

NOTICE OF SHERIFF'S SALE  
OF REAL ESTATE.

State of Indiana,  
County of Noble, ss:  
Cause No. 14104.  
City of Kendallville, Indiana,  
vs.

Morris Homsher 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 Morris Homsher and et. al., are defendants, requiring me to make the sum of eighty and 58-100 dollars (\$80.58), with costs and interest, I will offer for sale at public auction to the highest bidder, on the 29th day of November, 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:

Lot No. 99, in Iddings' Addition to the City of Kendallville, Indiana.

If such rents and profits will not sell for a sum sufficient to pay and satisfy said decree, interest and costs, I will, at the same time and place, offer for sale at public auction the fee simple 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 appraisal laws.

Dated this 3rd day of November, 1941.

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

STATE OF INDIANA }  
NOBLE COUNTY } ss

Noble Circuit Court Nov. 26, 1941

Personally appeared Hellie D. 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 h 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 D. Shaffer

Subscribed and sworn to this 26 day

of November 19 41

[SEAL]

My commission expires August 28, 1944



SHERIFF'S CERTIFICATE OF SALE

Marion G. Galloway

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 21 day of October 41 City of Kendallville, Indiana

Morris Homsher and Mollie Homsher plaintiff and

defendant wherein judgment was rendered on the 6th day of Oct 1941 for the sum of \$ 59.80 dollars and cents principal and interest to date of judgment, and the further sum of dollars and cents costs accrued to that date, upon which there has accrued dollars and cents interest and \$ 37.92 cents costs making in all dollars and cents principal and interest, and dollars and cents cost to date of sale; making total amount due \$ 97.72 dollars and cents

And the said Marion Galloway as Sheriff aforesaid, advertised for sale, according to law, or levied said

defendants upon the following described real estate as property of 5th November 41 Lot No. 98 in Iddings Addition to the City of Kendallville, Indiana

And said sale was set for the 29th November 41 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 24 1941  
Clerk Noble Circuit Court

SHERIFF

Nov. 29 1941 By Marion G. Galloway Sheriff of Noble County Deputy  
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 City of Kendallville, Indiana  
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 \$ 97.72 dollars and  
and there offer for sale at public auction the fee-simple of said real estate, and City of Kendallville, Indiana  
the rents and profits of said real estate for a term not exceeding seven years, and having received no bid therefore, he did then



# 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: Nov. 29 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 bidder for cash in hand Lot 99 in Iddings Addition to the City of Kendallville, Indiana

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 Lot 99 in Iddings Addition to the City of Kendallville, Indiana

the fee simple right of the defendant.. of, in and to said Real Estate as described in said order of sale to me directed and City of Kendallville, Indiana bid therefor \$ 97.72 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, I executed to it my certificate of purchase, bearing even date herewith. Paid over to plaintiff, as per receipt hereon

\$ 59.88 DOLLARS.  
\$ 37.92  
Paid over to Clerk dollars, original costs, and retained dollars, my fees, Printer fee.

Done November 29 1941

Marion G. Galloway Sheriff  
Deputy

Adm. \$ 11.00  
Costs & issue \$ 20.70  
Certif 1.00  
Comm. 2.42  
mileage 2.60  
JRK 20  
\$ 37.92



State of Indiana, Noble County, SS:

In the Noble Circuit Court of Indiana.

No. 14104 The City of Kendallville, Indiana )

vs )

Morris, Homsher and Mollie Homsher )

\*  
) To foreclose assessment 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 was upon  
a municipal assessment.*



In the Noble Circuit Court  
October Term, 1941

In re: City of Kendallville, Indiana )  
                                plaintiff         ) Decree  
                    vs  
Morris Homscher and Nellie Homscher )  
                                defendants         )

Comes now the plaintiff 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 Morris Homsher and Mollie Homsher 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 6, 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 Fifty-four and 25/100 (\$54.25) Dollars; that the reasonable value of the services of plaintiff's Attorney in this action is Five and 65/100 (\$5.65) Dollars; that there is due the plaintiff on the assessment, as made and set out in the complaint, the sum of Fifty-nine and 80/100 (\$59.80) 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 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 Fifty-nine and 80/100 (\$59.80) 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:- Lot 99 in Eddings Addition to the City of Kendallville, Indiana.

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 as 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 annum, and that any balance remaining to be paid to the defendants as their interests may appear.

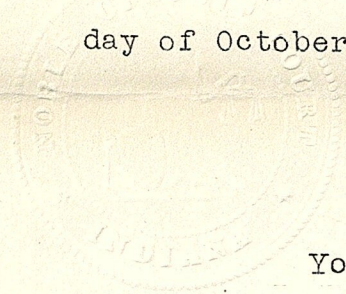


State of Indiana,

Noble County, SS:

I, Porter R. Black, Clerk of the Noble Circuit Court of Noble 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.

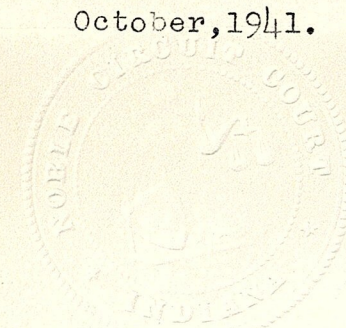
In Witness Whereof, I hereunto subscribe my name and hereto affix the seal of said court at my said office this 20th day of October, 1941.



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 to 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 20th day of October, 1941.



Porter R. Black  
Clerk Noble Circuit Court.



In the Noble Circuit Court, October Term 1941

No. 14104 The City of Kendallville, Indiana )  
vs ) To foreclose assessment lien.  
Morris Homsher and Mollie Homsher )

STATEMENTS OF COSTS.

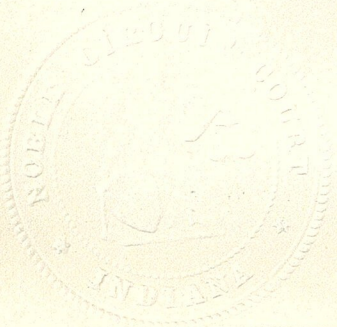
Clerk's costs.....	\$ 8.50
Sheriff's fee.....	\$ ----
Docket fee.....	\$ 2.00
Transcript fee.....	\$ 2.00
Newspaper notice.....	\$ 8.20

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 his 20th day of October, 1941.

Porter R. Black  
Clerk Noble Circuit Court.





Cause No. 14104  
Ex. 3206

In the Noble Circuit Court  
October Term, 1941

No. 14104 The City of Kendallville, Ind.

vs

Morris Homsher, Mollie Homsher

Judge favor plaintiff.....\$59.80

Interest to issue..... .08

Costs to issue.....\$20.70  
Total.....\$80.58

O.B. 75 P. 58-9 Ed. 34 P. 295  
Ex. D. 12. P. 129 J.D. 17 P. 129

Porter D. Crowell, Attorney

FILED  
DEC - 4 1941

*Porter D. Crowell*  
CLERK NOBLE CIRCUIT COURT

