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Tuesday, July 13th, 1937, and the 62nd day of the May Term, 1937.

Tuesday Morning, July 13th, 1937.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

RAY GRIMES)
VS) # 15185
KATHERINE GRIMES)

Comes now the defendant, by counsel, and files her cross-complaint herein, which cross-complaint is in the words and figures following, to-wit: (Here Insert).

JOHN F. RUSSELL, RECEIVER)
FIRST NATIONAL BANK,)
MONROVIA, INDIANA)
VS) # 15244
CLARENCE L. JOHNSON)
MARY A. JOHNSON)

Comes now the plaintiff by J. C. McNutt, his attorney, herein, and asks leave to withdraw papers from the file and to dismiss this cause at the plaintiff's cost.

And the Court being duly advised, now sustains motion to dismiss this cause, and leave is given to withdraw papers from the files, the costs on dismissal having heretofore been paid.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

JOHN F. RUSSELL, RECEIVER)
FIRST NATIONAL BANK,)
MONROVIA, INDIANA)
VS) # 15245
THELMA A. JOHNSON)
MARY A. JONNSON)

Comes now the plaintiff by J. C. McNutt, his attorney, herein, and asks leave to withdraw papers from the file and to dismiss this cause at the plaintiff's cost.

And the Court being duly advised, now sustains motion to dismiss this cause, and this cause is dismissed, and leave is given to withdraw papers from the files, the costs on dismissal having heretofore been paid.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

ADDISON H. INGRAM)
VS) # 13660
MODERN WOODMEN OF)
AMERICA)

Comes now the plaintiff, by counsel, and files petition to Court for

extention of time within which to prepare and file amended complaint, which petition is in the following words and figures, to-wit: (Here Insert).

And the Court being duly advised, now sustains said motion for extention of time.

CHARLOTTE E. LEHMAN)
VS) # 15125
NELLIE STEVENSON)

Come now the parties, by counsel, and said parties failing to agree upon a county to which to venue this case, now strike, and Montgomery County being the county remaining, said cause is ordered venued to Montgomery County, Indiana, and ten days are given to perfect change and pay costs thereof.

FIRST RURAL LOAN AND)
SAVINGS ASSOCIATION) Judgt. vs Pltf. for Costs.
VS) # 14123 J. D. 17, Page 202.
CHARLES L. HADLEY, ET AL.)

Comes now the Department of Financial Institutions of the State of Indiana, in charge of the liquidation of First Rural Loan and Savings Association, plaintiff herein, and files and moves the Court to dismiss this cause at the plaintiff's costs, which motion is in the following words and figures following, to-wit: (Here Insert).

And the Court having seen and examined said motion and being sufficiently advised in its premises, now sustains said motion and this cause is dismissed at the cost of the plaintiff.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, First Rural Loan and Savings Association is ordered to pay the costs of this action, taxed at _____ dollars and _____cents.

HOME OWNERS' LOAN CORPORATION,) Judgt. vs Defts., Carl Jones and Millie A. Jones,
VS) # 15022 for $2507.80 and Costs.
CARL JONES, MILLIE A. JONES AND) JUDGMENT OF FORECLOSURE J. D. 17, Page 202.
THE R. S. FOSTER LUMBER COMPANY)

Comes now the plaintiff The Home Owners' Loan Corporation and it appearing to the satisfaction of the court by the sheriff's return of the summons, which summons and return of the sheriff endorsed thereon are in the words and figures following, to-wit: (H.I.) That the defendants, Carl Jones and Millie A. Jones have each been duly served with process more than ten days before Nov. 7th 1936, and come now the defendants, The R. S. Foster Lumber Company and enter appearance herein and file an answer, which said answer is in the words and figures as follows (H.I.) and the defendants, Carl Jones and Millie A. Jones failing to appear and being now three times loudly called in open court come not, but herein wholly make default. This cause is now submitted to the court for trial without the intervention of a jury upon the default of the defendants, Carl Jones and Millie A. Jones and the issues joined by the plaintiff's complaint and the answer filed by the defendant, The R. S. Foster Lumber Company, and the evidence being heard and the court fully advised in the premises, finds for the plaintiff and that all the allegations of its complaint are true.

That on the 23rd day of March 1934, the defendants, Carl Jones and Millie A. Jones by their promissory note promised to pay the plaintiff the sum of $1960.00. Said note bearing interest at the rate of five percent per annum; that said note provided that if default was made thereon for a period of ninety days the entire balance of principal and interest was at the election of the plaintiff to become due and payable; that said note provided for reasonable attorney fees, and is payable without relief from valuation or appraisement laws.

That simulaneously with the execution of said note said defendants, Carl Jones and Millie A. Jones were the record owners of the fee simple title to the following described real estate located in the County of Hendricks, State of Indiana, to-wit:

A part of the West half (½) of the Southeast quarter (¼) of Section six (6) in Township fifteen (15) North of Range one (1) East, bounded and described as follows, to-wit:- Beginning at a point on the West line of said half quarter which is forty (40) rods South of the Northwest corner thereof, and being the southwest corner of a tract of land conveyed by John Jones et al to Otis Harvey et al on September 24, 1921 and recorded in Deed Record 128 page 198 of Hendricks County Records, and running thence South on the West line of said half quarter seven hundred ninety-two (792) feet; thence East with Section bearing one hundred sixty-five (165) feet; thence North parallel with the West line thereof seven hundred ninety-two (792) feet, and to the South line of said Harvey land; thence West along said South line one hundred sixty-five (165) feet to the place of beginning, estimated to contain three (3) acres.

That contemporaneously with the execution and delivery of said note and to secure the payment thereof said defendants, Carl Jones and Millie A. Jones executed to the plaintiff their mortgage on the real estate hereinabove described. Said mortgage being recorded on the 29th day of March 1934, in Mortgage Record 95, pages 209-10-11-12 in the Office of the Recorder of Hendricks County, Indiana. That on the 29th day of March 1934, the said Carl Jones and Millie A. Jones executed a mortgage to The R. S. Foster Lumber Company for the principal sum of $196.00, with interest at the rate of 6 percent per annum, due five years from date.

That plaintiff's mortgage is a first lien on the real estate hereinabove described, except as to taxes and assessments. That the said mortgage executed to The R. S. Foster Lumber Company is a second and subsequent mortgage to the plaintiff's mortgage. That defendants, Carl Jones and Millie A. Jones and each of them have defaulted and failed to make the payments provided for in said note due the plaintiff herein for a period of more than 90 days and that the plaintiff has heretofore exercised its option to declare the entire balance of principal and interest, due on its note above described, due and payable, and that there is now past due and unpaid on said note the sum of $2265.12 in principal and interest as of this date. That a reasonable fee for plaintiff's attorney is the sum of $100.00.

That pursuant to the provision of said mortgage the plaintiff has advanced the sum of $137.60 in payment of taxes and $ for the extension of abstract of title.

That under the terms of said note and mortgage plaintiff is entitled to recover the above sums of money advanced for extension of the abstract of title and the taxes.

That there is now due the plaintiff herein from the defendants, Carl Jones and Millie A. Jones $2507.80. That the said sum is secured by the mortgage herein described and is payable without relief from valuation or appraisement laws and that the plaintiff is entitled to a judgment for said total amount of said indebtedness against the defendants, Carl Jones and Millie A. Jones plus the costs of this action and to a decree of foreclosure of said mortgage against all defendants herein and to a sale of said real estate to satisfy said judgment.

That said real estate is not susceptible to division or partition and that no part thereof can be sold without loss to the remainder, and that it is necessary to sell all of said real estate to save and protect plaintiff's lien thereon.

It is, therefore, ordered, adjudged and decreed by the court that the plaintiff recover of and from the defendants, Carl Jones and Millie A. Jones the sum of $2507.80 and its costs and charges layed and expended and all accruing costs taxed in$ without any relief whatever from valuation or appraisement laws. Said judgment to bear interest at the rate of 5% per annum from rendition thereof until paid.

It is, therefore, ordered and adjudged and decreed by the court that the mortgage sued upon by the plaintiff be foreclosed and that the equity of redemption of the defendants and each of them and that all persons claiming from under or through them be forever barred and foreclosed and that the real estate be ing the same real estate as set out in plaintiff's complaint herein and described as follows, to-wit: Said real estate being situated in Hendricks County, State of Indiana, and more particularly described as follows, to-wit:

A part of the West half (½) of the Southeast quarter (¼) of Section six (6) in Township fifteen (15) North of Range one (1) East, bounded and described as follows, to-wit:- Beginning at a point on the West line of said half quarter which is forty (40) rods South of the Northwest corner thereof, and being the southwest corner of a tract of land conveyed by John Jones et al to Otis Harvey et al on September 24, 1921 and recorded in Deed Record 128 page 198 of Hendricks County Records, and running thence South on the West line of said half quarter seven hundred ninety-two (792) feet; thence East with Section bearing one hundred sixty-five (165) feet; thence North parallel with the West line thereof seven hundred ninety-two (792) feet; and to the South line of said Harvey land; thence West along said South line one hundred sixty-five (165) feet to the place of beginning, estimated to contain three (3) acres.

be sold in accordance with the laws of the State of Indiana to satisfy said plaintiff's judgment and costs herein.

It is, further ordered, adjudged and decreed in the event any owner or part owner of said real estate or other person legally entitled thereto does not pay the Clerk of Hendricks County, Indiana, the amount of said judgment, interest and costs rendered in this cause within one year from the date of filing of the complaint herein to-wit: October 22nd, 1936, or prior to the issuance of the Clerk to the Sheriff of said decree the said Clerk upon the filing of a praecipe therefor by the plaintiff, which issue a copy of this judgment and decree certified by the Clerk under seal of the court to the sheriff of Hendricks County, Indiana, who shall thereupon proceed to sell the mortgaged premises heretofore described in this decree at Public Auction at the Door of the Court House of Hendricks County, Indiana, after advertising the same onece each week for three successive weeks in a weekly newspaper of general circulation, printed and published in the English Language and published in Hendricks County, Indiana, the first of which publication shall be made at least 30 days before the date of said sale and by posting written or printed notices thereof in at least three public places in Center Township in said county and state and at the door of the said Hendricks County Court House. Said sale to be made without relief from valuation and appraisement laws and without any right of redemption therefrom and that immediately after such sale the sheriff shall execute and deliver to the purchaser a deed of conveyance to the premises, which shall be valid and effectual to convey all the right, title and interest of all persons to this action and all persons claiming thereof or under them and he shall make due report to the Clerk of the court and the proceeds arising from such sale, the Sheriff is ordered and directed to apply in the following manner:

First: To the payment of all costs and accruing costs in this cause.

Second: To the payment of the plaintiff's judgment and interest in full.

Third: To the payment to the defendant, The R. S. Foster Lumber Company the amount that is due on their mortgage.

Fourth: The overplus if any remaining after the payment of the foregoing judgment, interest and costs and to the defendants, The R. S. Foster Lumber Company, its principal, interest and costs to be paid by the Sheriff of Hendricks County to the Clerk of this court for the use of the person or persons lawfully authorized to receive the same and the sheriff is hereby ordered and directed in case said real estate is sold to plaintiff and a deed is delivered to the plaintiff herein immediately to place the plaintiff in possession of said real estate and shall oust and efect from said premises any other person in said real estate at the time of said sale and if any part of said judgment, interest and costs remain unsatisfied after said sale, the Sheriff shall forthwith proceed to levy the residue on the other property real and personal of the defendants, Carl Jones and Millie A. Jones subject to execution without relief from valuation or appraisement laws.

KARL ROSENBERG,)
VS) # 15162 CLERK'S ENTRY FOR JULY 13, 1937.
JOSEPH A. BLACKBURN and)
CURTIS STORAGE AND TRANSPORTATION COMPANY, a Corporation.)

Come again the parties herein by their respective counsel, and argument having been heard on the defendant's, Curtis Storage and Transportation Company, a Corporation, Motion for New Trial, and the court being duly advised in the premises, now overrules the defendant's Motion for New Trial, to which ruling and action of the court the defendant at the time excepts; and the court now upon request of the defendant grants sixty (60) days within which to prepare and render any and all bills of exception herein.

Now the defendant, Curtis Storage and Transportation Company, a Corporation, prays an appeal to the Appellate Court of Indiana, which appeal is granted on the filing of an appeal bond within thirty (30) days in the penal sum of Two Thousand ($2,000.00) Dollars, conditioned as provided by law and with surety approved by the court.

And now defendant, Curtis Storage and Transportation Company, a Corporation, tenders the United States Fidelity and Guaranty Company, as surety on said appeal bond, which surety is now approved by the court.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, July 14th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

RAY GRIMES)
VS) # 15185
KATHERINE GRIMES)

Come now the parties, in person and by counsel, and the present Judge having been counsel for one of the parties to this suit in a former divorce suit in this Court, does now of his own motion withdraw from the bench in this cause, and the parties having agreed on the judge to try this cause, the Court does now appoint Honorable Charles V. Sears as an attorney at this bar as special judge to try this cause.

Comes now Charles V. Sears, herein, and accepts said appointment as special judge and qualifies as by law provided, which appointment and qualification is in the words and figures following, to-wit:

APPOINTMENT OF SPECIAL JUDGE.

In the Hendricks Circuit Court, Hendricks County, Indiana.

May Term, 1937

Ray Grimes)
AGAINST) No. 15185
Katherine Grimes)

I, Horace L. Hanna, Judge of said Court, having been counsel for one of the parties to this suit in a former divorce suit in this court, does now of his own motion, withdraw from the bench in this cause, and the parties having agreed I do now appoint Charles V. Sears, a competent and disinterested attorney of said Court, as Judge thereof in said cause.

July 14th, 1937. Horace L. Hanna
Judge Hendricks Circuit Court

The State of Indiana, County of Hendricks,ss:

I, Charles V. Sears, swear that I will support the Constitution of the United States and the State of Indiana, and faithfully discharged my duties as Judge of the Hendricks Circuit Court in the case of Ray Grimes against Katherine Grimes, so help me God.

Charles V. Sears

Subscribed and sworn to this 14th day of July 1937 before me, Clerk of said Court.

(SEAL) Walter E. Hadley, Clerk

RAY GRIMES) Judgt. vs Cross-Defendant, Ray Grimes,
VS) # 15185 E N T R Y for $25.00 Atty. Fee and Costs.
KATHERINE GRIMES) J. D. 17, Page 203.

Come now again the prties in person and also by their respective counsel and the plaintiff now dismisses his complaint herein and asks leave to withdraw the same from the files. And now the plaintiff files answer in general denial to the defendant's cross complaint, which general denial is in the words and figures as follows, to-wit:

(H.I.)

And now this cause being at issue on defendant's cross complaint and a general denial, this cause is submitted to the court for trial, finding and decree without

the intervention of a jury.

And the court having heard the evidence and being duly advised in the premises finds that the defendant is entitled to a divorce upon the allegations of her cross complaint and that she is entitled to have the name of Katherine Cravens restored to her.

It is, therefore, ordered, adjudged and decreed that the defendant Katherine Grimes be, and she is, hereby granted an absolute divorce from her cross-defendant and that the bonds of matrimony heretofore existing between the parties hereto be and the same are absolutely dissolved.

It is further ordered, adjudged and decreed by the court that said Katherine Grimes have restored to her the name of Katherine Cravens.

It is further ordered, adjudged and decreed that the cross-defendant pay to Edgar M. Blessing within thirty (30) days from this date the sum of $25.00 as attorney fee for his services to the cross-complainant.

It is further ordered, adjudged and decreed that the cross-defendant pay the costs of this action taxed at _____dollars and _____cents.

Charles V. Sears Special Judge
Charles V. Sears, Special Judge.

DAVIE B. BLUNK) Judgt. vs Pltf. for Costs. J. D. 17, Page 203.
VS) # 14097. Order and Decree Modifying the
BESSIE V. BLUNK) Former Decree.

Come now the parties in the above entitled cause of action, in person and by counsel, and on the hearing on the petition of the plaintiff to modify the former order of the court as to the custody of the child, Norman Paul Blunk, and the court, havin g heard the evidence and being fully advised and informed in the premises, does now find that the prayer of plaintiff's petition should be granted, and that the former order and decree of the court, in so far as it affects the custody of said child should be modified, and the court now finds that the custody of said child should be given to the plaintiff, the father of said child.

It is therefore ordered, adjudged and decreed by the court that the former order of the court as to the custody of the child, Norman Paul Blunk, be and the same is hereby modified, and the custody of said child is now given to the plaintiff, Davie B. Blunk, its father, until the further order of the court.

It is further ordered by the court that said plaintiff, Davie B. Blunk, shall beginning on the 31st day of July, 1937, and each and every two weeks thereafter, so long as this order and decree remains unmodified, take said child and deliver him at the home of its mother, Bessie V. Blunk, at Martinsville, Indiana, between the hours of 8 and 9 o'clock A. M. and permit said child to remain in the custody of its mother until the following day on Sunday at which time between the hours of 4 and 6 o'clock P. M. said Davie B. Blunk shall call for said child and return the said child to his own home. All at costs of plaintiff.

All of which is hereby ordered and adjudged by the court.

And court adjourned until 9:00 o'clock A. M. Thursday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, July 15th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

UNION NATIONAL SAVINGS)
AND LOAN ASSOCIATION)
VS) # 14647 Judgt. vs Pltf. for Costs.
CHARLES M. RICH, ET AL.) J. D. 17, Page 203.

Comes now the plaintiff, by Edgar M. Blessing, its attorney, and upon its motion this cause is dismissed at the cost of the plaintiff.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, Union National Savings and Loan Association, is ordered to pay the costs of this action, taxed at _____dollars and_____cents.

ETHEL STORM)
VS) # 14629 Judgt. vs Pltf. for Costs.
BURTON STORM) J. D. 17, Page 203.

Comes now the plaintiff, by Edgar M. Blessing, her attorney, and upon her motion this cause is dismissed at the cost of the plaintiff.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, Ethel Storm, is ordered to pay the costs of this action, taxed at_____dollars and _____cents.

MADELYN THOMPSON)
VS) # 14560 Judgt. vs Pltf. for Costs.
CLIFFORD THOMPSON) J. D. 17, Page 204.

Comes now the plaintiff, by Edgar M. Blessing, her attorney, and upon her motion this cause is dismissed at the cost of the plaintiff.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, Madelyn Thompson, is ordered to pay the costs of this action, taxed at _____dollars and_____cents.

VINCE W. JEFFRIES)
VS) # 15186 Judgt. vs Deft. for Costs.
LEE HANKS) J. D. 17, Page 204.

Comes now again the plaintiff by his counsel, and it appearing to the Court from the summons and the return of the sheriff endorsed thereon, that the defendant was served with process more than ten days before the 14th day of May, 1937, the return date on the complaint herein, which summons and the return of the sheriff thereon are in the words and figures following, to-wit: (H.I.).

And the defendant is three times loudly called in open Court but comes not and herein wholly makes default.

And now this cause is submitted to the Court for trial, finding and decree. And the Court having heard the evidence and being duly advised in the premises, finds that the allegations of the complaint are true and that plaintiff is entitled to

recover the possession of real estate described in his complaint and costs of this action.

It is, therefore, ordered, adjudged and decreed that the plaintiff have and recover from the defendant the real estate described in plaintiff's complaint and it is further ordered, adjudged and decreed, that the plaintiff recover its costs from the defendant, taxed at _____dollars and _____cents.

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

M. A. ISAACS)
VS) # 12773
FLETCHER AMERICAN NATIONAL BANK)

Come now the parties, by counsel, and the Court having seen and examined the defendant's motion to modify judgment, heretofore filed, and being duly advised in its premises, now overrules the same, to which ruling of the Court the defendants separately and severally except .

And now the Court overrules motion for new trial, heretofore filed, to which ruling of the Court the defendants separately and severally except.

Defendants separately and severally pray an appeal to the Appellate Court of the State of Indiana, and seventy-five days are given to file all bills of exceptions. Bond fixed at $8500.00 with Fidelity and Deposit Company of Maryland as surety, which is now approved by the Court.

LEROY C. BROWN)
VS) # 14362 Judgt. vs Pltf. for Costs.
OPAL BENNETT) J. D. 17, Page 204.

Comes now the plaintiff, by counsel, and files a written dismissal of this action, without prejudice, in the following words and figures, to-wit: (Here Insert).

And the Court being duly advised, now dismisses this cause of action at the cost of the plaintiff.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, Leroy C. Brown, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

GEORGE CHURCH)
VS) # 15157 Judgt. vs Pltf. for Costs.
PUBLIC SERVICE COMPANY OF INDIANA,) J. D. 17, Page 204.
BOWMAN ELDER, RECEIVER OF INDIANA)
RAILROAD.)

Comes now the plaintiff, by counsel, and the Court having seen and examined the written motion of dismissal, heretofore filed, and being duly advised in its premises, now sustains said motion and this cause is dismissed at the cost of the plaintiff.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, George Church, is ordered to pay the costs of this action, taxed at_____dollars and_____cents.

CARRIE WATTS)
VS) # 14715 ORDER TO CORRECT INTERLOCUTORY DECREE
MAGGIE (MARTIN) HALL, ET AL.)

Comes now said Commissioner and files the following verified petition (insert) praying therein that the interest of Mollie Hardesty and Vesta Brookshire be corrected that the said Interlocutory Decree show the true and correct interest to be 1/15 interest each instead of as shown by the said Interlocutory Decree heretofore taken of 1/30 interest each. And the court having examined said petition and being sufficiently advised finds that the averments thereof are true and that in the interests of said partition and of the respective tenants in common, the said petition should be approved.

It is therefore, ordered by the court that the said Interlocutory Decree be amended and that the said interest of the said Mollie Hardesty and Vesta Brookshire be a 1/15 interest each as tenants in common in the said real estate instead of as setforth in the Interlocutory Decree heretofore taken.

CARRIE WATTS)
VS) # 14715
MAGGIE (MARTIN) HALL, ET AL.)

Comes now Arney M. Watkins, Commissioner, herein, and files financial and final report, which financial and final report is in the words and figures following, to-wit: (H.I.).

PAUL HEROD and GENEVA HEROD)
VS) # 15257 RESTRAINING ORDER
LEE EASTHAM and AGNES M. EASTHAM)

The plaintiffs, having filed their complaint herein praying for a restraining order, and having filed their undertaking to the approval of the Judge of this court, it is ordered that the defendants be, and they are, hereby restrained from building any gates or fences in and upon the private driveway between the properties of Paul and Geneva Herod and Lee and Agnes M. Eastham, until notice and further order of this court.

It is further ordered that the defendants be notified that an application for a permanet injunction herein will be heard before me, at the Courthouse in Danville, Indiana, on the 7 day of Sept., 1937.

Horace L. Hanna
JUDGE OF HENDRICKS CIRCUIT COURT

HERMAN HOGUE BY HIS NEXT FRIEND)
ELMER HOGUE)
VS) # 15254 Judgt. vs Pltf. for Costs.
PUBLIC SERVICE COMPANY OF INDIANA.) J. D. 17, Page 205.
BOWMAN ELDER RECEIVER OF INDIANA)
RAILROAD.)

Comes now the plaintiff, by counsel, and files written motion to dismiss this cause at the plaintiff's costs, which motion is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said motion and being sufficiently advised in its premises, now sustains said motion and this cause is dismissed, at the cost of the plaintiff.

It is, therefore, considered, ordered and adjudged by

the Court that this cause be and the same is hereby dismissed, and the plaintiff, Herman Hogue by his next friend Elmer Hogue, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

NORA RAGAN) Judgt. vs Deft. for $202.56 and Costs. J. D. 17, Page 205.
VS) #15169 JUDGMENT FORECLOSING CHATTEL MORTGAGE
LESLIE GENTRY)

Come now the parties by counsel, and this cause being at issue, is submitted to the court for trial without the intervention of a jury, and the court having heard the evidence and the argument of the counsel, 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 the defendant on the note sued upon in the complaint the sum of $152.56 as principal and interest and the further sum of $50.00 as fees for services of plaintiff's attorney, and which sums plaintiff is entitled to recover from the defendant, together with the costs of this action, all without the relief from valuation or appraisement laws; and the court further finds that the sums due plaintiff are secured by the chattel mortgage upon the goods and property described in the complaint; the court further finds that said mortgage was duly recorded in the office of the recorder of said Hendricks County, and that at the time of its execution, and at the time it was so recorded, the defendant resided, and ever since has resided, in Hendricks County, and the court further finds that the plaintiff is entitled to have her mortgage foreclosed, and said property sold and the proceeds derived therefrom applied to the payment and satisfaction of her debt as hereinbefore set out. The court further finds against the defendant upon his answers filed herein and finds that the plaintiff at the time of said transaction duly assigned the certificate of title to the motor truck in question to the defendant but defendant stated that he wanted to use the license which was upon said truck and for that reason did not want to have the transfer of title made until a later date, and that defendant never subsequently asked that the certificate of title to said truck be delivered to him, and that said defendant used said truck until about the 1st of January, 1937.

It is therefore considered, adjudged and decreed by the court that the plaintiffs mortgage be foreclosed, and that the goods and property therein named and described as follows, to-wit: One Brindle Cow, eight years old, weight about one-thousand pounds, named jersey, Also, one Model "A" 1928 Ford Truck, together with stock rack, frame and bed, #B1351360, Engine #AA174940 #T145971; or so much thereof as may be necessary for that purpose be sold by the sheriff of said county of Hendricks, State of Indiana, as other goods, chattels, and personal property are sold on execution, and the sale to be without any relief from valuation or appraisement laws. It is further adjudged that the plaintiff recover from the defendant $202.56 and the costs of this action taxed at $___ and ___cents. The proceeds arising from said sale to be applied as follows, to-wit: First, to the payment of the costs and accruing costs herein; Second; to the payment of the amount found due plaintiff on claims sued upon herein, being the amount of the judgment hereinbefore rendered, together with interest from this date; Third, the over plus, if any there be, to be paid by the sheriff to the clerk of this court for the use of the party 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 judgment, interest, costs, and accruing costs, the residue thereof remaining unpaid shall be levied of the goods and chattels and lands and tenements of said defendant, Leslie Gentry, subject to execution; and sale thereof shall

be made without any relief whatever from vluation or appraisement laws of the State of Indiana, all of which is finally ordered, adjudged and decreed by the court.

STATE OF INDIANA, EX REL. WENDALL R. FUSON, AUDITOR OF HENDRICKS COUNTY, INDIANA. VS HENRY C. JOHNSON, ET AL.) Judgt. In Rem for $2271.17 and Costs. J. D. 17, Page 205.) # 15238 D E C R E E

Comes now the plaintiff by counsel, and the infancy of the defendant Fay Johnson Jr. being suggested, the court now appoints John D. Taylor, guardian ad litem for the said Fay Johnson Jr. And comes now John D. Taylor heretofore appointed guardian ad litem for the defendant Fay Johnson Jr. and files answer in general denial to plaintiff's complaint herein, which answer is in words and figures following, to-wit: (H.I.) And comes now Charles L. Peggs, Ora Kirby, Roy Kirby and Dolph Stout, defendants in the above entitled cause by counsel and file answer to plaintiff's complaint herein, which answer is in words and figures following, to-wit: (H.I.).

And it appearing to the court by the summons herein and the return of the Sheriffs endorsed thereon that the defendants Henry C. Johnson, Mary Johnson, Mary Yeager, Forest Yeager, William Cecil Johnson, Gerald J. Johnson, Carrie Johnson, Nora L. Thompson, Hugh Thompson, Ralph J. Johnson, Virginia Johnson, Bessie May Johnson have been served with process more than 10 days before the 10th day of July, 1937, being the date endorsed on plaintiff's complaint for the return day of summons thereon, which said summons and the return thereon are in words and figures following, to-wit: (H.I.)

And now on motion of plaintiff the defendants Henry C. Johnson, Mary Johnson, Mary Yeager, Forest Yeager, William Cecil Johnson, Carrie Johnson, Gerald J. Johnson, Nora L. Thompson, Hugh Thompson, Ralph J. Johnson, Virginia Johnson, and Bessie May Johnson being three times audibly called in open court, come not, but herein wholly make default.

And this cause being at issue the same is now submitted to the court for trial, finding, judgment, and decree, without the intervention of a jury, and the court having heard the evidence and being duly and sufficiently advised in the premises, now finds for the plaintiff and that the allegations of plaintiff's complaint are true, and that there is due plaintiff on the note and mortgage sued upon in the complaint the amount of $2271.17, which amount includes principal, interest, unpaid and delinquent taxes on the real estate described in the complaint, and insurance premiums paid by plaintiff on improvements on said real estate, which amount plaintiff is entitled to recover together with the costs of this action; and the court further finds that said amounts are secured by a mortgage upon the real estate described in plaintiff's complaint and hereinafter described; and that said mortgage is a first and paramount lien upon said real estate, prior and superior to the lien and/or liens, claims, or interest of the defendants hereto and each of them and/or any person or persons claiming by, under, and through them or any person claiming to have acquired a lien, claim, or interest in and to said real estate since the commencement of this action; and that plaintiff is entitled to have its said mortgage foreclosed as against all of said defendants upon the real estate described in plaintiff's complaint and hereinafter described and to have said real estate sold.

The court further finds that the defendants Charles L. Peggs, Ora Kirby, Roy Kirby, and Dolph Stout have and hold a judgment against the defendant Henry C. Johnson in the amount of $264.80; that the lien of said judgment is valid and subsisting but is second and junior to the lien of plaintiff's mortgage herein on the said real estate owned by the defendant Henry C. Johnson. That the lien of said judgment should attach to the share of the said Henry C. Johnson in the proceeds remaining from the sale of said real estate, if any there be, after the payment of the amount of plaintiff's claim and judgment, costs, accruing costs, and interest.

The court further finds that plaintiff's mortgage herein was executed and given by one Joseph J. Johnson, unmarried; that subsequent thereto, to-wit: on the 13th day of November, 1932, the said Joseph J. Johnson departed this life intestate; that the defendants Henry C. Johnson, Mary Yeager, William Cecil Johnson, Gerald J. Johnson, Nora L. Thompson, Ralph J. Johnson, Bessie May Johnson, and Fay Johnson Jr. are the sole and only surviving heirs at law of the said Joseph J. Johnson. The court further finds that the said Joseph J. Johnson departed this life more than one year prior to the commencement of this action and that the estate of the said Joseph J. Johnson, was prior to the commencement of this action, fully and finally administered upon and the administrator discharged.

That after the execution of said mortgage upon the real estate therein described the mortgagor, Joseph J. Johnson, sold and conveyed to the defendant, Henry C. Johnson, for a valuable consideration, a part and parcel of the real estate described in plaintiff's mortgage, to-wit:

Lots 1 and 2 in Wilson's Addition to the Town of Danville, Indiana, all situated in Hendricks County, State of Indiana,

and that the defendant Henry C. Johnson is now the owner of said real estate and that the said Henry C. Johnson is entitled to have all the rest and residue of the real estate described in plaintiff's complaint and mortgage so remaining after said voneyance to him first offered for sale on plaintiff's claim and judgment.

IT IS THEREFORE ordered, adjudged, and decreed by the court that plaintiff have and recover judgment against the real estate described in plaintiff's complaint and hereinafter described in the amount of $2271.17, together with the costs of this action and all accruing costs, and interest from this date.

And it is further considered, adjudged, and decreed by the court that the equity of redemption of the defendants herein, and each of them, and all persons claiming, from, by, under, and through them in and to the real estate described in plaintiff's complaint, the same lying and being in the County of Hendricks, State of Indiana, and described as follows, to-wit:

Lots 1 and 2 in Wilson's Addition to the Town of Danville, Hendricks County, Indiana; Also, a part of the West-half of the South-west Quarter of Section 10, Township 15 North of Range 1 West, Bounded and described as follows, to-wit: Beginning on the Section line at the South-west corner of James Beck's Addition to the Town of Danville, Indiana, and running thence South on the Section line 6 chains and 20 links; thence East parallel with the South line of said addition 16 chains and 81 links and to the East line of the lands formerly owned by the said Beck; thence North 31 degrees West on said East line 6 chains and 86 links to the South-east corner of said addition to said Township; Thence West on the South line of said Addition 13 chains and 84 links to the place of beginning, except a pass-way 20 feet in width and extending along the West line of the above described tract, coveyed to Robert T. Hollowell by James W. Beck and wife, and recorded in Deed Record No. 97 at page 525 thereof, and containing in said description exclusive of said exception 9.50 acres more or less.

Also, all of James W. Becks Addition to the Town of Danville, Hendricks County, Indiana, except Lots 1-2-3-6-7- & 8 in Block 1, and also, except that part of Lot 8 in Block 2 in said Addition conveyed by the Danville Brick Works to the Cleveland, Cincinnati, Chicago, and St.Louise Ry. Company and recorded in Deed Record No. 99 at page 358 of the records of Hendricks County, Indiana;

Also, except that part of the above described lands conveyed by Joseph J Johnson to the Cleveland, Cincinnati, Chicago, and St.Louis Ry. Company and recorded in Deed Record 135 at page 50 of the Hendricks County Records,

be and the same is forever barred and foreclosed.

It is further ordered, adjudged, and decreed that the following described tract of parcel of the above described real estate, lying and being in the County of Hendricks, State of Indiana, to-wit:

A part of the West-half of the South-west Quarter of Section 10, Township 15 North of Range 1 West, Bounded and described as follows, to-wit: Beginning on the Section line at the South-west corner of James Becks's Addition to the Town of Danville, Indiana, and running thence South on the Section line 6 Chains and 20 links; thence East parallel with the South line of said Addition 16 chains and 81 links and to the East line of the lands formerly owned by the said Beck; thence North 31 degrees West on said East line 6 chains and 86 links to the South-east corner of said Addition to said Town; thence West on the South line of said Addition 13 chains and 84 links to the place of beginning, except a pass-way 20 feet in width and extending along the West line of the above described tract, conveyed to Robert T. Hollowell by James W. Beck and wife, and recorded in Deed Record No 97 at page 525 thereof, and containing in said description exclusive of said exception 9.50 acres more or less.

Also, all of James W. Beck's Addition to the Town of Danville, Hendricks County, Indiana, except Lots 1-2-3-6-7-&-8 in Block 1, and also except that part of Lot 8 in Block 2 in said Addition conveyed by the Danville Brick Works to the Cleveland, Cincinnati, Chicago, and St. Louis Ry. Company and recorded in Deed Record No. 99 at page 358 of the records of Hendricks County, Indiana, Also, except that part of the above described lands conveyed by Joseph J. Johnson to the Cleveland, Cincinnati, Chicago, and St. Louis Ry. Company and recorded in Deed Record No. 135 at page 50 of the Hendricks County Records,

and all right, title, interest, and claim of said defendants and each of them, and of all persons claiming from, under, by and through them in and to the same, or so much thereof as may be necessary for that purpose shall be first offered for sale, free and clear of liens and encumbrances, by the Sheriff of Hendricks County, State of Indiana, as other lands are sold on execution, the sale to be without relief from valuation or appraisement laws.

It is further ordered, adjudged, and decreed, by the court, that if no bid is received from said lastly above described tract, sufficient to pay and satisfy plaintiff's said claim and judgment herein, interest, costs and accruing costs, then and in that event the said Sheriff shall offer for sale free and clear of liens and encumbrances the following described tract, being a part of the real estate of the real estate described in plaintiff's complaint, lying and being in Hendricks County, State of Indiana, to-wit:

Lots 1 and 2 in Wilson's Additions to the Town of Danville, Hendricks County, Indiana,

and which shall be offered and sold in like manner. If no bid is received therefor, sufficient to pay and satisfy plaintiff's said claim and judgment herein, together with interest, costs and accruing costs, then all of the firstly above described tract, being the tract and real estate described in plaintiff's complaint, shall be offered and sold in like manner.

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

1. First to the payment of the costs and accruing costs of this action.

2. Second to the payment of the amount found due plaintiff on the claim sued upon herein, being the amount of the judgment hereinbefore rendered, together with interest thereon from this date.

3.. Third the over-plus, if any therebe, to be paid by the Sheriff to the Clerk of this Court for the use of the party lawfully thereunto entitled and authorized to receive the same.

It is further ordered that a copy of this judgment and decree under the hand of the Clerk of the Hendricks Circuit Court and the seal thereof shall be and

constitute full and sufficient authority for the Sheriff of Hendricks County to execute the same.

And court adjourned until 9:00 o'clock A. M. Friday,

Record read and signed in open court.

Horace R. Hanna, Judge.

Friday Morning, July 16th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

MARTINSVILLE TRUST COMPANY)
VS) # 11924 DECREE Judgt. vs Pltf. for Costs.
GLEN BROWN, SARAH J. BROWN) J. D. 17, Page 205.

Comes now the parties by counsel, and the Court being sufficiently advised in the premises now finds for the defendants, and that the petition filed by the plaintiff to modify the judgment herein should not be sustained. The court further finds that the plaintiff should pay the costs of this suit, to which ruling of the court the plaintiff excepts.

It is therefore ordered and adjudged by the court that the judgment made and entered in this case on the 6th day of May, 1926 in Cause No. 11924 and entered in Civil Order Book #75 page 335 stand as the judgment was originally entered. It is further ordered that the plaintiff pay the costs of this proceeding.

CARRIE WATTS)
VS) # 14715 ORDER CONFIRMING FINAL REPORT.
MAGGIE (MARTIN) HALL ET AL)

Comes now Arny M. Watkins, Commissioner herein, and having heretofore filed the following, his final report (insert), which shows that after the payment of the costs of this action and the allowance for services of Commissioner and Attorney Fees there remained in his hands for the payment of the respective tenants in common the sum of $95.10, which sum, was paid to the Clerk of the Hendricks Circuit Court pursuant to the decree in this cause of action to be paid out by the said Clerk to the following persons in the following proportions to-wit:

Carrie Watts ----------$3.17
Maggie (Marin) Hall----------$3.17
Emma Green----------$3.17
Lucy Albright----------$3.17
Abigail Albright----------$3.17
Hattie Gentry----------$3.17
Everett McCoy----------$3.17
Henderson Hardesty----------$3.17
Clay Hardesty ----------$3.17
Arthur Hardesty----------$3.17
Lettie LeMay----------$3.17
Mollie Hardesty----------$6.34
Vesta Brookshire----------$6.34
Russell Hardesty----------$3.17
Vern Cooper----------$3.17
May Hardesty----------$9.51
May Overstreets----------$9.51
Ella Hardesty----------$19.02
Elmer Hardesty ---------- $3.17

And the court having examined said report, and being sufficiently advised, now in all things approves and confirms the same and said Commissioner having account for, and properly disbursed all sums coming into his hands or with which he is chargeable, and having in all other respects fully executed his said trust he is now, by order of court released and discharged and this cause is adjudged finally disposed of.

RECEIPTS:

1._____ Rec'd. $3.17 my distributive share herein._____ (Carrie Watts)
2._____ Rec'd. $3.17 my distributive share herein._____ (Maggie (Martin) Hall)
3. _____ Rec'd. $3.17 my distributive share herein._____ (Emma Green)
4._____ Rec'd. $3.17 my distributive share herein._____ (Lucy Albright)
5. _____ Rec'd. $3.17 my distributive share herein._____ (Abigail Albright)
6. _____ Rec'd. $3.17 my distributive share herein._____ (Hattie Gentry)
7. _____ Rec'd. $3.17 my distributive share herein._____ (Everett McCoy)
8. _____ Rec'd. $3.17 my distributive share herein._____ (Henderson Hardesty)
9. _____ Rec'd. $3.17 my distributive share herein._____ (Clay Hardesty)
10._____ Rec'd. $3.17 my distributive share herein._____ (Arthur Hardesty)
11._____ Rec'd. $3.17 my distributive share herein._____ (Lettie LeMay)
12._____ Rec'd. $6.34 my distributive share herein._____ (Mollie Hardesty)
13._____ Rec'd. $6.34 my distributive share herein._____ (Vesta Brookshire)
14._____ Rec'd. $3.17 my distributive share herein._____ (Russell Hardesty)
15._____ Rec'd. $3.17 my distributive share herein._____ (Vern Cooper)
16._____ Rec'd. $9.51 my distributive share herein._____ (May Hardesty)
17._____ Rec'd. $9.51 my distributive share herein._____ (May Overstreet)
18._____ Rec'd. $19.02 my distributive share herein._____ (Ella Hardesty)
19._____ Recd $3.17 my distributive share herein. (Elmer Hardesty)

June 7, 1938, Pltf. now comes and moves for leave to withdraw motion for new trial heretofore filed herein, and for judgment on the verdict heretofore rendered herein. Sup. 22. 1937 Wm. A. Pfaff Atty. Notice is here in open Court this 6 day of June, 1938 served upon Deft. by delivering a true copy hereof to Walter E. Hadley Atty. for the Deft. Wm. A. Pfaff Atty. for Pltf. Filed June 7, 1938. Walter E. Hadley Clerk

JOSEPH WATSON)
VS) # 15019 Judgt. vs Deft. for $500.00 & Costs.
THE COLUMBIA CONSERVE CO.) J. D. 17, Page 206.

Come now the parties, by counsel, and plaintiff moves the Court to render judgment on the verdict of the jury. And the Court now being duly advised, sustains said motion and renders the following judgment on the verdict of the jury.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff have and recover of and from the defendant, The Columbia Conserve Company, the sum of five hundred dollars for damages, and that the said defendant, The Columbia Conserve Company, pay the costs of this action, taxed at _____dollars and _____cents.

The Court having seen and examined the defendant's motion for new trial, heretofore filed, and being sufficiently advised in its premises, now overrules said motion, to which ruling of the Court the defendant at the time duly objects and excepts.

And now the defendant prays an appeal to the Appellate Court of Indiana, and the Court being duly advised, now grants said appeal. Bond is fixed at $700.00, and thirty days are given in which to file bond and seventy-five days are given to file all bills of exceptions. And now the defendants suggest the name of the Fidelity and Deposit Company of Maryland as surety, which surety is now approved by the Court.

LUE VENIA STEPHENS)
VS) # 15122
HAROLD HUGHES)

Comes now the plaintiff, by counsel, and files motion to retax costs in this cause, which motion is in the words and figures following, to-wit: (H.I.).

ARTHUR FISK DEWSNAP) Judgt. vs Pltf. for $250.00 Attys. Fees,
VS) # 15180 $20.00 Per Week and Costs.
HILDA BAILEY DEWSNAP) J. D. 17, Page 206.

Comes now the parties by counsel, and the trial of said cause having been completed, and the court having taken the same under advisement, said cause now comes on for further hearing, and the court now finds for the defendant and cross-complainant, Hilda Bailey Dewsnap, upon her cross-complaint, and that she is entitled to a divorce from the plaintiff and cross-defendant, Arthur Fisk Dewsnap, and the court finds against the plaintiff, Arthur Fisk Dewsnap upon his complaint and that said plaintiff is not entitled to a divorce on his complaint.

The court further finds that the defendant, Hilda Bailey Dewsnap, is a fit and proper person to have the care and custody of their minor children, who are unmarried and at home, to-wit: George Dewsnap, age 16 years, Arthur D. Dewsnap, Jr. age 14, and Marjory Ruth Dewsnap, age 12 years.

The court further finds that by agreement of parties, the property rights between said parties have been adjudged and settled and that said defendant is entitled to recover attorneys fee and the costs on this action.

It is therefore ordered, adjudged and decreed by the court that the defendant be, and she is hereby granted a divorce, from said plaintiff and that the marriage contract heretofore existing between said defendant and plaintiff is forever set aside and of no force and effect.

It is further, ordered, adjudged and decreed by the court that the plaintiff pay the defendant's attorneys the sum of $250.00 as attorney's fees herein, and that he pay to said plaintiff, for the care, education and support of said three minor children, named herein, the sum of $20.00 per week, which amount shall be paid direct to Hilda Bailey Dewsnap, until the further order of this court.

It is also further ordered, adjudged and decreed by the court that the plaintiff pay the costs of this action, including the witness fees of defendant's witnesses herein, all of which costs are taxed at _____dollars and_____cents.

VALIER & SPIES MILLING CORP.)
VS) # 15161
CITY OF INDIANAPOLIS)

Comes now the defendant, by counsel, and the Court having seen and examined the defendant's affidavit and motion for change of venue from the county, heretofore filed, and being duly advised in their premises, now sustains said motion.

Come now the parties, by counsel, and is agreed by said parties that said cause shall be venued to Montgomery County, Indiana, and ten days are given to perfect said change and to pay the costs thereof.

MAYME MABEE)
VS) # 15181 Judgt. vs Deft. for $75.00 Atty Fees and Costs.
HARRY MABEE) J. D. 17, Page 206.

It is therefore ordered, adjudged, and decreed that the bonds of matrimony existing between plaintiff and defendant herein be dissolved and that plaintiff is hereby granted a divorce from defendant.

It is further considered and ajudged by the court that plaintiff recover from the defendant attorney's fees fixed in the sum of $75.00 and that said sum be paid into the office of the Clerk of this court within 90 days, for the use of her attorneys, and it is further ordered that the defendant pay the costs of this action taxed at$_____.

CHARLES K. RICE)
VS)# 15127
LORETTA RICE.)

Comes now the plaintiff, Charles K. Rice, by his attorney, Edgar M. Blessing, and files motion for new trial, which motion is in the words and figures following, to-wit: (H.I.).

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.
Horace R. Hanna, Judge.

Saturday Morning, July 17th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

JAMES F. BERRY)
VS) # 15002 On Account of Change of Venue.
GUSSIE BERRY)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Fifty-Two Dollars and - - -Cents ($52.00) in the case of JAMES F. BERRY vs. GUSSIE BERRY is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

July 17th, 1937.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

MARY DAVEY ADMRX. OF THE)
ESTATE OF ROBERT DAVEY, DEC'D.)
VS) # 15183 On Account of Change of Venue.
W. D. KIBLER TRUCKING CO., ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Mary Davey Admrx. of the Estate of Robert Davey, Dec'd. vs. W. D. Kibler Trucking Co., et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

July 17th, 1937.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

KELLY DENNY ADMR. OF THE ESTATE)
OF LUELLA SMITH, DEC'D.)
VS) # 15179 On Account of Change of Venue.
W. D. KIBLER TRUCKING CO., ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Kelly Denny Admr. of the Estate of Luella Smith, Dec. vs. W. D. Kibler Trucking Co., et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficicant voucher, and authority for so doing.

July 17th, 1937.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

HERMAN HOGUE BY HIS NEXT)
FRIEND, ELMER HOGUE)
VS) # 15254 On Account of Change of Venue.
PUBLIC SERVICE CO. OF IND.,)
ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Herman Hogue by his next Friend, Elmer Hogue vs. Public Service Co., of Indiana., et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

July 17th, 1937.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

GEORGE CHURCH)
VS) # 15157 On Account of Change of Venue.
PUBLIC SERVICE CO. OF INDIANA,)
ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of theCircuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of George Church vs. Public Service Co. of Ind., et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

July 17th, 1937.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

CLARENCE HAMILTON)
VS) # 15029 On Account of Change of Venue.
UNITED TAXI CO., INC., ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. One Hundred Eighty-Seven Dollars and Seventy-Five Cents ($187.75) in the case of Clarence Hamilton vs. United Taxi Co., Inc., et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

July 17th, 1937.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

COURT ALLOWANCES FOR THE MAY TERM, 1937.

Lillian Priest, Court Reporter	$240.00
Walter E. Hadley, Clerk, Per Diem for Attending Court and Change of Venue Claims.	190.00
Ed Smith, Jury Commissioner	3.00
Charles G. Miles, Jury Commissioner	3.00
Hendricks County Republican	30.00
Edgar A. Rice, Special Judge.	30.00
PETIT:	
Foster, Harry F.	52.80
Knetzer, Harold	63.00
Kendall, Tobe	57.60
Martin, Grant	46.80
Pounds, Robert A.	54.60
Brumfield, Walter K.	45.00
Hamilton, Bruce	54.00
Herringlake, Myron H.	35.00
Ryner, Thad	59.40
Woods, Morris	52.20
Groover, Glenn	62.40
Rhoades, Frank	39.00
Bersot, Ora	4.40
Durham, Glenn	35.00
Joseph, Oscar E.	32.80
Leak, Roscoe	14.00
Havens, Harry	21.00
Myers, Clinton	21.70
Ballard, Walter	25.90
Cassady, John	3.90
Bayliss, Leon	19.20
Cox, Earl	7.00
Disney, T. P.	2.60
Bennett, R. H.	2.60
Shelton's Cafe 52 meals @ .50¢ each	26.00
T O T A L	$1,333.90

STATE OF INDIANA)
VS) # 7772 Judgt. vs Deft. for $2.00 Per Week and Costs.
CHESTER PHILLIPS) J. D. 17, Page 206.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Chester Phillips, in his own proper person, and said defendant being duly arraigned in open Court, enters his plea of not guilty.

And now by agreement in open Court, the defendant, Chester Phillips, agrees to pay $2.00 each week beginning July 21st, 1937, to the Clerk of this Court to be paid to Freida Phillips, mother of said child, for said child's support, and the defendant is released on his own recognizance, all at the cost of the defendant.

It is, therefore, considered, ordered and adjudged by the Court that

the defendant, Chester Phillips, pay the sum of $2.00 each week beginning July 21st, 1937, to the Clerk of this Court to be paid to Freida Phillips, mother of said chuld, for said child's support, and that the defendant, Chester Phillips, be and he is released on his own recognizance.

It is further considered, ordered and adjudged by the Court that the defendant, Chester Phillips, pay the costs of this action, taxed at _____ dollars and_____cents.

Order by the Court that all causes both Civil and Criminal and all pleas, plaints, motions and demurrers not disposed of at the present term of court be continued to the September Term, 1937, of said court.

And Court adjourned until court in course,

Records read and signed in open court.

Horace L. Hanna, Judge.

BE IT REMEMBERED, That on the 24th day of July, 1937, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Horace L. Hanna, sole Judge thereof, the following proceedings were had herein, viz:

STATE OF INDIANA)
VS) # 7773
ALVA WHITT)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and asks permission to file affidavit in Vacation of the Hendricks Circuit Court. And the Judge having seen and examined said affidavit and being sufficiently advised in its premises, now grants permission.

And now comes also the defendant, Alva Whitt, in his own proper person, who is duly arraigned and said defendant enters his plea of not guilty.

And now the Judge fixes the defendant's bond at $200.00.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 24th day of July, 1937, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Horace L. Hanna, sole Judge thereof, the following proceedings were had herein, viz:

KARL ROSENBERG,)
VS) # 15162 E N T R Y.
CURTIS STORAGE AND TRANSPORTA-)
TION COMPANY.)

Comes now the defendant, Curtis Storage and Transportation Company, in Vacation, and within the time heretofore granted now files in vacation with the Clerk of this court its appeal bond herein executed by defendant and United States Fidelity & Guaranty Company as surety, being the surety heretofore designated by the court, in the penal sum of Two Thousand ($2,000.00) Dollars, which bond is now examined and approved by the Judge in Vacation and is in words and figures as follows, to-wit: (Here Insert).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 30th day of July, 1937, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Horace L. Hanna, sole Judge thereof, the following proceedings were had herein, viz:

STATE OF INDIANA)
VS) # 7768
ANNA BELLE DUNCAN)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Anna Belle Duncan, in her own proper person, and being duly arraigned, enters her plea of not guilty to the charge of assault with intent to kill.

And now the Court fixes the defendant's bond at $3000.00.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 30th day of July, 1937, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Horace L. Hanna, sole Judge thereof, the following proceedings were had herein, viz:

STATE OF INDIANA)
HENDRICKS COUNTY) SS: HENDRICKS CIRCUIT COURT
VACATION TERM, 1937

LENA LOWE)
VS) # 15227 RESTRAINING ORDER
DONALD LOWE)

Comes now the plaintiff in the above entitled cause of action and she having filed her verified affidavit herein praying for a restraining order and which said verified affidavit is of the following words and figures, to-wit: (H.I.)

And it appearing to the court that an emergency exists herein, this proceeding is submitted to the court on the said verified affidavit for application for restraining order. And the court being duly advised in the premises finds for the plaintiff and finds that the plaintiff is entitled to a restraining order, as therein prayed for, restraining said defendant from selling any of the personal property, the live stock or entering the real estate and house belonging to this plaintiff.

It is, therefore, ordered and considered by the court that the defendant be, and he is, hereby restraining from selling or disposing of any of the personal property and from entering upon plaintiff's real estate and house thereon.

It is further ordered that there issue to the Sheriff of Hendricks County a certified copy of this order and that he be and he is hereby directed to serve the same forthwith and made due return thereof.

Horace L. Hanna
JUDGE OF HENDRICKS CIRCUIT COURT

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 12th day of August, 1937, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

STATE OF INDIANA)
HENDRICKS COUNTY) SS: HENDRICKS CIRCUIT COURT
_____ TERM, 1937

M. A. ISAACS, TRUSTEE,)
VS) CAUSE NO. 12773
FLETCHER AMERICAN NATIONAL BANK, ET AL)

TO: THE CLERK OF THE HENDRICKS CIRCUIT COURT

You are hereby requested and directed to prepare and certify for the purpose of appeal to the Appellate Court of Indiana, a true transcript of the pleadings, papers, records, entries, and proceedings in the above entitled cause as follows:

1. Plaintiff's original complaint and the entry of filing the same.
2. The summons and the Sheriff's return thereon.
3. Motion for change of venue, entry thereof and ruling thereon.
4. Plaintiff's last amended complaint and entry of filing thereof.
5. Plaintiff's supplemental complaint and entry of filing thereof.
6. Defendant's answer to plaintiff's last amended and supplemental complaint, and the entry of the filing thereof.
7. Entry of dismissal of defendants second third and fourth paragraphs of answer.
8. A complete transcript of all papers and order book entries, subsequent to the dismissal of defendants second and third paragraphs of answer, except the original Bill of Exceptions containing the evidence which you will incorporate as a part of the record herein, without copying the same.

Barnard & Walker
Edgar M. Blessing
Attorneys for Defendants

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 14th day of August, 1937, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

JOSEPH A. WATSON)
VS) # 15019
THE COLUMBIA CONSERVE COMPANY)

That afterwards, to-wit, on the 14th day of August, 1937, the Hendricks Circuit Court being in Vacation, the following proceedings were had in the said cause.

The defendant, The Columbia Conserve Company, now files its appeal bond, payable to the plaintiff, in the sum of seven hundred dollars, with the Fidelity and Deposit Company of Maryland, as surety thereon, which bond is in the penalty heretofore named by the Court and with the surety heretofore approved by this Court, and the filing of the said bond is within the time heretofore granted by this Court, and which said bond is in the words and figures as follows, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 14th day of August, 1937, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

JOSEPH A. WATSON)
VS) # 15019
THE COLUMBIA CONSERVE COMPANY)

Comes now the defendant, The Columbia Conserve Company, by counsel, and in Vacation of the Hendricks Circuit Court and files notice to clerk and acknowledgement of notice to plaintiff of appeal, which notice is in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 14th day of August, 1937, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

STATE OF INDIANA)
COUNTY OF HENDRICKS) SS IN THE HENDRICKS COUNTY CIRCUIT COURT
CAUSE NUMBER 15019

JOSEPH WATSON)
-vs-) PRECIPE
THE COLUMBIA CONSERVE COMPANY)

TO THE CLERK OF THE HENDRICKS CIRCUIT COURT

You are hereby directed to prepare a transcript of the record for an appeal to the Appellate Court of Indiana in Cause Number 15019 in the Circuit Court of Hendricks County, State of Indiana entitled Joseph Watson vs The Columbia Conserve Company, in which final

judgment was rendered on July 16, 1937, and to include therein the following: a transcript of the entire record.

The Columbia Conserve Co.
THE COLUMBIA CONSERVE COMPANY

Kenneth A Weddle
BY ITS ATTORNEY

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 20th day of August, 1937, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Horace L. Hanna, Judge thereof, the following proceedings were had herein, viz:

STATE OF INDIANA)
VS) # 7733
CECIL HICKS)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also Cecil Hicks, the defendant, in his own proper person, and is duly arraigned in Vacation and pleads not guilty to the charge against him.

And now the Judge fixes said defendant's bond at $1500.00.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 23rd day of August, 1937, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Horace L. Hanna, Judge thereof, the following proceedings were had herein, viz:

Comes now George W. Hadley, Deputy Prosecuting Attorney, herein, and tenders and files his resignation as such, which resignation is in the words and figures following, to-wit:

I hereby resign my office as Deputy Prosecuting Attorney of the 55th Judicial Circuit for Hendricks County; said resignation to become effective as of the date above written.

George W. Hadley

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 27th day of July, 1937, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

JOHN F. EVERETT, SR., ET AL.)
VS) # 15008
LEMUEL S. EVERETT, ET AL.)

Comes now the commissioner, by counsel, in Vacation, and files his final report, which final report is in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 4th day of August, 1937, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

NORA RAGAN)
VS) # 15169
LESLIE GENTRY)

BE IT REMEMBERED, That on the 4th day of August, 1937, the defendant in the above entitled cause by Harney F. Semones and A. M. Watkins, his attorneys, filed in the office of the Clerk of the Hendricks Circuit Court, said Court being then in Vacation, his motion for new trial in the above entitled cause, and the Clerk of said Court at the time of the filing thereof noted the filing of the same on the entry docket together with the date thereof and assigned his initials thereto, which motion for new trial is in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 21st day of August, 1937, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

HARRY ETCHISON)
VS) # 15265
CHESTER FRIEL)

Comes now Bingham, Mendenhall and Bingham, herein, and files in Vacation, their written appearance for the defendant, Chester Friel, which written appearance is in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 24th day of August, 1937, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

OBEDIAH A. ROBINSON)
VS) # 15286
SILVA ROBINSON)

Comes now the defendant, by counsel, and files answer in general denial and cross-complaint in Vacation, which answer and cross-complaint are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 24th day of August, 1937, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Horace L. Hanna, Judge thereof, the following proceedings were had herein, viz:

STATE OF INDIANA)
VS) # 7775
CARL WEBB)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Carl Webb, in his own proper person, who is duly arraigned in Vacation, and said defendant enters his plea of not guilty.

