

NOTICE OF SHERIFF'S SALE  
OF REAL ESTATE.

State of Indiana,  
County of Noble, ss:  
Cause No. 14107.  
City of Kendallville, Indiana,  
vs.  
Samuel Prouty and et. al.  
Notice of Sheriff's Sale of Real  
Estate.

By virtue of a certified copy of a  
decree to me directed from the Clerk  
of the Noble Circuit Court in the  
cause wherein City of Kendallville,  
Indiana, is plaintiff, and Samuel Prou-  
ty and et. al., are defendants, requir-  
ing me to make the sum of one hun-  
dred seven and 54-100 dollars (\$107.54),  
with interest and costs, I will offer  
for sale at public auction to the high-  
est bidder, on the 29th day of Novem-  
ber, 1941, between the hours of 10:00  
A.M. and 4:00 P.M., at the east door  
of the Court House, in the Town of  
Albion, Indiana, the rents and profits  
for a term of not exceeding seven (7)  
years, the following described real  
estate in said County and State, to-  
wit:

A fractional part of Lot No. 28, in  
Lash's Addition to the town, now City  
of Kendallville, Noble County, Indi-  
ana, described as follows, to-wit: Com-  
mencing at a point 20 feet south and  
110 feet west of the northeast corner  
of said Lot 28; thence west on a line  
parallel with the north line of said  
lot a distance of 45 feet, more or less;  
thence south on a line parallel with  
the east line of said lot a distance of  
145 feet, more or less; thence east on  
a line parallel with the north line of  
said Lot No. 28, a distance of 45 feet,  
more or less; thence north on a line  
parallel with the east line of said lot  
to the place of beginning.

If such rents and profits will not sell  
for a sum sufficient to pay and satis-  
fy said decree, interest and costs, I  
will, at the same time and place, offer  
for sale at public auction the fee sim-  
ple of said real estate, or so much  
thereof as may be necessary to pay  
and satisfy said decree and costs.

Said sale to be made without any  
relief from valuation and appraise-  
ment laws.

Dated this 3rd day of November  
1941.

MARION G. GALLOWAY,  
Sheriff of Noble County, Indiana  
Porter D. Crowell,  
Attorney for Plaintiff.  
(Nov 4 11 18)

STATE OF INDIANA }  
NOBLE COUNTY } ss

Noble Circuit Court *Nov. 26,* 19 *41*

Personally appeared *Hellie P. Shaffer, bookkeeper*  
of THE KENDALLVILLE DAILY NEWS-SUN; a daily newspaper of general  
circulation, published in the City of Kendallville, in the county aforesaid,  
who, being duly sworn, upon *her* oath says that the notice, of which the  
attached is a true copy, was duly published in said paper for *3* weeks  
successively, to-wit:

On the *4* day of *Nov.* 19 *41* On the *18* day of *Nov.* 19 *41*

On the *11* day of *Nov.* 19 *41* On the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

Signed *Hellie P. Shaffer*

Subscribed and sworn to this *26* day

of *November* 19 *41*

[SEAL]

*Lorraine Seidel nee Karlen*  
My commission expires *August 28,* 19 *44*



# RETURN ON ORDER OF SALE.

AND on the 5th day of November 1941, in pursuance to the command of this Court I advertised the Real Estate herein described for sale at the Court House Door of Noble County, Indiana, on the 29th day of November 1941, by publication in the Kendallville News Sun a weekly and daily newspaper of general circulation printed and published in the City of Kendallville 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, Albion, Indiana 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: November 29th 1941, 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-

Adt. \$14.74  
Cost of issue 20.69  
Certif. 1.00  
Commission 3.04  
Smilage 2.60  
D&R 20  
\$42.27

der for cash in hand... A fractional part of Lot No. 28 in Lash's Addition to the town now City of Kendallville, Noble County, Indiana, described as follows, to-wit: Commencing at a point 20 feet south and 110 feet west of the northeast corner of said lot No. 28, thence west on a line parallel with the north line of said lot a distance of 45 feet more or less, thence south on a line parallel with east line of said lot a distance of 145 feet more or less thence east on a line parallel with north line of said lot No. 28, a distance of 45 feet more or less, thence north on line parallel with east line of said lot to place of beginning 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. a fractional part of Lot No. 28 in Lash's Addition to the town, now city of Kendallville, Noble County, Indiana, described as follows, to-wit: Commencing at a point 20 feet south and 110 feet west of the northeast corner of said lot No. 28, thence west on a line parallel with the north line of said lot a distance of 45 feet more or less, thence south on a line parallel with east line of said lot a distance of 145 feet more or less, thence east on a line parallel with north line of said Lot No. 28, a distance of 45 feet more or less, thence north on line parallel with east line of said lot to place of beginning.

the fee simple right of the defendant.. of, in and to said Real Estate as described in said order of sale to me directed City of Kendallville, Indiana and

bid therefor. \$128.99 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 City of Kendallville, Indiana

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 bid by it, I executed to it my certificate of purchase, bearing even date herewith. Paid over to plaintiff..., as per it receipt hereon

\$86.72 DOLLARS.

