

State of Indiana,  
Noble County, ss:

**NOTICE OF SHERIFF'S SALE.**

By virtue of an order of sale issued in the Circuit Court of Noble County, State of Indiana, to me directed by the Clerk of said Court in favor of the Lincoln National Life Insurance Company, a Corporation of Fort Wayne, and against Gladess I. Wilks, a widow, Ray Barnett Administrator De Bonis Non of the Estate of Ralph A. Wilks, deceased, Otto G. Biddle, and Martha A. Biddle, his wife, I will sell at public auction to the highest bidder on the 30th day of June, 1939, between the hours of 10 o'clock A. M. and 4 o'clock P. M., of said day, at the East door of the Court House in the Town of Albion, County of Noble, State of Indiana, the following described real estate situated in said County and State, to-wit: The West one-half (W½) of the Southeast quarter (SE¼) of Section Eleven (11) Township thirty-five (35) North Range Eleven (11) East, in Noble County, Indiana, together with all and singular the tenements and appurtenances

thereto or in anywise appertaining.

I will at this time offer for sale the fee simple of said real estate together with the rents, issues, income and profits thereof to the highest bidder for cash to satisfy said order of sale.

Said sale will be made without any relief from valuation or appraisal laws.

Dated this 12th day of May, 1939.

ROSCOE RIMMEL,

Sheriff of Noble County, Ind.

Claud V. Barker,

Attorney for Plaintiff. 20-21-22.

B. R. Matteson, being duly sworn, on oath, says that he is the Managing Editor 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 18th & 25th  
9 May and  
1st June, 1939

Signed B. R. Matteson

Subscribed and sworn to before me this 6th day of

June 1939.  
David Rentes Clerk.

Printer's fees, \$ 10.30



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By virtue of an order of sale issued in the Circuit Court of Noble County, State of Indiana, to me directed by the Clerk of said Court in favor of the Lincoln National Life Insurance Company, a Corporation of Fort Wayne, and against Gladess I. Wilks, a widow, Ray Barnett Administrator De Bonis Non of the Estate of Ralph A Wilkes, deceased, Otto G. Biddle, and Martha A Biddle, his wife, I will sell at public auction to the highest bidder on the 30th day of June, 1939, between the hours of 10 o'clock A.M. and 4 o'clock P.M., of said day, at the East door of the Court House in the Town of Albion, County of Noble, State of Indiana, the following described real estate situated in said County and State, to-wit: The West one-half ( $W\frac{1}{2}$ ) of the SouthEast quarter ( $SE\frac{1}{4}$ ) of Section Eleven (11) Township thirty-five (35) North Range Eleven (11) East, in Noble County, Indiana, together with all and singular the tenements and appurtenances thereto or in anywise appertaining.

I will at that time offer for sale the fee simple of said real estate together with the rents, issues, income and profits thereof to the highest bidder for cash to satisfy said order of sale.

Said sale will be made without any relief from valuation or appraisement laws.

Dated this 12th day of May, 1939.

*Roseol Rimmel*  
Sheriff of Noble County, Ind.

*David Parker*  
Attorney for Plaintiff



Received of Roscoe Rimmel, sheriff of Noble County, Indiana, this 30th day of June, 1939, the sum of two thousand two hundred twenty-nine and 55/100 Dollars, to apply on the judgment of The Lincoln National ~~Banking~~ life Insurance Company, a corporation, of Fort Wayne, Indiana, vs; Gladess I. Wilks, et al. rendered in cause no. 13281 Noble Circuit Court, recorded in Judgment Docket 16 Page 342 of said court.

The Lincoln National Life Insurance Co.

By

Clad V. Barker

Its attorney.

Judgment plaintiff



RETURN ON ORDER OF SALE.

This writ came to hane on May 12, 1939

AND on the 18th day of May 39, in pursuance

to the command of this 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 June

1939, by publication in 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 30 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: June 30th 39

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.

Sheriffs fees and costs

Mileage \$2.60  
service .40  
D & R. .20  
Comm. 13.90  
Deed 1.00  
Printers fee 10.30.  
Clerk's costs 19.60.  
Total \$48.00.

the fee simple right of the defendantS of, in and to said Real Estate as described in said order of sale and The Lincoln National Life Insurance Co.

bid therefor... Two Thousand Two Hundred seventy-seven 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 The Lincoln National Life Insurance Company

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 Deed of

Conveyance bearing even date herewith. Paid over to plaintiff..., as per its receipt hereon

Two Thousand Two Hundred twenty-nine and 55/100--- DOLLARS.

Paid over to Clerk... Forty-eight dollars, original costs, and retained none dollars, my fees,

Printer fee.

Done June 30th, 1939 19

Roscoe Rimmel Sheriff  
Deputy



State of Indiana, Noble County, SS:

In the Noble Circuit Court of Indiana.