And now the Judge fixes the bond of the defendant at $2,500.00.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 24th day of August, 1937, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Horace L. Hanna, Judge thereof, the following proceedings were had herein, viz:

STATE OF INDIANA)
VS) # 7776
CARL WEBB)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Carl Webb, in his own proper person, and is duly arraigned in Vacation and enters his plea of not guilty.

And the Judge fixes his bond at $2,500.00.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 26th day of August, 1937, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

HERBERT E. DUNLAP)
VS) # 15081
INDIANAPOLIS RAILWAY INC.)
AND CITY OF INDIANAPOLIS)

Comes now the plaintiff, by counsel, and files second amended complaint for damages in Vacation, which second amended complaint is in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 27th day of August, 1937, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Horace L. Hanna, Judge thereof, the following proceedings were had herein, viz:

NORA RAGAN)
VS) # 15169
LESLIE GENTRY)

Comes now the defendant, by counsel, and files appeal bond in Vacation, which bond is in the following words and figures, to-wit: (H.I.). And the Judge having seen and examined said bond and being sufficiently advised in its premises, now approves the same.

And now the defendant asks that an order be made to stay execution in this cause, and the Judge now orders that execution and all other proceedings on the judgment in this cause shall be staid; and if execution has been issued, the Clerk shall notify the Sheriff of the appeal and order to stay proceedings, and the execution shall be forthwith returned and any levy made shall be relinquished.

Attest: Walter E. Hadley, Clerk.

GRAND AND PETIT JURORS, DRAWN FOR THE SEPTEMBER TERM, 1937.

BE IT REMEMBERED, That on the 30th day of August, 1937, Ed Smith and Charles G. Miles the duly appointed, qualified and acting Jury Commissioners of this court appeared at the office of the Clerk of the Hendricks Circuit Court, and the Clerk drew from the Jury Box the names of the following, persons for Grand Jury service at the September Term, 1937, of this court, viz:

1. George Buford - Guilford Township
2. Fay Scott - Eel River "
3. Forrest Smith - Brown "
4. Herbert Smith - Lincoln "
5. Harry Hadley - Marion "
6. Charles Pennington - Brown "

And the Clerk of this Court at the same time and in the like manner drew from the Jury Box the names of the following persons for Petiti Jury service for the September Term, 1937, of this court, viz:

1. Randal Joseph	Marion	Twp.	13. Asa Page	Eel River	Twp.
2. Herschel Cline	Clay	"	14. Marion Weddle	Brown	"
3. Ed Thompson	Center	"	15. Claude Worrell	Washington	"
4. Herschel Gentry	Middle	"	16. Melvin Johnson	Liberty	"
5. Huber L. Swain	Union	"	17. Victor Smith	Guilford	"
6. Charles Franklin	Guilford	"	18. Merle Masten	Clay	"
7. Fred Breedlove	Guilford	"	19. Everett McCollum	Franklin	"
8. Howard Pritchett	Center	"	20. Wilbur Poland	Union	"
9. Harold Davis	Union	"	21. H. H. Disney	Center	"
10. N. C. Brown	Union	"	22. Harvey A. Stewart	Clay	"
11. George Hadley	Guilford	"	23. Boyd R. Williams	Liberty	"
12. John Moran	Center	"	24. Alfred McClain	Union	"

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 30th day of August, 1937, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Horace L. Hanna, Judge thereof, the following proceedings were had herein, viz:

STATE OF INDIANA)
VS) # 7777 Judgt. vs Deft. for $20.00 Fine and Costs.
OSCAR COX) J. D. 17, Page 207.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Oscar Cox, in his own proper person, and is arraigned in Vacation and enters his plea of guilty of the charge of public intoxication.

It is, therefore, now adjudged and decreed by the Judge of this Court that said defendant for the offense by him committed shall be and he is fined in the sum of twenty dollars and shall pay the costs of this action.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 30th day of August, 1937, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Horace L. Hanna, Judge thereof, the following proceedings were had herein, viz:

STATE OF INDIANA)
VS) # 7778
ORLANDO FIELDS)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Orlando Fields, his his own proper person, and is duly arraigned in Vacation, and said defendant enters his plea of not guilty of assault and battery with intent to kill.

And now the Judge gixes the defendant's bond at fifteen hundred dollars.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 30th day of August, 1937, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Horace L. Hanna, Judge thereof, the following proceedings were had herein, viz:

STATE OF INDIANA)
VS) # 7779 Judgt. vs Each Deft. for $5.00 Fine and Costs.
WILL ADAMS) J. D. 17, Page 207.
HUBERT HILL)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendants, Will Adams and Hubert Hill, in their own proper persons and each defendant is arraigned in Vacation and each defendant enters his plea of guilty of public intoxication.

It is, therefore, adjudged and decreed by the Judge of this Court that each of said defendant for the offense by each committed, shall be and each is fined in the sum of five dollars, and each shall pay the costs of this action, taxed at_____ dollars and _____cents.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 1st day of September, 1937, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Horace L. Hanna, Judge thereof, the following proceedings were had herein, viz:

KARL ROSENBERG)
-vs-) No. 15162 VACATION ENTRY FOR
CURTIS STORAGE AND TRANSPORTATION) SEPTEMBER 1ST. 1937.
COMPANY, A Corporation.)

Be it remembered that afterwards, to-wit: On the 1st day of September, 1937, being in vacation, defendant, Curtis Storage and Transportation Company, filed with the Clerk of said Court in the Clerk's Office, its bill of exceptions, containing all of the evidence in the above entitled cause, which bill of exceptions, prior to the filing thereof, had been duly presented to the Honorable Horace L. Hanna, Judge of said court and by said Judge on the 1st day of September, 1937, duly signed, sealed and made a part of the record in this cause, Said original bill of exceptions so filed on the 1st day of September, 1937, is in the words and figures following, and is the following to-wit: (H.I.)

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 1st day of September, 1937, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

STATE OF INDIANA)
SS:
HENDRICKS COUNTY)

IN THE HENDRICKS CIRCUIT COURT,
NO. 15162.

KARL ROSENBERG,)
-vs-) PRAECIPE.
CURTIS STORAGE AND TRANSPORTATION COMPANY.)

The clerk will prepare and certify a full, true and complete transcript of all proceedings, papers on file and judgment in the above entitled cause, that is a transcript of the entire record and proceedings in said cause, save that the clerk will not transcribe the original bill of exceptions filed by defendant in said cause containing the evidence, but will embrace said original bill of exceptions in said transcript intead of a copy thereof. Said transcript to be used on appeal of the above entitled cause to the Appellate Court of Indiana.

Otis E. Gulley
FENTON, STEERS, BEASLEY & KLEE
By: James C Jay
Attorneys for Defendant.

Attest: Walter E. Hadley Clerk.

BE IT REMEMBERED, That on the 1st day of September, 1937, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

JOHN F. RUSSELL, RECEIVER)
FIRST NATIONAL BANK,)
MONROVIA, INDIANA.)
VS) # 15243
CLAUDE E. KNOY,)
FLORENCE M. KNOY AND)
JAMES W. MILHON.)

Comes now the plaintiff, by counsel, and files his written dismissal, costs paid, which written dismissal is in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 2nd day of September, 1937, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Horace L. Hanna, Judge thereof, the following proceedings were had herein, viz:

STATE OF INDIANA)
VS) # 7778 Judgt. vs Deft. for $5.00 Fine and Costs.
ORLANDO FIELDS) J. D. 17, Page 208.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and permission is given to file amended affidavit in Vacation, which amended affidavit is in the words and figures following, to-wit: (H.I.).

And now comes also Orlando Fields, in his own proper person, and is duly arraigned and enters his plea to said amended affidavit of guilty.

It is, therefore, now adjudged and decreed by the Judge of this Court that said defendant for the offense by him committed shall be fined in the sum of five dollars and shall pay the costs of this action, taxed at _____dollars and _____cents.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 3rd day of September, 1937, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Horace L. Hanna, Judge thereof, the following proceedings were had herein, viz:

STATE OF INDIANA)
VS) # 7775 Judgt. vs Deft. for $10.00 Fine and Costs.
CARL WEBB) J. D. 17, Page 208.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Carl Webb, in his own proper person in Vacation, and the defendant now changes his plea of not guilty to that of guilty, and the Court finds the age of said defendant to be twenty years.

It is, therefore, now adjudged by the Court that the defendant, Carl Webb, for the crime by him committed be and he is sentenced to serve six months in the Penal Farm, that he be and he is fined $10.00, and that said defendant, Carl Webb, pay the costs of this action, taxed at _____dollars and _____cents.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 4th day of September, 1937, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Horace L. Hanna, Judge thereof, the following proceedings were had herein, viz:

STATE OF INDIANA)
VS) # 7775
CARL WEBB)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also Lloyd E. Webb, brother of the defendant in the above entitled cause, Carl Webb, and asks the Court for an order directing the Sheriff of this County to deliver to said Lloyd E. Webb the rifle and knife belonging to said defendant, Carl Webb.

And the Court having investigated the matter and having heretofore directed the Sheriff to deliver all the property of said defendant, Carl Webb, to his brother, Lloyd Webb, now orders said Sheriff to deliver said rifle and knife to said Lloyd Webb.

Attest: Walter E. Hadley, Clerk.

Monday Morning, September 6th, 1937.

Pleas and proceedings had in the Hendricks Circuit Court, within and for Hendricks County, State of Indiana, at the September Term, 1937, which term of court was begun and continued at the Court House in the town of Danville, in the County and State aforesaid, commencing on Monday the 6th day of September, 1937, that being the day fixed by law for holding said Term of Court.

Present Honorable Horace L. Hanna, Judge.
John A. Kendall, Prosecuting Attorney.
Albert H. Shane, Sheriff.
Walter E. Hadley, Clerk.

Whereupon, said Sheriff proclaimed said Court open, according to law, and the following proceedings were had, to-wit:

LOUISE KOLTHOFF)
VS) # 15144
FINK AUTO CO., INC.)

Comes now the plaintiff, by counsel, and files her written request for a jury trial, which request is in the following words and figures, to-wit: (Here Insert).

FRANK COOK)
VS) # 15145
JOSEPH L. WRAY)

Come now the parties, by counsel, and the Court being duly advised, now overrules the defendant's said motion and objections to said complaint, to which ruling of the Court the defendant duly objects and excepts.

NELLIE WISCHMEYER)
VS) # 15163
EARL WISCHMEYER, ET AL.)

Come now the parties, by counsel, and the Court being duly advised, now overrules the defendants' demurrer to plaintiff's complaint, to which ruling of the Court the defendants duly object and except.

CHARLES H. SEILOFF, ET AL.)
VS) # 15112
STANTON A. MORTON, ET AL.)

Come now the parties, by counsel, and the Court being duly advised now sustains the defendants' motion and objections to complaint, to which ruling of the Court the plaintiffs duly object and except, and the Court now grants leave to plaintiffs to file amended complaint, and time is given.

ROBERTA HUGHES)
VS) # 15170
THE ANCHOR MOTOR FREIGHT INC., A CORP.)

Come now the parties, by counsel, and the Court being duly advised, now overrules the defendant's motion to strike out parts of complaint, to which ruling of the Court the defendant duly objects and excepts.

Monday, September 6th, 1937, and the 1st day of the September Term, 1937.

JOHN F. EVERETT SR., ADMR. OF THE)
ESTATE OF ALICE EVERETT, DECEASED.)
VS) Order on Commissioners final report.
JOHN F. EVERETT, SR.)
VIOLA EVERETT, HIS WIFE)
LEMUEL S. EVERETT)
IVA EVERETT, HIS WIFE)
ELLA BELCHER)
CHARLES BELCHER, HER HUSBAND)
HULDA SHEPHERD)
DANIEL J. SHEPHERD, HER HUSBAND)
VIOLA WEBBER,)
DAVID WEBBER, HER HUSBAND)
WILLIAM EARL EVERETT)
NANNIE EVERETT, HIS WIFE)
JAMES ROY EVERETT)
HELEN EVERETT, HIS WIFE)
EVERETT GIRT)
LUCY GIRT, HIS WIFE)
CHARLES GIRT)
EMILY GIRT, HIS WIFE)
DORA GERTRUDE GIRT, UNMARRIED)
LILIAN McDANIEL, A MINOR AND UNMARRIED)
LOUISE McDANIEL, A MINOR AND UNMARRIED)
FLETCHER JOINT STOCK LAND BANK)

Comes now John F. Everett, Sr., Commissioner herein and files the following, his final report. (Insert)
Showing that after payment of the costs of this action and allowances made by the Court, then remainded in his hands for distribution $2221.14 , which sum persuant to the decree in this cause entered and as evidenced by vouchers filed he has paid out and distributed as follows:

Voucher No.

1. C. B. Hollett, Land Tax.....$16.91
2. C. B. Hollett, Ditch Tax..... 1.77
3. E. E. Watson, Threshing Bill..... 3.60
4. C. B. Hollett, Land Tax..... 16.91
5. C. B. Hollett, Ditch " 16.53
6. " " " Taxes for /36 in full..... 36.10
7. " " " Ditch tax in full..... 49.60
8. Brownsburg State Bank, Bond $3000.00..... 25.00
9. U. S. P. O. Stamp for Deed..... 2.50
10. Vernon Nichols, Abstracting..... 16.00
11. Commissioner Fees..... 75.00
12. Attorney Fees..... 75.00
13. Court Costs..... 17.83
14. Gross Income Tax..... 15.22

Total Disbursements.....$367.97

Monday, September 6th, 1937, and the 1st day of the September Term, 1937.

RECAPITULATION

Total Charges.....2589.11
Total Disbursements..... 367.97
Balance to be Distributed.....$2221.14

As Lemuel S. Everett has already received his interest in the above division by advancement before Alice Everett's death, and has receipted therefor and said Commissioner has filed his receipt as a part of the records of this Partition Proceedings, there will remain 7 heirs in place of 8 for a division in the above balance, viz:

Voucher No.

15. John F. Everett Sr. 1/7 interest.....$317.31
16. Ella Belcher .....1/7 interest..... 317.31
17. Hulda Shepherd.....1/7 interest..... 317.31
18. Viola Webber.....1/7 interest..... 317.31
19. William Earl Everett " interest..... 317.31
20. James Roy Everett...1/7 interest.....$317.31
21. Everett Girt.....1/28 interest..... 79.32
22. Charles Girt.....1/28 interest..... 79.32
23. Dora Gertrude Girt..1/28 interest..... 79.32
24. Lillian McDaniel....1/56 interest..... 39.66
25. Louise McDaniel.....1/56 interest..... 39.66

Total.....$2221.14

And the Court having examined said report, and being sufficiently advised, now in all things approves and confirms the same; and said commissioner having accounted for, and properly disbursed all sums coming to his hands or with which he is chargeable, and having in all other respects fully executed his said trust, he is now, by order of this Court, released and discharged, and this case adjudged finally disposed of.

CHARLES B. HARDY)
VS) # 15115
MAY (HARDY) MILTON)

Come now the parties, by counsel, and the Court being duly advised, now sustains motion of defendant to make complaint more specific as to bill of particulars, heretofore filed, to which ruling of the Court the plaintiff duly objects and excepts.

CITY OF INDIANAPOLIS)
VS) # 15241
RUTH FLEMING, ET AL.)

Comes now the plaintiff, by its attorneys, and files its written dismissal of this cause of action against the following defendants: Frank P. Howard and _____Howard his wife, whose Christian Name is Unknown, and against the following described real estate in Indianapolis, Marion County, Indiana, to-wit: 30.74 feet off of the south side of lot thirty-two (32) in C. St. John West's addition to the city of Indianapolis, and which dismissal is in the following words and figures, to-wit: (Here Insert).

HOME OWNERS LOAN CORP.)
VS) # 15206
DORSEY ELLIS)
CLAUDIA ELLIS)

Comes now the plaintiff, by counsel, and files interrogatories numbered one to eight, both inclusive, to be answered by the defendants under oath, which interrogatories are in the words and figures following, to-wit: (H.I.), and moves the Court to have said interrogatories answered within a time fixed by the Court.

And now the defendants are ruled to answer said interrogatories on or before September 18th, 1937.

EVA KESLER)
VS) # 15267
MYRTLE R. MITCHELL)

Comes now the plaintiff, by counsel, and upon her motion, the defendant is ruled to answer on or before September 11th, 1937.

RALPH KELSCH)
VS) # 15262
HARRIETT KELSCH)

Comes now Victor R. Jose, Jr., herein, and enters written special appearance only for defendant, in the following words and figures, to-wit: (Here Insert).

ALVA LLOYD)
VS) # 15178 Judgt. vs Deft., Thurman Ramsey, for
LAFAYETTE, INDIANAPOLIS) $900.00 and Costs.
TRANSIT CO., ET AL.) J. D. 17, Page 208.

Come now the parties, by counsel, and on motion of plaintiff, the Court now renders judgment on the verdict of the jury.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff have and recover of and from the defendant, Thurman Ramsey, the sum of nine hundred dollars, and the costs of this action, taxed at _____dollars and _____cents.

WILBUR FLEENER)
VS) # 15242
HARRY TROST)

Comes now the plaintiff, by counsel, and files written dismissal of this cause, the costs having heretofore been paid on dismissal.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

EDWARD J. WEESNER)
VS) # 15248
IRA J. POMEROY)

Comes now the plaintiff, by counsel, and dismisses this cause of action, the costs on dismissal having heretofore been paid.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

GEORGE IRELAND)
VS) # 15260
G. G. TATE, WHOSE CHRISTIAN)
NAME IS UNKNOWN.)
MARY TATE)

Comes now the plaintiff, by counsel, and files written dismissal of this cause, the costs on dismissal having heretofore been paid, which written dismissal is in the words and figures following, to-wit: (H.I.).

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

JOHN F. RUSSELL, RECEIVER)
FIRST NATIONAL BANK,)
MONROVIA, INDIANA.)
VS) # 15243
CLAUDE E. KNOY, ET AL.)

Comes now the plaintiff, by counsel, and said plaintiff having heretofore filed dismissal in this cause and costs being paid, this cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

JOHN O. TINDER)
VS) # 15277
CHARLES UNDERWOOD)

Comes now the plaintiff, by counsel, and dismisses this cause, the costs on dismissal having heretofore been paid.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Tuesday Morning, September 7th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

EVERETT FONNER)
VS) # 15202
ALVA ROUTH)

Comes now the plaintiff, by counsel, and moves the Court to have defendant answer on or before September 17th, 1937. And the Court being duly advised, now sustains said motion and the defendant is ruled to answer on or before September 17th, 1937.

SALLIE ETCHESON)
VS) # 15203
ORA D. ROBERTSON)

Comes now the defendant, by counsel, and moves the Court that all depositions be published.

STATE OF INDIANA)
VS) # 7773 Judgt. vs Deft. for $15.00 Fine and Costs.
ALVA WHITT) J. D. 17, Page 208.

Comes now the State of Indiana by John A. Kendall, prosecuting attorney, and comes also the defendant, Alva Whitt, and said defendant now changes his plea to guilty.

It is, therefore, now adjudged by the Court that said defendant for the offense by him committed shall be and he is fined in the sum of fifteen dollars, and that he shall pay the costs of this action, taxed at _____ dollars and _____ cents.

It is further ordered by the Court that said defendant, Alva Whitt, is hereby prohibited from driving any automobile or motor vehicle for a period of one year, and that the Clerk of this Court is hereby directed to transmit copy of judgment as provided by law to the auto department.

STATE OF INDIANA)
) SS:
COUNTY OF HENDRICKS)

IN THE HENDRICKS CIRCUIT COURT
SEPTEMBER TERM 1937

STATE OF INDIANA on the relation of the Department of Commerce and Industries
vs.
Scott Waddell

CAUSE NO. 15299

RESTRAINING ORDER

The plaintiff having filed its verified complaint, praying for a restraining order, a temporary injunction and a permanent injunction, and the court being duly and sufficiently advised in the premises, finds that summons has been heretofore issued on said complaint, and further finds that the undertaking required in like cases to be filed is not applicable to plaintiff herein by reason of the fact that plaintiff is a department of the State of Indiana. The court further finds that the defendant should be restrained from committing a nuisance in the unlawful and illegal disposition of the refuse products from a packing plant run and operated by him near to and adjacent to the

town of Brownsburg, said county.

It is, therefore, ordered and adjudged by the court that the defendant be and is hereby restrained from the commission of a nuisance in unlawfully and illegally permitting waste products from his said plant, located near to and adjacent to the town of Brownsburg, said county, from entering into and polluting the waters of Big White Lick Creek, as defined by law.

It is thereby further ordered that the defendant be notified that an application for a temporary injunction herein will be heard before me in the city of Danville on the 10th day of September, 1937.

Issued this 7th day of September 1937

Horace L. Hanna
Judge, Hendricks Circuit Court

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Wednesday Morning, September 8th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

LENORD MITCHELL)
VS) # 15302
RUBY MITCHELL)

Comes now the plaintiff, by counsel, and files his complaint and affidavit for notice to non-resident defendant, Ruby Mitchell, in the following words and figures, to-wit: (Here Insert). And the Court having seen and examined same, now orders that notice to said defendant be made as by law provided, and same should be returnable on the first day of November, 1937.

PAUL RIEGER & CO.)
VS) # 15256 Judgt. vs Deft. for $43.99 and Costs.
CHARLES W. KEATING) J. D. 17, Page 209.

Comes now the plaintiff, by counsel, and shows to the Court by the summons herein and the return of the Sheriff of Hendricks County, Indiana, thereon, that said defendant has been duly served with process more than ten days before the return day thereon, and said defendant failing to appear on motion of plaintiff is three times loudly called and comes not and herein wholly makes default.

Said cause is now submitted to the Court for trial, finding, judgment and decree on said default and said complaint, without the intervention of a jury.

And the Court having examined said complaint and affidavit thereto, and being duly advised, finds for the plaintiff and that the allegations of the complaint are true and that there is unpaid and due the plaintiff from the defendant, Charles W. Keating, on said account sued upon in this cause, the sum of $35.46, and interest thereon from February 1st, 1933, the sum of $8.53, making a total sum due plaintiff $43.99, together with the costs of this action.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff have and recover of and from the defendant, Charles W. Keating, the sum of $43.99, together with the costs for this action, taxed at _____dollars and_____ cents.

ROBERTA BROWN)
VS) # 15272 Judgt. vs Deft. for $75.00 and Costs.
CHARLES S. HAWORTH) J. D. 17, Page 209.

Comes now the plaintiff, by counsel, and shows to the Court the summons and the return of the Sheriff of Hendricks County, Indiana, showing that said defendant, Charles S. Haworth, has been duly served with process more than ten days, before the return day thereon and said defendant failing to appear, is now on motion of plaintiff three times loudly called in open Court, but comes not and herein wholly makes default.

And now on motion of the plaintiff, this cause is submitted to the Court for trial, finding, judgment and decree, without the intervention of a jury.

And the Court having examined said complaint and the note sued on

in this cause, finds for the plaintiff and that the allegations of plaintiff's complaint are true and that there is due the plaintiff from said defendant, Charles S. Haworth, on the note sued on in this action the sum of $45.00 in principal and interest in the sum of $20.00 and $10.00 attorney fees, making a total sum due the plaintiff $75.00, all of which is due and unpaid, together with the costs of this action.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff have and recover of and from the defendant, Charles S. Haworth, the sum of $75.00, together with the costs of this action, taxed at _____dollars and _____cents.

SOCONY-VACUUM OIL CO.)
VS) # 15290 Judgt. vs Deft. for $61.41 and Costs.
GLEN EMRY) J. D. 17, Page 209.

Comes now the plaintiff, by counsel, and shows to the Court the summons and the return thereon of the Sheriff of Hendricks County, Indiana, showing that said defendant has been duly served with process more than ten days before the return thereon and now on motion of the plaintiff the defendant, Glen Emry, is three times loudly called in open Court but comes not and herein wholly makes default.

And now on motion of the plaintiff, this cause is submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

And the Court having examined the complaint herein and being duly advised, finds for the plaintiff and that the allegations therein contained are true and that there is due and unpaid plaintiff from the defendant on the account sued on in this cause, the sum of $57.66, together with interest thereon in the sum of $3.75, making a total due said plaintiff $61.41, all of which is unpaid and that the plaintiff should have judgment for said sum against said defendant, together with the costs of this action.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff have and recover of and from the defendant, Glen Emry, the sum of $61.41, together with the costs for this action, taxed at _____dollars and_____cents.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Thursday Morning, September 9th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

IN THE MATTER OF THE VOLUNTARY)
LIQUIDATION OF THE DANVILLE) No. 14336
TRUST COMPANY, OF DANVILLE,)
INDIANA.)

Come William F. Franklin and Charles Z. Cook, Liquidating Agents of the above corporation, and file their account in final settlement of said Trust. And the court fixes, by indorsement upon said report the 11th. day of October, 1937, for hearing upon said account.

And further proceedings herein are continued.

GENERAL T. UNDERWOOD)
VS) # 15294 Judgt. vs Deft. for $1385.92 and Costs.
MYRTLE R. MITCHELL.) J. D. 17, Page 209.

Comes the plaintiff by counsel and exhibits to the court the summons issued to the sheriff of Hendricks County, Indiana, for defendant, Myrtle R. Mitchell, and from which summons and the return of said sheriff indorsed thereon the court finds that said defendant was duly served with process and notice of the filing and pendency of this action more than ten days before the 8th. day of Spetember, 1937, the day fixed by the plaintiff by indorsement upon his complaint for said defendant to appear and answer the complaint herein. Said summons and sheriff's return indorsed thereon are as follows, to-wit: (Here Insert).

And said defendant, failing to appear and answer the complaint herein is now three times loudly called in open court but comes not and herein wholly makes default.

And now this cause is submitted to the court for trial without the intervention of a jury upon plaintiff's complaint and the default of the defendant thereto.

And the court, having heard the evidence and being fully advised in the premises finds for the plaintiff, that the allegations of his complaint are true and that there is due him and unpaid upon the note sued upon in the complaint, of principal and interest, the sum and amount of $1310.92, and that the sum of $75.00 is a reasonable fee for plaintiff's attorney, and that plaintiff is entitled to a judgment against the defendant, Myrtle R. Mitchell, for a total of said two amounts, in the sum of $1385.92, without relief from valuation or appraisement laws.

It is, therefore, considered and adjudged by the court that the plaintiff recover of and from the defendant, Myrtle R. Mitchell, the sum of $1385.92, together with the costs of this action, taxed at $_____, all without relief from valuation or appraisement laws.

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

STATE OF INDIANA ON THE)
RELATION OF THE DEPARTMENT)
OF COMMERCE AND INDUSTRIES)
VS) # 15299
SCOTT WADDELL)

Come now the parties, by counsel, and on agreement of all the parties the hearing on temporary injunction is continued to September 14th, 1937, at 2:00 P. M., restraining order to reamin in full force and effect until further order of the court.

GEORGE R. HARVEY)
VS) # 15298 Judgt. vs Pltf. for Costs.
ASA M. GOODWIN) J. D. 17, Page 210.

Comes now the plaintiff by Blessing and Kendall, his attorneys, and moves the Court to dismiss this cause at the plaintiff's cost.

And the Court being duly advised, now sustains said motion and this cause is dismissed at the plaintiff's cost.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, George R. Harvey, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

ROBERT O. BARNES)
VS) # 15268
ROBERT HARRISON)

Comes now the plaintiff, by Blessing and Kendall, his attorneys, and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid.

And the Court being duly advised, now sustains said motion and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

NORA RAGAN)
VS) # 15169
LESLIE GENTRY)

Come now the parties, by counsel, and oral argument is heard by the Court on defendant's motion for new trial.

EATHEL H. RADER)
VS) CAUSE # 15253 Judgt. vs Pltf. for Costs.
LAURA RADER) DECREE J. D. 17, Page 210.

Comes now the plaintiff and his Attorney, Arny M. Watkins and comes also John A. Kendall the Prosecuting Attorney of the 55th Judicial Circuit and it appearing to the court that the defendant has been duly served with process more than ten days before the first day of the present term of this court and the Prosecuting Attorney, now files a general denial to said complaint.

And the said defendant, Laura Rader failing to appear is three times audibly called in open court but comes not and herein wholly makes default and the said Prosecuting Attorney, John A. Kendall being present pursuant to the statute of the State

of Indiana regulating the procedure in uncontested divorce cases.

And this cause being at issue is submitted to the court 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 he is entitled to a decree of divorce from the defendant on the grounds therein alleged.

It is therefore, considered and adjudged by the court that the bonds of matrimony existing between the plaintiff and defendant herein be, and they are hereby dissolved and the plaintiff is hereby granted a divorce from the defendant.

It is further considered and adjudged by the court that the plaintiff pay the costs of said cause of action.

J. FRANK CHADWICK, ET AL.)
ASSIGNEES ETC.)
VS) # 13728
THE LOUISVILLE JOINT STOCK)
LAND BANK, ET AL.)

Comes now the plaintiff, by counsel, and files petition to withdraw bond deposit, which petition is in the following words and figures, to-wit: (Here Insert), and asks that all costs incurred by this petition and costs remaining unpaid in said cause in this Court be paid out of said bond fund and that the balance be ordered repaid to the plaintiffs and for all proper relief.

The Court having inspected said petition and being duly advised in the premises, finds that the Clerk of this Court should be ordered and directed to first pay all costs incurred by this petition and any costs remaining unpaid in said cause in this Court and any balance remaining of said fund to pay to plaintiffs as asked for in their said petition.

And now the Court finds that there is due the Clerk of this Court for costs $11.15, and that there is due plaintiff $88.85 as refund, and orders same distributed.

It is, therefore, considered, ordered and adjudged by the Court, that the Clerk of this Court first pay all costs incurred by this petition and any costs remaining unpaid in this cause in this cause in the amount of $11.15, and the balance remaining of said fund in the amount of $88.85, be paid to the plaintiffs as asked for in their said petition.

RECEIPT:

1. Dec 16, 1940 Rec'd. $11.15 of J. Frank Chadwick, and H. Grady Chadwick, Assignees of James D. Wilson, in full of costs in the above entitled cause, as taxed in Fee Book 17 at page 211.

Walter E. Hadley Clerk

(Walter E. Hadley, Clerk Hendricks Circuit Court.)

2. July 18, 1944 Rec'd. $88.85 the balance of the $100.00 remaining after the costs have been deducted, all as petitioned for.

J Frank Chadwick H. Grady Chadwick
by Chase Hinding Assy

(J. Frank Chadwick, and H. Grady Chadwick, Assignees of James D. Wilson.)

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, September 10th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

CITY OF INDIANAPOLIS)
VS) # 15241
RUTH FLEMING)

Comes now the plaintiff, by its attorneys, and files its written dismissal against the following named defendants: Samuel Finkman and Rose Finkman his wife, and against the following described real estate in the City of Indianapolis, Indiana, Lot 9 (20 feet S P) in Block 29 Drake's Addition. Lot 9 (10 feet S Pt) in Block 29 Drakes Addition , and which dismissal is in the following words and figures, to-wit: (Here Insert).

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Saturday Morning, September 11th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

PETIT JURY EMPANELLED FOR SEPTEMBER TERM, 1937.

The Clerk is ordered to issue venire for said petit jurors named, requiring them to be and appear in this Court on Monday, September 13th, 1937, at the hour of 9:00 o'clock A. M., for jury service.

SALLIE ETCHESON)
VS) # 15203
ORA D. ROBERTSON)

Comes now the defendant, by counsel, and moves the Court to appoint a physician to make a physical examination and procure X Ray pictures of the plaintiff to be used in the trial of said cause. And the Court being duly advised, now sustains said motion. And now the Court appoints Dr. Cleon A. Nave, of Indianapolis, Indiana, to make said examination and procure X ray pictures, and the Court now fixes the date of such examination as September 13th, 1937, at 1:30 P. M., or as soon after as is convenient to parties at the office of said physician, 821 Hume Mansur Building, Indianapolis, Indiana, each party to be entitled to the report of said physician, said examination to be at the expense of said defendant, Ora D. Robertson.

STATE OF INDIANA)
VS) # 7572
HAROLD PHILLIPS)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files statement showing that said defendant, Harold Phillips, has failed to carry out the orders of this Court, and is far in arrears in his payments as ordered by the Court, which statement is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said statement, now orders warrant issued for the arrest of said defendant.

STATE OF INDIANA)
VS) # 7614
HERBERT SHEPHERD)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files statement and shows to the Court, that the defendant in the above cause is at this time behind in the sum of $25.00 and moves the Court to issue warrant for re-arrest of said defendant, which statement and motion are in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said statement and motion, now orders warrant issued for the re-arrest of said defendant, Herbert Shepherd.

STATE OF INDIANA)
VS) # 7727 Judgt. vs Deft. for $5.00 Fine and Costs.
ALBERT HUNN) J. D. 17, Page 210.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, in person and by his attorney, Otis E. Gulley, and now the State of Indiana dismisses paragraph one of said charge without predjudice, and the defendant, Albert Hunn, now withdraws his plea of not guilty and enters his plea of guilty to not having chauffeur's license.

It is, therefore, now adjudged by the Court that the defendant, Albert Hunn, for the offense by him committed be and he is fined five dollars, and that he pay the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.
Horace L. Hanna ,Judge.

Monday Morning, September 13th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

SALLIE ETCHESON)
VS) # 15203
ORA D. ROBERTSON)

Comes now the defendant, by counsel, and moves the Court to publish the deposition of Sallie Etcheson. And the Court being duly advised, now sustains said motion.

STATE OF INDIANA)
VS) # 7708 Judgt. vs Deft. for $5.00 Fine and Costs.
DON GRIFFITH) J. D. 17, Page 210

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Don Griffith, in his own proper person, and is duly arraigned in open Court and said defendant enters his plea of guilty as charged in the affidavit.

It is, therefore, now adjudged and decreed by the Court that the defendant, Don Griffith, for the offense by him committed be and he is fined in the sum of five dollars and that he pay the costs of this action, taxed at _____dollars and _____cents.

CHARLES M. COREY)
VS) # 15200
PHILIP GRENWALD)

Comes now the defendant, in person and by counsel, and files a fourth and fifth paragraphs of answer, which fourth and fifth paragraphs of answer are in the words and figures following, to-wit: (H.I.).

And comes now the plaintiff, in person and by counsel, and files demurrer to fifth paragraph of answer, which demurrer is in the words and figures following, to-wit: (H.I.). And the Court having seen and examined said demurrer to fifth paragraph of answer, and being sufficiently advised in its premises, now sustains the same, to which ruling of the Court the defendant excepts.

The plaintiff objects to filing of fourth paragraph of answer for reason issues had been already closed. The Court overrules objections, to which ruling of the Court plaintiff duly excepts.

The plaintiff now files reply in general denial to plea of payment, which reply is in the words and figures following, to-wit: (H.I.).

And now this cause being at issue, the Sheriff of Hendricks County, is ordered to bring into open Court the following jurors for jury services, to-wit: Marion Weddle, Asa Page, John Moran, George Hadley, Harold Davis, Howard Pritchett, Randal Joseph, Herschel Cline, Ed Thompson, Herschel Gentry, Huber L. Swain and Fred Breedlove, twelve good and lawful men, householders and freeholders of Hendricks County, and legal voters thereof, who are duly and legally impanelled and sworn in open court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

And after hearing a part of the evidence in this cause, the jury is permitted to separate under proper instructions of the Court during such separation until 1:30 P. M.

Jury is again brought into Court and the evidence is continued and completed.

And now the plaintiff tenders instructions numbered one to four both inclusive, and the Court indicates that he will give instructions numbered one, two and three tendered by the plaintiff, and the Court indicates that he will refuse to give instruction number four tendered by the plaintiff, and to the refusal of which the plaintiff objects and excepts. The defendant now tenders instructions numbered one and two, and the Court indicates that he will give instruction numbered one tendered by the defendant, and the Court indicates he will refuse to give instruction number two tendered by the defendant, and to the refusal of which the defendant objects and excepts.

Arguments are heard, and at the close of the argument, the plaintiff in this cause tendered his instructions in writing numbered one, two, three and four, and requests the court to give each of said instruction, and the defendant now tenders it's instructions in writing, numbered one and two, and requests the Court to give each of said instructions. And now the Court gives to the jury of his own motion instructions numbered 1, 2, 3, 4, 5, 7, 8, 11 and 12, and to the giving of each instruction so given by the court of its own motion, plaintiff and defendant each excepts as to each instruction separately and severally. And now the Court gives instructions numbered one, two and three tendered by the plaintiff and refuses to give instruction number four tendered by the plaintiff, and now the defendant excepts to the giving of instructions one, two and three separately and severally, tendered by the plaintiff, and now the plaintiff excepts to the refusal of the Court to give instruction number four tendered by the plaintiff. The Court now gives instruction numbered one tendered by the defendant and refuses to give instruction number two tendered by the defendant, and now the plaintiff excepts to the giving of instruction number one tendered by the defendant and now the defendant excepts to the refusal of the Court to give instruction number two tendered by the defendant.

And now the Court signs the instructions given of the court of its own motion, and also signs the instructions tendered by the plaintiff and the instructions tendered by the defendant, indicating those "given" and those "refused" and all of the instructions including those given by the Court and those tendered by the plaintiff and those tendered by the defendant, and now orders all of said instructions including those given and refused filed and made a part of the record in this cause, which instructions are in the words and figures following, to-wit: (H.I.).

And now the jury retires in charge of a sworn officer to deliberate.

Afterwards the jury is again conducted into Court and returns a verdict for the plaintiff and assessing his damages in the sum of $767.00, which verdict is in the words and figures following, to-wit:

State of Indiana,
Hendricks County, SS:

In the Hendricks Circuit Court,
September Term, 1937.
No. 15200.

Charles M. Corey)
vs.)
Philip Grenwald)

VERDICT OF THE JURY.

We, the Jury, find for the plaintiff and assess his damages in the sum of $767.00.

A H Davis
Foreman of the Jury.

And now the jury is discharged from further duties in this cause.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Tuesday Morning, September 14th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

IDA WILSON)
VS) # 15013
SAM J. UNDERWOOD)

Comes now the defendant, by counsel, and files affidavit and motion for continuance, this cause having been set for trial for September 15th, 1937, and which affidavit and motion of said defendant is in the following words and figures, to-wit: (Here Insert).

STATE OF INDIANA)
VS) # 1768
ANNA BELLE DUNCAN)

Comes now the defendant, Anna Belle Duncan, herein, and shows to the Court that she has no means for property to hire an attorney, and the Court being duly advised in the premises, now appoints George W. Hadley to prepare defense for the said defendant, Anna Belle Duncan, and to represent her as attorney in this cause.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Anna Belle Duncan, in her own proper person and by her attorney, George W. Hadley, and this cause being at issue, the Sheriff of Hendricks County, is ordered to bring into open Court the following jurors for jury services, to-wit: Victor Smith, Marion Weddle, Asa Page, John Moran, Harold Davis, Howard Pritchett, Randal Joseph, Ed Thompson, Herschel Gentry, Huber L. Swain, Claude Worrell and Fred Breedlove, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly and legally impanelled and sworn in open court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

And after hearing all of the evidence in this cause, the jury is allowed to separate under proper instructions of the Court as to their duty during separation until 9:00 o'clock A. M., September 15th, 1937.

MAY MELTON
VS.
WILLIAM MELTON

IN THE HENDRICKS CIRCUIT COURT.
SEPTEMBER TERM, 1937

Comes now the plaintiff in the above entitled cause and files her suit for divorce together with a verified application for a restraining order against the defendant, which application for restraining order is in the words and figures as follows: (H.I.)

And now this court being advised in the premises find that said plaintiff is entitled to a restraining order without notice, and until the further order of this court, restraining the defendant from in any wise interfering with the person of this plaintiff or in any wise interfering with the property belonging to this plaintiff; and that defendant should be further restrained from entering the premises of this plaintiff except in the presence of an officer.

It is therefore ordered, adjudged, and decreed that the defendant be, and he is hereby restrained, until further order of this court, from in any wise interfering

with the person of this plaintiff or her property and from entering upon the premises of this plaintiff except in the presence of an officer having police authority; all of which is ordered, adjudged, and decreed until the further order of this court.

It is further ordered by the court that a copy of this order be served upon the defendant by the sheriff of Hendricks County, State Of Indiana.

Dated this 14th day of September, 1937.

Horace L. Hanna
Judge of Hendricks Circuit Court

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Wednesday Morning, September 15th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

FRANK COOK)
VS) # 15145
JOSEPH L. WRAY)

Comes now the defendant, by counsel, and files second paragraph of answer to plaintiff's complaint, which second paragraph of answer is in the following words and figures, to-wit: (H.I.).

GRACE RUTH SANDERS)
VS) # 15045
WARNER H. BENSON, ET AL.)

Comes now the plaintiff, by counsel, and files affidavit for non-residents notice, which affidavit is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said affidavit and being sufficiently advised in its premises, now finds that an order for a non-residence notice to said defendant, Howard J. Banta, should be issued and said notice ordered published as by law required, and the return day fixed as of November 8th, 1937.

It is now ordered by the Court that a non-residence notice be published for the said defendant, Howard J. Banta, making the same return as of November 8th, 1937.

STATE OF INDIANA ON THE RELATION)
OF THE DEPARTMENT OF COMMERCE AND)
INDUSTRIES)
VS) # 15299
SCOTT WADDELL)

Comes now the defendant, by counsel, and moves the Court to strike from the records the complaint. The Court being duly advised, now overrules said motion, to which ruling of the Court defendant objects and excepts.

Come now the parties, in person and by counsel, and the Court having heard a part of the evidence in this cause, this cause is now continued, the restraining order to remain in full force and effect until further order of this court.

WILLIAM CARL WHITE)
VS.) # 15237
CLARISSA WHITE)

Judgt. vs Pltf. for $6.00 Per Week and Costs.
J. D. 17, Page 211.

Comes now again the plaintiff in person and by counsel and it appearing to the court that the defendant herein was served with summons for more than ten (10) days prior to July 8, 1937, being the return date endorsed on plaintiff's complaint herein, which summons and the sheriff's return thereon are in the words and figures as follows: (H.I.)

And now the defendant is three times loudly called in open court, but comes not and wholly makes default.

And this cause is now submitted to the court for trial finding and decree with the Prosecuting Attorney of the Fifty-fifth Judicial Circuit representing the defendant herein.

And the court having heard the evidence and being duly advised in the premises finds that the plaintiff is entitled to a divorce upon the allegations of his complaint and proof thereof.

The court further finds that the defendant is not a proper person to have the care and custody of the minor child of these parties, William Carl White, Jr., aged four (4) years, and that the custody of said child should be given to its grandmother, Mary White, until the further order of this court, and that the plaintiff herein should pay to Mary White the sum of six dollars ($6) per week for the care, maintenance, and support of said child until the further order of this court.

It is therefore ordered, adjudged, and decreed that the bonds of matrimony heretofore existing between plaintiff and defendant be, and the same are hereby dissolved between the parties, and that the plaintiff have an absolute divorce from the defendant.

It is further ordered, adjudged, and decreed that the custody of the minor child, William Carl White, Jr., aged four (4) years, is until further order of this court given to Mary White of Plainfield, Indiana.

It is further ordered, adjudged, and decreed that the plaintiff pay to said Mary White the sum of Six Dollars ($6) per week for the care and maintenance of said child until the further order of this court, said payments to begin on the twentieth day of September, 1937.

It is further ordered, adjudged, and decreed that the plaintiff pay the costs of this action, taxed at _____dollars and _____cents.

STATE OF INDIANA)
VS) # 7768
ANNA BELLE DUNCAN)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Anna Belle Duncan, in person and also by her attorney, and the jury is again conducted into Court.

At the close of the evidence, the defendant tenders instructions numbered one to two both inclusive, and the Court indicates that it will give said instructions numbered one and two aforesaid.

Arguments are heard and concluded, and at the close of the arguments, the Court instructs the jury in writing and in writing only, Court giving of its own motion instructions numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, to the giving of each one of which the State objects and excepts, and to the giving of each one of which the defendant objects and excepts. And the Court now gives instructions numbered one and two tendered by the defendant, and to the giving of each one of which the State objects and excepts.

And now the Court signs the instructions given by the Court of its own motion and also signs the instructions tendered by the defendant, indicating those "given", and all of the instructions including those given by the Court and those tendered by the defendant, and now orders all of said instructions filed and made a part of the record in this cause, which instructions are in the words and figures following, to-wit: (H.I.), which is now done.

And now the jury retires in charge of a sworn officer to deliberate on a verdict.

And now the jury is again conducted into Court and returns a verdict finding the defendant guilty of the offense charged in the affidavit, which verdict is in the words and figures following, to-wit:

"State of Indiana, In the Hendricks Circuit Court,
Hendricks County, SS: September Term, 1937.
The State of Indiana) No. 7768.
vs.)
Anna Bell Duncan) VERDICT OF THE JURY.

We, the Jury, find the defendant guilty of the offense charged in the affidavit.

Herschel A. Gentry.
Foreman of the Jury."

Comes now the defendant, Anna Belle Duncan, in person and by counsel, and now said defendant is asked if she has any reason why sentence should not be pronounced on the verdict, and now reason appearing, and the Court finding that the defendant is thirty-five years of age, it is now adjudged and decreed by the Court that the defendant, Anna Belle Duncan, for the offense by her committed be and she is sentenced to the Indiana Woman's Prison, Indianapolis, Indiana, for a period of one to ten years, and that said defendant shall pay the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Thursday Morning, September 16th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

THE FEDERAL LAND BANK OF)
LOUISVILLE)
VS) # 14998
MARY UNDERWOOD THOMPSON, ET AL.)

Comes now the plaintiff, by counsel, and files motion for appointment of receiver and notice of hearing and waiver thereof, which motion is in the words and figures following, to-wit: (H.I.), and the Court sets cause for hearing September 25th, 1937, at 10:0 o'clock A. M.

EVERETT FONNER)
VS) # 15202
ALVA ROUTH)

Comes now the defendant, by counsel, and files answer to plaintiff's complaint in two paragraphs, which answer is in the following words and figures, to-wit: (Here Insert).

MARY SNYDER)
VS) # 15307
ADAM SNYDER)

Comes now the plaintiff, by counsel, and files complaint and affidavit which complaint and affidavit are in the following words and figures, to-wit: (Here Insert), and asks for temporary allowance and notice for hearing thereon.

The Court having seen and examined said complaint and affidavit, notice is now fixed for October 4th, 1937, at 9:00 o'clock A. M.

STATE OF INDIANA ON THE RELATION)
OF LUTHER F. SYMONS, BANK COM-)
MISSIONER OF THE STATE OF INDIANA)
VS) # 13802
PITTSBORO STATE BANK, PITTSBORO,)

Comes now the receiver, by counsel, and files verified petition to settle and compromise indebtedness of Frank Wills owing to set bank, which petition is in the following words and figures, to-wit: (Here Insert). And the Court having seen and examined said petition and being duly advised in its premises, finds that the allegations in said petition are true, and approves and confirms said settlement as by set receiver reported therein, and orders that said notices be delivered to said Frank Wills.

STATE OF INDIANA ON THE RELATION OF)
LUTHER F. SYMONS, BANK COMMISSIONER)
OF THE STATE OF INDIANA)
VS) # 13802
PITTSBORO STATE BANK, PITTSBORO.)

Comes now the receiver, by counsel, and files verified petition for authority to make distribution to creditors by paying to them a twenty per cent dividend upon their deposits, which petition is in the following words and figures, to-wit: (Here Insert). And the Court having seen and examined said petition and being duly advised in its premises, finds that the allegations of the petition are true and that the pray thereof should be granted.

It is, therefore, ordered by the Court that said receiver make said distribution as prayed for, and time is given.

LELA A. ROARK)
VS) # 14469 Judgt. vs Deft. for $2.50 Per Week
OWEN E. ROARK) J. D. 17, Page 211

Come now the parties, by counsel, and the Court being duly advised, finds that said motion to modify should be sustained, and that the plaintiff in this cause, Lela A. Roark, is a suitable person and entitled to the care and custody of Forest Eugene Roark, the son, until further order of the Court, and said defendant should be ordered to pay into the Clerk's Office of this Court, $2.50 each week for the maintenance and care of said child, that said payments should begin on September 20th, 1937, and that said defendant, Owen E. Roark, should have said child Saturday of each week, all until the further order of this Court.

It is, therefore, considered, ordered and adjudged by the Court, that Lela A. Roark, is a suitable person and entitled to the care and custody of Forest Eugene Roark, the son, until further order of the Court, and said defendant is ordered to pay into the Clerk's Office of this Court, $2.50 each week for the maintenance and care of said child, that said payments begin on September 20th, 1937, and that said defendant, Owen E. Roark, have said child Saturday of each week, all until the further order of this Court.

PHELPS LUCAS)
VS) # 15010 Judgt. vs Pltf. for Costs.
THE NATIONAL LIFE AND) J. D. 17, Page 212.
ACCIDENT INSURANCE CO.)
OF NASHVILLE, TENN., ET AL.)

Come now the parties, by counsel, and on motion of the defendant, the Court now renders judgment on the verdict of the jury, against the plaintiff, Phelps Lucas, for all costs of this action, taxed at _____dollars and_____ cents, and judgment is rendered for the defendant.

STATE OF INDIANA)
VS) # 7572
HAROLD PHILLIPS)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also Harold Phillips, the defendant, and said defendant is ordered

to pay to the Clerk of this Court $25.00 on or before September 18th, 1937, and also said defendant is ordered and he agrees to pay on or before December 25th, 1937, the balance due on said payments now delinquent and to pay each week the amount of $3.00 per week promptly as same becomes due, and said defendant is allowed to go on is own recognizance this order being complied with.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Friday Morning, September 17th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

HOME OWNERS LOAN CORP.)
VS) # 15206
DORSEY ELLIS)
CLAUDIA ELLIS)

Come now the defendants, by counsel, and file their answers to interrogatories, which answers are in the following words and figures, to-wit: (Here Insert.).

STATE OF INDIANA)
VS) # 7781 Judgt. vs Deft. for $4.00 per week.
MORSE GENTRY) J. D. 17, Page 212.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Morse Gentry, in his own proper person, and the defendant is duly arraigned in open Court and enters his plea of not guilty.

It is agreed in open Court by the defendant, Morse Gentry, that the defendant will pay to Walter E. Hadley, Clerk of this Court, $4.00 each week beginning Tuesday, September 21, 1937, for the maintenance of his children, said Clerk to pay said sums so paid him to M. C. Archer, Clayton, Indiana, R. F. D., who now has the custody of said children, and said defendant agrees that this sum each week shall be made a order against him in this cause, and said defendant, Morse Gentry, is now permitted to go on his own recognizance all until the further order of this court.

It is, therefore, considered, ordered and adjudged by the Court that the defendant, Morse Gentry, pay to Walter E. Hadley, Clerk of this Court, $4.00 each week beginning Tuesday, September 21st, 1937, for the maintenance of his children, said Clerk to pay said sums so paid him to M. C. Archer, Clayton, Indiana, R. F. D., who now has the custody of said children, and said defendant agrees that this sum each week shall be made a order against him in this cause, and said defendant, Morse Gentry, is now permitted to go on his own recognizance all until the further order of this court.

And court adjourned until 9:00 o'clock Saturday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Saturday Morning, September 18th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA, EX REL)
LURTHER F. SYMONS, BANK)
COMMISSIONER)
VS) # 13810
CLAYTON BANK AND TRUST CO.)

Comes now the Homer Owners Loan Corporation, by counsel, and files claim, which claim is in the following words and figures, to-wit: (Here Insert).

And comes now Clement E. Kelley, Receiver of the Clayton Bank and Trust Company, by counsel, and files answer in two paragraphs to complaint herein, which answer is in the following words and figures, to-wit: (Here Insert).

JOHN S. DRYBREAD)
VS) # 15118
WILLIAM F. EVANS, ET AL.)

Comes now the plaintiff, by counsel, and files affidavit and motion for change of venue from Hendricks County, Indiana, which motion is in the following words and figures, to-wit: (Here Insert).

Come now the parties, by counsel, and it is agreed that said cause be sent to Montgomery County, Indiana, and said cause is now ordered sent to Montgomery County, Indiana, and five days are given to perfect change, and pay costs.

ROY J. KREIPKE AND)
RUTH J. KREIPKE)
VS) # 15132
CHARLES H. ORTON AND)
MARY M. ORTON)

Come now the defendants, by counsel, and file answer in two paragraphs, which answer is in the following words and figures, to-wit: (Here Insert).

LUE VENIA STEPHENS)
VS) # 15259
HAROLD HUGHES)

Comes now the plaintiff, by counsel, and files affidavit for change of venue from Hendricks County, Indiana, which affidavit and motion is in the following words and figures, to-wit: (Here Insert).

STATE OF INDIANA)
VS) # 7733
CECIL HICKS)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files amended affidavit and a second paragraph for grand larceny, which amended affidavit and second paragraph is in the following words and figures, to-wit: (Here Insert).

STATE OF INDIANA)
VS) # 7614
HERBERT SHEPHERD)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Herbert Shepherd, in his own proper person, and said defendant now pays to the Clerk of this Court under cause number 15064, and which is to be credited for said defendant as payments in said cause number 15064, the sum of $25.00 as payments and $9.35 costs therein, and said defendant is allowed to go on his own recognizance.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.
Horace R. Hanna, Judge.

Monday Morning, September 20th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

EVERETT FONNER)
VS) # 15202
ALVA ROUTH)

Comes now the defendant, by counsel, and the plaintiff is ruled to reply to second paragraph of answer on or before October 1st, 1937.

FRANK COOK)
VS) # 15145
JOSEPH L. WRAY)

Coms now the defendant, in person and by counsel, and files answer in general denial to plaintiff's complaint, which answer is in the words and figures following, to-wit: (H.I.).

Comes now the plaintiff, in person and by counsel, and files reply of general denial to defendant's second paragraph of answer, which reply is in the words and figures following, to-wit: (H.I.).

And this cause being at issue, the Sheriff of Hendricks County, is ordered to bring into open Court the following jurors for jury services, to-wit: Harold Davis, John Moran, Asa Page, Marion Weddle, Claude Worrell, Victor Smith, Howard Pritchett, Fred Breedlove, Huber L. Swain, Herschell Gentry, Ed Thompson and H. H. Disney, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly and legally impanelled and sworn in open court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

And after hearing all of the evidence in this cause, the jury is allowed to separate under proper instructions of the Court as to their duty during separation until 9:00 o'clock A. M., September 21st, 1937.

STATE OF INDIANA)
VS) # 7782 Judgt. vs Deft. for $10.00 Fine & Costs.
OSCAR REYNOLDS) J. D. 17, Page 212.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Oscar Reynolds, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of guilty of the charge of operating motor vehicle while under influence of intoxicating liquor.

It is, therefore, now adjudged by the Court that the defendant, Oscar Reynolds, for the offense by him committed shall be and he is fined $10.00, and shall be and he is imprisoned in the State Penal Farm for a period of ten days, and that he shall pay the costs of this action, taxed at _____dollars and _____cents. That said defendant's license shall be revoked and said defendant is hereby prohibited from driving any automobile or motor vehicle for a period of one year.

STATE OF INDIANA)
VS) # 7783 Judgt. vs Deft. for $10.00 Fine and Costs.
CLARENCE DUNCAN) J. D. 17, Page 212.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also Clarence Duncan, the defendant, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of guilty of the charge of operating motor vehicle while under influence of intoxicating liquor.

It is, therefore, adjudged by the Court that said defendant, Clarence Duncan, for the offense by him committed, be and he is fined in the sum of $10.00, and that he shall be and he is imprisoned in the State Penal Farm for the time of ten days, and that he shall pay the costs of this action, taxed at _____ dollars and _____ cents. That the defendant's license is hereby revoked, and said defendant is hereby prohibited from driving an automobile or motor vehicle for the period of one year.

BENJAMIN WERT)
VS) No. 15235
ROBERT M. HADLEY) DECREE
ADAH K. HADLEY,) Judgt. In Rem. $4369.23 and Costs.
Husband and wife) J. D. 17, Page 213.
WILLIAM G. SCHILDMEIER)
FIRST NATIONAL BANK OF)
DANVILLE, INDIANA.)
THE STATE OF INDIANA.)

