Plea pleaded by James and Polly persons of Colour to a certain return made to a writ of Habeas Corpus directed to Hyacinth Lapelle from the Circuit Court of the County of Knox and State of Indiana, bearing date the 15th day of July in the year of our Lord one thousand eight hundred and eighteen, and made returnable before the Honourable Thomas U. Blake at his Chambers in Vincennes on the first tuesday in August then next ensuing the date thereof —

Hyacinth Lapelle
vs.
James and Polly persons of Colour

And the said James a person of colour by Jenny a person of colour, his mother, who is admitted here as natural guardian of the said James, to defend for the said James who is an infant under the age of twenty one years, comes and defends the wrong and injury when and wherefore and answers unto the matters and things contained in the said return of the writ of Habeas Corpus made by the said Hyacinth Lapelle, and says; that he ought not to be bound or charged or in any manner held to service by virtue of said supposed indenture mentioned in said return by the said Lapelle, because he says that the said James at the time of making said supposed indenture in the said return mentioned was an infant within the age of twenty one years, to wit, of the age of seventeen years, to wit at the County of Knox and State of Indiana aforesaid, and this the said James is ready to verify, wherefore he prays judgment if he ought to be charged bound or in any manner held to service by virtue of said supposed indenture in said return mentioned &c —

And for a further plea in this behalf the said James according to the form of the statute in such case made and provided says, that he the said James to be charged, or bound, or in any manner held to service, in virtue of said supposed Indenture in the said return mentioned by the said Lapelle ought not because he says that he the said James at the time of making the said Indenture in said return mentioned to wit on the fifteenth day of July in the year of our Lord one thousand

eight hundred and eighteen at the County and State aforesaid was impresoned by the said Hyacinthe Lapelle and others in collusion with him and then and there detained in prison until by the force and duress of imprisonment of him the said James he made the said Indenture, and delivered the same to the said Hyacinthe Lapelle as his deed. And this the said James is ready to verify, wherefore the said James prays Judgment if he ought to be charged, bound or in any manner held in service in virtue of said indenture in said return mentioned &c.

And for a further plea in this behalf the said James according to the form of the statute in such case made and provided says, that he the said James to be charged or bound or in any manner held in service in virtue of said supposed Indenture in said return mentioned by the said Lapelle, ought not, because he says that the said Hyacinthe Lapelle just before the making of the said supposed Indenture in the said return mentioned to wit on the said sixteenth day of July in the year of our Lord 1818 and oftentimes before at the County and State aforesaid menaced and threatened him the said James to take and carry him the said James by force and without his consent, and to sell and convey him the said James out of the State of Indiana to wit, to the City of New Orleans in the State of Louisiana, unless he the said James would make and seal and as his act and deed ~~the said~~ deliver the said indenture in the said return mentioned, and the said James did there upon, then and there, by reason and in consequence of such menaces and threats and in fear and in apprehension thereof, make and seal, and as his act and deed deliver the said Indenture in said return mentioned &c. And this the said James is ready to verify, wherefore he the said James prays Judgment if he ought to be charged bound or in any manner held in service in virtue of said Indenture in said return mentioned &c.

And the said Polly by Moses Tabbs her attorney comes and defends the wrong and injury when and soforth and answers unto the matters and things contained in the said return of

the writ of Habias Corpus made by the said Hyacinthe Lapelle and says that she the said Polly ought not to be charged or bound or in any manner held in service in virtue of said indenture mentioned in said return by the said Lapelle because she says that she the said Polly at the time of making said indenture in said return mentioned to wit on the sixteenth day of July in the year of our Lord 1818 at the County of Knox and State of Indiana was impresoned by the said Hyacinthe Lapelle and others in collusion with him, and then and there detained in prison until by the force and duress of impresonment of her the said Polly, she made the said indenture, and delivered the same to the said Hyacinthe Lapelle as his deed and this the said Polly is ready to verify wherefore the said Polly prays judgment if she ought to be charged, bound or in any manner held in service in virtue of said indenture in said return mentioned &c.

And for a further plea in this behalf the said Polly according to the form of the statute in such case made and provided says that she the said Polly to be charged or bound or in any manner held in service in virtue of said indenture in said return mentioned by the said Lapelle ought not, because she says that the said Hyacinthe Lapelle just before the making of the said indenture in the said return mentioned to wit on sixteenth day of July in the year of our Lord 1818 and often before at the County and state aforesaid menaced and threatened her the said Polly to take and carry and sell her the said Polly by force and without her consent and to convey and transfer her the said Polly by force and without her consent as aforesaid beyond the limits and out of the State of Indiana to wit to the City of New Orleans in the State of Louisiana, and to other places beyond the high seas, unless she the said Polly would make and seal, and as her act and deed deliver the said indenture in the said return mentioned &c. ~~And the said Polly is ready to verify wherefore the said Polly prays judgment if she ought to be charged bound or in any manner held in service in virtue of said indenture in said return mentioned~~

~~M Tabb Atty for Dft~~

and the said Polly did thereupon then and there by reason and in consequence of such menaces and threats, and in fear and under apprehension thereof make and seal and as her act and deed deliver the said indenture in the said return mentioned and this the said Polly is ready to verify wherefore the said Polly prays judgment if she ought to be charged bound or in any manner held to service in virtue of said Indenture in said return mentioned &c —

M. Tabb for Deft —

Pleas of James and Polly people of Colour to return of Habeas Corpus by H. Lapelle —