

State of Indiana,
Noble County, ss:

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 Sidney C. Ritter, et al., are defendants, being civil cause No. 13573 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 23rd. day of December, 1939, 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, the rents and profits for a term not exceeding seven years, of the following described real estate situated in Noble County, Indiana, to-wit: Lots numbered 167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188 and 189 in Tiffin Addition to the town of Albion.

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.

ROSCOE RIMMEL,
Sheriff of Noble County, Indiana.
Foote & Spangler,
Attorneys for Plaintiff.
Dated: November 30, 1939. 48-50

B. R. Matteson, being duly sworn, on oath, says that he is the Publisher of THE NOBLE COUNTY DEMOCRAT, a weekly newspaper of general circulation, published in Noble County, and that the notice, of which the annexed is a copy, was published in said paper 3 weeks successively, and on the days following, to-wit:

On the 30th of
Nov. and 7th
and 14th of
Dec., 1939

Signed B. R. Matteson

Subscribed and sworn to before me this 14th day of
December 1939.

Harold V. Austin
Clerk—Notary Public

My Commission Expires.....19 .

Printer's fees, \$ 11.20

SHERIFF'S

CERTIFICATE OF

SALE

Sheriff Noble County

- TO -

CERTIFICATE OF SALE

SHERIFF.

.....to me directed from the Clerk of the Circuit Court of Noble County, Indiana, issued on
the 18th.....day of.....~~July~~ November....., 1939, in a case wherein The State of.....
.....Indiana on relation of Gerry DeHoff, Auditor of Noble County, Indiana,

defendant **S**...wherein judgment was rendered on the **28th**..day of.....**October**....., 193**9**..
for the sum of **Three Hundred Nineteen**.....dollars and **twenty-seven**..... cents,

principal and interest to date of judgment, and the further sum of.. **Sixteen**.....
dollars and **twenty-five**.....cents, costs accrued to that date, upon which there has accrued

Two dollars and forty-three cents
interest and .. Sixteen dollars and sixty cents

costs making in all. Three Hundred Twenty-one dollars and Seventy cents
principal and interest, and Thirty-two dollars

and Eighty-five cents cost to date of sale; making total amount due
Three Hundred Fifty-four dollars and fifty-five cents

And the said Roscoe Rimmel as Sheriff aforesaid, advertised for sale,
according to law, or levied said... decree and order of sale

upon the following described real estate as property of Sidney C. Ritter, et al
.....
.....on the 23rd day of December.....

193. 9., to-wit: Lots numbered 167-169-170-172-173-174-175-176-177-178-179-180-
181-182-183-184-185-186-187-188 and 189 in Tiffin Addition to the Town

of Albion.....

.....

.....

.....

.....

And said sale was set for the 23rd. day of December 1939 and the said

.....Roscoe Rimmel..... 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)

By..... Deputy.

Sheriff of Noble County.

December 23, 1939

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

..... paid the amount so bid by ~~him~~ ^{him}

.....the State of Indiana on relation of Betty DeHoff, Auditor of Public

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

struck off to the said -the place of Indians on relation of petty delin- Auditor of

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

having bid the sum of Three hundred Fifty Four dollars and

CONFIDENTIAL

and there offer for sale at public auction the fee-simple of said real estate, and the state of Indiana on relation

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

RETURN ON ORDER OF SALE.

AND on the...30th.....day of...November.....1939, 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...30th.....day of November 1939, by publication in the...The Noble County Democrat..... 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.

Schedule of Costs and Sheriff's Fees

Mileage-----	.20
Service-----	.40
D & R -----	.20
Certificate-----	1.00
Publication-----	11.70
Commission-----	3.10
	<u>16.60</u>
Costs to Issue-----	16.25
	<u>\$32.85</u>

And on the day set for the sale of said Real Estate, to-wit:.....December 23rd.....1939, 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. (354.55) Three Hundred fifty Four and 55/100..... 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 bidby... him....., I executed to... him..... my certificate of purchase, bearing even date herewith. Paid over to plaintiff....., as per... his receipt..... receipt hereon Three Hundred Twenty One and 70/100 (321.70)..... DOLLARS. Paid over to Clerk... Thirty- Two and 85/100..... dollars, original costs, and retained Non e dollars, my fees, Printer fee. Done... December 23rd.....1939.....

Rosee Pammel Sheriff
Deputy

RETURN ON ORDER OF SALE.

AND on the 30th day of November 1939, 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 30th day of November 1939, by publication in the The Noble County Democrat 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.

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	<u>16.60</u>
Costs to Issue----	<u>16.25</u>
	<u>\$32.85</u>

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

December 23rd 1939, 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. (354.55) Three Hundred fifty Four and 55/100 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 bidby him, I executed to him my certificate of purchase, bearing even date herewith. Paid over to plaintiff...., as per his receipt ~~receipt~~ hereon

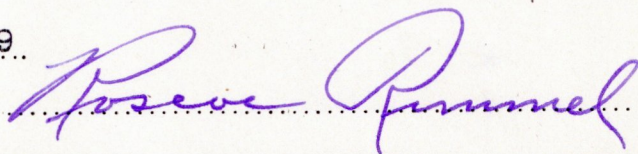
Three Hundred Twenty One and 80/100 (321.70) DOLLARS.