Comes now the plaintiff by his attorney Russell T. Mac Fall, and comes also the defendant William G. Schildmeier by his counsel, Earl J. Askren, and files his answer in general denial to the complaint herein, in the words and figures following, to-wit: (here insert), and also comes the State of Indiana by its Attorney General by counsel to answer under an act of the General Assembly of the State of Indiana, entitled "An Act concerning proceedings in civil cases relating to actions for the foreclosure of mortgages or liens to subject real estate to sale, and to quiet title thereto, providing for making the State of Indiana, a party defendant thereto, and relating to the mode and manner of service, and declaring an emergency," approved March 11, 1933, and files herein a disclaimer to the complaint herein, in the words and figures following, to-wit: (here insert) and it appearing to the satisfaction of the court by the sheriff's return to the summons issued in this cause, which summons and the return of the sheriff indorsed thereon are in the words and figures following, to-wit: (here insert) that the defendant First National Bank of Danville, Indiana, has been duly served with process more than ten days before the first day of the present term of this court, and it further appearing to the satisfaction of the court, by the proof of the publication of the notice filed in this cause, which notice and the proof of publication are as follows, to-wit: (here insert) that the defendants Robert M. Hadley and Adah K. Hadley, husband and wife, have been duly notified of the filing and pendency of this action by three successive weekly publications in the Hendricks County Republican a newspaper of general circulation printed and published in the English language in the of Danville, County of Hendricks, and State of Indiana, the last of which publications was made more than thirty days before the first day of the present term of this court, and said defendants Robert M. Hadley and Adah K. Hadley husband and wife, and First National Bank of Danville, Indiana,

failing to appear are now three times loudly called and come not and herein wholly make default, and this cause is submitted to the court for trial upon the default of the defendants Robert M. Hadley and Adah K. Hadley, husband and wife, and of the First National Bank of Danville, Indiana, and the issues joined by the defendant William G. Schildmeier, and the State of Indiana, and the evidence and argument of counsel being heard and the court being fully advised in the premises, finds that there is due the plaintiff from the defendants Robert M. Hadley and Adah K. Hadley husband and wife, on the note sued on the sum of $3969.23 and the further sum of $400.00 as a fee for his attorney, all without relief from valuation or appraisement laws; that said sums are secured by the mortgage which is sought to be foreclosed by the complaint herein, that said mortgage was duly recorded On the 9th day of May 1930 in mortgage Record 89 at pages 383-384 in the Records of Hendricks County, State of Indiana; that the State of Indiana does not have any claim or interest in the real estate described in said mortgage, and hereinafter described, and the plaintiff is entitled to have said mortgage foreclosed as against all of said defendants including the State of Indiana against which State the plaintiff is entitled to have his title quieted to said described real estate;

It is therefore considered and adjudged by the court that the equity of redemption of the defendants Robert M. Hadley and Adah K. Hadley, husband and wife, William G. Schildmeier, the First National Bank of Danville, Indiana, and State of Indiana, in and to said mortgaged premises, to-wit; A part of the East half of the northwest quarter of section 34, township fifteen north, range one east in Hendricks County, Indiana more particularly described as follows, to-wit;

Beginning at the south east corner of said half quarter, thence north along the center line of said section 34, 89.02 rods to the intersection of said center line with the center line of the National Road; thence southwest along the center line of said National Road, south 66 degrees and 57 minutes West, 50 rods and 5 feet to the place of beginning; running thence northeast along the center of the National Road, one hundred and four feet (104) to the northwest corner of a tract of land formerly owned by Samuel and Asenath Carter, which tract is properly described in deed record 69 at page 313 of the Records of Hendricks County, Indiana; thence in a southeast direction One hundred and Eighty Eight (188) feet to a point, thence south 66 degrees west, four and Twenty hundredths rods; thence north 25 degrees west, Eleven and four hundreths (11.04) rods to the place of beginning; Also a part of the east half of the Northwest quarter of section 34, Township 15, north, range 1 east, in Hendricks County, Indiana more particularly described as follows: to-wit; Beginning at the south east corner of said half quarter, thence north along the center line of said section 34, 89.02 rods to the intersection of said center line with the center line of the National Road; thence South 66 degrees 57 minutes west along said center line of the National Road forty-four (44) rods to a point at the northwest corner of the tract of land formerly owned by Samuel and Asenath Carter, which tract is properly described in deed record 69 at page 313 of the records of Hendricks County, thence in a south east direction 170 feet to the point of beginning; thence south 13 degrees 10 minutes east, fifty feet to a point; thence north 65 degrees 57 minutes east, one hundred and forty feet to a point; thence north 13 degrees 10 minues west, fifty feet to a point; thence south 65 degrees 57 minutes west, one hundred and forty feet to the place of beginning, be and the same is hereby forever barred and foreclosed, and that said real, estate and all the right, title and interest and claim of the defendants Robert M. Hadley and Adah K. Hadley husband and wife, of William G. Schildmeier, and First Na-

tional Bank of Danville, Indiana, and State of Indiana, and of all persons claiming from, under or through them in and to the same be sold by the sheriff of this county as lands are sold on execution, such sale to be made without any relief from valuation or appraisement laws; and the proceeds arising from such sale, the sheriff is ordered and directed to apply in the manner following, to-wit; First. To the payment of all costs accrued in this cause, and the costs of said sale; Second; To the payment of the amount found due plaintiff herein, being the amount of the judgment heretofore rendered, to-wit; $4369.23, together with interest from this date at the rate of 8 per cent per annum; The overplus if any, remaining after payment of the foregoing judgment, interest and costs, to be paid by the sheriff to the clerk of this court for the use of the parties lawfully authorized to receive the same;

It is further considered and adjudged by the court that the plaintiff is the owner of a first mortgage lien on the real estate hereinbefore described, and that the defendant State of Indiana has no claim on or interest therein, and that Plaintiff's right and title thereto be and the same is hereby quieted as against the State of Indiana.

The court further finds that the mortgaged premises are an inadequate security for the mortgage debt, and that Robert M. Hadley and Adah K. Hadley are both insolvent, and are non-residents of the State of Indiana, and that the receivership heretofore created by this court, of the rents and profits of the mortgaged premises should be continued; It is therefore ordered and decreed by this court that Harry G. Hollingsworth be continued as receiver herein until the further order of this court, upon the same terms and conditions and with the same instructions and powers as in his former appointment, and that this bond and oath shall be continued in full force and effect, with the usual powers as receiver of the rents and profits now due and unpaid or to become due pending this action and during the year of redemption, issuing out of the mortgaged premises mentioned in the complaint.

It is further ordered by the court that a duly certified copy of this decree, under the hand of the clerk and seal of this court, shall be sufficient authority to the sheriff to execute the same.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Tuesday Morning, September 21st, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

FRANK COOK)
VS) # 15145
JOSEPH L. WRAY)

Come now again the parties, in person and by counsel, and the jury is again brought into Court. The defendant tenders intstructions numbered one to eleven, both inclusive, and the Court indicates that he will refuse to give said instructions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, and to the refusal of each of which the defendant duly objects and excepts.

Arguments hare heard, and at the close of the arguments, the defendant again in this cause tendered his instructions in writing numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, and requests the Court to give each of said instructions. And now the Court gives to the jury of his own motion instructions numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16, and to the giving of each instruction so given by the Court of his own motion, plaintiff and defendant each except as to each instruction separately and severally, and now the defendant excepts to the refusal of the Court to give each of the instructions numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, tendered by the defendant and to each of them separately and severally.

And now the Court signs the instructions given of the Court by its own motion, and also signs the instructions tendered by the defendant, indicating those "refused" and all the instructions including those given by the Court and those tendered by the defendant and now orders all of said instructions indlucing those given and those refused filed and made a part of the record in this cause.

The jury now retires in charge of a sworn officer to deliberate.

And afterwards, the jury is again conducted into Court and returns their verdict for the defendant, which verdict is in the words and figures following, to-wit:

State of Indiana, In the Hendricks Circuit Court,
Hendricks County, SS: September Term, 1937.
Frank Cook) No. 15145
vs.)
Joseph L. Wray) VERDICT OF THE JURY.

We, the Jury, find for the defendant.

H. H. Disney
Foreman of the Jury.

And now the jury is discharged from further duties in this cause.

WILLIAM E. YOUNG)
VS) # 15176
JOHN SCHENK, ET AL.)

Come now the defendants, by counsel, and the plaintiff is ruled to reply on or before October 1st, 1937.

Tuesday, September 21st, 1937, and the 14th day of the September Term, 1937.

EVA KESLER)
VS) # 15267 Judgt. vs Deft. for $535.00 and Costs.
MYRTLE R. MITCHELL) J. D. 17, Page 213.

Comes now the parties and the defendant files answer to said complaint in general denial, and now said cause being at issue, the same is submitted to the court for trial, finding, judgment and decree.

And the court being fully advised and informed in the premises finds for the plaintiff on her complaint and against the defendant, and that the allegations in said complaint are true.

The court further finds that there is due on said note sued on herein, as principal, the sum of $400.00; interest in the sum of $85.00, and that a reasonable attorney's fee for plaintiff's attorney, is $50.00, and that none of said amounts have been paid, and that the same is now due.

It is therefore ordered, adjudged and decreed by the court that plaintiff recover of and from the defendant, the sum of $485.00 as principal and interest, and the sum of $50.00, as attorney fees, making a total judgment now rendered defendant and in favor of said plaintiff, in the sum of $535.00, together with costs herein, taxed at _____dollars and_____cents.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Wednesday, September 22nd, 1937, and the 15th day of the September Term, 1937.

Wednesday Morning, September 22nd, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Thursday Morning, September 23rd, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

HERBERT E. DUNLAP)
VS) # 15081
INDIANAPOLIS RAILWAY INC.)
AND CITY OF INDIANAPOLIS.)

Comes now the plaintiff, by counsel, and moves the Court to have defendants answer amended complaint on or before September 28th, 1937.

And the Court being duly advised, now sustains said motion and the defendants are ruled to answer on or before September 28th, 1937.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, September 24th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

HERBERT E. DUNLAP)
VS) # 15081
INDIANAPOLIS RAILWAYS INC.)
AND CITY OF INDIANAPOLIS)

Comes now the defendant, City of Indianapolis, by counsel, and files demurrer to plaintiff's amended complaint, which demurrer is in the words and figures following, to-wit: (H.I.).

DANIEL V. ETCHESON)
VS) # 15224
ORA D. ROBERTSON)

Comes now the defendant, by counsel, and moves the Court that the deposition of Daniel V. Etcheson by published. And the Court being duly advised, now sustains said motion and deposition is ordered published.

And now comes the plaintiff, by counsel, and files second paragraph of complaint, which second paragraph of complaint is in the words and figures following, to-wit: (H.I.).

SALLIE ETCHESON)
VS) # 15203
ORA D. ROBERTSON)

Come now the parties, in person and by counsel, and this cause being at issue, the Sheriff of Hendricks County, is ordered to bring into open Court the following jurors for jury services, to-wit: John Moran, Wilbur Poland, Marion Weddle, Claude Worrell, Victor Smith, Everett McCollum, Howard Pritchett, Fred Breedlove, Huber Swain, Herschell Gentry, Ed. Thompson and H. H. Disney, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal votpers thereof, who are duly and legally impanelled and sworn in open court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

And after hearing a part of the evidence in this cause, the jury is allowed to separate until Monday, September 27th, 1937, and 9:00 o'clock A. M,, under proper instructions of the Court, as to their duties during such separation.

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, September 25th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

M. A. ISAACS,)
VS) No. 12773
FLETCHER AMERICAN NATIONAL)
BANK ET AL.)

Come now the defendants in the above entitled cause and present in open court their bill of exceptions containing the evidence and the rulings relating thereto made in the course of the trial the long hand transcript of which was heretofore filed in the Clerk's office of the Hendricks Circuit Court on the 8th day of September 1937 and ask that the same be signed, sealed, and made a part of the record in this cause.

And now the same having been examined is signed by the judge and filed as a part of the record herein which said bill of exceptions is in the words and figures as follows: (Here insert original bill of exceptions containing the evidence and the rulings relating thereto made in the course of the trial without copying the same.)

LETHA DECKER)
VS.) # 15273
SHERMAN B. LEECH) PREPARED ENTRY

Comes now the plaintiff in the above entitled cause of action and files her motion to dismiss said cause without prejudice.

And it appearing to the court that the plaintiff has paid all costs accrued in this cause, it is hereby ordered that said cause be, and it is hereby, dismissed, costs paid, without prejudice to the plaintiff.

HARGROVE REALTY CO., INC.)
GEORGE T. DUKE)
VS) # 15199
LEONA FULTZ)

Come now the plaintiffs, by counsel, and file a written dismissal of said cause, which written dismissal is in the words and figures following, to-wit: (H.I.).

And now this cause is dismissed at the cost of the defendant, the costs on dismissal having heretofore been paid.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

THE FEDERAL LAND BANK OF LOUISVILLE)
VS) # 14998
MARY UNDERWOOD THOMPSON, ET AL.)

Comes now the plaintiff, by counsel, and this cause coming on for hearing, and the defendants failing to appear, the Court upon motion of plaintiff, now hears evidence in reference to appointment of a receiver.

And the Court having heard the evidence and being

duly advised, finds that a receiver should be appointed as prayed for in plaintiff's motion for receiver, and the Court appoints George W. Hadley as such receiver and fixes his bond at $500.00.

It is, therefore, considered, ordered and adjudged by the Court, that a receiver be appointed as prayed for in plaintiff's motion for receiver, and the Court now appoints George W. Hadley as such receiver and fixes his bond at $500.00.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Monday Morning, September 27th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

SALLIE ETCHESON)
VS) # 15203
ORA D. ROBERTSON)

Come now the parties, in person and by counsel, and the jury is again brought into Court, and the evidence is heard in part, but is not completed.

And now the jury is allowed to separate until Tuesday, September 28th, 1937, at 9:00 o'clock A. M., under instructions of the Court as to their duties during such separation.

ALPHEUS SLOAN, JUNIOR, BY HIS)
NEXT FRIEND ALPHEUS SLOAN, SENIOR)
VS) # 15158
LYMAN HUNTER AND)
RAYMOND PROCTOR)

Come now the defendants, by counsel, and separately move the publication of the conditional examination of the plaintiff filed September 27th, 1937.

And the Court being duly advised, now sustains said motion and it is so ordered.

STATE OF INDIANA) Judgt. vs Deft., James Summers, for $5.00 Fine & Costs.
VS) # 7785 J. D. 17, Page 214.
JAMES SUMMERS)
RUSSELL BURGE) Judgt. vs Deft., Russell Burge, for $10.00 Fine & Costs.
J. D. 17, Page 214.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, James Summers, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of guilty to trespass.

It is, therefore, adjudged by the Court that the defendant, James Summers, for the misdemeanor by him committed be and he is fined in the sum of $5.00, and that he pay the costs of this action, taxed at _____dollars and _____cents.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Russell Burge, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of guilty.

It is, therefore, adjudged by the Court that the defendant, Russell Burge, for the misdemeanor by him committed, be and he is fined in the sum of $10.00, and that he pay the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Tuesday Morning, September 28th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

JENNIE SMITH, ET AL.)
VS) # 15141
ALICE MARVEL, ET AL.)

Comes now again Claude W. Gladden, the commissioner heretofore approved in the above entitled cause and files his report of the sale of the real estate in this proceeding ordered sold which report is in the words and figures as follows, to wit: (H.I.), from which it appears and the court so finds that after giving notice of the sale of said real estate as quired by order of this Court and having the same duly appraised as required by order of this court authorizing such sale, said commissioner sold the same at private sale to Frank Cones for the sum of Two Thousand Dollars ($2000), that being the highest and best bid received and more than the full appraised value thereof.

The court further finds that said purchaser has paid the purchase price in full and that said report should in all things be approved and the commissioner ordered to execute and deliver his deed to said purchaser.

It is therefore ordered, adjudged, and decreed that the report of Claude W. Gladden, the commissioner in this cause be and the same is hereby in all things approved and the sale of said real estate made by said commissioner confirmed.

And now said commissioner is ordered to execute to said purchaser a deed for said real estate which is now reported by said commissioner and examined and approved by the court, by the court endorsing thereon "Approved in open court this 28th day of September, 1937. Horace L. Hanna, Judge."

And now said deed is ordered delivered to said purchaser. It is further ordered, adjudged, and decreed that the commissioner herein make his financial report to this court and this cause is continued for said report.

SALLIE ETCHESON)
VS) # 15203
ORA D. ROBERTSON)

Come now the parties, in person and by counsel, and the jury is again brought into Court and the evidence is heard in part, but not completed.

And now the jury is allowed to separate until Wednesday, September 29th, 1937, at 9:00 o'clock A. M., under instructions of the Court as to their duties during such separation.

THE FEDERAL LAND BANK)
OF LOUISVILLE)
VS) # 14998
MARY UNDERWOOD THOMPSON,)
ET AL.)

Comes now George W. Hadley, heretofore appointed receiver in this cause, and duly qualifies as such receiver, and files his bond in the personal sum of five hundred dollars with the Globe Indemnity Company as surety thereon, which bond is accepted and approved by the Court and is in the words and figures following, to-wit: (H.I.).

And now the said George W. Hadley enters upon the duties of his trust.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Wednesay Morning, September 29th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

WAHNETTA LEWIS, BY NEXT)
FRIEND, GEORGE O. HILL)
VS) # 15189 Judgt. vs Pltf. for Costs.
GEORGE DIRNBERGER) J. D. 17, Page 214.

Comes now the plaintiff, by her attorneys and files and petitions the Court to dismiss this cause at the cost of the plaintiff as this case has been fully compromised and settled, which is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said petition and being sufficiently advised, now sustains the same and this cause is dismissed at the cost of the plaintiff.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, Wahnetta Lewis, by next friend, George O. Hill, is ordered to pay the costs of this action taxed at _____dollars and _____cents.

SALLIE ETCHESON)
VS) # 15203
IRA D. ROBERTSON)

Come now the parties, in person and by counsel, and the jury is again brought into Court, and the evidence is heard in part and evidence completed.

And now the jury is allowed to separate until Thursday, September 30th, 1937, at 9:00 o'clock A. M. under instructions of the Court as to their duty during such separation.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Thursday Morning, September 30th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

SALLIE ETCHESON)
VS) # 15203
ORA D. ROBERTSON)

Come now the parties, in person and by counsel, and the jury is again brought into Court, and the plaintiff moves the Court to reopen evidence in rebutal to hear evidence of one witness. The Court being duly advised, sustains said motion, to which ruling of the Court the plaintiff objects and excepts.

Evidence is continued and completed.

The plaintiff tenders one instruction, numbered one, and the Court indicates that he will give said instruction. The defendant now tenders instructions numbered one to eight, both inclusive, and the Court indicates that he will refuse to give defendant's instructions numbered one, two, three, four, five, six and eight, and to the refusal of each of which the defendant objects and accepts, and the Court indicates that he will give instruction numbered seven of defendant.

Arguments are heard. At the close of the argument, the plaintiff in this cause again tendered his instruction in writing, and requests the Court to give said instruction. And the defendant again tenders his instruction in writing, numbered one to eight both inclusive, and requests the Court to give each of said instructions.

And now the Court gives to the jury of his own motion instructions numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 19, 20, 21, 22, 23 and 24, and to the giving of each instruction as given by the Court of his own motion, plaintiff and defendant each except as to each instruction separately and severally. And now the Court gives instruction numbered one tendered by the plaintiff and now the defendant excepts to the giving of instruction numbered seven tendered by the plaintiff. And now the Court gives instruction numbered seven tendered by the defendant and refuses to give instructions numbered one, two, three, four, five, six and eight tendered by the defendant. The plaintiff now excepts to the giving of instruction numbered seven tendered by the defendant and the defendant now excepts to the refusal of the Court to give instructions numbered one, two, three, four, five, six and eight tendered by the defendant and to each of them separately and severally.

And now the Court signs the instructions given of the Court by its own motion and, also, signs the instruction tendered by the plaintiff and the instructions tendered by the defendant, indicating those "given" and those "refused" and all of the said instructions including those given by the Court and the one tendered by the plaintiff and those tendered by the defendant, and now orders all of said instructions including those given and those refused, filed and made a part of the record in this cause, which instructions are in the words and figures following, to-wit: (H.I.).

The jury now retires in charge of a sworn officer to deliberate.

STATE OF INDIANA)
VS) # 7733
CECIL HICKS)

Comes now John A. Kendall, prosecuting attorney, and moves the Court to enter a nolle prosequi in the above entitled cause, and which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised in its premises, now sustains said motion and said cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7786
WILLIE WILLARD)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Willie Willard, in his own proper person, and is duly arraigned in open Court and enters his plea of not guilty.

And now the Court fixes the defendant's bond at $250.00.

STATE OF INDIANA)
VS) # 7787
CECIL HELTON)
EARL SHELLEY)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendants, Cecil Helton and Earl Shelley, in their own proper persons, and each being duly arraigned in open Court, each pleads not guilty.

And now the Court fixes the bond of each defendant in the sum of $300.00 each.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, October 1st, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

PEARL R. HOWE)
VS) # 15320
CHARLES HOWE) N O T I C E

You are hereby notified that on the 9 day of October, 1937, at 9:00 o'clock A. M. of said day, or as soon thereafter as counsel can be heard, at the Court House, in the town of Danville, said county and state, this plaintiff will make application to said court for a temporary injunction and restraining order against you as defendant in said cause for etnering upon the premises of this plaintiff where she now lives, and from cursing and otherwise abusing or molesting this plaintiff in any manner.

ALPHEUS SLOAN, JUNIOR, BY)
HIS NEXT FREND ALPHEUS)
SLOAN, SENIOR)
VS) # 15158
LYMAN HUNTER AND)
RAYMOND PROCTOR)

Comes now the defendant, Lymand Hunter, by counsel, and files answer in general denial to plaintiff's complaint, which answer is in the words and figures following, to-wit: (H.I.).

Comes now the defendant, Raymond Proctor, by counsel, and files his answer to plaintiff's complaint, which answer is in the words and figures following, to-wit: (H.I.).

The plaintiff now moves the Court for the publication of the conditional examination of the defendant, Lymand Hunter. And the Court being duly advised, now sustains said motion and it is so ordered.

And this cause being at issue, the Sheriff of Hendricks County, is ordered to bring into open Court the following jurors for jury services, to-wit: Harold Davis, George Hadley, John Moran, Asa Page, Marion Weddle, Claude Warrell, Victor Smith, Fred Breedlove, Huber L. Swain, Herschell Gentry, Herschell Cline, and Randall Joseph, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly and legally impanelled and sworn in open court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

Defendants jointly and severally move the Court for separation of witness. The Court being duly advised, now sustains said motion, and it is so ordered by the Court, and to which ruling of the Court the plaintiff excepts as fo Alpheus Sloan Senior, next friend to plaintiff, Alpheus Sloan Junior.

Comes now the defendant, Lyman Hunter, and files written motion for physical examination of plaintiff by physician , which motion is in the following words and figures, to-wit: (Here Insert). And the Court sustains said motion, and to which ruling of the Court the plaintiff duly objects and excepts. The Court appoints Dr. Mount E. Frantz, Danville, Indiana, to make such examination.

Evidence is heard in part, and the jury is allowed to separate

under proper instruction of Court as to their duty during such separation, until October 2nd, 1937, at 9:00 o'clock A. M.

SALLIE ETCHESON)
VS) # 15203
ORA D. ROBERTSON)

The jury is again conducted into Court and returns a verdict for the plaintiff and assess her damages in the sum of two thousand five hundred dollars, which verdict is in the words and figures following, to-wit:

State of Indiana, In the Hendricks Circuit Court,
Hendricks County, SS: September Term, 1937.
Sallie Etcheson) No. 15203.
vs.)
Ora D. Robertson) VERDICT OF THE JURY.

We, the Jury, find for the plaintiff, and assess her damages in the sum of $2500.00.

Edwin Thompson
Foreman of the Jury.

And now the jury is discharged from further duties in this cause.

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Saturday Morning, October 2nd, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

ESTHER A. DODDS)
VS) NOTICE TO DEFENDANTS # 15318
JOHN H. STEVENS AND)
VAN CAMP'S CANNING CO.) (This entry is of October 1st, 1937.)

The defendant in the above entitled cause, John H. Stevens and Van Camp's Canning Company are hereby notified that on the 9th day of October, 1937, at 9:00 o'clock A. M. or as soon thereafter as counsel can be had in the Court House of Danville, Indiana, a hearing will be had on the plaintiff's petition for a restraining order. The purpose of said hearing is to obtain a restraining order to prevent defendant, Van Camp's Canning Company from paying the money now in their possession for tomatoes purchased from H. Stevens and also to prvent John H. Stevens from disposing of the corn growing on the farm upon which he is now living and doing other damages as alleged in said complaint.

Esther A Dodds.

ALPHEUS SLOAN, JUNIOR,)
BY HIS NEXT FRIEND ALPHEUS)
SLOAN, SENIOR.)
VS) # 15158
LYMAN HUNTER, and)
RAYMOND PROCTOR)

Come now the parties, in person and by counsel, and the jury is again brought into Court, and the evidence is continued, but not completed.

And now the jury is allowed to separate under proper instruction of the Court as to their duties during such separation, until October 4th, 1937, at 9:00 o'clock A. M.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Monday Morning, October 4th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

ALPHEUS SLOAN, JUNIOR, BY HIS)
NEXT FRIEND ALPHEUS SLOAN,)
SENIOR)
VS) # 15203
LYMAN HUNTER, AND)
RAYMOND PROCTOR)

Come now the parties, in person and by counsel, and the jury is again brought into Court and evidence is continued and plaintiff rests. Motion of defendant, Raymond Proctor, to instruction the jury to find for the defendant is overruled, to which ruling of the Court the defendant, Raymond Proctor, duly objects and excepts. Evidence is continued but not completed.

Jury is allowed to separate under proper instructions of the Court as to their duties during such separation, until 9:00 o'clock A. M., October 5th, 1937.

SALLIE ETCHESON)
VS) # 15203 Judgt. vs Deft. for $2500.00 and Costs.
ORA D. ROBERTSON) J. D. 17, Page 21

Comes now the plaintiff, by counsel, and moves the Court to render judgment on the verdict of the jury, And the Court being duly advised, now sustains said motion and renders the following judgment.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff have and recover of and from the defendant, Ora D. Robertson, the sum of $2500.00, together with the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Tuesday Morning, October 5th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

ORPHA E. PIGG)
VS) # 15309 Judgt. vs Deft. for $160.91 and Costs.
HORACE SCOTT.) J. D. 17, Page 214.

Comes the plaintiff, Orpha E. Pigg, by counsel and produces and exhibits to the court the summons issued to the Sheriff of Hendricks County, Indiana, for defendant herein, and from which summons and return of said Sheriff endorsed thereon, the court finds that said defendant was duly served with process and notice of the filing and pendency of this action more than ten days before the 2nd. day of October, 1937, the day fixed by the plaintiff by endorsement upon her complaint for the defendant to appear and answer the complaint herein. Said summons and Sheriff's return thereon are as follows, to-wit: (Here Insert).

And said defendant, failing to appear and answer the complaint is now three times loudly called in open court but comes not and herein makes default.

And now this cause, being at issue upon plaintiff's complaint and the default of the defendant, is submitted to the court for trial, finding and judgment without the intervention of a jury. And the court, having heard the evidence and being fully advised in the premises, says and finds for the plaintiff upon her complaint, and each paragraph thereof; that the allegations of said complaint, and each paragraph, are true; that there is due the plaintiff upon the first paragraph of her complaint the sum of $65.57, of principal and interest, and the further sum of $15.00 as attorney's fees, making a total due plaintiff upon said paragraph of complaint the sum and amount of $80.57, and that she is entitled to a personal judgment against the defendant, Horace Scott, for said amount, without any relief from valuation or appraisement laws, and the costs of this action;

The court further findsfor the plaintiff, upon the second paragraph of her complaint that there is due her thereon the sum and amount of $65.34 of principal and interest, and the further sum of $15.00 as and for attorney's fees, making a total due plaintiff upon said paragraph of the complaint the sum and amount of $80.34 and that she is entitled to a personal judgment against the defendant, Horace Scott, for said amount without relief from valuation or appraisement laws, and the costs of this action.

It is, there, considered and adjudged by the court that the plaintiff recover of and from the defendant, Horace Scott, the sum and amount of $160.91, together with the costs of this action, taxed at $_____, all without relief from valuation or appraisement laws.

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

ALPHEUS SLOAN, JUNIOR, BY HIS NEXT)
FRIEND ALPHEUS SLOAN, SENIOR)
VS) # 15158
LYMAN HUNTER AND)
RAYMOND PROCTOR.)

Come now the parties, in person and by counsel, and the jury is again brought into Court and the evidence is continued and the defendant,

Lyman Hunter rests.

The defendant, Proctor, now moves the court to direct the jury to return a verdict in favor of defendant, Proctor, reserving the right to introduce evidence in his behalf in the event this motion is overruled. Motion overruled.

Now, the defendant, Hunter, at the conclusion of the evidence of the defendant, Hunter, now moves the court to direct the jury to return a verdict for the defendant, Hunter, reserving the right to offer evidence in surrebuttal if the motion is overruled. Motion overruled.

At the close of plaintiff's evidence in chief, and at the close of defendant Hunter's evidence in chief, and after defendant Proctor had rested, defendant Proctor now moves the court to direct the jury to return a verdict in his favor. Motion overruled.

Now, at the close of the evidence of both the defendant, Hunter and the defendant, Proctor, the defendant, Hunter, moves the court for a directed verdict in favor of the defendant, Hunter, reserving the right to offer evidence in surrebuttal, if the motion is overruled. Motion overruled.

At the close of all the evidence in this case, defendant Proctor now moves the court to direct the jury to return a verdict in his favor. Motion overruled.

Now, at the close of all the evidence in the case, defendant Hunter now moves the court to direct the jury to return a verdict for the defendant Hunter. Motion overruled.

And now the jury is allowed to separate under proper instructions of the Court as to their duties during such separation until 9:00 o'clock A. M., October 6th, 1937.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Wednesday Morning, October 6th, 1937.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7789
CLARENCE TIMBERLAKE)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Clarence Timberlake, in his own proper person and by Edgar M. Blessing, his attorney, and said defendant is duly arraigend in open Court, and enters his plea of guilty to intoxication and not guilty to assault and battery, and the Court witholds sentence on the plea of guilty and the Court now fixes the bond of said defendant at $500.00 on the assault and battery charge.

ALPHEUS SLOAN, JR. BY HIS)
NEXT FRIEND ALPHEUS SLOAN, SR.)
VS) # 15158
LYMAN HUNTER AND)
RAYMOND PROCTOR.)

Come now the parties, in person and by counsel, and the jury is again brought into court. The plaintiff tenders instructions numbered one to twelve, both inclusive and the Court indicates that he will refuse to give instructions numbered 1, 3, 4, 5, 7, 8, 9, 10, 11, and 12, to the refusal of which the plaintiff objects and excepts. The defendant, Lyman Hunter now tenders instructions numbered one to fifteen, both inclusive, and the Court indicates that he will refuse to give defendant, Lyman Hunter's instructions numbered 1, 2, 3, 4, 5, 6, 8, 9, 14, and 15, and to the refusal of each of which the defendant Hunter objects and excepts. The defendant, Raymond Proctor now tenders instructions numbered one to two both inclusive, and the Court indicates that he will refuse to give defendant Raymond Proctor's instructions numbered one and two and to the refusal of each of which the defendant Proctor objects and excepts.

Arguments heard, and at the close of the argument, the plaintiff in this cause tendered his instructions in writing, numbered from one to twelve both inclusive, and requests the Court to give each of said instructions; and the defendant Lyman Hunter now tenders his instructions in writing numbered from one to fifteen both inclusive and requests the Court to give each of said instructions, and now the defendant, Raymond Proctor, now tenders his instructions in writing numbered one to two both inclusive and requests the Court to give each of said instructions.

And now the Court gives to the jury of his own motion instructions numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 and to the giving of each instruction as given by the Court of his own motion plaintiff and defendant, Hunter, and defendant, Proctor, each excepts as to each instruction separately and severally and now the Court gives instructions numbered 2 and 6 tendered by the plaintiff and refuses to give instructions numbered 1, 3, 4, 5, 7, 8, 9, 10, 11 and 12 of the instructions tendered by the plaintiff, and now the defendants, Hunter and Proctor, each excepts to the giving of instructions numbered 2 and 6 tendered by the plaintiff, and to each of said instructions separately and severally; and the plaintiff excepts to the refusal of the court to give the instructions numbered 1, 3, 4,

5, 7, 8, 9, 10, 11 and 12 tendered by the plaintiff and to each of said instructions separately and severally. And now the Court gives instructions numbered 7, 10, 11, 12 and 13 tendered by the defendant, Lyman Hunter, and refuses to give instructions numbered 1, 2, 3, 4, 5, 6, 8, 9, 14 and 15 tendered by defendant, Lyman Hunter. The plaintiff and defendant, Proctor, each now excepts to the giving of instructions numbered 7, 10, 11, 12 and 13 and to each of them tendered by the defendant, Hunter, and the defendant, Hunter now excepts to the refusal of the Court to give instructions numbered 1, 2, 3, 4, 5, 6, 8, 9, 14 and 15, tendered by defendant, Hunter, and to each of them separately and severally. And now the Court refuses to give instructions numbered one and two tendered by the defendant, Proctor and the defendant, Proctor now excepts to the reusal of the Court to give instructions numbered one and two tendered by the defendant Proctor, and to each of them separately and severaly.

And now the Court signs the instructions given by the Court by its motion and, also, signs the instructions tendered by the plaintiff and the instructions tendered by the defendant, Lyman Hunter and the instructions tendered by the defendant, Raymond Proctor, indicating those "given" and those "refused" and all of the instructions including those given by the Court and those tendered by the plaintiff and those tendered by the defendant, Lyman Hunter, and those tendered by the defendant, Raymond Proctor, and now orders all of said instructions including those given and those refused filed and made a part of the record of this cause, which instructions are in the words and figures following, to-wit: (H.I.).

And now the jury retires in charge of a sworn officer to deliberate.

Jury is again conducted into Court and returns a verdict for the defendants, which verdict is in the words and figures following, to-wit:

State of Indiana, In the Hendricks Circuit Court.

Hendricks County, SS: September Term, 1937.

Alpheus Sloan, Junior, by his next friend, Alpheus Sloan, Senior. vs. Lymand Hunter, and Raumond Proctor. — No. 15158. VERDICT.

We, the Jury, find for the defendants.

Fred M. Breedlove
Foreman of the Jury.

And now the jury is discharged from further duties in this cause.

STATE OF INDIANA ON THE RELATION)
OF LUTHER F. SYMONS, BANK COMMIS-)
SIONER OF THE STATE OF INDIANA)
VS) # 13802
PITTSBORO STATE BANK, PITTSBORO.)

Comes now the receiver, by counsel, and files report of distribution to creditors being dividend report number four, and which report is in the following words and figures, to-wit: (H.I.).

WILLIAM E. YOUNG)
VS) # 15176 Judgt. vs Pltf. for Costs.
JOHN SCHENK, ET AL.) J. D. 17, Page 21

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause without prejudice at the cost of the plaintiff.

And the Court being duly advised, now sustains said motion and this cause is dismissed at the cost of the plaintiff.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, William E. Young, is ordered to pay the costs of this action, taxed at _____dollars and_____cents.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Thursday Morning, October 7th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

EVERETT FONNER)
VS) # 15202
ALVA ROUTH)

Comes now the plaintiff, by counsel, and files affidavit and motion for change of venue from Hendricks County, Indiana, which affidavit and motion are in the following words and figures, to-wit: (Here Insert).

LUCY BRIDGES)
VS) # 14545 Judgt. vs Pltf. for Costs.
YOUR CAB CO., ET AL.) J. D. 17, Page 215.

Comes now the defendant, James E. Wilson, by Howard Hooper, his attorney, and files written information and informs the Court that he has no books, papers and records concerning the matters and things state in plaintiff's complaint, which written information is in the following words and figures, to-wit: (Here Insert).

Come now the defendants by Howard R. Hooper, and the time for this trial having arrived and plaintiff failing to appear in person or by attorney, the defendants now move the Court to dismiss this cause at the cost of the plaintiff. And the Court being duly advised now sustains said motion, and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court, that this cause be and the same is hereby dismissed, and the plaintiff, Lucy Bridges, is ordered to pay the costs of this action, taxed at _____dollars and_____cents.

STATE OF INDIANA)
VS) # 7786
WILLIE WILLARD)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Willie Willard, in his own proper person, and said defendant making statement to Court that he will secure work and use the money secured to be for the benefit of his family, the Court allows him to go on his own recognizance, and it is so ordered by the Court.

STATE OF INDIANA)
VS) # 7787 Judgt. vs each Deft. for $10.00 Fine & Costs.
CECIL HELTON) J. D. 17, Page 215.
EARL SHELLEY)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and come also the defendants, Cecil Helton and Earl Shelley, in their own proper person, and each of said defendants now change their plea in this cause from not guilty to guilty.

It is, therefore, now adjudged by the Court that the defendants for the crime by each of them committed each be and he is fined in the sum of ten dollars, and that said defendants, Cecil Helton and Earl Shelley, pay the costs of this action, taxed at _____dollars and_____cents.

Thursday, October 7th, 1937, and the 28th day of the September Term, 1937.

STATE OF INDIANA)
VS) # 7789 Judgt. vs Deft. for $20.00 Fine and Costs.
CLARENCE TIMBERLAKE) J. D. 17, Page 215.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Clarence Timberlake, in his own proper person, and the State of Indiana with the consent of the prosecuting witness, now moves the Court to dismiss the charge of assult and battery against said defendant, and said charge of assault and battery is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that the charge of assault and battery against the defendant, Clarence Timberlake, be and the same is hereby dismissed.

The Court having witheld judgment on the plea of guilty of said defendant to intoxication, now enters judgment thereon as follows:

It is, therefore, adjudged by the Court that the defendant, Clarence Timberlake, for the act by him committed, be and he is fined in the sum of $20.00, and that he pay the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Friday, October 8th, 1937, and the 29th day of the September Term, 1937.

Friday Morning, October 8th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

AMERICAN LIFE AND ACCIDENT)
INSURANCE COMPANY OF KENTUCKY)
VS) # 15315
OTIS E. GULLEY, ET ALI)

Comes now the defendant, Fred A. Sims, Receiver, by counsel, and files answer of disclaimer and prays that said cause be dismissed as to him and judgment for his costs, in the following words and figures, to-wit: (Here Insert).

CHARLES M. COREY)
VS) # 15200
PHILIP GRENWALD)

Comes now the defendant, by counsel, and files and moves the Court for a new trial, which motion is in the following words and figures, to-wit: (Here Insert).

VIRGIL H. DUNN)
VS) # 15108
HOWARD GIBBS)

Comes now the defendant, by counsel, and files affidavit for continuance, which affidavit is in the following words and figures, to-wit: (Here Insert).

GLEN HOWARD)
VS) # 15146 Judgt. vs Deft. for $110.00 and Costs.
JESS WRIGHT) ENTRY J. D. 17, Page 215.

Comes now the parties, by counsel, and this cause being at issue is now submitted for trial to the court with ut the intervention of the jury. And the court having heard the evidence and the argument of counsel and being duly advised in the premises finds for the plaintiff upon his complaint, and that the allegations therein contained are true and that he is entitled to recover of and from the defendant, Jess Wright, the sum of One Hundred And Ten ($110.00) Dollars as damages, together with costs herein.

It is therefore considered, ordered, and adjudged by the court that the plaintiff have and recover of and from the defendant, Jess Wright the sum of One Hundred And Ten ($110.00) and costs in this action laid out and expended and taxed and_____ Dollars and _____Cents.

WILLIAM KINSEY)
VS) # 15208
JANIS KINSEY)

Comes now the plaintiff, by counsel, and asks that alias summons by issued to the defendant, Janis Kinsey, said summons to be made returnable on the first day of the November Term, 1937, of this Court, and the Court orders that alias summons be issued to the Sheriff of Marion County, as prayed for.

Friday Morning, October 8th, 1937.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

And court adjourned until 9:00 o'clock A. M. Saturday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, October 9th, 1937.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

And court adjourned until 9:00 o'clock A. M. Monday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, October 11th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

HERBERT E. DUNLAP)
VS) # 15081
INDIANAPOLIS RAILWAYS INC. AND)
CITY OF INDIANAPOLIS)

Comes now the defendant, Indianapolis Railways, Inc., by counsel, and files separate motion to second amended complaint, to make second amended complaint more specific, which motion is in the following words and figures, to-wit: (Here Insert).

LUE VENIA STEPHENS)
VS) # 15259
HAROLD HUGHES)

Comes now the defendant, by counsel, and files verified plea to stay proceedings in this cause of action, which plea is in the following words and figures, to-wit: (Here Insert).

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Tuesday Morning, October 12th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7790 Judgt. vs Deft. for $5.00 Fine and Costs.
FRANK DOUGLAS) J. D. 17, Page 216.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Frank Douglas, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of guilty of public intoxication.

It is, therefore, adjudged by the Court that the defendant, Frank Douglas, for the act by him committed be and he is fined in the sum of five dollars and that said defendant pay the costs of this action, taxed at _____dollars and _____cents.

A. EMMETT BLY)
VS) # 15280
PHILIP J. WOLFRAM,)
ETC., ET AL.)

Comes now the defendant, Fletcher Joint Stock Land Bank, by counsel, and files answer to the complaint, which answer is in the words and figures following, to-wit: (H.I.).

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Wednesday Morning, October 13th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

ROBERT SEAY)
VS) # 15211
A. E. STEWART)

Comes now the plaintiff, by counsel, and moves to dismiss this cause at defendant's cost, which is in the following words and figures, to-wit: (H.I.).

STATE OF INDIANA, EX REL)
CHARLES H. CLEMENS)
VS) # 15213
JOHN W. KERN, ETC., ET AL.)

Come now the parties, in person and by counsel, and this cause being at issue, the same is now submitted to the Court for trial, finding and decree without the intervention of a jury.

The Court now hears evidence in part.

ESTHER A. DODD)
VS) # 15318 Judgt. vs Pltf. for Costs.
JOHN H. STEVENS AND) J. D. 17, Page 217.
VAN CAMP'S CANNING COMPANY)

Come now the plaintiff, by counsel, and moves the Court to dismiss this cause at the plaintiff's cost.

And the Court being duly advised, now sustains said motion and this cause is dismissed at the cost of the plaintiff.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, Esther A. Dodd, is ordered to pay the costs of this action, taxed at _____dollars and_____cents.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Thursday Morning, October 14th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA, EX REL,)
CHARLES H. CLEMENS)
VS) # 15213
JOHN W. KERN, ETC., ET AL.)

Come now the parties, in person and by counsel, and it is agreed by the parties, that the duplicate paragraph III of plaintiff's complaint can be substituted for the original which was not in the papers.

Evidence is now continued and completed, and the Court takes matter under advisement and gives the parties two weeks time from this date to file briefs with Court.

STATE OF INDIANA)
V S) # 7752
ANDERSON KIVETT)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also John T. Hume, attorney for the defendant, Anderson Kivett, and reports to the Court that the defendant, Anderson Kivett, is sick and unable to appear for trial of said cause on Wednesday, October 20th, 1937.

And the Court now appoints Dr. R. E. Jones of Clayton, Indiana, to call upon and make an examination of said defendant, and report to this Court as to his findsings in such examination and as to whether or not said defendant is able to appear in Court on said date for trial.

STATE OF INDIANA)
VS) # 7791
ROBERT FORNSLEY)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Robert Fornsley, in his own proper person, and said defendant being duly arraigned in open Court enters his plea of guilty of shooting a horse.

The Court withholds judgment in this matter until 9:00 o'clock A. M. Saturday, October 16th, 1937, and said defendant is allowed to go on his own recognizance until said time.

STATE OF INDIANA)
VS) # 7793 Judgt. vs Deft. for $10.00 Fine & Costs.
CARL JACOBS) J. D. 17, Page 217.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Carl Jacobs, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of guilty of operating motor vehicle while under influence of intoxicating liquor.

It is, therefore, adjudged by the Court that the defendant, Carl Jacobs,

for the offense by him committed be and he is fined in the sum of $10.00, and that he be and he is imprisoned in the State Penal Farm for a period of ten days, and that said defendant shall pay the costs of this action, taxed at _____dollars and_____ cents.

It is ordered by the Court that said defendant, Carl Jacobs, is hereby prohibited from driving any automobile or motor vehicle for a period of one year, and the driver's license of said defendant is hereby revoked.

The Clerk of this Court is hereby directed to transmit a certified copy of this judgment to the Motor Vehicle Department as required by law.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, October 15th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

FRANK CLIFT OLIVE)
VS) # 14964
NEW ENGLAND MUTUAL)
LIFE INSURANCE COMPANY,)
A CORPORATION)

Comes now the plaintiff, by counsel, and files second amended complaint in two paragraphs, which second amended complaint in two paragraphs is in the words and figures following, to-wit: (H.I.).

And now the defendant is ruled to answer on or before November 1st, 1937.

GLEN BROWN, TRUSTEE)
VS) # 15121
PLAINFIELD BUILDING AND)
LOAN ASSOCIATION)

Comes now the plaintiff, by counsel, and the Court having seen and examined the plaintiff's motion to strike out all of the second paragraph and a part of the defendant's third paragraph of answer, heretofore filed and being duly advised in its premises, now overrules said motion, to which ruling of the Court the plaintiff duly objects and excepts.

IDA G. POER)
VS) # 15219 Judgt. vs Pltf. for Costs.
CHARLES L. POER) J. D. 17, Page 217.

Comes now the plaintiff in her own proper person and by Chas. V. Sears, her attorney, and it appearing to the court by the summons herein and the return of the sheriff indorsed thereon that said defendant has been served with process more than ten days before the 25th day of June, 1937, same being the 47th Judicial Day of the May Term, 1937, of the Hendricks Circuit Court, and the date endorsed on plaintiff's complaint for the return day of Summons thereon, which said summons and return are in the words as follows, to-wit: (H.I.)

And now said defendant being three times loudly called by the sheriff, in open court, bu order of the court, comes not, but herein wholly makes default.

And now comes John A. Kendall, prosecuting attorney for the 55th Judicial Circuit of Indiana, and appears for and in behalf of said defendant.

And the court having heard the evidence, and being duly advised, finds for the plaintiff, and that the allegations of plaintiff's complaint are true and that she is entitled to a decree of divorce from defendant on the grounds therein alleged.

It is, therefore, considered and adjudged by the court that plaintiff, Ida G. Poer, be, and she is hereby, granted a divorce from defendant, Charles L. Poer, and that the bonds of matrimony heretofore existing between plaintiff and defendant be, and they are hereby dissolved.

It is further adjudged by the court that the plaintiff pay the costs of this suit.

STATE OF INDIANA)
VS) # 7792 Judgt. vs Deft. for $5.00 Fine and Costs.
EVERETT RYKER) J. D. 17, Page 217.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Everett Ryker, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of guilty of operating air craft without license.

It is, therefore, adjudged that the defendant, Everett Ryker, for the offense by him committed be and he is fined in the sum of $5.00, and that he pay the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Saturday Morning, October 16th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

PAUL RUSHTON, ET AL.)
VS) # 12,231
MAY RUSHTON KENWORTHY, ET AL.)

Comes now Ethel F. Rushton one of the defendants in the above entitled cause and shows to the Court that there was piad to the Clerk of the Hendricks Circuit Court on October 28, 1927, $288.47 as her share in distribution in said cause, that said sum was so paid to said clerk because she was then a minor, and said sum has been in the custody of said Clerk since said time. That said defendant is now twenty-three years of age, and she now asks for an order to have said sum paid to her.

And the Court being duly advised now orders said Clerk to pay to said Ethel F. Rushton said sum of $288.47 and take her proper receipt therefor.

Horace L. Hanna
Judge Hendricks Circuit Court.

RECEIPT:

Oct. 16-1937 Rec'd. $288.47 my distributive share herein. Ethel F. Rushton
(Ethel F. Rushton)

STATE OF INDIANA)
VS) # 7791
ROBERT FORNSLEY)

Comes now the state of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, in his own proper person, and the Court withholds judgment in this matter until 9:00 o'clock A. M. Saturday, November 13th, 1937, and said defendant is allowed to go on his own recognizance until said time.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Monday Morning, October 18th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

WILLIAM KINSEY)
VS) # 15208
JANIS KINSEY)

Comes now the defendant, by counsel, and files her cross-complaint, in the following words and figures, to-wit: (Here Insert).

MORRISON MOTOR FREIGHT INC.)
VS) # 15278
EDWARD D. CRAWLEY)

Comes now the defendant, by counsel, and files answer and cross-complaint in three paragraphs, which answer and cross-complaint are in the words and figures following, to-wit: (H.I.).

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Tuesday Morning, October 19th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA ON THE RELATION)
OF LUTHER F. SYMONS, BANK COMMIS-)
SIONER OF THE STATE OF INDIANA.)
VS) # 13802
PITTSBORO STATE BANK, PITTSBORO.)

Comes now the receiver, by counsel, and files petition to compromise the settlement claim against John G. McCord, deceased, in the following words and figures, to-wit: (Here Insert).

AMOS GILLESPAY, RECEIVER, ETC.)
VS) # 15097
LEE B. PLUMMER.)

Comes now the plaintiff, by counsel, and moves the Court to have defendant answer complaint on or before November 1st, 1937.

And the Court now being duly advised, now sustains said motion and the defendant is ruled to answer on or before November 1st, 1937.

NORA RAGAN)
VS) # 15169
LESLIE GENTRY)

Comes now the defendant, by counsel, and the Court being duly advised, now overrules the defendant's motion for new trial, to which ruling of the Court the defendant duly objects and excepts.

The defendant prays appeal to Appellate Court, and the Court being duly advised, now grants said appeal, the appeal bond having heretofore been filed and approved in this matter by the Court, and seventy-five days are given to file bill of exceptions.

FEDERAL FARM MORTGAGE)
CORPORATION)
VS) # 15255
NELSON E. WOODS, ET AL.)

Comes now the plaintiff, by counsel, and moves the Court to have defendant answer on or before October 23rd, 1937.

And the Court now being duly advised, now sustains said motion, and the defendant is ruled to answer on or before October 23rd, 1937.

FRANK COOK)
VS) # 15145 Judgt. vs Pltf. for Costs.
JOSEPH L. WRAY) J. D. 17, Page 218.

Comes now the defendant, by counsel, and moves the Court to render judgment on the verdict of the jury in this cause. And the Court being duly advised, now sustains said motion.

It is, therefore, now adjudged by the Court that the plaintiff take nothing by his suit.

It is further adjudged by the Court that the plaintiff, Frank Cook, shall pay the costs of this action, taxed at _____dollars and _____cents.

MARTHA GOSS)
VS) # 14564 Judgt. vs Deft. for Costs.
EDWARD GOSS) J. D. 17, Page 219.

The Court of its own motion, now dismises this cause at the cost of the defendant, Edward Goss.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the defendant, Edward Goss, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

CLARA ROBERTS)
VS) # 14386 Judgt. vs Pltf. for Costs.
GLENN DURHAM, AND) J. D. 17, Page 219.
WALTER C. SHELTON, ETC.)

Comes now the plaintiff by A. J. Kahl, her attorney, and moves the Court to dismiss this cause at the plaintiff's cost.

And the Court being duly advised, now sustains said motion.

It is, therefore, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, Clara Roberts, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

WILLIAM QUERY)
VS) # 15184 Judgt. vs Deft.,The Pennsylvania Railroad Company,
PENNSYLVANIA RAILROAD) for Costs.
COMPANY, A CORPORATION,) J. D. 17, Page 219.
ET AL.)

Come now the parties, by counsel, and file written stipulation of dismissal in the following words and figures, to-wit: (Here Insert), and the Court being duly advised, dismisses said cause at the cost of the defendant, The Pennsylvania Railroad Company.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the defendant, The Pennsylvania Railroad Company, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

DOROTHY CARTHEUSER)
VS) # 15107 Judgt. vs Estate of Dorothy Cartheuser, Dec'd.
LOUIS CARTHEUSER, JR.) J. D. 17, Page 219.

Comes now the plaintiff's attorney, herein, and reports the death of the plaintiff, Dorothy Cartheuser, and this cause is dismissed at the cost of the said decedent's estate.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the estate of Dorothy Cartheuser, deceased, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

ARTIE BELLE DAVIS)
VS) # 15068 Judgt. vs Pltf. for Costs.
LANDIS DAVIS) J. D. 17, Page 220.

It being reported to the Court that the parties are now living together as husband and wife, this cause is dismissed at the plaintiff's cost.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, Artie Belle Davis, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

ALPHEUS SLOAN, JUNIOR,)
BY HIS NEXT FRIEND)
ALPHEUS SLOAN, SENIOR)
VS) # 15158 Judgt. vs Pltf. for Costs.
LYMAND HUNTER AND) J. D. 17, Page 220.
RAYMOND PROCTOR.)

Come now the defendants, by counsel, and move the Court to render judgment on the verdict of the jury in this cause. And the Court being duly advised, now sustains said motion.

It is, therefore now adjudged by the Court that the plaintiff take nothing by his suit.

It is further adjudged by the Court that the plaintiff, Alpheus Sloan, Junior, by his next friend Alpheus Sloan, Senior, shall pay the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, October 20th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

DAVID F. BERRY)
VS) # 15326
MILO LITTELL)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause, without predjudice, the costs on dismissal having heretofore been paid.

And the Court being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, October 21st, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

ROBERT SEAY)
VS) # 15211
A. E. STEWART)

The Court having seen and examined the plaintiff's motion to dismiss this cause at the defendant's cost, and being duly advised in its premises, now sustains said motion, the costs on dismissal having heretofore been paid.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

THE H. C. WHITMER COMPANY, INC.)
V S) # 15247
RUFUS K. LYNCH, ET AL.)

Comes now the plaintiff, by counsel, and moves the Court to have alias summonses issued to the defendants as follows: Rufus K. Lynch to the Sheriff of Marion County, Indiana, L. F. Potts, to the Sheriff of Daviess County, Indiana, and Joseph Lynch to the Sheriff of Hendricks County, Indiana, said summonses to all be returnable November 6th, 1937.

And the Court being duly advised, now sustains said motion, and it is so ordered.

STATE OF INDIANA)
VS) # 7795 Judgt. vs Deft. for $10.00 Fine & Costs.
SAMUEL S. LEVITCH) J. D. 17, Page 220.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also Samuel S. Lavitch, the defendant in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of guilty.

It is, therefore, now adjudged by the Court that the defendant, Samuel S. Levitch, for the offense by him committed shall be imprisoned in the State Farm for a period of fifteen days, and that he shall also be fined in the sum of ten dollars, and shall pay the costs of this action, taxed at _____ dollars and _____ cents.

It is further ordered by the Court that said defendant, Samuel S. Levitch, is hereby prohibited from driving any automobile or motor vehicle for a period of one year, and that his driver's license No. 200719, St. Louis, Mo., is hereby revoked, and the Court directs the Clerk of this Court to transmit a certified copy of this judgment to the Department of Motor Vehicles, as by law provided.

LUCY BRIDGES)
VS) # 14545 On Account of Change of Venue.
YOUR CAB CO., ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried,

adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Nineteen Dollars and - - -Cents (19.00) in the case of Lucy Bridges vs. Your Cab Co., et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

October 21st, 1937.

Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

ETHYL L. OSBORN)
VS) # 14063 On Account of Change of Venue
ROLAND C. OSBORN)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Sixty-Six Dollars and - - -Cents ($66.00) in the case of Ethyl L. Osborn vs. Roland C. Osborn is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

October 21st, 1937.

Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

J. FRANK CHADWICK, ET AL.)
ASSIGNEES ETC.)
VS) # 13728 On Account of Changeof Venue
THE LOUISVILLE JOINT STOCK)
LAND BANK, ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Montgomery in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. thirty-two Dollars and fifty Cents

($32.50) in the case of J. Frank Chadwick, et al. Assignees, etc. vs. The Louisville Joint Stock Land Bank, et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Montgomery in said State, and the Auditor of said County of Montgomery is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Montgomery in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

October 21st, 1937.

Horace L. Hanna

Judge 55th Judicial Circuit of Indiana.

MAYME MABEE)
VS) # 15181 On Account of Change of Venue.
HARRY MABEE)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Ten Dollars and Fifty Cents ($10.50) in the case of Mayme Mabee vs. Harry Mabee is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

October 21st, 1937.

Horace L. Hanna

Judge 55th Judicial Circuit of Indiana.

WAHNETTA LEWIS, BY NEXT)
FRIEND, GEORGE O. HILL)
VS) # 15189 On Account of Change of Venue.
GEORGE DIRNBERGER)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Wahnetta Lewis, by next friend, George O. Hill vs. George Dirnberger is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

October 21st, 1937.

Horace L. Hanna,

Judge 55th Judicial Circuit of Indiana.

HARGROVE REALTY CO.INC.)
GEORGE T. DUKE)
VS) # 15199 On Account of Change of Venue.
LEONA FULTZ)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Hargrove Realty Co. Inc. George T. Duke vs. Leona Fultz is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

October 21st, 1937

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

WILLIAM GUERY)
VS) # 15184 On Account of Change of Venue.
PENNSYLVANIA RAILROAD)
COMPANY, a corporation, et al.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Putnam in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of William Query vs. Pennsylvania Railroad Company, a corporation, et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Putnam in said State, and the Auditor of said County of Putnam is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Putnam in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

October 21st, 1937.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, October 22nd, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA, ON RELATION)
OF LUTHER F. SYMONS, BANK COM-)
MISSIONER)
VS) # 13635 ORDER TO SETTLE AND RELEASE
HUNTER BANK) JUDGMENT AS TO D. E. SCOTT

Comes now Harney F. Semones, Receiver of the Hunter Bank, Brownsburg, Indiana, and files the following verified petition (insert) showing therein that among the assets of the said Hunter Bank was a note calling for the principal sum of $275.00 and that on the 25th day of January 1936, the said note was reduced to a judgment and said judgment entered in Civil Order Book 85, page 355, and in Judgment Docket 17, page 86, of the Hendricks Circuit Court Records in the Office of the Clerk of the said Hendricks Circuit Court. And that said judgment was for the principal sum of $380.67. And that the court having examined said petition and being sufficiently advised in relation thereto, now finds that the averments therein contained are true and that in the interests of said receivership the prayer of said petition should be granted.

It is therefore ordered by the court that said Receiver receive from said D. E. Scott the sum of $166.67 in full and final settlement of said judgment in so far as the liability of the said D. E. Scott is concerned and the said Receiver release the said judgment as to D. E. Scott.

RISHEL C. JACKSON)
VS) # 15024
JOHN S. DRYBREAD,)
FRANK SMITH)

Come now the parties, by counsel, and the Court being duly advised, now overrules the motion of the plaintiff for new trial, towhich ruling of the Court the plaintiff duly objects and excepts.

