

*Taped*

State of Indiana }  
Noble County } ss

NOTICE OF SHERIFF'S  
SALE OF REAL ESTATE

Notice is hereby given that by virtue of a certified copy of a judgment and decree to me directed from the Clerk of the Noble Circuit Court of Noble County, in the state of Indiana, in a cause in said court wherein Noble County Loan and Savings Association, a corporation, is plaintiff and Joseph S. Chaudoin and others are defendants, and numbered 13886 upon the dockets of said court, requiring me to make the sum of Eighteen hundred ninety-one dollars and seventy-six cents (\$1891.76) upon the judgment for the plaintiff in said cause upon its complaint, together with interest, costs and the costs of this sale, I will expose at public sale to the highest bidder, on Saturday the 4th day of October, 1941, between the hours of ten o'clock a.m. and four o'clock p.m. of said day, at the door of the Court House in the town of Albion, in said Noble County, in the state of Indiana, the rents and profits for a term not exceeding seven years of the following real estate in said Noble County, in the state of Indiana, to-wit:

Lot number four hundred nineteen (419) in Mitchell's Addition to the town, now city, of Kendallville.

If the rents and profits will not sell for a sum sufficient to satisfy said decree, interest and costs, I will at the same time and place expose at public sale the fee simple of said real estate, or so much thereof as may be sufficient to discharge said decree, interest and costs. Said sale will be made without relief from valuation and appraisal laws.

Marion G. Galloway,  
Sheriff of Noble County, Indiana  
Glen E. Thrapp, Attorney.

L. K. THOMPSON, being duly sworn deposes and says he is the printer 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 28th. day of Aug. 1941

On the 4th. day of Sept. 1941

On the 11th. day of Sept. 1941

On the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_

*L. K. Thompson*

Subscribed and sworn to before me this 12<sup>th</sup> day of Sept. A. D. 1941

*Stephen C. Sackett J.P.*  
Notary Public

My Commission Expires Dec. 31, 1942

Sheriff's Return on Order of Sale.

The within decree and order of sale came to hand August 21, 1941, and in obedience to its command I advertised the real estate therein described, for sale at public auction at the door of the court house of the county of Noble, in the state of Indiana, on the 4th day of October, 1941, between the hours of 10 o'clock A.M. and 4 o'clock P.M. of said day, (and which court house is located in the town of Albion in said county and state) by publication in the Ligonier Leader, a weekly newspaper of general circulation, printed in the English language, printed and published in the city of Ligonier, in said Noble County, state of Indiana, for three (3) weeks successively, and which said notice was so published in said newspaper on the 28th day of August, 1941, and the 4th day of September, 1941 and the 11th day of September, 1941, and a copy of which notice, together with sworn proof of the due publication thereof, is hereto attached and made a part of this return; that I further advertised the sale of said real estate by posting notices thereof on the 25th day of September, 1941 as follows: one at the door of the court house of said Noble County, in said town of Albion, Noble County, state of Indiana; and by posting like notices at the three following public places in Wayne Township, in said Noble County, state of Indiana, said Wayne Township being the civil township in which said real estate ordered sold is situated, to-wit:

One at the corner of North Riley Street and East North Street in the city of Kendallville;

One at the corner of East Wayne Street and Fair Street in said city of Kendallville;

One at the intersection of West Rush Street and South Orchard Street in said city of Kendallville;

That each of said notices was posted in a public place in a public highway, and that a copy of said notice, (and which is identical in words and figures with that published in the newspaper as above set out) is attached hereto and made a part of this return and is marked exhibit A. That the first of said publications was made and all of said notices were posted at least 30 days before the date of sale.

That on the day set for said sale, to-wit: October 4, 1941, between the hours of 10 o'clock A.M. and 4 o'clock P.M. at the door of the court house in said town of Albion, Noble County, Indiana, I then there offered for sale at public auction, to the highest and best bidder for cash, the rents and profits of the land described in the within decree, to-wit:

The following real estate in Noble County, state of Indiana:

Lot number four hundred nineteen (419) in Mitchell's Addition to the town, now city, of Kendallville;

for the separate terms of one, two, three, four, five, six and seven years, and I received no bids therefor.

