

State of Indiana, Noble County, SS:

In the Noble Circuit Court of Indiana.

No. 12275. First Joint Stock Land Bank of )  
Fort Wayne )  
vs ) On note & Fcl. Mtg.  
Roy Secrist, Cromwell, Ind )  
Lura E. Secrist, Cromwell, Ind. )

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

Be it remembered, that on the 31st day of October, 1938, the same being the 25th 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 11-16 1938  
Tax by reason of: Judg is Exempt from Intangibles  
Having Actual Business Situs outside Indiana  
Being Specifically Exempted under Sec. 1 (b)  
Harold Hunter  
Clerk of Noble Circuit Court



October 31, 1938, -25th day-

No. 12275. First Joint Stock Land Bank of  
Fort Wayne

vs

Roy Secrist, Cromwell, Ind.  
Lura E. Secrist, Cromwell, Ind.

On note & Fcl. Mtg.

Comes now Rex S. Emerick, attorney and withdraws appearance as attorney for the defendants.

And now 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 complaint herein contained are true and fully proven; that there is due said plaintiff from said defendants on the note sued upon herein the sum of One thousand nine hundred three and 21/100 dollars (\$1903.21) without relief from valuation and appraisement laws and that said plaintiff is entitled to and should have a judgment therefor 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 the following Real Estate in Noble County, in the State of Indiana, to-wit: The northeast quarter of the Southeast quarter of Section Five (5), in Township Thirty-four (34) North Range Eight (8) East, containing Forty (40) acres; 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 above 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.

It is now therefore ordered, adjudged and decreed by the court that said plaintiff, First Joint Stock Land Bank of Fort Wayne, do have and recover herein from said defendants, Roy Secrist and Lura E. Secrist, the sum of One thousand nine hundred three and 21/100 (\$1903.21) dollars, so found to be due it on its 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 5½ 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 hereinbefore 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 following Real Estate in Noble County, in the State of Indiana, to-wit: The northeast Quarter of the Southeast Quarter of Section Five (5), in Township Thirty-four (34) North Range Eight (8) East, containing Forty (40) acres; 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 appraisal 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 considered, ordered, adjudged and decreed by the court that in the event all of said mortgaged real estate hereinbefore described shall fail to sell for a sum sufficient to fully pay and satisfy said mortgage debt, judgment lien, principal and interest, costs and accruing costs of said plaintiff, the balance thereof remaining shall be levied of any property of said defendants, Roy Secrist and Lura E. Secrist, subject to execution and the sale thereof shall be made without any relief from valuation and appraisal laws.

All of which is 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 31st day of October, 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 17th day of November, 1938.

Harold 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, Roy Secrist and Lura E. Secrist, 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 17th day of November, 1938.

Harold Curtis  
Clerk Noble Circuit Court.



In the Noble Circuit Court, October Term, 1938.

No. 12275. First Joint Stock Land Bank of )  
Fort Wayne )  
vs ) To foreclose mortgage.  
Roy Secrist, Cromwell, Ind. )  
Lura E. Secrist, Cromwell, Ind. )

STATEMENT OF COSTS.

Clerk's costs.....\$10.00  
Docket fee..... 2.00  
Sheriff's fees..... 2.55  
\$ 15.55

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 17th day of November, 1938.

Harold V. Curtis  
Clerk Noble Circuit Court.



No. 3046

In the Noble Circuit Court

October Term, 1938

No. 13275. First Joint Stock Land Bank  
of Fort Wayne

vs.

Roy Secrist  
Lura E. Secrist

Judg. favor plttf. for....	\$1903.21
Intl. to issue..5 $\frac{1}{2}$ %.....	3.95
Costs to issue.....	15.55
	<u>\$1922.71</u>

Judg. favor plttf for \$1903.21, fore-  
closure of mortgage and sale of real  
estate. Personal Judgment vs  
Roy Secrist and Lura E. Secrist.

O. B. 73 P. 175 E. D. 32 P. 59  
J. D. 16 P. 356 Ex: D. 11 P. 288

**FILED**  
APR 12 1940

*Harold V. Vantis*  
CLERK NOBLE CIRCUIT COURT

Glenn E. Thrapp, Atty for Plttf.

*Filed 13-1340*

*Returned by expiration of time*

*Wm. E. Galloway  
J. H. H. H. H.*