STATE OF INDIANA)
VS) # 7752
ANDERSON KIVETT)

Come now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, by counsel, and Dr. R. E. Jones having heretofore filed his written report of the examination and findings of his examination of the defendant, the Court finds that said defendant is unable to appear in Court for trial, and said cause is continued.

STATE OF INDIANA)
VS) # 7794
CHARLES HAMM)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Charles Hamm, in his own proper person, and

said defendant is duly arraigned in open Court and enters his plea of not guilty.

The Court orders the defendant returned to Jail until 1:30 P. M., October 22nd, 1937, and that the Sheriff have the doctor examine the defendant's arm and return the defendant to this Court at 1:30 P. M. for further consideration of this cause.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant in his own proper person, and said defendant promised in open Court that he will, if allowed to do so, return to his home and will properly provide for his wife and child, and the wife of said defendant also appearing, consents thereto and the Court now allows said defendant to go on his own recognizance until further order of this Court.

And court adjourned until 9:00 o'clock A. M. Saturday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, October 23rd, 1937.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

ROBERT SEAY)
VS) # 15211 On Account of Change of Venue.
A. E. STEWART)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks and against the County of Morgan in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Ten Dollars and - - - Cents ($10.00) in the case of Robert Seay vs. A. E. Stewart is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Morgan in said State, and the Auditor of said County of Morgan is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Morgan in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

October 23rd, 1937.

Horace L. Hanna,
Judge 55th Judicial Circuit of Indiana

PHELPS LUCAS)
VS) # 15010 On Account of Change of Venue.
THE NATIONAL LIFE &)
ACCIDENT INS. CO. OF)
NASHVILLE, TEN., ET)
AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. One Hundred Sixty-One Dollars and Fifty Cents ($161.50) in the case of Phelps Lucas vs. The National Life & Accident Ins. Co. of Nashville, Tenn, et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

October 23rd, 1937.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

WILLIAM E. YOUNG)
VS) # 15322
AMERICAN STATES INSURANCE)
COMPANY)

Comes now the plaintiff, by counsel, and moves the Court to have defendant answer the complaint herein. And the Court being duly advised, now sustains said motion and the defendant is ruled to answer.

CHESTER TOFEL)
VS) # 15324
ELLIS WOOD, ET AL.)

Come now White, Wright & Boleman and Blessing & Kendall, herein, and general appearance filed and entered for Ellis Wood, and special appearance for the purpose only of pleading to the jurisdiction for the defendant, Inter State Motor Freight System, in the following words and figures, to-wit: (H.I.).

STATE OF INDIANA)
VS) # 7796
LOY UNDERWOOD)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Roy Underwood, in his own proper person, and said defendant being duly arraigned in open Court, said defendant peads guilty.

The Court witholds judgment until 9:00 o'clock A. M., October 25th 1937, and the Sheriff is ordered to take charge of said defendant.

ALVA LLOYD)
VS) # 15178 On Account of Change of Venue.
LAFAYETTE, INDIANAPOLIS)
TRANSIT CO., ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Two Hundred Thirty-Seven Dollars and Fifty Cents ($237.50) in the case of Alva Lloyd vs. Lafayette, Indiana, Transit Co., et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

October 23rd, 1937.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

LEON J. COOPER)
VS) # 15085 On Account of Change of Venue.
ELI AKER)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Putnam in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. One Hundred Fifty-Eight Dollars and Forty Cents ($158.40) in the case of Leon J. Cooper vs. Eli Aker is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Putnam in said State, and the Auditor of said County of Putnam is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Putnam in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

October 25th, 1937.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, October 25th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

GRAND AND PETIT JURORS, DRAWN FOR THE NOVEMBER TERM, 1937.

BE IT REMEMBERED, That on the 25th day of October, 1937, Charles G. Miles and Ed Smith the duly appointed, qualified and acting Jury Commissioners of this court appeared at the office of the Clerk of the Hendricks Circuit Court, and the Clerk drew from the Jury Box the names of the following persons for Grand Jury service at the November Term, 1937 of this court, viz:

1. Dallas Terrell	Middle Township
2. Ernest Rynerson	Liberty Township
3. Brady Bowen	Clay Township
4. Edgar Parker	Middle Township
5. Obe Higgins	Union Township
6. Ivan Harman	Brown Township

And the Clerk of this Court at the same time and in the like manner drew from the Jury Box the names of the following persons for Petit Jury Service for the November Term, 1937, of this court, viz:

1. C. M. Brumfield	Union	Twp.	13. Otto Bymaster	Center	Twp.
2. Herbert Harvey	Clay	Twp.	14. W. E. Lewis	Liberty	Twp.
3. William Nagle	Lincoln	Twp.	15. Paul Blake	Union	Twp.
4. S. W. Coffman	Brown	Twp.	16. Cecil Prebster	Lincoln	Twp.
5. Marshall Flathers	Center	Twp.	17. Millard Norman	Union	Twp.
6. Raymond Webbe	Lincoln	Twp.	18. Lester Dickerson	Marion	Twp.
7. Perry Knight	Clay	Twp.	19. Joe Fulps	Center	Twp.
8. Albert Harlan	Clay	Twp.	20. John Wright	Liberty	Twp.
9. Lloyd Young	Guilford	Twp.	21. Otis N. Gray	Lincoln	Twp.
10. C. W. Bridges	Clay	Twp.	22. Ernest Longmire	Guilford	Twp.
11. Waldo Hadley	Guilford	Twp.	23. Everett Miller	Lincoln	Twp.
12. Homer West	Clay	Twp.	24. Dave E. Scott	Brown	Twp.

STATE OF INDIANA)
VS) # 7796 Judgt. vs Deft. for $75.00 Fine & Costs.
LOY UNDERWOOD) J. D. 17, Page 220.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also Loy Underwood, the defendant in his own proper person, and the Court having taken this matter under advisement, does now enter judgment as follows, to-wit:

It is hereby adjudged by the Court that the defendant for the offense by him committed be sentenced to the Indiana Penal Farm for a term of six months, be fined in the sum of seventy-five dollars, and that said defendant shall pay the costs of this action, taxed at _____dollars and _____cents, but it is hereby ordered that said sentence be suspended so long as said defendant shall behave well and shall pay the fine and costs imposed herein, and the Court gives said defendant sixty days in which to pay said fine and costs and said defendant is ordered to appear before this Court thirty days from this date and report to the Court as to his actions. Defendant is allowed to go on his own recognizance.

STATE OF INDIANA, Ex Rel,)
L. F. Symons, Bank Commissioner)
VS) NO. 13802
PITTSBORO STATE BANK) ENTRY

Comes now Ina Smith and files her verified petition herein, by which petition it is shown that she purchased certain real estate of W. H. Berry, Executor of the last will and testament of John W. Smith, deceased; that at the time the said Ina Smith purchased said real estate she had and held a claim against said estate for services rendered by her for said decedent during his life time. Said petition further shows that said claim was compromised and settled; that one, George Smith, an heir to the estate of John W. Smith agreed to take the sum of $550.00 for his full distributive share of said estate, and that he agree that all further sums due him as an heir to said estate, from any source whatsoever should be paid to the said Ina Smith.

Said petition together with a copy of the agreement entered into by the said George Smith is in words and figures Following to-wit: (H.I.) and the court having examined said petition, and being fully advised and informed in the premises finds that the allegations thereof are true, and that the prayer of said petition should be granted.

It is therefore ordered, adjudged and decreed by the court that the said Ina Smith is entitled to have paid to her, what ever amount is due the said George Smith, as a heir of the said John W. Smith, deceased who was a depositor in the Pittsboro State Bank, and the receiver of said bank is hereby ordered, authorized and directed to pay any and all sums, now ready for distribution, or to be hereafter distributed, and paid out, that would be due the said George Smith, as a heir of the said John W. Smith, to the said Ina Smith, and a receipt from the said Ina Smith for said amount, so paid to her, will be a full and final discharge of said receiver of his obligation to account for said amount.

HARRY ETCHISON)
VS) # 15265
CHESTER FRIEL)

Comes now the plaintiff, by counsel, and files amended complaint in two paragraphs, which amended complaint is in the words and figures following, to-wit: (H.I.).

LEONARD E. NORTHRUP
VS
MARTIN COLLINS
JOHN F. COLLINS
DELIA RYAN
KATHERINE LYNCH
MARY MORGAN
JOSEPH LINTEN, if living, if dead the unknown widow, heirs, devisees legatees and legal represenatives of JOSEPH LINTEN, deceased.
BASIL TOUT, if living, if dead the unknown widow, heirs, devisees, legatees and legal represenatives of BASIL TOUT, deceased.
GEORGE S. P. FERREE, if living, if dead, the unknown widow, heirs, devisees legatees and legal representative of GEORGE S. P. FERREE, deceased.

NO. 15269

Judgt. vs Pltf. for Costs.
J. D. 17, Page 221.

Comes now the plaintiff, in person, and by Otis E. Gulley, his attorney, and it appearing to the satisfaction of the court that the notice and proof of publication herein, which said notice and proof of publication are

in words and figures as follows, to-wit: (H.I.) that each and all of said defendants have been duly notified of the pendency of this action by three successive publications in the Hendricks County Republican, a weekly newspaper of general circulation, printed and published in the English language, and printed and published in the town of Danville Indiana, the last of which publication was made more than thirty days before the 27th day of September, 1937, the same being the return day endorsed on plaintiff's complaint herein upon order of the court authorizing notice by publication.

And now, on motion of plaintiff, each of said defendants hereto are now three times audibly called in open court and come not, but herein wholly make default.

And this cause being at issue, the same is submitted to the court for trial, finding, judgment and decree without the intervention of a jury, and the court having examined plaintiff's complaint, and having heard the evidence and being duly advised and informed in the premises finds for the plaintiff on his complaint and that the allegations thereof are true, and that the said plaintiff, Leonard E. Northrup has the legal title and estate in and to the real estate described in plaintiff's complaint, hereinafter described, and that said plaintiff is the owner in fee simple of said real estate

The court further finds that the interest claimed and asserted by the defendants, and each of them, in and to said real estate is adversed to Leonard E. Northrup's title; that the defendants and each of them have no interest, right, title or estate in and to said real estate; that the claim or claims of the defendants, and each of them, or any one, or more of them is without right and unfounded and constitutes a cloud upon Leonard E. Northrup' title. The court further finds that plaintiff is entitled to have his title, to the real estate described in plaintiff's complaint, and hereinafter described quieted and for ever set at rest as against any and all claims of the defendants hereto and each of them, and of any and all persons claiming by, under and through them, and as against all persons whomsoever, and as against the world.

It is therefore finally ordered, considered, adjudged and decreed by the court that said plaintiff, Leonard E. Northrup is the owner in fee simple of the real estate described in plaintiff's complaint, lying and being in the County of Hendricks, State of Indiana, and described as follows, to-wit:

The northwest quarter of the northeast quarter
of Section 18, Township 17 north of Range 1 east,
containing forty (40) acres more or less.

and that the claim or claims of defendants and each of them and any one or more of them, and any and all persons claiming by, under and through them, or either of them, to said real estate is without right and is unfounded, and each and every one of said defendants and all the world is hereby astopped and forever barred from asserting any right title, claim or interest in and to said real estate adverse to the title of the said plaintiff, Leonard E. Northrup and that the title of Leonard E. Northrup to said real estate be and the same is hereby, quieted and forever set at rest as against the defendants and each of them and any and all persons claiming by, under and through them or either of them and as against all persons whomsoever, and as against the world.

It is further considered and ordered that the plaintiff pay the costs of this action taxed at forty-three dollars and thirty cents.

COURT ALLOWANCE FOR THE SEPTEMBER TERM, 1937.

Lillian Priest, Court Reporter	$ 240.00
Walter E. Hadley, Clerk (Per Diem for Attending Court (and Change of Venue Claims.	117.00
Ed Smith, Jury Commissioner	3.00
Charles G. Miles, Jury Commissioner	3.00
Hendricks County Republican	30.00
William B. Burford Printing Company	9.40
West Publishing Company	10.00
The Lawyers Co-operative Publishing Company	15.00
Callaghan & Company	105.00
PETIT JURORS:	
Marion Weddle	75.60
Asa Page	45.50
John Moran	52.20
George Hadley	30.40
Harold Davis	42.00
Howard Pritchett	43.40
Randall Joseph	38.50
Herschell Cline	23.40
Edwin Thompson	40.60
Herschell Gentry	68.40
Huber L. Swain	63.00
Fred Breedlove	63.00
Claud Worrell	49.60
Victor Smith	63.00
Merle Masten	17.50
Everett McCollum	39.60
Wilbur Poland	33.00
H. H. Disney	29.70
Harvey A. Stewart	7.80
Boyd Williams	7.20
Alfred McClain	6.20
Shelton's Cafe 91 meals @ $ .50¢ each	45.50
Frank Rhoades Cafe 13 lunches @ $ .25 each	3.25
Total.	$ 1420.75

Ordered by the Court that all causes both Civil and Criminal and all pleas, plaints, motions and demurrers not disposed of at the present term of court be continued to the November Term, 1937, of said court.

And Court adjourned until court in course,

Records read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, November 1st, 1937.

Pleas and proceedings had in the Hendricks Circuit Court, within and for Hendricks County, State of Indiana, at the November Term, 1937, which term of court was begun and continued at the Court House in the town of Danville, in the County and State aforesaid, commencing on Monday the 1st day of November, 1937, that being the day fixed by law for holding said Term of Court.

Present Honorable Horace L. Hanna, Judge.
John A. Kendall, Prosecuting Attorney,
Albert H. Shane,
Walter E. Hadley.

Whereupon, said Sheriff proclaimed said Court open, according to law, and the following proceedings were had, to-wit:

GILBERT JOHNSON)
VS.) # 15063
HAZEL MORRIS, ET AL.)

Come now the above named parties and file their petition in the above entitled cause showing that accompromise has been agreed upon as to the amount each of said parties should receive in the above entitled cause from the Clerk of the Hendricks Circuit Court, which petition is the words and figures as follows; to wit: (H.I.)

And the court being duly advised in the premises finds that said agreement should be approved and the Clerk of the Hendricks Circuit Court is authorized, directed, and ordered to pay out of the funds now in his hands belonging to the parties in this cause, the following sums:

To Austin Johnson the sum of $420;

To Gilbert Johnson the sum of $263; and

To Hazel Morris the sum of $175.13, all of which is ordered and adjudged.

RECEIPTS:

1. Nov 1st 1937 Rec'd. $420.00 my distributive share herein. Austin Johnson (Austin Johnson)
2. Nov 1st 1937 Rec'd. $263.00 my distributive share herein. Gilbert Johnson (Gilbert Johnson)
3. Nov 1st 1937 Rec'd. $175.13 my distributive share herein. Hazel Morris (Hazel Morris)
   158 13

WILL S. EMILY)
VS) # 15317
MILO LITTELL)

Comes now the defendant, by counsel, and files answer in general denial, which answer is in the words and figures following, to-wit: (H.I.).

MORRISON MOTOR FREIGHT INC.)
VS) # 15278
EDWARD D. CRAWLEY)

Comes now the plaintiff, by counsel, and files motion and affidavit for change of venue from Hendricks County, Indiana, which motion and affidavit are in the words and figures following, to-wit: (H.I.).

STATE OF INDIANA ON)
RELATION OF LUTHER F.)
SYMONS BANK COMMIS-)
SIONER OF THE STATE)
OF INDIANA.) ORDER TO ACCEPT DEED FOR REAL ESTATE AND
VS) # 13635 RELEASE MORTGAGE EXECUTED BY
HUNTER BANK) WILBERT F. HOLLAWAY FOR
BROWNSBURG, INDIANA.) THE SUM OF $4,000.

Comes now Harney F. Semones receiver of the Hunter Bank, Brownsburg Indiana and files the following verified petition (insert) showing therein that among the assets of said Hunter Bank are two unsecured notes executed by Wilbert F. Holoway, one for the sum of Eighty Seven ($87.00) dollars and the other in the principal sum of six hundred sixty eight ($668.00) dollars and two mortgages on real estate executed by said Wilbert F. Holloway and others; one for the principal sum of eight hundred thirty six ($836.00) dollars and the other for three thousand eight hundred eighty ($3880.00) dollars with interest on all of said obligations, and asking in said petition for authority to accept a deed for certain real estate and release mortgage executed by said Wilbert F. Holloway and May Holloway in the said sum of $3880.00 and credit the sum of $120.00 dollars therefor upon the indebtedness of the said Wilbert F. Holloway to the said Hunter Bank on other notes executed by him. That said mortgage appears in mortgage record 82, page 309, in the office of the Recorder of Hendricks County, Indiana,

It is therefore now considered and ordered by the court that said receiver accept said deed for the said real estate situated in Hendricks County, Indiana, and described as follows. Part of the Southwest quarter of the Northwest Quarter of Section 4, Township 16 North of Range 1 East, bounded and described as follows: Commencing at the Southwest corner of the aforesaid Southwest Quarter, and then running thence East to the Southeast corner of said Southwest quarter; thence North on the East line thereof to the South side of the right of way of the C.C.C. & St. L. R. R: thence Northwest along the South side of said right of way to the West line of aforesaid Southwest quarter; thence South on said West line to the place of beginning, estimated to be 23 acres more or less. Also a part of the West half of the Southwest quarter of Section 4, Township 16, North, Range 1 East, bounded as follows, commencing at the Northeast corner of said West half, thence West to the Northwest corner of said West half; thence South to the Crawfordsville State Road; thence East with the bearing of said road to the East line of said West half; thence North to the place of beginning, estimated to be 22.50 acres more or less, and said Receiver is hereby directed and ordered to release the mortgage executed by said Wilbert F. Holloway and May Holloway and which said mortgage appears in mortgage record 82, page 309 in the office of the Recorder of Hendricks County, Indiana, and further, to credit the sum of $120.00 dollars on other indebtedness due and owing said Hunter Bank by said Wilbert F. Holloway.

GEORGE HODGES)
VS) # 14527 Judgt. vs Deft. for $29.90 and Costs.
ETTA CURTIS) J. D. 17, Page 221.

Comes now the defendant, by counsel, and files answer in general

denial to plaintiff's amended complaint in the following words and figures, towit: (Here Insert).

Come now the parties, in person and by counsel, and this cause being at issue, is submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

The evidence is heard, and the Court being duly advised, finds for the plaintiff, George Hodges, and that the allegations of plaintiff's complaint are true, and that there is due the plaintiff, the sum of $21.75 on said account, and that because of the unusual delay in said payment, the plaintiff is entitled to interest on said account in the sum of $0.15, now a total sum due plaintiff from defendant, Etta Curtis, $29.90, together with the costs of this action.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff, George Hodges have and recover of and from the defendant, Etta Curtis, the sum of $29.90, together with the costs for this action, taxed at _____dollars and_____cents.

NORA RUSSELL)
VS) # 15216
JESSE RUSSELL)

Comes now the plaintiff and by Edgar M. Blessing, her attorney, and it appearing to the Court by the summons herein and the return of the Sheriff of Hendricks County, Indiana, endorsed thereon, that said defendant has been duly served with process more than ten days before the return date thereon as fixed by the plaintiff by endorsement on plaintiff's complaint, and said defendant failing to appear, is now on motion of the plaintiff three times loudly called by comes not and herein wholly makes default.

And now John A. Kendall, prosecuting attorney for this Judicial District, and enters his appears herein, and files answer of general denial to plaintiff's complaint, which answer is in the words and figures following, to-wit: (H.I.).

And this cause being at issue, is now submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

Evidence is heard, and the Court takes this matter under advisement.

CHARLES H. SEILOFF, ET AL.)
VS) # 15112
STANTON A. MORTON, ET AL.)

Comes now the plaintiff, by counsel, and files amended complaint in the following words and figures, to-wit: (Here Insert).

ROBERTA HUGHES)
VS) # 15170
THE ANCHOR MOTOR)
FREIGHT INC., A)
CORPORATION)

Comes now the defendant, by counsel, and files motion to make complaint more specific, which motion is in the words and figures following, to-wit: (H.I.).

FLETCHER JOINT STOCK LAND BANK)
OF INDIANAPOLIS,) # 15275
VS)
ARTHUR E. WOODS, ALSO KNOWN AS)
ARTHUR WOODS, ET AL.)

Judgt. vs Defts., ARTHUR E. WOODS, also known as Arthur Woods, and EDITH L. WOODS, also known as Edith Woods, for $6318.09 and Costs.
J. D. 17, Page 221.

DECREE FORECLOSING REAL ESTATE MORTGAGE AND APPOINTING RECEIVER

Comes now the plaintiff, Fletcher Joint Stock Land Bank of Indianapolis, Indiana, by its attorneys of record herein, and it is shown to the court by the writ of summonses issued herein and Sheriffs return of service thereon, which writs and returns are in the following words and figures, towit:

(Here Insert)

That each of the defendants have been duly served with process in this cause more than ten days before the date fixed by plaintiff by endorsement on it's complaint for said defendants, and each of them, to appear and answer said complaint, and more than ten days prior hereto.

And the defendants Arthur E. Woods and Edith L. Woods, having heretofore filed their separate answers in general denial to plaintiff's complaint which said answers are in the following words and figures, towit:

(Here Insert)

And it having been heretofore shown to the court that defendant Howard Nelson Woods, is a minor, under the age of twenty-one years, and has no guardian serving for him, the court has appointed A. J. Kahl as his guardian ad litem to answer and defend for said minor in this cause; and the said A. J. Kahl now appears and accepts such employment, and files herein the answer of said minor defendant Howard Nelson Woods in general denial to plaintiff's complaint.

(H.I.)

And the defendant Paul Little, failing to appear either in person or by attorney, is now three times audibly called in open court but comes not and herein wholly makes default.

And this cause now being at issue upon plaintiff's complaint and the answers of defendants Arthur E. Woods and Edith L. Woods, and the answer of A. J. Kahl, as guardian ad litem for the defendant Howard Nelson Woods, is now submitted to the court without the intervention of jury for trial, finding and decree upon the aforesaid issues and default, and the court having heard the evidence adduced and being sufficiently advised in the premises finds for the plaintiff upon it's complaint and finds the allegations thereof are true.

The court further finds that defendant Paul Little is a tenant occupying part of said real estate but has no right, title and interest therein other than as such tenant; that defendant Howard Nelson Woods is the owner and holder of the title to the real estate described in plaintiff's mortgage and that the note

described in plaintiff's complaint was executed by Arthur E. Woods, and that the mortgage herein sought to be foreclosed was executed by Arthur E. Woods and Edith L. Woods; that defendant Arthur E. Woods was the owner and holder of the title to the real estate described in said mortgage upon the date of the execution thereof, and that Edith L. Woods was the wife of defendant Arthur E. Woods; that plaintiff, Fletcher Joint Stock Land Bank of Indianapolis is the owner and holder of the note and mortgage described in the complaint herein, and that said mortgage has not been satisfied and released of record and is a valid and subsisting lien upon the real estate described therein, and is duly recorded in Mortgage Record 80 at pages 147 and 150 inclusive of the records in the Recorder's Office of Hendricks County, Indiana.

The court further finds that defendant Howard Nelson Woods, the owner of the title to said real estate, is a single and unmarried man.

The court further finds that mortgagors made default in the terms of said mortgage as alleged in plaintiff's complaint, and that on account of said default plaintiff elected to exercise its option and has declared the whole amount of the debt secured by said mortgage due, and has brought it's complaint to foreclose it's mortgage as provided therein.

The court further finds that the mortgage described herein provides for the payment by plaintiff of taxes, assessments, insurance premiums and such other costs as may be necessary to protect it's interest in the security intended to be given, upon failure of mortgagors to promptly pay such taxes, assessments, and other costs, and that when advancements and payments are made by plaintiff same should be due at once and should bear interest at the rate of eight per cent. per annum from the date of each such payment..

The court further finds that by the terms of said note and mortgage, mortgagors promised and agreed to pay attorney's fees in case of foreclosure of said mortgage, and that plaintiff has been compelled to secure the services of local counsel herein, and has agreed to pay said local counsel for such services, and that same should be made a part of any judgment entered herein in favor of plaintiff, and declared by the court to be a part of the debt secured by said mortgage.

The court further finds that plaintiff should recover judgment herein against Arthur E. Woods and Edith L. Woods, and each of them, on account of their having executed the mortgage described in plaintiff's complaint wherein they specifically agreed and promised to pay the debt secured thereby, and that the said defendant Arthur E. Woods is liable for judgment herein on account of him having signed the note secured by said mortgage.

The court further finds that there is due and owing plaintiff, Fletcher Joint Stock Land Bank of Indianapolis, on account of the note and mortgage herein sued upon, the following sums, towit:

Unpaid balance of note and installment April 21, 1932	$4,166.46
Interest from April 21, 1932 at eight per cent	1,842.02
Abstract continuation paid by plaintiff July 5, 1932	11.00
Interest thereon from July 5, 1932 at eight per cent	4.72
Paid for tax certificate February2, 1936	207.44
Interest thereon from February 2, 1936 at eight per cent . . .	28.95
Abstract continuation paid by plaintiff January 20, 1937 . . .	7.50
Attorney's fees for local counsel	50.00
Total	$6,318.09

The court further finds that said sum of $6,318.09 is owing to plaintiff, secured by the mortgage described in the complaint herein, and is due and wholly unpaid.

The court further finds that plaintiff's mortgage described in it's complaint herein, as against each and every one of the defendants in this suit, is a valid and subsisting lien as of it's date upon the fee simple of the real estate therein described, being the same real estate hereinafter described and ordered and decreed to be sold; that the lien of said mortgage in said sum of $6,318.09 upon said real estate is prior in time and superior in equity to the right, title, interest and claim of each of the defendants to this suit, and that said mortgage in said sum as against each of said defendants ought to be foreclosed as in plaintiff's complaint prayed, and that said real estate ought to be sold in satisfaction of plaintiff's said debt as herein found to be due and owing plaintiff, with interest thereon from this date at the rate of eight per cent. per annum, and in satisfaction of the costs of this action and of the costs and expenses of said sale, all without relief from valuation or appraisement laws, and that the equity of redemption of each and all of the defendants to this suit, except the statutory right of redemption fixed by law, in, to and over said real estate ought to be forever barred and foreclosed.

The court further finds that none of the defendants in this suit live upon the real estate described in plaintiff's mortgage and occupy same as a home; that the same is of insufficient value, and will not sell for a sum sufficient to pay the debt herein found due and owing plaintiff; that mortgagors and defendants have heretofore failed to pay taxes failling due upon said real estate and will probably fail and neglect to pay such taxes during the pendency of this action and the time allowed by law for redemption from any sale that may be made herein; that there will be further taxes falling due, costs of repairs and upkeep to be paid, and that a receiver should be appointed herein by this court to take charge of, manage and control said real estate, rent the same, and from the rents and profits received therefrom pay taxes and assessments falling due, and disburse and pay out the money so received as the court may further order, and that said receiver should continue to serve as such until the expiration of the time allowed by law for redemption from the sale hereinafter ordered, or until further order of the court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that Fletcher Joint Stock Land Bank of Indianapolis, plaintiffherein, have judgment against the defendants Arthur E. Woods, who is also known as Arthur Woods, and Edith L. Woods, who is also known as Edith Woods, and each of them, in the sum of $6,318.09, and the costs and charges in this cause laid out and expended, and that the mortgage described in plaintiff's complaint be foreclosed, and the equity of redemption of each and all of the defendants to this suit, and of all persons claiming from, under or through them, in and to said mortgaged premises, towit:

> A part of the South Half of the North East Quarter, and a part of the North Half of the South East Quarter of Section 13, Township 14 North, Range 2 West, and described as follows, towit: Beginning at a point 38 rods and 2 feet North of the North East corner of the South Half of the South East Quarter of said Section 13, and running thence West 84 rods; thence North to the center of the National Board; thence North East with the center of said road to the East line of said Section 13; thence South to the place of beginning, except a strip 35.6 rods in width off of and across the entire East side of the above described tract, and containing exclusive of said exception 20 acres, more or less.
>
> Also a part of the South West Quarter of the North West Quarter, and

a part of the North West Quarter of the South West Quarter, all in Section 13, Township 14 North, Range 2 West, and bounded and described as follows: Beginning at a point 1 chain East of a point on the West line of said Section, which is 96.51 rods South of the North West corner of said Section 13, running thence South parallel with the West line of said Section, 31 chains and 37.85 links to the center of the National Road; thence North 68 degrees East in the center of said road 19 chains and 70.2 links; thence North 9 chains and 49 links to the North line of the North West Quarter of the South West Quarter of said Section; thence West on the North line of said Quarter Quarter Section to a stone 11 chains and 68¾ links East of the North West corner of the last aforesaid Quarter Quarter Section; thence North 11 chains and 52½ links; thence North 10 degrees West 4 chains and 50 links; thence West 9 chains and 82½ links to the place of beginning, estimated to contain 40.61 acres, more or less.

Also a part of the North West Quarter of Section 13, Township 14 North, Range 2 West, and bounded and described as follows, towit: Beginning at a point 113 rods and 5 feet West 46.1 rods North of the center of said Section 13, and running thence North 10 degrees West to a point which is 40 rods and 9 links South East of where said line intersects the North line of said Quarter Section; thence East 124 rods to the East line of said North West Quarter of said Section 13; thence South 24 rods; thence West 113 rods and 5 feet to a point North of the place of beginning, and thence South to the place of beginning, estimated to contain 20 acres.

Containing in all the above described tracts, 80.61 acres, more or less.

BE, AND THE SAME IS HEREBY FOREVER BARRED AND FORECLOSED, except the right of redemption granted by the laws of the State of Indiana; that said real estate, and all the right, title and interest of said defendants, and each of them, 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, be sold by the Sheriff of the County of Hendricks, in the State of Indiana, as lands are sold on execution, such sale to be made without any relief from valuation or appraisement laws.

The Sheriff of Hendricks County, Indiana, is hereby directed to apply the money derived from the sale of the above described real estate as herein ordered, as follows:

FIRST, to the payment of the costs of this action and of the costs and expenses of said sale.

SECOND, to the payment to plaintiff, Fletcher Joint Stock Land Bank of Indianapolis, of the sum of $6,315.09, with interest thereon from this date at the rate of eight per cent. per annum.

THIRD, if, after applying proceeds of said sale as above directed there should be any sum remaining in the hands of the Sheriff unapplied, such Sheriff shall pay the same to this court to be paid out upon further order of the court.

IT IS FURTHER ORDERED BY THE COURT that upon expiration of the statutory period of redemption, and the exception by the Sheriff of a deed of conveyance of said mortgaged premises, so sold hereunder and not redeemed, to the person or persons entitled thereto, the defendants to this suit, and each of them, and anyone claiming under them or either of them, in possession of said real estate, or any part thereof, shall, upon demand and exhibition of said deed or of a certified copy thereof, forthwith surrender to the holder of said deed full and peaceable possession of said real estate; and, in the event such persons, or any of them, shall fail or refuse to surrender possession as aforesaid, then upon motion of the person entitled to such possession, an order shall be entitled in this cause directing a writ of assistance to issue to said Sheriff commanding him to remove such person or persons in possession of said real estate, and put the holder of said Sheriff's deed into the full and peaceable possession thereof.

IT IS FURTHER ORDERED BY THE COURT that should said real estate fail to sell for a sum sufficient to satisfy plaintiff's said debt and costs, execution shall issue and be levied on the goods and chattels of defendants Arthur E. Woods and Edith L. Woods and each of them subject to execution for such deficiency.

IT IS FURTHER ORDERED BY THE COURT that John C. Taylor be, and he is hereby appointed Receiver, and is hereby ordered to take charge and control of said real estate, rent the same and from the rents and profits collected therefrom pay taxes due and falling due, costs of upkeep and repair, all as the court may further direct.

And the court now fixes the bond of said Receiver at the sum of $500.00 with surety to the approval of this court.

IT IS FURTHER ORDERED BY THE COURT that a copy of this judgment and decree, duly certified under the hand of the Clerk and seal of this court, shall be full authority to the Sheriff to execute the same.

And now comes John C. Taylor heretofore appointed receiver in this case and accepts such appointment and tenders his receiver's bond, as heretofore fixed by the court, which bond the court now approves, indorsing his approval thereon. And now the said John C. Taylor takes and subscribes an oath for the faithful discharge of his duties as such receiver. Said bond, with the court's approval indorsed thereon, and the oath taken and subscribed by said receiver, are as follows, to-wit: (Here Insert). And said receiver is ordered to take upon himself the administration of his duties under this appointment.

All Of Which is hereby ordered, adjudged and decreed by the court. And further proceedings herein are continued.

And court adjourned until 9:00 o'clock A. M. Tuesday,

Record read and aigned in open court.

Horace L. Hanna, Judge.

Tuesday Morning, November 2nd, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

FRANK CLIFT OLIVE)
VS) # 14964
NEW ENGLAND MUTUAL)
LIFE INSURANCE COMPANY,)
A CORP.)

Comes now the defendant, by counsel, and rule to answer is extended to November 6th, 1937, on motion of the defendant.

The Court fixes November 6th, 1937, at 10:00 o'clock A. M. for closing issues in this cause.

ALPHEUS SLOAN, JUNIOR, BY HIS)
NEXT FRIEND ALPHEUS SLOAN, SENIOR)
VS) # 15158
LYMAN HUNTER AND)
RAYMOND PROCTOR)

Comes now the plaintiff, by counsel, and files motion for new trial, which motion is in the following words and figures, to-wit: (Here Insert).

FRED W. WATSON AND)
A. GAY WATSON, DOING)
BUSINESS AS THE CENTURY)
TYPESETTING COMPANY)
VS) # 15114
IRA J. POMEROY)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid.

And the Court being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

HAROLD RAY)
VS) # 15220
PENNSYLVANIA RAILROAD COMPANY AND)
VANDALIA RAILROAD)

Comes now the plaintiff, by counsel, and moves the Court for a rule to require the defendant to answer complaint herein on or before the 13th day of November, 1937.

And the Court being sufficiently advised, now sustains said motion and the defendant is ruled to answer on or before November 13th, 1937.

ANCHOR MOTOR FREIGHT INC.)
OF DELAWARE)
VS) # 15221
THE PENNSYLVANIA RAILROAD CO.)
AND VANDALIA RAILROAD.)

Comes now the plaintiff, by counsel, and moves the Court for a rule to require the defendant to answer complaint herein on or before the 13th day of November, 1937.

And the Court being sufficiently advised, now sustains said motion and the defendant is ruled to answer on or before November 13th, 1937.

MORRISON MOTOR FREIGHT INC.)
V S) # 15278
EDWARD D. CRAWLEY)

The court being duly advised, sustains motion for change of venue.

Come now the parties, by counsel, and said parties being unable to agree, now strike and Montgomery County being the county remaining, said cause is venued to Montgomery County, Indiana, and ten days are given to perfect change and pay costs thereof.

ADDIE A. ROBERTS)
VS) # 15292
BELLE SCOTTEN, ET AL.)

Comes now the plaintiff, by counsel, and moves the Court for a rule to answer complaint on or before November 13th, 1937.

And the Court being sufficiently advised, now sustains said motion and the defendant is ruled to answer on or before November 13th, 1937.

WILLIAM E. YOUNG)
VS) # 15322
AMERICAN STATES)
INSURANCE COMPANY)

Comes now the plaintiff, by counsel, and moves the Court to have the defendant answer the complaint on or before November 13th, 1937.

And the Court being sufficiently advised, now sustains said motion and the defendant is ruled to answer on or before November 13th, 1937.

CHARLES SIMMONS)
VS) # 15,303
HERTHA SIMMONS)

Comes now the above named defendant in person and by Otis E. Gulley, her attorney and said defendant files her cross complaint and verified petition herein for temporary restraining order, and for temporary allowance to said defendant in said cause, which verified petition is in words and figures following to-wit: (Here insert) and the court being advised and informed in the premises and having read and considered said verified petition finds for the defendant on said petition, and further finds that a temporary restraining order should be granted against said plaintiff as prayed for in

said petition.

It is therefore ordered, adjudged and decreed by the court that the plaintiff be and he is hereby restrained from selling, or in any way, disposing of or encumbering any of his real estate or personal property, and that he is also enjoined and restrained from paying the note and mortgage that has been given to his sisters, Ruth and Hattie Simmons and that he be required to care for all his personal property, including his crop of growing corn until a hearing is had on this petition and until a further order of the court.

It is further ordered by the court that a copy of this restraining order be served upon said plaintiff by the Sheriff of Hendricks County and the court now fixes the 12th day of November 1937 as the day when a hearing shall be had on this petition and upon the serving of this order on said plaintiff he shall be governed thereby at his peril until the further order of this court.

Horace L. Hanna

STATE OF INDIANA)
VS) # 7411
MILO RUMELY)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion to nolle prosequi the above cause, and which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7671
ROY RIDDLE)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion to nolle prosequi the above cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7672
JAMES MAHONEY)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion to nolle prosequi the above cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, November 3rd, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

AMERICAN LIFE AND)
ACCIDENT INSURANCE)
COMPANY OF KENTUCKY)
VS) # 15315
OTIS E. GULLEY, ET AL.)

Comes now the defendant, Mattie B. Vaught, by counsel, and files special answer to plaintiff's complaint herein, which answer is in the following words and figures, to-wit: (Here Inert).

CHARLES B. HARDY)
VS) # 15115
MAY (HARDY) MILTON)

Comes now the plaintiff, by counsel, and files amended bill of particulars to plaintiff's complaint herein, which amended bill of particulars is in the following words and figures, to-wit: (Here Insert).

Comes now the plaintiff, by counsel, and by consent of the Court, now files a second and third paragraph of complaint herein, which second and third paragraph of complaint herein are in the following words and figures, to-wit: (Here Insert).

HERBERT E. DUNLAP)
VS) # 15081
INDIANAPOLIS RAILWAYS, INC.)
AND CITY OF INDIANAPOLIS)

Come now the parties, by counsel, and oral argument is heard on motion to make complaint more specific of the defendant, Indianapolis Railways, Inc.

And now the Court being advised, overrules said motion, to which ruling of the Court the defendant, Indianapolis Railways Inc. objects and excepts.

Comes now the plaintiff, by counsel, and moves the Court for a rule to require the defendants to answer second amended complaint on or before November 13th, 1937.

And now the Court sustains said motion, and the defendants are ruled to answer on or before November 13th, 1937.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, November 4th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

OMER KIVETT)
VS) # 15239
CHARLES WILHITE)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to answer complaint herein on or before the 15th day of November, 1937.

And the Court being duly advised now sustains said motion, and the defendant is ordered to answer on or before November 15th, 1937.

A. J. HUEBER SAVINGS)
AND LOAN ASSOCIATION)
VS) # 15282
EMERSON H. THOMPSON, ET AL.)

Come now the defendants, Edwin G. Kemper and Emma H. Kemper, by counsel, and file cross-complaint in two paragraphs, which cross-complaint is in the following words and figures, to-wit: (Here Insert).

FRANK CONES)
VS) # 15355
JAMES Y. BARRETT, ET AL.)

Comes now the plaintiff, by counsel, and files affidavit for publication of notice to non resident defendants, which affidavit is in the following words and figures, to-wit: (Here Insert).

And the Court being duly advised, fixes the return day thereon January 5th, 1938, and orders that publication be made as set forth in said affidavit.

CRAFFORD NICKELS)
VS) # 15356 JUDGMENT Judgt. vs Defts. for $264.00 & Costs.
PAUL BARLOW ET. AL.) J. D. 17, Page 221.

Comes now, Archie J. Kahl, Attorney, and for and on behalf of Crafford Nickels, his client, files the following verified petition, which includes a certified copy of an award from the Industrial Board of the State of Indiana (HI) and asking that judgment be rendered thereon. And the court, having seen and examined the said petition, including the certified copy of the award of the Industrial Board, and having heard the evidence in said cause, finds for the plaintiff, and that there is now due said plaintiff from the defendants, the sum of $264.00, of which amount the sum of $36.40 shall be for plaintiffs attorney. The court further finds that said judgment should be first levied against the property of the defendant, Paul Barlow, and in the event that said Paul Barlow should not have sufficient means with which to pay the judgment herein rendered, that the execution should then be levied against the property of Walter St Clair and Rose St Clair, who shall be jointly liable.

It is therefore considered, adjudged, and decreed by the court that the plaintiff have and recover of and from the defendants the sum of $264.00 together

with the costs of this action and of said amount, $36.40 shall go to plaintiffs attorney, and that execution shall first levy against the defendant, Paul Barlow, and if his property be exhausted before said judgment is satisfied, that the sheriff shall then proceed to levy upon the property of the defendants, Walter St Clair and Rose St Clair, all of which is finally ordered, adjudged, and decreed by the court.

STATE OF INDIANA)
VS) # 7620
FLOYD DAVIS)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion to nolle prosequi the above cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7636
DAVIE B. BLUNK)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion to nolle prosequi the above cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7641
RAY McCOUN)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion to nolle prosequi the above cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

OREN S. HACK, as and in the)
Capacity as Receiver of)
Washington Bank & Trust Company)
vs) # 15321 Judgt. vs Defts. for $250.00 and Costs.
FRED PRICE) J. D. 17, Page 222.
CHARLES W. STEGEMOLLER)

Comes now, Oren S. Hack, Receiver, Plaintiff in the above entitled cause, and shows to the court that summons has been duly issued and served

upon the defendants herein, by which it appears, that said defendants were duly notified of the pendency of this case for more than ten days before Oct. 16, 1937, the same being the date fixed by plaintiff, by endorsement upon the complaint filed herein, as the date for the return of the summons herein, and said defendants are now three times loudly called in open court, but come not and wholly make default.

And now upon said complaint and default said cause is submitted to the court for trial, finding, judgment and decree without the intervention of a jury, and the court having heard the evidence and being fully advised in the premises finds for the plaintiff upon his complaint, and that he is entitled to the possession of the real estate described in the complaint filed herein, and is also entitled to damages as alleged in his complaint.

It is therefore ordered, adjudged and decreed by the court that the plaintiff recover of, and from the defendant the possession of the real estate described in his complaint, which real estate is also described as follows to-wit:

Part of the east 1/2 of the southwest 1/4 of Section 17 Township 15 north, Range 2 east, bounded as follows:- Commencing at the southeast corner of said southwest 1/4 of said Section at a stone; running thence north with section bearing 369 feet and 6 inches to a stone; thence west parallel with the south line of said section 1329 feet to a stone; thence south parallel with the east line of said quarter section 369 feet and 3 inches to a stone; thence east with said Section bearing 1329 feet to the place of beginning, containing 11½ acres more or less.

It is further ordered, adjudged and decreed by the court that the plaintiff recover of and from the defendants as his damages herein the sum of $250.00 together with the costs of this action taxed at _____dollars and_____ cents.

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

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.

Horace R. Hanna, Judge.

Friday Morning, November 5th, 1937.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

STATE EX REL LUTHER SYMONS)
VS) # 13802
PITTSBORO STATE BANK) November 5, 1937

Comes now again the receiver in the above entitled cause and it appearing to the court that the receiver has heretofore filed his petition with this court for the compromise of the indebtedness owing to the Pittsboro State Bank by one John G. McCord, which petition is in the words and figures as follows, to wit: (H.I.)

And the court being duly advised in the premises and having heard the evidence of the receiver and receiver's attorney, and being advised upon the facts, finds that the petition of the receiver should be granted and that he should be authorized to compromise the indebtedness to the Pittsboro State Bank from John G. McCord for the sum of $2000 cash in hand.

It is therefore ordered, adjudged, and decreed that the State Bank of Lizton as receiver for the Pittsboro State Bank be, and it is hereby authorized to accept in full payment and discharge of the indebtedness of John G. McCord to the Pittsboro State Bank the sum of Two Thousand Dollars ($2000) cash in hand, and upon the payment of said sum said receiver is hereby authorized, directed, and ordered to release the mortgage of the Pittsboro State Bank against the said John G. McCord all of which is finally ordered, adjudged, and decreed.

A. J. HUEBER SAVINGS & LOAN) Judgt. vs Defts., Emerson H. Thompson, Helen C. Thompson, Robert Phillips and Edith Phillips for $4962.05 and Costs, and in rem only against Edwin G. Kemper and Emma H. Kemper. J. D. 17, Page 222.
ASSOCIATION)
-V-) No. 15282
EMERSON H. THOMPSON,) ENTRY ON JUDGMENT AND FORECLOSURE
ET. AL.) OF MORTGAGE

Come now the plaintiff by counsel and the defendants, EDWIN G. KEMPER and EMMA H. KEMPER, wife of Edwin G. Kemper, by their counsel, and it appearing to the court by the summons herein and the return of the Sheriff endorsed thereon that the said defendants, Emerson H. Thompson, Helen C. Thompson, wife of Emerson H. Thompson, Robert Phillips and Edith Phillips, husband and wife, have each been served with process ten days or more before the first day of the present ther of this court, which said summons and return thereon are in the words and figures as follows, to-wit,- (H.I.): and the said defendants, Emerson H. Thompson, Helen C. Thompson, wife of Emerson H. Thompson, Robert Phillips and Edith Phillips, husband and wife, being three times audibly called in open court, come not, but herein wholly make default; and this cause having been set by the court for trial and the date of trial being at hand, on motion of the plaintiff, the same is now submitted to the court on plaintiff's complaint, the answer thereto in general denial, and a cross complaint filed by Edwin G. Kemper and Emma H. Kemper, wife of Edwin G. Kemper, to which said cross complaint plaintiff herein filed its answer in general denial, but which said cross complaint, after submission and trial and before the court had announced its decision, said defendants, Kemper and Kemper, moved in open court be dismissed, which said motionto dismiss, the court sustained and entered its order dismissing said cross complaint, and on the respective defaults of the said defendants,

Emerson H. Thompson, Helen C. Thompson, wife of Emerson H. Thompson, Robert Phillips and Edith Phillips, husband and wife, without the intervention of a jury, for hearing, finding, judgment and decree.

The court having heard the evidence and examined the documentary proof introduced by the plaintiff in support of its complaint, and being duly advised in the premises, finds for the plaintiff and that the allegations of plaintiff's complaint are true; that there is due from the said defendants, Emerson H. Thompson, Helen C. Thompson, wife of Emerson H. Thompson, Robert Phillips and Edith Phillips, husband and wife, on the note sued on in plaintiff's complaint, the principal sum of Three Thousand, Six Hundred Thirty-Five Dollars, Seventy-Four Cents ($3,635.74), together with interest thereon in the sum of One Thousand, Seventy-Six Dollars, Thirty-One Cents ($1,076.31), to date hereof and attorney's fees, in the sum of Two Hundred Fifty Dollars ($250.), making a total sum of Four Thousand, Nine Hundred Sixty-Two Dollars, Five Cents ($4,962.05), and interest on said total sum at the rate of seven per cent. (7%) per annum from the date of this judgment until paid; that the said plaintiff is entitled to recover a judgment of and from the said defendants, Emerson H. Thompson, Helen C. Thompson, wife of Emerson H. Thompson, Robert Phillips and Edith Phillips, husband and wife, in the said total sum of Four Thousand, Five Hundred Sixty-Two Dollars, Five Cents ($4,962.05), together with the costs of this action, and interest thereon at the rate of seven per cent. (7%) per annum from the date of said judgment until paid; all without relief from valuation or appraisement laws.

The court further finds that the said sum is secured by a mortgage upon the real estate described in plaintiff's complaint; that the said defendants, Edwin G. Kemper and Emma H. Kemper, wife of Edwin G. Kemper, claim to be the record owners of said property; subject, however, to the superior lien and claim of the plaintiff as in plaintiff's complaint set out; that the said plaintiff is entitled to have said mortgage foreclosed against each and all of the defendants named in this cause, and the real estate sold.

The court further finds that none of the defendants named reside in or on any part of the said mortgaged premises; that the security afforded thereby is inadequate and that the receiver hitherto appointed to receive, collect and administer the rents and profits arising from said property should be continued throughout the period for the running of the equity of redemption of each and all of said defendants.

It is therefore considered and adjudged by the court that the plaintiff shall have and recover of and from the defendants, Emerson H. Thompson, Helen C. Thompson, wife of Emerson H. Thompson, Robert Phillips and Edith Phillips, husband and wife, and in rem only against Edwin G. Kemper and Emma H. Kemper, wife of Edwin G. Kemper, the sum of Four Thousand, Nine Hundred Sixty-Two Dollars, Five Cents ($4,962.05), together with interest thereon at the rate of seven per cent. (7%) per annum from date of this judgment until paid, and all costs and accruing costs herein, without relief from valueation or appraisement laws. (For para. left out see bottom of page 140.)

It is further considered, adjudged and decreed by the court that the equity of redemption of the said defendants, Emerson H. Thompson, Helen C. Thompson, wife of Emerson H. Thompson, Robert Phillips and Edith Phillips, husband and wife, Edwin G. Kemper and Emma H. Kemper, wife of Edwin G. Kemper, and each of them, and of all persons claiming from, under, or through them, or any of them, in, to and over the real estate described in plaintiff's complaing lying and being in the County

of Marion, State of Indiana, described as follows, to-wit:

Lot No. 81 in Haywood's Boulevard Addition to the City of Indianapolis, as per plat thereof recorded in Plate Book 17, page 147, in the Office of the Recorder of Marion County, Indiana,

be and the same is barred and forever foreclosed; that said described real estate and all right, title, interest and claim of the said defendants, and each of them, and of all persons claiming from, under, or through them, or any of them, in, to and over the same, or so much thereof as may be necessary for that purpose, shall be sold by the Sheriff of the County of Marion, State of Indiana, as other lands are sold on execution, and said sale shall be without relief from valuation or appraisement laws.

The proceeds from said sale shall be applied as follows:

1st.: To the payment of costs and accruing costs herein;

2nd: To the payment of the amount found due plaintiff on its claim sued on herein, being in the amount of the judgment herein rendered, in the total sum of Four Thousand, Nine Hundred Sixty-Two Dollars, Five Cents ($4,962.05), together with interest thereon at the rate of seven per cent. (7%) per annum from the date of this judgment until paid;

3rd: The Over-plus, if any there be, to be paid by the Sheriff to the Clerk of this Court for the use of the party lawfully entitled thereto and authorized to receive the same.

It is further adjudged and decreed by the court that a certified copy of this decree, under the hand of the Clerk and the seal of this Court, shall be sufficient authority to the Sheriff of Marion County to execute the same; that if upon the expiration of the time allowed for the redemption of said property and the same shall not have been redeemed, no further order shall be required than this decree to empower the sheriff of said county to place the purchaser of said property at sheriff's sale and the holder of the sheriff's certificate and the deed executed pursuant thereto in possession of said property.

In the event said mortgaged premises shall fail to sell for a sum sufficient to pay and satisfy the judgment given herein, together with interest, costs and accruing costs, the residue thereof remaining unpaid shall be levied of the goods and chattels and rents and tenements of the defendants, Emerson H. Thompson, Helen C. Thompson, Robert Phillips and Edith Thillips, subject to execution, and the sale thereof shall be made without any relief whatever from valuation or appraisement laws; all of which is finally ordered, adjudged and decreed by the court. (Inserting para. of page 139.)

It is further considered, adjudged and decreed by the court that Patrick J. Moran, Jr. shall continue as the receiver of the rents and profits of said property under the same order and powers as hitherto decree and established for and dur- the period of the running of the equity of redemption of each and all of the defendants herein.

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, November 6th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

FRANK CLIFT OLIVE)
VS) CAUSE NO. 14964
NEW ENGLAND MUTUAL LIFE INSURANCE) ENTRY
COMPANY, a corporation)

Come now the parties by their counsel and the defendant moves that its answer in abatement to the original complaint herein be treated and considered also as an answer in abatement to the second amended complaint herein and each paragraph thereof, which motion is now granted.

And the plaintiff moves that his demurrer to the defendant's answer in abatement to the original complaint be treated and considered as a demurrer to such answer in abatement to the second amended complaint; which motion of the plaintiff is now granted and the court now sustains the plaintiff's demurrer to the defendant's answer in abatement as an answer also to the second amended complaint and each paragraph thereof, to which ruling on demurrer, the defendant now excepts.

Comes now the defendant and files answer in three paragraphs to plaintiff's second amended complaint, which answer is in the followings words and figures, to wit: (H.I.).

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, November 8th, 1937.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

MARY R. ELMORE)
VS) # 15285
ARTHUR A. ELMORE)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid.

And the Court being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

ALBERT M. MILLER)
VS) # 15301 Judgt. vs Pltf. for Costs.
ALPHA MAY MILLER)D E C R E E . J. D. 17, Page 223.

Come now the plaintiff and by his counsel in the above entitled cause and it appearing to the court that defendant has been duly served with process, having personal service, more than ten days before the first day of the present term of said court, and this cause being at issue, the Prosecutor John A. Kendall having filed a general denial upon the default of the defendant to enter appearance, is submitted to the court and the court having heard the evidence and being duly advised in the premises, finds that a divorce should be granted to the plaintiff.

It is therefore considered and adjudged by the court that the bonds of matrimony existing between plaintiff and defendant herein be, and they are hereby, dissolved and that plaintiff is hereby granted a divorce from defendant, all at the costs of the Plaintiff.

And court adjourned until 9:00 o'clock A. M. Tuesday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Tuesday Morning, November 9th, 1937.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

IN THE MATTER OF THE VOLUNTARY)
LIQUIDATION OF THE DANVILLE) # 14336
TRUST COMPANY OF DANVILLE, INDIANA.)

Comes now the Liquidating Agents, by counsel, and file supplemental report, which supplemental report is in the words and figures following, to-wit: (H.I.).

IN THE MATTER OF THE VOLUNTARY)
LIQUIDATION OF THE DANVILLE) # 14336
TRUST COMPANY, OF DANVILLE,)
INDIANA:)

Come William F. Franklin and Charles Z. Cook, the duly appointed and acting Liquidating Agents of The Danville Trust Company, of Danville, Indiana, and make proof of publication of notice to all creditors, shareholders and other interested persons of the filing of an account in final settlement of the above entitled Trust and when said account would be heard, which proof of publication, and the notice so published, are as follows, to-wit: (Here Insert).

And there being no objections on file to said account or to the approval thereof the court finds that the same is in due form and regular in all respects, also, that the Supplemental account of the Liquidating Agents, now on file in said case, is likewise in due form and regular, and that each of said accounts should be approved and the final dividends, as shown in said reports, ordered paid and the corporation finally dissolved and its affairs closed.

It is, therefore, considered and adjudged by the court that said account, filed September 9th, 1937, and the Supplemental account, filed on November 9th. 1937, be, and they are now in all things approved, and that the acts of the Liquidating Agents, as reported in said accounts, be, and they are in all things ratified and confirmed.

It is further ordered by the court that the final dividends, set out in said reports, be paid to the respective shareholders, and that said Liquidating Agents be, and they are, hereby authorized and directed to proceed with the final closing and winding up of said Trust, as provided by law in such cases, all of which is adjudged and ordered by the court.

WILL S. EMILY)
VS) # 15317
MILO LITTELL)

Come now the parties, in person and by counsel, and this cause being at issue is submitted to the Court for trial, finding and judgment and decree without the intervention of a jury.

The Court hears evidence in part.

ALBERT GASPER)
VS) # 15333
SAMUEL L. COOPRIDER)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to answer complaint herein on or before November 20th, 1937.

And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before November 20th, 1937.

STATE OF INDIANA)
VS) # 7719
)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and moves the Court for an order to issue warrant for the arrest of said defendant.

And the Court being duly advised, now sustains said motion, and the Clerk of this Court is ordered to issue a warrant for the arrest of said defendant.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, November 10th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

WILL S. EMILY)
VS) # 15317
MILO MITTELL)

Come now the parties, in person and by counsel, and evidence is continued and completed, and the plaintiff is given time to file brief.

The Court now takes this matter under advisement.

JAMES E. MACKIN, ET AL.)
VS) # 15088
JAMES W. WRIGHT)

Come now the plaintiffs, by counsel, and moves the Court to require the defendants to answer on or before November 22nd, 1937.

And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before November 22nd, 1937.

ADDIE A. ROBARDS)
VS) # 15292
BELLE SCOTTEN, ET AL.)

Come now the defendants, by counsel, and files answer in general denial in the following words and figures, to-wit: (Here Insert).

THE FEDERAL LAND BANK)
OF LOUISVILLE)
VS) # 14998
MARY UNDERWOOD THOMPSON,)
ET AL.)

Comes now George W. Hadley, receiver in the above case, and files the following fuly verified petition for the private sale without notice of certain personal property belonging thereto, to-wit: one-half interest in 48 acres of corn in the field; and also praying the authority to employ and contract sufficient labor and services to harvest, gather, and deliver said corn to market, which petition is in words and figures following, to-wit: (H.I.). And the court having examined said petition and being sufficiently advised in its premises, finds that the averments therein contained are true and that in the interests of said receivership the prayer thereof ought to be granted.

It is therefore now considered, ordered, and adjudged by the court that the personal property in said petition mentioned and described being, to-wit: one-half interest in 48 acres of corn in the field, be sold by said receiver at private sale, without notice, at the common market price as soon as the same is gathered and harvested for cash. It is further ordered that said receiver contract and employ sufficient service and labor on behalf of said receivership to harvest, gather, and deliver said corn to market.

And now the said receiver shows to the court a certain agreement and contract by and between said receiver and one Frank Thompson wherein the said Frank Thompson is employed to gather, harvest, and deliver said corn to market for the amount and price of 5 cents per bushel for gathering and 2½ cents per bushel for delivering said corn to market, which contract and agreement is in words and figures as follows; to-wit: (H.I.); and the court having seen and examined said agreement does now approve the same and endorses its approval thereon and does now order and authorize said receiver to execute said contract.

