

Cover

14224

FILED
JAN - 2 1943
Carter R. Black
CLERK NOBLE CIRCUIT COURT

THE STATE OF INDIANA, }
NOBLE COUNTY, } SS:

RC Prueher

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 Federal Land Bank of Louisville, is Plaintiff and Samuel W. Stienbarger and Geneva C. Stienbarger, are Defendants, being Civil Cause No. 14224 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, January 2, 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 east half of the northwest quarter of section 32, township 33 north, range 11 east, containing 80 acres, more or less, but subject to all legal highways, or so much thereof as may be necessary to satisfy said judgment and decree, interest and costs.

Said sale will be made without relief from valuation and appraisal laws.

MARION G. GALLOWAY,
Sheriff of Noble County, Indiana
Foote & Spangler, Attorneys
for Plaintiff.

Dated: December 3, 1942. 21w3

being duly sworn on oath says that he is the publisher of "THE ALBION NEW ERA," a weekly newspaper of general circulation, published in said County, and that the notice of which the annexed is a full, true and complete copy, was published in said paper... *three* weeks successively and on the days following, to-wit:

On the... *9th, 16th and 23rd of December 1942*

RC Prueher

Subscribed and sworn to before me, this *2nd* day of *January*

194*3*

Carter R. Black
Clerk Noble Circuit Court

Printer's Fee \$.. *1.077*

2025 RELEASE UNDER E.O. 14176

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

43

.....19...., 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.....

.....

.....

.....

.....

.....

said Real Estate as described in said Decree and Order

..... and The Federal Land Bank of Louisville

ndred Forty Four and 63/100 ----- DOLLARS

here offered for the fee simple of all of the above described Real Estate

Federal Land Bank of Louisville

the time of said sale more than three consistent bidders and usual

it it a Deed

its

ty Two and 45/100

..... DOLLARS.

.....dollars, original costs, and

of Sale fully satisfied. dollars, my fees,.....

.....19.....

Marion S. Galloway, Sheriff

..... Deputy

JAN 11 1943

Porter R Black
CLERK NOBLE CIRCUIT COURT

CLERK NOBLE CIRCUIT COURT

..... Deputy

CLERK NOBLE CIRCUIT COURT

Edwin R. Blount

FILED
JAN 11 1943

No. _____

January 2^d 1943

Received from Marion G. Galloway, Sheriff Noble Co. Ind.
Five Thousand Six Hundred Ninety Two ^{and} 45/100 Dollars
proceeds, less costs, from Sheriff's sale, Acct. Order of
sale No. 14224, Noble Circuit Court, Noble Co. Ind.
\$5692.45 George L. Foote, Attorney
for plaintiff.

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 Federal Land Bank of Louisville, is Plaintiff and Samuel W. Stienbarger and Geneva C. Stienbarger, are Defendants, being Civil Cause No. 14224 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, January 2, 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 east half of the northwest quarter of section 32, township 33 north, range 11 east, containing 80 acres, more or less, but subject to all legal highways,
or so much thereof as may be necessary to satisfy said judgment and decree, interest and costs.

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

MARION G. GALLOWAY,
Sheriff of Noble County, Indiana
Foote & Spangler, Attorneys
for Plaintiff.

Dated: December 3, 1942.

21w3

FILED
JAN 11 1943

Carter R Black
CLERK NOBLE CIRCUIT COURT

State of Indiana,
County of Noble, SS:

The Federal Land Bank of
Louisville

No. 14224

vs.

PROOF OF POSTING NOTICE

Samuel W. Stienbarger, et al.

Marion G. Galloway being duly sworn upon his oath says that on the 5th. day of December, 1942, he posted a notice of which said notice, the attached notice is a full, true and exact copy at each of the following public places in Noble County, Indiana, to-wit: One at the east door of the Court House in the town of Albion; One in State Road No. 3 near the northeast corner of section 3, in township 33 north, range 11 east; One at the intersection of the public highways in the northwest quarter of section 11, township 33 north, range 11 east, and One in the public highway at the northeast corner of the southeast quarter of section 14, township 33 north, range 11 east.

