

Discharge  
of  
Peng Hughtts  
of color



Lancaster County ss

The Commonwealth of Pennsylvania to the Keeper  
of the common jail of the County of Lancaster

~~Edw~~ You are hereby commanded to discharge out of your  
custody the body of Benjamin Hughtett of the Twp of Little-  
Britain in the said County. If detained for no other  
cause than that mentioned and expressed in the mittimus  
of Mr W Steel one of our justices of the peace in and for the County  
aforesaid of the 5th day of Aug instant. The living body of the  
said Mary E Proctor of color, having since been produced to me and  
proven as the person therein ~~mentioned~~ mentioned. And for so doing  
this shall be your sufficient warrant. Witness the said Mr W Steel  
at Drumore Twp in the County aforesaid the seventh day of Aug 1862

William W Steel J P



Durham Aug 9<sup>th</sup> 1862

Hon Judge Long

Sir I committed a certain Benjamin Hught of color charged before me on oath of Peter Brumlow of color with the murder of a certain May E Proctor and since the commitment of Hught the said May E Proctor has been found and was brought before me and proven to be the supposed murdered party Since I received the above information I issued a discharge from prison to J Leacock Esq

Respectfully yours &c

William W Steile

Chestnut Level Aug 9<sup>th</sup> 1862

Hon Judge Long

Sir I have notified  
Wm W Steel Justice of the peace Peter  
Cornelius of color Prosecutor Sarah Ann Cornelias  
of color witness to appear before you on Saturday  
August 9<sup>th</sup> at 7 1/2 o'clock P.M. to show cause if any  
there be why Benjamin Hugbet shall not be  
relieved from prison Committed on a Charge of <sup>the</sup> murder  
of Mary E Procter I have saw the living body  
of Mary E Procter since the commitment of  
Benjamin Hugbet Respectfully yours  
J C Kupperwood  
Constable



Chesnut Level Aug 9<sup>th</sup> 1862

M<sup>r</sup> Joz Goodwill

Sir enclosed you will find a  
note from Steel and one from me to Judge  
Long you will please tell Hughes to come to  
my place and I will take him home I want  
to get the costs for from him tell him he  
must come to me or he won't be there if  
he don't pay the costs I will return him  
again respectfully yours  
Thomas C. Kirkwood



1158/1862

Council of  
Penna

Habs Corpus

Jay Cadwell  
Keeper of Lane  
Or Prison

for the  
body of  
Benjamin  
Hughet

By act of 1785.

Pd  
Cadwell

1862 Aug 10th On hearing Benjamin Hughet  
discharged from custody -

D. G. Long



LANCASTER COUNTY, SS.

The Commonwealth of Pennsylvania.

TO Jay Cadwell Esq Keeper of  
Lancaster Co Prison GREETING :

YOU are hereby commanded that the Body of \_\_\_\_\_  
Benjamin Hughes under your custody  
detained, as it is said, together with the day and cause of his  
being taken and detained, by whatsoever name the said \_\_\_\_\_

Benjamin Hughes

shall be charged in the same, you have under safe and secure conduct before the Honorable

H. G. Long at his chambers on Monday  
August 11. 1862 at 9 o'clock a m

to do and receive all those things which the said Judge shall then and there consider of in this particular.

WITNESS the Honorable H. G. Long Esquire, President of the Court  
of Common Pleas of said county, at the City of Lancaster, the ninth day of  
August in the year of our Lord, one thousand eight hundred and sixty.

ALLOWED BY

H. G. Long

J. H. Carson  
for Pub

To the Honorable H. G. Long, President Judge (or ~~A. L. Hayes, Associate~~  
~~Judge~~) of the Court of Common Pleas for the County of Lancaster :

JAY CADWELL, the defendant in the within mentioned Writ, for return thereto, respectfully submits  
to your Honors that the said Benjamin Hughes therein named, is confined in the  
Lancaster County Prison, by virtue of a warrant commitment, whereof the following is a copy, viz :

Lancaster County, Pa.  
The Commonwealth of Pennsylvania, to  
J. C. Kirkwood, Const. of Drumore in  
said County Greeting:

These are to command you the said Constable, forthwith  
to convey and deliver into the custody of the Keeper of  
the said Jail, the Body of Benjamin Hughes (of Color) charged  
before Wm. W. Steele, one of our Justices of the peace for said  
County with the Murder of Mary E. Proctor.

And you the said Keeper are hereby required to  
receive the said Benjamin Hughes into your custody  
in the said Common Jail, and him there safely keep  
until the next Court of Quarter Sessions, or until he is  
delivered by due process of law.

Witness the said Wm. W. Steele at Drumore twp.  
the 5th. day of August 1862.

Signed William W. Steele. J.P. Seal

Wherefore the said JAY CADWELL has here before your Honor the body of the said  
Benjamin Hughes, together with the said Writ, as therein he is commanded.

Jay Cadwell KEEPER.



1158/ 1862

Petition of Benjamin  
Hughes for Habe Corpus

Filed Sept 9, 1862



To the Honorable N. G. Long, President Judge of the  
Court of Common Pleas of the County of Lancaster.

The Petition of Benjamin Hugbet  
respectfully represents, that he is now confined unjustly  
(as he apprehends) in the Jail of said County for  
some Criminal or supposed Criminal matter, as appears  
by a Copy of the Commitment hereto annexed. To be  
relieved from which imprisonment Your Petitioner  
now applies, praying that a Writ of Habeas Corpus may be  
issued according to the Act of Assembly, in such case  
made and provided, so that Your Petitioner may be  
brought before Your Honor, to do, submit to, and receive  
what the laws may require.

And he will pray &c.

Witness

Jay Caduall

his

Benjamin X Hugbet  
Mark

Lancaster County ss.

Personally appeared before me, the above  
named Benjamin Hugbet who being  
duly sworn - doth depose and say, that the facts set  
forth in the above Petition are true to the best of his  
knowledge and belief.

Sworn and Subscribed }  
this 9<sup>th</sup> day of August - A.D. 1862. }

Jay Caduall

Prison Keeper

1862 Aug 9<sup>th</sup> Habeas Corpus awarded as prayed for, returnable at my  
Chamber, on Monday morning next at 9 O'clock.

To P. Martin Esq  
Prothy -

N. G. Long



Lancaster County S.S.

The Commonwealth of Pennsylvania,  
To J. C. Kirkwood, Constable of Drumore in said County, Greeting:  
And to the Keeper of the Common Jail of said County:  
These are to Command You the said Constable, forthwith  
to Convey & Deliver into the Custody of the Keeper of the  
said Jail, the Body of Benjamin <sup>4</sup>Hughet, of Color, charged  
before Wm W Steele, one of Our Justices of the Peace for said  
County with the Murder of Mary E Proctor: And You the  
said Keeper are hereby required to receive the said Benjamin  
Hughet into Your Custody in the said Common Jail, and  
him then safely keep until the next Court of Quarter Sessions  
or until he is delivered by due process of Law.

Witness the said Wm W Steele at Drumore Township  
the 5<sup>th</sup> Day of August 1862

Wm W Steele J. P. Seal