Maurice A. Deane School of Law at Hofstra University

Scholarship @ Hofstra Law

Documents from Making Habeas Work: A Legal History (monograph)

Supporting Documents for Making Habeas Work

8-24-1748

Provincial Case File No. 22344, New Hampshire State Archives -Peter Johnson's mittimus

Follow this and additional works at: https://scholarlycommons.law.hofstra.edu/ making_habeas_work_mono

Part of the Legal History Commons

Recommended Citation

"Provincial Case File No. 22344, New Hampshire State Archives - Peter Johnson's mittimus" (1748). *Documents from Making Habeas Work: A Legal History (monograph).* 12. https://scholarlycommons.law.hofstra.edu/making_habeas_work_mono/12

This Trial Proceeding is brought to you for free and open access by the Supporting Documents for Making Habeas Work at Scholarship @ Hofstra Law. It has been accepted for inclusion in Documents from Making Habeas Work: A Legal History (monograph) by an authorized administrator of Scholarship @ Hofstra Law. For more information, please contact lawscholarlycommons@hofstra.edu.

Make may be falored the property to my with the second factor of the property to be and the and the second of the (and the fait fater in Come boy that he there was a Concer Seven for and for the the the source of the said for the thirty the under any obligation to dena him another and your Lihemer the asken as fuch list is me always was a fue born hegic of mething of que Veter Schwor is his a so thave or bevant for Life Lawfully histories Whithing of Orie of his Majeshis hutic, of the law for the hume to the the method for the function of the factor of the law of the being the being the terms of the terms of ter the Said Gorge Shall See Cause to belong finn to We looker hy attim in twoin until he thall become dubinisive & Antipul or until he an The laid George Makey comes into Cant Virys that the Said to be produced that he was lewfully committed to hisor by Sentence 1 - - -

To the How . The Jaflies of Whiper Court Surtice of S To the How " The Juffice, of " " " The Nurthompifine S a Judication at Fortymi Rugert 2 1748 Himilely thereeth Toter John for refident in Portsmi in for normin Bester - That the y now Jospifoned for replying to lower Mapay of Porton a force without as a Stand to George Mapay of Porton a force without having liberty to Diffund of right of of said Mapay to the barrie of your Petitione but one of Bellow 10: 1948 Source of your Petitione but one of Dellow 10: 1948 Synaphim Grand Stand to Carford for binger Junpufamment, without liberty to Carforn for binger is lig the Millimuy in y hand of 200 n for harper may appear to have for as this is a land of generale good Delivery your Potitioner pray that he may be brongal _ afre they though Canil Elecheard with refaced to se Caufy of his commitment other he may be and your sont flace progon NEmon for go totel -Jup Caul For them? august 2? 1948 Ordened that not attitioner Polin John for les Grought before this fund al the abjournment & that geo: Mapy a to totified to appear & thew what right he loth to y foreir of of Satition Cico: Anthropy CO

Trovince of New Hamphine & George Hu lecour by the Grue of Goi of Gual Buttom France and Jecand King Defender of Spaith St. To the Sheriff of our Said Province of Anothomp this keeper of our good in Portrucich within faid Frontines or his tudo heepen of our Said Good greating ----We Command you that the Body of Peler John Cale Refit in Forting Baker in our Prifon under your (uplood belained as the Said logether with the Johnfor _ Birle be (horged in the Time you have under Sape 1 Judictine for Said Rownies on the fling the twenty for day of any of Inflant To Do and receive all those thing which our and Justines Shall then & there Confider of in this Porticular & allo Notifice out any of Formal apres Carter that he may then there show concertain he have to y the Rear There you there this with your Donigs Therein Without -George Jaffrez Ele on Chief Juftice of our laid Super Court al Portimonthe the beau Day of Augit in the 22. year of our Asign Guno Semin 1748 by order of Court Geo: Jaffreijr CC J-

tabear Corne Deter Johnjon Irov. Now Hump Jung # 29 th 1748 Lunmand to the trithing The Gody of the trithin hand belle solution the Gody of the trithin hand belle solution the day and campo of his lakeing and And the day and campo of his takeing and Detaining is in the words following und Prove of the main of this majestices Goal at New Hamp To the the prove of New Hamp Greeting and Complaint is made to me the Intervie Partimonthe in Said Drovin Deter Whereag Complaint is made to me the Subscriber, Gy Geo: mapey of Lor Imonthe in Said Drovines that he hath a negro man hamed Leter Johnson which repute to tabour and is Mubborne and rebellious majer. Name to require you to take the body of the said Leter Johnson in to The Said Goal and how lass of the to the Said Goal and him hey lafely until he the Jaid Letter shall tehave himselfe So that his said master that Take him out or be other wife icheaved by one and of Law Dates al Lortimonth the lot pay of Frely in the 22? year of Hi, majes. Seign annogue Domini 1748 Jam. Hart Duj. Deace att The? Lacher IN and Keepen of this majes. Soal in Lostimouth I have allo noi fied the within hance Seo Mapy to appear at the time and place within mentioned to these Cauge of any he has the the sittien named. Letter should not be inlarged the Lacher fit-