Paid over to Clerk Thirty- Two and 85/100 dollars, original costs, and

retained Non e dollars, my fees,.....

Printer fee.

Done. December 23rd 1939

 Sheriff
Deputy

October 28, 1939. -24th day-

No. 13573.

State of Indiana,
County of Noble, SS:

In the Noble Circuit Court,
October Term, 1939.

The State of Indiana on relation
of Gerry DeHoff, Auditor of
Noble County, Indiana, Plaintiff

vs

Cause No. 13573
(ENTRY FURNISHED BY ATTORNEY FOR PLAINTIFF)

Sidney C. Ritter and Edna H. Ritter,
his wife; Hugh W. Hickman and Bessie
L. Hickman, his wife; Lena Whorrell
and Clarence H. Whorrell, her husband,
ThurLOW Hines and Clara Edith Hines,
his wife; and Dorothy R. Gappinger,
Defendants.

Comes now the plaintiff by counsel and it appearing to the Court by summons herein and the return of the Sheriff endorsed thereon, that said defendants Sidney C. Ritter, Edna H. Ritter, Hugh W. Hickman and Bessie L. Hickman have been served with process more than ten days before the 2nd day of June, 1939, being the date endorsed on Plaintiff's Complaint and the return day of summons thereon, which said summons and return thereon are in the words and figures asfollows, to-wit: (H.I.)

And it appearing to the Court by the summons herein and the return of the Sheriff of St. Joseph County, endorsed thereon that said defendant, Dorothy R. Gappinger has been served with process more than ten days before the 2nd day of June, 1939, being the date endorsed on Plaintiff's complaint for the return day of summons thereon, which said summons and return thereon are in the words and figures following, to-wit: (H.I.)

And the defendants Lena Whorrell and Clarence H. Whorrell and ThurLOW Hines and Clara Edith Hines, now appear in person and file waiver of the service of summons or other process and file their Answer of General denial, which said waiver and answer are in the words and figures following, to-wit: (H.I.)

And now said defendants, Sidney C. Ritter and Edna H. Ritter, being three times audibly called in open court, come not, but herein wholly make default and the defendants, Hugh W. Hickman and Bessie L. Hickman appear by their attorney, Leo Rumbaugh and file Answer in General denial to the complaint, which is in the words and figures following, to-wit: (H.I.) The defendants, Lena Whorrell and ThurLOW Hines appear in person and file Answer in two paragraphs, which is in the words and figures following, to-wit: (H.I.) Defendant, Dorothy R. Gappinger appears in person and files answer in two paragraphs, which is in the following words and figures, to-wit: (H.I.)

And this cause being at issue is now submitted to the Court for trial without the intervention of the Jury and the Court having heard the evidence and being duly advised in the premises finds for the Plaintiff and that the allegations of the Plaintiff's complaint are true and that there is due the plaintiff from Defendants, Lena Whorrell, ThurLOW Hines, Hugh W. Hickman, Bessie L. Hickman, Sidney C. Ritter and Edna H. Ritter, on the note in this cause of action sued upon in the sum of \$319.27 and which said sum, plaintiff is entitled to recover from said defendants together with costs of this action, all without relief from valuation or appeasement laws.

And the court further finds that said sum is secured by a Mortgage upon the real estate described in Plaintiff's Complaint and that said Mortgage is the first lien upon said real estate to the extent of said sum and that Plaintiff is entitled to have its said Mortgage foreclosed as against all of said defendants upon the real estate described in the complaint.

And the Court finds for the defendants, Lena Whorrell and ThurLOW Hines on their

second paragraph of answer that the allegations thereof are true and that there is due from the defendant Hugh W. Hickman and on the notes described in said paragraph, the sum of \$389.85, and the Court further finds that said sum is secured by a Mortgage upon the real estate described in Plaintiff's complaint, which said mortgage is second and subsequent to Plaintiff's Mortgage; that the said defendants, Hugh W. Hickman and Bessie L. Hickman, sold and conveyed to defendants Sidney C. Ritter and Edna H. Ritter, husband and wife, the above and foregoing described real estate, at and for the sum of \$_____, and subject to the payment of the Mortgage executed by said Hickman and wife to said defendants, Lena Whorrell and Thurlow Hines and which indebtedness said defendants, Sidney C. Ritter and Edna H. Ritter assumed and agreed to pay.

And the Court further finds that the lien of said Lena Whorrell and Thurlow Hines, is a second lien and subject only to the lien of the Plaintiff herein.

And the court further finds for the defendant, Dorothy R. Gappinger upon the second paragraph of her Answer that the said allegations thereof are true and that there is due from the defendants, Sidney C. Ritter and Edna H. Ritter, the sum of \$554.57 on the notes described in said paragraph and the Court further finds that the sum is secured by a Mortgage upon the said real estate described in the Plaintiff's Complaint and that said Mortgage is a third lien upon said real estate subject to the payment of Plaintiff's mortgage and the Mortgage of the defendants Lena Whorrell and Thurlow Hines.

