

14135

No.

Supreme Court of Illinois

Joseph Popper

vs.

People

71641  7

State of Illinois }
Morgan County } Joseph Popper states
under oath that he is legally & rightfully
detained in custody by the Jailor of Morgan
County on a charge of Perjury, (a copy of
the return being hereto attached)
That he was the owner of a mare (a
duskyt soul) which was taken by one
John Anderson from said County, & that
he believing it to be the design of said Ande-
son to run her off & sell her, got out a
writ against him for Larceny. That said
Anderson was arrested & taken before
a Justice of the Peace of Morgan County
at Nashville 25 miles distant from
New Lexington which is the residence
of the Justice of the Peace who issued the
warrant - That applicant informed the Justice
that he was not ready to go to trial
for want of witnesses to prove his right
to the mare, but the continuance
was refused & the trial brought on, & the
said Anderson discharged. Whereupon
said Anderson made oath & got out
a warrant against applicant for
perjury, & the trial being there brought

on immediately, against the removal
of appellant, & when he had no
opportunity of ~~being~~ obtaining his testimony
he was adjudged guilty & the sentences
unto attached made out -

Appant asks that a writ of Habeas
corpus issue directing him to be brought
before the Supreme Court of the State
to ~~be~~ examine into the grounds
of his commitment, & that on a
finding of his case that he be discharged.

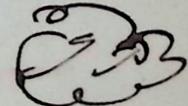
Subscribed & sworn to before me this 22nd day of
December A. D. 1843,

Joseph Papp

Dennis Reekwold Clerk

Morgan County }

The People of the State
of Illinois to the Jurors of the said County
greeting: Whereas Joseph Pepper late
of said County has been arrested on
the oath of John Anderson for
Perjury, and has been examined by
me A. B. Kirkhead one of the Justices of
the Peace in and for said County on
such charge and required to give
Bail in the sum of five hundred
dollars for his appearance before
the Circuit Court of said County
on the first day of the next ~~day~~ term
At which which representation he has failed
to comply with, ^{Thompson in the name of the People of} the State of Illinois,
I command you to receive the said
Joseph Pepper into your custody
in the Jail of this County aforesaid
thence to remain until he be discharged
by due course of law, Given under my
hand and seal this 20th day of December
A. D. 1845.

A. B. Kirkhead 

John Auden
John Hyatt f.
Milton Sappington
Manning Brayfield
J.W. Ladd
Wash. Henry White for People

Witness for Popper

Barnet Craig.

J.P. Wright.

Joshua Sprague

Thomas Turner

Andy Mann.

John Sutherland
for above witnesses
for Popper to Virginia
Hardin for
Popper.

14135

Book
Clerk
Clerk

Filed 24th Dec 1845

John M. Dickson
Witness for
Manning for
Popper