

# Documents & Transcriptions: Civil War Writs of Habeas Corpus

## **Document Overview**

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#### Writ 1: James Bellew

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and under a claim that he is liable to bulitary
- Source for local define. That The Said James Bellice
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1864, and is therefore not so lie ble. There fore the
your petitioner asks that your Honor will awass
to win the writ of habeas lapus to the said affair
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body of the said James Bellev with the Causes of
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Milliam Bellew
by his brance File Myn
Some To be my This 14 th some of homen
Swom to before me this 14 th day of January 1865, by william Bellew.
Andrew Girking Between Clark
Andrew Jinkins Deputy Clark, of Reliment Hentings Court.
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## Document 1: Transcription

#### Writ 1: James Bellew

The petition of William Bellew respectfully represents that his son James Bellew is now detained in the custody of Captain \_\_\_\_ Pace, commanding Company I, Col. McEnery's Regiment under a claim that he is liable to military service for local defense. That the said James Bellew was fifteen years of age on the 12<sup>th</sup> day of December 1864, and is therefore not so liable. Therefore your petitioner asks that your Honor will award to him the writ of habeas corpus to the said Captain Pace directed, requiring him to have before you the body of the said James Bellew with the causes of his detention, so that the same may be enquired into and relief afforded your petitioner.

William Bellew by his counsel G.A. Myers

Sworn to before me this 14<sup>th</sup> day of January 1865, by William Bellew

Andrew Jinkins Deputy Clerk of Richmond Hustings Court



#### Writ 2: John H. Clarkson

	To the Stonnable William H. Lyons Judge ofth Studing
	Court of the City of Richmond
	The petition of John H. Clarkson of the county
-91	of Essex suprespelly represent, that he is a farmer in the soil
	county and upon his plantation there were the first day of farmay
	1864 and are otice fifteen able bodied field hands between the ages
	of fifteen proteen and fifty. There is not a for the said plantation any
as	white male asset not liable to military corriers ble mas the onnor and manages afthe shirt farm on the 1st day of farmary 1864, and onno it still. The free has been example from military service rotance
	of the said farm on the to day of fannay 1864, and cing it
	and manager or any all from melday some somme
	and manager or oversen of the said plantation. an nature
Part I	the day of artition last he made application in du form to
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	the 10th section althe act of County entitle "The act to
	be 10th section af the act of angrif entitled abon act to enganize
	with his application which was in writing he touchered to the
	said Lieux Bumpag, a wind in the form presider and pondly
	forms with by the Secutary of war with two good and sufficient
	Recurities porgable to the Confederate States of america and
A	Conditioner as required by the said IV article of the 10" colin
-	africe said act of Congress. The said Vient Bumpas duling
	to receive a ontestain the said application, and ordered your
	petitioner to repet to Camp Les for duty, which he did
W. Commission	accordingly, and is newfull in custody as a converificly
	Caft William H. Fry commandant of Change has digging
	Som pulitiones is advised that he is entitled to exemplin and
	is illigally detained and prays a wist of Habeas Corpus ad exch.
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	or may we discharge to und as in duty bound will the prog
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## Document 2: Transcription

Writ 2: John H. Clarkson

To the Honorable William H. Lyons Judge of the Hustings Court of the City of Richmond

The petition of John H. Clarkson of the county of Essex respectfully represents that he is a farmer in the said county, and upon his plantation there were on the first day of January 1864 and are still fifteen able bodied field hands between the ages of sixteen and fifty. There is not upon the plantation any white male attndt not liable to military service. He was the owner and manager of the said farm on the 1st day of January 1864, and owns and manages it still. No person has been exempted from military service as owner and manager or overseer of the said plantation. On or about the \_\_\_ day of October last he made application in due form to Lieut. Th. G. Bumpass enrolling officer of the county of Essex for exemption in pursuance of the provisions of the IV article of the 10th section of the Act of Congress entitled "An act to organize forces to serve during the war" approved February 17th, 1864. Along with his application which was in writing he tendered to the said Lieut. Bumpass, a bond in the form and penalty prescribed by the Secretary of War with two good and sufficient securities payable to the Confederate States of America and conditioned as required by the said IV article of the 10th section of the said Act of Congress. The said Lieut. Bumpass declined to receive or entertain the said application, and ordered your petitioner to report to Camp Lee for duty, which he did accordingly, and is now held in custody as a conscript by Capt. William H. Fry commandant of Camp Lee.