ADDIE E. CARR)
VS) #.15351 Judgt. vs Pltf. for Costs.
JAMES F. CROUCH) Suit to Set Aside Deed. J. D. 17, Page 223.
MARY R. CROUCH) DECREE.

Comes now the plaintiff by her attorneys, R. P. Bundy, and it appearing to the court by the summons herein and the return of the Sheriff endorsed thereon, which summons and return are in words and figures as follows, to wit: (H.I.). That the defendant has been duly served with the process more than ten days before the first day of the presence term of this court, and all of the parties appearing herein, by their said attorneys, by agreement of the parties this cause is presented to the court for hearing, judgment and decree.

And the court having heard the evidence and being sufficiently advised in the premises finds that the parties herein have agreed to compromise and settlement of the said cause, by which compromise settlement it is agreed that the defendants are to pay to the plaintiff in full settlement of any and all right, title, interest or claim in and to the said real estate described in said complaint the sum of $1000.00 and the said amount having been paid according to the compromise settlement to the said plaintiff, the court now finds that the plaintiff herein should take nothing by her action in this cause. And the court further finds that there should be a judgment entered for the defendants herein on said compromise settlement.

It is therefore considered, adjudged and decreed by the court that the plaintiff shall take nothing by her action in this cause, and that the defendants, James F. Crouch and Mary R. Crouch, are the owners of the said real estate in fee simple, free and clear of any liens or claims or right of the plaintiff herein.

It is further considered, adjudged and decreed that the costs of this action shall be assessed against the plaintiff.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.

Horace R. Hanna, Judge.

Thursday Morning, November 11th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7797
LEW ERBAUGH)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Lew Erbaugh in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of not guilty.

The Court fixes the bond of said defendant at $250.00.

HAROLD RAY)
VS) # 15220
PENNSYLVANIA RAILROAD COMPANY)
AND VANDALIA RAILROAD)

Comes now the defendant, The Pennsylvania Railroad Company, by counsel, and files and moves the Court to dismiss the above cause as to the defendant, Vandalia Railroad or Vandalia Railroad Company, for the reason that said Vandalia Railroad is not an existing corporation and has no legal existance under the name of Vandalia Railroad or Vandalia Railroad Company, and which motion is in the following words and figures, to-wit: (Here Insert).

ANCHOR MOTOR FREIGHT INC.)
OF DELAWARE)
VS) # 15221
THE PENNSYLVANIA RAILROAD CO.)
AND VANDALIA RAILRAOD)

Comes now the defendant, The Pennsylvania Railroad Company, and files and moves the Court to dismiss the above cause as to the defendant, Vandalia Railroad, for the reason that the Vandalia Railroad is not an existing corporation and has no legal existance under the name of Vandalia Railroad or Vandalia Railroad Company, and which motion is in the following words and figures, to-wit: (Here Insert).

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.

Horace R. Hanna, Judge.

Friday Morning, November 12th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

JOHN MASON)
VS) # 14977
ETTA MASON)

Comes now the plaintiff, by counsel, and files petition to modify degree in reference to support, which petition is in the following words and figures, to-wit: (Here Insert).

HARRY ETCHISON)
VS) # 15265
CHESTER FRIEL)

Comes now the plaintiff, by counsel, and files and moves the Court to dismiss this cause of action at the cost of the plaintiff, which motion is in the following words and figures, to-wit: (Here Insert).

CHESTER B. RUARK)
VS) # 15352
H. M. DAVIS, WHOSE CHRISTIAN)
NAME IS UNKNOWN.)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid.

And the Court being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, November 13th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

HERBERT E. DUNLAP)
VS) # 15081
INDIANAPOLIS RAILWAYS INC.)
AND CITY OF INDIANAPOLIS)

Come now the defendants, by counsel, and move the Court to extend time for answering to November 20th, 1937.

And the Court being duly advised, now sustains said motion.

JOSEPH WATSON)
VS) # 15019
THE COLUMBIA CONSERVE)
COMPANY.)

Comes now the defendant, by counsel, and files notice of appeal to plaintiff and affidavit, and notice to Clerk, which notices and affidavit are in the following words and figures, to-wit: (Here Insert).

STATE OF INDIANA)
)SS: IN THE HENDRICKS COUNTY CIRCUIT COURT
COUNTY OF HENDRICKS) CAUSE NO. 15019

_____ Term. 1937.

JOSEPH WATSON
VS
THE COLUMBIA CONSERVE COMPANY

PRECIPE FOR TRANSCRIPT OF ENTIRE RECORD.

To The Clerk of the Hendricks County Circuit Court:

The clerk of the Hendricks County Circuit Court will prepare and certify a full, true and complete transcript of the proceedings, papers on file and judgment in the above entitled cause, which you will incorporate in the transcript, to be used on an appeal to the Appellate Court of the State of Indiana.

Kenneth A. Weddle
ATTORNEY FOR DEFENDANT.

STATE OF INDIANA)
VS) # 7791 Judgt. vs Deft. for $10.00 Fine & Costs.
ROBERT FORNSLEY) J. D. 17, Page 223.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Robert Fornsley, in his own proper person, and the Court being duly advised, now enters the following judgment.

It is, therefore, adjudged by the Court that said defendant, Robert Farnsley, for the offense by him committed be and he is fined $10.00 and that he pay the costs of this action, taxed at _____ dollars and _____ cents.

WILL S. EMILY)
VS) # 15317 Judgt. vs Pltf. for Costs.
MILO LITTELL) J. D. 17, Page 224.

Come now the parties, by counsel, and the Court being duly advised, finds for the defendant, Milo Littell, and that said defendant, Milo Mittell, is entitled to the possession of the hogs described in plaintiff's complaint herein.

It is, therefore, considered and adjudged by the Court that the defendant, Milo Littell, have the property described in the complaint to-wit: 18 mixed Duroc-Jersey hogs and that the plaintiff take nothing by his suit.

It is, therefore, considered and adjudged by the Court that the defendant receover of and from the plaintiff his costs in this behalf paid, laid out and expended, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, November 15th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

WINIFRED B. RUNION)
VS) Cause No. 14388
D. ONIE RUNION.)

Comes now the plaintiff, in the above entitled cause, in person and by counsel, and the proof of publication of notice to the defendant is presented, from which it appears to the satisfaction of the court that the defendant, D. Onie Runion, has been duly notified of the filing of the complaint herein and of the time and place where the same would be heard, as the same is shown by the affidavit of Edward J. Weesner, Editor of the Hendricks County Republican, from which affidavit it appears that notice was given to the said defendant by three successive weekly publications in the Hendricks County Republican, a weekly newspaper of general circulation throughout Hendricks County, Indiana, the first of which publications was given on the 23rd day of August, 1934, and the third and last of which publications was given on the 6th day of September, 1934, which affidavit is in the following words and figures, to wit: (H.I.):

And it further appears to the satisfaction of the court that more than thirty days have elapsed since the last full week of such publication of notice, and that more than sixty days have elapsed since the date of the first publication of notice to the defendant, and now the court assumes jurisdiction of this cause for the purposes of trial, finding, judgment and decree. And now this cause coming on before the court for trial and the defendant, failing to appear either in person or by counsel, is now three times loudly called in open court, but comes not and wholly makes default herein. And now the Prosecuting Attorney, John A. Kendall, is called to defend in such action and he now appears in open court and defends in said cause.

And now the court, having heard the evidence adduced in support of the allegations of the complaint, and being duly advised and informed in the premises, now takes said cause under advisement.

MINNIE C. GAULD)
VS) # 14881 Judgt. vs Pltf. for Costs.
ASHER PROFFITT) J. D. 17, Page 224.

It appearing to the Court that now this action has been duly reached on the calander in its regular order, and being duly called for trial, is dismissed for want of prosecution at the cost of the plaintiff.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed for want of prosecution, and the plaintiff, Minnie C. Gauld, is ordered to pay the costs of this action, taxed at _____ dollars and _____cents.

GRACE RUTH SANDERS)
VS) # 15045
WARNER H. BENSON, ET AL.)

Comes now the plaintiff, by counsel, and files written motion to amend plaintiff's complaint by inserting correct initial for certain defendant, which

motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion, now sustains the same, and the plaintiff is permitted to amend her complaint.

OMER KIVETT)
VS) # 15239
CHARLES WILHITE)

Comes now the defendant, by counsel, and files answer in general denial to plaintiff's complaint, in the following words and figures, to-wit: (Here Insert).

ALBERT GASPER)
VS) # 15333
SAMUEL L. COOPRIDER)

Comes now the defendant, by counsel, and files answer in general denial, in the following words and figures, to-wit: (Here Insert).

NORA BOYD)
VS) # 15364
DAVID BOYD)

Comes now the plaintiff by Edgar M. Blessing, her attorney, and files affidavit for publication of notice to non-resident defendant by disinterested person, which affidavit is in the words and figures following, to-wit: (H.I.). And the Court being duly advised, fixes the 1st day of the January Term, 1938, same being January 3rd, 1938, as the return day of said notice.

CHARLES SIMMONS)
VS) # 15303
HERTHA SIMMONS) ENTRY

Comes now the plaintiff in person, and by Edgar M. Blessing his attorney, and comes also defendant, in person, and by Otis E. Gulley, her attorney, and the defendant having filed her verified petition and a restraining order having heretofore been issued thereon, restraining plaintiff from disposing of his property, or encumbering the same in any way, and said matter being set for further hearing, the same is now submitted to the court for further consideration.

And the court having examined said verified petition and being fully advised and informed in the premises, and by agreement of counsel, finds that said restraining order should be modified so as to permit and enable the plaintiff to pay the necessary expense for gathering corn, and to pay a note signed by plaintiff and defendant, and it having been shown to the court that defendant has sold one thousand bushels of corn to Bert Shane, at forty five cents per bushel, the court further finds that said corn should be delivered and the amount necessary to pay for the gathering of all of plaintiff's corn, paid out of the amount received for the sale of said one thousand bushels of corn and the balance of said amount so received held until the further order of the court.

It is therefore ordered and decreed by the court that the restraining order heretofore issued herein be modified, and that said plaintiff shall have the right to sell and deliver to Bert Shane, one thousand bushels of corn and that the said Bert

Shane shall pay to said plaintiff, or his order, the sum of $50.00 to be paid to the parties who have been employed to shuck corn belonging to said plaintiff, and that the said Bert Shane shall pay to plaintiff, or his order, a further sum of $50.00 to pay a certain note, executed by plaintiff and defendant, that is due Nov. 16, and that there shall be a further sum paid by the said Bert Shane to the said plaintiff for the ones employed to shuck the corn belonging to said plaintiff, as the same is shucked and as their wages are due, and that the amount paid by the said Bert Shane to take up said note, and to pay for the shucking of said corn, shall not exceed $250.00, and that said Bert Shane shall take a receipt for all amounts so paid by him, as herein ordered, and that the plaintiff shall take receipts for all amounts paid out by him for the gathering of said corn, and deliver said receipts to the said Bert Shane, and that the additional amount to be paid by the said Bert Shane for said corn, shall be held by him until the further order of the court.

It is further ordered and decreed by the court that in all other things said restraining order is continued in full force and effect and said plaintiff is restrained from selling or in any way disposing of any of his personal property, of any kind or character where ever the same may be situated, and that the corn to be gathered behim belonging to plaintiff and defendant shall be stored and held until the further order of the court.

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

PETIT JURY EMPANELLED FOR NOVEMBER TERM, 1937.

The Clerk is ordered to issue venire for the above named petit jurors requiring them to be and appear in this Court on Tuesday, November 16th, 1937, at the hour of 9:00 o'clock A. M. for jury service.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Tuesday Morning, November 16th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

HERBERT E. DUNLAP)
VS) # 15081
INDIANAPOLIS RAILWAYS INC.)
AND CITY OF INDIANAPOLIS)

Comes now the defendant, Indianapolis Railways, Inc., by counsel, and files separate and several demurrer to plaintiff's second amended complaint, in the following words and figures, to-wit: (Here Insert).

WILLIAM E. BURKHART)
VS.) # 15287 Judgt. vs Pltf. for Costs.
JOHN PINSON, ET AL.) J. D. 17, Page 224.

Comes now again the plaintiff herein by Edgar M. Blessing, his attorney, and it appearing to the satisfaction of the court by the proof of publication of "non-residents notice" filed in this cause which proof of publication reads in the words and figures as follows, to wit: (H.I.) that the following named defendants in the above entitled cause, viz: JOHN PINSON; JOHN PINSON, if living, if dead, the unknown widow, heirs, devisees, and legatees of the said John Pinson, deceased;_____PINSON, the widow of John Pinson, whose Christian name is unknown; _____PINSON, the widow of John Pinson, if living, if dead, the heirs, devisees and legatees of the said_____ Pinson, whose Christian name is unknown, deceased; the unknown widow of John Pinson, if living, if dead, the unknown widower, heirs, devisees and legatees of the said unknown widow of the said John Pinson; ELIZABETH BUSH; ELIZABETH BUSH, if living, if dead, the unknown widower, heirs, devisees and legatees of the said Elizabeth Bush; the unknown widower of Elizabeth Bush, if living, if dead, the heirs, devisees and legatees of the said unknown widower of Elizabeth Bush, were duly notified of the filing and pendency of this action by thress successive weekly publications in "The Hendricks County Republican," a weekly newspaper of general circulation, printed and published in the Town of Danville, Hendricks County, in the State of Indiana, the last of which publications was more than thirty days before the first day of November, 1937, the same being the first judicial day of the present term of this court, and that being the date fixed by plaintiff by endorsement on his complaint herein, on which the defendants should appear and answer the complaint in this cause and which date was also fixed in the "non-residents notice" given herein.

And now said defendants, failing to appear each of them are now three times loudly called in open court, but come not and herein wholly make default.

And now this cause is submitted to the court for trial, finding, and decree upon the default of the defendants herein above and the court having examined the complaint herein and having heard the evidence adduced in support thereof and being duly advised in the premises finds that the allegations in plaintiff's complaint are true and that the plaintiff is now the owner in fee simple of the following described real estate situated in Hendricks County, State of Indiana, to wit:

The East half of the Southwest Quarter of Section 14, Township 15 North, of Range 2 West, except 36/100 of an acre in the Southeast corner thereof belonging to The Cleveland, Cincinnati, Chicago and Saint Louis Railway Company.

And the court further finds that the claims of the above defendants and each of them are each and all without any right whatever and unfounded and that the said defendants and each of them have no estate, right, title, or interest whatever in or to said lands and premises or any part thereof. It is further finally ordered, adjudged, and decreed by the court that the title of the plaintiff in and to the abobe described real estate lying and being in Hendricks County, State of Indiana, to wit:

The East half of the Southwest Quarter of Section 14, Township 15 North, of Range 2 West, except 36/100 of an acre in the Southeast corner thereof belonging to the Cleveland, Cincinnati, Chicago and Saint Louis Railway Company,

be, and the same is hereby quieted and forever set at reast as against the claim or claims of the defendants and each of them or anyone or more of them or any person or persons claiming by, through, or under them or any one or more of them, and that they each and every one of them be debarred and forever estopped from asserting any right, title, interest, or claim in and to said land and premises or any part thereof. It is further ordered, by the court, that the plaintiff herein pay all costs or charges which are taxed in this cause, all of which is finally ordered, adjudged, and decreed by the court.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, November 17th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

FRANK CLIFT OLIVE)
VS) # 14964
NEW ENGLAND MUTUAL)
LIFE INSURANCE CO.)
A CORPORATION.)

Comes now the plaintiff, by counsel, and files demurrer to second and third paragraphs of defendant's answer, which demurrer to said second and third paragraphs of defendant's answer is in the following words and figures, to-wit: (Here Insert).

CHARLES H. SEILOFF, ET AL.)
VS) # 15112
STANTON A. MORTON, ET AL.)

Come now the defendants and each of them, by counsel, and file demurrer to plaintiffs' amended complaint, which demurrer is in the following words and figures, to-wit: (Here Insert).

FEDERAL FARM MORTGAGE)
CORPORATION)
VS) # 15255
NELSON E. WOOD, ET AL.)

Comes now the plaintiff, by counsel, and by leave of Court, plaintiff files amended complaint in the following words and figures, to-wit: (Here Insert).

GRACE RUTH SANDERS)
VS.) No. 15045 Judgt. vs Defts., Warner N. Benson and Amy K, Benson,
WARNER N. BENSON,) for $1594.35 and Costs.
AMY K. BENSON.) J. D. 17, Page 224.
IDA M. HINSHAW.)
HOWARD J. BANTA.)

Comes now the plaintiff by Chas. V. Sears, her attorney, and it appearing to the court by the summons herein, and the return of the sheriff endorsed thereon, that said defendant Amy K. Benson has been served with process more than ten days before the 15th day of December, 1936, being the 38th judicial day of the November Term, 1936, of the Hendricks Circuit Court, and the day endorsed on plaintiff's complaint for return day of summons thereon, which said summons and return are as follows, to-wit: (H.I.), and it further appearing to the court that the said defendant, Ida M. Hinshaw, has been served with process more than ten days before the 18th day of December, 1936, same being the 41st judicial day of the November Term, 1936, of the Hendricks Circuit Court, and the day fixed by the order of this court for return day of alias summons, issued by order of this court, which said summons is now shown to the court, and is in words and figures as follows, to-wit: (H.I.). And it further appearing to the court, by

the notice and proof of publication herein, which said notice and proof of publication are in words and figures as follows, to-wit: (H.I.), that the defendant, Howard J. Banta, has been duly notified of the pendency of this action by three successive weekly publicatinns in The Hendricks County Republican, a weekly newspaper of general circulation, printed and published in the town of Danville, Hendricks County, Indiana, the last of which said publications was made more than Thirty days before the 8th day of November, 1937, same being the Seventh Judicial day of the present term, the November Term, 1937, of this court, and being the day fixed by order of this court for return day of Non-Residente Notice herein to said defendant.

And now said defendants, Amy K. Benson, Ida M. Hinshaw and Howard J. Banta, being three times loudly called in open court, by the sheriff, by order of the court, come not, and each of said defendants herein wholly make default.

And now comes the defendant Warner N. Benson and files his answer herein waiving the issuance and service of summons herein and entering his appearance herein and denying each and every material allegation in plaintiff's complaint, said answer being in words and figures as follows, to-wit: (H.I.).

And now said cause being at issue on the default of the defendants, Amy K. Benson, Ida M. Hinshaw and Howard J. Banta, and on the answer of the defendant Warner N. Benson, and the same being set for trial and coming on for trial, is submitted to the court, 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 plaintiff's complaint are true, and that there is due the plaintiff from the defendants, Warner N. Benson and Amy K. Benson, husband and wife, on the note sued upon in plaintiff's complaint, the sum of Fourteen Hundred Ninety Four and 35/100 ($1494.35) Dollars, of principal and interest, to the date hereof and attorney's fees in the sum of $100.00, making a total sum of $1594.35, and interest on said total sum at 6% per annum from date of this judgment until paid, together with the costs of this suit; and the court further finds that said sums are secured by a mortgage upon the real estate described in plaintiff's complaint, and that plaintiff is entitled to have said mortgage foreclosed as against all of said defendants, and to have said real estate ordered sold; all without any relief from valuation or appraisement laws.

The court further finds that none of said defendants reside on said mortgaged premises and that the security of said mortgage is inadequate and that the receiver heretofore appointed to take charge of said property should be continued until said real estate is sold.

It is therefore considered and adjudged by the court that the plaintiff have and recover of and from said defendants, Warner N. Benson and Amy K. Benson, the said sum of Fifteen Hundred Ninety Four and 35/100 ($1594.35) Dollars, together with the costs of this action, and all accruing costs, without relief from valuation or appraisement laws.

It is further considered, adjudged and decreed by the court that Leon Sanders shall continue as receiver in charge of the real estate described herein under the same order and powers as heretofore decreed until said real estate is sold.

It is further considered, adjudged and decreed by the court that the equity of redemption of the defendants, Warner N. Benson, Amy K. Benson, Ida M. Hinshaw and Howard J. Banta, and of all persons claiming from, under, or through

them, in and to the real estate described in the complaint, lying and being in the County of Hendricks, State of Indiana, and described as follows, to-wit:

A part of the South East quarter of the South East quarter of Section 10, Township 16 North, Range 1 West, and bounded as follows, to-wit: Beginning at a point on the South line of said quarter quarter Section 2 chains and 50 links West of the South East corner of said Section 10 and running thence West on the South Line of said quarter quarter 495 feet; thence North 238 feet; thence East 495 feet; thence South 238 feet to the place of beginning,

be, and the same is, forever barred and foreclosed, and that said described real estate, and all 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 Hendricks, State of Indiana, as other lands are sold on execution, the sale to be without any relief from valuation or appraisement laws.

The proceeds arising from said sale to be applied as follows, to-wit: First, to the payment of the costs and accruing costs herein: Second, to the payment of the amount found due plaintiff on the note sued upon herein, being the amount of the judgment hereinbefore rendered, together with interest at 6% per annum from this date: Third, the overplus, if any there be, to be paid by the sheriff to the clerk of this court for the use of the party 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 judgment, interest, costs and accruing costs, the residue thereof remaining unpaid shall be levied of the goods and chattels and lands and tenaments of said defendants, Warner N. Benson and Amy K. Benson, subject to execution; and sale thereof shall be made without any relief whatever from valuation or appraisement laws.

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

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.

Horace P. Hanna, Judge.

Thursday Morning, November 18th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

WILLIAM T. MARSHALL, ET AL.)
VS) # 15357
CLEM SMITH, ET AL.)

Comes now the defendant, by counsel, and files motion to quash summons as to this defendant, which motion is in the following words and figures, to-wit: (Here Insert).

METHODIST EPISCOPAL)
HOSPITAL OF INDIANA,)
(A CORPORATION))
VS) # 15289 Judgt. vs Deft. for $85.40 and Costs.
JOSEPH H. HULSE) J. D. 17, Page 225.

Comes now the plaintiff, by counsel, and shows to the Court the summons and the return thereon of the Sheriff of Hendricks County, Indiana, which which summons and return thereon are in the following words and figures, to-wit: (Here Insert), and the Court examination same finds that said defendant has been duly servied with process to appear herein on the 6th day of September, 1937, and now on motion of the plaintiff, said defendant is three times loudly called in open Court by comes not and herein wholly makes default.

And now said cause is submitted to the Court for trial, finding, judgment and decree, and the Court having heard the evidence, finds for the plaintiff and that allegations of plaintiff's complaint are true, and that there is due the plaintiff on the note sued upon herein the sum of $46.93 and interest $23.47 and $15.00 attorney fees, making a total of $85.40, together with the costs of this action, said judgment to be without relief and under terms of note to draw 8% interest.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff have and recover of and from the defendant, Joseph H. Hulse, the sum of $85.40, together with the costs of this action, taxed at _____dollars and_____ cents, said judgment to be without relief and under terms of note to draw 8% interest.

METHODIST EPISCOPAL)
HOSPITAL OF INDIANA,)
(A CORPORATION))
VS) # 15284 Judgt. vs Deft. for $418.25 and Costs.
FRANK TOMLINSON) J. D. 17, Page 225.

Comes now the plaintiff, by counsel, and shows to the Court the summons and the return thereon by the Sheriff of Hendricks County, Indiana, which summons and return thereon are in the following words and figures, to-wit: (Here Insert), and the Court finds that said defendant has been duly served with process to appear herein on the 9th day of September, 1937, and now on motion of the plaintiff, said defendant is three times loudly called in open Court and comes not and herein wholly makes default.

And now said cause is submitted to the Court for trial, finding, judgment and decree, and the Court having heard the evidence, finds for the plaintiff, and that the allegations of plaintiff's complaint are true, and that there is due and unpaid said plaintiff the sum of $418.25, and that said plaintiff is entitled to judgment for said sum against said defendant, and is also entitled to his costs.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff have and recover of and from the defendant, Frank Tomlinson, the sum of $418.25, together with the costs for this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, November 19th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7798 Judgt. vs Deft. for Costs.
FRED POE) J. D. 17, Page 225.

Comes now the State of Indiana, by John A.Kendall, prosecuting attorney, and comes also the defendant, Fred Poe, in his own proper, and said defendant is duly arraigned in open Court and enters his plea of guilty.

It is, therefore, adjudged by the Court that the defendant for the offense by him committed shall be imprisoned in the State Farm for the term of six months, and shall pay the costs of this action, taxed at _____dollars and _____cents.

ROSEMARY LONG)
VS) ORDER Judgt. vs Deft. for $3.50 per week, $35.00 atty. fee and costs.
HUGH LONG) J. D. 17, Page 225.

Come now the plaintiff in person and by counsel and comes also the defendant by counsel and it appearing to the satisfaction of the court by the summons and sheriff's return thereon, which are as follows; to wit: (H.I.) that the defendant has been duly served with personal service with process for more than ten days before the day fixed by the plaintiff, by endorsement on her complaint, for the defendant to appear and answer said complaint, this cause is submitted to the court for hearing and trial and decree.

And the court having heard the evidence and being duly advised in the premises, finds for the plaintiff, that she is entitled to a decree of divorce from the defendant on the grounds alleged in her complaint; that she is a fit and proper person to have the care, custody and control of the child born to this plaintiff and defendant, to wit: Karen Louise Long, and that the defendant is not a fit and proper person to have the custody and control of said child; that she is entitled to an allowance of $3.50 per week for the maintenance and support of said child until further order of court; that the plaintiff is entitled to recover of this defendant her costs and charges of this case; that the plaintiff is entitled to have the defendant herein pay her attorney for prosecuting said divorce the sum of $35, the same to be paid to the Clerk of the Court within sixty days from date.

It is, therefore ordered, considered, and adjudged by the court that the bonds of matrimony existing between the plaintiff and defendant be dissolved and that the plaintiff be granted an absolute divorce.

That the plaintiff have the care and custody of Karen Louise Long, and that the defendant be and he is hereby ordered to pay to the clerk of the Hendricks Circuit Court for the maintenance and support of said child the sum of $3.50 per week, commencing on the 24th day of November, 1937, and a like sum each week thereafter until further order, said sum to be paid by the Clerk to the plaintiff herein.

That the defendant pay to the Clerk of the Hendricks Circuit Court the sum of $35 for plaintiff's attorney for prosecuting said divorce action, the same to be paid within sixty days and said sum of money to be paid by the Clerk to John A. Kendall, attorney.

It is further adjudged and decreed that the defendant pay the costs of this action.

Judgment accordingly.

HOMER SELCH)
VS) NO. 14955 Judgt. vs Pltf. for Costs.
WILLIAM CARRIER) J. D. 17, Page 226.
PHOEBE CARRIER)

Comes now the parties by counsel and in person and the court having heard the evidence in said cause and being fully advised and informed in the premises, have taken the same under consideration, and now finds for the plaintiff as follows: that said plaintiff is entitled to a restraining order against said defendants from interfering with plaintiff in the management of the farm owned by plaintiff, as described in plaintiff's complaint.

The court further finds that the personal property on said farm at the time the plaintiff purchased and took possession of the same became the property of said plaintiff, except the household goods, relics, clothing, and money belonging to said defendants and that said defendants were to have the use of a cow and live stock to take care of their needs.

The court further finds for the defendants as follows: That they and each of them are entitled to occupy rooms in the residence in which they are now living in on said farm, as their home, during the remainder of their lives; that said plaintiff is under obligations to care for said defendants and to furnish them the necessities of life; to pay expenses for proper medical care and to give them a decent burial and to do all things for their care and support, as provided in the contract set out in plaintiff's complaint.

The court further finds that said defendants should be permitted to occupy said home, and to care for themselves, if able to do so, and when unable to do so, they should be cared for by said plaintiff; that defendants should be permitted to have a garden and truck patch on the farm and all necessary power and implements to tend the same should be furnished by plaintiff, and that plaintiff should assist said defendants in any proper way to enable them to plow and cultivate the same, and that said defendants should keep the house, in which the live, clean and in a sanitary condition, and if not so kept by them, plaintiff shall have the right to place the same in a clean and sanitary condition, and said plaintiff shall have the right, at any time, to enter upon said premises and to enter the house and rooms occupied by defendants to carry out the order of the court, and that the plaintiff shall have the right of using the rooms in the dwelling, that are not needed for the comfort and use of the defendants. The court further finds that plaintiff should furnish proper conveyance, at reasonable times for defendants to go to market or for other necessary purposes when they are physically able to make said trips.

The court further finds that there has been no profit made on said farm since the execution of this contract; that there is no finding of the court in regard to the clause in said contract concerning the income of the farm.

The court further finds that plaintiff should pay defendants a reasonable attorney fee, but there being no proof of the value of said services, there is no finding as to the value of said services.

The court further finds that the plaintiff should pay the costs of this action.

It is therefore ordered, adjudged and decreed by the court that the defendants be and they are hereby enjoined from interfering with the plaintiff in the management of the farm described in plaintiffs complaint, and the defendants are further enjoined from selling any personal property on said farm except the household goods, relics and personal effects belonging to them that are contained in said home, and as long as defendants or either of them are able to care for a cow, chickens and other live stock for their own use they shall be permitted to do so.

It is further ordered, adjudged and decreed by the court that the defendants and each of them shall be permitted to occupy the residence on said farm as their home during the remainder of their lives, and that the plaintiff shall care for said defendants and each of them as long as both or either of them shall live and furnish them the necessities of life and pay the expenses for proper medical care and at the death of said defendants, plaintiff is to give them a decent burial, all as provided on the contract as set out in plaintiff's complaint; that said defendants shall be permitted to occupy said house excepting that the plaintiff shall have the privilege of using the rooms in said dwelling that are not needed for the comfort and use of defendants and to care for themselves if able to do so, and when unable to properly care for them selves they shall be cared for by the plaintiff; that defendants are entitled to, and shall be permitted to gave a garden and truck patch and plaintiff shall furnish the pwoer and implements necessary to cultivate the same, and assist defendants to enable them to plow and cultivate said garden and truckpatch, if said defendants are unable to perform such necessary labor; that said defendants shall keep the home in which they live, in a clean and sanitary condition and if not so kept by them, plaintiff shall have the right, at his own expense, to place the same in a clean and sanitary condition, and said plaintiff shall heve the right, at any time, to enter said dwelling house and rooms occupied by defendants to carry out this order of the court. That the plaintiff shall furnish proper conveyance at reasonable times for defendants to go to market or for other necessary or proper purposes when they are physically able to make said trips.

It is further ordered, adjudged and decreed by the court that plaintiff pay the cost of this action taxed at _____dollars and _____cents.

ADDITIONAL GRAND JUROR DRAWN AND GRAND JURY EMPANELLED FOR NOVEMBER TERM, 1937.

By reason of Dallas Terrell of Pittsboro, Indiana, being under the care of a physician and said physician having requested that said Terrell be excused by the Court from serving as a juror, and the Court for such reason having excused said Dallas Terrell from jury service, and it now becomes necessary in order to conduct the business of this Court to fill the panel of the grand jury.

The Clerk of this Court is hereby ordered to convene the jury commissioners and in the presence draw from the jury box, the name of one person for grand jury service.

The Clerk is further ordered to issue venire to the persons named as grand jurors to be and appear in this Court on Monday, November 22nd, 1937, at 9:00 o'clock A. M.

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.

Horace R. Hanna, Judge.

Saturday Morning, November 20th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

SPECIAL GRAND JUROR DRAWN FOR THE NOVEMBER TERM, 1937.

BE IT REMEMBERED, That on the 20th day of November, 1937, Charles G. Miles and Ed Smith the duly appointed, qualified and acting Jury Commissioners of this court appeared at the office of the Clerk of the Hendricks Circuit Court, and the Clerk of this Court at the same time and in the like manner draw from the Jury Box the name of Ivan L. Hunt as an additional grand juror for Grand Jury service for the November Term, 1937, of this court.

LEONADIS WILLIAMS)
VS) # 14992
CLAYTON GRAY)

Comes now the defendant, by counsel, and moves the Court for a continuance of this cause. And the Court being duly advised, now overrules said motion, to which ruling of the Court the defendant duly excepts.

And now the defendant files answer in general denial, which answer is in the words and figures following, to-wit: (H.I.).

Comes now the plaintiff and by counsel, and comes now the defendant, by counsel, and this cause at issue, the same is now submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

Evidence is heard in part, and the defendant's attorney is permitted to get in touch with the defendant and see if he cares to testify in this cause, and this cause is continued for further evidence.

JAMES E. MACKIN, ET AL.)
VS) # 15088
JAMES W. WRIGHT)

Comes now the defendant, by counsel, and asks the Court for an extention of time of their rule to answer, and the Court being duly advised, extends the rule to answer herein to November 27th, 1937, and the defendant is ruled to answer herein on or before November 27th, 1937.

JOHN T. TOLBERT)
VS) # 15232
MAYME TOLBERT)

Comes now the defendant by Charles V. Sears, her attorney, and files answer in general denial, which answer is in the words and figures following, to-wit: (Here Insert).

And this cause being at issue, the same is now submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

Evidence is heard and this cause is taken under advisement.

LETT AND COMPANY OF)
INDIANA, INCORPORATED,)
A CORPORATION)
VS) # 15339 Judgt. vs Deft. for $106.14 and Costs.
CHARLES STEGEMOELLER) J. D. 17, Page 226.

Comes now the plaintiff and shows to the Court the summons herein and the return of the Sheriff of Hendricks County, Indiana, which summons and return thereon are in the following words and figures, to-wit: (Here Insert). And the Court examining same finds that said defendant has been duly served with process to appear herein on the 1st day of the November Term, 1937, of this Court, and said defendant failing to appear, is now on motion of plaintiff, three times loudly called in open Courtand comes not and herein wholly makes default.

And now this cause is submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

And the Court having heard the evidence, finds for the plaintiff, and that the allegations of plaintiff's complaint are true and that there is due and unpaid the plaintiff from the defendant, the sum of $106.14, together with the costs of this action.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff have and recover of and from the defendant, Charles Stegemoeller, the sum of $106.14, togehter with the costs for this action, taxed at _____dollars and _____cents.

NORA RAGAN)
VS) # 15169
LESLIE GENTRY)

Comes now the defendant and presents his bill of exceptions containing a long hand transcript of the evidence and prays that it be signed by the Judge of the Hendricks Circuit Court, sealed and made a part of the record in this cause. And the Court having inspected the same and finding it is a true transcript of all the evidence together with the objections and rulings of the Court thereon and exceptions, and the said transcript having been presented within the time allowed, the same is now signed, sealed and ordered filed and made a part of the record in this cause and the Clerk is hereby ordered in making up his record to insert said original bill of exceptions, without copying same.

STATE OF INDIANA)
) SS:
HENDRICKS COUNTY)

NORA RAGAN
VS #15169
LESLIE GENTRY

THE CLERK OF THE HENDRICKS CIRCUIT COURT:

Please prepare and properly certify for appeal to the Appellate Court of Indiana a complete transcript of all papers filed and proceedings had in the above entitled cause including the final judgment therein and the original bill of exceptions containing the evidence in such cause.

Dated this the 20th day of November 1937.

Arny M Watkins

Harney F. Semones
Attorney for Defendant.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Monday Morning, November 22nd, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

APPOINTMENT OF FOREMAN OF GRAND JURY FOR THE NOVEMBER TERM, 1937.

Comes now the Grand-Jury and are duly impaneled and sworn and are duly charged by the Court in the following words and figures, to-wit: (Here Insert), thereon the Court appoints Edgar Parker as foreman, and the Grand-Jury retires in the jury room to enter upon their duties.

STATE OF INDIANA ON)
RELATION OF LUTHER F. SYMMONS,)
BANK COMMISSIONER)
VS) #13635 ORDER TO COMPROMISE DEBT
HUNTER BANK)

Comes now Harney F. Semones, Receiver of the Hunter Bank, Brownsburg, Hendricks County, Indiana, and files the following verified petition (insert) showing therein that among the assets of said Hunter Bank was one unsecured note, executed by Oliver W. Merritt and Charlotte A. Merritt, husband and wife for the principal sum of $435.00, bearing date of May 12, 1932, due ninety (90) days from date with interest at 8% per annum from date until paid and attorney fees. And that the said Oliver W. Merritt and Charlotte A. Merritt are the owners of one hundred twenty four and nineteenths acres of land, situated in Section 3, Township 15, Range 1 West and that the said real estate is valued for taxation purposes in the sum of $5170.00. That there is a mortgage existing against said real eatate in favor of the Fletcher Joint Stock Land Bank of Indianapolis, Indiana, for the principal sum of $6000.00 and said mortgage being recorded in Mortgage Record 69, page 377 of the Hendricks County Mortgage Records. And that the said Oliver W. Merritt and Charlotte A. Merritt are the owners of only a small amount of personal property of the estimated value of $200.00. That the said Receiver in said petition mentioned and described is asking for authority to settle the $435.00 dollar note for the sum of $150.00 and to cancel the said note and return it to the said Oliver W. Merritt and mark the same fully paid and satisfied.

It is therefore now considered and ordered by the court that said Receiver accept the said $150.00 in full and final settlement of the said note and he be permitted to deliver the said $435.00 dollar note to Oliver W. Merritt and Charlotte A. Merritt.

STATE OF INDIANA)
VS) # 14930
GEORGE E. MERCER, ET AL.)

Comes now the plaintiff, by counsel, and files affidavit and motion for change of venue from Hendricks County, Indiana, which affidavit and motion is in the following words and figures, to-wit:(Here Insert).

VERLA HERSCHEL ROBBINS)
VS) #15201
VERLIN E. BOHANNON, INC.,)
A CORPORATION, ET AL.)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to file answer to first paragraph of complaint. And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before December 1st, 1937.

KATE SCHWARTZ)
VS.) No. 15264 Judgt. vs Defts. for $205.00 and Costs.
EDDIE COLE,) D E C R E E . J. D. 17, Page 226.
ALICE MOSLEY,)
WILLIAM W. HYDE.)

Comes now the plaintiff, by her attorney, John W. Bowlus, and the above cause being set for trial and hearing, and the defendants, Eddie Cole, Alice Mosley, and William W. Hyde, after being three times loudly called in open court, fail to appear and wholly make default herein.

And the court, after hearing the evidence and being fully advised in the premises, finds for the plaintiff, and that she is entitled to recover from the defendants jointly and severally the sum of Two Hundred and Five ($205.00) Dollars, together with her costs herein laid out and expended.

It is therefore ordered and decreed that the plaintiff have judgment against the defendants, Eddie Cole, Alice Mosley and William W. Hyde, for the sum of Two Hundred and Five ($205.00) Dollars, together with her costs herein laid out and expended.

COLUMBIA INVESTMENT CO.)
VS) # 15279 Judgt. vs Deft. for $.01 and Costs.
NEWTON D. PRATHER) J. D. 17, Page 227.

Comes now the plaintiff, by counsel, and shows to the Court the summons herein and the Court examining same finds that said defendant has been duly served with process more than ten days before the 7th day of September, 1937, at which time said summons was returnable, and now on motion of plaintiff said defendant is three times called in open Court and comes not and herein wholly makes default.

And now said cause is submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

Evidence submitted and the Court finds for the plaintiff and that the allegations in plaintiff's complaint are true and that plaintiff is entitled to possession of one 1937 Hudson sedan, Serial No. 950507, and to one cent damages for the detention of said property, and to the costs of this action.

It is, therefore considered, ordered and adjudged by the Court that the plaintiff is and it is hereby entitled to the possession of one 1937 Hudson sedan, Serial No. 950507, and to one cent damages for the detention of said property from the defendant, Newton D. Prather, together with the costs of this action, taxed at _____dollars and _____cents.

WILLIAM T. MARSHALL, EDWIN A. SCEARCE)
AND LESLIE ZIMMERMAN, TRUSTEES FOR AND)
ON BEHALF OF THE SILCOX LODGE # 123, OF)
THE INDEPENDENT ORDER OF ODD FELLOWS)
OF INDIANA) CAUSE NUMBER 15357
-vs-) ENTRY
CLEM SMITH, STATE FIRE MARSHAL,) Judgt. vs Pltfs. for Costs.
E. D. CRAWLEY, CHRISTIAN NAME UNKNOWN) J. D. 17, Page 227.

Comes now the petitioners, by their attorneys, Howard D. Phillips and Charles D. Babcock, and comes now Clem Smith, State Fire Marshal of the State of Indiana, by his attorney, Gordon Sherer, and said petition to review order of the State Fire Marshal, being at issue under answer of general denial filed by Clem Smith, State Fire Marshal, and said cause being ready for trial, and the court having heard evidence in support of petition to review order heretofore made by the State Fire Marshal, now finds for the defendants that said order be affirmed.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED by the court that said petitioners take nothing by their petition herein filed to review an order of the State Fire Marshal heretofore made, and that said order heretofore made, is in all things affirmed, and the petitioners are given Fifteen (15) days time, in which to remove the Second and Third (2nd & 3rd) stories of the building on

Part of Lot Four (4), Block Thirteen (13) in the Original Town of Danville, Hendricks County, Indiana.

and that defendant, Clem Smith, State Fire Marshal recover his costs laid out and expended in the sum of $_____of and from the petitioners.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.

Horace R. Hanna, Judge.

Tuesday Morning, November 23rd, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, November 24th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

R. J. OVERMAN,)
PLAINTIFF,)
vs.) RESTRAINING ORDER
RALPH B. PEPER,)
MARY LENA PEPER,)
DEFENDANTS.)

Comes now the plaintiff in the above entitled cause and files his verified complaint herein, praying for a restraining order, and which said verified complaint is in the words and figures following, towit:

(H.I.)

And the said plaintiff having filed his undertaking to the approval of the judge of this court, and which said undertaking is in the words and figures as follows, towit:

(H.I.)

And this proceeding being submitted to the court on said verified complaint, on such application for restraining order, and the court being duly advised in the premises, finds for the plaintiff, and finds that the plaintiff is entitled to a restraining order as therein prayed for.

IT IS THEREFORE ORDERED AND CONSIDERED BY THE COURT, that said defendants, and each of them, be and each of them are hereby restrained from selling and disposing of the personal property located on the farm which is in Boone County, Indiana, which consists of 140 acres in Section 34, Township 18 North, Range 1 East, and which personal property consists of horses and mules, farming implements and machinery, cattle, sheep, hogs, corn, wheat, oats and hay, from said real estate, which real estate is more particularly described in the complaint in this action, until notice and further order of this court, and that said defendants, be and each of them are hereby restrained from selling, disposing of, transferring by deed or any other instrument, and from leasing said real estate so located in Boone County, Indiana, as particularly described in the complaint in this action, until notice and further order of this court.

IT IS FURTHER ORDERED, that the defendants be notified that an application for a temporary injunction will be heard herein, before me at chambers in the Court House, in the City of Danville, Hendricks County, Indiana, on the 6th day of December, 1937.

IT IS FURTHER ORDERED, that there issue to the Sheriff of Hendricks County, a certified copy of this order, and that he be, and he is hereby directed to serve the same forthwith, and make due return thereon.

ADDITIONAL NOTES AND ENTRY

And comes now the plaintiff and also at the time of the filing of his complaint, asks that a receiver be appointed to take charge of the real estate hereinafter described, and of the personal property, located upon the real estate described in plaintiff's complaint herein, which real estate is located in Boone County, State of Indiana, and is more particularly described as follows towit:

The East half of the Northwest Quarter, containing 80 acres; also the East half of the West half of the Northwest Quarter, containing 40 acres; also the West half of the Northeast Quarter of the Southwest Quarter, containing 20 acres, and containing in all, 140 acres more or less, all of which described land is located in Section 34, Township 18 North, Range 1 East.

And the court having further examined said complaint and being fully advised in the premises, and it appearing to the court that summons has been issued for the defendants in this cause, returnable on the sixth day of December, 1937, the court now finds that the plaintiff is entitled to the appointment of a receiver to take charge of said real estate and said personal property upon said real estate.

It is therefore ordered, adjudged and decreed by the court that Guy Williams, of Marion County, Indiana, be, and he is hereby appointed receiver to take charge of and have the control of all the personal property located and situate upon the above described real estate, including all grains, seeds, farming implements, hay, straw and all live stock, and that said receiver should hold and manage said personal property and keep the same upon said farm until the further order of this court.

It is further ordered, adjudged and decreed that the said receiver, before entering upon his duties, shall execute his bond in the penal sum of Five Thousand ($5,000.00) Dollars, guaranteeing the faithful performance of his duties under this appointment, with surety to the approval of this court.

Horace L. Hanna

Dated this 24th. day of November, 1937. Judge Hendricks Circuit Court

ORDER ON GRAND JURY REPORT.

Comes now the grand jury and submits to the Court their report of the County Jail, which report is duly filed, and is in the following words and figures, to-wit: (Here Insert), and said grand jury also submits to the Court their report of the County Home, which report is duly filed and is in the following words and figures, to-wit: (Here Insert), and said grand jury makes no recommendation in regard to either of said institutions.

Said grand jury further reports to the Court that they have completed their work as outlined for them to do under the charge of this Court. And the Court being duly advised in the premises, now finds that said grand jury has completed their work and it is now ordered by the Court that said grand jury adjourn.

And court adjourned until 9:00 o'clock A. M. Friday,

Record read and signed in open court.

Horace L. Hanna, Judge.

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(N O C O U R T)

Friday Morning, November 26th, 1937.

Court met pursuant to adournment,

Present Honorable Horace L. Hanna, Judge.

And court adjourned until 9:00 o'clock A. M. Saturday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, November 27th, 1937.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

JAMES E. MACKIN, ET AL.)
VS) # 15088
JAMES W. WRIGHT)

Comes now the defendant, by counsel, and files answer and cross-complaint in three paragraphs, which answer and cross-complaint are in the following words and figures, to-wit: (H.I.).

LEONADIS WILLIAMS)
VS) # 14992 Judgt. vs Deft. for $18.22 and Costs.
CLAYTON GRAY) J. D. 17, Page 227.

Come now the parties, in person and by counsel, and evidence is continued and completed.

The Court finds for the plaintiff, and that there is due and unpaid the plaintiff on account sued on herein the sum of $18.22, and that plaintiff is entitled to judgment against said defendant for said sum together with the costs of this action.

It is, therefore, considered and adjudged by the Court that the plaintiff have and recover of said defendant, Clayton Gray, the said sum of eighteen and 22/100 dollars, ($18.22), together with the costs of this action, taxed at _____ dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Monday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, November 29th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7801 Judgt. vs Deft. for $5.00 Fine and Costs.
CARL JONES) J. D. 17, Page 227.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Carl Jones, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of guilty of public intoxication.

It is, therefore, now adjudged by the Court, that the defendant, Carl Jones, for the offense by him committed be and he is fined in the sum of five dollars, and that he pay the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Tuesday Morning, November 30th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

IVAN MILES)
VS) # 15358
EMMETT BOYER)

Comes now the defendant, by counsel, and files answer to interpleader, in the following words and figures, to-wit: (Here Insert).

VIRGIL H. DUNN)
VS) # 15108
HOWARD GIBBS)

Comes now the plaintiff, by counsel, and files motion for dismissal of this cause, which motion is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said motion, now sustains the same, costs on dismissal having heretofore been paid.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

CITIZENS STATE BANK)
VS) # 15314
EVERETT R. RYAN)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid, which motion is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said motion, now sustains the same.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7802 Judgt. vs Each Deft. for $5.00 Fine and Costs.
EMMEL NAPIER) J. D. 17, Page 228.
R. L. NETTERFIELD)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and come also the defendants, Emmel Napier and R. L. Netterfield, in their own proper persons, and said defendants are duly arraigned in open Court and each enters their plea of guilty of public intoxication.

It is, therefore, adjudged by the Court that the defendants, Emmel Napier and R. L. Netterfield, for the offense by them committed shall each be and he is fined in the sum of five dollars and that each shall pay the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Wednesday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, December 1st, 1937.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

CHARLTON CARTER AND)
DONALD NEISWANGER, TRUSTEES)
VS) # 15048
AETNA LIFE INSURANCE)
COMPANY, ET AL.)

Come now the parties, by counsel, and the Court being duly advised sustains said motion for change of venue from the judge, heretofore filed, and now by agreement of parties, Thomas Stevenson of the Indianapolis bar is agreed upon by the parties as special judge in this cause.

I, Horace L. Hanna, Judge of the Hendricks Circuit Court, of said County, and State of Indiana, being disqualified to set as judge in the trial of the above cause on account of change of venue having been granted therein; and the parties therein, in open Court, having agreed upon one Thomas Stevenson of the Indianapolis, Indiana Bar to try said cause, I hereby designate and appoint the said Honorable Thomas Stevenson as a special judge to try said cause and to preside and hold said court.

Dated this 1st day of December, 1937.

Horace L. Hanna,

Judge Hendricks Circuit Court.

VERLA HERSCHEL ROBBINS)
VS) # 15201
VERLIN E. BOHANNON, INC.)
A CORPORATION, ET AL.)

Comes now the defendant, by counsel, and files answer in general denial to first paragraph of plaintiff's complaint, which answer is in the following words and figures, to-wit: (Here Insert).

A. EMMETT BLY)
VS) # 15280
PHILIP J. WOLFRAM,)
ETC., ET AL.)

Comes now the plaintiff, by counsel, and files affidavit for change of venue from Hendricks County, Indiana, which affidavit is in the following words and figures, to-wit: (Here Insert).

CHESTER TOFEL)
VS) # 15324 Judgt. vs Pltf. for Costs.
ELLIS WOOD, ET AL.) J. D. 17, Page 228.

Comes now the plaintiff, by counsel, and files motion to dismiss this cause at the cost of the plaintiff, which motion is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said motion, and being suf-

ficiently advised, now sustains the same.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, Chester Tofel, is ordered to pay the costs of this action, taxed at _____dollars and_____ cents.

DOROTHY LUCHIN)
VS) # 15325 Judgt. vs Pltf. for Costs.
ELLIS WOOD, ET AL.) J. D. 17, Page 228.

Comes now the plaintiff, by counsel, and files motion to dismiss this cause at the cost of the plaintiff, which motion is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said motion and being sufficiently advised, now sustains the same.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, Dorothy Luchin, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Thursday Morning, December 2nd, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

A. EMMETT BLY)
VS) # 15280
PHILIP J. WOLFRAM,)
ETC., ET AL.)

Come now the parties, by counsel, and the Court now sustains the motion of plaintiff for change of venue from Hendricks County, Indiana, and the parties failing to agree, now strike and Montgomery County, Indiana, remaining, it is ordered and agreed by the Court that the venue of said cause be changed to the County of Montgomery, State of Indiana, and plaintiff is hereby given five days to perfect said change.

HELEN KOSTELNIK)
VS) # 15376 Entry Judgt. vs Deft. for Costs.
PAUL KOSTELNIK) J. D. 17, Page 229.

Come now the parties by counsel and defendant now dismisses his cross-complaint heretofore filed herein; and said cause now being at issue on the plaintiff's complaint is submitted to the court for trial, finding and decree.

And the Court having heard the evidence and being fully advised in the premises finds that the allegations of plaintiff's complaint are true and that the prayer thereof ought to be granted and plaintiff and defendant be divorced.

It is therefore ordered adjudged and decreed by the Court that the plaintiff be divorced from defendant and that her maiden name of Helen Toth be restored.

And plaintiff having waived request for alimony it is therefore ordered adjudged and decreed that plaintiff take no alimony from defendant.

And it is further ordered adjudged and decreed that defendant pay the costs of this action in the sum of _____dollars and_____cents.

STATE OF INDIANA)
VS) # 7797 Judgt. vs Deft. for $10.00 Fine & Costs.
LEW ERBAUGH) J. D. 17, Page 229.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Lew Erbaugh, in his own proper person, and now said defendant changes his plea of not guilty to guilty of operating a motor vehicle while under the influence of intoxicating liquor.

It is, therefore, adjudged by the Court that said defendant, Lew Erbaugh, for the offense by him committed shall be and he is fined in the sum of $10.00, and that he shall pay the costs of this action, taxed at _____dollars and _____cents.

It is also ordered by the Court that the operator's license #972007 be and is hereby revoked, and that said defendant is hereby forbidden from operating motor vehicle for a period of six months from this date, and the Clerk of this Court is directed to forward to the State Department of Financial Responsibility a certified copy of this judgment as by law required.

Thursday, December 2nd, 1937, and the 28th day of the November Term, 1937.

CHARLTON CARTER AND)
DONALD NEISWANGER, TRUSTEES)
VS) # 15048
AETNA LIFE INSURANCE)
COMPANY, ET AL.)

Comes now Thomas D. Stevenson, heretofore appointed as special judge herein, and is sworn and qualifies and assums jurisdiction as such; and come the plaintiffs, by counsel, and the defendants, Blanche M. Price and Henry M. Ketchum, guardian, in person, and the defendant, Aetna Life Insurance Company, by counsel, and this cause being at issue, is now submitted for trial to the Court and the following duly impaneled and sworn as a jury, to-wit: Albert Harlan, C. W. Bridges, Waldo Hadley, John Wright, Otto Bymaster, Everett Miller, Perry Knight, Joe Fulps, Marshall Flathers, S. W. Coffman, Herbert Harvey and Paul Blake; and the taking of evidence is now begun, and the hour of adjournment having arrived, this cause is continued until Friday, December 3rd, 1937, at 9:00 o'clock A. M.

Thomas D. Stevenson

Thomas D. Stevenson, Special Judge.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Friday, December 3rd, 1937, and the 29th day of the November Term, 1937.

Friday Morning, December 3rd, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

CHARLTON CARTER AND)
DONALD NEISWANGER, TRUSTEES)
VS) # 15048
AETNA LIFE INSURANCE)
COMPANY, ET AL.)

Come again the parties, in person and by counsel as before, and the taking of evidence is resumed, and the hour of adjournment having arrived this cause is continued until Monday, December 6th, 1937, at 9:00 o'clock A. M.

Thomas D. Stevenson

Thomas D. Stevenson, Special Judge

ESTHER A. DODDS)
EDGAR M. GOWIN)
VS) # 15087 ORDER TO RE-APPRAISE REAL ESTATE
LILLIE TESSA (GOWIN) SUTHERLIN)
CECIL EARL GOWIN)
JENNIE PEARL GOWIN)
OLIVER EVERETT GOWIN)
RAYMOND EARNEST GOWIN)
HELEN FRANCES GOWIN)
HAZEL MARIE GOWIN)
RUTH ELSIE GOWIN)
MARRY ELIZABETH GOWIN)
CORLISS STEVENSON GOWIN)

Comes now Luther S. Page and files the following verified petition (insert) and asking therein that a re-appraisement of the real estate in this proceeding sought to be partitioned. And the court having examined said petition and being sufficiently advised finds that the averments thereof are true and that in the interests of said estate said real estate should be appraised and for the purpose of making such appraisement now appoints Stanley M. Hendricks and Arthur G. Blair two reputable and disinterested freeholders of the neighborhood where said real estate is situate, who before proceeding to the discharge of their duties, shall take and subscribe an oath to honestly appraise said real estate at its fair cash value and upon said re-appraisement being so made and filed the same shall take the place of the original appraisement and said Commissioner shall proceed to the sale of said real estate under the Interlocutory Decree heretofore taken in this cause in this court.

WILLIAM E. YOUNG)
VS) # 15322
AMERICAN STATES)
INSURANCE COMPANY)

Comes now the defendant and appears specially and files motion to quash return of service of process herein, which motion is in the following words and figures, to-wit: (Here Insert).

CLARENCE V. DEAN)
EVA MEADOWS)
VS) # 15378
HARRY L. CARTER)
LETHA CARTER)

Come now the plaintiffs, by counsel, and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid.

And the Court being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

THE SUPERIOR TAILORING COMPANY)
VS) # 15300 JUDGMENT AND DECREE
CECIL SLAVINS, doing business under) Judgt. vs Deft. for $312.19 and Costs.
the name of VAN BUREN CLEANERS) J. D. 17, Page 229.

Comes now the plaintiff by its attorneys, C. V. Sears and John E. Sedwick, and it appearing to the satisfaction of the Court by the Sheriff's return to the summons, which summons and return of the Sheriff endorsed thereon are in the words and figures, following to-wit:- (H.I.)

That the defendant, Cecil Slavins, doing business under the name of Van Buren Cleaners, has been duly served with process more than ten (10) days before the _____day of December, 1937, and the said defendant failing to appear, and being now three (3) times loudly called, comes not, but herein wholly makes default, this cause was submitted to the Court for trial upon the default of the defendant, Cecil Slavins doing business under the name of Van Buren Cleaners, and the issues joined by the defendant without the intervention of a Jury, and the evidence being heard, and the Court being duly advised in the premises, finds that the defendant had consigned to him on consignment contract at various times, goods and merchandise, amounting to the sum of Three Hundred Twelve and 19/100 Dollars ($312.19), and that the said defendant has converted the said merchandise into his own use, and is now indebted to the plaintiff herein in the sum of Three Hundred Twelve and 19/100 Dollars ($312.19), which is due and unpaid.

It is, therefore, considered and adjudged by the Court that the plaintiff recover of the defendant, Cecil Slavins doing business under the name of Van Buren Cleaners, in the sum of Three Hundred Twelve and 19/100 Dollars ($312.19), for unlawful conversion of said property and failing to account for the same to the said plaintiff, its damages assessed by the Court as aforesaid, and all its costs and charges in its behalf laid out and expended, taxed at _____Dollars ($_____), without any relief whatever from householder's exemption laws, and the judgment sounding in tort, and without any relief from valuation or appraisement laws.

STATE OF INDIANA)
VS) # 7784 Judgt. vs Deft. for $10.00 Fine and Costs.
DELBERT FLETCHER) J. D. 17, Page 229.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Delbert Fletcher in his own proper person, and said defendant is duly arraigned in open court and enters his plea of guilty.

The Court withholds judgment and the defendant is returned to jail.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Delbert Fletcher in his own proper person, and now the Court being duly advised pronounces judgment as follows:

It is, adjudged by the Court that the defendant for the offense by him committed shall be imprisoned in the State Reformatory for not less than two years nor more than fourteen years, and fined ten dollars and pay the costs of this action, taxed at_____ dollars and _____cents.

