

MSA SC 5463-4-9

Charles Humphreys

vs

Abner Crowell

Petition for Habeas  
Corpus

Filed 19<sup>th</sup> July 1842

~~Write orders and issue~~  
~~in return that the~~  
~~Order~~  
~~is granted~~  
~~with~~

W. H. H. H.

July 19. 18

July 19. 18

W<sup>ch</sup> Charles Crowell vs Abner Crowell the writ of Habeas  
Corpus is granted to the writ in favor of  
Abner Crowell it is returned at 10 o'clock  
today at the office of the Sheriff of the County of  
Berkshire at the City of Albany N.Y.

Given under my hand  
this 19<sup>th</sup> day of July 1842

W. H. H. H.

D. S. H. H.

To the Hon. Npton, Heath Judge of the  
District Court of the United States for the  
State of Maryland - The petition of  
Charles Humphrey, states that he is now  
in custody of the Warden of Baltimore  
County upon a commitment by James P.  
Heath Esq a Justice of the Peace in &  
for the City of Baltimore for the offence  
described in the ~~act~~ said commitment  
against the acts of Congress as appears  
by the annexed copy of said commitment  
Wherefore he prays for a writ of habeas  
corpus to discharge your petitioner from  
said custody done under colour of said  
acts of Congress & which commitment  
your petitioner states is wholly illegal  
& without just cause -

Charles W. Humphrey

On this 19 day July 1842 Charles Humphrey  
makes oath that the facts above set  
forth are true as therein stated ~~with all due accuracy~~

Personally appears Henry Broaders &  
made oath, that since the within petition  
was moved to, he has reason to believe that  
Charles Humphrey was released from the  
custody of the Warden of Balt. County & is  
now confined against his consent by  
Abner Howell & one Wilson (Deputy Sheriff)

W. Heath  
J. J. J. J.

The Petitioner discharged by agreement  
of the Parties and without a hearing  
before me. July 19<sup>th</sup> 1842 -

W. Heath

D. Judge

Send on copy  
Crowell

W. B. Thompson  
Man. N. H.  
— 11 —

The United States of America  
District of Maryland, to wit

To Captain Abner Crowell

You are hereby enjoined and commanded  
to be and appear before the Honorable Upton S.  
Heath Judge of the ~~District Court~~ United States  
in and for the Maryland district, at the ~~United~~  
Clerks <sup>Office</sup> of the District Court of the United States  
in and for the District of Maryland, ~~at~~ 1 o'clock  
today, and that you have with you the body of Charles Hum-  
phrey now in your custody and that you certify and make  
known the day and cause of the caption and detention of the  
said Charles Humphrey, and that you then and there do  
submit to and receive whatsoever the said Judge shall deter-  
-mine upon concerning you in that 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 June in the year of our Lord one thousand  
eight hundred and forty two  
Spued 19. July 1842

The Scribes  
do'6

Filed 19 July 1842

City of Baltimore Oct

The State of Maryland, To the Warden  
of Baltimore County Jail, - Greeting

Receive into your Goal & custody  
the body of Charles Humphrey, who is charged  
upon the oath of Abner Crowell with having  
absconded from on board the schooner Excel  
of Hartford & now lying in the port of Baltimore  
and him safe keep until he shall be discharged  
according to the acts of Congress in such cases  
made and provided. Witness my hand  
& seal this sixteenth day of July Eighteen  
hundred & forty two

(Signed) Jas P. Heath (Seal)

True copy  
for J. Disney  
Warden  
J. C. Sellers  
Clerk