No. 13281.	The Lincoln National Life Insurance	)	
	Company, a corporation of Fort Wayne,	)	
	Indiana	)	Foreclose mtg.
	Plaintiff	)	
	vs	)	
	Gladess I. Wilks, a widow,	)	
	Ray Barnett, Administrator de bonis non	)	
	of the estate of Ralph A. Wilkes,	)	
	deceased,	)	
	Otto G. Biddle, and	)	
	Martha A. Biddle, his wife.	)	

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

Be it remembered, that on the 24th day of June, 1938, the same being the 41st Judicial day of the May, 1938 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, 1938, the Honorable Rob R. McNagny, regular 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 Judge June 24 1938  
is Exempt from Intangibles  
Tax by reason of:  
~~Having Actual Business Situs outside Indiana~~  
Being Specifically Exempted under Sec. 1 (b)  
Harold V. Hunt  
Clerk of Noble Circuit Court



No. 13281.

State of Indiana,  
County of Noble, SS:

In the Noble Circuit Court  
Cause No. 13281

THE LINCOLN NATIONAL LIFE INSURANCE  
COMPANY, a corporation of Fort Wayne,  
Indiana,

Plaintiff

vs

GLADESS I. WILKS, a widow,  
RAY BARNETT, Administrator de bonis non  
of the estate of Ralph A. Wilkes,  
deceased,  
OTTO G. BIDDLE, and  
MARTHA A. BIDDLE, his wife.

Defendants.

ENTRY AND DECREE  
(FURNISHED BY ATTORNEY)

Comes now the plaintiff by its attorneys, Claud V. Barker and R. E. McCall, and comes now the defendant Ray Barnett, Administrator de bonis non of the Estate of Ralph A. Wilkes, deceased, by his attorney, Rex S. Emerick, and files his answer of general denial to plaintiff's complaint, which answer is in the following words and figures, (H.I.); and it appearing to the Court by the summons issued herein and the return of the Sheriff endorsed thereon that the defendants Gladess I. Wilks, Otto G. Biddle, and Martha A. Biddle were each duly and personally served with summons herein more than ten days prior to the date and more than ten days prior to the return date endorsed on the complaint, which summons and the Sheriff's return thereon are in the words and figures as follows(H.I.); and said defendants being each three times audibly called in open court come not but herein wholly make default; and this cause being at issue upon the pleadings herein filed by the plaintiff and the defendant Ray Barnett, Administrator as aforesaid, and the default of the said defendants, Gladess I. Wilks, Otto G. Biddle, and Martha A. Biddle, is submitted to the court for trial without the intervention of a jury.

And the court having heard the evidence and being fully advised in the premises, finds for the plaintiff, that the allegations of its complaint are true, and that there is due the plaintiff on the note and mortgage sued on herein, being the note and mortgage dated March 29, 1937, the sum of \$2452.97, and that the plaintiff is entitled to recover a personal judgment against the defendants, Gladess I. Wilks, also known as Gladess I. Wilkes, in the said sum, with costs of this action, all without relief from valuation and appraisal laws. And the Court further finds that said sum so found due the plaintiff is secured by plaintiff's mortgage upon the real estate described in its complaint, being the mortgage dated March 29, 1937, and that the said mortgage is a first and prior lien on the said real estate, that the plaintiff is entitled to have its said mortgage foreclosed against each and all of the defendants and the said real estate sold for payment of its judgment.

And the Court further finds that the said note and mortgage dated March 29, 1937, were, in fact, executed by the parties on May 17, 1937, that they constituted a valid and effective renewal of the preceding note and mortgage described in plaintiff's complaint, that the said mortgage dated March 29, 1937, is the mortgage now constituting a lien on the said real estate, and that this foreclosure action is subject to and is governed by the provisions of Chapter 90 of the Acts of the Indiana General Assembly for the year 1931. And the Court further finds that plaintiff filed its complaint in this action on May 9, 1938 in the Noble Circuit Court of Noble County, Indiana.

And the Court further finds that the defendants Otto G. Biddle and Martha A. Biddle, his wife, are tenants in possession of the mortgaged real estate under a year-to-year lease and have no other right, title or interest in or to the said real estate.



DECREE:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff do have and recover of and from the defendant Gladess I. Wilks the sum of \$2452.97 with interest thereon at eight per cent (8%) per annum from date of this decree, and together with its costs and charges herein laid out and expended, all without relief from valuation and appraisement laws.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff's mortgage dated March 29, 1937, be and the same is hereby foreclosed and, unless the said judgment, interest, and costs be paid to the Clerk of this Court within the period of one year after May 9, 1938, thereafter, upon the filing of a praecipe therefor by the plaintiff or the holder of said judgment, a copy of this judgment and decree shall be issued and certified by the Clerk of this Court, under the seal thereof, to the Sheriff of Noble County, Indiana, who shall thereupon proceed to sell the mortgaged premises, to-wit:

The West Half of the Southeast Quarter of Section 11, Township 35 North, Range 11 East, in Noble County, Indiana, together with all and singular the tenements and appurtenances thereto or in anywise appertaining and together with the rents, issues, income and profits thereof.

as provided by Chapter 90 of the Acts of the Indiana General Assembly for the year 1931, unless, prior to such sale, some person entitled by law to redeem, shall pay such judgment, interest, and costs for the payment or satisfaction of which said sale was ordered, such sale to be made without any relief from valuation or appraisement laws.