Marion G. Galloway
Marion G. Galloway, Sheriff
of Noble County, Indiana

Subscribed and sworn to before me this 17th. day of December, 1942.

George L. Foote
Notary Public

My commission expires
January 6, 1945.

FILED
JAN 11 1943
Porter R. Black
CLERK NOBLE CIRCUIT COURT

State of Indiana, Noble County, SS:

In the Noble Circuit Court of Indiana.

No. 14224 The Federal Land Bank of
Louisville, Plaintiff
vs
Samuel W. Stienbarger, et al

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

Be it remembered, that on the 5th day of January, 1942,
the same being the 1st Judicial day of the January, 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 January, 1942, 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:

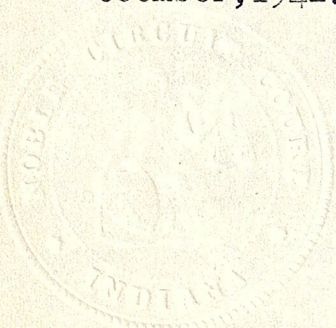
This Judgment December 1, 1942
Tax by reason of: is Exempt from Intangibles
Having Actual Business Situs outside Indiana
Being Specifically Exempt under Sec. 1 (b)

Ortus R. Block
Clerk of Noble Circuit Court

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 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 5th day of January, 1942, as the same appears of record in my office in the court 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 December, 1942.



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 return this writ, with your proceedings indorsed 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 December 1942.



Porter R. Black
Clerk Noble Circuit Court

January 5, 1942, 1st day

State of Indiana,
County of Noble, SS:

In the Noble Circuit Court,
January Term, 1942

The Federal Land Bank of
Louisville, Plaintiff
vs
Samuel W. Stienbarger
Geneva C. Stienbarger, defendants)

)
)
) Cause No. 14224
)
) Decree
)

Comes now the plaintiff, The Federal Land Bank of Louisville, by its Attorneys, Foote & Spangler, and files affidavit required by Federal Act for relief of persons in Military Service; and the court having examined said affidavit and being fully advised in the premises, now finds that the defendants in this action are not in the Military Service of the United States.

Comes now again the plaintiff, The Federal Land Bank of Louisville, by its Attorneys, Foote & Spangler, and shows to the satisfaction of the Court by the summons heretofore issued in this behalf upon its complaint herein, and the return of the Sheriff thereon endorsed, and the Court now finds, that the defendants Samuel W. Stienbarger and Geneva C. Stienbarger, have been each duly and legally served with due and legal summons in this cause more than ten days prior to the 5th day of January, 1942, the return day of said summons, which said summons and the return thereon endorsed are severally in the following words and figures, to-wit: (here insert).

And there being no appearance by, or on behalf of said defendants, Samuel W. Stienbarger and Geneva C. Stienbarger or either of them, thereupon, on motion of said plaintiff, said defendants, Samuel W. Stienbarger and Geneva C. Stienbarger, are three times duly called in open court, come not, but herein wholly make default.

And this cause of action is now submitted to the court for trial without the intervention of a jury upon the default of said defendants Samuel W. Stienbarger and Geneva C. Stienbarger, and the court having heard the evidence, the argument of counsel and being duly advised in the premises, finds for the plaintiff, upon its complaint herein that the allegations thereof are true; that there is due plaintiff from the defendants Samuel W. Stienbarger and Geneva C. Stienbarger, upon the note, mortgage, and advancements made by plaintiff under the terms thereof, all as set forth, described and sued upon in plaintiff's complaint, the sum of Five Thousand Three hundred Seventy three Dollars, and fifty nine cents (\$5373.59), together with the further sum of Fifty Dollars (\$50.00), fee for Plaintiff's Attorney, and the costs of this action, with interest at the rate of five percent (5%) per annum from the date hereof until paid, without relief from valuation and appraisement laws. And the court further finds that said sums are secured by the Mortgage sought to be foreclosed by plaintiff in its complaint; that said mortgage was recorded on the 31st day of December, 1938, in Mortgage Record 94, at page 438, in the Noble County Records Office and constitutes a lien on the mortgaged property prior and superior to all other interests in and or claims on said property, asserted by any and all of the defendants herein; that any interest in or claim against the mortgaged property asserted by the defendants Samuel W. Stienbarger and Geneva C. Stienbarger, is junior and inferior to the lien of plaintiff; that the plaintiff is entitled to have said mortgage foreclosed; and one year after the filing of the complaint herein, the mortgaged property sold and

the proceeds of the sale applied to the amounts found due the plaintiff .