The Court upon the entry of this judgment does suspend said sentence, and finds that the interest of society does not demand or require that such person shall suffer the penalty imposed by law if he shall hereafter behave well.

The Court now gives the defendant six months in which to pay the fine and costs of this action. The Court now orders said defendant to report to this court within six months of this date as to his behavior and as to the payment of the fine and costs herein adjudged and said defendant is now allowed to go on his own recognizance.

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.

Horace C. Hanna, Judge.

Saturday Morning, December 4th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

CHARLES J. KELLY, ADMINISTRATOR)
VS) # 15054
SOL B. FRIEDLAND)
CHARLES WILLIAM NEWMAN)

Comes now the defendant, by counsel, and moves the Court to publish deposition of Frank W. Olliphant and the examination of the plaintiff, Charles J. Kelly, Administrator.

And the Court being duly advised, now sustains said motion.

DANIEL J. SHEPHERD, ET AL.)
VS)
HAROLD H. SHEPHERD, ET AL.)

Comes now the plaintiff, by counsel, and moves the Court to have alias summons issued to Ira T. Shepherd, defendant in this cause, said summons to be issued to the Sheriff of Marion County, Indiana, and said summons to be returnable December 17th, 1937, and the Court now orders said summons to be issued accordingly.

R. J. OVERMAN)
Plaintiff)
vs.) # 15374
RALPH B. PEPPER)
MARY LENA PEPPER)
Defendants)

Comes now the plaintiff and files his petition herein showing the court that Guy Williams, who was heretofore appointed receiver in this cause, refuses to accept the appointment and plaintiff prays for the appointment of another receiver, which petition is in the words and figures as follows, to wit: (H.I.)

And comes now the plaintiff by his counsel and come also the defendants by their counsel and it is agreed in open court that William Haag of Brown Township, Hendricks County, Indiana, may be appointed receiver in the above entitled cause to take charge of all of the live stock, farming implements and personal property on the real estate described in the complaint herein.

And the court having been duly advised in the premises and finding said William Haag a suitable person to be appointed to said receivership does now appoint the said William Haag as receiver in the above entitled cause to take charge of all of the live stock and personal property upon the real estate described in the plaintiff's complaint herein.

It is further ordered and adjudged that the said William Haag qualify by taking his oath of office and furnishing a bond in the penal sum of $5000 with surety subject to the approval of this court.

And now comes the said William Haag and accepts the appointment and qualifies by taking his oath of office and which oath of office is in the words

and figures as follows, to wit: (H.I.) And the said William Haag now tenders his bond in the penal sum of $5000 with the United States Fidelity and Guaranty Company of Baltimore, Maryland, as surety thereon which bond is now approved by the court, and which bond together with the approval endorsed thereon is in the words and figures as follows, to wit: (H.I.)

It is further ordered, adjudged, and decreed that this receiver shall act in this cause upon the orders of this court and until he is discharged by order of this court.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, December 6th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

HERBERT E. DUNLAP)
VS) # 15081
INDIANAPOLIS RAILWAYS INC.)
AND CITY OF INDIANAPOLIS)

Comes now the defendant, City of Indianapolis, by counsel, and files demurrer to plaintiff's second amended complaint, which demurrer is in the words and figures following, to-wit: (H.I.).

Come now the parties, by counsel, and the Court being duly advised, now overrules the demurrer of defendant, City of Indianapolis, to plaintiff's second amended complaint, to which ruling of the Court the defendant, City of Indianapolis, duly objects and excepts. And come now the parties, and the Court being duly advised, now sustains the separate and several demurrer of the defendant, Indianapolis Railways, Inc., to second amended complaint, to which ruling of the Court the plaintiff duly objects and excepts.

CHARLES H. SEILOFF, ET AL.)
VS) # 15112
STANTON A. MORTON, ET AL.)

Come now the parties, by counsel, and the Court being duly advised in the matter, now sustains the demurrer to plaintiff's amended complaint herein, filed by the defendants and each of them separately and severally, to which ruling of the Court the plaintiffs duly object and except separately and severally.

CHARLES M. COREY)
VS) # 15200
PHILIP GRENWALD)

Come now the parties, by counsel, and the Court being duly advised, now overrules defendant's motion for new trial, to which ruling of the Court the defendant duly objects and excepts.

And now the defendant prays an appeal to the Appellate Court of Indiana. And the Court being duly advised, now grants said appeal, bond fixed at fifteen hundred dollars , and thirty days given to file bond and sixty days given to file all bills of exception.

ALICE GRAHAM)
VS) # 15380
ELECTRICAL RESEARCH PRODUCTS)
INC., a corporation and)
PAUL V. WOOLLEY)

Comes now the plaintiff, by counsel, and files motion to dismiss the above case, which motion is in the words and figures following, to-wit: (H.I.).

The costs on dismissal having heretofore been paid, and the Court having seen and examined said motion and being duly advised in its premises, now sustains the same.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

CHARLES HANNA AND GEORGE E.)
WENDLING, AS PARTNERS, DOING)
BUSINESS UNDER THE FIRM NAME AND)
STYLE OF HANNA & WENDLING.)
VS) # 15337 Judgt. vs Deft. for $210.90 & Costs.
VERNE WALTON.) J. D. 17, Page 230.

Come the parties, the plaintiffs by Zimri E. Dougan, their attorney, and the defendant by George W. Hadley, his attorney. Whereupon the defendant files answer to the complaint, in general denial, as follows, to-wit: (Here Insert).

And this cause, being at issue upon the complaint and answer thereto in general denial, is submitted to the court for trial, finding and judgment without the intervention of a jury. And the court, having heard the evidence and being fully advised in the premises finds for the plaintiffs, that the allegations of their complaint are true and that there is due the plaintiffs thereon, of principal and interest, the sum of $185.90, and the further sum of $25.00 as attorney's fees, and that plaintiffs are entitled to a personal judgment against defendant. Verne Walton, for a total of said amounts in, to-wit, the sum of $210.90, without relief from valuation or appraisements laws, and the costs of this action.

It is, therefore, considered and adjudged by the court that the plaintiffs recover of and from the defendant, Verne Walton, the sum and amount of $210.90, together with the costs of this action, taxed at $_____, all without relief from valuation or appraisement laws.

All of which is now finally ordered and adjudged by the Court.

CHARLTON CARTER AND)
DONALD NEISWANGER, TRUSTEES)
VS) # 15048
AETNA LIFE INSURANCE)
COMPANY, ET AL.)

Come again the parties, in person and by counsel as before, and the hearing of evidence is resumed and plaintiffs now rest.

The defendant, Aetna Life Insurance Company, now files its motion for a peremptory instruction in its favor as follows, (H.I.), which motion is now overruled, to which said defendant at the time excepts.

The hearing of evidence for the defense is now begun; and, the hour of adjournment having arrived, this cause is now continued until Tuesday, December 7th, 1937, at 9:00 o'clock A. M.

Thomas P. Stevenson, Special Judge.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Tuesday Morning, December 7th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

CHARLTON CARTER AND)
DONALD NEISWANGER, TRUSTEES)
VS) # 15048
AETNA LIFE INSURANCE)
COMPANY, ET AL.)

Come again the parties, in person and by counsel as before, and the taking of evidence on behalf of the defendant, Aetna Life Insurance Company, is now concluded. And the plaintiff now introduces evidence in rebuttal.

And the hour of adjournment having arrived, this cause is continued until Thursday morning, December 9th, 1937, at 9:00 o'clock A. M.

Thomas Stevenson, Special Judge.

CHARLES J. KELLY, ADMINISTRATOR)
VS) # 15054
SOL B. FRIEDLAND)
CHARLES WILLIAM NEWMAN)

Come now the defendants, by counsel, and move the Court to continue this cause, same having been set for trial, December 8th, 1937.

And the Court being duly advised now sustains said motion.

LOUIS J. RHEINHARDT)
VS) # 15251
WILL RHEINHARDT)

Comes now the defendant, by counsel, and files affidavits for continuance, which affidavits are in the following words and figures, to-wit: (Here Insert), and moves the Court to continue this cause.

And the Court being duly advised, now sustains said motion, and which ruling of the Court the plaintiff duly objects and excepts.

HENRY VAN CLEVE)
VS) # 15370
ROBERT PRITCHETT)
JOHN W. PRITCHETT)

Comes now the plaintiff, by counsel, and moves the Court to require the defendants to answer. And the Court being duly advised, now sustains said motion, and the defendants are ruled to answer on or before December 16th, 1937.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, December 8th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

FLORENCE GOLDING)
VS) # 15194 Judgt. vs Pltf. for Costs.
JULES GOETTLING) J. D. 17, Page 230.

Comes now the plaintiff, by counsel, and files and moves the Court to dismiss the above cause at the plaintiff's cost, which motion is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said motion, the same is now sustained.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, Florence Golding, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

STATE OF INDIANA)
V S) # 7804 Judgt. vs Pltf. for $10.00 Fine & Costs.
ROY RIDDLE) J. D. 17, Page 230.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Roy Riddle, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of guilty of operating motor vehicle while under the influence of intoxicating liquor.

It is, therefore, adjudged by the Court that the defendant, Roy Riddle, for the offense by him committed shall be fined $10.00 and shall be imprisoned in the State Penal Farm for thirty days, and that he shall pay the costs of this action, taxed at _____dollars and _____cents.

It is further ordered by the Court that said defendant, Roy Riddle, is hereby prohibited from driving any automobile or motor vehicle for a period of one year, and that any license that may have been issued to him is hereby revoked, and the Court directs the Clerk of this Court to transmit a certified copy of this judgment to the Department of Motor Vehicles as by law provided.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, December 9th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

ANN ATKINSON)
VS) # 15193
ORLANDO ATKINSON)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to answer. And the Court being duly advised now sustains said motion, and the defendant is ruled to answer on or before December 21st, 1937.

CHARLTON CARTER AND)
DONALD NEISWANGER, TRUSTEES)
VS) # 15048
AETNA LIFE INSURANCE)
COMPANY, ET AL.)

Come again the parties, in person and by counsel as before, and the taking of evidence is now resumed and concluded, and all parties now rest.

The defendant, Aetna Life Insurance Company, now moves the Court to instruct the jury to find for said defendant, which motion is now overruled, and to which ruling said defendant by counsel at the time excepts.

And now before the commencement of the arguments to the jury, said defendant now files its request for the submission of instructions to the jury and, therewith and as part thereof, its instructions numbered from one (1) to forty-seven (47) both inclusive, which request and instructions so tendered are as follows (H.I.); and now, by leave of court, said defendant withdraws its tendered instruction numbered fifteen (15); and plaintiffs now file their request for the submission of instructions to the jury and, therewith and as part thereof, their instructions numbered from one (1) to eighteen (18) both inclusive, which request and instructions so tendered are as follows, (H.I.);

And the argument of said cause to the jury is now begun and concluded; and the Court now refuses all of plaintiffs' tendered instructions and refuses all of defendant, Aetna Life Insurance Company's tendered instructions except those numbered eight (8), ten (10), eighteen (18), thirty (30) and forty-three (43), and the Court now gives to the jury said instructions numbered eight (8), ten (10), eighteen (18), thirty (30) and forty-three (43), so requested by said defendant, and gives to the jury on its own motion instructions numbered from one (1) to eighteen (18) both inclusive, as follows,(H.I.); And said instructions were all the instructions given in this cause; and all instructions tendered by the parties, whether given or refused, and the instructions given by the Court on its own motion are now filed and made a part of the record herein; and the jury now retires to deliberate upon its verdict.

And now at once upon the instruction of the Jury, the defendant, Aetna Life Insurance Company, in open Court, by its attorneys excepts to the order of the Court in refusing to give to the Jury each separately of the defendant, Aetna Life Insurance Company's instructions, in writing so requested in writing by said defendant, numbered separately, 1-2-3-4-5-6-7-9-11-12-13-14-15-16-17-19-20-21-22-23-24-25-26-27-28-29-31-32-33-34-35-36-37-38-39-40-41-42-44-45-46-47; And at the same time,

the said defendant, Aetna Life Insurance Company, by its attorneys, excepts to the action of the Court in giving to the jury on the Court's own motion each and every separately of the Court's instructions in writing, numbered separately by the Court, from one to eighteen both inclusive, and at the same time the plaintiffs except to the giving by the Court of the Courts own motion of each and every, separately of the Courts said instructions numbered from one to eighteen, both inclusive, and the plaintiff also excepts to the giving of each of the defendant, Aetna Life Insurance Company's numbered 8-10-18-30 and 43 respectively.

Thomas Stevenson
Thomas Stevenson, Special Judge.

STATE OF INDIANA)
VS) # 7803
MARION HAYDEN)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Marion Hayden, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of not guilty.

And now said defendant agrees in open Court to return to his home and to pay to his wife for the benefit of his family, $12.00 each week beginning December 11th, 1937, and that he will pay the costs of this action, The Court considering such promise of the defendant, does now release him upon his own recognizance during the faithful performance of his promise and until further order of the Court.

MILES REEDER, ADMINISTRATOR OF)
THE ESTATE OF NETTIE MILES REEDER,)
DECEASED.)
VS) # 14617 Judgt. vs Defts. for $4826.96 and Costs.
EMMA MILES THOMAS, ET AL.) J. D. 17, Page 230.

Come now the parties and this cause being at issue, is submitted to the Court for trial, finding, judgment and decree, and the Court having heard the evidence, finds for the plaintiff and that the allegations of plaintiff's complaint are true and that there is due the plaintiff on the notes sued on herein, the sum of $4388.15 principal and interest, and the further sum of $438.81 as attorney's fees, making a total sum due and unpaid to plaintiff by said defendants, $4826.96, and that the plaintiff is entitled to judgment for said sum of $4826.96, together with his costs laid out and expended in this cause.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff have and recover of and from the defendants, Emma Miles Thomas and J. Albert Miles Thomas, the sum of $4826.96, together with the costs for this action laid out and expended at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, December 10th, 1937.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

CHARLTON CARTER AND)
DONALD NEISWANGER, TRUSTEES)
VS) # 15048
AETNA LIFE INSURANCE COMPANY,)
ET AL.)

Come again the parties, in person and by counsel as before, and come now the jury, and return their verdict into open court, as follows, to-wit:

STATE OF INDIANA,)
} SS:
HENDRICKS COUNTY)

IN THE HENDRICKS CIRCUIT COURT,

NOVEMBER TERM, 1937.

Charlton Carter and Donald Neiswanger, Trustees,)
vs.)
Aetna Life Insurance Company.)
Blanche M. Price and Henry C. Ketcham, Guardian Richard Price, Thomas J. Price and Mary Leal Price.)

No. 15048

VERDICT.

We, the Jury, find for the plaintiffs against the defendants Blanche M. Price and Henry C. Ketcham, guardian and we find for the defendant Aetna Life Insurance Company.

Albert Harlan
Foreman of the Jury.

And this trial being concluded said jury now stands discharged.

Thomas Stevenson
Thomas Stevenson, Special Judge.

ALPHEUS SLOAN, JUNIOR, BY HIS NEXT FRIEND ALPHEUS SLOAN, SENIOR)
VS) # 15158
LYMAN HUNTER AND RAYMOND PROCTOR.)

Comes now the plaintiff, by counsel, and asks leave of the Court to withdraw his motion for a new trial in this cause, and files same in the following words and figures, to-wit: (Here Insert).

The Court grants leave to withdraw said motion and it is so ordered.

GEORGE H. LYONS)
VS) # 15274
ACETYLENE PRODUCTS COMPANY)

Come now Paul G. Davis and Frank B. Ross, herein, and file their appearance for the defendant in the following words and figures, to-wit: (Here Insert).

And court adjourned until 9:00 o'clock A. M. Saturday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, December 11th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

MARY E. BOLDT, ET AL.)
VS) # 15334
MINNIE L. WHITEMAN, ET AL.)

Come now the defendants, by counsel, and file separate answer in general denial to plaintiffs' complaint, in the following words and figures, to-wit: (Here Insert).

Comes now the defendant, Minnie L. Whiteman, and files separate cross-complaint in two paragraphs in the following words and figures, to-wit: (Here Insert), and the defendant also files set-off in the following words and figures to-wit: (Here Insert).

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Monday Morning, December 13th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

PEARL PRUITT)
VS) # 15319
FRED MYERS)

Comes now the plaintiff, by counsel, and files amended complaint, in the following words and figures, to-wit: (Here Insert).

FRANK E. RICHARDSON, ET AL.)
VS) # 14468
ALICE ADA RICHARDSON, ET AL.)

Comes now the Commissioner, heretofore appointed by the court, and comes also the parties by their respective counsel, and said Commissioner files his verified petition herein asking that he be authorized and directed to expend a sufficent amount to pay the expenses and bringing suit to quiet title to the said real estate, which verified petition is in words and figures following to-wit: (H.I.) and the court being advised and informed in the premises finds the allegations of said petition to be true and that suit should be brought as therein prayed for.

It is therefore ordered, adjudged and decreed by the court that said Commissioner, be, and he is hereby authorized to cause the suit to be brought to quiet title to the real estate ordered sold, to the satisfaction of the purchaser thereof, and that he expend not to exceed the sum of $75.00 attorneys fee together with the court costs therefor, and that he make due report as to his proceedings and as to his acts therein.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Tuesday Morning, December 14th, 1937.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

LENORD MITCHELL)

VS) # 15302

RUBY MITCHELL)

Comes now the plaintiff, in person and by counsel, and shows to the Court the notice and the proof of publication thereof to the defendant, and the Court examining same, finds that said defendant has been duly notified of the pendency of this proceeding as by law required, and now on motion of the plaintiff said defendant is three times loudly called in open Court and comes not and herein wholly makes default.

And now comes John A. Kendall, prosecuting attorney, of the Judicial District, and enters his appearance herein for said defendant and files answer in general denial to said petition, which answer in general denial is in the words and figures following, to-wit: (H.I.).

And now this cause being at issue, is submitted to the Court for trial, finding, judgment and decree.

And the Court having heard the evidence in this cause, now takes the matter under advisement.

And court adjourned until 9:00 o'clock A. M. Wednesday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, December 15th, 1937.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

And court adjourned until 9:00 o'clock A. M. Thursday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, December 16th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

HENRY VAN CLEVE)
VS) # 15370
ROBERT PRITCHETT)
JOHN W. PRITCHETT)

Come now the defendants, by counsel, and file answer and cross-complaint in two paragraphs, in the following words and figures, to-wit: (Here Insert).

AMERICAN LIFE AND ACCIDENT)
INSURANCE COMPANY OF KENTUCKY)
VS) # 15315
OTIS E. GULLEY, ET AL.)

Comes now the plaintiff, by counsel, and files affidavit for notice to non-resident defendants, in the following words and figures, to-wit: (Here Insert), and the Court having seen and examined said affidavit, now orders that notice be given as by law provided and fixes the return day of said notice, February 7th, 1938.

STATE OF INDIANA ON RELATION OF)
LUTHER F. SYMONS, BANK COMMIS-)
SIONER OF THE STATE OF INDIANA)
VS) # 13802
PITTSBORO STATE BANK, PITTSBORO)

Comes now the receiver, and files verified petition for allowance for services and for certain expenses in the execution of its said trust, which petition is in the following words and figures, to-wit: (Here Insert). And the Court being duly advised in the premises and examining said petition approves and allows the allowance prayed for as partial payment on fee for receiver and $250.00 to cover expenses through the year 1937, and it is ordered by the Court that said receiver issue his checks accordingly.

HARRY ETCHISON)
VS) # 15265
CHESTER FRIEL)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause of action, the costs on dismissal having heretofore been paid.

And the Court being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

INTERNATIONAL HARVESTER CO.,)
OF AMERICA, A CORP.)
VS) # 14582
OTTO WOLLENWEBER)
MARY E. WOLLENWEBER)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid.

And the Court being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

MILES REEDER)
VS) # 15271 Judgt. vs Deft. for $160.00 and Costs.
SAM PICKEREL) J. D. 17, Page 231.

Comes now the plaintiff, by counsel, and shows to the Court the summons and the return of the Sheriff of Hendricks County, Indiana, which summons and the return thereon are in the following words and figures, to-wit: (Here Insert), and the Court examining same finds that said defendant has been duly served with process to appear hereon on the 7th day of September, 1937, and now on motion of plaintiff said defendant is three times loudly called in open court, but comes not and herein wholly makes default.

And now said cause is submitted to the Court for trial, finding, judgment and decree, and the Court having heard the evidence, finds for the plaintiff and that the allegations of plaintiff's complaint are true and that there is due the plaintiff on the notes sued on in this action, the sum of $160.00 all of which is due and unpaid and that said plaintiff is entitled to judgment for said sum of $160.00, and his costs laid out and expended in this action, all without relief from valuation or appraisement laws.

It is, therefore, considered, ordered and adjudged by the Court, that the plaintiff have and recover of and from the defendant, Sam Pickerel, the sum of $160.00 together with the costs for this action, taxed at _____dollars and _____cents, all without relief from valuation or appraisement laws.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, December 17th, 1937.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

And court adjourned until 9:00 o'clock A. M. Saturday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, December 18th, 1937.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

KATE GIBBS)
VS) # 14032
PATRICK HOGAN, ET AL.)

Come now Bridget Margaret Martin and Dorothy Martin, by counsel, and file their verified petition for distribution, which petition is in the words and figures following, to-wit:

State of Indiana
Hendricks County ss.

In the Hendricks Circuit Court,
November term, 1937.

Kate Gibbs

vs. Caue No. 14032.

Patrick Hogan et al.

Come now Bridget Margaret Martin and Dorothy Martin, and each having been duly sworn, upon their separate oaths do say that in the above entitled cause of action they are two of the children of Mayme Martin, deceased; that said children are named as follows:

1. Harold P. Long
2. Mary Long
3. Bridget Margaret Martin
4. Dorothy Martin.

And affiant, Bridget Margaret Martin, says that she will be 16 years of age in the month of March, 1938; and affiant, Dorothy Martin, says that she will be 13 years of age in February, 1938.

That the sum of $93.78 has been paid into the hands of the Clerk of the Hendricks Circuit Court by the Commissioner of Sale in the above entitled cause of action for said above named children; that Mary Long and Harold P. Long have each drawn their parts of said sum, each drawing $23.44; that there is left in the hands of said Clerk the sum of $46.90 yet undistributed; that each of the petitioners herein is entitled to one-half of said sum, or $23.45, as the distributive share of each of these petitioners.

Wherefore these petitioners pray the court for an order directing the Clerk of said Court to pay to each one of them the sum of $23.45 as the distributive share of each in such proceeds of sale of the real estate in the above entitled cause.

Bridget Margaret Martin

Dorothy Martin

Subscribed and sworn to before me this 18th day of December, 1937.

My Com. expires Sept. 6, 1938 (SEAL)

Carey W. Gaston
Notary Public.

And the Court having seen and examined said petition and being sufficiently advised in its premises, now approves the same and endorses his approval thereon as follows: "12-18-1937 Examined, approved, and Clerk directed to pay in distribution to Bridget Margaret Martin $23.45 and to Dorothy Martin $23.45 Horace L. Hanna Judge"

RECEIPT:

1. December 18th, 1937. Rec'd. $23.45 my distributive share herein.

Bridget Margaret Martin
(Bridget Margaret Martin)

2. December 18th, 1937. Rec'd. $23.45 my distributive share herein.

Dorothy Martin
(Dorothy Martin)

IN THE MATTER OF THE APPOINTMENT)
OF JURY COMMISSIONERS FOR THE YEAR)
OF 1938.)

The time having arrived for the appointment of jury commissioners for the next calendar year, in compliance with the law governing such appointment, I, Horace L. Hanna, Judge of the Hendricks Circuit Court, Danville, Indiana, do hereby appoint Byron N. Cox, a resident of Danville, Indiana, and Everett W. Hardwick, a resident of Marion Township, Hendricks County, Indiana, jury commissioners for the next calendar year, said persons being free holders and voters of the County and well known to be of opposite politics and of good character for intelegence, morality and integrity, and the Clerk of this Court is directed to notify said appointees to appear and make oath in open Court as required by law and to receive their instructions concerning their duties.

Dated this 18th day of December, 1937.

Horace L. Hanna, Judge
Hendricks Circuit Court.

FRANK E. RICHARDSON, ET AL.)
VS) # 15397
SAMUEL BARKER, ET AL.)

Comes now the plaintiff, by counsel, and files affidavit for publication of notice to non-resident defendants, in the following words and figures, to-wit: (Here Insert), and the Court now fixes the return day in said notice to be February 14th, 1938, and notice is ordered accordingly.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, December 20th, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

CHARLTON CARTER AND) Judgt. vs Pltfs. and Defts., Price and
DONALD NEISWANGER, TRUSTEES) Ketcham, Gdn. for Costs.
VS) # 15048 J. D. 17, Page 231.
AETNA LIFE INSURANCE)
COMPANY, ET AL.)

And now upon the verdict of the jury heretofore returned, it is ordered, adjudged and decreed as follows, to-wit: that defendants, Blanche M. Price and Henry C. Ketcham, guardian, have no legal interest in the cause of action herein involved and that as against said defendants, plaintiffs have and recover their costs; and that plaintiffs take nothing against the defendant, Aetna Life Insurance Company, and that said defendant have and recover of and from the plaintiffs its costs herein laid out and expended and taxed at $_____.

Thomas Stevenson, Special Judge.

STATE OF INDIANA)
VS) # 7392
FLOYD DAVIS)

Comes now John A. Kendall, prosecuting attorney for this Judicial District, and files motion that the Court enter a nolle prosequi in the above entitled cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court being duly advised, now sustains said motion and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7497
CASSEL MORRIS)

Comes now the State of Indiana by John A. Kendall, prosecuting attorney for this Judicial District, and files motion for Court to enter a nolle prosequi in the above entitled cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court being duly advised, sustains said motion and said cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7544
DEWEY PARKER)

Comes now the State of Indiana by John A. Kendall, prosecuting attorney for this Judicial District, and files motion in open Court to enter a nolle prosequi in

the above cause in the following words and figures, to-wit: (Here Insert).

And the Court being duly advised, now sustains said motion and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7549
ARTHUR SMITH)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney for the Judicial District, and files and moves the Court to enter a nolle prosequi in the above cause, which motion is in the following words to-wit: (H. I.)

And the Court being duly advised, now sustains said motion and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7716
PAUL WATSON)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney for this Judicial District, and files motion to enter a nolle prosequi in the above entitled cause of action, in the following words and figures, to-wit: (Here Insert).

And the Court being duly advised, now sustains said motion, and said cause is dismissed.

It is, therefore, considered, ordered and adjudged by the court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7774
OTE HUGHES)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney for this Judicial District, and files motion that the Court enter a nolle prosequi in the above entitled cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court finding that said defendant has died, sustains said motion and said cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now the Prosecuting attorney of the 19th Judicial District of the State of Indiana, and comes also the Prosecuting Attorney of the 55th Judicial District in the State of Indiana, and on behalf of the State of Indiana file affidavit and motion for change of venue from the Judge of this Court, and requests that the Clerk of the Supreme Court of Indiana, be notified of this affidavit and motion, and that he

designate a list of names from which said Judge will be selected, and which affidavit and motion is in the following words and figures, to-wit: (Here Insert).

And the Court now directs the Clerk of this Court to notify the Clerk of the Supreme Court of this matter all as provided by law.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.

Horace E. Hanna, Judge.

Tuesday Morning, December 21st, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

FRANK CLIFT OLIVE)
VS) # 14964
NEW ENGLAND MUTUAL LIFE)
INSURANCE COMPANY, A CORP.)

Come now the parties, and the Court being duly advised in the premises, now sustains plaintiff's demurrer to second paragraph of defendant's answer, and to which ruling of the Court the defendant objects and excepts. And the Court being duly advised in the premises, now sustains plaintiff's demurrer to third paragraph of defendant's answer, and to which ruling of the Court the defendant duly objects and excepts.

ESTELLE J. PERKINS)
VS) # 15377
KENNETH DODD)

Comes now the plaintiff, by counsel, and moves the Court for an order for alias summons. And the Court being duly advised, now sustains said motion and the Clerk is directed to issue alias summons to the defendant, Kenneth Dodd, to the Sheriff of Marion County, Indiana, returnable January 10th, 1938.

GOLDY TENNANT)
VS) # 15287
E. N. STEHMAN, ETC.)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid. Motion is sustained.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

MIRIAM TENNANT)
VS) # 15354
E. N. STEHMAN, ETC.)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid. Court sustained said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7808 Judgt. vs Deft. for $5.00 Fine & Costs.
D. S. VAUGHN) J. D. 17, Page 231.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, D. S. Vaughn, in his own proper person, and said defendant is duly arraigned in open Court and said defendant enters his plea of guilty.

It is, therefore, adjudged by the Court that the defendant, D. S. Vaughn, for the offense by him committed shall be and he is fined $5.00 and that he pay the costs of this action, taxed at _____dollars and _____cents.

ANNA ATKINSON)
VS) # 15193
ARLANDO ATKINSON)

Comes now the defendant, by counsel, and files answer in three paragraphs, which answer is in the following words and figures, to-wit: (Here Insert).

JURY COMMISSIONERS' OATH:

Comes now Byron N. Cox and Everett W. Hardwick, the persons heretofore appointed jury commissions for the next calendar year and now in open court, each take an oath as follows:

"You do solemnly swear that you will honestly, and without favor or prejudice, perform the duties of jury commissioners during your term of office, that, in selecting persons to be drawn as jurors, you will select none but persons whom you believe to be of good repute for intelligence and honesty, that you will select none whom you have been or may be requested to select, and that, in all of your selections, you will endeavor to promote only the impartial administration of justice."

and thereupon the Court instructed them as to their duties as such jury commissioners, and said commissioners now enter upon their duties.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, December 22nd, 1937.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

FRANK COOK)
VS) # 15145 On Account of Change of Venue
JOSEPH L. WRAY)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. One Hundred Twenty-Two Dollars and Eighty Cents ($122.80) in the case of Frank Cook vs. Joseph L. Wray is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

December 22nd, 1937. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

A. J. HUEBER SAVINGS &)
LOAN ASSN.)
VS) # 15282 On Account of Change of Venue.
EMERSON H. THOMPSON, ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing accounts in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Fifteen Dollars and - - -Cents ($15.00) in the case of A. J. Hueber Savings & Loan Assn. vs. Emerson H. Thompson, et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

December 22nd, 1937. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

GEORGE HODGES)
VS) # 14527 On Account of Change of Venue
ETTA CURTIS)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Morgan in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Twenty-Four Dollars and - - -Cents ($24.00) in the case of George Hodges vs. Etta Curtis is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Morgan in said State, and the Auditor of said County of Morgan is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Morgan in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

December 22nd, 1937. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

GLEN HOWARD)
VS) # 15146 On Account of Change of Venue
JESS WRIGHT)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Ten Dollars and Fifty Cents ($10.50) in the case of Glen Howard vs. Jess Wright is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

December 22nd, 1937. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

KATE SCHWARTZ)
VS) # 15264 On Account of Change of Venue.
EDDIE COLE, ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Ten Dollars and Fifty Cents ($10.50) in the case of Kate Schwartz vs. Eddie Cole, et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

December 22nd, 1937. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

HELEN KOSTELNIK)

VS) # 15376 On Account of Change of Venue

PAUL KOSTELNIK)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Helen Kostelnik vs. Paul Kostelnik is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

December 22nd, 1937. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

ADDIE E. CARR)

VS) # 15351 On Account of Change of Venue.

JAMES F. CROUCH, ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Boone in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Addie E. Carr vs. James F. Crouch, et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Boone in said State, and the Auditor of said County of Boone is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Boone in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

December 22nd, 1937. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

MINNIE C. GAULD)

VS) # 14881 On Account of Change of Venue.

ASHER PROFFITT)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Montgomery in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Minnie C. Gauld vs. Asher Proffitt is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Montgomery in said State, and the Auditor of said County of Montgomery is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Montgomery in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

December 22nd, 1937. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

VALIER & SPIES MILLING CORP.)

VS) # 15161 On Account of Change of Venue.

CITY OF INDIANAPOLIS)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Valier & Spies Milling Corp. vs. City of Indianapolis is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

December 22nd, 1937. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

FLORENCE GOLDING)

VS) # 15194 On Account of Change of Venue.

JULES GOETTLING)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried,

adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Florence Holding vs. Jules Goettling is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

December 22nd, 1937. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana.

ALICE GRAHAM)
VS) # 15380 On Account of Change of Venue.
ELECTRICAL RESEARCH PRODUCTS)
INC. A CORPORATION, and)
PAUL V. WOOLLEY)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Alice Graham vs. Electrical Research Products Inc. a corporation, and Paul V. Woolley is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

December 22nd, 1937. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

SALLIE ETCHESON)
VS) # 15203 On Account of Change of Venue
ORA D. ROBERTSON)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Three Hundred Thirty-Six Dollars and Eighty-Five

Cents ($336.85) in the case of Sallie Etcheson vs. Ora D. Robertson is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

December 22nd, 1937. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

ALPHEUS SLOAN, JUNIOR, BY)
HIS NEXT FRIEND ALPHEUS)
SLOAN, SENIOR.)
VS) # 15158
LYMAN HUNTER, and)
RAYMOND PROCTOR)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Three Hundred Eight Dollars and Fifty Cents ($308.50) in the case of Alpheus Sloan, Junior, by his next friend Alpheus Sloan, Sr. vs. Lyman Hunter & Raymond Proctor is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

December 22nd, 1937. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana.

MIRIAM TENNANT)
VS) # 15354 On Account of Change of Venue.
E. N. STEHMAN, ETC.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Miriam Tennant vs. E. N. Stehman, etc. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

December 22nd, 1937. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana.

GOLDY TENNANT)
VS) # 15287 On Account of Change of Venue.
E. N. STEHMAN, ETC.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Goldy Tenant vs. E. N. Stehman, etc. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

December 22nd, 1937. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

FRANK KINSEY) Judgt. vs Pltf. for Costs.
VS) # 15335 DIVORCE DECREE J. D. 17, Page 232.
CHRISTINA KINSEY)

Come now the defendant and files answer in two paragraphs, in the following words and figures, to-wit: (Here Insert).

Comes now the plaintiff in person and by Counsel, J. A. Kendall, and comes now the defendant by Counsel, H. B. Pike, and it appearing to the satisfaction of the court by the summons and the Sheriff's return thereon, that the defendant has been duly served with process for more than ten days before the return date, which date was fixed by indorsement on the plaintiff's complaint, for the defendant to appear and answer said complaint, the cause is submitted to the court for hearing and trial.

And the court having heard the evidence, and being fully advised therein, finds for the plaintiff and that he is entitled to a divorce from the defendant on the grounds stated in his complaint, the Court further finds that said defendant is entitled to have her maiden name of Christena Swarn restored to her.

It is therefore considered, adjudged by the Court that the bonds of matrimony heretofore existing between said plaintiff and defendant be dissolved and that the plaintiff be granted an absolute divorce. It is further adjudged and decreed by this court that the name of this defendant be given her maiden name of Christena Swarn, and the same is restored to her.

All at the cost of the plaintiff, cost being paid.

And court adjourned until 9:00 o'clock A. M. Thursday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, December 23rd, 1937.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now the Clerk of this Court and files the submission of the Clerk of the Supreme Court on the State of Indiana, of three competent, disinterested persons from which list a special judge to try said cause shall be selected, the names being as follows;

Honorable C. C. Gillen, Greencastle, Indiana
Honorable Edgar A. Rice, Crawfordsville, Indiana
Honorable John W. Hornaday, Lebanon, Indiana

and which submission of said names is in the following words and figures, towit: (Here Insert).

TROY OIL COMPANY, INC.)
VS) # 14981 Judgt. vs Deft. for $135.79 & Costs.
VIRGIL L. MUSE) J. D. 17, Page 232.

Comes now the plaintiff by A. J. Kahl and George Burkhart its attorneys, and it appearing to the court by the summons herein and the return of the sheriff indorsed thereon, which summons and return are in the words and figures following (HI), that the defendant has been duly served with process more than ten days before the day fixed by the plaintiff, by indorsement on its complaint, said defendant is three times audibly called in open court, but comes not, and make default.

And the court having heard the evidence, and being advised in the premises, finds for the plaintiff and that the allegations of its complaint are true; that there is due the plaintiff from the defendant, and unpaid the sum of $135.79 as principal and interest on the account sued on.

It is, therefore, considered and adjudged by the court that the plaintiff recover of and from the defendant said sum of $135.79, together with its cost and charges in this behalf laid out and expended.

CLAYTON WILLIAMS, AGENT FOR)
HEIRS OF JAMES S. WILLIAMS)
VS) # 15345 ORDER Judgt. vs Deft. for $60.00 & Costs.
HERBERT B. DURBIN) J. D. 17, Page 232.

Comes now the plaintiff by Archie J. Kahl, his attorney, and it appearing to the court by the summons herein and the return of the sheriff indorsed thereon, which summons and return are in the words and figures following: (H.I.), that the defendant has been duly served a process more than ten days before the day fixed by the plaintiff by indorsement on his complaint, for the defendant to appear and answer said complaint, said defendant is three times audibly called in open court, but comes not, and makes default.

And the court having heard the evidence, and being duly ad-

vised in the premises, finds for the plaintiff that the allegations of his complaint are true and that the plaintiff is entitled to the immediate possession of the real estate as hereinafter described and that the plaintiff is entitled to damages for the unlawful detention of said real estate in the sum of $60.00.

It is, therefore, considered and adjudged by the court that the plaintiff have and recover the immediate possession of the following described real estate situated in Hendricks County, Indiana to-wit:--

Beginning 12 rods North of the East half mile stone of Section 10, Township 15 North, Range 1 East, thence North 12 rods; thence West 13,1/3 rods; thence South 12 rods; thence East 13, 1/3 rods to the place of beginning.

It is further ordered and adjudged by the court that the plaintiff recover of and from the defendant, as damages for the unlawful detention of said property, in the sum of $60.00 together with the costs and charges in this behalf laid out and expended.

DANIEL J. SHEPHERD)
DAVID C. SHEPHERD)
VS) # 15375 INTERLOCUTORY DECREE ORDERING SALE
HAROLD H. SHEPHERD)
ETHEL A. SHEPHERD)
AND IRA T. SHEPHERD)

Comes now the plaintiffs by counsel and it appearing to the court by the summons herein and the return of the sheriff endorsed thereon that said defendants, Harold H. Shepherd, Ethel A. Shepherd and Ira T. Shepherd have been served with process more than ten days before this date (Dec. 23 - 1937) which said summons and return hereon are in words and figures as follows, to-wit: (Insert).

And comes also Daniel J. Shepherd administrator of the estate of Mary A. Shepherd, deceased, and by his petition asks that he be made party defendant in said cause (the said Daniel J. Shepherd would further state that he was appointed administrator of the estate of his Mother, Mary A. Shepherd deceased, in the Boone County Circuit Court and that the same was for the purpose of settling the funeral bill and securing a mortgage upon the real estate owned by the said Mary A. Shepherd, deceased, but as yet the said estate has not been closed). And the issues having been joined for trial and determination are now submitted to the court without the intervention of a jury. And the court having heard the evidence and being sufficiently advised in the premises, finds that as alleged in the complaint the said plaintiffs and defendants are the owners as tenants in common of the following described real estate, situate in Hendricks County, State of Indiana, to-wit:

The North half of the North-east quarter of Section 13, Township 17 North of Range 1 East, containing 80 acres, more or less, Also,

Nine (9) acres out of the Northeast corner of the North-west quarter of Section 13, Township 17 North of Range 1 East, bounded and described as follows, to-wit: Commencing at the Northeast corner of said quarter Section, and running South 40 rods; thence West 36 rods; thence North 40 rods; thence East 36 rods to the place of beginning.

Also Lot No. Seven (7) in William E. Thompson's Addition to the town of Brownsburg, Indiana,

Also the following described tract of land, Part of the Southeast quarter of Section 11, Township 16 North, Range 1 East bounded as follows, Beginning at the Northeast corner of Lot #12 in Thompson's Addition to the town of Brownsburg, Indiana, and running thence East with the bearing of the C.C.C. and St. L.R.R. a distance of 378 feet more or less to the Northwest corner of a tract of land owned by Grant Arbuckle; thence South 22 feet; thence West 350 feet more or less to a point parallel with the East line of aforesaid Lot #12 and 87 feet South of the Northeast corner of said Lot #12; thence North 87 feet to the place of beginning, estimated to contain 45/100 of an acre more or less.

Also, a part of Lot No. 12 in William E. Thompson's Addition to the town of Brownsburg, Indiana, Beginning at the Northwest corner of Lot #13 in said Addition and running thence East with the bearing of the Crawfordsville Road 100 feet; thence North 87 feet; thence West with the bearing of the C. C. C. and St. L. R. R. 100 feet; thence South 87 feet to the place of beginning, except the following, Beginning at a point in

the North and South center line of Section 11, Township 16 North, Range 1 East where the North line of the alley between Lots 11 and 12 of said Addition extended Northwesterly intersects said North and South center Section line, the same being 133.4 feet South of the center of said Section 11, running thence South 74 degrees East along the North line of said alley and such extension thereof 214.05 feet to an intersection with the West line of Lot 13 of said Addition as the point of beginning of the premises to be described, thence North 9 degrees 15 minutes East 88 feet to the Southerly line of the right of way of the C. C. C. and St. L. Railway Company; thence South 64 degrees East along the Southerly line of said right of way 84 feet; thence South 20 decrees and 20 minutes West 72 feet to the Northerly line of said alley extended South-easterly; thence North 74 degrees West along the Northerly line of said alley so extended 69 feet to the place of beginning.

Also an easement for the right of way along and over a strip of land 12 feet in width lying South of and adjoining the above described premises giving ingress and egress in connection with the said alley in the street running along the said North and South center Section line commonly known as Grant Street.

The said plaintiffs and defendants are also the owners and tenants in common of the following described real estate situate in the County of Boone, State of Indiana, and described as follows, to-wit:

The southeast quarter of the southeast quarter of Section 12, in township 17 North, range 1 East, containing 40 acres more or less

Commencing at the southeast corner of the southwest quarter of Section 12, in Township 17 North, Range 1 East and run thence north 20 rods thence West 36 rods thence South 20 rods thence east 36 rods to the place of beginning, containing 4½ acres.

The south half of the 10 acres off of the south end of the west half of the west half of the southeast quarter of section 12, in township 17 North, range 1 east amounting to five acres, more or less

That said parties so own said real estate in the following porportions:

Said plaintiff Daniel J. Shepherd is the owner of an undivided one/third thereof.

Said plaintiff David C. Shepherd is the owner of an undivided one/third thereof.

Said defendant Harold H. Shepherd is the owner of an undivided one/ninth thereof.

Said defendant Ethel A. Shepherd is the owner of an undivided one/ninth thereof.

Said defendant Ira T. Shepherd is the owner of an undivided one/ninth thereof.

and that the said owners are entitled to have their said interests set off and assigned to them in severalty. The Court further finds from the evidence that said real estate cannot be divided as aforesaid without damage to the owners thereof and that a sale of said lands should be made and the proceeds of such sale distributed in accordance with the owners and interests of the said parties in and to said real estate as the same are herein found and determined.

The court further finds from the evidence that the said real estate cannot be divided as aforesaid without damage to the owners thereof and that a sale of said land should be made and the proceeds of such sale distributed in accordance with the rights and interests to the parties in and to said real estate as the same are herein found and determined, except that the defendant, Daniel J. Shepherd, administrator of the Estate of Mary A. Shepherd, deceased, that he may be paid funds sufficient to pay and discharge the debts and liabilities of said estate and thereby be relieved of the necessity of restorting to the real estate to make assets for the payment of said debts of said estate and the court having heard the evidence in connection therewith now orders that the said administrator be made a party and the said administrator files answer and said answer is in words and figures as follows(here insert):

And the said defendants, Harold H. Shepherd, Ethel A. Shepherd and Ira T. Shepherd being three times audibly called in open court come not but herein wholly makes default. And the court having heard the evidence and being sufficiently advised in the premises, finds that as alleged in the complaint the said plaintiffs and defendants are the owners of the said real estate heretofore described as tenants in common in the manner and interests heretofore described in said real estate herein set forth.

WHEREFORE, it is by the court further ordered and adjudged that said real estate after being duly appraised as provided by law be sold by commissioner appointed for that reason at private sale for not less than the full appraised value thereof and for cash in hand upon the delivery of a deed approved by this court.

Notice of the time, terms and place of such sale shall be given by ten days publication thereof in The Brownsburg Record a weekly newspaper, printed and published in Brownsburg, Hendricks County, Indiana, and by posting written or printed notices thereof in five public places in the township where said real estate is situate, the last of which notices shall be so posted at least ten days prior to the time fixed for said sale. And upon such sale being made and confirmed all claim or title in and to said real estate held by any of the said owners thereof shall be as effectually barred as if said parties had themselves executed a conveyance thereof to the purchaser. And the court now appoints E. Eugene Watson a commissioner thereof to make sale of said real estate in accordance with the foregoing order and requires him to execute a bond in the penalty of $8000.00 conditioned for the faithful discharge of his duties and with surety thereon to the approval of the court. And now comes said E. Eugene Watson and accepts said trust and tenders his bond as commissioner in the penalty and conditioned as aforesaid with Daniel J. Shepherd and Hulda M. Shepherd, David C. Shepherd and Harry Bailey as sureties thereon, which bond is approved by the court and reads as follows: (insert). And said commissioner is directed to have an appraisement made of said real estate and thereon proceed to the execution of the foregoing order for the sale thereof and made due report of his proceedings during the next term of this court.

And court adjourned until 9:00 o'clock A. M. Friday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, December 24th, 1937.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now the State of Indiana, by John A. Kendall, Prosecuting Attorney, and strikes the name of the Honorable John W. Hornaday of Lebanon, Indiana.

Comes also the defendant by Charles V. Sears, her attorney, and strikes the name of the Honorable C. C. Gillon of Greencastle, Indiana, leaving the name of Honorable Edgar A. Rice of Crawfordsville, Indiana, as the Judge selected to try this cause.

And the Clerk of the Hendricks Circuit Court notifies the Honorable Edgar A. Rice of his selection, and of the fact that he has ten days in which to qualify.

GENERAL COURT ALLOWANCES FOR THE NOVEMBER TERM, 1937.

Lillian Priest, Court Reporter	$ 240.00
Walter E. Hadley, Clerk Per Diem for Attending Court & Change of Venue Claims	109.00
Ed Smith, Jury Commissioners	3.00
Charles G. Miles, Jury Commissioners	3.00
Hendricks County Republican	30.00
Edgar M. Blessing, Special Judge	20.00
Thomas D. Stevenson, Special Judge	60.00
Charles V. Sears, Special Judge	20.00
Wm. B. Burford Printing Co.	4.80
McCollum Typewriter, Ex.	10.00
Horace L. Hanna, Judge, Operating Expenses	8.40
Lawyers CoOperative Publishing Company	30.00
George Hadley, Pauper Attorney Services Circuit Court	50.00
GRAND JURY:	
Earnest Rynerson	9.30
Brady Bowen	11.40
Edgar Parker	11.70
Obe Higgins	9.60
Ivan Harmon	14.10
Ivan L. Hunt	10.50
PETIT JURY:	
C. M. Brumfield	17.50
Herbert Harvey	32.00
S. W. Coffman	43.00
Marshall Flathers	33.00
Raymond Webb,	27.30
Perry Knight	39.00
Albert Harlan	35.00
C. W. Bridges	39.00
Waldo Hadley	49.20

Otto Bymaster	36.00
Paul Blake	45.60
Cecil Prebster	4.10
Millard Norman	18.60
Lester Dickerson	3.40
Joe Fulps	31.20
John Wright	34.10
Ottis Gray	7.80
Everett Miller	42.90
Dave E. Scott	25.20
Loyd Young	7.00
Ernest Longmire	3.50
Homer West	3.10
Housman's Cafe 26 meals @ .50 each	13.00
T O T A L	$1,245.30

STATE OF INDIANA)
VS) # 7809 Judgt. vs Deft. for $10.00 Fine and Costs.
JOHN D. LOCKHART) J. D. 17, Page 232.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, John D. Lockhart, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of guilty of public intoxication.

It is, therefore, adjudged by the Court that the defendant for the offense by him committed be and he is fined ten dollars, and that he pay the costs of this action, taxed at _____dollars and _____cents.

Ordered by the Court that all causes both Civil and Criminal and all pleas, plaints, motion and demurrers not disposed of at the present term of court be continued to the January Term, 1938, of said court.

And Court adjourned until court in course,

Records read and signed in open court.

Horace L. Hanna, Judge.

BE IT REMEMBERED, that on the 27th day of December, 1937, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz: GRAND AND PETIT JURORS, DRAWN FOR THE JANUARY TERM, 1938.

BE IT REMEMBERED, That on the 27th day of December, 1937, Byron N. Cox and Everett W. Hardwick the duly appointed, qualified and acting Jury Commissioners of this court appeared at the office of the Clerk of the Hendricks Circuit Court, and the Clerk drew from the Jury Box the names of the following persons for Grand Jury service at the January Term, 1938, of this court, viz:

1. Charles C. Money	Marion	Township
2. Walter C. Martin	Guilford	Township
3. James W. Merritt	Middle	Township
4. Charles E. Biggs	Union	Township
5. Julian Ensminger	Center	Township
6. William M. Newlin	Guilford	Township

And the Clerk of this Court at the same time and in the like manner drew from the Jury Box the names of the following persons for Petit Jury service for the January Term, 1938, of this court, viz:

1. Roy V. Lewis	Center	Twp.	13. William T. Freeland	Center	Twp.
2. Thomas F. Hibson	Lincoln	"	14. Clarence M. Hamrick	Marion	"
3. Walter P. Hendrix	Center	"	15. David A. Hadley	Marion	"
4. Warren Duke	Guilford	"	16. Frank H. O'Neal	Clay	"
5. William G. Fordyce	Center	"	17. Lowell W. Johnson	Marion	"
6. Lars E. Ellis	Center	"	18. William S. Simmons	Washington	"
7. William J. Gorrell	Washington	"	19. Myron Cutrell	Washington	"
8. Paul Blessing	Union	"	20. Carl Harvey	Center	"
9. Lowell Maxwell	Center	"	21. Stephen J. Maloney	Brown	"
10. Forrest C. Gibbs	Brown	"	22. Harry M. Ward	Liberty	"
11. Carrie D. Long	Marion	"	23. Gilbert R. Parsons	Liberty	"
12. James E. James	Brown	"	24. William R. Coble	Franklin	"

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED, That on the 27th day of December, 1937, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Edgar A. Rice, Special Judge thereof, the following proceedings were had herein, viz:

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now the Honorable Edgar A. Rice, Judge of the 22nd Judicial Circuit of Indiana, heretofore selected to hear and determine the case, and qualifies and takes oath as follows:

The State of Indiana, County of Hendricks, Sct:

I, Edgar A. Rice, swear that I will support the Constitution of the United States and of the State of Indiana, and faithfully discharge my duties as Judge of the Hendricks Circuit Court in case of State of Indiana against Etta Jones, so help me God.

Edgar A. Rice

Subscribed and sworn to this 27th day of December, 1937, before me, Clerk of said Court.

(SEAL) Walter E. Hadley, Clerk.

and now assumed the Bench and jurisdiction of this case.

The Trial of case is set for January 11th, 1938.

Edgar A. Rice

Edgar A. Rice, Special Judge.

Attest: Walter E. Hadley, Clerk.

Monday Morning, January 3rd, 1938.

Pleas and proceedings had in the Hendricks Circuit Court, within and for Hendricks County, State of Indiana, at the January Term, 1938, which term of court was begun and continued at the Court House in the town of Danville, in the County and State aforesaid, commencing on Monday the 3rd day of January, 1938, that being the day fixed by law for holding said Term of Court.

Present Honorable Horace L. Hanna, Judge.
John A. Kendall, Prosecuting Attorney,
Albert H. Shane, Sheriff,
Walter E. Hadley, Clerk.

Whereupon, said Sheriff proclaimed said Court open, according to law, and the following proceedings were had, to-wit:

BOARD OF COMMISSIONERS OF)
HENDRICKS COUNTY, ET AL.)
VS) # 15394
WENDALL R. FUSON, AUDITOR)
OF HENDRICKS COUNTY, ET AL.)

Comes now the defendant, Wendall R. Fuson, Auditor of Hendricks County, Indiana, and files answer in general denial in the following words and figures, to-wit: (Here Insert).

MAY MELTON)
VS) # 15304 Judgt. vs Pltf. for Costs.
WILLIAM MELTON) J. D. 17, Page 233.

Comes now again the plaintiff in person and by counsel and it appearing to the court that the defendant was served with process for more than ten (10) days before the twenty-seventh (27) day of September, 1937, being the return date endorsed on plaintiff's complaint, which summons, and the return thereon are in the words and figures as follows: (H.I.). And now the defendant is three times loudly called in open court but comes not and herein wholly makes default.

And now this case being at issue on the complaint and the default of the defendant the Prosecuting Attorney of the 55th Judicial Circuit of the State of Indiana is called to defend the cause and this case is submitted to the court for trial, finding and decree without the intervention of a jury.

And the court having heard the evidence and being duly advised in the premises, finds that the allegations of plaintiff's complaint are true, and that she is entitled to an absolute divorce from the defendant on the grounds alleged in her complaint.

It is therefore ordered, adjudged, and decreed that the bonds of matrimony, heretofore existing between plaintiff and defendant, be, and they are, hereby dissolved and the plaintiff is granted an absolute divorce from the defendant.

It is further ordered, adjudged, and decreed that the plaintiff pay the costs of this action, taxed at $13.75.

And court adjourned until 9:00 o'clock A. M. Tuesday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Tuesday Morning, January 4th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

ROBERTA HUGHES)
VS) # 15170
THE ANCHOR MOTOR)
FREIGHT INC., A)
CORPORATION.)

Come now the parties, by counsel, and the Court being duly advised, now overrules defendant's motion to make complaint more specific, to which ruling of the Court the defendant duly objects and excepts.

And now the defendant is ruled to answer on or before January 15th, 1938.

FAE W. PATRICK, AS RECEIVER)
OF THE ASSETS AND PROPERTY)
OF THE SUBSCRIBERS THE NA-)
TIONAL AUTOMOBILE INSURANCE)
ASSOCIATION.)
VS) # 15214
UNITED STATES FIDELITY AND)
GUARANTY COMPANY.)

Comes now the parties and the Court being duly advised, now finds that the motion of defendant to strike out parts of the amended complaint herein comes to late, that a demurrer to said amended complaint having heretofore been filed and overruled by the Court to said complaint, that said motion to strike out being filed after said demurrer and the ruling of the Court thereon comes to late, and the Court now overrules said defendant's motion to strike out, to which ruling of the Court the defendant objects and excepts.

EVERETT J. ROBERTS)
VS) # 15382
ELVIN E. YORK)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to answer plaintiff's complaint herein. And the Court being duly advised now sustains said motion and the defendant is ruled to answer on or before January 15th, 1938.

MILDRED McKAY)
VS) # 15415
FEDERAL EXPRESS COMPANY,)
INC., ET AL.)

Comes now the defendant, Charles K. McCormack, Co-Ancillary Receiver for Federal Express Company, Inc., and files answer in general denial in the following words and figures, to-wit: (Here Insert).

THE PRUDENTIAL INSURANCE)
COMPANY OF AMERICA.)
VS) # 14948
CLEO HUNT, ET AL.)

Comes now the receiver, by counsel, and files his final report, which report is in the words and figures following, to-wit: (H.I.). And the Court having examined said report and being sufficiently advised in its premises, now approves the same.

And now said receiver is discharged from his bond and trust herein.

MILDRED H. BUTLER)
VS) # 15344
MAURICE G. BUTLER)

Comes now the plaintiff, in person and by counsel, and shows to the Court the summons herein together with the return thereon of the Sheriff of Hendricks County, Indiana, which summons and return thereon are in the following words and figures, to-wit: (Here Insert), and the Court examining same finds that said defendant has been duly served with process more than ten days before the 8th day of November, 1937, at which time said cause was made returnable as shown by endorsement on said complaint. And now on motion of plaintiff said defendant is three times loudly called in open Court but comes not and herein wholly makes default.

Comes now John A. Kendall, prosecuting attorney for this judicial district, and enters his appearance and files answer in general denial to said petition.

And now this cause being at issue is submitted to the Court for trial, finding, judgment and decree.

And the Court having heard the evidence in this cause, the same is now taken under advisement.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, January 5th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

DANIEL V. ETCHESON)
VS) # 15224
ORA D. ROBERTSON)

Comes now the defendant, by counsel, and files demurrer to plaintiff's second paragraph of complaint, which demurrer is in the following words and figures to-wit: (Here Insert).

EDGAR EAST)
VS) # 15234
STEWART PRITCHETT, ET AL.)

Comes now the plaintiff, by counsel, and moves the Court for a rule requiring the defendants to answer plaintiff's complaint herein.

And the Court being duly advised, now sustains said motion, and the defendants are ruled to answer on or before January 18th, 1938.

AETNA CASUALTY AND SURETY COMPANY)
VS) # 15236
SETH S. WARD)

Comes now the plaintiff in the above entitled cause and files his verified petition herein asking for an order against the defendant to appear in the Hendricks Circuit Court and answer, under oath, concerning his property within the County of Marion, State of Indiana, which petition is in the words and figures following, to-wit: (H.I.)

And the court being duly advised in the premises grants said petition and the defendant is hereby ordered to appear in the Hendricks Circuit Court on the 22nd day of January, 1938 at 9:30 A. M. to answer, under oath, concerning his property in Marion County, Indiana.