Paid over to Clerk. \$42.27 dollars, original costs, and retained dollars, my fees,

Printer fee.

Done November 29, 1941

Marion G. Galloway Sheriff  
Deputy



SHERIFF'S CERTIFICATE OF SALE

I, Marion G. Galloway Sheriff of Noble County, in the State of Indiana, certify that I have this day sold by virtue of an order of execution

to me directed from the Clerk of the Circuit Court of Noble County, Indiana, issued on the 21st day of October, 1941 in a case wherein City of Kendallville, Indiana

plaintiff and Samuel Prouty and Elizabeth Prouty,

defendant. wherein judgment was rendered on the 13 day of Oct, 1941 for the sum of \$86.72 dollars and cents,

principal and interest to date of judgment, and the further sum of \$20.69

dollars and cents, costs accrued to that date, upon which there has accrued

dollars and cents

interest and \$21.58 dollars and cents

costs making in all \$86.72 ~~\$208.99~~ dollars and cents

principal and interest, and dollars

and cents cost to date of sale; making total amount due

\$128.99 dollars and cents

And the said Marion G. Galloway as Sheriff aforesaid, advertised for sale,

according to law, or levied said

upon the following described real estate as property of defendants

on the 5th day of November

1941, to-wit: A fractional part of Lot No. 28, in Lash's Addition to the town,

now City of Kendallville, Noble County, Indiana, described as follows, to-

wit: Comencing at a point 20 feet south and 110 feet west of the northeast

corner of said Lot No. 28, thence west on a line parallel with the north

line of said lot a distance of 45 feet more or less, thence south on a line

parallel with east line of said lot a distance of 145 feet more or less,

thence east on a line parallel with north line of said Lot No. 28, a dis-

tance of 45 feet more or less, thence north on line parallel with east line

of said lot to place of beginning.

And said sale was set for the 29th day of November, 1941 and the said

Marion G. Galloway Sheriff as aforesaid, did upon said day,

between the hours prescribed by law, at door of the Court House of Noble County, offer for sale at public auction,

(Over)

SHERIFF'S

CERTIFICATE OF

SALE

Sheriff Noble County

TO -

CERTIFICATE OF SALE

FILED  
DEC - 4 1941

CLERK NOBLE CIRCUIT COURT

SHERIFF.

Nov. 29

1941

By Deputy

Sheriff of Noble County

aforesaid.

paying the purchase money, with interest at eight per centum per annum, before the expiration of one year from date of sale

premises in one year from date of sale, if the same is not redeemed by the defendant or any other person entitled thereto,

the purchaser of said real estate as aforesaid, to deed in fee-simple to said

The aforesaid certificate will entitle the said City of Kendallville, Indiana

paid the amount so bid by

City of Kendallville, Indiana

being the highest and best bidder therefore, and that being the highest and best price paid for the same; and the said

struck off to the said City of Kendallville, Indiana

cents, and no persons bidding more, the same was, in due form openly

having bid the sum of \$128.99

Kendallville, Indiana

and there offer for sale at public auction the fee-simple of said real estate, and City of

the rents and profits of said real estate for a term not exceeding seven years, and having received no bid therefore, he did then



State of Indiana, Noble County, SS:

In the Noble Circuit Court of Indiana.

No:- 14107 The City of Kendallville, Indiana )  
vs ) To foreclose assessment  
Samuel Prouty, et al ) lien.

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

Be it remembered that on the 13th day of October, 1941 the same being the 7th Judicial Day of the October, 1941 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, 1941, 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:

*Not taxable  
Judgment upon a  
municipal assessment.*



October 13, 1941 7th day

State of Indiana, ss:  
County of Noble

In the Noble Circuit Court

October Term, 1961

Cause No. 14107

In re: City of Kendallville, Indiana  
                plaintiff

28

Samuel Prouty and Elizabeth Prouty  
defendants

1 Decree

Comes now the plai tiff by Counsel, Porter D. Crowell, and it appearing to the Court by notice and proof of publication herein, which said notice and proof of publication are in words and figures as follows:-(H.I.), that the defendants ~~Sayer~~ Samuel Prouty and Elizabeth Prouty, have each been duly notified of the pendency of this action by three successive publications in the Kendallville Daily News Sun, a weekly newspaper of general circulation printed and published in the City of Kendallville, Noble County, Indiana, the last of which said publications was made on the 7th day of June, 1941, and more than thirty days before October 6th, 1941, the same being the return day endorsed on plaintiff's complaint herein.

And now said defendants are three times audibly called in open court, come not, but herein wholly make default.

