

STATE OF INDIANA: SS:  
COUNTY OF NOBLE:

IN THE NOBLE CIRCUIT COURT,

No. 13247

VERMONT FINLEY AS RECEIVER  
OF THE NOBLE COUNTY BANK  
AND TRUST COMPANY

- VS -

{ SHERIFF'S RETURN.  
{

ELIAS PORTMAN

By virtue of a certified copy of a decree of the Noble Circuit Court of Noble County Indiana in the above cause, I took possession of, and duly advertised the personal property described in said decree by posting three notices in Wayne Township, Noble County, Indiana, and one at the door of the court house in Noble County, Indiana, all in accordance with the order of said court, a copy of the notice so posted being attached hereto and made a part of this return; that more than ten days notice of said sale was given as aforesaid, and that on the 9th. day of January, 1939, in accordance with said decree and said notice, I sold said personal property to Noble County Bank and Trust Company, and for the sum of Four Hundred Dollars (\$400.00), that being the highest bid offered for said personal property, and sold the same at public auction; that there were more than three bidders at said sale and bids were made by more than three persons.

nn I have received the sum of Four Hundred Dollars (\$400.00) from said Noble County Bank and Trust Company, from and out of which I have paid the following:

Paid costs to issue of the certificate	\$24.87
--	---------

Sheriff's costs for sale as follows:

Mileage ----	2.60
Service	.40
Docket and return	.20
Levy	1.00
Costs of sale	1.00
Commission	4.50

TOTAL PAID

\$34.57



Received from sale ---

\$400.00

Costs paid -----

34.57

Balance

\$365.43

which balance of Three Hundred Sixty-five Dollars and Forty-three cents (\$365.43) I have paid to Noble County Bank & Trust Company.

I attach hereto the receipt of Noble County Bank and Trust Company for said balance.

*This will not fully satisfy*  
*Roscoe Rinnel*  
SHERIFF NOBLE COUNTY INDIANA

No. \_\_\_\_\_

*June 21 1939*

RECEIVED OF

*Roscoe Rinnel Sheriff*

*Three hundred sixty five and 43/100* Dollars

*Balance of sale price on Champion Poass*

*43 genuine sale. # 305*  
*Noble County Bank & Trust Co.*  
*Bernonah, Ind.*  
*By [Signature]*

\$ 365



NOTICE OF SHERIFF'S SALE ON DECREE

STATE OF INDIANA, NOBLE COUNTY, SS:

IN THE NOBLE CIRCUIT COURT OF INDIANA.

No. 13247. Vermont Finley as Receiver of  
the Noble County Bank and Trust  
Company

