Mc Dill and him safe keep to be dealt with*  
*according to Law the Act of Congress in such case*  
*made and provided*

~~contrary to law; and him, the said~~ safe keep in your  
Jail and Custody, until 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 *fifth* day of *June* 18*44*

*Timor Kemp*  
SEAL.

Printed by LUCAS & DEAYER, S. Calvert street.

*Thomas Hill is detained in Jail on the Charges  
set fourth in the above Commitment*

*for D. Stever Warden  
A. A. Kennard Clerk*

True Copy  
for  
D. Hewer  
Grand  
A.A. Norman  
Club

True Copy

W. S. Hayward

A. A. Hayward  
Clerk

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State of Maryland, — City of Baltimore, ss.

To the WARDEN OF BALTIMORE COUNTY, greeting:

You are hereby commanded to receive from *Thomas Quinn* Constable,  
the body of *Thomas Hill* who is charged with *absconding*  
*from the Brigantine Penguin Capt. Thomas Hill.*  
*Hill and them safe keep to be dealt with according*  
*to the act of Congress in such case made and provided*

~~contrary to law; and him, the said~~ safe keep in your  
~~Jail and Custody, until 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 *fifty* day of *June* 18*44*

*Simon Kemp*



Printed by LUCAS & DEEVER, S. Calvert street.



Petition of  
Thomas Hill for  
Habeas Corpus

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Filed 10<sup>th</sup> June 1844.  
 writ issued same day returnable  
 11 June 1844 at 10 o'clock  
 A. M.

Mr. Justice

will issue  
the writ of Habeas  
Corpus in favour of  
returnable at 10 o'clock  
morning  
H. D. Hall

for Thomas Will

State of Maryland

Baltimore in tow

Before me a justice of the peace of said State in &  
for said city, comes John O'Connell on this 10th day of May 1844 and  
makes oath that the said Thomas Will is in jail; that he  
has heard heard said Thomas M O'Connell admit that said Will shipped  
~~at a British vessel~~ called the Penguin is a British vessel; and  
that he has heard said O'Connell declare that said Will shipped as  
a British seaman -

John C. C. C.  
Comptroller



To the Hon. John S. Heath Judge of the U.S. District Court  
for Maryland

Your petitioner Thomas Hill very humbly represents  
that he is in Baltimore city jail charged with absconding  
from a British vessel called the Penguin of which Thomas  
M. Dill is captain; that your petitioner is not detained  
according to law; that there is no treaty with Great  
Britain to justify his detention, nor any act  
of congress for such purpose; that annexed  
is a true copy of his commitment; and  
he prays your ~~hon~~ Honor to direct the issue of  
the writ of habeas corpus, so that your  
petitioner may be discharged according to law.

J. Hill attorney