Thereupon I offered for sale at public auction, for cash, to the highest and best bidder, the fee simple right and title in and to said real estate, and thereupon Noble County Loan and Savings Association bid for said real estate the sum of Nineteen hundred thirty two and 1/10 Dollars (\$1932.61), and said sum being the highest and best bid received therefor, said real estate was then and there openly struck off and sold to said Noble County Loan and Savings Association

And said purchaser thereupon paid to me the amount of its bid and I thereupon executed and delivered to it a sheriff's deed in due form of law and of even date herewith.

And the said sum so received I paid and account for as follows:

Paid to Clerk of Noble Circuit Court as follows:

Clerk's costs . . . . .	.\$	29.22
Printers fee. . . . .		11.76
Sheriff's Commission. . . . .		12.16
Sheriff's service, docket and return. . . . .		.60
Sheriff's deed. . . . .		1.00
Sheriff's mileage . . . . .		2.60

Total . . . . . \$ 57.34 57.34

Paid to plaintiff Noble County Loan and Savings Association as per receipt herewith . . . . . 1875.27

Total amount of sale accounted for . . . \$ 1932.61

And I return this writ partially satisfied.

Dated ~~October~~ 4th, 1941.

Marion Galloway  
Sheriff of Noble County.

R e c e i p t .

\$1875.<sup>27</sup>/<sub>100</sub>

Albion, Indiana, October 4, 1941.

Received of Marion Galloway, Sheriff of Noble County, Indiana,

Eighteen hundred seventy five and <sup>27</sup>/<sub>100</sub> Dollars  
on the within mortgage sale.

Blair J. Shaff  
Attorney for plaintiff.

*[Faint vertical stamp or text, possibly a date or reference number]*

State of Indiana, Noble County, SS:

In the Noble Circuit Court of Indiana.

No.-13886 Noble County Loan and Savings Association	)	
a corporation, plaintiff	)	
vs	)	Foreclose
Joseph S. Chaudoin, et al.	)	Mortgage.

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

Greeting:

Be it remembered, that on the 30th day of October, 1940, the same being the 21st judicial Day of the October, 1940, 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, 1940, 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 August 21 1941  
Tax by reason of: is Exempt from Intangibles  
~~Having Actual Business Situs outside Indiana~~  
Being Specifically Exempted under Sec. 1 (b)

Porter R. Black.  
Clerk of Noble Circuit Court

No. 13886.

Noble County Loan and Savings Association  
a corporation, plaintiff

vs

Cause No. 13886

Joseph S. Chaudoin, Clara Chaudoin, his  
wife, Golden May Chaudoin, Golden Mae  
Chaudoin, A. B. Fraylick, whose true christian  
name is to plaintiff unknown, C. E. Hamlin  
doing business under and by the name  
of C. E. Hamlin Sales Co., and whose true  
christian name is to plaintiff unknown, Sallie  
J. Williams, Community State Bank, Daniel Shank  
Lumber Co., Inc., John R. Bakstad, Imo V. Chaudoin,  
Howard W. Mountz and George E. Mountz, partners,  
practising law under the firm name of Mountz &  
Mountz, Lloyd D. Elliott doing business with the  
Northern Finance Company, Lloyd D. Elliott doing  
business as the Northern Finance Company, and  
Lloyd D. Elliott, defendants.

DECREE

(Entry furnished by counsel for the  
plaintiff)

Comes now the plaintiff Noble County Loan and Savings Association, a corporation,  
by Glenn E. Thrapp its counsel;

And comes now defendant Community State Bank, a corporation, by Ralph W. Probst its  
attorney and appears herein and files written disclaimer, which said disclaimer is in words  
and figures as follows, to-wit: (here insert)

And comes now defendant Daniel Shank Lumber Company, Inc., a corporation, by Wood and  
Wood its attorneys and files answer in two paragraphs, and which said answer is in the  
following words and figures, to-wit: (here insert)

And comes now defendant John R. Bakstad by Wood and Wood his attorneys and files  
answer, which said answer is in the following words and figures, to-wit: (here insert)

And come now the defendants Howard W. Mountz and George E. Mountz, partners practising  
law under the firm name of Mountz & Mountz and file their answer in words and figures as  
follows, to-wit: (here insert).