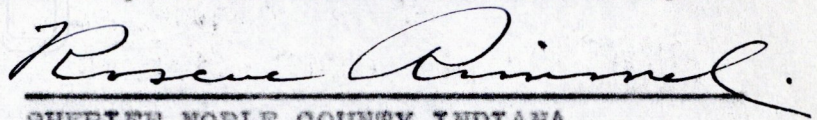
vs

Elias Portman

FORECLOSE CHATTEL  
MORTGAGE

By virtue of a certified copy of a decree to me directed from the Clerk of the Noble Circuit Court of Indiana, in the above entitled cause, wherein Vermont Finley, as Receiver of Noble County Bank and Trust Company is plaintiff, and Elias Portman is defendant, requiring me to make the sum of Seventeen Hundred Fifty-eight Dollars and Sixty-five cents (\$1758.65), with interest and costs, I will offer for sale at private sale to the highest bidder, on the 9th. day of January, 1939, between the hours of 10:00 o'clock A.M. and 4:00 o'clock P.M. of said day, on the premises formerly occupied by Watters & Portman Wheel Company in Kendallville, Noble County, Indiana, being on, or near Lots 14, 17, 18, and part of Lot No. 21, in Block 1, in Minot's Addition to the town, now city, of Kendallville, and in the Brick Building situated on a part of said real estate, the following described personal property, to-wit: - No. 53-3 Rivet Equipment; No. 804 1# 08 D. S. Header; No. 805 2 Do. #1; No. 806 1 #2 Do; No. 807 1 #1 Do; No. 808 2 rolling barrels iron; No. 809 5 reels for wire with cross bar; No. 810 1 vise; No. 811, 1 clipper separator; No. 812 35 rivet pans-steel; No. 813 2 pair scales, old; No. 814 1 pair scales, new; No. 815 1 pair English scales; No. 816 1 pair platform scales; No. 817 5 sets Bur tools; No. 818 1 Bur Press W/4911 feed; No. 819 6 pr. feed rolls; No. 820 1 protractor half circle and gague; No. 821 1 Micrometer R. S. No. 823 1 radius gage #178 A. & B; No. 824 3 calipers; No. 825 1 3" caliper; No. 826 1 die filling machine; No. 827 5 rivets pans for under machine lot #7; No. 828 1 bolt cutter lot #4; No. 829 1 ladder; No. 830 1 fire extinguisher; No. 835 1 dough scale; No. 1166 1 stencil machine; No. 1162 1 small bench scales; No. 1163 2 wheel trucks (hand 2 whl); No. 1165 two wheel trucks (hand 4 whl); No. 1182 1 floor scales; No. 1161 1 speed lathe; No. 1086 1 tanks and large compressor; No. 1087 1 hardening apparatus; No. 1121 1 apparatus for die hardening; No. 1382 1 typewriter; No. 1318 1 desk; No. 1219 1 chair (swivel typewriter) No. 1314 1 double desk; No. 1315 2 chairs; No. 1325 1 cabinet; No. 1326 1 cabinet; No. 13338, 1 5 tier wire basket; No. 1337 1 4 tier wire basket; No. 1335 2 2 tier wire basket; No. 1323 1 chair; No. 1096 Jacobs Chuck; No. 1098 1 small Yankee vise; No. 1104 3 Armstrong tool holders, 2 straight, 1 left; No. 1118 3 oil cans; No. 1148 1 30" steel stool; No. 1147 2 24" steel tool; No. 1091 1 vise; 1 truck; 1 time clock; coal; 1 clock; 1 baler; 1 table; 1 table; 1 safe; 1 set Yale Chain Balls; 1 dble end grinder; circular saw; drill press, 1 set dies, wheelbarrows and benches, 1 heater, or so much thereof as may be necessary for the payment of said indebtedness.

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

  
SHERIFF NOBLE COUNTY INDIANA



State of Indiana, Noble County, SS:

In the Noble Circuit Court of Indiana.

No. 13247. Vermont Finley as Receiver of the )  
Noble County Bank and Trust Company )  
vs ) Fcl. Chattel Mtg.  
Elias Portman )

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

Be it remembered that on the 5th day of November, 1938, the same  
being the 30th Judicial day of the October, 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 first Monday of October, 1938,  
the Honorable Rob R. McNagny, 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 Nov 5 1938  
Tax by reason of:  
Having Actual Business Situs outside Indiana  
Being Specifically Exempted under Sec. 3 (b)

Harold H. Henton  
Clerk of Noble Circuit Court



November 5, 1938. -30th day-

No. 13247. Vermont Finley as Receiver of the  
Noble County Bank and Trust Company

vs

Elias Portman

Fcl. Chattel Mtg.

