

State of Indiana, Noble County, SS;
In the Noble Circuit Court of Indiana.

No. 14644. C.H. Colter, and Frank Jordan, d/b/a/)
Colter Bros. Lumber Co.)
vs) Attachment.
A. Backus, Jr. and Son.)

The State of Indiana, to the Sheriff of Noble County, Indiana,
Greeting:

Be it remembered, that on the 20th day of March 1944, the
same being the 13th Judicial Day of the March, 1944 Term of the
Noble Circuit Court of Indiana, held in the Court House in the town
of Albion in said County and State, commencing on the First
Monday of March 1944, the Honorable Fred L. Bodenhafer, Judge of
said Court presiding, the following proceedings were had and find-
ings, judgments, decrees and orders of sale made, rendered and
entered by said court in the above and foregoing cause, to-wit:

You are therefore commanded, after giving the notice required by law, to sell the said personal property in the foregoing judgment and decree described as therein directed and as provided by law, without relief from valuation and appraisement laws, and apply the proceeds arising therefrom as therein ordered, and return this writ with your proceedings indorsed thereon within
from this date.

In witness whereof, I hereunto subscribe my name and hereto affix the seal of said court at my office in the Court House at the town of Albion, in said County and State, this 20th day of March, 1944.

~~Clerk Noble Circuit Court.~~

Be it remembered that on the 20th day of March 1944, the same being the 13th Judicial day of the March, 1944 Term of the Noble Circuit Court, the following proceedings were had before the Honorable Fred L. Bodenhafer, regular Judge.

No. 14644.	C.H. Colter, and Frank Jordan, d/b/a/)) Attachment
	Colter Bros. Lumber Co.	
	vs	
	A.Backus, Jr. and Son.	

DECREE,
(Written entry furnished by counsel).

Comes now the plaintiff by Counsel and it appearing to the satisfaction of the Court by the proof of publication of notice now on file in the office of the Clerk of this Court, which is in words and figures as follows, to-wit: (h.i.) that the defendants have been duly notified of the pendency of this action by three successive weekly publications in the Kendallville News Sun, a newspaper of general circulation, printed and published in the City of Kendallville, Indiana, in the English language, the last of which publication was made more than thirty days before the first day of the present term of this Court.

And the defendants failing to appear, said defendants are three times audibly called in open court and come not, and herein wholly made default; and the cause is now submitted to the Court for trial on the default of defendants.

And the Court having heard the evidence and duly advised in the premises, finds for the plaintiffs and finds that plaintiffs are entitled to recover upon their second Paragraph of Complaint, and that there is due the plaintiffs the sum of One Thousand Five Hundred Fifty Six and 50/100 (\$1556.50) Dollars from defendants; and the Court further finds for the plaintiffs on the issue in the attachment proceedings and that the matters stated in the plaintiffs' affidavit for attachment are true and that the defendants were at the time of making said affidavit and

at the time of said writ of attachment was issued, non residents of the State of Indiana, and that said defendants were at that time the owners of certain property in Noble County, State of Indiana, subject to execution, for the payment of plaintiff's claim. The Court further finds that plaintiffs are entitled to have the said attached property sold, or a sufficient amount thereof, to pay and satisfy the judgment herein and their costs in this behalf laid out and expended.

It is therefore considered and adjudged by the Court that there is due plaintiffs from defendants on the claim sued upon the sum of One Thousand Five Hundred Fifty Six and 50/100 (\$1556.50) Dollars and their costs.

It is further considered and adjudged by the Court that the property attached in this action and which is described as follows, to-wit:

One 1942 Chevrolet U. L. Stake Body Truck, Model M.S., Motor No. BF2653, Serial No. 1MS09-1847 be sold as other personal property is sold on execution and that the proceeds arising from such sale be applied,

(a) First to the payment of costs and accruing costs;

(b) Then to the payment of the judgment herein, with interest and that the balance remaining, if any, be paid to the defendants.

Clerk's Certificate.

State of Indiana,
County of Noble, SS:

I, Porter R. Black, Clerk of the Noble Circuit Court, of Indiana, do hereby certify that the above and foregoing is a true and correct copy of the order of the court in the case of C.H. Colter, and Frank Jordan, d/b/a/ Colter Bros. Lumber Co. vs A. Backus, Jr. and Son, as the same appears of record in my office and recorded in Civil Order Book No. 76 pages 238 & 239.

In Witness Whereof, I hereunto set my hand and affix the seal of said court at Albion, Indiana, this 4th day of April, 1944.

Porter R. Black 27.
Clerk Noble Circuit Court.

