

James Kent, Jr. jury trial for illegal gambling (1841),
Tippecanoe Co. Historical Association
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February Term 1841.

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Plaus held before the honorable Isaac Naylor president Judge of the first Judicial Circuit in the State of Indiana and John Prooth and Cyrus Bull Esqrs his associate Judges in and for the County of Tippecanoe within said circuit and at the Term of February in the year of Our Lord One Thousand Eight hundred and forty One, to-wit:

State of Indiana vs James Kent, Junior Betting.

Copied from
Tippecanoe County
Historical Association
Lafayette, IN

Be it remembered that at a Term of the Tippecanoe Circuit court began and held at the Court house in the Town of Lafayette in said County on Monday the twentieth day of August in the year of Our Lord One Thousand Eight hundred and forty it being the third Monday in said month before the honorable Isaac Naylor president Judge and John Prooth and Cyrus Bull Esqrs his associates Judges thereof and upon the oath of Felix Seymour foreman and Basil Colvinger, John Burget, Vincent Dye, Aaron S. Claspill, Saml M. Clark, Stephen Sapington, William Porter, Daniel Stockton, Harry Ward, William S. Snoddy, Charles A. Paul, Enoch Yeager, Elijah Graves and James M. Bryant, good and lawful men discreet householders of the County of Tippecanoe who being sworn as grand jurors and charged to inquire in and for the body of the county of Tippecanoe on behalf of the State of Indiana it was by them found and presented in the following words, to-wit: "State of Indiana County of Tippecanoe. In the Circuit Court of said County, at the Term of August in the year of Our Lord One Thousand Eight hundred and forty. To-wit: The Grand jurors of the said State of Indiana, empanelled charged, and sworn to inquire in and for the body of the County aforesaid, in the name of, and by and under the authority of the State of Indiana, upon their oath present that James Kent Junr late of said County labourer on the first day of August in the year of Our Lord One Thousand Eight hundred and forty with force and arms at the County aforesaid, did by them and there unlawfully playing at and betting at & upon an unlawful game or wager, to-wit: at & upon the result of the congressional election in the seventh Congressional district in the said State of Indiana held on the first Monday in August, A.D. 1840, with one Solomon Heays Junr of & from sd Heays unlawfully win certain articles of value, to-wit one pair of gloves of the value of One dollar and twenty five cents contrary to the form of the Statute in such case made and provided and against the peace and dignity of the State of Indiana: And the jurors aforesaid upon their oath aforesaid, do further present that the said James Kent Junr afterwards, to-wit on the day and year last aforesaid with force and arms at the County of Tippecanoe aforesaid, did by them and there unlawfully playing at and betting at & upon a certain other unlawful game or wager, to-wit: at & upon the result of the congressional election on the first Monday in August, A.D. 1840 in the seventh

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congressional district in the said State of Indiana with one Solomon Hoags Junr. unlawfully lose a certain article of value to-wit, one pair of gloves of the value of One dollar and twenty five cents contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Indiana S.C. Willson Prosecuting Attorney, Endorsed "I True Bill Felix Seymour foreman".

And thereupon the following Capias issued against said James Kent Junr. to-wit, Capias "State of Indiana Tippecanoe County, ss. The State of Indiana to the Sheriff of Tippecanoe County, Greeting: You are hereby commanded to take James Kent Junr. if he may be found in your bailiwick and him safely keep so that you have his body before the Judges of the Tippecanoe Circuit Court, on the first day of their next term, to be held at the Court house in the Town of Lafayette, in said County, on the Third Monday in February next, to answer unto the State of Indiana, on an Indictment on file in said Court, against him for Betting and have you show show this writ, Witness Egan Shaw Clerk of our said Court, and its seal at office in Lafayette this 29th day of September 1840 Egan Shaw Clerk." The Sheriff's return endorsed on said writ, is in the words and figures following, to-wit, "On the 3rd day of October 1840 as commanded I have taken the within named defendant who has given recognizance bond herewith, returned Mr. S. Pierce Sheriff."

And afterwards, to-wit, at a Term of the Tippecanoe Circuit Court began and held at the Court house in the Town of Lafayette in said County on Monday the Fifteenth day of February in the year of Our Lord One Thousand Eight, hundred and forty one it being the Third Monday in said month before the Honourable Isaac Naylor President, Judge and John Prooth and Cyrus Ball Esqrs his associates Judges thereof and on Monday the First judicial day of the same Term Conner now Willson who prosecutes the release of the State herein and the said defendant in his own proper person and for his plea herein says he is guilty as he stands charged in said Indictment.

It is therefore considered by the Court now here that the said defendant for the offence by him committed in manner and form as he hath confessed do make his fine to the State of Indiana in the sum of One dollar and that he pay the costs and charges of this prosecution and further that he stand committed until costs and fine be paid or replied and the defendant in mercy &c.

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Indict

Capias