PETIT JURY EMPANELLED FOR JANUARY TERM, 1938.

The Clerk is ordered to issue a venire for the above named petit jurors, numbered one to twelve, both inclusive, requiring them to be and appear in this Court on Tuesday, January 11th, 1938, at the hour of nine o'clock A. M. for jury services.

METHODIST EPISCOPAL)
HOSPITAL (A CORP.))
VS) # 15249
JOHN G. McCORD)
ELIZABETH McCORD)

Comes now the plaintiff, by counsel, and files written motion of dismissal of the above cause, which written motion is in the words and figures following, to-wit: (H.I.). And the Court having seen and examined said motion and the costs on dismissal having heretofore been paid, said motion is sustained.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
-VS-) MURDER
ETTA JONES)

Comes again Herbert Spencer, Prosecuting Attorney of Marion County, Indiana, Prosecuting the Pleas of the State in this behalf. Comes also John A. Kendall, assisting in the prosecution of the above entitled cause. Comes also the defendant, Etta Jones in person, and by Bess Robbins and Virgil Sears, her attorneys, and it now being of the opinion of the Court that the regular panel of the Petit Jury for the present term of this Court is liable to be exhausted by reason of numerous challenges in said cause, a Court of its own motion, and by consent of all the parties herein orders that a Special Venire be issued for Jurrors for the trial of this cause, and the Clerk of this Court is hereby ordered and directed to draw from the Jury Box of Hendricks County, Indiana, one hundred (100) names, and that persons so drawn shall be summoned by Venire to appear before the Judge of this Court on the 11th day of January, 1938, at 9:00 o'clock A. M. Such drawing of such names as above ordered, shall be on Thursday, January 6th, 1938, at 9:00 o'clock A. M., and upon such names being so drawn, the Clerk shall issue venire as above provided.

Edgar A. Rice

Edgar A. Rice, Special Judge.

And court adjourned until 9:00 o'clock A. M. Thursday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, January 6th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

And thereupon, as heretofore ordered and directed by the Court, the Clerk of this Court, in the presence of the Jury Commissioners of Hendricks County, Indiana, observing all the requirements provided by law, proceeds to draw the names of said Special Venire, of which names so drawn by said Clerk, together with the Certificate of said Clerk, and the attestations of said Jury Commissioners read, respectively, as follows, to-wit:

STATE OF INDIANA, HENDRICKS COUNTY, SS:

I, Walter E. Hadley, Clerk of the Hendricks Circuit Court of Indiana, do hereby certify that I have, by order of the Judge of the Hendricks Circuit Court, in the Case of The State of Indiana vs. Etta Jones, # 7798, now pending and about to be tried in the Hendricks Circuit Court of Indiana, drawn from the Jury Box, in the presence of the Jury Commissioners of said County, observing all the requirements provided by law concerning the drawing of Grand and Petit Juries, the following names, as members of the First Special Venire in said cause, to serve as such Petit Jurrors, to-wit:

1.	Theodore Doyal	Lincoln Twp	51.	Walter Rader	Guilford Twp.
2.	John R. McFadden	Guilford "	52.	Ernest Freeland	Middle "
3.	Lee R. Bowen	Franklin "	53.	John B. Edmonson	Liberty "
4.	Dock F. Martin	Center "	54.	Leo M. Zerr	Middle "
5.	Raymond E. Fisher	Franklin "	55.	Charles E. Hyer	Middle "
6.	Rollie Rodney	Center "	56.	Ralph Barnes	Guilford "
7.	Alva Hocker	Union "	57.	Morton E. Lockhart	Liberty "
8.	Buell Jeffries	Eel River "	58.	Walter Brown	Washington "
9.	Benjamin W. Combs	Brown "	59.	Irwin Games	Marion "
10.	Maud Carter	Clay "	60.	Mont. G. Tribble	Liberty "
11.	Francis M. Davis	Washington"	61.	Harry Bailey	Brown "
12.	Grant Stone	Liberty "	62.	Benjamin A. Scott	Liberty "
13.	Raymond Briner	Washington"	63.	Joseph Szendry	Washington "
14.	Elmer Girth	Washington"	64.	Chester Neal	Lincoln "
15.	E. E. Foudray	Washington"	65.	William H. Walton	Eel River "
16.	Chas. A. Rutledge	Center "	66.	Roy V. Disney	Clay "
17.	Charles Monroe	Washington"	67.	Grace H. Duckworth	Eel River "
18.	Alice Kurtz	Marion "	68.	Eli M. Gentry	Guilford "
19.	Oren Davis	Lincoln "	69.	Ola C. Hayworth	Center "
20.	Ethel Corrie	Lincoln "	70.	Fred Douglas	Liberty "
21.	Herman A. Canary	Lincoln "	71.	Hazel McClain	Washington "
22.	Robert M. Calbert	Guilford "	72.	Edd A. Zimmerman	Washington "
23.	James B. Agan	Lincoln "	73.	Clarence Johnson	Guilford "
24.	O. W. Phillips	Clay "	74.	Alva R. Ford	Eel River "
25.	Andrew C. Robards	Franklin "	75.	Ervin L. Wyeth	Eel River "
26.	William C. Dillon	Middle "	76.	Victor Carpenter	Eel River "
27.	Harvey M. Higgins	Center "	77.	Fred C. Hines	Marion "
28.	Calvin Stout	Liberty "	78.	Henry L. Pratt	Middle "
29.	Wallace A. Erganbright	Eel River "	79.	Alva T. Edmonson	Liberty "
30.	Leslie Beadle	Liberty "	80.	Harry F. Martin	Eel River "
31.	William F. Blanton	Marion "	81.	Albert Maxwell	Guilford "
32.	Sherman Richards	Center "	82.	Ralph Elliott	Guilford "
33.	James Lafoe	Eel River "	83.	Theodore Hornaday	Washington "
34.	Everett Heald	Guilford "	84.	Lee Kibby	Brown "
35.	Roy S. Merritt	Washington"	85.	Dale A. Anderson	Liberty "
36.	John L. Hall	Guilford "	86.	Fred T. Smith	Eel River "
37.	Frank H. Elrod	Franklin "	87.	Maurice Rose	Washington "
38.	Ralph Gilbert	Guilford "	88.	Oren G. Barlow	Lincoln "
39.	Carmen C. Branson	Clay "	89.	James R. Buis	Franklin "
40.	Clarence Rader	Washington"	90.	Carl Davis	Eel River "
41.	Russell Selch	Washington"	91.	Arthur Masten	Franklin "
42.	Estil C. Page	Union "	92.	John A. Jenkins	Liberty "
43.	Fred A. Price	Washington"	93.	Earl Brunes	Brown "
44.	Jesse Winnings	Lincoln "	94.	Ross C. Brickert	Center "
45.	Walter H. Edmonson	Liberty "	95.	Minnie Davis	Liberty "
46.	Oliver W. Merritt	Center "	96.	Daniel S. Hazlewood	Liberty "
47.	Ray A. Grimes	Guilford "	97.	Marie Barlow	Guilford "
48.	Ora E. Cook	Liberty "	98.	Jewell Gossett	Eel River "
49.	John Lane Bond	Marion "	99.	George E. Barry	Clay "
50.	Phillip Wolfram	Lincoln "	100.	Charles C. Higgins	Center "

State of Indiana, Hendricks County, ss:

We, the undersigned, Jury Commissioners of said County, hereby certify that the above and foregoing Jurors were drawn on the 6th day of January, 1938, according to law.

WITNESS, our names this 6th day of January, 1938.

Everett W. Hardwick

Byron N. Cox

Attest: Walter E. Hadley Clerk.

Edgar A. Rice

Edgar A. Rice, Special Judge.

TALBERT B. RANDALL)
VS)# 15359
MARTHA T. RANDALL)

Comes now the defendant, by counsel, and files answer in general denial in the following words and figures, to-wit: (Here Insert).

BOARD OF COMMISSIONERS OF)
HENDRICKS COUNTY, ET AL.)
VS) # 15394
WENDALL R. FUSON, AUDITOR)
OF HENDRICKS COUNTY, ET AL.)

Comes now the plaintiff, by counsel, and moves the Court for rule requiring the defendant, State Board of Tax Commissioners to answer complaint herein on or before January 15th, 1938. And the Court being duly advised now sustains said motion and the defendant, State Board of Tax Commissioners are ruled to answer on or before January 15th, 1938.

R. J. OVERMAN)
VS) # 15374 O R D E R
RALPH B. PEPER)
MARY LENA PEPER)

Mr. William Haag having filed his verified petition, praying therein for an order to sell eleven hogs, which petition is of the following words and figures, to wit: (H.I.)

The court having read said petition, and being duly advised therein now finds that it is to the best interest to said Trust that said hogs be sold at private sale, for cash and with out notice. Said receiver is ordered to make due report of said sale at the next term of court. So ordered.

And court adjourned until 9:00 o'clock A. M. Friday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, January 7th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

And court adjourned until 9:00 o'clock A. M. Saturday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, January 8th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

CHARLTON CARTER AND)
DONALD NEISWANGER, TRUSTEES)
VS) # 15048
AETNA LIFE INSURANCE COMPANY,)
ET AL.)

Come now the plaintiffs, by counsel, and present their motion for new trial to Thomas D. Stevenson, Special Judge herein, and files the same in open court, which motion is in the words and figures following, to-wit: (H.I.).

Thomas D. Stevenson, Special Judge.

BLANCH LUDLOW)
VS) # 15363
LORENA LUDLOW)

Comes now the defendant and files answer in general denial, in the following words and figures, to-wit: (Here Insert).

Comes now the defendant and files cross-complaint in the following words and figures, to-wit: (Here Insert).

WILLIS B. STEWART, AS THE)
SURVIVING PARTNER OF STEWART)
& STEWART.)
Plaintiff,)
VS) Cause # 15392. Judgt. vs Deft. for $296.25 & Costs.
JOHN H. ROBBINS.) J. D. 17, Page 233.
Defendant.

Comes now the plaintiff, by his attorney Murat W. Hopkins, and it appearing to the court by the summons herein and the return of the sheriff indorsed thereon, which summons and return are in the words and figures following;- (Here insert), that the defendant has been duly served with process more than ten days before the day fixed by the plaintiff, by indorsement on his complaint, for the defendant to appear and answer said complaint and said defendant failing to appear is now three times audibly called in open court, but comes not, and makes default.

And the court having heard the evidence, and being duly advised in the premises, finds for the plaintiff that the allegations of his complaint are proven and true; that there is due to plaintiff from the defendant and unpaid in principal, interest and attorney fees the sum of Two Hundred, ninety-six Dollars and twenty-five cents on the notes sued on in his complaint.

It is, therefore, considered and adjudged by the court that the plaintiff recover of the defendant the said sum of 296.25 dollars, together with his costs and charges in his behalf laid out and expended, with interest at the rate of six per cent per annum from this date until paid, all without relief from valuation or appraisement laws.

And court adjourned until 9:00 o'clock A. M. Monday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, Janjary 10th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hana, Judge.

LAZENA LEACH)
VS) # 15404
ARCHIE J. KAHL AS)
EXECUTOR, ETC., ET AL.)

Come now Parr, Parr & Parr, and file and enter their appearance in behalf of the defendants, Horace Jones and Ivory P. Jones, in the following words and figures, to-wit: (Here Insert).

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Tuesday Morning, January 11th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

BOARD OF COMMISSIONERS OF)
HENDRICKS COUNTY, ET AL.)
VS) # 15394
WENDALL R. FUSON, AUDITOR)
OF HENDRICKS COUNTY, ET AL.)

Comes now the defendant, State Board of Tax Commissioners, by counsel, and files answer in general denial in the following words and figures, to-wit: (Here Insert).

DANIEL J. SHEPHERD, ET AL.)
VS) # 15375
HAROLD H. SHEPHERD, ET AL.)

Comes now the Commissioner, and files inventory and appraisement of real estate in the following words and figures, to-wit: (Here Insert), which appraisement is approved.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now the State of Indiana by Herbert M. Spencer, prosecuting attorney, John M. Kelley, deputy prosecuting attorney, and John A. Kendall, prosecuting attorney, and comes also the defendant, Etta Jones, in her own proper person, and by her counsel, Bess Robbins and Charles V. Sears, and said defendant being duly arraigned in open Court upon the indictment filed for her plea thereto says she is not guilty.

This cause is to be tried by jury, but no jury having been empanelled by the hour of adjournment, the further consideration of this case is postponed until tomorrow morning at 9:00 o'clock A. M, January 12th, 1938.

Edgar A. Rice
Edgar A. Rice, Special Judge.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Wednesday Morning, January 12th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

LOUIS J. RHEINHARDT)
VS) # 15251
WILL RHEINHARDT)

Comes now the plaintiff, by counsel, and files supplemental complaint in the following words and figures, to-wit: (Here Insert).

TALBERT B. RANDALL)
VS) # 15359 Judgt. vs Pltf. for Costs.
MARTHA F. RANDALL) J. D. 17, Page 233.

Comes the plaintiff in person and by counsel and the defendant failing to appear the prosecuting attorney is called to resist the petition herein, and who now appears.

And this cause, being at issue upon the complaint and answer of the defendant thereto, is submitted to the court for trial, finding and judgment. And the Court having heard the evidence and being fully advised finds for the plaintiff, that the allegations of his complaint are true and that he is entitled to an absolute divorce from the defendant upon the grounds therein alleged.

It is, therefore, considered and adjudged by the Court that the bonds of matrimony existing between the plaintiff and defendant be, and they are dissolved and held for nought and that the plaintiff be, and he is, granted an absolute divorce from the defendant. And the plaintiff is ordered to pay the costs of this proceeding.

All of which is now finally ordered and adjudged by the Court.

CHARLES M. COREY)
VS) # 15200 Judgt. vs Deft. for $767.00 and Costs.
PHILIP GRENWALD) J. D. 17, Page 233.

Come now the parties herein, and the Court now renders judgment on the verdict of the jury.

It is, therefore, considered and adjudged by the Court that the plaintiff recover of the defendant Philip Grenwald, the sum of $767.00, together with the costs laid out and expended at _____dollars and _____cents.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comesnow the State of Indiana by Herbert M. Spencer, prosecuting attorney, John M. Kelley, deputy prosecuting attorney and John A. Kendall, prosecuting attorney, and comes also the defendant, Etta Jones, in her own proper person and by her counsel, Bess Robbins and Charles V. Sears, and this cause being at issue, the Sheriff of Hendricks County, is ordered to bring into open Court the following jurors for jury services, to-wit: Alva Hocker, Sherman Richards, Dock. F. Martin, Herman A.

Canary, Buell Jeffries, Phillip Wolfram, Roy V. Lewis, Raymond Briner, Charles E. Hyer, Lars E. Ellis, Roy S. Merritt, Carmen C. Branson, twelve good and lawful men, householders and free holders of Hendricks County, Indiana, and legal voters thereof, who are duly and legally impanelled and sworn in open court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

On motion of the defendant, it is ordered that the witnesses of this case be separated, and such witnesses after being duly sworn and instructed, are taken to room provided for them.

Statements of counsel and evidence is heard until the hour of adjournment.

Further consideration of this case is continued and the jury is allowed to separate under proper instruction of the Court as to their duty during such separation, until to-morrow morning at 9:00 o'clock A. M., Thursday, January 13th, 1938.

Edgar a. Rice
Special Judge.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Thursday Morning, January 13th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

DANIEL V. ETCHESON)
VS) # 15224
ORA D. ROBERTSON)

Comes now the plaintiff, by counsel, and files amended second paragraph of complaint in the following words and figures, to-wit: (H.I.).

And comes now the defendant, by counsel, and refiles demurrer to plaintiff's second amended paragraph of complaint in the following words and figures, to-wit: (H.I.).

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now the State of Indiana, by Herbert M. Spencer, prosecuting attorney, John M. Kelley, deputy prosecuting attorney, and John A. Kendall, prosecuting attorney, and comes also the defendant, Etta Jones, in her own proper person, and by her counsel, Bess Robbins and Charles V. Sears, and the jury is again brought into open court and the taking of evidence is continued.

And after hearing a part of the evidence in this cause and the hour of adjournment having arrived, the jury is allowed to separate under proper instructions from the Court as to their behavior during their separation, and this cause is continued until Friday, January 14th, 1938, at 9:00 o'clock A. M.

Edgar A. Rice
Edgar A. Rice, Special Judge.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Friday Morning, January 14th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now the State of Indiana, by Herbert M. Spencer, Prosecuting attorney, John M. Kelley, deputy prosecuting attorney, and John A. Kendall, prosecuting attorney, and comes also the defendant, Etta Jones, in her own proper person, and by her counsel, bess Robbins and Charles V. Sears, and the jury is again brought into open Court and the taking of evidence is continued until the hour of adjournment.

And now the jury is permitted to separate under proper instructions of the Court as to their conduct during their separation, and the trial of this cause is continued until Monday morning, January 17th, 1938, at 9:00 o'clock A. M.

Edgar A. Rice
Edgar A. Rice, Special Judge.

STATE OF INDIANA)
VS) # 14930
GEORGE E. MERCER, ET AL.)

Comes now the plaintiff, by counsel, and moves the Court to withdraw it's affidavit and motion for change of venue from Hendricks County, Indiana. And the Court being duly advised, now sustains said motion.

Comes now the plaintiff, by counsel, and files motion to dismiss this cause and for a return of tender, now in the Clerk's Office of this Court, which motion is in the following words and figures to-wit: (Here Insert).

DANIEL V. ETCHESON)
VS) # 15224
ORA D. ROBERTSON)

Comes now the plaintiff, by counsel, and strikes out and withdraws his allegations and claim to his damages to automobile as alleged in the first paragraph of complaint.

Come now the parties, by counsel, and the Court being duly advised, now overrules defendant's demurrer to plaintiff's amended second paragraph of complaint, to which ruling of the Court the defendant duly objects and excepts.

Comes now the defendant, by counsel, and files motion to strike out parts of amended second paragraph of plaintiff's complaint, which motion is in the following words and figures, to-wit: (Here Insert).

Comes now the defendant, by counsel, and files motion to require the plaintiff to separate his second paragraph in to paragraphs, setting out the separate causes of action, and which motion is in the following words and figures, to-wit: (Here Insert).

LESLIE PAPKE)
VS) # 15391
EVERETT OGDEN, ETC.)

Comes now the defendant, by counsel, and files Plea in Abatement in the following words and figures, to-wit: (Here Insert).

WALTER SIDENER)
VS) # 15379
THE NATIONAL FIRE INSURANCE)
COMPANY OF HARTFORD.)

Come now the parties, by counsel, and the Court being duly advised now overules defendant's motion to make complaint more specific, to which ruling of the Court the defendant duly objects and excepts.

Comes now the defendant, by counsel, and files motion to strike out part of plaintiff's complaint, which motion is in the following words and figures, to-wit: (Here Insert).

Comes now the defendant, by counsel, and files interrogatories numbered one to eighteen both inclusive, to be answered under oath by defendant, which interrogatories are in the words and figures following, to-wit: (H.I.), And the Court having seen and examined said interrogatories, now orders that the plaintiff answer said interrogatories on or before January 31st, 1938.

FRANK CONES)
VS) # 15355 Judgt. vs Pltf. for Costs.
JAMES Y. BARRETT, ET AL.) J. D. 17, Page 234.

Comes now again the plaintiff herein by Edgar M. Blessing, his attorney, and it appearing to the satisfaction of court by the proof of publication on "non-residents notice" files in this cause, which "non-residents notice" and proof of publication thereof is in the following wordsa dn figures: (H.I.), that the following named defendants in the above entitled cause, namely: James Y. Barrett and Rebecca Ann Barrett, his wife; James Y. Barrett, if living, if dead, the unknown widow, heirs, legatees, devisees and legal representatives of James Y. Barrett, deceased; Rebecca Ann Barrett, if living, if dead the unknown widower, heirs, legatees, devisees and legal representatives of Rebecca Ann Barrett, deceased; Aaron Glidewell and Margaret Glidewell, his wife; Aaron Glidewell, if living, if dead, the unknown widow, heirs, legatees, devisees and legal representatives of Aaron Glidewell, deceased; Margaret Glidewell, if living, if dead, the unknown widower, heirs, legatees, devisees and legal representatives of Margaret Glidewell, deceased; Silas Pumphrey, if living, and married, the wife of Silas Pumphrey, whose Christian name is unknown; Silas Pumphrey, if dead, the unknown widow, heirs, legatees, devises and legal representatives of Silas Pumphrey, deceased; The husband of Druzilla Berry, whose name is unknown; Druzilla Berry if living, if dead, the unknown widower, heirs, legatees, devisees and legal representatives of Druzilla Berry, deceased; were duly notified of the filing and pendency of this action by three successive weekly publications in The Danville Gazette, a weekly newspaper of general circulation, printed and published in the town of Danville, Hendricks County in the State of Indiana the last of which publications was more than 30 days before the 5th day of January, 1938, the same being the 3rd judicial day of the January Term 1938 of this court and that being the date fixed by the endorsement on plaintiff's complaint herein and by order of

the court on which the defendants should appear and answer the complaint in this cause and which date was also fixed in the "non-residents notice" given herein.

And now said defendants, each failing to appear, each of them are now three times loudly called in open court but come not and herein wholly make default.

And now this cause is submitted to the court for trial, finding and decree upon the complaint of the plaintiff and the default of the defendants and the court having examined the complaint herein and having heard the evidence adduced in support thereof and being fully advised in the premises finds that the allegations in plaintiff's complaint are true and that the plaintiff is now the owner in fee simple of the following described real estate, situated in Hendricks County, State of Indiana, to-wit:

> Twenty-five (25) acres of uniform width off of and across the entire North side of the southeast quarter of the southwest quarter of Section 29, Township Seventee (17) North, Range Two (2) East.

And the court further finds that the claims of the above defendants and each of them are each and all without any right whatsoever and unfounded and that said defendants and each of them have no estate, right, title, or any interest whatsoever in or to said lands and premises or any part thereof.

It is therefore finally ordered, adjudged and decreed by the court that the title of the plaintiff in and to the above described real estate lying and being in Hendricks County, State of Indiana, be,and the same is hereby quieted and for ever set at rest as against the claim or claims of the defendants and each of them or any one or more of them, or any person or persons claiming by, through, or under them, or anyone of more of them, and that they and each and everyone of them be debarred and forever estopped from asserting any right, title, interest, or claim in and to said land and premises or any part thereof.

It is further ordered by the court that the plaintiff herein pay all costs or charges which are taxed in this cause, all of which is finally ordered, adjudged, and decreed by the court.

ESTELLE J. PERKINS)
VS) # 15377 Judgt. vs Deft. for $26.50 and Costs.
KENNETH DODD) J. D. 17, Page 234.

Comes now the plaintiff, by counsel, and shows to the Court the alias summons herein, together with the return of the Sheriff of Marion County, Indiana, which summons and return thereon are in the following words and figures, to-wit: (Here Insert) and the Court examining said summons and return thereon, finds that said defendant has been duly served with process to appear herein on the 10th day of January, 1938, and now on motion of plaintiff said defendant is three times loudly called in open Court but comes not and herein wholly makes default.

And now on motion of plaintiff, this cause is submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

And the Court having heard the evidence, finds for the plaintiff and that the allegations of plaintiff's complaint are true, and that there is due the plaintiff from the defendant as damages for the detention of said property, as described in the complaint, the sum of $26.50, together with the costs of this action.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff have and recover of and from the defendant, Kenneth Dodd, as damages for the detention of saidproperty as described in the complaint, the sum of $26.50, together with the costs of this action, taxed at twelve dollars and fifty-five cents.

And court adjourned until 9:00 o'clock A. M. Saturday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, January 15th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

MYRTLE GRANTHAM)
VS) # 14618
OTTO WOLLENWEBER, ET AL)

Comes now Otto Wollenweber, herein, and asks the Court to order the Clerk of this Court to pay $23.54 to him in distribution as shown by the final report of the receiver in this cause.

The Court being duly advised, finds that said Clerk should pay to said Otto Wollenweber said sum of $23.54 allas shown in said report due him.

It is ordered by the Court that the Clerk of this Court shall pay to the said Otto Wollenweber the said sum of $23.54 all as shown in said report due him.

RECEIPT:

January 15, 1938. Re'cd. $23.54 my distributive share as shown by the final report of the receiver in this cause. Otto Wollenweber

(Otto Wollenweber)

DANIEL V. ETCHESON)
VS) # 15224
ORA D. ROBERTSON)

Come now the parties, by counsel, and the Court now sustains the motion of the defendant to strike out that part of plaintiff's amended second paragraph of complaint beginning with line twenty-three on page three of said amended second paragraph to and including line twenty-one of said page three, and as set out in said motion and to which ruling of the Court the plaintiff duly objects and excepts.

And the Court being duly advised, now overrules the motion of the defendant to require the plaintiff to separate as amended second paragraph of complaint into two paragraphs, to which ruling of the Court the defendant duly objects and excepts.

EVERETT J. ROBERTS)
VS) # 15382
ELVIN E. YORK)

Comes now the defendant, by counsel, and asks the Court for an extention of time until January 20th, 1938, to answer complaint herein.

And the Court being duly advised, extention of time is granted and the defendant is given until January 20th, 1938.

PETIT JURY EMPANELLED FOR JANUARY TERM, 1938.

The Clerk is ordered to issue venire for the above named petit jurors numbered thirteen to twenty-four both inclusive, requiring them to be and appear in this Court on Monday, January 17th, 1938, at 9:00 o'clock A. M. for jury service.

And court adjourned until 9:00 o'clock A. M. Monday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, January 17th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

FRIEDA DAUM)
VS) # 14464
HORACE DAUM)

Comes now the defendant, by counsel, and files amended petition to modify divorce decree as to custody of children, in the following words and figures, to-wit: (Here Insert).

GRACE RUTH SANDERS)
VS) # 15045
WARNER H. BENSON, ET AL.)

Comes now the receiver, by counsel, and files his final report and vouchers, in the following words and figures, to-wit: (Here Insert). And the Court having seen and examined said report and vouchers and being sufficiently advised in their premises, now approves said final report.

And now said receiver is discharged from his bond and trust herein.

ROBERTA HUGHES)
VS) # 15170
THE ANCHOR MOTOR)
FREIGHT INC., A)
CORPORATION)

Comes now the defendant, by counsel, and files answer in general denial, in the following words and figures, to-wit: (Here Insert).

GUSS W. MILLER)
VS) # 15384
PUBLIC SERVICE COMPANY)
OF INDIANA.)

Comes now the defendant, by counsel, and files motion to make complaint more specific, which motion is in the following words and figures, to-wit: (Here Insert).

R. J. OVERMAN)
VS) # 15374
RALPH B. PEPER)
MARY LENA PEPER)

Come now the defendants, by counsel, and file and move the Court to require the plaintiff to make his complaint more specific, which motion is in the following words and figures, to-wit: (Here Insert).

NANNIE RASNER, ADMINISTRATRIX)
OF THE ESTATE OF DOLTON RASNER,)
DECEASED.)
VS) # 15270
RALPH BLACK)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to answer. And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before January 20th, 1938.

DANIEL V. ETCHESON)
VS) # 15224
ORA D. ROBERTSON)

Comes now the defendant, by counsel, and files answer in general denial, in the following words and figures, to-wit: (Here Insert).

Come now the parties, in person and by counsel, and the court reporter of this Court being unable to act in her official capacity because of her being employed in another cause now being tried in this Court, and the cause of Daniel V. Etcheson vs Ora D. Robertson, same being cause number 15224, coming on to be heard, the Court now appoints Helen Chadd, a former court reporter of this Court to act as official report in said cause number 15224.

Comes now Helen Chadd, herein, and accepts said appointment and takes oath as such reporter to faithfully perform her duties as official court reporter in this cause and duly qualifies as such reporter and enters upon her duties.

This cause now being at issue and the same having been set for trial on this date, the said cause is ready for submission and trial to jury. The jury is present in open Court, and now the plaintiff moves the Court to dismiss this cause ,the costs on dismissal being paid. And the Court being duly advised, now sustains said motion to dismiss, and the jury is discharged.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now the State of Indiana, by Herbert M. Spencer, prosecuting attorney, John M. Kelley, deputy prosecuting attorney, and John A. Kendall, prosecuting attorney, and comes also the defendant, Etta Jones, in her own proper person, and by her counsel, Bess Robbins and Charles V. Sears, and the State files motion to be permitted to offer certain testimony upon third degree methods, which motion is in the words and figures following, to-wit: (H.I.). And the Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same, to which ruling of the Court the defendant duly excepts.

Trial is continued and the jury is again brought into open Court, and said jury having heard evidence until the hour of adjournment, the jury is permitted to separate under proper instructions of the Court as to their conduct during such separation, and the trial is continued until tomorrow morning, Tuesday, January 18th, 1938, at 9:00 o'clock A. M.

Edgar A. Rice
Edgar A. Rice, Special Judge.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.

Horace R. Hanna, Judge.

Tuesday Morning, January 18th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now the State of Indiana, by Herbert M. Spencer, prosecuting attorney, John M. Kelley, deputy prosecuting attorney, and John A. Kendall, prosecuting attorney, and comes also the defendant, Etta Jones, in her own proper person, and the jury is again brought into open court and the trial is continued.

The jury having heard evidence until the hour of adjournment, the jury is permitted to separate under proper instructions of the Court as to their conduct during separation, and this trial is continued until tomorrow morning, Wednesday, January 19th, 1938, at 9:00 o'clock A. M.

Edgar A. Rice
Edgar A. Rice, Special Judge.

EUGENE YOUNG)
VS) # 15327
JOSEPH JORDAN)

Comes now the defendant, by counsel, and files answer in general denial in the following words and figures, to-wit: (Here Insert).

WILLIAM SCHEEDA)
VS) # 15328
JOSEPH JORDAN)

Comes now the defendant, by counsel, and files answer in general denial in the following words and figures, to-wit: (Here Insert).

ARTHUR R. BECK)
VS) # 15329
JOSEPH JORDAN)

Comes now the defendant, by counsel, and files answer in general denial in the following words and figures, to-wit: (Here Insert).

EINER PETERSON)
VS) # 15330
JOSEPH JORDAN)

Comes now the defendant, by counsel, and files answer in general denial in the following words and figures, to-wit: (H.I.).

GEORGE W. EMCH)
VS) # 15331
JOSEPH JORDAN)

Comes now the defendant, by counsel, and files answer in general denial, in the following words and figures, to-wit: (Here Insert).

ROGER F. LYON, TRUSTEE, ETC.)
VS) # 15346
AETNA LIFE INSURANCE)
COMPANY, A CORPORATION, ETC.)

Comes now the defendant, by counsel, and files fourth paragraph of answer, which fourth paragraph of answer is in the following words and figures, to-wit: (Here Insert).

FRED LITTLE)
VS) # 15383
GEORGE E. HARVEY,)
ET AL.)

Comes now the plaintiff, by counsel, and moves the Court to require the defendants to answer. And the Court being duly advised, now sustains said motion, and the defendants are ruled to answer on or before February 5th, 1938.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Wednesday Morning, January 19th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7811
A. E. GAFFNEY)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, A. E. Gaffney, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of not guilty.

The Court now fixes the bond of the defendant at $500.00.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now the State of Indiana, by Herbert M. Spencer, prosecuting attorney, John M. Kelley, deputy prosecuting attorney, and John A. Kendall, prosecuting attorney, and comes also the defendant, Etta Jones, in her own proper person, and the jury is again brought into open court and the trial is continued.

The jury having heard evidence until the hour of adjournment, the jury is permitted to separate under proper instructions of the Court as to their conduct during separation, and the trial is continued until tomorrow morning, Thursday, January 20th, 1938, at 9:00 o'clock A. M.

Edgar A. Rice

Edgar A. Rice, Special Judge.

MARY E. BALDT, ET AL.)
VS) # 15334
MINNIE L. WHITEMAN, ET AL.)

Come now the defendants, by counsel, and move the Court to require the plaintiff to answer defendants' cross-complaint and reply to special paragraph of set-off. And the Court being duly advised, now sustains said motion, and the plaintiff is ruled to reply to special paragraph of answer and to answer cross-complaint on or before February 5th, 1938.

CARRIE B. LEATHERBURY)
VS) # 15381
HATTIE GRAHAM, MARY E. SHORT)

Comes now the parties by counsel and shows to the court the summons and return therein to the defendant Mary E. Short, and also showing by said summons and return that the defendant Hattie Graham was served by reading said summons to Max A. Bahr, Superintendant of the Central Hospital for Insane, and which summons and the return therein are in the following words and figures, to-wit: (H.I.) and the court inspecting said summons and return finds that said defendant has been duly served with process as by law provided, to appear herein on the 22d day of December, 1937, said day being the return day as fixed on plaintiffs complaint herein duly signed by plaintiffs

attorney. And now on motion of plaintiff the defendant Mary E. Short is three times called in open court but comes not and herein wholly makes default and now the plaintiff calls to the courts attention that the said defendant Hattie Graham is now a patient in said Central Hospital for Insane and the court now appoints Zimri E. Dougan, a practicing attorney at this bar, as guardian ad litem for said defendant Hattie Graham and now said Zimri E. Dougan comes and accepts said trust and as such guardian ad litem files his answer of general denial in the following words and figures to-wit: (H.I.). And now this cause being at issue is submitted to the court for trial finding judgment and decree without the intervention of a jury, and the court having heard the evidence and being duly advised in the premises finds, that as alleged in the complaint, said plaintiff and defendants are the owners as tenants in common of the following described real estate; to-wit:

A part of the East half of the South-east quarter of Section 31, Township 15 North, Range 2 West, bounded and described as follows, to-wit:-- Beginning at a point in the East line of said half quarter, which is 39 rods 2½ links North of the Southeast corner of said Section 31, which point is referred to in various early deeds as the Northeast corner of William Crews Sr. lot (now owned by Herschell Greenlee), and thence running North along said East line, 93 feet more or less, to a point 740 feet North of the Southeast corner of said Section 31, and which point is also the Southeast corner of a lot now owned by Charles Christy; thence running West 9 rods and 16 links; thence South 93 feet more or less to a point directly West of the place of beginning; thence East 9 rods and 16 links to the place of beginning.

That said parties so own said real estate in the following proportions: that said plaintiff Carrie B. Leatherbury, an undivided 1/3 thereof, the defendant Hattie Graham, an undivided 1/3 thereof, and the defendant Mary E. Short a undivided 1/3 thereof, and that they are entitled to have their said interests set off and assigned to them in severalty. The court further finds from the evidence that said real estate can not be divided as aforesaid without damage to the owners thereof, and that a sale of said real estate should be made and the proceeds of such sale divided in accordance with the rights and interests of the parties in and to said real estate as the same are herein found and determined.

The court further finds that said real estate is of the probable value of $325.00.

It is therefore considered and decreed by the court that the parties hereto are the owners of, and have interests, as above found and set forth, in and to said real estate, or to any proceeds derived from its sale, and that said real estate is not susceptible of partition without damage to the said owners thereof. Wherefore it is by the court further ordered and adjudged that the said real estate, after being duly apprived as provided by law, be sold by a commissioner appointed for that purpose, at private sale for not less than the full appraised value thereof and for cash. The court further orders that since said real estate is of the value of less than $1,000.00, that said sale be made without notice. And upon such sale being made and confirmed all claims or title in and to said real estate held by any of the said owners thereof shall be as effectually bared as if said parties had themselves executed and conveyance thereof to the purchaser.

And the court now appoints William McAnninch a commissioner thereof, to make sale of said real estate in accordance with the foregoing order, and requires him to execute bond in the penalty of $650.00, conditioned for the faithful discharge of his duties and with surety thereon to be approved by the court. And now comes said William McAnninch and accepts such trust and tenders his bond as commissioner in the penalty and conditioned as aforesaid with Allen Campbell and John F. McAnninch as sureties thereon, which bond is approved by the court and reads as follows: (H.I.)

And said commissioner is directed to have an appraisement made of said real estate and thereupon proceed to the execution of the foregoing order for the sale thereof, and make due report of his proceedings during the present term of this court.

CARRIE B. LEATHERBURY)
VS) # 15381 ORDER APPROVING PARTITION SALE.
HATTIE GRAHAM, MARY E. SHORT)

Comes now the parties, and comes also William McAninch, the commissioner heretofore appointed, and files a report of the sale of the real estate in this proceeding ordered sold, which report reads as follows: (H.I.) from which it appears, and the court so finds that said commissioner, has required by the order of this court authorizing such sale, sold the same at private sale to John J. Gambold and Grace F. Gambold for the sum of $325.00, that being the highest and best bid received, and full appraised value thereof. That said purchaser paid the full purchase price in cash, which cash is by said commissioner now brought into court. And the court being sufficiently advised in the premises, now in all things approves said report and ratifies and confirms said sale; and said commissioner is ordered to execute said purchaser a deed for said real estate. And now said commissioner reports such deed, and the same being examined, is approved by the court and delivered to said purchaser. And the court, upon proof heard, now allows said commissioner for his services $_____, and allows A. J. Kahl for his services as plaintiffs council $_____, and orders the same taxed and paid as a part of the cost of this proceeding. The court further orders and directs said commissioner, after payment of all proper costs and allowances, to distribute, without delay, the cash proceeds of such sale among the parties hereto in proportion to their respective interests therein, as heretofore found and determined by this court.

And upon such distribution being made, said commissioner is required to make due report thereof to this court and file therewith proper vouchers in evidence of such payment. And this case is continued for report of said commissioner.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, January 20th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

EDGAR EAST)
VS) # 15234
STEWART PRITCHETT, ET AL.)

Comes now the defendant, by counsel, and files answer in general denial in the following words and figures, to-wit: (Here Insert).

NANNIE RASNER, ADMINISTRATRIX)
OF THE ESTATE OF DOLTON RASNER,)
DECEASED.)
VS) # 15270
RALPH BLACK)

Comes now the defendant, by counsel, and files answer in general denial in the following words and figures, to-wit: (Here Insert).

EVERETT J. ROBERTS)
VS) # 15382
ELVIN E. YORK)

Comes now the defendant, by counsel, and files answer in seven paragraphs in the following words and figures, to-wit: (Here Insert).

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now the State of Indiana, by Herbert M. Spencer, prosecuting attorney, John M. Kelley, deputy prosecuting attorney, and John A. Kendall, prosecuting attorney, and comes also the defendant, Etta Jones, in her own proper person, and the jury is again brought into open court and the trial is continued.

At the close of the State's evidence, the defendant files motion for directed verdict of "not guilty", which motion is in the words and figures following, to-wit: (H.I.). And the Court having seen and examined said motion and being sufficiently advised, now overrules said motion, to which ruling of the Court the defendant excepts.

The jury having heard evidence until the hour of adjournment, said jury is permitted to separate under proper instructions of the Court as to their conduct during separation, and the trial is continued until tomorrow morning, Friday, January 21st, 1938, at 9:00 o'clock A. M.

Edgar A. Rice
Edgar A. Rice, Special Judge.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, January 21st, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

IN THE MATTER OF THE RECEIVERSHIP IN)
THE CASE OF THE FEDERAL LAND BANK)
OF LOUISVILLE-vs-MARY UNDERWOOD) ORDER ON RECEIVER'S CURRENT REPORT.
THOMPSON ET. AL. CAUSE # 14998.)

Comes now George W. Hadley, Receiver in the above entitled cause, and files his current account and report in partial settlement of said receivership, which is in words and figures following, to-wit: (H.I.), from which it appears that he is chargeable with the amount of $257.31, and against which amount he claims credits in the amount of $81.25, leaving a balance of $176.06 chargeable to said Receiver. And the court having examined said current account and report and being sufficiently advised in the premises does now approve the same, and does now allow the credits therein claimed, including the amount of $25.00 claimed for his services to date, and the court orders and directs said Receiver to pay and discharge the amounts of the claims in said account exhibited and claimed as credits and made due report thereof. And time is given and said receivership is now continued.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now the State of Indiana, by Herbert M. Spencer, prosecuting attorney, John M. Kelley, deputy prosecuting attorney, and John A. Kendall, prosecuting attorney, and comes also the defendant, Etta Jones, in her own proper person, and and by her counsel, Bess Robbins and Charles V. Sears, and the jury is again brought into Open court and trial is continued.

The jury having heard the evidence until the hour of adjournment, said jury is permitted to separate under proper instructions of the Court as to their conduct during such separation, and the trial is continued until Monday morning, January 24th, 1938, at 9:00 o'clock A. M.

Edgar A. Rice

Edgar A. Rice, Special Judge.

HOME OWNERS' LOAN CORPORATION.)
Plaintiff)
VS) # 15313 Judgt. vs Defts., Charles M. Calbert
CHARLES M. CALBERT, LENOS H.) and Lenos H. Calbert, for $4244.18
CALBERT, AND THE FIRST NATIONAL) and Costs.
BANK AND TRUST CO. OF PLAINFIELD,) J. D. 17, Page 235.
INDIANA.)

Comes now the plaintiff, Home Owners' Loan Corporation, and it appearing to the satisfaction of the Court by the Sheriff's return of the summons, which summons and return of the Sheriff endorsed thereon are in the words and

figures following, to-wit: 'H.I.) that the defendants, Charles M. Calbert and Lenos H. Calbert, and The First National Bank and Trust Co of Plainfield, Indiana, have each been duly served with process more than ten (10) days before the 9th day of October, 1937, being the return date endorsed on plaintiff's complaint, and come now the defendants, Charles M. Calbert and Lenos H. Calbert, by their attorney John A. Kendall, and enter appearance herein and file an answer which said answer is in the words and figures as follows: (H.I.) and the defendant, The First National Bank and Trust Co. of Plainfield, Indiana, failing to appear and being now three times loudly called in open court, come not but herein wholly make default.

This cause is now submitted to the Court for trial without the intervention of a jury upon the default of the defendant, The First National Bank and Trust Co. of Plainfield, Indiana, and the issues joined by the plaintiff's complaint and the answer filed by the defendants, Charles M. Calbert and Lenos H. Calbert.

And the evidence being heard and the Court fully advised in the premises finds for the plaintiff and that all the allegations of its complaint are true.

That on the 1st day of May, 1934, the defendants, Charles M. Calbert and Lenos H. Calbert, by their promissory note promised to pay the plaintiff the sum of $3561.22, said note bearing interest at the rate of five per cent (5%) per annum; that said note provided that if default was made thereon for a period of ninety (90) days the entire balance of principal and interest was, at the election of the plaintiff, to become due and payable; that said note provided for reasonable attorney's fees and is payable without relief from valuation or appraisement laws.

That simultaeously with the execution of said note said defendants, Calbert, Charles M. and Lenos H., were the record owners of the fee simple title to the following described real estate located in the City of Plainfield, County of Hendricks, State of Indiana, to-wit:

Lot number 8 in Block number 7 in the original town of Plainfield, Indiana.

That contemporaneously with the execution and delivery of said note and to secure the payment thereof, said defendants, Charles M. Calbert and Lenos H. Calbert, executed to the plaintiff their mortgage on the real estate hereinbefore described, said mortgage being duly recorded on the 18th day of June, 1934, in Mortgage Record 96, pages 66-67-68-69, in the office of the Recorder of Hendricks County, Indiana.

That plaintiff's mortgage is a first lien on the real estate hereinbefore described, except as to taxes and assessments.

That the defendant, The First National Bank And Trust Co. of Plainfield, Indiana, holds a judgment against the defendants Charles M. Calbert and Lenos H. Calbert, but that said judgment is junior, subsequent, and inferior to the lien of the plaintiffs mortgage herein.

The defendants and each of them have defaulted and failed to make the payments provided for in said note, due the plaintiff herein, for a period of ninety (90) days and that plaintiff has heretofore exercised its option to declare the entire balance of principal and interest, due on its note above described, due and payable, and that there is now past due and unpaid on said note the sum of $3847.95, in principal and interest as of this date.

That reasonable attorney's fees for plaintiff's attorney are $200.00.

That pursuant to the provisions of said mortgage, the plaintiff has advanced $157.19 in payment of taxes and assessments, $6.50 for an extension of the abstract of title, $32.54 in payment of insurance premiums.

That under the terms of said note and mortgage plaintiff is entitled to recover the above sums of money advanced for insurance, extension of the abstract of title and taxes and assessments.

That there is now due the plaintiff herein from the defendants, Charles M. Calbert and Lenos H. Calbert, the total sum of $4244.18; and that said sum is secured by the mortgage herein described, and is payable without relief from valuation or appraisement laws, and that the plaintiff is entitled to a judgment for said total amount of said indebtedness against the defendants, Charles M. Calbert and Lenos H. Calbert, plus the costs of this action, and to a decree of foreclosure of said mortgage against all defendants herein, and to a sale of said real estate to satisfy said judgment.

That said real estate is not susceptible to division or partition and that no part thereof can be sold without loss to the remainder, and that it is necessary to sell all of said real estate to save and protect plaintiff's lien thereon.

IT IS, therefore, ordered, adjudged and decreed by the Court that the mortgage sued upon by the plaintiff be foreclosed and that the equity of redemption of the defendants and each of them, and that all persons claiming from, under or through them, be forever barred and foreclosed, and that the said real estate being the same real estate as set out in plaintiff's complaint herein and described as follows, to-wit:

Lot number 8 in Block number 7 in the original town of Plainfield, Indiana.

be sold in accordance with the laws of the State of Indiana, to satisfy the plaintiff's judgment and costs herein.

It is further ordered, adjudged and decreed by the Court that in the event any owner or part owner of said real estate, or other person legally entitled thereto, does not pay the Clerk of Hendricks County, Indiana, the amount of said judgment, interest and costs rendered in this cause, within one (1) year from the date of the filing of the complaint herein, to-wit: 22d day of September, 1937, or prior to the issuance by the Clerk of the Sheriff of said decree, the said Clerk, upon the filing of a praecipe therefor by the plaintiff, shall issue a copy of this judgment and decree, certified by the Clerk, under seal of the Court, to the Sheriff of Hendricks County, Indiana, who shall thereupon proceed to sell the mortgaged premises heretofore described in this decree, at public auction at the door of the Court House of Hendricks County, Indiana, after advertising the same once each week for three (3) successive weeks in a daily or weekly newspaper of general circulation, printed in the English language and published in Hendricks County, Indiana, the first of which publications shall be made at last thirty (30) days before the date of said sale, and by posting written or printed notices thereof in at least three (3) public places in Guilford Township, in said county and state, and at the door of said Hendricks County Court House, said sale to be made without relief from valuation and appraisement laws and without any right of redemption therefrom, and that immediately after such sale, the Sheriff shall execute and deliver to

the purchaser a deed of conveyance to the premises, which shall be valid and effectual to convey all the right, title and interest of all persons to this action and all persons claiming through or under them, and he shall make due report to the Clerk of the Court, and the proceeds arising from such sale, the Sheriff is ordered and directed to apply in the following manner:

First: To the payment of all costs and accruing costs in this cause.

Second: To the payment of the plaintiff's judgment and interest in full.

The overplus, if any, remaining after payment of the foregoing judgment, interest and costs, to be paid by the Sheriff of Hendricks County, to the Clerk of this Court for the use of the person or persons lawfully authorized to receive the same, and the Sheriff is hereby ordered and directed in case said real estate is sold to plaintiff and a deed is delivered to the plaintiff herein, immediately to place the plaintiff in possession of said real estate and shall oust and eject from said premises any other person in said real estate at the time of said sale, and if any part of said judgment, interest and costs remains unsatisfied after said sale, the Sheriff shall forthwith proceed to levy the residue on the other property, real and personal, of the defendants, Charles M. Calbert and Lenos H. Calbert, subject to execution and without relief from valuation and appraisement laws.

ALL OF WHICH is ordered, adjudged and decreed by the Court, this 21st day of January, 1938.

HOME OWNERS' LOAN CORPORATION,)		
Plaintiff)		Judgt. vs Defendants,
vs)	# 15313	Fred B. Davis & Mary E. Davis, for
FRED B. DAVIS & MARY E. DAVIS)		for $972.10 and Costs.
METHODIST EPISCOPAL HOSPITAL)		J. D. 17, Page 235.
Defendants)		

Comes now the plaintiff, Home Owners' Loan Corporation, and it appearing to the satisfaction of the Court by the Sheriff's return of the summons, which summons and return of the Sheriff endorsed thereon are in the words and figures following to-wit: (H.I.) that the defendants, Fred B. Davis, Mary E. Davis, and the Methodist Episcopal Hospital have each been duly served with process more than ten (10) days before the 16 day of October, 1937, being the return date endorsed on plaintiff's complaint, and the said defendants Fred B. Davis, Mary E. Davis, and Methodist Episcopal Hospital failing to appear and being now three times audibly called in open court, come not but herein wholly make default.

This cause is now submitted to the Court for trial without the intervention of a jury upon the default of the defendants, Fred B. Davis, Mary E. Davis, and Methodist Episcopal Hospital.

And the evidence being heard and the Court fully advised in the premises finds for the plaintiff and that all the allegations of its complaint are true.

That on the 11th day of June, 1934, the defendants, Fred B. Davis and Mary E. Davis, by their promissory note promised to pay the plaintiff the sum of $707.44, said note bearing interest at the rate of five per cent (5%) per annum; that said note provided that if default was made thereon for a period of ninety (90)

days the entire balance of principal and interest was, at the election of the plaintiff, to become due and payable; that said note provided for reasonable attorney's fees and is payable without relief from valuation or appraisement laws.

That simultaneously with the execution of said note said defendants, Fred B. Davis and Mary E. Davis, were the record owners of the fee simple title to the following described real estate located in the City of Danville, County of Hendricks, State of Indiana, to-wit:

Lot number four (4) in Haynes' Addition to the town of Danville, Indiana.

That contemporaneously with the execution and delivery of said note and to secure the payment thereof, said defendants, Fred B. Davis and Mary E. Davis, executed to the plaintiff their mortgage on the real estate hereinbefore described, said mortgage being duly recorded on the 7th day of July, 1934, in Mortgage Record 96, pages 204-205-206-207, in the office of the Recorder of Hendricks County, Indiana.

That plaintiff's mortgage is a first lien on the real estate hereinbefore described, except to the taxes and assessments.

That the defendant, Methodist Episcopal Hospital, has and holds a judgment against the defendant, Fred B. Davis, which is a lien upon the above described real estate, but that the same is junior and subsequent subsequent to the lien of the plaintiffs mortgage.

That defendants and each of them have defaulted and failed to make the payments provided for in said note, due the plaintiff herein, for a period of ninety (90) days and that plaintiff has heretofore exercised its option to declare the entire balance of principal and interest, due on its note above described, due and payable, and that there is now past due and unpaid on said note the sum of $826.36, in principal and interest, as of this date.

That reasonable attorney's fees for plaintiff's attorney are $75.00.

That pursuant to the provisions of said mortgage, the plaintiff has advanced $54.11 in payment of taxes and assessments, $6.50 for an extension of the abstract of title, $10.13 in payment of insurance premiums.

That under the terms of said note and mortgage plaintiff is entitled to recover the above sums of money advanced for insurance, extension of the abstract of title and taxes and assessments.

That there is now due the plaintiff herein from the defendants, Fred B. Davis and Mary E. Davis, the total sum of $972.10; and that said sum is secured by the mortgage herein described, and is payable without relief from valuation or appraisement laws, and that the plaintiff is entitled to a judgment for said total amount of said indebtedness against the defendants, Fred B. Davis and Mary E. Davis, plus the costs of this action, and to a decree of foreclosure of said mortgage against all defendants herein, and to a sale of said real estate to satisfy said judgment.

That said real estate is now susceptible to division or partition and that no part thereof can be sold without loss to the remainder, and that it is necessary to sell all of said real estate to save and protect plaintiff's lien thereon.

IT IS, therefore, ordered, adjudged and decreed by the

Court that the plaintiff recover of and from the defendants, Fred B. Davis and Mary E. Davis, the sum of $972.10, also its costs and charges laid out and expended, and all accruing costs taxed at $_____, without any relief whatsoever from valuation and appraisement laws, said judgment to bear interest at the rate of five per cent (5%) per annum from rendition thereof until paid.

It is further ordered, adjudged and decreed by the Court that the mortgage sued upon by the plaintiff be foreclosed and that the equity of redemption of the defendants and each of them, and that all persons claiming from, under or through them, be forever barred and foreclosed, and that the said real estate being the same real estate as set out in plaintiff's complaint herein and described as follows, to-wit:

Lot number four (4) in Haynes' Addition to the town of Danville, Indiana.

be sold in accordance with the laws of the State of Indiana, to satisfy the plaintiff's judgment and costs herein.

It is further ordered, adjudged and decreed by the Court that in the event any owner or part owner of said real estate, or other person legally entitled thereto, does not pay the Clerk of Hendricks County, Indiana, the amount of said judgment, interest and costs rendered in this cause, within one (1) year from the date of the filing of the complaint herein, to-wit: 22 day of September, 1937, or prior to the issuance by the Clerk to the Sheriff of said decree, the said Clerk, upon the filing of a praecipe therefor by the plaintiff, shall issue a copy of this jugment and decree, certified by the Clerk, under seal of the Court, to the Sheriff of Hendricks County, Indiana, who shall thereupon proceed to sell the mortgaged premises heretofore described in this decree, at public auction at the door of the Court House of Hendricks, County, Indiana, after advertising the same once each week for three (3) successive weeks in a daily or weekly newspaper of general circulation, printed in the English language and published in Hendricks County, Indiana, the first of which publications shall be made at least thirty (30) days before the date of said sale, and by posting written or printed notices thereof in at least three (3) public places in Center Township, in said county and state, and at the door of said Hendricks County Court House, said sale to be made without relief from valuation and appraisement laws and without any right of redemption therefrom, and that immediately after such sale, the Sheriff shall execute and deliver to the purchaser a deed of conveyance to the premises, which shall be valid and effectual to convey all the right, title and interest of all persons to this action and all persons claiming through or under them, and he shall make due report to the Clerk of the Court, and the proceeds arising from such sale, the Sheriff is ordered and directed to apply in the following manner:

First: To the payment of all costs and accruing costs in this cause.

Second: To the payment of the plaintiff's judgment and interest in full.

The overplus, if any, remaining after payment of the foregoing judgment, interest and costs, to be paid by the Sheriff of Hendricks County, to the Clerk of this Court for the use of the person or persons lawfully authorized to receive the same, and the Sheriff is hereby ordered and directed in case said real estate is sold to plaintiff and a deed is delivered to the plaintiff herein, immediately to place the plaintiff in possession of said real estate and shall oust and eject from said premises any other person in said real estate at the time of said sale, the Sheriff shall forthwith proceed to levy the

residue on the other property, real and personal, of the defendants, Fred B. Davis and Mary E. Davis, subject to execution and without relief from valuation and appraisement laws.

ALL OF WHICH is ordered, adjudged and decreed by the Court, this ____day of _____, 1937.

CHARLES SIMMONS)
VS) # 15303
HERTHA SIMMONS)

Comes now the plaintiff in the above entitled cause and files his verified petition for a modification of the restraining order heretofore issued in this cause, which petition is in the words and figures as follows: (H.I.)

And the court being now fully advised in the premises and having heard the evidence does hereby modify the restraining order heretofore issued as follows: That Albert H. Shane is hereby authorized and directed to pay to the plaintiff the sum of 63.89 dollars in addition to the $250.00 heretofore authorized to be used in payment for labor in harvesting corn and the balance of the money in the hands of said Albert Shane in the sum of 136.19 dollars to be by him paid to Rufus Wilhite on a note signed by this plaintiff and the defendant's father all of which is now fully ordered, adjudged and decreed.

It is further ordered, adjudged and decreed that except for the modifications, the restraining order heretofore issued shall remain in full force and effect against this plaintiff until the further order of this court.

HENRY VAN CLEVE)
VS) # 15370
ROBERT PRITCHETT)
JOHN W. PRITCHETT)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid.

And the Court being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

FELIX ZELLER)
VS) # 15400
FLETCHER AVE. SAVINGS)
& LOAN ASSOCIATION,)
ET AL.)

Come now the parties, by counsel, and cause being at issue, is submitted to the Court upon agreed statement of facts in the following words and figures, to-wit: (Here Insert).

And now the Court takes this matter under advisement.

JOSEPHINE POTTS)
VS) # 15349 Judgt. vs Pltf. for Costs.
MICHAEL COLLINS, ET AL.) J. D. 17, Page 235.

Comes now the plaintiff, by counsel, and files and moves the Court to dismiss this cause at the plaintiff's cost, which motion is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, Josephine Potts, is ordered to pay the costs of this action, taxed at _____dollars and _____ cents.

THE BOARD OF COMMISSIONERS OF)
THE COUNTY OF HENDRICKS, et al,)
VS) CAUSE NO. 15394 Judgt. vs Pltfs. for Costs.
WENDALL R. FUSON, AUDITOR OF) E N T R Y J. D. 17, Page 235.
HENDRICKS COUNTY, INDIANA, et al.)

Comes now the plaintiffs by their attorneys, George W. Hadley and E. M. Blessing, and comes also the defendant Wendall R. Fuson, Auditor of Hendricks County, Indiana, in person, and files answer in general denial to plaintiffs' complaint, which answer is in words and figures following, to-wit: (H.I.) And come also the defendants Philip Zoercher, Marshall Williams, and Charles R. Benjamin, constituting the State Board of Tax Commissioners of Indiana, by their attorneys, Omer Stokes Jackson, Attorney General of Indiana, and Joseph W. Hutchinson, Deputy Attorney General, and file answer in general denial, which answer is in words and figures following, to-wit: (H.I.)

And this cause being at issue the same is submitted to the court, without the intervention of a jury, for trial, finding, declaratory judgment and decree; and the court having heard the evidence and being sufficiently advised in the premises, finds for the plaintiffs and that the allegations of plaintiffs' complaint are true.

