

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

2-25-1745

Provincial Case File No. 21242, New Hampshire State Archives - Petition of Andrew Downer

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. 21242, New Hampshire State Archives - Petition of Andrew Downer" (1745). *Documents from Making Habeas Work: A Legal History (monograph)*. 18. https://scholarlycommons.law.hofstra.edu/making_habeas_work_mono/18

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.

To The Hon. ^{ble} His Maj. Justice of the Peace for
the Superior Court of New Hampshire in New England
the Complaint of Cap^t John Tuston Mason
humbly sheweth

That whereas your Complainant by virtue of His
Majesty's by all Commissions & Orders, to gather with,
His Excellency's permission, did bear his Drums
within this Province, for enlisting Volontiers into
His Maj. Service, pursuant to the above mentioned
Order, and did, enlist divers persons, amongst whom
was one, Andrew Downer, who entered on the 5th of this
Inst. Febr. since which the s^d. Andrew Downer has been
arrested, & taken out of His Maj. Service for a
Debt less than Ten pounds Sterling, contrary to the
Act of Parliament, made & provided for the Regulation
of His Majesty's Land Forces.

Wherefore your Complainant in behalf of His
Majesty begs Your Worship, would put this Act of
Parliament in force, by releasing, & setting the
Andrew Downer at liberty, that so His Maj. Service
may not suffer thereby.

Portsm: Feb: 7 25th: 1745

Jⁿ: Tuston Mason

To The Hon^{ble} His Maj^{ty} Justices of the Peace for
the Superior Court of New Hampshire in New England
the Complaints of Cap^t John Tustan Major
humbly sheweth

That whereas your Complainant by virtue of His
Majesty's Royall Commission & Order, to gather with
His Excellency's permission, did bear his Drum
within this province, for enlisting Volontiers into
His Maj^{ty} Service, pursuant to the abovesaid Com^{mission}
Order, and did enlist divers persons, amongst whom
was one, Andrew Downer, who enter'd on the 25th of this
Inst. Febr. since which the s^d Andrew Downer has been
arrested, & taken out of His Maj^{ty} Service, for a
Debt less than Ten pounds Sterling, contrary to the
Act of Parliament, made & provided for the Regulation
of His Majesty's Land Forces,

Wherefore your Complainant in behalf of His
Majesty begs Your Worship, would put the Act of
Parliament in force, by a releasing, & setting the s^d
Andrew Downer at liberty, that so His Maj^{ty} Service
may not suffer thereby,

Yorktown: Feb 25th: 1745

J^r: Fuller Major

Capt Mason's Comptz
vs Andrew Downer

Feb'y 1745