SHERIFF'S RETURN

State of Indiana

SS:

County of Noble

Cause No. 14644

E.H. Colter and Frank Jordan,
doing business under the firm
name and style of Colter Bros. Lumber
co. plaintiff

vs

A. Backus Jr. and son, defendants

Pursuant to an order to be directed by the
clerk of the Noble Circuit Court on the 20 day of March, 1944,
I proceeded to sell at sheriff's sale the following described
personal property, heretofore attached by me, to-wit:

One Chevrolet truck, 1942 model, UL stake
body, Model M.S. Motor No. BF 2653, Serial No.
1MS09-1847

That on the 21st day of March, 1944, more than
10 days before the time fixed in said notice for said sale,
notice of said sale was posted, fixing the time and place of
sale and the description of the property to be sold, in the fol-
lowing public places in the city of Kendallville, Noble County,
Indiana, to-wit:

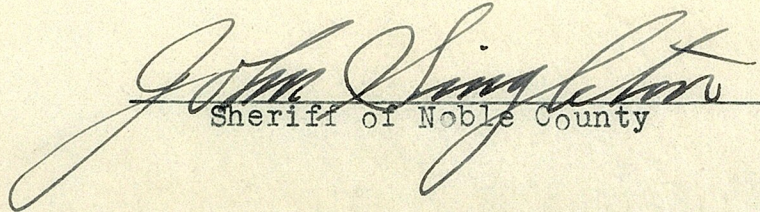
- (a) one at the intersection of U.S. highway no. 6
and State Highway no. 3;
- (b) one at intersection of Riley and Dowling streets;
- (c) one at intersection of Main street and Drake Road;

a copy of which said notice is in words and figures as follows
to-wit: (H.I.)

That on Saturday April 1st, 1944, between the hours
of 10 o'clock A.M. and 4 o'clock P.M. at the place of business
of Colter Brothers Lumber co. where the above described personal
property was located, the same was offered for sale at public
auction. Colter Bros. Lumber co. then and there bid the sum of

\$ 1585¹²⁴, same being the amount due upon plaintiffs judgment together with the costs and accruing costs. There being no other bidder, I declared Colter Bros. Lumber co. the successful purchaser of property. Said purchaser thereupon paid the sum of \$ 1585¹²⁴ in full payment of said purchase price and said property delivered to said purchaser.

Dated this 1st day of April, 1944.



Sheriff of Noble County

Sheriff's fees

\$ 5⁶⁵

SHERIFF'S SALE.

NOTICE OF SALE OF PERSONAL PROPERTY.

By virtue of an execution to me directed from the Clerk of the Court of Noble County, Indiana, I will expose at public sale, to the highest bidder, on Saturday, April 1st, 1944, between the hours of 10 o'clock A. M., and 4 o'clock P. M. of said day, at the place of business of Colter Bros. Lumber Company, West North Street, Kendallville, Indiana, in Noble County, State of Indiana, the following described property, to-wit:

One Chevrolet truck, 1942 model, UL stake body, Model MS, Motor No. BF 2653, Serial No. 1MS09-1847.

Taken as the property of A. Backus, Jr. & Son, in connection with the suit of C. H. Colter and Frank Jordan, partners doing business under the firm name and style of Colter Bros. Lumber Company, plaintiffs, vs. A. Backus, Jr. & Son, defendants, being Cause No. 14844, in the Noble Circuit Court, Noble County, Indiana.

Said sale will be made without any relief from valuation or appraisement laws.


Sheriff of Noble County.

Attorney for the Plaintiff.

Dated this 21st day of March, 1944.

NOTICE OF SALE OF PERSONAL PROPERTY.

By virtue of an execution to me directed from the Clerk of the Court of Noble County, Indiana, I will expose at public sale, to the highest bidder, on Saturday, April 1st, 1944, between the hours of 10 o'clock A. M., and 4 o'clock P. M. of said day, at the place of business of Colter Bros. Lumber Company, West North Street, Kendallville, Indiana, in Noble County, State of Indiana, the following described property, to-wit:

One Chevrolet Truck, 1943 model, UP stake body, Model M8, Motor No. BT 3283, Serial No. 1M308-1847.

Taken as the property of A. Backus, Jr. & Son, in connection with the suit of C. H. Colter and Frank Jordan, partners doing business under the firm name and style of Colter Bros. Lumber Company, Plaintiffs, vs. A. Backus, Jr. & Son, defendants, being Cause No. 14844, in the Noble Circuit Court, Noble County, Indiana.

Valuation or assessment laws. Said sale will be made without any relief from

[Handwritten signature]
Clerk of Noble County.

APR 1 5 1944
CLERK NOBLE CIRCUIT COURT
[Handwritten signature]

Attorney for the Plaintiff.

Dated this 27th day of March, 1944.