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Case No. 2,156a.

Ex parte BURKE.

District Court, E. D. Pennsylvania.

Aug. 21, 1863.

ARMY—ENLISTMENT OF MINOR—CONSENT OF PARENTS.

[A minor, 17 years of age, who has enlisted in the United States army without his parents' consent, is entitled to discharge on habeas corpus.]

[Cited in 1 Brightly, Fed. Dig. 51.]

At law. Habeas corpus.

[Before CADWALADER, District Judge.

[This was a petition by the mother of one Burke, a minor who had enlisted in the United States army, for his discharge on habeas corpus. The petition set forth that Burke was 17 years of age, and had joined the army without the petitioner's consent. The writ was allowed August 17, 1863, and the prisoner discharged into the custody of the petitioner August 21, 1863.]

[NOTE. There is no opinion on file. The foregoing synopsis of the case is taken from the files and records of the court.]

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