And it ~~now~~ appears to the satisfaction of the court by the Sheriff's return to a  
summons issued in this cause to the Sheriff of Noble County, Indiana, and which summons and  
the return to the Sheriff endorsed thereon are in the words and figures following, to-wit:  
(here insert) that the defendants Joseph S. Chaudoin and Clara Chaudoin, his wife, have be  
duly served with process more than ten days before this date and before the return date for  
said summons.

And it further appears to the satisfaction of the court by the sheriff's return to a  
summons issued in this cause to the sheriff of St. Joseph County, in the State of Indiana,  
which summons and the return of the sheriff thereon endorsed are in the words and figures  
following, to-wit: (here insert) that the defendant Imo V. Chaudoin has been duly served  
with process more than ten days before this date and before the return date for said  
summons.

And it further appears to the satisfaction of the court by the proof of publication of  
the notice filed in this cause, which notice and proof of the publication thereof are in  
the following words and figures, to-wit: (here insert) that the defendants Golden May  
Chaudoin, Golden Mae Chaudoin, A. B. Fralick, whose true christian name is to plaintiff

unknown, C. E. Hamlin doing business under and by the name of C. E. Hamlin Sales Co., and whose true christian name is to plaintiff unknown, Sallie J. Williams, Lloyd D. Elliott doing business with the Northern Finance Company, Lloyd D. Elliott doing business as the Northern Finance Company and Lloyd D. Elliott have been each duly notified of the filing and pendency of this action by three successive weekly publications in the Kendallville News-Sun, a newspaper of general circulation printed and published in the English language in the city of Kendallville, in Noble County, in said state of Indiana, and which said three weeks publication was completed more than thirty days before the return day in said notice and before the present date; and said defendants Golden May Chaudoin, Golden Mae Chaudoin, A. B. Fralick, whose true christian name is to plaintiff unknown, C. E. Hamlin doing business under and by the name of C. E. Hamlin Sales Co., and whose true christian name is to plaintiff unknown, Sallie J. Williams, Lloyd D. Elliott doing business with the Northern Finance Company, Lloyd D. Elliott doing business as the Northern Finance Company, Lloyd D. Elliott doing business as the Northern Finance Company, Lloyd D. Elliott, Joseph S. Chaudoin, Clara Chaudoin and Imo V. Chaudoin failing to appear are now three times loudly called and come not, and herein wholly make default. And plaintiff now files affidavit required by an Act of Congress approved March 8, 1918 known as the Soldiers and Sailor's Civil Relief Act, which affidavit is in words and figures as follows, to-wit: (here insert)

And said cause is now submitted to the court for trial without the intervention of a jury, and the court being duly informed in the premises finds for the plaintiff that the allegations of its complaint are true and fully proven, and that there is due the plaintiff on the note and mortgage sued on the sum of \$1657.20, and the further sum of \$119.72 as a fee for plaintiffs attorney, all with interest from this date at the rate of six per cent. (6%) per annum; that said sums are secured by the mortgage sought to be foreclosed by the complaint herein, and which mortgage constitutes a lien upon said premises paramount and superior to the rights and claims and liens of any and all defendants herein, and that said plaintiff is entitled to have its said mortgage foreclosed as against all defendants hereto.

It is therefore considered and adjudged by the court that the plaintiff recover of the defendant Joseph S. Chaudoin the sum of \$1776.40 and also its costs in this cause laid out and expended taxed at        dollars and        cents, all without any relief whatever from valuation and appraisement laws and this judgment to bear interest from date hereof at the rate of six per cent. (6%) per annum.

It is further considered and adjudged by the court that the equity of redemption of all defendants to this cause and all persons claiming under or through them, in and to said mortgaged premises, to-wit:

The following real estate in Noble County, State of Indiana:

Lot number four hundred nineteen (419) in Mitchell's Addition to the town, now city, of Kendallville;

be and the same is hereby forever barred and foreclosed, and that said real estate and all the right, title, interest and claim of all defendants hereto and of all persons claiming from, under or through them in and to the same shall be sold by the sheriff of Noble County, in the State of Indiana, as lands are sold upon execution, such sale to be made without any relief whatever from valuation or appraisement laws; and the proceeds arising from such sale the sheriff is ordered and directed to apply in the manner following, to-wit:

First: To the payment of all costs accrued in this cause and the costs of said sale.

