

5-2-1838

1838-05-02 Extradition Request From Georgia For Philbrook and Kellerun

State of Georgia

George R. Gilmer

Edward Kent

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UNITED STATES OF AMERICA.

STATE OF GEORGIA.

By His Excellency *George A. Gilmer*
Governor and Commander-in-Chief of the Army and Navy of this
State, and of the Militia thereof.

TO ALL TO WHOM THESE PRESENTS SHALL COME:
KNOW YE, That

Robert W. Pooler whose
certificate and attestation is given
and made to the within document,
was, at the time of making the same,
holding and exercising the office of
Clerk of the Superior Court of
Chatham County in said State of
Georgia - and that his certificate
is in due form. - - -

George A. Gilmer

Entered in M. S. Book

Comp. Sec.

W. A. Smith

Rec'd in Sec. Dept. 1835

THEREFORE, all due faith, credit and authority are, and ought
to be had and given to *his* attestation as such.

IN TESTIMONY WHEREOF, I have hereunto set my hand,
and caused the Great Seal of this State to be put and affixed.

DONE at the State-House, in Milledgeville, this *second*
day of *May* in the year of
our Lord, eighteen hundred and *thirty eight*
and of the Independence of the United States of America the
sixty second.

BY THE GOVERNOR:

W. A. Smith

Secretary of State.

Certified to as signed this second of May 1838

David Lewis

Secy. Ex. Dept



Georgia,
Chatham County, 3

The Grand Jurors sworn chosen and selected for the County of Chatham to wit; L. P. Henry foreman, W. Bee, Geo. Shuck, Geo. S. Law, Amos Scudder, C. Stephens, A. Haupt, S. B. Parkman, W. Morel, R. M. Goodwin, J. Philbrick, Geo. A. Pacy, Geo. Lewis, Geo. Haupt Jr., Edu. Bourquin, M. C. Daniels, J. W. Morrell, Sol. Shoptall, A. J. C. Shaw in the name and behalf of the Citizens of Georgia, charge and accuse Daniel Philbrook and Edward Kitterun of the County and State aforesaid with the offence of Simple Larceny. For that the said Daniel Philbrook and Edward Kitterun in the County and State aforesaid on the eighth day of May in the year of our Lord One thousand eight hundred and thirty seven a certain negro man slave named Atticus of the value of Six hundred dollars the property of James Sagurs and Henry Sagurs of the County and State aforesaid then and there being found wrongfully, fraudulently and feloniously did steal take and carry away contrary to the Laws of said State the good order peace and dignity thereof -

2nd Count,

And the Jurors aforesaid in the name and behalf of the Citizens of Georgia further charge and accuse the said Daniel Philbrook and Edward Kitterun with having committed the offence of Simple Larceny, For that the said Daniel Philbrook and Edward Kitterun in the County and State aforesaid on the eighth day of May in the year of our Lord One thousand eight hundred and thirty seven by enticement and by other means feloniously wrongfully and fraudulently did induce a certain negro man slave named Atticus of the value of Six hundred dollars the property of James Sagurs and Henry Sagurs of the County and State aforesaid then and there being to run away from his Owners the said James Sagurs and Henry Sagurs with intention to sell the said negro man slave named Atticus and otherwise to appropriate the said negro man slave named Atticus to their (Daniel Philbrook and Edward Kitterun) own use and to the use of other persons and thereby to deprive the said James Sagurs

and Henry Sagurs the Owners of the said negro man
slave named Atticus of the use and services of the said
negro man slave named Atticus contrary to the Laws
of said State the good order, peace and dignity thereof
3rd Count

And the jurors aforesaid in the name and
behalf of the Citizens of Georgia further charge and
accuse the said Daniel Philbrook and Edward Kellerman
with having committed the offence of removing and
carrying and causing to be removed and carried away
out of this State and a County thereof a slave being
the property of other persons without the consent of the
owners or other person having authority to give such
consent and without any intention and design on the
part of them the said Daniel Philbrook and Edward
Kellerman to sell and otherwise appropriate the said
Slave to their own use, or to deprive the Owners of their
property in said slave For that the said Daniel Philbrook
and Edward Kellerman in the County and State aforesaid
on the eighth day of May in the year of our Lord One
thousand eight hundred and thirty seven with force and
arms a certain negro man slave named Atticus
of the value of Six hundred dollars the property of
James Sagurs and Henry Sagurs of the County and
State aforesaid then and there being from the County
of Chatham and State of Georgia aforesaid did remove
and carry and caused to be removed and carried away
out of the State of Georgia and County aforesaid without
the consent of the said James Sagurs and Henry Sagurs
Owners of the said negro man slave named Atticus
and without the consent of any other person having
authority to give such consent and without any in-
-tention and design on the part of the said Daniel
Philbrook and Edward Kellerman to sell and otherwise
appropriate the said negro man slave named
Atticus to their own use or to deprive the said James
Sagurs and Henry Sagurs the Owners of said negro
man slave named Atticus of their property in said
negro man slave named Atticus contrary to the
Laws of said State the good order, peace and dignity
thereof. —

4th Court,

And the Jurors aforesaid in the name and behalf of the Citizens of Georgia further charge and accuse the said Daniel Philbrook and Edward Kellerman with having committed the offence of concealing, harboring and hiding and causing to be concealed, harbored and hidden a slave to the injury of the Owners thereof. For that the said Daniel Philbrook and Edward Kellerman in the County and State aforesaid on the eighth day of May in the year of our Lord One thousand eight hundred and thirty seven a certain negro man slave named Atticus of the value of Six hundred dollars the property of James Sagurs and Henry Sagurs of the County and State aforesaid then and there being with force and arms did conceal, harbor and hide and cause to be concealed, harbored and hidden to the injury of the said James Sagurs and Henry Sagurs the owners of the said negro man slave named Atticus contrary to the Laws of said State the good order, peace and dignity thereof.

John E. Ward So. Seal

Georgia } Clerk's Office
Chatham County } Superior Court.

I Robert M. Pooler Clerk of the Superior Court of Chatham County, in the State of Georgia, do hereby certify, that the foregoing two and one half pages, is, and contains a true copy of the Judgment, in the case of "The State vs Daniel Philbrook & Edward Kellerman charged with the offence of Simple Slavery, as the same appears from the Original of file in said Office. And I further certify that the endorsement hereon, of the finding of the Grand Jury, to wit "True Bill upon the first count J. P. Henry foreman Feby 7. 1838" and of the names of the Witnesses, is a true copy of the Original, taken from the Original Judgment of file in said Office.

In testimony whereof, I have here to set my hand & affixed the seal of said Superior Court, this fifteenth day of February A. D. eighteen hundred and thirty eight.

Robert M. Pooler
Clerk

Chatham Superior Court.
January Term 1839.

The State

vs

Daniel Philbrook

vs

Edward Killerman

Simple Sarcus

Founded on the
presentment of a
Grand Jury

True Bill upon
the first Count

W. P. Henry
Foreman

Feb 7. 1839.

John E. Ward
S. Clerk

Witnesses

James Sagar

Henry Sagar

John Sturgeson

John Macow