Comes now the plaintiff by his attorney and said plaintiff now shows to the satisfaction of the court by due proof of the due publication of notice in this cause now here filed by him herein and submitted to the court, and the court now finds, that the defendant to this cause and action and plaintiff's complaint has been duly and legally notified of the filing and pendency of this action and the complaint herein against them, and of the time when, and the place where, the same would be heard, by publication of due notice thereof as provided by law, once each week for three weeks successively in The Kendallville Daily News-Sun, a daily newspaper of general circulation, printed in the English language and published daily in the city of Kendallville, in Noble County in the State of Indiana, and that said notice was so published for three weeks successively more than thirty days prior to the 24th day of May, 1938, the return day of said notice and that said day was the day on which said defendant was notified to appear to this action and said complaint, which said notice and proof of the publication thereof are severally in the following words and figures, to-wit: (here insert) And there being no appearance by, or on behalf of, the defendant to this cause and action and plaintiff's complaint, there-upon on motion of said plaintiff, said defendant is now three times duly called in open court, comes not, but herein wholly makes default.

Comes now the plaintiff by counsel and on motion of said plaintiff, this cause is now submitted to the court for trial without the intervention of 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 of the statements and allegations of his said complaint herein are true and fully proven; that there is due said plaintiff from said defendant, Elias Portman on the note sued upon herein the sum of One thousand seven hundred fifty eight dollars and sixty five cents without relief from valuation and appraisement laws, and that the same is secured by the chattel mortgage sued upon herein upon the personal property therein described; that said plaintiff is entitled to and should have a personal judgment accordingly against said defendant Elias Portman for the said sum so found to be due him herein as aforesaid, together with his costs herein expended, and that said plaintiff is also entitled to and should have his said chattel mortgaged foreclosed and the personal property therein described, or so much thereof as may be necessary, sold to pay his said judgment and costs.

It is now therefore considered and adjudged by the court that said plaintiff, Vermont Finley as Receiver of the Noble County Bank & Trust Company do have and recover of and from said defendant, Elias Portman, the sum of One thousand seven hundred fifty eight and 65/100 dollars (\$1758.65) so found to be due him herein from said defendant as aforesaid, and also all his costs in this cause expended, taxed at            dollars and            cents, said judgment to draw interest at the rate of <sup>seven</sup> ~~xxx~~ per cent per annum from this date until paid, all without any relief from valuation and appraisement laws. And it is further considered, ordered, adjudged and decreed by the court that plaintiff's said chattel mortgage, sued upon herein, be, and the same hereby is, foreclosed upon all the personal property therein described, and that upon default in the payment of plaintiff's said mortgage debt and costs, or any part thereof, before the time fixed for sale, all of the



