

## GEORGIA, CLARK COUNTY.

To the Honorable Augustin S. Clayton, Judge of the Superior Courts of the Western Circuit of said State.

The petition of Edmund Cobb and Howell C. Flournoy, respectfully sheweth unto your Honor, that they now are, and have been, since Tuesday night about 10 o'clock, the twenty-ninth inst. in the custody of Milledge Haines, Abram Brown and William Eve, who arrested, and have since detained them by force of arms and contrary to their will—and as they verily believe without any legal or competent authority. Wherefore they pray your Honor, by virtue of the Constitution of the United States and of the State of Georgia, as well as the British statute in such case made and provided, to cause the said Milledge Haines, Abram Brown and William Eve, to bring your petitioners before your Honor, that the cause of their arrest and detention may be inquired into, and such further order be had in the premises as shall seem meet, and your petitioners as in duty bound will ever pray, &c.

EDMOND COBB,  
HOWELL C. FLOURNOY.

## GEORGIA, CLARK COUNTY.

To Milledge Haines, Abram Brown and William Eve.

You are hereby commanded to bring before me, the bodies of Edmund Cobb and Howell C. Flournoy, who have represented to me that they are in your custody without any lawful authority, and detained and imprisoned contrary to law and their consent; and that you bring also the authority by which they have been arrested, that the cause of their caption and detention may be legally enquired into; hereof fail not, and have you then and there this writ. Given under my hand and seal this 1st July, 1830.

A. S. CLAYTON, J. S. C. (t. s.)

## GEORGIA, CLARK COUNTY.

To the Honorable Augustin S. Clayton.

In obedience to the precept to us directed, requiring us to produce before your Honor the bodies of Edmund Cobb and Howell C. Flournoy now in our custody, together with the authority by which the said Edmund and Howell C. have been arrested, respectfully submit, that they made said arrest, and now detain said persons upon the authority of an advertisement in the Southern Recorder of the 12th of June last, over the signature of one Robert Flournoy, suggesting that the said Howell C. Flournoy had feloniously carried off a negro slave, Jacob, and offering a reward of fifty dollars, and all reasonable expenses, for the delivery of the said Howell C. or the said negro man Jacob, to the said Robert W. in Louisville, Georgia, which advertisement, together with the bodies of the petitioners, are here produced to your Honor.

MILLEDGE HAINES,  
ABRAM BROWN, and  
WILLIAM EVE.

## GEORGIA, CLARK COUNTY.

THE STATE

vs.

EDMOND COBB and  
HOWELL C. FLOURNOY.

Habeas Corpus.

In the above case no legal authority having been shewn for the caption and detention of Defendants, they are hereby discharged.

A. S. CLAYTON, J. S. C.

## TO THE PUBLIC.

In consequence of the advertisement in the Recorder of the month of May, and signed Robert W. Flournoy, having become more public from the subsequent arrest of myself in Elbert county, I have deemed it requisite that a simple statement of facts should be submitted to the public. In doing this, I shall endeavor to confine myself to such a statement alone as is necessary for my own defence, waiving all other facts, to be produced when legal measures will render it necessary.

The unfortunate difference and separation of my parents, have been too well known to be mentioned here, any farther than as being the cause which has led to the publication in the Recorder, and subsequent events.

The servant advertised, Jacob, was of all my father's negroes, the most attached to my lamented mother, and in consequence, incurred the dislike and anger of his master. This dislike arising from no other cause, was bequeathed to some of my brothers, and hearing the threats that were made, and the severities intended to be exercised by them towards him, whenever an opportunity should be given. Knowing this, and feeling it due to the memory of my mother, that every effort should be made by me to prevent the infliction of any punishment for an attachment borne to her, and knowing at the same time, that as one of her heirs, I had as much legal claim to him as either of my brothers, I took possession of him and refused giving him up. At the same time, however, that I did this, Col. Cobb, my guardian, wrote to the attorney and administrator in fact, of the administrator of my mother's estate, that I would pay hire for him, and likewise produce him whenever a division should take place. I remained in Athens for some time after the letter was sent: receiving no answer from the administrator, and being advised on the account of my health to travel, I set off for the western country, when the advertisement of an imprudent brother made its appearance. Subsequent to my departure from this place, an answer arrived from the administrator positively refusing all agreement with my proposals, and a suit is about being instituted against me for said negro. This suit I am willing to defend, trusting in the justice of the laws, and in the good sense and upright feelings of my fellow citizens, for my full justification, when all facts shall be made known.

As to the arrest of myself and my fellow-traveller and relation, in consequence of the advertisement, a full statement will be found in the legal proceedings before Judge Clayton, under a writ of Habeas Corpus. My character here is fully exculpated by the decision of the Judge; abroad where it is not known as well, it has been deemed necessary to send a simple statement of facts, to correct the opinion that may have been formed as to my motives of action, and my defence. Hence this plain narrative. It may be as well to state, that the administrator of my mother's estate is not Robert Watkins Flournoy, but my elder brother Marcus Flournoy; that the former had no more right to advertise me on account of Jacob, than I would have to do so with any gentleman of the United States; and that his only object could have been to subject me to arrest, imprisonment and harsh treatment, where I was personally unknown.

HOWELL C. FLOURNOY.

Athens, July 13.—28—

## TO THE PUBLIC.

Mr. Shaw.—It having been frequently stated, and indeed published in the newspapers, which will hereafter be noticed in the proper place, that I had harbored, and still continued to do so, a certain negro fellow by the name of JACOB, the body servant of my late mother,—I wish through your paper to give public notice, that said report is an infamous calumny; and further state, I openly and publicly took possession of said negro, under a claim which I am at all times ready to defend at law; having possession of said negro, the law presumes him mine, until the contrary is made to appear, and I shall openly, as I have already within the knowledge of half the people of Athens, keep him until a better right is shewn to him by due course of law, to which I shall cheerfully submit; but he shall not be wrested from me by any high handed authority.

The Negro man J.M. advertised in your paper of the 20th April as having eloped, is also in my possession, having given himself up, and the claim to whom, will likewise be defended. HOWELL C. FLOURNOY.

Athens, July 6.

The Southern Recorder will please give the above one insertion.