

Civil Case: State of Indiana vs Samuel Waldey - Grand Larceny

| Name in Record | Reason for Being in Record | Date of Record |
|------------------|--|----------------|
| Ed McMahon | Prosecuting attorney for Special term of Circuit Court | Aug. 1846 |
| Ed McMahon | Present to court alleged larceny of Samuel Wordle | |
| William Miesse | JP: Summoned Constable to take Samuel Wordle into custody | Oct. 17, 1846 |
| Samuel Wordle | Denies charges; also claims unconstitutional to hold special court | No date |
| E. A. McMahon | Prosecuting Attorney: says such special court is constitutional | No date |
| Mathias Gloss | Post bond and acknowledge himself in debt of state | Oct. 19, 1846 |
| John Gloss | Post bond and acknowledge himself in debt of state | |
| William Miesse | Justice of Peace | |
| William Miesse | Justice of Peace - Copy of Docket entry | No date |
| Mathias Gloss | Oath: Oct. 17, 1846 Samuel Wordle stole 2 pairs of pantaloons | |
| Samuel Wordle | Accused of stealing 2 pairs of pantaloons from Mathias Gloss | |
| Samuel Wordle | Warrant was issued for him to appear before Justice of Peace | |
| Mathias Gloss | Witness | |
| Jacob Gloss | Witness | |
| John Gloss | Witness | |
| J. Grim | Returned warrant & brought Samuel Wordle before JP | |
| Samuel Wordle | Pleads not guilty; ordered into recognizance with security | |
| Samuel Wordle | Failed to post bond; and jailed | |
| Jeremiah Lang | Summoned by sheriff as grand juror of special term of court | Oct. 26, 1846 |
| Stephen S. Rugg | Summoned by sheriff as grand juror of special term of court | |
| Benjamin Runion | Summoned by sheriff as grand juror of special term of court | |
| Martin Coffman | Summoned by sheriff as grand juror of special term of court | |
| Josephus Martin | Summoned by sheriff as grand juror of special term of court | |
| William Robinson | Summoned by sheriff as grand juror of special term of court | |
| Joseph Dennis | Summoned by sheriff as grand juror of special term of court | |
| David McDonald | Summoned by sheriff as grand juror of special term of court | |
| Daniel Coffee | Summoned by sheriff as grand juror of special term of court | |
| David Coffman | Summoned by sheriff as grand juror of special term of court | |
| Henry S. Juday | Summoned by sheriff as grand juror of special term of court | |
| George F. Baker | Summoned by sheriff as grand juror of special term of court | |
| Robert Niblock | Summoned by sheriff as grand juror of special term of court | |
| John Defenbaugh | Summoned by sheriff as grand juror of special term of court | |
| Andrew Johnson | Summoned by sheriff as grand juror of special term of court | |
| Eli Rising | Summoned by sheriff as grand juror of special term of court | |
| William Strode | Summoned by sheriff as grand juror of special term of court | |
| Samuel Gessinger | Summoned by sheriff as grand juror of special term of court | |
| Samuel L. Rugg | Clerk | |
| James B. Simcoke | Sheriff: notice of service by reading to potential grand jurors | Nov. 23, 1846 |
| William Strode | Did not get served by sheriff as he wasn't found in county | |
| Judge | To jury: may find guilty of petit larceny if questioning value of goods | No date |
| Jury | Find defendant guilty of petit larceny; value of stolen goods less than \$5.00 | |
| Jury | Find defendant fined of \$5.00; prisoned for 1 year | |
| Jury | Find defendant incapable of holding office of trust for 21 years | |

Roll No 138
State of Indiana
vs

Samuel W. Alden

1846 NOV 19

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Salut of Indians
Exhibit Mathias Gloss

Grand Jurors.

Samuel Wondle

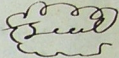
Be it Reminded that

on the 17th day of October A.D. 1846 lawfully appeared Mathias Gloss and on his solemn oath swears that on or about the 17th day of October 1846 at the County of Adams one Samuel Wondle late of said County did feloniously steal the take and carry away one pair of Black Cloth pants and one pair of cotton pants all worth about five or six dollars the property of Mathias Gloss of said County of Adams and therefore I issued a warrant to my Constable of said County to take the said Samuel Wondle and him forth with bring before me on some other Justice of the Peace the witnesses a good to attend without to be summoned Mathias Gloss John Gloss and Jacob Gloss

October 17th 1846 warrant returned by J. Green Constable and the said Samuel Wondle brought before me the said Samuel Wondle did not give when sworn I proceeded to examine into the said Complaint and the said witnesses, and one detention being had thereon, it is ordered that the said Samuel Wondle enter into recognizance with sufficient surety in the sum of one hundred dollars to appear at the next Circuit Court and answer said charge and the said defendant failing to enter into such recognizance thereupon by a warrant under my hand and seal committed him to the Jail of the said County the said Mathias Gloss witness is recognizance in the sum of fifty dollars to appear at the same Court Justice Free \$1.00 as Constable Free \$1.00 the whole amount of costs \$2.00 as costs.

William Messer Seal
Justice of the Peace

I do hereby certify that this is a true copy

of my basket containing
William Muisse 
Justice of the Peace

Samuel W. Wavel

vs

The State of Indiana

The Defendant moves in arrest of judgment
in this cause & says for cause of arrest

1st That the Law authorizing the holding of such special
Term of Court is unconstitutional, & confers no power
upon the Court constitutionally to hold such Term
Respectfully

The Court will charge the Jury that the prisoner has the benefit of all rational doubts, and if there are any rational doubts as to the value of the Articles charged in the indictment to have, ~~the prisoner~~ been stolen the prisoner has the benefit of those doubts.

The jury may find guilty of petit Larceny under the indictment

State of Indiana }
Adams County }^{ss.} To any Constable of said
County & seeing.

Whereas, complaint has been made before me William
Miesse a Justice of the Peace of the County of
-residing on the oath of Matthias Glass that on
the 17th day of October A.D. 1846, at the County
aforesaid, one pair of ~~Pantaloons~~ ^{Black} Cloth pantaloons
and one pair of Cotton Pantaloons, One Samuel
Wordle late of said County did feloniously steal
take and carry away one pair of ^{Black} Cloth Pantaloons
and one pair of Cotton Pantaloons all worth
about five or six dollars the property of Matthias
Glass of said County of Adams, and that he
verily believes that a certain Samuel
Wordle late of said County is guilty of
said offence or that he has been aiding &
assisting in the commission thereof
and further saith not. You are there-
fore hereby commanded to take the said
Samuel Wordle and him forth with bring before
me or some other Justice of the Peace of said County to answer
unto said complaint, and be further dealt with according to
law. Given Under my hand and seal this 17th day of
October A.D. 1846.

William Miesse Seal
Justice of the Peace

We this day find the defendant guilty
of Petit Larceny, as he stands charged
in the indictment, & we find the value of
the goods stolen to be less than \$100 & that he be
fined \$5, & we do further find that he be
imprisoned in the ~~Penitentiary~~ ^{State Prison} of the State for at
least Cuba for one year & we do further find
that he be disfranchised & rendered incapable
from holding any office of trust or profit for
the period of twenty-one years.

The State

ms

Venue for Grand
Jury

Issued this within by
Reading to all the
within named Jurors
except William Trade
whom could not be found
in said County of Adams
this 23^d day of November 1846

James B. Snickoff Jff
of Adams County