

said Jesse W. McConnell then and there refused and still refuses to restore or deliver the said Margaret Rickerby to petitioner, and petitioner verily believes that without the benefit of a Writ of Habeas Corpus, addressed to the said Jesse W. McConnell ordering him to bring the body of the said Margaret Rickerby before your Honor, and to show cause why he detains her against the will and consent of your petitioner—the said petitioner will sustain damage, and lose the custody, charge and control of the said Margaret Rickerby.

Wherefore petitioner prays that a Writ of Habeas Corpus may issue addressed to the said Jesse W. McConnell of the Township of Hatley, in the District of St. Francis, farmer, commanding him to bring the body of the said Margaret Rickerby before your Honor without delay, or on the first day of the term of the Superior Court, to wit: on the tenth day of November instant, and to show cause why he detains the said Margaret Rickerby, and that the said Jesse W. McConnell be ordered to restore and deliver the said Margaret Rickerby to the said petitioner, and that the said Margaret Rickerby be ordered to return to the said petitioner, and that the said petitioner be placed in charge of the said Margaret Rickerby,—the whole with costs *dis-trails* to the undersigned attorneys.

Sherbrooke, 6th November, 1882.

The application was supported by the following affidavit:

“Elizabeth Meiklejohn, of Knowlton, in the Township of Brome in the District of Bedford, Manager of the Knowlton Distributing Home, being duly sworn doth depose and say:—

That petitioner is the only authorized manager of the Knowlton Distributing Home, and has a personal knowledge of the matters set forth in the foregoing petition, and that the same as set forth and alleged therein and each and every thereof, are and is true.

“That deponent in her said capacity has a right to the custody and charge of the person of the said Margaret Rickerby named in said petition, and the said Jesse W. McConnell unlawfully detains the said Margaret Rickerby, and restrains her, and prevents the said petitioner from obtaining possession of the said Margaret Rickerby, and deponent verily believes that without the benefit of a writ of *habeas corpus* addressed to the said Jesse W. McConnell, de-

ponent will be unable to obtain possession of the said Margaret Rickerby, and will sustain damage.

(Signed.) ELIZABETH MEIKLEJOHN.

Sworn before the undersigned at the City of Sherbrooke, this sixth day of November A. D. 1882.

(Signed.) E. T. BROOKS, J. S. C.

The Judge made the following order:—“Let a writ of *habeas corpus* issued as prayed for, returnable to the Superior Court at the City of Sherbrooke in session on the tenth day of November instant.

Sherbrooke, 6th November, 1882.

(Signed.) E. T. BROOKS, J. S. C.”

The respondent appeared and made the following petition:—

“I, Jesse W. McConnell, of the Township of Hatley, in the District of St. Francis, farmer, the respondent in this cause, now have and produce the body of said Margaret Rickerby. The causes of her detention by me are the following:—On or about the 14th day of March last, the said Margaret Rickerby was received into my family and entered my service under and by virtue of a written contract of lease and hire, made and executed by and between one Louisa Birt as lessor, and myself as lessee, by virtue of which contract I engaged and hired the services of the said Margaret Rickerby for the term or period of three years from the date thereof, and for fair and reasonable remuneration in said contract specified, and I have fulfilled up to the date hereof all the obligations devolving upon me under said contract.

“That said Margaret Rickerby is and always has been while with me well treated and cared for by me and by my family, and she is not and never has been since entering my service under restraint, nor confined or restrained of her liberty, but the said Margaret Rickerby is free to exercise her choice as to her place of residence. That she is a girl of sufficient age, intelligence and capacity to choose for herself. That she is and always has been desirous of remaining with me and my family with whom she has become much attached, and she is unwilling to leave my employ or to return to Louisa Birt, with whose treatment she is dissatisfied.

“That I have received no legal or sufficient notice of Louisa Birt's desire to terminate said