Your petitioner is advised that he is entitled to exemption, and is illegally detained and prays a writ of Habeas Corpus ad subjiciendum directed to the said Captain William H. Fry commandant of Camp Lee commanding him &c and that your petitioner may be discharged &c. And in such duty bound will ever pray.

John H. Clarkson By counsel



Writ 3: Thomas Rourke

To the Hortle Matt. Lyons Lity of Kickmond - thereting court of the Four petitioner Thomas Hourke nespectfully represent that he is a citizen of The Government of Great Britain and Ireland, that he was born in The Coth, Country, on his protection & when will thew That he came to the writed of who in the year 1849 and come with to tagining in The year 1858, That he left himative Country where his here it see more regidieg , inter ching to return to it, thatit has always been and is set his intition to return home, that he him never laken any Ity, of any wind, to be some a city of this country, her mores which, never owned and any made extente, is a single many and by weation a class, has no fined donicie. Mutlemente have loft long ere This last for the troobs, gette country by which he every prevented to get a serfe and theap trainit - He has being doing that in The Regiment of Est, Emany - and while so enjuged every arrested, and is now held of confitant of the forthe sandy to de desire the spectfully asks that the writ of hates, corps ed alpeienden what he fort with gran ted by your Honour, return all to such a may appoint - deviting 11. Le hought the boy to bright heather legent the date the growth a name of the course Thomas Hank Ranke before me This 30th day of Bear her 1864 -Mand William . 18



## Document 3: Transcription

#### Writ 3: Thomas Rourke

To the Honorable Wm H Lyons Judge of the Hustings Court of the City of Richmond

Your petitioner Thomas Rourke respectfully represents that he is a citizen of the Government of Great Britain and Ireland, that he was born in the latter country, as his protection papers will show that he came to the United States in the year 1849 and came south to Virginia in the year 1858, that he left his native country where his parents are now residing, intending to return to it, that it has always been and is still his intention to return home, that he has never taken any step, of any kind, to become a citizen of this country, has never voted, never owned any real estate, is a single man and by vocation a clerk, has one fixed domicile, that he would have left long afore this, but for the troubles of this country by which he was prevented getting a safe and cheap transit. He has been doing duty in the Regiment of Col. Evans, and while so engaged was arrested, and is now held as a conscript at Camp Lee in the charge of Wm H. Fry ^being regarded as a domiciled prisoner. He respectfully asks that the writ of habeas corpus ad subjiciendum shall be fore with granted by your Honor, returnable to such day as he may appoint. Directing the said Capt. Wm H. Fry to bring or cause to be brought the body of your petitioner before your Honor, with a return of the cause of his detention.

Thomas Rourke
Subscribed and sworn to by mouth by
Rourke before me this 30<sup>th</sup> day of December 1864
Wm F. Wilson NP



Writ 4: E. G. Hudgens (Page 1)

The Octition of E. G. Hussens. for a und of Habeas Corpus. your Petertioner respectfully represents that he is now un lawfully and without centhon his held and detained on mile lay justo og- at barren Leeby hayor J. G. Peyton as a con 5 cupt. He avers mat he heat on 72 day of Novem. 1861. accor dens to Whomy regulations of the 20 Och USBI- and was regularly Distayes. He preize that on with a bear confus to be served ton, at lamp fee, resumenting and ortern your relationer, to him The lody of your Peterborer before your honor together with lowe , his olertion also to pro dene in coul. Me papers, Aan, offlication to y you Pitelion a. whech are now at bent frein the less loty of the cours This 9. Daylon by which I will fully ah Les. Wat you Octobron has been re Juland Dis Nazo- and is besides this. nos a Caplain on a Dight Book. unning on 9. A. + 12. Caral and

Writ 4: E. G. Hudgens (Page 2)

