

THE STATE OF INDIANA, } SS: NOBLE COUNTY,

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 State of Indiana on relation of Gerry DeHoff, Auditor of Noble County, Indiana, is plaintiff and Homer R. Seymour and Alice A. Seymoure, husband and wife, are defendants, being civil cause No. 13571 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, the 10th day of February, 1940, between the hours of 10:00 o'clock A. M. and 4:00 o'clock P. M., of said day and date, at the East door of the Court House in the town of Albion, Noble County, Indiana, the rents and profits for the term not exceeding seven years, of the following described real estate situated in Noble County, Indiana, to-wit:

Lot Number 111 in Wolf Lake, Noble Township.

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

MARION GALLOWAY,

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

Dated January 13, 1940

26w3

E. L. Adair

I, *E. L. Adair*, duly sworn, on oath says that he is publisher of "THE ALBION NEWSPAPER," a weekly newspaper of general circulation, published in said County, and that notice of which the annexed is a full, and complete copy, was published in paper *three* weeks suc-

cely and on the days following, to-wit:

on *the 17th, 24th & 31st days of January,*
1940

E. L. Adair

scribed and sworn to before me, this

10 day of *February*

Notary Public
Com. exp. Nov. 6th, 1940.
Printer's Fee \$ *11.47*

SHERIFF'S
CERTIFICATE OF
SALE
Sheriff Noble County
TO -
CERTIFICATE OF SALE

SHERIFF.

SHERIFF'S CERTIFICATE OF SALE

I, Marion Galloway, Sheriff of Noble County, in the State of Indiana, certify that I have this day sold by virtue of decree and order of sale to me directed from the Clerk of the Circuit Court of Noble County, Indiana, issued on the 8th day of January, 1934, in a case wherein Garry DeHoff, Auditor of Noble County plaintiff and Homer R. Seymoure and Alice A. Seymoure, husband and wife defendant, wherein judgment was rendered on the 10th day of June, 1932, for the sum of Four Hundred Forty Eight six cents, principal and interest to date of judgment, and the further sum of Thirteen dollars and Seventy cents, costs accrued to that date, upon which there has accrued Fourteen dollars and Eighty three cents interest and Twenty one dollars and Twenty four cents costs making in all Four Hundred Fifty-five sixty nine cents principal and interest, and Thirty four dollars and Ninety four cents cost to date of sale; making total amount due Four Hundred Ninety Sixty three cents And the said Marion Galloway as Sheriff aforesaid, advertised for sale, according to law, or levied said upon the following described real estate as property of Homer R. Seymoure and Alice A. Seymoure, husband and wife on the 8th day of January 1934, to-wit: Lot No. 11 in Wolf Lake, Noble County, Indiana And said sale was set for the 10th day of February, 1934 and the said Marion 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)

the rents and profits of said real estate for a term not exceeding seven years, and having received no bid therefor, he did then and there offer for sale at public auction the fee-simple of said real estate, and Garry DeHoff, Auditor of Noble County having bid the sum of Four Hundred Ninety Sixty three dollars and cents, and no persons bidding more, the same was, in due form openly struck off to the said Garry DeHoff, Auditor of Noble County being the highest and best bidder therefore, and that being the highest and best price paid for the same; and the said Garry DeHoff, Auditor of Noble County paid the amount so bid by him The aforesaid certificate will entitle the said Garry DeHoff, Auditor of Noble County the purchaser of said real estate as aforesaid, to deed in fee-simple to said premises in one year from date of sale, if the same is not redeemed by the defendant or any other person entitled thereto, paying the purchase money, with interest at eight per centum per annum, before the expiration of one year from date of sale aforesaid.

By, Marion Galloway Sheriff of Noble County. Deputy. 1934.

RETURN ON ORDER OF SALE.

AND on the 17th day of January 1940, in pursuance to the command of this Decree and order of sale I advertised the Real Estate herein described for sale at the Court House Door of Noble County, Indiana, on the 10th day of February 1940, by publication in the Albion New Era a weekly and daily newspaper of general circulation printed and published in the town of Albion 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: February 10, 1940, 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.
Clerk's costs to issue \$13.70
Sheriff 1.40
Service .40
D. & R. .20
Printer's fee 11.40
Sheriff's Commission 6.84
Certificate 1.00
\$34.94

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.

the fee simple right of the defendant of, in and to said Real Estate as described in said decree and order of said Gerry DeHoff, Auditor of Noble County bid therefor Four Hundred Ninety and 63/100 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 Gerry DeHoff, Auditor of Noble County 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 him, I executed to him my certificate of purchase, bearing even date herewith. Paid over to plaintiff, as per his receipt hereon Four Hundred Fifty-five and 69/100 DOLLARS. Paid over to Clerk Thirty-four and 94/100 dollars, original costs, and retained none dollars, my fees, Printer fee.

Done February 10, 1940

Marion Galloway Sheriff
Deputy

Albion, Indiana.
February 10, 1940.