Second: To the payment of the amount found due plaintiff herein, being the amount of the judgment hereinbefore rendered, together with interest from this date.

Third: The overplus, if any, remaining after payment of the foregoing judgment, interest and costs to be applied on judgment of Daniel Shank Lumber Company in cause No. 13543 in amount of \$1057.58 plus interest at rate of 6% per annum from October 11, 1939 and overplus, if any, to be paid by the sheriff to the clerk of the court for the use of the parties lawfully authorized to receive the same; and in the event said mortgaged premises shall fail to sell for a sum sufficient to pay and satisfy said judgment, principal and interest, and costs, the residue thereof remaining unpaid shall be levied on the goods and chattels, lands and tenements of the defendant Joseph S. Chaudoin subject to execution and sale thereof shall be made without any relief whatever from valuation or appraisement laws.

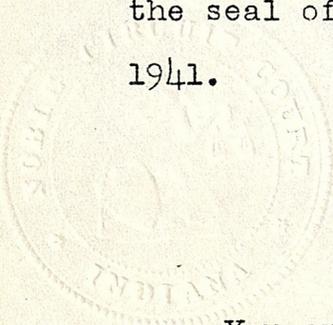
It is further ordered that a duly certified copy of this decree, under the hand and seal of the clerk of this court, shall be sufficient authority for the sheriff to execute the same.

Fred L. Bodenhafer, Judge.

State of Indiana,  
County of Noble, SS:

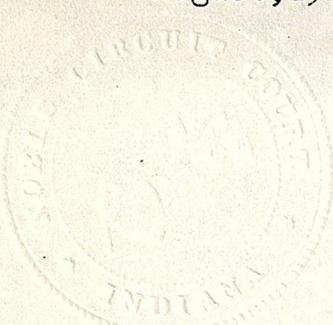
I, Porter R. Black, Clerk of the Noble Circuit Court of Noble County, Indiana, do hereby certify that the attached and foregoing is a fully true and complete copy of the proceedings had and of the findings, judgments, decrees and orders of sale made, rendered and entered in and by said court in said cause on said 30th day of October, 1940, 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 affix the seal of said court at my said office this 21st day of August 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 that then of any other property of said defendant, Joseph S. Chaudoin, et al, 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 you 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 as my office in the Court House at the town of Albion, in said County and State, this 21st day of August, 1941.

  
*Porter R. Black*  
Clerk Noble Circuit Court.

In the Noble Circuit Court, August ,1941

No. 13886 Noble County Loan and Savings Association	)	
a corporation, plaintiff	)	Foreclose
vs	)	Mortgage
Joseph S. Chaudoin, et al.	)	

STATEMENTS OF COSTS

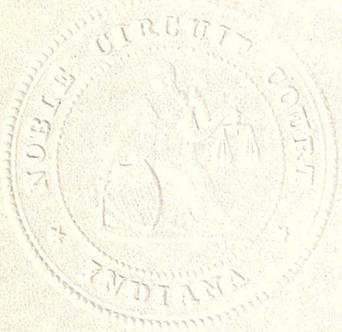
Clerk's costs.....	\$ 10.00
Sheriff's fee.....	\$ 5.05
Docket fee.....	\$ 2.00
Notice to Defts.....	\$ 12.17

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 August, 1941.

*Porter R Black*  
Clerk Noble Circuit Court.



No. 3197

In the Noble Circuit Court  
August, 1941.

No. 13886 Noble County Loan and Savings  
Association

vs  
Joseph Chaudoin, et al

Judg. favor plfff. for.....	\$1776.40
Int. to issue 6% .....	86.14
Costs to issue.....	29.22
Total	<u>\$1891.76</u>

O.B. 74 F. 369 J.D. 17 P. 46  
E.D. 34 P. 76 Ex. D. 12 P. 121

Judgment favor plfff. for \$1776.40 before-  
close mortgage.

FILED  
OCT 6 1941

*Porter P. Hunt*  
CLERK NOBLE CIRCUIT COURT