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lity of Ruh mond
Eg Bridens, Mis very
her onally appeared before me,
a. D. Williams a Molery Orler for
her orally appeared before me, a. o. william a I day order for on in the lily of nuch money offer, and,
and made oath to the hulk of the
overnest, in the preson outlive in
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Mis 6: day 9 NN. 1863
a. dilliam, n. P.
To Honorable
Judie of Huslings couls of
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# Document 4: Transcription

Writ 4: E. G. Hudgens

Page 1	Page 2
The petition of E. G. Hudgens	Wells River. The said papers contain
for a writ of Habeas Corpus.	all the proper testimony, with the
	endorsement of Col. G. C. Shields as to
Your petitioner respectfully	these parts &c.
represents that he is now un-	
lawfully and without author-	The petition
ity held and detained in mili-	By his Atty
tary custody at Camp Lee	JH Gilmer
by Major J. G. Peyton as a con-	
script. He avers that he put	City of Richmond
in a substitute, for the war,	E. G. Hudgens this day
on 7th day of Novem. 1861 accord-	has orally appeared before me
ing to military regulations of the	A. D. Williams a Notary Public for
20th Oct. 1861 and was regularly	and in the City of Richmond aforesaid,
discharged.	and made oath to the truth of the
He prays that a writ	arguments, in the foregoing Petition in
of Habeas Corpus may be awarded	law, to the best of his belief and
him, directed to Col H. G. Miles and Major	knowledge. Given under my hand
T. G. Pey-	this 6 <sup>th</sup> day of Nov. 1863.
ton, at Camp Lee, requiring them	A.D. Williams
or whoever may claim so to hold	N. P.
and detain your petitioner, to bring	
the body of your petitioner	To Honorable
before your honor together with the	Wm H Lyons
cause of his detention also to pro-	Judge of Hustings Court of
duce in court, his papers, dis-	Richmond
charge, application by your petition-	
er which are now at Camp Lee	
in the custody of the said Maj. Thos. G.	
Peyton by which it will fully ap-	
pear that your petitioner has been re-	
gularly discharged and is besides this	
now a captain on a freight boat	
running on J. R. & K. Canal and	



Writ 5: John D. L. Petross

The Och hon of John D.L. Petrop, respectfully represent, Mar he is unlawfully hild and detained, in Copl. Co. D. 38: ba. negl. Slewarts Buy? you petitioner was conscriptive over the age of Menty years - and had been, for more Man ceven previous to Met Date, a regular part ising Physician in the counties I Henry and Pittsy lavenue. where the was in the regular and hatitu al practice of his projection. when he was ordered to bamp Lei, he was apigued before he would prepare his takers and proof, for the propar Discharge - as a Physician. your Pilihoner, cahility with his Petition, sund rie statements offe Donts, and applications- showing The fauts of his care - and the ments , his application. He prays Mak a went of Sales corpus may be awardes and Directed to the sain John A. Hernson. bapt. 7 Co. D. 38" Reft. ba. Stewarts Brisaide requiring horis to have and ling the lody of your Och hon as before you bonnable would, to cellar with Mr laure , his wind order hon, That Mu come may be enjured wito and The proper relief tow The Olishora. By Thelma Us Ally

## Document 5: Transcription

Writ 5: John D. L. Petross

The petition of John D. L.
Petross, respectfully represents, that
he is unlawfully held and detained, in
military service, by John A. Henderson
Capt. Co. D 38th Va. Regt. Stewart's Brgd.

Your petitioner was conscripted in the fall of 1864 and was then over the age of thirty years and had been, for more than seven years previous to that date, a regular practicing physician in the counties of Henry and Pittsylvania, where he was in the regular and habitual practice of his profession. When he was ordered to Camp Lee, he was assigned before he could prepare his papers and proof for the proper discharge as a physician.

Your petitioner exhibits with his petition sundrie statements, affidavits, and applications showing the facts of his case and the merits of his application. He prays that a writ of Habeas Corpus may be awarded and directed to the said John A. Henderson Capt. Co. D 38th Va. Regt. Stewart's Brigade requiring him to have and bring the body of your petitioner before your Honorable Court, together with the cause of his said detention that the same may be enquired into and the proper relief had.

