

5-30-1771

Provincial Case File No. 29935, New Hampshire State Archives - Bond of Charles Banfield

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The within named Benajmin Whittemore having recognized for his appearance at the Superior Court to be held in August next you are hereby required to liberate him he paying your Fees
by order of the Chief Justice
George Ring clerk

Document b. Whittemore's Petition for a Writ of Habeas Corpus, June 7, 1771.

[EMF note: he obviously had counsel for this]

Province of
New Hampshire} To the Honorable Theodore Atkinson Esq. chief Justice of the Superiour Court
of Judicature for the Province of New Hampshire Humbly complains
Benjamin Whittemore of Nottingham West in said province aforesaid Husbandman now
confined in his Majesty's goal in Porstsmouth in said province aforesaid that the was on the fifth
day of June Instant commtted to said goal by order of Ezekiel Chase Esq. one of his Majesty's
Justices of the Peace for said Province and is there still unjustly held and detained without any
lawful cause for such detainer set forth by the said Ezekiel Chase Esq. in his order of
commitment. Wherefore the saide Whittemorer humbly prays your Honour would order a
Habeas Corpus cum Causa to be issued in his Favour so that he may be restored to his Liberty,
unless some lawful Cause for detaining him shall afterwards appear as in Duty bound shall ever
pray etc.

Benjamin Whitemore

Portsmouth Goal June 7, 1771

Reverse side:

Province of
New Hampshire} June 8th 1771

To George Ring Esqr Clerk of the Superior Court of Judicature Greeting —

Your are to issue a Writ of Habeas Corpus cum Causa agreeably to the Within Petition and
request that the same may be enquired into

Theodore Atkinson Chief Justice

Document c. Writ of Habeas Corpus June 8, 1771

[Brian: Document needs conservation work]

Province of
New Hampshire} George the third by the grace of God of Great Britain France and
Ireland King defender of the Faith etc.

To the Keeper of our goal in said Province his under Keeper or Deputy

We command you that the Body of Benjamin Whittemore of Nottingham west in our said
province Husbandman in our Prison under your custody detained as 'tis said, together with the
Day and cause of his taking and detaining by whatsoever name the said Benjamin Whittemore