And the court having heard the evidence, and being duly advised in the premises, finds for the plaintiff and that the allegations of plaintiff's complaint are true; that the plaintiff is the owner and holder in due course of improvement bonds issued for the improvement of certain streets in the City of Kendallville, as in the complaint set forth; that the value of the services and materials in the construction of said work is Seventy-eight and 33/100 (\$78.33) Dollars; that the reasonable value of the services of plaintiff's attorney in this action is Seven and 89/100 (\$7.89) Dollars; that there is due the plaintiff on the assessment, as made and set out in the complaint, the sum of Eighty Six and 72/100 (\$86.72) Dollars; and the court further finds that the plaintiff has and holds a lien upon the real estate described in plaintiff's complaint for the value of said services and attorney fees, and that the plaintiff is entitled to have this lien foreclosed and the same enforced against the real estate described in plaintiff's complaint.

It is now therefore considered, adjudged and decreed by the Court that the plaintiff have and recover the sum of Eighty-Six and 72/100 (\$86.72) Dollars, together with the costs of this action, and that its lien and assessments be foreclosed as against all claims and interests of the defendants in and to the following described real estate in Noble County, State of Indiana, to-wit:-

A fractional part of Lot No. 28, in Lash's Addition to the town new City of Kendallville, Noble County, Indiana, described as follows, to-wit: Commencing at a point 20 feet south and one hundred and ten feet west of the northeast corner of said Lot No. 28, thence west on a line parallel with the north line of said lot a distance of forty five feet more or less, thence south on a line parallel with east line of said lot a distance of one hundred and forty five feet more or less thence east on a line parallel with north line of said Lot No. 28, a distance of 45 feet more or less, thence north on line parallel with east line of said lot to place of beginning.

And that a copy of this order and decree duly certified by the Clerk of this Court issue to the Sheriff of Noble County directing and commanding him to sell said real estate upon execution, without relief from valuation or appraisement laws, and to divide the proceeds thereof first to the payment of costs and accruing costs, then to the payment of the judgment herein with interest at the rate of 6 per cent per annum, and that any balance remaining be paid to the defendants as their interests may appear.

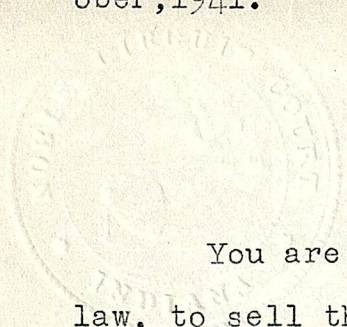


State of Indiana,

Noble County, SS:

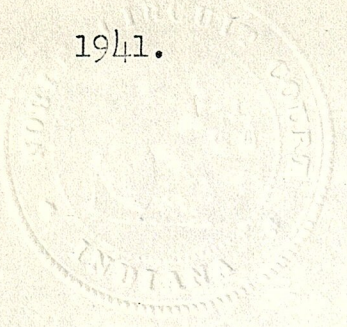
I, Porter R. Black, Clerk of the Noble Circuit Court of Noble in County, in the State of Indiana, do hereby certify that the attached and foregoing is a full, true and complete copy of the proceedings had and of the findings, judgments, decrees and orders of sale made, rendered and entered in and by said court in said cause on said 13th day of October, 1941, 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 21st day of October, 1941.

  
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 21st day of October, 1941.

  
Porter R. Black  
Clerk Noble Circuit Court.



In the Noble Circuit Court, October Term, 1941.

No. 14107 The City of Kendallville, Ind.)  
vs ) To foreclose assessment lien.  
Samuel Prouty, et al

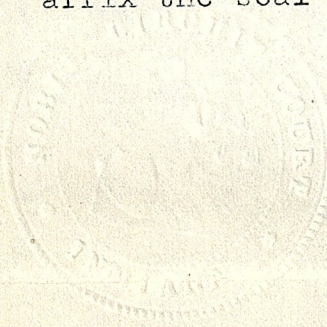
STATEMENTS OF COSTS.

Clerk's Costs.....\$ 8.50  
Docket fee.....\$ 2.00  
Transcript fee.....\$ 2.00  
Newspaper Notice.....\$ 8.19

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 this 21st day of October, 1941.

  
Porter R. Black  
Clerk Noble Circuit Court.



Cause No. 14107  
Ex. No. 3208

No. 14107 The City of Kendallville, Ind.

vs

Samuel Prouty, et al

Judge. favor pltf.....	\$86.72
Costs to issue.....	\$20.69
Interest to issue.....	\$ .13
Total.....	\$107.54

O.B. 75 P.55      Ed. 34 P. 298

J.D. 17 P. 237      Ex.D. 12 P. 131

Porter D. Crowell, attorney

FILED  
DEC - 4 1941

*Porter D. Crowell*  
CLERK NOBLE CIRCUIT COURT