It is therefore considered, ordered, adjudged and decreed by the court that the plaintiff, The Federal Land Bank of Louisville, recover of and from the defendants Samuel W. Stienbarger and Geneva C. Stienbarger, the sum of Five Thousand Four Hundred Twenty-three Dollars and Fifty Nine cents (\$5423.59), and the costs of this action, with interest thereon at the rate of five percent (5%) per annum from date hereof, until paid, without any relief from valuation or appraisement laws.

And it is further ordered, adjudged and decreed by the court that the equity of redemption of the defendant, Samuel W. Stienbarger and Geneva C. Stienbarger, and all persons claiming from under or through them, in and to said mortgaged premises, the following described real estate, situated in Noble County, State of Indiana, and described as follows, to-wit: (

The east half of the northwest quarter of section 32, township 33 north, range 11 east, containing 80 acres, more or less, but subject to all legal highways, be and the same hereby is forever barred and foreclosed; and the said real estate and all right, title, interest and claim of the defendants, Samuel W. Stienbarger and Geneva C. Stienbarger, and of all persons claiming from, under or through them in and to the same, or so much thereof as may be necessary to pay and satisfy plaintiff's judgment herein, to-wit: Five thousand four hundred twenty three dollars and fifty nine cents (\$5423.59) and costs, shall after one year from the date of filing of the complaint herein, be sold by the Sheriff of Noble County, Indiana, in accordance with the Acts of 1931, said sale to be made without any relief whatsoever from valuation and appraisement laws.

And the proceeds arising from such sale said Sheriff is authorized and directed to apply in the following manner to-wit: First: To the payment of all costs accrued in this cause and the costs of sale. Second: To the payment of the amount found due the plaintiff, The Federal Land Bank of Louisville, being the amount of plaintiff's judgment hereinbefore rendered, together with interest at five per cent (5%) per annum from this date. Third: The overplus, if any, remaining after the payment of the foregoing judgment, interest and costs, shall be paid by said Sheriff to the Clerk of this court for the use of parties lawfully entitled to receive the same.

It is further ordered and adjudged by the court that in the event there is no redemption of property as now by law provided, a deed shall be made therefor by the Sheriff at the time of sale to the Purchaser, and after the purchaser of said property at Sheriff's sale shall present to the Clerk of the Noble Circuit Court an affidavit showing that he has exhibited to the occupants of said property the Sheriff's Deed so made to him and demanded the possession of said property from the occupants thereof and the occupants thereof have refused to deliver possession of said property the Clerk of the Noble Circuit shall issue a Writ of Possession directed to the Sheriff of Noble County, Indiana ordering him to remove said occupants from the possession of said property and place said purchaser or purchasers in possession thereof.

In the Noble Circuit Court

No. 14224 The Federal Land Bank of Louisville

. vs

Samuel W. Stienbarger, et al

Statement of Costs

Clerk's Costs.....\$5.00

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 here-
to affix the seal of said Court this 1st day of December, 1942.

Porter R. Black

Clerk Noble Circuit Court.



No. 14224

The Federal Land Bank of Louisville

vs

Samuel W. Stienberger, et al

Judge vs. deft..... \$5423.59

Int. to date..... 245.56

Costs to date..... 5.00

Total ~~\$5674.15~~

Ed. 34 P. 416 Ob. 75 P. 139

Ex. 12 P. 165 J.D. 17 P. 287

Foot & Spangler, Attorneys

FILED
JAN 11 1943

Anton R. Blank
CLERK NOBLE DISTRICT COURT