

State of Indiana

Noble County

SS

**NOTICE OF SHERIFF'S SALE
OF REAL ESTATE**

By virtue of a certified copy of a Judgment, Decree and Order of Sale, to me directed from the Clerk of the Noble Circuit Court of Noble County, Indiana, in cause of action wherein The Peoples Savings and Loan Association of DeKalb County, Indiana, is Plaintiff and George Schlichtenmyer and Ruby Schlichtenmyer, are Defendants, being Civil Cause No. 14291 in said Court requiring me to make the sums of money in said decree provided and in manner and form as therein provided, with interest and costs I will expose and offer for sale at public auction to the highest and best bidder on Saturday, May 1, 1943, between the hours of 10:00 A. M. and 4:00 P. M. of said day and date, at the east door of the Court house in the town of Albion, Noble County, Indiana, the fee simple together with the rents, issues, income and profits of the following described real estate situated in Noble County, Indiana, to wit:

The west sixty (60) feet of lot numbered three hundred and thirty-three (333), in Mitchell's addition to the City of Kendallville, be and the same are hereby forever barred and foreclosed and that said real estate and all of the right, title and interest and claim of the defendants and of all persons claiming by, under or thru them, in and to the same, or so much thereof, as may be necessary for that purpose, shall be sold by the sheriff of Noble County, Indiana, as other lands are sold on execution, the sale to be without relief from valuation and appraisement laws.

MARION G. GALLOWAY,
Sheriff of Noble County, Indiana
H. C. Springer, Attorney
for Plaintiff.

Dated: April 1, 1943

49-3w

L. K. THOMPSON, being duly sworn deposes and says he is the Editor of the Ligonier Leader, a newspaper of general circulation in the county of Noble, state of Indiana; that the annexed printed notice taken from the paper in which it was published, has been duly published in said paper at least once each week for 3 weeks as follows:

On the 8th day of April 19 43

On the 15th day of April 19 43

On the 22nd day of April 19 43

On the _____ day of _____ 19 _____

L. K. Thompson

I before me this 23rd day of April A. D. 19 43

Glen Eagle J.P.
Notary Public
My commission expires
Dec 31 1946

RETURN ON ORDER OF SALE.

AND on the.....day of April.....1943, in pursuance
to the command of this...order of sale..... I advertised the Real Estate herein described for sale
at the Court House Door of Noble County, Indiana, on the...1st.....day of May.....
1943, by publication in the...Ligonier Leader.....a weekly and daily newspaper of general
circulation printed and published in the...City.....of...Ligonier.....in said county,
and nearest to where said Real Estate is situate, for more than three weeks successively, immediately before the day of sale,
and by posting up a printed notice thereof at the Court House Door of said County,.....
.....
and by posting up like printed notices thereof at three public places of the Township, where the said Real Estate is situate, which
was done more than twenty days immediately preceding the day of sale, a copy of said notice being thereunto attached and
made a part of this return.

And on the day set for the sale of said Real Estate, to-wit:.....

.....May 1.....1943 between the hours
of 10 o'clock a m., and 4 o'clock p. m., at the Court House door of said
County, at the Town of Albion, I first offered to the highest and best bid-
der for cash in hand.....

the rents and profits of said Real Estate for a period not exceeding
seven years by the year, and receiving no bid therefor, I did then and there
offer to the highest and best bidder for cash in hand.....

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the fee simple right of the defendant... of, in and to said Real Estate as described in said order of sale.....

..... and
bid therefor... One Thousand Seven Hundred & Sixty Two and 03/100 (\$1762.03) DOLLARS

and that being the highest and best bid then and there offered for the fee simple of all of the above described Real Estate,
the same was openly struck off and sold to Milo E. Gurney and Alvina M. Gurney, husband and
for the sum, there being present at and during all the time of said sale more than three competent bidders; and purchaser
having paid over to me the amount so bidby cash....., I executed to said bidder.....my certificate of pur-
chase, bearing even date herewith. Paid over to plaintiff....., as per their.....receipt hereon

One Thousand Seven Hundred and Eighteen and 57/100 (\$1718.57) DOLLARS.

Paid over to Clerk.....Forty Four & .06/100 (\$44.06) dollars, original costs, and

retained Twenty Eight and 01/100 (\$28.01) dollars, my fees, XX.XXX

Printer fee.

Done.....May 1st.....1943.

Merion G. Galloway

Sheriff

Deputy

State of Indiana, Noble County, SS:

In the Noble Circuit Court of Indiana

No. 14291 Peoples Savings and Loan Association
of DeKalb County, Indiana

vs

George Schlichtenmyer
Ruby Schlichtenmyer

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

Be it remembered, that on the 31st day of October, 1942, the same being the 24th Judicial day of the October, 1942, 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 October, the Honorable Fred L. Bodenhafer, Judge of said Court presiding, the following proceedings were had and findings, judgments, decrees and orders of sale made, rendered and entered by said court in the above and foregoing cause, to-wit:

This *Judgment* *April 1st 1943* is Exempt from Intangibles
Tax by reason of:
~~Having Assets Located Outside Indiana~~
Being Specifically Exempted under Sec. 1 (b)
Porter R. Black
Clerk of Noble Circuit Court

October 31, 1942 24th day

No. 14291 Peoples Savings and Loan association
of DeKalb County, Indiana
vs
George Schlichtenmyer
Ruby Schlichtenmyer

Order Book Entry

Comes now the plaintiff by counsel and it appearing to the court herein by the summons herein and the return of the Sheriff of Noble County thereon that the defendants George Schlichtenmyer, and Ruby Schlichtenmyer, have been served with process more than ten days prior to the 2nd day of May, 1942, being the date endorsed on the plaintiff's complaint herein for the return day of summons thereon and which said summons and the return thereon being in words and figures as follows, to-wit: (h.i.).