Received of Marion Galloway, Sheriff the sum of Four Hundred Fifty five and 69/100 Dollars (\$455.69), in full of principal and interest on the within judgment.
Gerry D. DeHoff Auditor of Noble County

RETURN ON ORDER OF SALE.

AND on the 17th day of January 1940, in pursuance to the command of this Decree and order of sale I advertised the Real Estate herein described for sale at the Court House Door of Noble County, Indiana, on the 10th day of February 1940, by publication in the Albion New Era a weekly and daily newspaper of general circulation printed and published in the town of Albion 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.

Clerk's costs to issue \$13.70
Sheriff 1.40
Service .40
D. & R. .20
Printer's Fee 11.40
Sheriff's Commission 6.84
Certificate 1.00
\$34.94

And on the day set for the sale of said Real Estate, to-wit: February 10 1940, 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. 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.

the fee simple right of the defendant.. of, in and to said Real Estate as described in said decree and order of sale and Gerry DeHoff, Auditor of Noble County bid therefor... Four Hundred Ninety and 63/100 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 Gerry DeHoff, Auditor of Noble County 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 him, I executed to him my certificate of purchase, bearing even date herewith. Paid over to plaintiff..., as per his receipt hereon Four Hundred Fifty-five and 69/100 DOLLARS. Paid over to Clerk Thirty-four and 94/100 dollars, original costs, and retained none dollars, my fees, Printer fee.

Done February 10, 1940

Marion Galloway Sheriff
Deputy

Albion, Indiana
February 10, 1940

Received of Marion Galloway, Sheriff, the sum of Four Hundred Fifty-five and 69/100 Dollars (\$455.69), in full of principal and interest on the within judgment.

Auditor of Noble County

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 State of Indiana on relation of Gerry DeHoff, Auditor of Noble County, Indiana, is Plaintiff and Homer R. Seymoure and Alice A. Seymoure, husband and wife, are defendants, being civil cause No. 13571 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, the 10th. day of February, 1940, between the hours of 10:00 o'clock A.M., and 4:00 o'clock P.M., of said day and date, at the East door of the Court House in the town of Albion, Noble County, Indiana, the rents and profits for a term not exceeding seven years, of the following described real estate situated in Noble County, Indiana, to-wit:

Lot number 111 in Wolf Lake, Noble Township.

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

Marion Galloway,
Sheriff of Noble County,
Indiana.

Foote & Spangler, Attorneys,
for Plaintiff.

Dated January 13 1940

State of Indiana, Noble County, SS:

In the Noble Circuit Court of Indiana.

No. 13571.	The State of Indiana on the relation)	
	of Gerry DeHoff, Auditor of Noble)	
	County)	
	vs)	On note & Fcl. Mtg.
	Homer R. Seymoure and Alice A.)	
	Seymoure, husband and wife.)	

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

Be it remembered, that on the 10th day of June, 1939, the same being the 30th Judicial day of the May, 1939 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 ~~Second Monday~~ of May, 1939, 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:

June 10, 1939. -30th day-

No. 13571. The State of Indiana on the relation)
of Gerry Deⁿoff, Auditor of Noble)
County)
vs)
Homer R. Seymoure and Alice A.)
Seymoure, husband and wife)

On note & Fcl. Mtg.

Comes now said plaintiff by its attorneys, Foote & Spangler and said plaintiff now shows to the satisfaction of the court by the summons heretofore issued in this behalf upon its complaint herein, and the return of said Sheriff thereon endorsed, and the court now finds that said defendants have been duly and legally served with due and legal summons in this cause more than ten days before the 2nd day of June, 1939, the return day of said summons which said summons and 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, either of the defendants to this action and said complaint, thereupon, on motion of said plaintiff, each and all of the defendants to this action and said complaint are each and severally three times duly called in open court, come not, but herein each and all wholly make default. And on motion of said plaintiff, this cause is now submitted to the court for trial without a jury. And thereupon the trial of this cause commences, proceeds and is concluded. And the court having heard all the evidence and being fully advised in the premises, finds for said plaintiff that each and all the statements and allegations of its said complaint herein contained are true and fully proven; that there is due said plaintiff from said defendants on the note and mortgage sued upon herein, and set out and described in plaintiff's complaint the sum of Four hundred forty and 86/100 dollars (\$440.86) without relief from valuation and appraisement laws and that said plaintiff is entitled to and should have a judgment therefore herein accordingly. And the court further finds that plaintiff's said mortgage set out and described in said complaint and the mortgage debt secured thereby is a valid, subsisting and first lien upon all the real estate in said mortgage described, said real estate being situated in Noble County, State of Indiana and described as follows, to-wit: Lot number 111 in Wolf Lake, Noble Township, Noble County, Indiana; prior, superior and paramount to any and all rights, titles, interests, liens and claims of whatsoever nature or kind of each and all of the defendants to this action therein, thereon or thereto, and that said plaintiff is entitled to and should have a judgment order and decree herein for the foreclosure of said mortgage upon all the real estate therein described as against said defendants to this action, and a judgment, order and decree for the sale of all of said real estate or so much thereof as may be necessary to pay and satisfy said mortgage debt and costs.