from which Metition a writ ifued to the shoriff haper of nis Majestin Goat to have under Safe Conduct before this Court on yt twenty wint day of august Inst -with y Caufe of hes takeing and detreining, to Do and Receive all those things ye hid bourt shall then and there Confiders and also to notify George Maying of Portsmonth a fore faid Carter that he may then and there Thew Caufe if any he have why the Said Peter may not be enlarged - The Said George Up. peaning, in Court & Jay's that the Jaid Seter Johnfon is his Slave or Servant for life lawfully purchased of Joseph Hich of Dover in D Province Gentleman by Deed of sile bearing Tate the fourth day of July 0140 ready in Court tobe goroduced that he was lawfully committed to Prifon by rentince and Mittimus of one of this majesty's Sustices of w news for Said Province for refuging to labour & for being Stub: born & Rebellious wherefore the said George pray's that the said Peter may be detained in Prifon untill he that become Submissive & dutifull or untite he the faid group That see cauge to enlarge him HOM Parker his altorney and the Said Peter in Court Sails that the never way the Slave or Servant for life of the Jaid Jopenh Stuks nor under any obligation to serve him as Such but is & always was a free born Subject of the thing of great Britain and under no Obligation to Serve the Faid George Massey as his flave & this he pray's may be enquired of by the Country & that he may be fularged -, upon which I gue the Parties were fully he and by their Counfill learned in the law the Cap was Committed to the Jury Sworn according to law to try the fine who upon Oath Say the fury find Peter Johnfon a freeman It is therefore confidered that the Said Peter Johnson is a free man and that he be enlarged and that the theriff Set him at Liberty and that the said George mappey may Costi tax Dat the Sum of three pounds eight Millings Lawfull money -

SUPERIOR

a from to

AUG. 1744 through AUG. 1748

3 - 3/11 Robert Metten of Portsmouth in the Province of saw Hammer mettin Apathout Baker Complainant against Samuel Bathrich of Jaco Ports Brenton Hued with Bricklayer Defendent The complaint Shewing that the Inferiour Court of Common Pleas held at Portsmouthin to Said Prevince the Said Robert Recovered hidgement against Said lamuel for the Num of three pounds Seven Thilling & Sex nie lawful money Damage & Cost taxed twenty thillings and six we like Money from which Judgement the taid Samuel age. aled to our then next Superious Court of Judicature and he. anized to proferate the Same but failing so to do the Said ho: it prays that the former Judgement may be affirmed. It is therefore Confidered that the former Judgement be and hereby is affirmed und that the Said hobert recover against the Said fumuel the dum of three pounds seven Shilling's & Six pence lawfull money Damager Costs taxed at the Jum of five pours three thilling, lawfull money

vort of the Court the to Vener thing men der Court in the Marth to Court the to Court the to Court the the Court thing in the Court the to Court the Co Suncasti Jakent Frost Jon a Willow Jag 12 The Court onder and direct the track the task for a stand direct the track the task for a stand direct the track the task the task of the task of the task of the court of the task of task of the task of tas as burren at the adjournment of their Court on wendbay if the day The adjourn? to monday to aloch am. Court oneet according to adjournant Septors of Court adjourned to monday of 12 of Septor Instat 10:0 clark my Joseph Lock See Peine That benney lath ~ protection fine Neug. News. Jon Fricks y Exception Jas In Tre lott Ken J. Jam Wilford Examp Jaseph Huk Fale Beerg Jourger Ja & March Jaseph Huk Fale Sen Smith "Dans Rogers it for the Rogers of the South Smith English Satthe Clerke Solar So John but agen & fine

1. ogiardon 210 the king T " Hill tan 4ala envery . Ellert Indley Man Kong her Stationer for allert of Staber Corrus Sitting for that the Man Kong Schwar solitoner for allert of Staber Corrus Sitting for that the m Saw Pothan on file almand to keen wet thing if and a metal Pothan on file and the there for an the how coming into Courts Opening the for the states for the how of the for the for the formed to whe Hamphire Gowin and Abak briery of Killery in a County of york & Province of male the Hey in a any chien the the Dirowine of the male the Hey and or of any thoughthen under their pands unto this upon if Inemites being made, shall be finally must that the entered there and provide must that the entered there and provide 101 in m See Store and choken 3 low William ad judgid The Parties 32 53/1 3 & Place for hearing and mathew Livermore Epier to appoint time Arties appear and agree to be filmen is all controvers between them to be heard a gree to be heard all controvers in the set were them to be heard all controvers in the set were the set to be the set of the se 220 Cott herd porty Min Vail and determined Parker of portioned for the flemen to make they we par of que mappy and that the Ohen ton any of minid by Mathew Livermore & 2 Treeman t Set him at Silerly eter hannon by The Court that the said They thereford Conndend At in the the the Case way Committee le hlarges be heard :