And it now further appears to the court that the said named defendants appeared in this said cause of action by their attorney, Clarence Finley, and that thereafter the said Clarence Finley died and that the said defendants did not thereafter appear further in said proceedings by any other attorney and that on the 13th day of October, 1942, the court set this said cause of action for trial on this date, October 31, 1942, at 9 A.M., that said defendants were notified by the court by United States Mail of said fact.

And it now further appearing to the court that the said defendants, George Schlichtenmyer, and Ruby Schlichtenmyer, have not appeared for trial, either in person or by counsel, said defendants are now three times called in open court and come not but wholly make default herein.

And said cause of action is now submitted to the court for trial, upon said default, and the court having heard the evidence and being advised in the premises finds for the plaintiff and that the allegations of the complaint are true and proven and that there is due the plaintiff from the defendants, George Schlichtenmyer and Ruby Schlichtenmyer, upon the complaint sued upon the sum of One Thousand six hundred and sixty nine and 87/100 (\$1669.87), and which said sum the plaintiff is entitled to recover from said defendants, together with the costs of this action, all without relief from valuation and appraisement laws.

The court further finds that said sum is secured by a mortgage upon the real estate described in the plaintiffs complaint and that the plaintiff is entitled to have said mortgage foreclosed as against all of said defendants and said real estate sold.

It is therefore considered and adjudged by the court that the plaintiff have and recover of and from the defendants George Schlichtenmyer and Ruby Schlichtenmyer, the said sum of \$1668.87, together with the costs of this action and all accruing costs, all without relief from valuation and appraisement laws.

And it is further ordered and adjudged by the court that the equity of redemption of all of said defendants and all persons claiming by, under or thru them in and to the real estate described in the complaint herein and being in Noble County, Indiana and described as follows, to-wit:

The west sixty (60) feet of lot numbered three hundred and thirty-three (333), in Mitchell's addition to the City of Kendallville.

be and the same are hereby forever barred and foreclosed and that said real estate and all of the right, title and interest and claim of the defendants and of all persons claiming by, under or thru them, in and to the same, or so much thereof, as may be nec-

essary for that purpose, shall be sold by the sheriff of Noble County, Indiana, as other lands are sold on execution, the sale to be without relief from valuation and appraisement laws.

The proceeds from said sale to be applied as follows: First to the payment of costs and accruing costs, second to the payment of the amount found due the plaintiff upon the note sued upon herein, being the amount of the judgment heretofore rendered, together with interest at 7% from this date, third the overplus, if any, to be paid by the sheriff of Noble County, Indiana, to the Clerk of the Noble Circuit Court for the use of the person lawfully entitled to the same.

In the event that the mortgage premises shall fail to sell for an amount sufficient to pay and satisfy said judgment, interest, costs and accruing costs, the residue remaining shall be levied of the goods, chattels and lands of the defendants, subject to execution and the sale thereof made without relief from valuation and appraisement laws.

The court further finds that the complaint herein was filed on the 23rd day of March, 1942, and that no order of sale shall issue under this decree and on this judgment until the 23 day of March, 1943.

State of Indiana,
County of Noble, SS.

I, Porter R. Black, Clerk of the Noble Circuit Court of Noble County, Indiana, do hereby certify that the attached and foregoing is a full, true and complete copy of the proceedings had and of the findings, judgments, decrees and orders of sale made, rendered and entered in and by said court in said cause on said 31st day of October, 1942, as the same appears of record in my office in the Court House at the town of Albion, in said County and State.

In Witness Whereof, I hereunto subscribe my name and hereto affix the seal of said court at my said office this 1st day of April, 1943.

Porter R. Black
Clerk Noble Circuit Court.

You are therefore commanded, after giving the notice required by law, to sell the said real estate 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 that then of any other property of said defendants, George Schlichtenmyer, and Ruby Schlichtenmyer, subject to execution, you levy, without relief from valuation and appraisement laws, any balance remaining unpaid of the judgments rendered against said defendants, together with interest and costs and have the same at my office to satisfy said judgment, interest and costs and return this writ with your proceedings endorsed thereon within one hundred and eighty days 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 1st day of April, 1943.

Porter R. Black
Clerk Noble Circuit Court

In the Noble Circuit Court,

No. 14291 Peoples Savings and Loan Association
of DeKalb County, Indiana
vs
George Schlichtenmyer
Ruby Schlichtenmyer

Statement of costs

Clerk's Costs.....	\$10.00
Sheriff's fees	3.45
Docket fee.	2.00

State of Indiana, Noble County, SS:

I, Porter R. Black, Clerk of the Noble Circuit Court of Noble County in the State of Indiana, do hereby certify that the above and foregoing is a full, true and complete statement and list of all the accrued costs in the above entitled cause as the same appears of record in my office.

In Witness whereof, I hereunto subscribe my name and hereto affix the seal of said court at this 1st day of April, 1943.

Porter R. Black

Clerk Noble Circuit Court

Peoples Savings and Loan association
of Dekalb County, Indiana

vs

George Schlichtenmyer
Ruby Schlichtenmyer

Judge. vs. Defts.....\$1669.87

Int. to date.....\$ 48.70

Costs to date.....\$ 15.45

Total.....1734.02

Ed. 34 P. 484 O.B. 75 P. 450-452

Ex. D 12 P. 166 J.D. 17 P. 291

1718.54

H. C. Springer, attorney

FILED

MAY 3 - 1943

Barton R. Black
CLERK NOBLE CIRCUIT COURT