And it is further considered, adjudged and decreed by the Court that the equity of redemption of the defendants Sidney C. Ritter and Edna H. Ritter, his wife; Hugh W. Hickman and Bessie L. Hickman, his wife; Lena Whorrell and Clarence H. Whorrell, her husband; Thurlow Hines and Clara Edith Hines, his wife; and Dorothy R. Gappinger, and of all the persons claiming from, under or through them in and to the real estate described in the complaint lying and being in the County of Noble, State of Indiana, and described as follows, to-wit: Lots numbered 167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188 and 189 in Tiffin Addition to the Town of Albion, be, and the same is, forever barred and foreclosed and that the said described real estate and all the right, title, interest and claim of said named defendants and of all persons claiming from, under or through them in and to the same or so much thereof as may be necessary for that purpose shall be sold by the Sheriff of said County of Noble, State of Indiana, as other lands are sold on execution, the sale without any relief from valuation or appraisement laws.

The proceeds arising from said sale to be applied as follows, to-wit:

1. To the payment of the costs and accruing costs herein.
2. To the payment of the amount found due plaintiff on his claim sued upon herein.
3. To the payment of the amount found due the defendants, Lena Whorrell and Thurlow Hines, on the second paragraph of their answer.
4. To the payment of the amount found due to the defendant, Dorothy R. Gappinger on the second paragraph of her answer.

The overplus, if any, remaining after the payment of costs and accruing costs and the foregoing sums to be paid by the Sheriff to the Clerk of this Court for the use of the parties lawfully entitled and authorized to receive the same. In the event said mortgaged premises shall fail to sell for a sum sufficient to pay and satisfy said plaintiff's judgment, principal, interest and costs, the residue of which said plaintiff's judgment so remaining unpaid shall be made out of the Goods, Chattels, Lands and Tenements of said defendants, Lena Whorrell and Thurlow Hines, Hugh W. Hickman, Sidney C. Ritter and Edna H. Ritter, subject to execution and sale thereof shall be made without relief from valuation and appraisement laws.

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 28th day of October, 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 18th day of November, 1939.

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 that then of any other property of said defendants, Lena Whorrell and Thurlow Hines, Hugh W. Hickman, Sidney C. Ritter and Edna H. Ritter, 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 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 18th day of November, 1939.

Harold V. Curtis

Clerk Noble Circuit Court.

State of Indiana, Noble County, SS:

In the Noble Circuit Court of Indiana.

No. 13573. The State of Indiana, on relation)
of Gerry DeHoff, Auditor of)
Noble County, Indiana, Plaintiff)
vs) To foreclose mortgage.
Sidney C. Ritter, et al)

STATEMENT OF COSTS.

Clerk's costs.....	\$10.00
Sheriff's fee.....	4.25
Docket fee.....	2.00
	<hr/>
	\$16.25

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 18th day of November, 1939.

Harold V. Curtis

Clerk Noble Circuit Court.

State of Indiana, Noble County, SS:

In the Noble Circuit Court of Indiana.

No. 13573. The State of Indiana on relation
of Gerry DeHoff, Auditor of
Noble County, Indiana, Plaintiff

vs

Sidney C. Ritter and Edna H. Ritter,
his wife; Hugh W. Hickman and Bessie
L. Hickman, his wife; Lena Whorrell and Clarence
H. Whorrell, her husband, Thurlow
Hines and Clara Edith Hines, his wife;
and Dorothy R. Appinger.

To foreclose mortgage

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

Be it remembered, that on the 28th day of October, 1939, the same
being the 24th Judicial day of the October, 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 first Monday of October,
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:

10-28-1939
This Judge is Exempt from Intangibles
Tax by reason of:
Having Actual Business Situs outside Indiana
Being Specifically Exempted under Sec. 1 (b)
Harold V. Curtis
Clerk of Noble Circuit Court

No. 3082.

Recorded

In the Noble Circuit Court,

October Term, 1939.

No. 13573. The State of Indiana ex rel
Gerry DeHoff, Auditor

vs

Sidney C. Ritter, et al.

Judg. favor Pltff. for.....\$319.27
Interest to issue..5%......88
Costs to issue.....16.25
\$336.40

Judg. favor x-comp Whorrell 389.85
Int. to issue..6%.....1.13
\$390.98

Judg. favor x-complainant
Gampinger \$554.57
Int. to issue..6%.....1.76
\$556.33

Judg. favor pltff for \$319.27, fore-
closure of mortgage and sale of real
estate. Personal judg. vs. Lena Whorrell,
Thurlow Hines, Hugh W. Hickman, Sidney C.
Ritter and Edna H. Ritter.

O. B. 73 P. 575 Ex. D. 12 P. 32
E. D. 33 P. 64 J. D. 17 P. 251

M. H. Spangler, Atty for Pltff.

Dec 23, 39

FILED
DEC 23 1939
Harold V. Lupton
CLERK NOBLE CIRCUIT COURT