The purchase money arising from said sale shall be applied by said Sheriff as follows:

First, to the payment of all costs of this suit and the costs of said sale;

Second, to the payment to the holder of said judgment of the amount thereof, together with interest thereon at eight per cent (8%) per annum from date of this decree;

Third, the surplus, if any, shall be paid to the Clerk of this Court to abide the order thereof;

and immediately after such sale, said Sheriff shall execute and deliver to the purchaser of said real estate, a deed of conveyance for the said premises which shall forever bar and foreclose all the right, title, and interest of each and all of the defendants and of all persons claiming by, under, or through them in and to said real estate forever. And on the recording of said Sheriff's Deed, the Sheriff shall forthwith put the purchaser in full and complete possession of the said real estate.

And in the event said real estate shall fail to sell for a sum sufficient to pay and satisfy said judgment, interest, and costs, the residue thereof remaining unpaid shall be levied forthwith on any other property of the defendant Gladess I. Wilks, subject to execution, and sale thereof shall be made without any relief from valuation and appraisement laws.

IT IS FURTHER ORDERED that the Receiver heretofore appointed in this cause shall continue to act as Receiver under the terms of his original appointment until further order.

IT IS FURTHER ORDERED that the plaintiff be permitted to remove its original instruments filed as exhibits in this cause on delivering to the Clerk of the Court its receipt for the same.

Dated this 24th day of June, 1938.

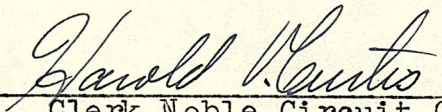
Rob R. McNaghy,  
Judge of the Noble Circuit Court.



State of Indiana, Noble County, SS:

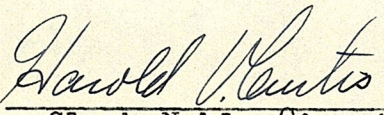
I, Harold V. Curtis, Clerk of the Noble Circuit Court of Noble County in the State of Indiana, do hereby certify that the attached and foregoing is a full, true and complete copy of the proceedings had and of the findings, judgments, decrees and orders of sale made, rendered and entered in and by said court in said cause on said 24th day of June, 1938, 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 12th day of May, 1939.

  
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 Gladess I. Wilks, 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 12th day of May, 1939.

  
Clerk Noble Circuit Court.



In the Noble Circuit Court, May Term, 1938.

No. 13281. The Lincoln National Life Insurance  
Company, a corporation of Fort Wayne,  
Indiana,

vs

Gladess I. Wilks, et al.

STATEMENT OF COSTS

Clerk's costs.....	\$10.00
Docket fee.....	2.00
Sheriff's Fee.....	<u>7.60</u>
	\$19.60

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 myname and hereto affix the seal of said court this 12th day of May, 1939.

Harold V. Curtis  
Clerk Noble Circuit Court.



No. 3067

In the Noble Circuit Court  
May Term, 1938

No. 13281. The Lincoln National Life  
Insurance Co. a corp.  
vs  
Gladess I. Wilks, et al

Judg. favor Pltff for.....\$2452.97  
Interest to issue..8%.... 172.80  
Costs to issue & 19.60  
\$2645.37

Judg. favor Pltff for \$2452.97, fore-  
closure of mortgage and sale of  
real estate.  
Personal judgment vs Gladess I. Wilks.

O. B. 73 P. 49 E.D. 32 P. 65  
J. D. 16 P. 342 Ex. D. 12 P. 16

FILED  
JUL 11 1938

Harold V. Barker  
CLERK NOBLE CIRCUIT COURT

Claud V. Barker, Atty for pltff.

FILED  
JUL 11 1938  
Harold V. Barker  
CLERK NOBLE CIRCUIT COURT

1938-1939  
In the Noble Circuit Court  
May Term, 1938  
No. 13281  
The Lincoln National Life  
Insurance Co. a corp.  
vs  
Gladess I. Wilks, et al  
Judg. favor Pltff for \$2452.97  
Interest to issue 8% 172.80  
Costs to issue & 19.60  
\$2645.37

1960

1938-1939

In the Noble Circuit Court  
May Term, 1938  
No. 13281  
The Lincoln National Life  
Insurance Co. a corp.  
vs  
Gladess I. Wilks, et al  
Judg. favor Pltff for \$2452.97  
Interest to issue 8% 172.80  
Costs to issue & 19.60  
\$2645.37

June 30  
Barker