And the court further finds that said defendants and each of them are insolvent and that said defendants nor either of them reside on said real estate and that said real estate is insufficient to pay and satisfy said judgment, interest and costs and that plaintiff is

entitled to have a receiver appointed to collect the rents and profits of said real estate during the time allowed for redemption. And the court further finds that Charles Black should be and he hereby is appointed receiver under and pursuant to the decree and said Receiver is ordered to give bond in the sum of \$200.00 with surety to be approved by the Clerk of this court, and that the receiver should hold and retain the rents and profits until further order of the court.

It is now therefore ordered, adjudged and decreed by the court that said plaintiff, The State of Indiana on the relation of Gerry DeHoff, Auditor of Noble County, do have and recover herein from said defendants, Homer R. Seymoure and Alice A. Seymoure, husband and wife, the sum of Four hundred forty and 86/100 dollars (\$440.86, so found to be due it on said note and mortgage sued upon by it herein as aforesaid, and also all its costs in this cause expended, taxed at dollars and cents, said judgment and amount to draw interest at the rate of five per cent per annum from this date until paid, all without any relief whatever from valuation and appraisement laws.

And it is further considered, adjudged and decreed by the court that said plaintiff's said mortgage and the mortgage debt secured thereby is a valid and subsisting and first lien on all the real estate described, prior, superior and paramount to any and all rights, titles, interests, liens and claims of each and all of the defendants to this action therein, thereon or thereto; and that said mortgage be, and the same hereby is, foreclosed on all said real estate hereinbefore described as to and against each and all of the defendants to this cause of action and all persons claiming from, under or through them, or any of them, and that upon default in the full payment and satisfaction of plaintiff's said mortgage debt and costs before the time fixed for such sale, all of the real estate in said mortgage described, to-wit: Lot number 111 in Wolf Lake, Noble Township, Noble County, Indiana, or so much thereof as may be necessary, and all the rights, titles, interests and claims of the defendants to this cause of action and each of them, and all persons claiming from, under or through them, or any of them, in and to the same, shall be sold as provided by law by the Sheriff of said Noble County upon a duly certified copy of the judgment, order and decree herein under the hand of the Clerk and the seal of this court, after first duly advertising the same as provided by law, in like manner as lands are sold upon execution issued upon judgments at law for the payment of plaintiff's said mortgage debt and costs; that such sale be made without any relief whatever from valuation and appraisement laws, and that the proceeds arising therefrom shall be applied as follows, to-wit: First, to the payment of all costs accrued in this cause of action including the costs of such sale; Second, to the payment of said mortgage debt and judgment, principal and interest of said plaintiff and third, the overplus, if any remaining, shall be paid to the party or parties thereto entitled by law.

And it is further considered, ordered, adjudged and decreed by the court that upon the final consummation of the sale herein ordered and the completed conveyance by the Sheriff to the purchaser or purchasers of the real estate so sold, all the rights, titles, interests, claims and equity of redemption of the defendants, to this action and each and every one of them, and of all persons claiming from, under or through them, or any of them, in and to said real estate so sold and conveyed, shall be completely and absolutely and forever barred and foreclosed.

And it is further ordered by the court that Charles Black, County Assessor be and he hereby is appointed receiver under and pursuant to the foregoing decree and is ordered to give bond in the sum of \$200.00 with surety to be approved by the clerk of this court and said Receiver is directed to hold and retain the rents and profits until further order of the court.

State of Indiana,

Noble County, SS:

I, Harold V. Curtis, 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 10th day of June, 1939 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 8th day of January, 1940.

Harold V. Curtis
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 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 8th day of January, 1940.

Harold V. Curtis
Clerk Noble Circuit Court.

In the Noble Circuit Court, May Term, 1939.

No. 13571. The State of Indiana on the relation)
of Gerry DeHoff, Auditor of Noble)
County)
vs) On note & Fcl. Mtg.
Homer R. Seymoure and Alice A.)
Seymoure, husband and wife.)

STATEMENT OF COSTS.

CLERK's costs.....\$10.00
Docket fee..... 2.00
Sheriff's fee..... 1.70
\$13.70

State of Indiana, Noble County, SS:

I, Harold V. Curtis, 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 8th day of January, 1940.

Harold V. Curtis
Clerk Noble Circuit Court.

In the Noble Circuit Court,

May Term, 1939

No. 13571. St. ex rel DeHoff

vs

Homer R. Seymoure, et al

Judg. favor plfff, for.....\$440.86
Int. to issue..5%..... 12.87
Costs to issue..... 13.70
\$467.43

Judg. favor Pltfff for \$440.86, foreclosure
of mortgage and sale of real estate.

O. B. 73 P. 457 E. D. 33 P. 62
J. D. 17 P. 270 Ex. 12 P. 35

Footte & Spangler, Attys. for plfff.

FILED
JUN 5 - 1940

Harold H. Hester
CLERK NOBLE CIRCUIT COURT