

Mr Jacob Schenk and David
Stranaber ~~are~~ severly acknowledge
ourselves bound to the State of Indiana
in the penal sum of one hundred Dollars
each if the said Jacob Schenk shall not
appear at the office of Joseph R Smith
a Justice of the peace of said County of
Adams in the State of Indiana on the
9th day of December A.D. 1863, at 9
o'clock P.M. on said day to answer
a complaint for surtity of the peace made
against him by ~~Catharine~~ ~~James~~ Catharine
Schenk and abide the order of such
Court therein and in the meantime keep the
peace toward all the inhabitants of
this State December 8th A.D. 1863

Jacob Schenk

David Stranaber

State of Indiana In the Court of Common
Adams County vs. State of Adams County
Catharine Schrank
vs.
Jacob Schrank } Answer and
} Crofs bill

comes now the defendant
and denies the allegations of the
plaintiffs complaint

David Stuckabush
for Defendant

2 and for Crofs bill the defendant
complaint of the plaintiff and
says that he married the defendant
on the 1st day of July A.D. 1848 that
he entered into said contract in good
faith and has at all times since
performed his part of the marital contract
but that the defendant plaintiff did
not perform her part so that she
has abused scolded fought struck beat
and maltreated the defendant that she
abandoned the defendant without cause
sued her life against the defendant
commenced dunnay and dower laws
suits against the defendant without
cause and for the purpose of harrasing
the defendant and putting him to costs
and squandering his little property that
the said plaintiff is a woman of violent
and ungovernable temper so much so
that it is impossible for man to live
with her in peace that it is impossible
for the plaintiff and defendant to live

to gether as man and wife on account
of the violent temper and abusive dis-
position of the plaintiff and her froliccal
and reckless disposition of the plaintiff
and the defendant says he is a
resident of said Adams County for
one year last past and the defendant
demands a divorce from the
~~def~~ plaintiff and other proper relief.

David Straubler
Atty for defendant

State of Louisiana }
Adams County } Before of R Smith
Catharine Schrank }
Complaint

Jacob Schrank to keep the peace } Dec 27 1869
Comes Catharine
Schrank

and Swears that she has just cause to
fear and does fear that Jacob Schrank
will injure by violence her person and
the persons of Mc Frank Eliza Jane
Keddish Sarah & Keddish Achsal Mc
Frank & Nancy E Frank her minor
children and members of her family
and that she makes this affidavit
only to secure the protection of the
law and not from anger or malice

Catharine Schrank
Subscribed and Sworn to before me this 27th
day of Decr 1869 Joseph R Smith J P
Where upon a warrant was issued and was hand-
ed to L Ewing constable to arrest said
Jacob Schrank & Subpoenas was issued for John
Schrank Eliza Jane Keddish Sarah & Keddish
and James B Turner. Left Dec 31 1869
Constable makes his returns of the writs
Defendant in custody of Shudebaker for
his attorney and ordered subpoena for
George Frank which was issued par-
ties go in to trial after venire for ten
men nine of which the case was
submitted to and Sworn as the
law directs the evidence in the case
was heard and pleading had trial
was Sworn to take charge of the jurors
who were John Elsey Jacob Hart Alexander
Batherson Thos W Andrews

James Leim George W Winter John King
Ashley Mann & David Barnhart
who at three o'clock AM of the 10th
Decr 1863 returns the following verdict
to wit We the jury find that the com-
plainer witness has just cause to enter-
tain the fears expressed in her affidavit

J. S. Hart foreman
where upon said defendant was bound
to keep the peace to wards the said
Catherine Schrank and her family and
the inhabitants of the State generally
and appear on the first day of the
term of the Circuit Court ^{at or within the place of sitting in} and abide
the order of said court and bond
entered into in the sum of Seventy
five dollars for said appearance by
said Jacob Schrank & David Studebaker
bond on file & approved

And the following costs is taxed in
this case Nine jurors two days each
fifty cts per day nine dollars \$9.00
Witnesses John Schrank junior John Schrank
senior D. H. Coffman Joseph Foreman
Andrew Foreman & Beeman each
two days Six dollars claimed \$6.00

Constables fees serving warrant
arrest mileage & return 1.70
Summoning jurys 5.0
Subpoena served on George Frank 35
serving Subpoenas for complainant 1.70
and ordering of Subpoenas for Complut 2.40
for others as ordered 2.20
total Constables fees \$9.55
Justices fees for warrant
four Subpoenas

Examination of the case for venire
swearing witnesses 1/2 two dollars \$1.00
and its adjudged by me that the
Costs follow issue Dated this 10th day
of Decr 1863 Joseph R. Smith J. P. Seal

I J. R. Smith Justice of the peace in said
Adams County Indiana do certify the fore-
going to be a true copy of the proceeding
had in the foregoing case before tried at
~~the~~ the court house in said county on the
date as a above given
Transcribed this 23rd day of Decr 1863
Joseph R. Smith J. P.

Patens in the case filed herewith
Transcript 374 etc

State of Indiana }
Adams County }

In the Adams Court
of Common Pleas
Jan Term 1864

Catharine Schraunk
vs
Jacob Schraunk

David Showers

Referee in the above entitled action having heard the proofs and allegations of the parties and the argument of counsel do find the facts as following to wit that the Plaintiff intermarried with the defendant on the 17th day of June 1863 at Adams County in the State of Indiana and that immediately after said marriage the defendant commenced a course of cruel and inhuman treatment toward the Plaintiff assaulting her with weapons of dangerous character and in a brutal and inhuman manner rendering it unsafe and dangerous for her to live with defendant and that said course of conduct has been continued to the present time and that the defendant is an habitual drunkard and that it is impossible for the Plaintiff and defendant to live together as ~~man~~ husband and wife and that the Plaintiff is a resident of Adams County Indiana and has been for more than one year last past

Respectfully submitted
D Showers Referee

SUMMONS,

Simcoke, Printer, Decatur Ind.

THE STATE OF INDIANA, }
Adams County. } SS.

To the Sheriff of Adams County, Greeting:

You are hereby Commanded to Summon
Jacob Shrank



to appear in the Court of Common Pleas of Adams County, on the 2nd Monday in
January next, then there to answer a Complaint of Divorce wherein
Catherine Shrank is plaintiff and Jacob Shrank
is Defendant — and of this summons make due return
Witness, the Clerk and seal of said Court, this 28th day of

Dec, 1863

John M Council

Clerk, C. C. P.

