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Supporting Documents for Making Habeas Work

12-18-1819

In re Mills, Strafford County Ct., Dec. 18, 1819, Strafford County Court Records, Folder 11, New Hampshire State Archives

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Rockingham ss. To Jonathan Locke of Dover in our county of Strafford gentleman & keeper of our goal in said Dover.

Greeting.

Whereas Benjamin Mills of Barrington in said county of Strafford husbandman was this day brought before Levi Woodbury Esquire one of our Associate Justices of our Superior Court of Judicature on a writ of habeas corpus to you directed & it appearing from your return on said writ that the said Mills was committed to the goal in said Dover under your custody on the 7th day of December AD 1819 by Azariah Walden & Aaron Walden who had before that time become bail for said Mills at the suit of one Ebenezer Coe & that by virtue of said commitment you had imprisoned & detained said Mills & it also appearing from testimony exhibited that said Mills was duly enlisted as a marine into the service of the United States of America on the 14th day of April AD 1819---Whereupon it was considered ordered & adjudged by the said Justice that the said Benjamin Mills be discharged & you the said Locke are hereby ordered to discharge said Mills from your custody & suffer him to go at large---Given under my hand & seal this 18th day of December AD 1819---

Levi Woodbury, Assoc. Jus—

State of New Hampshire.

Roxbury Mass. To Jonathan Locke of Dover in our County of Strafford
gentleman & keeper of our goal in said Dover.
Gentling.

Thomas Benjamin Mills of Harrington in said County
of Strafford husbandman was this day brought before me Levi
Woodbury Esquire one of our associate Justices of our Superior
Court of Judicature on a writ of Habeas Corpus to you
directed & it appears from your return on said writ that
the said Mills was committed to the goal in said Dover in
your custody on the 7th day of December A.D. 1819
by Asaiah Walden & Isaac Walden & who had before that
time become bail for said Mills at the seat of our Edm
eves Coc & that by virtue of said commitment you had
imprisoned & detained said Mills & it also appearing from
testimony exhibited, that said Mills was duly enlisted
as a marine into the service of the United States of
America on the 14th day of April A.D. 1819. - Where-
upon it was considered ordered & adjudged by the said
Justice that the said Thomas Benjamin Mills be discharged
& you the said Locke are hereby ordered to dis-
charge said Mills from your custody & suffer him
to go at large - Given under my hand & seal this
18th day of December A.D. 1819 -

Levi Woodbury Jus.