The Petition By J. H. Gilmer his Atty



Writ 6: Andrew G. Hudson (Page 1)

I the Honourable the St. Lyons bouch The Petition of Andrew I. Hudson respectfully represents That he is unlaw fully detained as a conscript of lead of b. Shield. at Campo Lie or major The & Penton Ar allegues that on the 21-day of fine 862/ placed a substitute in his place as a humber of Co: A. 19 the Regi - mut, who was accepted of the Cape of said Co: with the consent & approval of Col Strange who commended the regint & Thereupon he obtained his discharge In futher alleges, that This discharge has been respected hitherto I he has been Three times yented whom it of the emolling offer in his district At therefore protests that he is not hable to military surver & prays That a think of thabeas learpens may be directed to said Shields

Writ 6: Andrew G. Hudson (Page 2)

of Peyton.	+ 6.
Petitioner byon	to bring your
that he ma	I discharged
Ligned	ed I Mudson
dickmend Virginia City 9	Hichmond Tollit
This day A. f. 4.	tudson presonally
appeared of	o sullow ser a morary Patrice of me I sin
by in the	Ingoing statement
6 deg of hour	when 1863.
	Francis Welutton J: N. P.

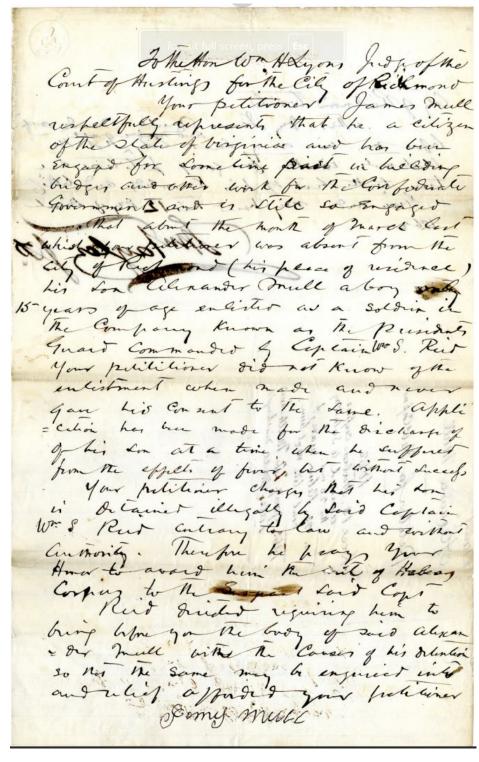
# Document 6: Transcription

Writ 6: Andrew G. Hudson

Page 1	Page 2
To the Honorable Wm H. Lyons	& Peyton requiring them to bring your
Judge of the Hustings Court	petitioner that he may be discharged.
	Signed
The petition of Andrew G.	A. G. Hudson
Hudson respectfully represents	
that he is unlawfully detained	Richmond Virginia City of Richmond To Wit
as a conscript of Col. J. G. Shields	This day A. G. Hudson personally
at Camp Lee or Major Tho. G. Peyton.	appeared before me
He alleges that on the 21st day of June	^Francis V. Sutton Sen a Notary Public of
1862 he placed a substitute in his	and for
place as a member of Co. A. 19th Regi-	& made oath to the foregoing statement.
ment, who was accepted by the Capt.	Given under my hand this
of said Co. with the consent & approval	6 <sup>th</sup> day of November 1863
of Col. Stranger who commanded the	
regiment & thereupon he obtained	Francis W. Sutton Sr.
his discharge.	N. P.
He further alleges, that this	
discharge	
has been respected hitherto & he	
has been three times exempted	
upon it by the enrolling officers	
in his district.	
He therefore protests that he is not	
liable to military service & prays	
that a writ of Habeas Corpus	
may be directed to said Shields	



Writ 7: Andrew Mull



## **Document 7: Transcription**

#### Writ 7: Andrew Mull

To the Hon Wm H Lyons Judge of the Court of Hustings for the City of Richmond

Your petitioner James Mull respectfully represents that he is a citizen of the state of Virginia and has been engaged for some time past in building bridges and other work for the Confederate Government and is still so engaged.

That about the month of March last whilst your petitioner was absent from the city of Richmond (his place of residence) his son Alexander Mull a boy only 15 years of age enlisted as a soldier in the company known as the Presidents Guard commanded by Captain Wm S. Reid. Your petitioner did not know of the enlistment when made and never gave his consent to the same. Application has been made for the discharge of his son at a time when he suffered from the effects of fever but without success.