personal property described in said chattel mortgage sued upon herein, executed by said defendant Elias Portman to said plaintiff on the 15th day of April, 1927 and which said personal property is therein described as follows, to-wit: No. 53-3 Rivet Equipment; No. 804 1# 08 D. S. Header; No. 805 2 Do. #1; No. 806 1 #2 Do; No. 807 1 #1 Do; No. 808 2 rolling barrels iron; No. 809 5 reels for wire with cross bar; No. 810 1 vise; No. 811, 1 clipper separator; No. 812 35 rivet pans-steel; No. 813 2 pair scales, old; No. 814 1 pair scales, new; No. 815 1 pair English scales; No. 816 1 pair platform scales; No. 817 5 sets Bur tools; No. 818 1 Bur Press W/4911 feed; No. 819 6 pr. feed rolls; No. 820 1 protractor half circle and gage; No. 821 1 Micrometer R. S. No. 823 1 radius gage #178 A. & B; No. 824 3 calipers; No. 825 1 3" caliper; No. 826 1 die filling machine; No. 827 5 rivets pans for under machine lot #7; No. 828 1 bolt cutter lot #4; No. 829 1 ladder; No. 830 1 fire extinguisher; No. 835 1 dough scale; No. 1166 1 stencil machine; No. 1162 1 small bench scales; No. 1163 2 wheel trucks (hand 2 whl); No. 1165 two wheel trucks (hand 4 whl); No. 1182 1 floor scales; No. 1161 1 speed lathe; No. 1086 1 tank and large compressor; No. 1087 1 hardening apparatus; No. 1121 1 apparatus for die hardening; No. 1382 1 typewriter; No. 1318 1 desk; No. 1219 1 chair (swivel typewriter) No. 1314 1 double desk; No. 1315 2 chairs; No. 1325 1 cabinet; No. 1326 1 cabinet; No. 13338, 1 5 tier wire basket; No. 1337 1 4 tier wire basket; No. 1335 2 2 tier wire basket; No. 1323 1 chair; No. 1096 Jacobs Chuck; No. 1098 1 small Yankee vise; No. 1104 3 Armstrong tool holders, 2 straight, 1 left; No. 1118 3 oil cans; No. 1148 1 30" steel stool; No. 1147 2 24" steel tool; No. 1091 1 vise; 1 truck; 1 time clock; coal; 1 clock; 1 baler; 1 table; 1 table; 1 safe; 1 set Yale Chain Balls; 1 dble end grinder; circular saw; drill press, 1 set dies, wheelbarrows and benches, 1 heater, (all of said property now being situated in the pant of Water's Portman Wheel Company at Kendallville, Indiana, or so much thereof as may be necessary for that purpose, shall be sold as provided by law by the Sheriff of Noble County in the State of Indiana, in like manner as other personal property is sold upon executions issued upon judgments at law, at private sale upon ten days notice by posting of notice of such sale in five public places in the City of Kendallville, Indiana, or in the township where such property is situated, upon a duly certified copy of the judgment and decree herein, and a due order of sale and execution, issued under the hand of the Clerk and the seal of this court; 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 including the costs of such sale; Second, to the payment of plaintiff's said mortgage debt and judgment, principal and interest, and third, the overplus, if any remaining, shall be paid to said defendant or defendants or 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 such sale and the completed delivery of the Sheriff to the purchaser or purchasers of said property so sold, all the rights, titles, interests, claims and equity of redemption of said defendants, and each and all of them, and all persons claiming from, under or through them, or either of them, and to said property so sold and delivered, shall be absolutely and forever barred and foreclosed.

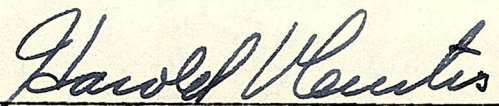
All of which is finally ordered, adjudged and decreed by the court.



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 5th day of November, 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 5th day of November, 1938.

  
Clerk Noble Circuit Court.

You are therefore commanded, after giving the notice required by law, to sell the said ~~xxxxxxx~~ <sup>personal property</sup> 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 13th day of December, 1938.

  
Clerk Noble Circuit Court.



In the Noble Circuit Court, October Term, 1938.

No. 13247. Vermont Finley as Receiver of the )  
Noble County Bank and Trust Company )  
vs ) Fcl. Chattel Mtg.  
Elias Portman )

STATEMENT OF COSTS.

Clerk's costs.....\$10.00  
Docket fee..... 2.00  
Printer's fee..... 12.87  
\$24.87

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 13th day of December, 1938.

Harold V. Curtis  
Clerk Noble Circuit Court.



No. 3051

*Recorded*

In the Noble Circuit Court,

October Term, 1938.

No. 13247. Vermont Finley as Receiver of  
the Noble County Bank and  
Trust Company

vs

Elias Portman

Judg. favor plttf. for \$1758.65, fore-  
closure of mortgage and sale of real  
estate. Personal judgment vs  
Elias Portman

O. B. 73 P. 204 E. D. 32 P. 31  
J. D. 16 P. 344 Ex. D. 11 P. 291

Returnable one hundred and eighty days  
from Dec. 13, 1938.

Judg. favor Plttf.	\$1758.65
Int. to issue ..7%...	13.00
Costs to issue.....	24.87
	<u>\$1796.52</u>

**FILED**  
JUN 23 1939

*Harold V. ...*  
CLERK NOBLE CIRCUIT COURT

F. L. Bodenhafer, Atty for Plttf.

*June 9, 39*