

Civil Case: State of Indiana vs Jacob Rupe/Roop

Name in Record	Reason for Being in Record	Date of Record
Jacob Roop	Accused of perjury	Nov. Term 1840
Jeremiah Smith	Prosecuting attorney	
Ezekiel Hooper	Foreman of grand jury in past Remp vs Rupe case of Oct. 8, 1839	
Jacob Rupe	Accused J of P of defrauding him in Remp vs Rupe case	
Theron Harper	The accused Justice of Peace, and ultimately indicted	Nov. 7, 1840
Jeremiah Smith	Now finds Jacob Rupe falsly accused Theron Harper	
Samuel L. Rugg	Clerk; his order to Sheriff Randall to arrest Jacob Rupe	
Jacob Roop	Ordered to be arrested for perjury	
Alvan Randall	Sheriff of Adams County; took Jacob Roop into custody	Nov. 19, 1840
Jacob Roop	Posted bond to state of Indiana	
Zachariah Smith	Bound unto state of Indiana for Jacob Roop	

Roll No 5⁽³⁾
State of Indiana
by
Jacob Ruse
1840 NOV

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State of Indiana, Adams Circuit Court, November Term
Adams County } A. D. 1866.

Adams County, To wit:

The Grand Jurors for the said State of Indiana, unpunished
charged and sworn in the said Adams Circuit Court, to inquire in and
for the said county of Adams upon their oath ^{to wit} That Jacob
Ruge late of said county, on the eighth day of October in the year of our
said one thousand eight hundred and thirtieth, at the county aforesaid,
came in his own proper person before one Ezekiel Hooper who was then and
there foreman of the Grand Jury which was then and there duly and law-
fully empanelled in the said Adams Circuit Court to inquire in
and for the body of the said county, and which said Grand Jury was then
and there lawfully in session as such Grand Jury, and then and there
before the said, Ezekiel Hooper foreman as aforesaid, and in the presence of the
said Grand Jury, in due form of law was sworn and took his corporal
oath, that the evidence which he the said Jacob Ruge should give to
the Grand Jury there should be the truth, the whole truth and nothing
but the truth (he the said Ezekiel Hooper foreman of the Grand Jury as aforesaid,
then and there having a lawful and consistent authority to administer the
said oath to the said Jacob Ruge in that behalf); and that the said Ja-
cob Ruge, being so sworn as aforesaid, not having the fear of God before his
eyes, nor regarding the laws of the State of Indiana, then & there upon his oath
aforesaid, falsely, corruptly, knowingly & willfully before the said Grand Jury and
before the said Ezekiel foreman thereof, did depose, testify, and make a state-
ment in substance and to the effect following (that is to say, That
"Harper (meaning one Theron Harper who was then & there a justice of
the peace of said county) had defrauded ^(the said Ruge meaning) me ^{in not giving the prop-}
er credit due on his ^(the Harper's meaning) ^{meaning the docket as put in file} docket, in a suit
wherein Martin Rump was Plaintiff and the said Jacob Ruge
was Defendant; whereas in truth and in fact, the said Theron Ruge
for the purpose of them and there causing the said Theron Harper to be
indicted for oppression in his said office of Justice of the peace; whereas
in truth and in fact the said Theron Harper at the time the said
Jacob Ruge took his said oath and made his said statement as
aforesaid, had not defrauded him the said Jacob Ruge in not giving
the proper credit due on his, the said Harper's docket, in the said
suit wherein but the said Theron Ruge at the time aforesaid had
given the proper credit due, on his, the said Harper's docket, in the
said suit: And so the Jurors first aforesaid, upon their oaths
aforesaid, do say that the said Jacob Ruge on the said eighth

day of October in the year eighteen hundred, and thirty nine, at the county
aforesaid before the said Ezekiel Hooper Justice of the Peace, and in the
presence of the Grand Jury aforesaid (the said Ezekiel Hooper Jus-
tice then and there having such power and authority as aforesaid)
by his own act and consent, and of his own most wicked and
corrupt mind, in manner and form aforesaid, falsely, wickedly,
wilfully and corruptly, did commit wilful and corrupt perjury;
To the great displeasure of Almighty God, in contempt of the
State of Indiana and her laws, To the evil and pernicious ex-
ample of all others in like case offending, contrary to the form
of the Statute in such case made and provided and against
the peace and dignity of the said State of Indiana

John Smith Esq. Atty

State of Indiana } Whereas by virtue of a certain writ of habeas corpus ad Res-
cued County Id. } pondendum issued out of the Circuit Court of Adams
County in the State of Indiana to the Sheriff of Adams

County in said State directed, the said Sheriff is commanded to take into
his custody the body of one Jacob Proofs if he may be found
in his Parish and him safely keep & have his body before the judges of the
Adams Circuit Court on the first day of the next Term to be holden at
the Court House in the Town of Decatur in said County on the twelfth
day of April next to answer unto the State of Indiana on an indictment for
perjury

And whereas also by virtue of a certain written encroachment on the back of
said writ under the hand of the Clerk of said Court the said Sheriff is direct-
ed to let the said Jacob Proofs to bail in the sum of four

hundred dollars with security in the like sum. And whereas also as comma-
nded by said writ I Alvan Randall Sheriff of Adams County have taken
him into my custody the body of the said Jacob Proofs on the
19th day of Dec. 1840 Therefore be it remembered that on the 19th
day of Dec. 1840 personally came before me Alvan Randall Sheriff
of the said County of Adams the said Jacob Proofs and Jackson
Smith

Who personally acknowledge themselves to owe and be in-
debted to the said State of Indiana in the sum of four hundred dollars
to be lived of them & each of their goods & chattels lands & tenements if def-
ault be made in the condition following, to wit, that the said Jacob
Proofs shall personally be & appear before the judges of the Adams Circuit
Court on the first day of the next Term to be holden at the Court House in
the Town of Decatur in said County on the twelfth day of April next to an-
swer unto the State of Indiana on an indictment for perjury
and abide the judgment of the Court thereon and not de-
part therefrom without leave of said Court

John Signed, Sealed, and Acknowledged
before me and Approved the 19th day of
Dec. 1840 Alvan Randall
Sheriff of Adams

Jacob Proofs
Jackson Smith

State of Indiana; }
ADAMS COUNTY. } sct.

STATE OF INDIANA, to the Sheriff of said County,
GREETING:

You are hereby commanded to take into your custody *Sarah Rupe*

if *he* may be found in your bailiwick, and *him* safely keep, so that you may have
his body before the Judges of the Adams Circuit Court on the first day of
their next Term, to be holden at the Court house in the town of Decatur, in said county,

twenty sixth on the ~~seventh~~ day of April next, to answer to
the State of Indiana on an Indictment for
Perjury

and have you then there this writ.

Witness SAMUEL L. RUGG, Clerk, and the seal of our said
Adams Circuit Court, this *seventh* day of
November 1840.

Samuel L. Rugg
Clerk