Your petitioner charges that his son is detained illegally by said Captain Wm S. Reid contrary to law and without authority. Therefore he prays your Honor to award him the writ of Habeas Corpus to the said Capt Reid directly requiring him to bring before you the body of said Alexander Mull with the causes of his detention so that the same may be enquired into and relief afforded to your petitioner.

James Mull



#### Writ 8: C. T. Decäniél (Page 1)

To the honorable William Ho. Lyons, jurge of the Hustings Court of the City of Rich. mond: You petitioner 6. J. De Cariel respectfully repre Sents that he is ellegally detained in custody by Captain George L. Bidgood, a captain of a militia Company in the 19th Regiment of the Virginia Militia, first class militia. Mon petitioner states that the said Bidgood detains him as he is informed claiming that he owed military service in the said militia. Hom petitioner is not a celinen of Vinginia, has never declared his intertion to leccome a celige, of the former United States or of the Confederar States of America or of any of the States of the former union or of the present confederacy. your petitioner was born in Devoushire England and is a subject of Queen Violoria, Queen of the united Kingdom of Great Britain and Ireland. your petitioner is not a subject of said monarch, never having ulexquished his dimicil in the Kingdom of his brith and never de signere to do so. As an un naturalizat und omiciled foreigner, nom petitioner is not liable to perform the melitary service Sought to be expacled of him. Mom petitioner faither states that his health is such as wholly to incapacitate him

Writ 8: C. T. Decäniél (Page 2)

for the discharge of the militia duties require ? and on the grown of physical disability he is entitle & to relief from these duties. Shines it become no ceforey in the case your petitioner believes to can make this abundantly appear to your honor. your petitioner prays bookerdesselverges and reduced from bles control and secretor of the said Scaptain Gorge & Did good and to this was to prayor has the said George L. Bed good be ordered to have the body of your petitioner before your honer together with The day and cause of your petitioners caption and deliation and that your petitioner be discharged and released from the custody and control of the said captain. And your petitioner will ever may ye Chart Ruhmend, lowid: This day perionally appeared before no the unduregned a notary public for the said the C. J. De Caniel and made oak that the statineals made in the freeping petition are here Given under my hand, this 25th day of Neveraber AD 1864. Hex M. Sands M.P.

## **Document 8: Transcription**

Writ 8: C. T. Decäniél

#### Page 1

To the honorable William H. Lyons Judge of the Hustings Court of the City of Richmond:

Your petitioner C. T. DeCäniél respectfully represents that he is illegally detained in custody by Captain George L. Bidgood, a captain of a militia company in the 19th Regiment of the Virginia Militia, first class militia. Your petitioner states that the said Bidgood detains him as he is informed claiming that he owes military service in the said militia. Your petitioner is not a citizen of Virginia, has never declared his intention to become a citizen of the former United States or the Confederate States of America or of any of the states of the former union or of the present confederacy. Your petitioner was born in Devonshire England and is a subject of Queen Victoria, Queen of the United Kingdom of Great Britain and Ireland. Your petitioner is yet a subject of said monarch, never having relinquished his domicile in the kingdom of his birth and never designed to do so. As an unnaturalized undomiciled foreigner, your petitioner is not liable to perform the military service sought to be exacted of him.

Your petitioner further states that his health is such as wholly to incapacitate him

#### Page 2

for the discharge of the militia duties required and on the ground of physical disability he is entitled to relief from the duties. Should it become necessary in the case your petitioner

believes he can make this abundantly appear to your honor.

Your petitioner prays that the said Captain George L. Bidgood be advised to have the body of your petitioner before your honor together with the day and cause of your petitioner's caption and detention, and that your petitioner be discharged and released from the custody and control of said captain. And your petitioner will ever pray & c.

C. T. DeCäniél

City of Richmond, to wit: This day personally appeared

before me the undersigned a notary public for

said aty C. T. DeCäniél and made oath that the statements made in the foregoing petition are

Given under my hand, this 24<sup>th</sup> day of November A.D. 1864.