The court further finds that the plaintiffs, Harold Cook, County Highway Supervisor of Hendricks County, and the Board of Commissioners of the County of Hendricks, did compile and estimate the following budget for the County Highway Maintenance and Repair Fund of Hendricks County, for the year 1938, to-wit:

Services Personal	$43,732.30
All Other Operating Expenses	17,140.00
Materials	37.300.00
Current Charges	1,700.00
Properties	7,000.00
Total	106,872.30

and that the same was filed in the office of Auditor of Hendricks County. That thereafter on the 8th day of September, 1937, the County Council of Hendricks County, in regular session enacted its certain ordinance purporting to appropriate the amounts of said estimated budget as above set forth. The court further finds that no tax levy or rate on property in Hendricks County was fixed, made, or levied by the County Council of Hendricks County to provide funds to meet said budget. That thereafter, to-wit, on the 13th day of September, 1937, the County Board of Tax Adjustment of Hendricks County in regular session examined and reviewed said budget and purported appropriation and approved the same in the amount above stated.

The court further finds that thereafter the county budget came before the defendants, Philip Zoercher, Marshall Williams, and Charles R. Benjamin, as the State Board of Tax Commissioners of Indiana, and thereafter on the 12th day of November, 1937, as such Board, said defendants transmitted and certified to the defendant Wendall R. Fuson, Auditor of Hendricks County, Indiana, its order requiring the said budget for the County Highway Maintenance and Repair Fund of Hendricks County to be reduced from the aggregate amount of $106,872.30 to $85,625.00, and further required by said order that the plaintiffs, the Hendricks County Highway Supervisor and the Board of Commissioners of the County of Hendricks prepare a new budget for county highway maintenance purposes and submit the same to the County Council of Hendricks County for an appropriation thereof.

The court further finds that the funds to be applied to and expended under the budget, or any part thereof, for the county highway maintenance and repair purposes of Hendricks County for the year 1938 are not to be derived from a tax levy or rate on or affecting property in Hendricks County; and that the source of said funds will not affect the tax levy and rate on property situated in Hendricks County.

The court further finds that the defendants, Philip Zoercher, Marshall Williams, and Charles R. Benjamin, constituting the State Board of Tax Commissioners of Indiana, and acting as such Board, have no right, power, and authority to inquire into and review, change and reduce the budget for the County Highway Maintenance and Repair Fund of Hendricks County, and have no right, power, and authority to order or require the same reduced in the aggregate, and have no right, power, and authority to order and require a new budget for the County Highway Maintenance and Repair Fund for 1938 prepared and submitted to the County Council of Hendricks County for an appropriation thereof. The court further finds that the appropriating ordinance herein referred to is valid and effective insofar as funds are made available therefor during the year 1938 from funds derived from the State Motor Vehicle Highway Account and such miscellaneous receipts, if any, which may lawfully accrue to said funds during said year, but that same is invalid to the extent, if any, as said amounts hereinbefore set out exceeds the amount received from said State Motor Vehicle Highway Account during the year 1938 and such miscellaneous receipts, if any, which may lawfully accrue to said fund during said year.

The court further finds that the attempted order of the defendants, acting as the State Board of Tax Commissioners of Indiana, made and certified to the Auditor of Hendricks County on the 12th day of November, 1937, as the same affected the budget for county highway maintenance and repair purposes, was ineffective, invalid, and void, and without force and effect.

IT IS THEREFORE considered, adjudged, ordered, and decreed by the court that the defendants Philip Zoercher, Marshall Williams and Charles R. Benjamin, acting as the State Board of Tax Commissioners of Indiana, have no right, power, and authority, under the law, to inquire into and review, revise, change, and reduce the budget and appropriations thereof for the County Highway Maintenance and Repair Fund for Hendricks County for the year 1938, but that said appropriation is nevertheless limited to the amount actually received during the year 1938 from the State Motor Vehicle Highway Account and such miscellaneous receipts, if any, which may lawfully accrue to said fund during said year, that the order of said defendants acting as the State Board of Tax Commissioners of Indiana, as it affects the budget for the

County Highway Maintenance and Repair Fund of Hendricks County, made and certified to the defendant Auditor of Hendricks County on the 12th day of November, 1937, was invalid, and void, and of no force and effect.

It is further considered and adjudged that the plaintiffs pay the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, January 22nd, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

CHARLES SIMMONS)
VS) # 15303
HERTHA SIMMONS)

Comes now the defendant, by counsel, and files affidavit and motion for change of venue from Hendricks County, Indiana, which affidavit and motion is in the words and figures following, to-wit: (Here Insert).

NANNIE RASNER, ADMINISTRATRIX)
OF THE ESTATE OF DOLTON RASNER,)
DECEASED.)
VS) # 15270
RALPH BLACK)

Comes now the defendant, by counsel, and files affidavit and motion for change of veune from Hendricks County, Indiana, which affidavit and motion is in the following words and figures, to-wit: (Here Insert).

ADDIE A. ROBARDS)
VS) # 15292
BELLE SCOTTEN, ET AL.)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid.

And the Court being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

JOE C. WILKINS,)
Plaintiff,)
vs.) Cause # 15,393 Judgt. vs Defts. for $49.00 & Costs.
GERALD HERMSEM) J. D. 17, Page 236.
CHRISTINE HERMSEM,)
Defendants.)

Come now the parties by counsel, and this cause being at issue, is submitted to the court for trial, and the court having heard the evidence, and being duly advised in the premises finds for the plaintiff, and the allegations of plaintiff's complaint are true and are proven, that plaintiff is entitled to the immediate possession of the premises and rhe real estate described in the complaint, and that the possession of the same has been and now is wrongfully detained by the defendants, and the court further finds that plaintiff has been damaged by said wrongful detention in the sum of Forty-Nine Dollars ($49.00), and the court assesses plaintiff's damages at said sum of Forty-Nine Dollars, ($49.00), which sum plaintiff is entitled to recover, together with his costs in this action.

It is therefore considered and adjudged by the court that plain-

tiff recover of and from defendants and from each of them, said sum of Forty-Nine Dollars ($49.00), and his costs herein laid out and expended.

It is further considered and adjudged by the court that the plaintiff recover of and from the defendants and from and of each of them the immediate possession of the real estate described in the complaint, viz:-

That certain real estate in the town of Brownsburg, in the State of Indiana, viz:- Part of the Northeast quarter of the Southwest quarter of section eleven (11), Township sixteen (16) North, Range One (1) East, situated on the north side of east Main Street, in the town of Brownsburg, Hendricks County, Indiana, and being the premises now occupied by the defendants as a family residence;

and that defendants and each of them yield the possession of said premises and real estate to plaintiff; that on defendants failure to yield the possession of said real estate before the first day of January 1938, a writ of restutution issue to the sheriff of Hendricks County, to dispossess them.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, January 24th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now the State of Indiana, by Herbert M. Spencer, prosecuting attorney, John M. Kelley, deputy prosecuting attorney, and John A. Kendall, prosecuting attorney, and comes also the defendant, Etta Jones, in her own proper person, and by her counsel, Bess Robbins and Charles V. Sears, and the jury is again brought into open court and the trial is continued, and at the close of all the evidence, the defendant files motion for directed verdict of "not guilty", which motion is in the words and figures following, to-wit: (H.I.). And the Court having seen and examined said motion and being sufficiently advised, now overrules said motion, to which ruling of the Court the defendant excepts.

Arguments by State and defendant being concluded, the Court now gives its instructions numbers one to forty-two both inclusive, of its own motion to the jury, and files the same with the Clerk, which instructions are in the words and figures following, to-wit: (H.I.), to the giving of each of said instructions numbers one to forty-two both inclusive, gen by the Court of its own motion, the State at the time excepts, and the State excepts to the giving of each of said instructions numbers one to forty-two both inclusive, given by the Court of its own motion, separately and severally considered. To the giving of each of said instructions numbers one to forty-two both inclusive, given by the Court of its own motion said defendant at the time excepts, and the defendant at the time excepts to the giving of each of said instructions numbers one to forty-two both inslusive given by the Court of its own motion separately and severally considered.

Said defendant now tenders instructions numbers one to eighteen both inclusive, and the Court now gives instructions numbers 1, 6, 7, 8, 9, 12, 13 and 14, tendered by defendant and asked to be given as part of the instructions herein, and refuses to give instructions numbers 2, 3, 4, 5, 10, 11, 15, 16, 17 and 18, tendered by defendant and asked to be given as part of the instructions herein, and files with the Clerk all said instructions numbers one to eighteen, both inslusive, tendered by defendant and asked to be given as part of the instructions herein, which instructions are in the words and figures following, to-wit: (H.I.), to the giving of each of said instructions numbers 1, 6, 7, 8, 9, 12, 13 and 14, tendered by defendant and asked to be given by defendant, the State at the time excepts and the State at the time excepts to each of said instructions numbers 1, 6, 7, 8, 9, 12, 13 and 14, tendered by defendant, separately and severally considered. To the refusal of the Court to give instructions numbers 2, 3, 4, 5, 10, 11, 15, 16, 17 and 18 tendered by defendant and asked to be given as part of the instructions herein, said defendant at the time excepts, and said defendant at the time excepts to the refusal of the Court to give each of said instructions numbers 2, 3, 4, 5, 10, 11, 15, 16, 17 and 18, tendered by defendant, and asked to be given separately and severally considered.

And now the Court signs the instructions given of the Court by its own motion, and also, signs the instructions tendered by the defendant, indicating thos "given" and those "refused" and all of the said instructions including those given by the Court and the ones tendered by the defendant, and now orders all of said instructions including thos given and those refused, filed and made a part of the record in this cause.

The jury now retires in charge of a sworn Bailiff to consider of their verdict.

Edgar A. Rice

Edgar A. Rice, Special Judge.

CHARLES M. COREY)
VS) # 15200
PHILIP GRENWALD)

Comes now again the defendant in the above entitled cause and presents his Bill of Exceptions containing the evidence and rulings relating thereto, made in the course of the trial and asks that the same be examined and aigned by the Judge and filed as a part of the record herein.

And the court having examined said bill of exceptions now finds that the same was filed with the clerk on the 24th day of January, 1938 and within the time allowed by the court for the filing of all Bills of Exceptions in the above entitled cause. And the court having further examined said Bill of Exceptions containing the evidence finds that the same is correct, that said Bill of Exceptions contains all of the evidence and the rulings relating thereto made in the course of the trial of the above entitled cause.

And now the court signs said Bill of Exceptions and orders the same filed as a part of the record herein, without the same being copied, which Bill of Exceptions is in the words and figures as follows: (H. I. the original Bill of Exceptions containing the evidence without copying the same.

STATE OF INDIANA)
SS
HENDRICKS COUNTY)

HENDRICKS CIRCUIT COURT
NOVEMBER TERM, 1938

Charles M Corey
vs.
Philip Grenwald

To the clerk of the Hendricks Circuit Court, Hendricks County, State of Indiana.

You are hereby directed to prepare a transcript of the record for an appeal to the Apellate Court of Indiana in cause numbered 15200 in the Circuit Court of said County of Hendricks, State of Indiana, entitled Charles Corey vs. Philip Grenwald, in which final judgement was rendered on the 12th day of January, 1938 and include therein the following: A transcript of the entire record in said cause except you will includ the original Bill of Exceptions containing the evidence in said cause without copying the same.

Wm B. Miller
Edgar M. Blessing
Attorneys for Defendant

HOME OWNER'S LOAN CORP.)
VS) # 15312
CHARLES M. CALBERT, ET AL.)

Comes now the plaintiff, by counsel, and asks leave to withdraw from the files of this Court the note and mortgage used as evidence in this cause, said note and mortgage being now merged in the judgment herein. And the Court being duly advised, now sustains said motion, and the Clerk is directed to surrender said note and mortgage to Archie Kahl, attorney for plaintiff, and take his receipt.

HOME OWNER'S LOAN CORP.)
VS) # 15313
FRED B. DAVIS, ET AL.)

Comes now the plaintiff, by counsel, and asks leave to withdraw from the files of this Court the note and mortgage used as evidence in this cause, said note and mortgage being now merged in the judgment herein. And the Court being duly advised, now sustains said motion, and the Clerk is directed to surrender said note and mortgage to Archie Kahl, attorney for plaintiff, and take his receipt therefor.

STATE OF INDIANA)
VS) # 7811 ORDER TO REQUIRE SHERIFF TO GRANT DEFENDANT A PRIVATE INTERVIEW WITH HIS ATTORNEY
EDWARD A. GAFFNEY)

Comes now Ernest E. Owens, attorney for the defendant in the above entitled cause, and files his petition herein for an order directing the sheriff of Hendricks County to permit the defendant in the above entitled cause to have a private interview and consultation with his said council, which petition is in the words and figures as follows, to-wit: (H.I.). Comes now Albert H. Shane, sheriff of Hendricks County, in his own proper person, and the court, having first examined said petition and being duly advised in the premises finds generally that the allegations thereof are true and that the prayer of said petition should be granted; that said defendant, Edward A. Gaffney, is entitled to consult with his attorney herein, Ernest E. Owens, at any reasonable hour during the business day, and without interference of any kind or character on the part of Albert H. Sahen, sheriff of Hendricks County or his deputies or employees. That said Albert H. Shane, sheriff of Hendricks County and his deputies and employees shall not interfere with said interview between the attorney and client or listen in to what is said between attorney and client.

It is therefore ordered adjudged and decreed by the court that said defendant, Edward A. Gaffney, be permitted to consult with his attorney, Ernest E. Owens, today at any hour during the business day, in private, and without interference, directly or indirectly of said Albert H. Shane or his deputies, agents or employees; and that said Albert H. Shane, sheriff of Hendricks County, his deputies, agents or employees are hereby forbidden to interfere in any manner in said consultation or from listening in to what is said between said defendant and his attorney.

It is further ordered that the coroner of Hendricks County forth with serve an original signed copy of this order upon said Albert H. Shane, sheriff of Hendricks County, and make a return thereon to this court.

Dated this 24th day of January, 1938.

STATE OF INDIANA)
) SS:
HENDRICKS COUNTY)

APPOINTMENT OF SECOND DEPUTY CLERK

HENDRICKS CIRCUIT COURT

BE IT REMEMBERED, That on the 24th day of January, 1938, the same being the 19th Judicial Day of the Hendricks Circuit Court, Walter E. Hadley, Clerk of the Hendricks Circuit Court of Hendricks County, Indiana, filed in the office of said Clerk of said court, his written appointment of Jeanette Taylor, as Second Deputy Clerk of said court.

And the said Jeanette Taylor thereupon appeared before the Clerk of the said court and took and subscribed the Oath required by law, said written appointment and oath being in the words and figures following, to-wit:

STATE OF INDIANA)
) SS:
HENDRICKS COUNTY)

I, Walter E. Hadley, Clerk of the Hendricks Circuit Court, within and for said county and State aforesaid, do hereby appoint Jeanette Taylor, of said county and State, Second Deputy Clerk of said Hendricks Circuit Court.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the Seal of said court, at my office in the town of Danville, Indiana, this 24th day of January, 1938.

(SEAL)

Walter E. Hadley

Clerk Hendricks Circuit Court.

STATE OF INDIANA)
) SS:
HENDRICKS COUNTY)

I, Jeanette Taylor, do solemnly swear, that I will support the Constitution of the United States, and Constitution of the State of Indiana, and that I will in all things, to the best of my skill and ability, faithfully and honestly discharge my duties as Second Deputy Clerk of the said Hendricks Circuit Court, so help me GOD.

Jeanette Taylor

Subscribed and sworn to before me this 24th day of January, A. D., 1938.

(SEAL)

Walter E. Hadley

Clerk Hendricks Circuit Court.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Tuesday Morning, January 25th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now again the State of Indiana by Herbert M. Spencer, prosecuting attorney, John N. Kelley, deputy prosecuting attorney, and John A. Kendall, prosecuting attorney, and comes also the defendant, Etta Jones, in her own proper person and by her counsel, Bess Robbins and Charles V. Sears, and the jury is returned into open court and requests the Court to re-read the instructions in the case. The defendant now objects to the Court re-reading the instructions to the jury, which objection is now overruled by the Court, to which ruling of the Court the defendant duly excepts. The Court now re-reads the instructions to the jury.

The jury now retires in charge of the sworn Bailiff to further consider of their verdict.

The jury is again returned in open court and each juror says in open court that they are unable to agree upon a verdict, and that there is no possibility or probability of agreeing upon a verdict.

And now the jury is discharged from further duties in this cause.

Edgar A. Rice

Edgar A. Rice, Special Judge.

STATE OF INDIANA)
VS) # 7811 Judgt. vs Deft. for $15.00 Fine & Costs.
A. E. GAFFNEY) J. D. 17, Page 236.

Comes now the State of Indiana by John A. Kendall, prosecuting attorney, and comes also the defendant, A. E. Gaffney, in his own proper person and by counsel, Ernest Owen, and now said defendant changes his plea from not guilty to guilty of operating motor vehicle while under the influence of intoxicating liquor.

It is, therefore, adjudged by the Court that the defendant, A. E. Gaffney, for the offense by him committed shall be and he is imprisoned in the State Penal Farm for thirty days and shall be and he is fined in the sum of $15.00, and that he shall pay the costs of this action, taxed at ____dollars and____cents.

It is further ordered by the Court that the Public Passenger Chauffeur license No. 886 issued to said defendant be and is hereby revoked and that said defendant, A. E. Gaffney, is forbidden to drive motor vehicles for a period of one year, and that the Clerk of this Court shall notify the Motor Vehicle Department as by law required.

STATE OF INDIANA)
VS) # 7812 Judgt. vs Deft. for $10.00 Fine & Costs.
HAROLD HASKETT) J. D. 17, Page 236.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Harold Haskett, in his own proper person, and said defendant is duly arraigned in open court and enters his plea of guilty of operating motor vehicle while under the influence of intoxicating liquor.

It is, therefore, adjudged by the Court that the defendant, Harold Haskett, for the offense by him committed be and he is sentenced to the Indiana Penal Farm for fifteen days and he be and he is fined in the sum of ten dollars, and that he pay the costs of this action, taxed at _____dollars and _____cents.

It is ordered by the Court that said defendant's operator's license No. 40135 be and is hereby revoked and said defendant is forbidden to drive motor vehicles for the period of one year, and the Clerk is directed to notify the Motor Vehicle Department as by law provided.

EUGENE YOUNG)
VS) # 15327
JOSEPH JORDAN)

Comes now the plaintiff, by counsel, and files affidavit for change of venue from the County of Hendricks, which affidavit is in the following words and figures, to-wit: (Here Insert).

WILLIAM SCHWEDA)
VS) # 15328
JOSEPH JORDAN)

Comes now the plaintiff, by counsel, and files affidavit for change of venue from Hendricks County, Indiana, which affidavit is in the following words and figures, to-wit: (Here Insert).

ARTHUR R. BECK)
VS) # 15329
JOSEPH JORDAN)

Comes now the plaintiff, by counsel, and files affidavit for change of venue from Hendricks County, Indiana, which affidavit is in the following words and figures, to-wit: (Here Insert).

EINER PETERSON)
VS) # 15330
JOSEPH JORDAN)

Comes now the plaintiff, by counsel, and files affidavit for change of venue from Hendricks County, Indiana, which affidavit is in the following words and figures, to-wit: (Here Insert).

GEORGE W. EMCH)
VS) # 15331
JOSEPH JORDAN)

Comes now the plaintiff, by counsel, and files affidavit for change of

venue from Hendricks County, Indiana, which affidavit is in the following words and figures, to-wit: (Here Insert).

WALTER SIDENER)
VS) # 15379
THE NATIONAL FIRE INSURANCE)
COMPANY OF HARTFORD)

Comes now the plaintiff, by counsel, and files motion to strike out and reject interrogatories numbered one to eighteen, both inclusive, which motion is in the following words and figures, to-wit: (Here Insert).

R. J. OVERMAN)
VS) # 15374
RALPH B. PEPPER)
MARY LENA PEPER)

Comes now the receiver of the above entitled cause and files his verified petition for the sale of certain lambs which petition is in the words and figures as follows, to-wit: (H.I.)

And the court being duly advised in the premises finds that the petition should be granted as prayed for.

It is therefore ordered, adjudged and decreed by the court that this receiver be and he is hereby authorized to sell the lambs in his possession and in his petition described, to the Producers Association at Indianapolis, Indiana, for such price as they may bring upon the market and to first pay out of the proceeds therefrom any lien against said lambs for the purchase price thereof.

FLETCHER JOINT STOCK LAND)
BANK OF INDIANAPOLIS)
VS) # 14947
MAUDE WITT, ET AL.)

Comes now the plaintiff, by counsel, and files to separate and several answer of defendant, Maude Whitt and Maude Witt, Executrix of the Estate of Joseph W. Whitt, deceased, which is in the words and figures following, to-wit: (H.I.).

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, January 26th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

ANNA ATKINSON)
VS) # 15193
ORLANDO ATKINSON)

Comes now the plaintiff, by counsel, and files reply to defendant's second and third paragraph of answer in general denial thereof, and which reply is in the following words and figures, to-wit: (Here Insert).

NANNIE RASNER, ADMIN-)
ISTRATRIX OF THE ESTATE)
OF DOLTON RASNER, DECEASED.)
VS) # 15270
RALPH BLACK.)

Comes now the defendant, by cousel, and withdraws affidavit for change of venue, and now this cause is set for trial, February 14th, 1938.

R. J. OVERMAN, PLAINTIFF)
VS) # 15374 ORDER FOR RECEIVER FOR AUTHORITY
RALPH B. PEPER,) TO PAY DEBTS
MARY ELNA PEPER,)
DEFENDANTS)

Comes now William Haag the duly qualified and acting Receiver of the above captioned partnership and files his verified petition (here insert) praying therein for authority to pay certain bills existing against the said partnership and also for authority if it becomes necessary to purchase feed to feed the stock of the partnership on the farm upon which the said partnership is now being operated. And the Court having examined said petition and being duly advised in the premises, now finds that the prayer of said petition should be granted and that the said Receiver be and he is hereby authorized to pay the legitimate expenses existing against said partnership and if it becomes necessary to purchase feed for the stock upon the said partnership he is given authority to so purchase the same.

MILDRED McKAY)
VS) # 15415
FEDERAL EXPRESS)
COMPANY INC., ET AL.)

Comes now the plaintiff, by counsel, and files motion to dismiss the above cause, which motion is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said motion and being duly advised, now sustains the same, the costs on dismissal having heretofore been paid.

It is, therefore, considered, ordered and adjudged by the court that this cause be and the same is hereby dismissed.

And court adjourned until 9:00 o'clock A. M. Thursday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, January 27th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 14930
GEORGE E. MERCER, ET AL.)

Come now the defendants, by counsel, and severally object to motion of plaintiff to dismiss, which motion on objection to dismissal is in the following words and figures, toOwit: (Here Insert).

JAMES H. LUCAS)
VS) # 15266
GLOBE CARTAGE COMPANY)

Comes now the plaintiff, by counsel, and moves to publish deposition (examination of plaintiff), which motion the Court now sustains and deposition is ordered published.

WILLIAM E. YOUNG)
VS) # 15322
AMERICAN STATES INSURANCE CO.)

Comes now the defendant, by counsel, and files motion to strike out parts of plaintiff's complaint, which motion is in the following words and figures, to-wit: (Here Insert).

STATE OF INDIANA)
VS) # 7757
JOHN NELSON)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, John Nelson, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of not guilty.

The Court fixes the defendant's bond at $500.00.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Friday Morning, January 28th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STANLEY TOWNSEND)
VS) # 15347
LOIS F. LANDWERLEN, ET AL.)

Come now the parties, by counsel, and the Court being duly advised, now overrules the defendants' demurrer to plaintiff's complaint, and to which ruling of the Court the defendants duly object and except.

LOUIS J. RHEINHARDT)
VS) # 15251
WILL RHEINHARDT)

Come now the parties, in person and by counsel, and this cause being at issue, the same is now submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

And the Court having heard a part of the evidence, court adjourned until 9:00 o'clock A. M. Saturday, January 29th, 1938.

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Saturday Morning, January 29th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

LOUIS J. RHEINHARDT)
VS) # 15251
WILL RHEINHARDT)

Come now the parties, in person and by counsel, and the evidence is continued but not completed. The parties agreed that evidence be continued until the taking of deposition, and time is given by the Court.

AETNA CASUALTY AND)
SURETY COMPANY)
VS) # 15236
SETH S. WARD)

Come now the parties, and hearing and examination is had of the defendant, Seth S. Ward. There being certain insurance policies and books of account, which defendant agrees can be examined by the plaintiff in this proceeding in Indianapolis, Indiana, this cause is continued for further hearing to 9:30 o'clock A. M., February 12th, 1938.

R. J. OVERMAN)
VS) # 15374
RALPH B. PEPER)
MARY LENA PEPER)

Comes now the plaintiff, by counsel, and files amended complaint in the following words and figures, to-wit: (Here Insert).

BURT HUGHBANKS)
VS) # 15405
MARTIN B. MORAN)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to answer plaintiff's complaint on or before February 9th, 1938. And the Court being duly advised now sustains said motion, and the defendant is required to answer on or before February 9th, 1938.

NORA BOYD)
VS) # 15364 Divorce Decree Judgt. vs Pltf. for Costs.
DAVID BOYD) J. D. 17, Page 237.

Comes now the plaintiff in person and also her attorney E. M. Blessing and it appearing to the satisfaction of the court by the notice and proof of publication thereof in the Brownsburg Record, which is as follows, to-wit: (H.I.)

That the defendant has been duly notified of the pendency of this action by three successive publications of said notice in the Brownsburg Record, a newspaper of general circulation, printed and published in English language in the town of Brownsburg, Hendricks County, Indiana, the last of which publications was made for more than 30 days before the present day of court, for the defendant to appear and answer said complaint.

The defendant failing to appear, he is three times loudly called in open court but comes not and John A. Kendall, prosecuting attorney for the 55th Judicial Circuit, State of Indiana, appears hereto, as by law required and this cause is submitted to the court jury finding for decree.

And the court having heard the evidence and being fully advised in the premises finds for the plaintiff, that she is entitled to a decree of divorce from the defendant on the grounds alleged in her complaint.

It is therefore considered and adjudged by the court that the bonds of matrimony heretofore existing between this plaintiff and defendant be, and are hereby, dissolved, and the plaintiff is hereby granted an absolute divorce from the defendant herein, all at the cost of the plaintiff.

BLANCH LUDLOW) Judgt. vs Pltf. for $3.00 Per Week &
VS) # 15363-- DIVORCE DECREE. Costs.
LORENA LUDLOW) J. D. 17, Page 237.

Come now the parties in the above entitled cause of action and now this cause coming on for trial, finding, judgment and decree, the same is submitted to the court, and the court, having heard the evidence submitted by the parties, and being duly advised and informed in the premises now finds for the defendant, cross-complainant herein, on her cross-complaint and against the plaintiff on his complaint, and finds that said cross-complainant should be granted an absolute divorce from the plaintiff on the allegations set forth in her cross-complaint against the plaintiff or cross-defendant herein in said cross-complaint.

The court further finds that the said cross-complainant should be given the custody of the minor girl, Marian Ludlow, aged 17 years, until the further order of the court and that the plaintiff, Blanch Ludlow, should pay a reasonable sum for the support of said minor child.

The court further finds that the plaintiff should pay the costs of this action.

It is therefore ordered, adjudged and decreed by the court that the cross-complainant, Lorena Ludlow, be and she is hereby granted an absolute divorce from the plaintiff and cross-defendant, Blanch Ludlow, on her cross-complaint; and that the plaintiff take nothing herein on his complaint.

It is further adjudged by the court that the cross-complainant be and she is hereby given the custody of the minor girl, Marian Ludlow, aged 17 years, until the further order of the court, and that the plaintiff, Blanch Ludlow, shall pay into the hands of the Clerk of the Hendricks Circuit Court, the sum of $3.00 per week for the support of said minor child; that the sum of $6.00 be paid on the 15th day of February, 1938, and a like sum on the 1st day of March, 1938, and in like manner the said amount of $6.00 shall be paid on the 15th and 30th day of each month for the support of said minor child until the further order of the court; that said Clerk shall pay said moneys to said Lorena Ludlow to be used for such care and support of said child.

It is adjudged by the court that the plaintiff, Blanch Ludlow, pay the costs of this action taxed at Eight Dollars and Ninety five cents ($8.95), which costs are now accordingly paid by said plaintiff.

And court adjourned until 9:00 o'clock A. M. Monday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, January 31st, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

FLETCHER JOINT STOCK)
LAND BANK OF INDIANAPOLIS)
VS)# 14947
MAUDE WITT, ET AL.)

Comes now the plaintiff, by counsel, and files demurrer to second paragraph of answer of defendant, Maude Witt, which demurrer is in the words and figures following, to-wit: (H.I.).

STATE OF INDIANA)
VS) # 7287
PAUL A. VITTETOW)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Paul A. Vittetow, in his own proper person, and the Court being duly advised, finds that said defendant is now delinquent in his payments in the sum of $63.35. Said defendant agrees in open court to pay beginning February 3rd, 1938, he will pay to the Clerk of this Court $2.50 and will pay $2.50 to said Clerk each week thereafter. The Clerk of said Court is directed to credit said sum now delinquent with any sums received from said weekly payments of the sum of $2.00 each week. But it is ordered by the Court that said defendant shall pay not less than $2.50 each week until the further order of this Court.

Said defendant is allowed to go on his own recognizance until further order of the Court.

ADMISSION OF CLARENCE VINCIN HELTON, JR. TO BAR.

Comes now John D. Taylor, a practicing attorney of the Hendricks County, Indiana Bar, and moves the Court for admission to the Bar of this Court of Clarence Vincin Helton, Jr. And now Walter E. Hadley, Clerk of the Hendricks Circuit Court, presents to the Court a certified copy of the order of the Supreme Court of Indiana in reference to the admission of said Clarence Vincin Helton, Jr., and which order so certified reads as follows:

Order of the
Supreme Court of Indiana
Admission on Examination
November 9, 1937

In the matter of the application of
Clarence Vincin Helton, Jr.
for admission to the bar.

On this day personally appeared in open court the above named applicant of Hendricks County, Indiana, and it appearing to the court that the State Board of Law Examiners for the State of Indiana, after due investigation as to his moral character and fitness and after an examination to determine his professional qualifications, has duly certified to the court the fact that such applicant has met the requirements for admission to the bar under the law and rules of this court, said applicant is, on motion of Alan W. Boyd

as Secretary of the State Board of Law Examiners of Indiana, a member of the bar of this court, and by order of this court, duly sworn and admitted to practice as an attorney at law and his name ordered entered on the roll of attorneys.

Michael L. Fansler

Chief Justice.

State of Indiana, } ss:
County of Marion }

I, Paul Stump, Clerk of the Supreme Court of the State of Indiana, do hereby certify the above and foregoing to be a true and complete copy of the record of the court in the above matter.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 15th day of November 1937.

(SEAL)

Paul Stump

Clerk Supreme Court.

The Court having examined said order and being duly advised in the premises, finds that said Clarence Vincin Helton, Jr. has met the requirements for admission to the Bar and said Clarence Vincin Helton, Jr. is now on said motion of said John D. Taylor, admitted to practice as an attorney at law in this Court, and is now ordered entered on the roll of attorneys of Hendricks County, Indiana.

STATE OF INDIANA)
VS) # 14897 Judgt. vs Pltf. for Costs.
ADDIE H. JOHNSON) ENTRY J. D. 17, Page 237.

Comes now the plaintiff by Omer Stokes Jackson, Attorney General and Caleb J. Lindsey, Assistant Attorney General and comes the defendant Addie H. Johnson by her attorney, Edgar Blessing, and represents and shows that this cause has been settled by agreement of the parties; by the execution of a conveyance by the defendant as grantor conveying to the State of Indiana, an easement sought by the State. Which conveyance is as follows to-wit:

STATE HIGHWAY COMMISSION OF INDIANA

INDIANAPOLIS, INDIANA

RIGHT OF WAY GRANT

Proj. 551 Sec. A

This indenture witnesseth that the undersigned, as grantors and sole owners of land in Hendricks County, Indiana, more definitely described below, through, over and upon which will pass a public highway which it is proposed by the State of Indiana to improve, hereby grant, bargain, warrant and convey to the State of Indiana, for Right of Way, lands as described below and located by surveys and shown on plans on file in the Office of the State Highway Commission of Indiana. The description from said plans of said right of way hereby granted is as follows:
Plans on State Road No. 267, Project 551, Section A.

From Station 29 + 75 to Station 32 + 99 Right Side of Center Line 50 to 70 feet

The above and foregoing grant is made in consideration of payment of the sum of ONE THOUSAND ($1000.00) DOLLARS, which sum shall be paid to the order of Addie H. Johnson, 425 Avon Ave., Plainfield, Indiana.

It is further understood and agreed that this conveyance transfers only the right to make, construct and maintain such highway on said lands and to use any material lying within the above described limits suitable for use in constructing and maintaining said highway and does not convey any rights to any minerals or other substances underneath the surface, except as it may be used for the construction or maintenance of such improved highways.

No timber shall be cut or removed from said granted right of way except that which from time to time is designated by the State Highway Commission, through its authorized representatives. Wherever the State Highway Commission shall designate any timber to be removed from said right of way, the grantors shall promptly remove the same from said right of way and failing to do so for five days after being notified the State Highway or its contractor may remove such timber from the right of way onto the adjoining lands

of the grantors, or successor or if he or they object, may sell or destroy such timber.

The undersigned grantor being duly sworn, says, that she is the sole owner of the above described property, and said grantor further represent that there are no encumberances, leases, liens or options of any kind or character on said lands as conveyed except as shown below, and that they make this representation for the purpose of inducing the State Highway Commission of Indiana to pay them the amount herein stipulated.

Addie H. Johnson (Signed)
Grantor

And the court further finds, that by agreement of the parties, the description of the real estate condemned by the original judgment of condemnation made by this court herein, be modified to read as follows:

A parcel of land lying in Section 26, Township 15 North, Range 1 East, Hendricks County, Indiana, more particularly described as follows, to-wit:

From the northwest corner of the southwest quarter of section section, measure west a distance of two tenths feet to a tangent to the centerline of the proposed highway improvement; thence along said tangent south zero degrees, four and five tenths minutes east, a distance of (26) feet; thence continuing south one degree, forty four and five tenths (44.5) minutes East, a distance of (375) feet to the point of curvature of a thirty (30) minute right curve; thence in a southerly direction along said centerline and on said curve a distance of (106) feet to the point of beginning; thence continuing along said centerline and on said curve a distance of (174) feet to the point of tangency of said curve; thence continuing along said centerline south zero degree, (20.5) minutes east, a distance of 150 feet; all that land lying between the present east right of way line of S. R. #267 and the proposed easterly right of way line, same varying uniformly from (70) feet to 40 feet distant measured at right angles from the above last two described centerlines.
The above described parcel of land being right of way necessary for the proposed highway improvement and containing twenty seven (0.27) hundredths of an acre more or less.

And this cause coming on for trial on the exceptions filed to the award of the appraisers made herein, is now submitted to the court for trial, finding and judgment without the intervention of a jury.

The court having heard the evidence and being fully advised in the premises, now finds for the defendants and against the plaintiff, and that the defendants SHOULD HAVE AND RECOVER OF AND FROM THE PLAINTIFF THE SUM OF ONE THOUSAND (1000.00) DOLLARS, for the property appropriated by plaintiff in this proceedings and for all damages resulting to the defendants and to the residue of defendants' land from the appropriation of the land taken and from the construction of the improvement described in plaintiff's complaint.

The court further finds, that the award of the appraisers in this proceeding as shown by the appraisers report was and is, the sum of ONE THOUSAND (1000.00) DOLLARS, and that heretofore the plaintiff paid the amount of said award to the Clerk of the Hendricks Circuit Court of Hendricks County, Indiana for the use and benefit of the defendant and that said sum so paid by plaintiff to said Clerk, now remains in the hands and possession of the Clerk of the Hendricks Circuit Court.

It is further considered by the court that the plaintiff should pay the costs of this proceedings taxed at $_____.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED BY THE COURT, that the defendant have and recover of and from the plaintiff the sum of $1000.00 as compensation for the land and property appropriated by the plaintiff in this proceeding and for all damages resulting from said appropriation and from the construction of the improvement described in plaintiff's complaint.

IT IS FURTHER CONSIDERED, ADJUDGED AND DECREED BY THE COURT, that the description of the real estate condemned in the original judgment of condemnation rendered by the Court herein, be modified to read as follows, to-wit:

A parcel of land lying in Section 26, Township 15 North, Range 1 East, Hendricks County, Indiana, more particularly described as follows, to-wit:

From the northwest corner of the southwest quarter of said section, measure west a distance of two tenths feet to a tangent to the centerline of the proposed highway improvement; thence along said tangent south zero degrees, four and five tenths minutes east, a distance of (26) feet; thence continuing south one degree, forty four and five tenths (44.5) minutes east, a distance of (375) feet to the point of curvature of a

thirty (30) minute right curve; thence in a southerly direction along said centerline and on said curve a distance of (106) feet to the point of beginning; thence continuing along said centerline and on said curve a distance of (174) feet to the point of tangency of said curve; thence continuing along said centerline south zero degree, (20.5) minutes east, a distance of 150 feet; all that land lying between the present east right of way line of S. R. #267 and the proposed easterly right of way line, same varying uniformly from (70) feet to 40 feet distance measured at right angles from the above last two described centerlines.
The above described parcel of land being right of way necessary for the proposed highway improvement and containing twenty seven (0.27) hundredths of an acre more or less.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED BY THE COURT, that said sum adjudged due defendant from plaintiff herein be paid in the following manner, to-wit: The Clerk of the Hendricks Circuit Court of Hendricks County, Indiana, is hereby ordered and directed to pay said sum of ONE THOUSAND DOLLARS, to the defendant, herein from said sum of $1000.00 heretofore deposited by the plaintiff for the use and benefit of defendant, without further order of this court, and when said sum shall have been paid by said Clerk to said defendant, such payment shall operate as a full and complete satisfaction of the judgment herein in favor of said defendant against the plaintiff.

IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED BY THE COURT, that the plaintiff pay the costs of this action taxed at $_____.
Date January 31, 1938.

FAE W. PATRICK, AS RECEIVER OF THE)
ASSETS AND PROPERTY OF THE SUB-)
SCRIBERS AT NATIONAL AUTOMOBILE)
INSURANCE ASSOCIATION.)
VS) # 15214
UNITED STATES FIDELITY AND GUARANTY CO.)

Comes now the plaintiff, by counsel, and moves the Court to require the defendants to answer. And the Court being duly advised, now sustains said motion.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Tuesday Morning, February 1st, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

EUGENE YOUNG)
VS) # 15327
JOSEPH JORDAN)

Come now the parties, by counsel, and the Court having seen and examined the plaintiff's motion for change of venue from the county, heretofore filed, and being sufficiently advised in its premises, now sustains the same, and by agreement of parties, this said cause is changed to Montgomery County, Indiana, and the plaintiff is given ten days to pay costs and perfect change.

WILLIAM SCHWEDA)
VS) # 15328
JOSEPH JORDAN)

Come now the parties, by counsel, and the Court having seen and examined the plaintiff's motion for change of venue from the county, heretofore filed, and being sufficiently advised in its premises, now sustains the same, and by agreement of parties, this said cause is changed to Montgomery County, Indiana, and the plaintiff is given ten days to pay costs and perfect change.

ARTHUR R. BECK)
VS) # 15329
JOSEPH JORDAN)

Come now the parties, by counsel, and the Court having seen and examined the plaintiff's motion for change of venue from the county, heretofore filed, and being sufficiently advised in its premises, now sustains the same, and by agreement of parties, this said cause is changed to Montgomery County, Indiana, and the plaintiff is given ten days to pay costs and perfect change.

EINER PETERSON)
VS) # 15330
JOSEPH JORDAN)

Come now the parties, by counsel, and the Court having seen and examined the plaintiff's motion for change of venue from the county, heretofore filed, and being sufficiently advised in its premises, now sustains the same, and by agreement of parties, this said cause is changed to Montgomery County, Indiana, and the plaintiff is given ten days to pay costs and perfect change.

GEORGE W. EMCH)
VS) # 15331
JOSEPH JORDAN)

Come now the parties, by counsel, and the Court having seen and examined the plaintiff's motion for change of venue from the county, heretofore filed, and being sufficiently advised in its premises, now sustains the same, and by agreement of parties, this said cause is changed to Montgomery County, Indiana, and the plaintiff is given ten

days to pay costs and perfect change.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Wednesday Morning, February 2nd, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

LAZENA LEACH)
VS) # 15404
ARCHIE J. KAHL AS)
EXECUTOR, ETC., ET AL.)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant, Laura Washburn, to answer complaint herein on or before February 7th, 1938. And the Court being duly advised, now sustains said motion, and the said defendant is ruled to answer on or before February 7th, 1938.

LOREN MORGAN, ET AL.)
VS) # 15229
LOUIE LINDER)

Come now the plaintiffs, by counsel, and file amended complaint in the following words and figures, to-wit: (Here Insert).

Comes now the plaintiff and moves the Court to require the defendant to answer on or before February 15th, 1938. And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before February 15th, 1938.

ORPHA PIGG)
VS) # 15229
FRANK A. SCOTT, ET AL.)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid.

And the Court being duly advised, now sustains said motion,

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

And now the plaintiff asks leave to withdraw papers from the files. The Court being duly advised, now grants the plaintiff leave to withdraw papers from the file.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Thursday Morning, February 3rd, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

ROSCOE BROWN)
VS) # 15423
AMANDA BERRY, ET AL.)

Come now the defendants, by counsel, and file separate and several answer in general denial, in the following words and figures, to-wit: (Here Insert).

FRED LITTLE)
VS) # 15383
GEORGE E. HARVEY, ET AL.)

Comes now the defendant, The Prudencial Insurance Company of America, by counsel, and files answer to complaint in the following words and figures, to-wit: (Here Insert).

MARY SNYDER)
VS) # 15307 Judgt. vs Deft. for $7.50 Per Week and Costs.
ADAM SNYDER) J. D. 17, Page 237.

Comes now the plaintiff in her own person and by her attorney, Chas. V. Sears, and comes also John A. Kendall, Prosecuting Attorney for the 55th Judicial Circuit of Indiana, and appears for the defendant, and it appearing to the court from the summons herein and the return of the sheriff endorsed thereon, that the defendant has been served with process more than ten days before the 4th day of October, 1937, being the 27th judicial day of the September Term, 1937, of the Hendricks Circuit Court, and the date endorsed on plaintiff's complaint for return day of summons thereon, which said summons and return are in wards and figures as follows: (H.I.).

And now said defendant is, by order of the court, in open court, three times loudly called but comes not and herein wholly makes default.

And said cause being at issue is submitted to the court for trial, finding, order and decree, and the court having heard the evidence, and being duly advised in the premised, finds for the plaintiff, and that the allegations of plaintiff's complaint are true and that she is entitled to a decree of divorce from defendant on the grounds therein alleged; the court further finds that plaintiff is suitable and proper person to have the care and custody of the children named in her complaint and that she is entitled to an order against said defendant for the payment of the costs of this suit, and to an order and allowance for the maintenance and support of said children.

It is, therefore, considered and adjudged by the court that the bonds of matrimony heretofore existing between plaintiff and defendant herein be, and they are hereby, dissolved and that plaintiff is hereby granted a divorce from defendant.

It is further considered and ordered by the court that plaintiff have the care, custody and control of the following named children: Patricia June Snyder, aged 7 years; William Lee Snyder, aged 4 years, and Richard Allen Snyder, aged 7 months, until the further order of this court; and it is further ordered by the court that said defendant pay to the clerk of this court for the support and maintenance of said children the sum of Two and 50/100 ($2.50) Dollars for each of said children, a total of Seven

and 50/100 ($7.50) Dollars, per week, said payments to begin on the 12th day of February, 1938, and to be made each week thereafter, on Saturday, until the further order of this court; and it is further ordered by the court that said defendant pay to the clerk of this court within thirty days from the date of this order the sum of Thirteen and 60/100 ($13.60) Dollars as and for the costs of the prosecution of this cause of action.

ALBERT GASPER)
VS) # 15333
SAMUEL L. COOPRIDER)

Come now the parties, in person and by counsel, and this cause being at issue, the Sheriff of Hendricks County, is ordered to bring into open Court the following jurors for jury services, to-wit: Myron Cutrell, William S. Simmons, Lowell W. Johnson, Frank H. O'Neal, Carrie D. Long, Forrest C. Gibbs, Roy V. Lewis, Walter P. Hendrix, William G. Fordyce, Lars E. Ellis, William J. Gorrell and Paul Blessing, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly and legally impanelled and sworn in open court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

After hearing a part of the evidence in this cause, the jury is allowed to separate under proper instructions as to their duties during separation until 1:00 o'clock P. M., February 3rd, 1938, at which time come the parties and jury is again brought into court. The evidence is continued and completed.

Plaintiff now tenders instruction numbered one, and the Court indicates it will give said instruction.

Argument is heard, and at the close of the argument, the plaintiff again tendered his instruction number one. And now the Court gives to the jury of his own motion instructions numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, and to the giving of each instruction so given by the Court of his own motion, the plaintiff and defendant each excepts as to each instruction separately and severally. And now the Court gives instruction number one tendered by the plaintiff, and the defendant now excepts to the giving of instruction tendered by the plaintiff.

Now the Court signs the instructions given by the Court of its own motionand also signs the instruction tendered by the plaintiff, indicating "given" on all the instructions, including those given by the Court and the one tendered by the plaintiff, and now orders all instructions filed and made a part of the record of this cause, which instructions are in the words and figures following, to-wit: (H.I.).

The jury retires in charge of a sworn officer to deliberate.

The jury is again conducted into court and returns a verdict for the defendant, which verdict is in the words and figures following, to-wit:

State of Indiana, In the Hendricks Circuit Court,
Hendricks County, SS: January Term, 1938.
Albert Gasper) No. 15333.
vs)
Samuel L. Cooperider) VERDICT OF THE JURY.

We, the Jury, find for the defendant.

W. P. Hendrix
Foreman of the Jury.

The jury is now discharged from further duties in this cause.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, February 4th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

DORIS STEPHENS)
VS) # 14663
ALVA OWEN, ET AL.)

Comes now the plaintiff, by counsel, and files second paragraph of complaint in the following words and figures, to-wit: (H.I.).

STATE OF INDIANA)
VS) # 14930
GEORGE E. MERCER, ET AL.)

Comes now the plaintiff, by counsel, and files amended motion to dismiss the above cause of action, which amended motion to dismiss is in the following words and figures, to-wit: (H.I.).

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, February 5th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Monday Morning, February 7th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

ELIZABETH E. WILSON)
VS) # 15332
CHARLES B. CHRIST, ET AL.)

Comes now the defendant, Lela H. Peck, by counsel, and files affidavit and motion for change of venue from the Judge of the Hendricks Circuit Court, which motion is in the following words and figures, to-wit: (Here Insert).

STATE OF INDIANA)
VS) # 7757
JOHN NELSON)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also John Nelson, the defendant, in his own proper person, and said defendant is duly arraigned in open Court on amended affidavit filed herein, and said defendant pleads not guilty and the Court fixes his bond.

STATE OF INDIANA)
VS) # 7813 Judgt. vs Deft. for $5.00 Fine & Costs.
JOE ROUNDER) J. D. 17, Page 238.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Joe Rounder, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of public intoxication.

It is, therefore, adjudged by the Court that the defendant, Joe Rounder, for the offense by him committed shall be and he is fined in the sum of five dollars, and that he be and he is imprisoned in the State Penal Farm for ten days, and that he pay the costs of this action, taxed at _____dollars and _____cents.

LULU H. CLARK)
VS) # 15419 JUDGMENT IN FORECLOSURE
RICHARD D. MYNATT)

Comes now the plaintiff by council, and it appearing to the court by the summons herein, and the return of the sheriff indorsed thereon, that said defendant has been served with process more than ten days before the 24th day of January, 1938, being the date indorsed on plaintiffs complaint for the return day of summons thereon, which said summons and return thereon are in the words and figures as follows, to-wit: (H.I.) and comes now the defendant by council and files answer in general denial, and this cause being at issue is submitted to the court for trial without the intervention of a jury.

And the court having heard the evidence, and being duly advised in the premises finds for the plaintiff, and that the allegations of plaintiffs complaint are true and that there is due plaintiff from the defendant, Richard D. Mynatt, on the note sued upon in the complaint, the sum of $314.86 and the further sum of $15.00 as fee for services of plaintiffs attorney, and which sum plaintiff is entitled to recover from the

defendant, together with the costs of this action all without relief from valuation or appraisement laws, and the court further finds that said note was secured by a mortgage upon the real estate described in plaintiffs complaint and that the plaintiff is entitled to have her said mortgage foreclosed against the said defendant and said real estate ordered sold.

The court further finds that plaintiffs mortgage is a second mortgage upon the real estate described in plaintiffs complaint, and hereinafter described and that there is a mortgage lien on the said real estate convered by plaintiffs mortgage securing a mortgage loan on the North Western Mutual Life Insurance Co. in the principal sum of $3000.00, together with accrued interest thereon, and taxes and insurance advanced as provided in said mortgage, which said mortgage of the North Western Mutual Life Insurance Co. is recorded in Mortgage Record 67, at page 404 of the records of mortgages in the Recorders Office of Hendricks County, Indiana; that said mortgage of the said North Western Mutual Life Insurance Co. is a first mortgage and prior lien on said real estate, senior and superior to all other liens thereon, save taxes and ditch assessments.

The court further finds that the defendant, Richard D. Mynatt, unmarried, is the sole owner, in fee simple of the real estate described in the complaint.

It is, therefore, considered and adjudged by the court that the plaintiff, Lulu H. Clark, recover of and from the defendant, Richard D. Mynatt, the sum of $329.86 and her costs in the action, taxed at $_____ all without relief from valuation or appraisement laws, said judgment bearing interest at the rate of 8% per annum from the date of the rendition thereof.

It is further adjudged and decreed by the court that the plaintiffs mortgage set out and described in her complaint, upon the real estate described therein, lying and being in the county of Hendricks, State of Indiana, and described as follows, to-wit:--

A part of the East half of the North-east quarter of Section 33 Township 14 North, Range 1 West, bounded as follows to-wit: Beginning at the North-east corner of said half quarter section and running thence South 10 rods 10 feet and 16 inches, thence West 129 feet and 6 inches, thence South 24 rods, 4 feet and 6 inches; thence East 129 feet and 6 inches to the East line of said half quarter, thence South on said line 105 rods and 1½ feet to a point 20 rods North of the South East corner thereof. Thence West 80 rods to the West line thereof. Thence North 140 rods to the North West corner thereof; Thence East 80 rods to the place of beginning, containing 69 17/100 acres.

be, and the same is foreclosed against the defendant and the equity of redemption of said defendant and of all persons claiming by, under or through him, in and to said real estate herein described, be and the same is forever barred and foreclosed and that said described real estate, and all the rights, title, interest and claim of said defendant, and all persons claiming from, under, or through him in and to the same, or so much thereof as may be necessary for that purpose shall be sold by the sheriff of Hendricks County, Indiana, as other lands are sold on execution, the sale to be without relief from valuation or appraisement laws, and free from all claims and liens of the defendant and all persons claiming by, under or through the defendant, except the lien of the mortgage of the aforesaid North Western Mutual Life Insurance Co. and this sale shall be subject to the lien of taxes and other valid assessments.

It is further adjudged, and ordered by the court, that the proceeds arising from the sale herein ordered and described, the sheriff shall distribute as follows:

1. To the payment of all costs accrued in this action and cost of sale.

2. To the payment of the amount found due the plaintiff upon her complaint being the amount of the judgment heretofore rendered therein in her favor, together with interest thereon from the first day of February, 1938, at the rate of 8% per annum, to date of sale.

3. The over-plus, if any, the sheriff is ordered to pay into court for the use and benefit of the party to whom it rightfully belongs as the court shall determine.

In the event said mortgage premises shall fail to sell for a sum sufficient to pay and satisfy said judgment, interest, costs, and accruing costs, the residue thereof remaining unpaid shall be levied of the goods and chattels and lands and tenements of said defendant, Richard D. Mynatt, subject to execution; and sale thereof shall be made without any relief whatever from valuation or appraisement laws.

It is further ordered by the court that a duly certified copy of this judgment and decree, under the hand of the clerk and seal of this court shall be sufficient authority to the sheriff to serve and execute same.

And further proceedings are continued.

FRANK CLIFT OLIVE)
VS) # 14964
NEW ENGLAND MUTUAL)
LIFE INSURANCE COMPANY,)
A CORPORATION.)

Comes now the plaintiff and asks leave of Court to file amendments to the second amended complaint herein. And the Court being duly advised, now grants said motion, and amendments are filed, which are in the following words and figures, to-wit: (H.I.).

Comes now the plaintiff and ask leave of Court to file supplemental complaint. And the Court being duly advised, now grants said motion, to which ruling of the Court the defendant duly objects and excepts. Plaintiff files supplemental complaint, which supplemental complaint is in the following words and figures, to-wit: (H.I.).

FRANK CLIFT OLIVE)
VS) No. 14964
NEW ENGLAND MUTUAL LIFE INSURANCE) ENTRY
COMPANY, a corporation)

This cause came on for hearing upon petition of New England Mutual Life Insurance Company of Boston, Massachusetts, the defendant in the above entitled cause, for an order removing said suit from this Court to the District Court of the United States for the Southern District of Indiana, Indianapolis Division, the plaintiff being present in person and by his counsel and the defendant being present by its counsel, and it appearing to this Court that the defendant has filed his petition for such removal in due form and before answer or rule or requirement for answer to the plaintiff's supplemental complaint herein, has filed its bond for removal duly conditioned as required by law, and the defendant has given and served written notice in open court, to the plaintiff, on the day of filing of said supplemental complaint and before filing of said petition for removal, which notice the Court finds was sufficient and in accordance with requirements of law therefor; and it appearing that said suit is a proper one for removal to said United States District Court,

IT IS THEREFORE ORDERED AND ADJUDGED that the removal bond of the defendant New England Mutual Life Insurance Company be, and it is hereby accepted and approved, that said defendant's petition for removal be and it hereby is granted and that this suit of Frank Clift Olive vs. New England Mutual Life Insurance Company in this Court now pending be removed to the United States District Court for the Southern District of Indiana, Indianapolis Division, pursuant to Judicial Code of the United States, Sections 28 and 29, and that all other proceedings of this Court in said cause be and they hereby are stayed; and the Clerk of this Court is hereby directed to make up the record in said cause for transmission to said United States District Court forthwith.

Dated this 7th day of February, 1938.

STATE OF INDIANA)
) SS
COUNTY OF HENDRICKS)

IN THE CIRCUIT COURT
OF HENDRICKS COUNTY

FRANK CLIFT OLIVE)
)
-vs-) CAUSE NO. 14964
)
NEW ENGLAND MUTUAL LIFE INSURANCE)
COMPANY, a Corporation)

PRAECIPE FOR TRANSCRIPT FOR
REMOVAL AND TENDER OF COST AND
EXPENSE OF MAKING TRANSCRIPT

TO THE CLERK OF THE HENDRICKS CIRCUIT COURT:

The defendant in the above entitled cause hereby requests that you prepare and certify a true, full and correct transcript of the entire record and proceedings in said cause, to be used in removal of said cause to the United States District Court for the Southern District of Indiana, Indianapolis, Indiana; and defendant herewith tenders, and offers now to pay to you in cash, the legal fees in respect thereof.

Dated February 7, 1938.

McTurnan & Higgins
Otis E. Gulley
Lawrence H. Hinds
Attorneys for Defendant

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Tuesday Morning, February 8th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

BERT HUGHBANKS)
VS) # 15405
MARTIN B. MORAN)

Comes now the defendant, by counsel, and files answer in two paragraphs, which answer is in the following words and figures, to-wit: (H.I.).

THOMAS T. TARPEY)
VS) # 15341 Judgt. vs Defts. for $204.60 & Costs.
MARTIN DUFFY AND) J. D. 17, Page 239.
LILLIE DUFFY.)

Comes now the plaintiff, by counsel, and shows to the Court the summons and the return thereon of the Sheriff of Hendricks County, Indiana, which summons and return thereon are in the following words and figures, to-wit: (H.I.), and the Court examining the same, finds that said defendants have been duly served with process to appear herein on the 8th day of November, 1937, at which time the plaintiff fixed by endorsement on his complaint as the return day thereon, and now on motion of plaintiff, said defendants are each three times called in open court but come not and herein wholly make default.

And now said cause is submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

The Court having heard the evidence in this cause, finds for the plaintiff, and that the allegations of plaintiff's complaint are true and that there is due the plaintiff from said defendants, Martin Duffy and Lillie Duffy, on the note sued on herein, the sum of $169.60, and that a reasonable fee for attorney is $35.00, and that the plaintiff is entitled to a judgment for $204.60 without relief from valuation or appraisement laws against said defendants, together with the costs of this action.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff have and recover of and from the defendants, Martin Duffy and Lillie Duffy, the sum of $204.60, without relief from valuation and appraisement laws, together with the costs for this action, taxed at _____dollars and _____cents.

THOMAS T. TARPEY)
VS) # 15342 Judgt. vs Defts. for $211.60 and Costs.
MARTIN DUFFY AND) J. D. 17, Page 239.
LILLIE DUFFY)

Comes now the plaintiff, by counsel, and shows to the Court the summons and the return thereon of the Sheriff of Hendricks County, Indiana, of the defendants therein, and which summons and return thereon are in the following words and figures, to-wit: (H.I.), and the Court examining same, finds that said defendants have been duly served with process more than ten days before the 8th day of November, 1937, at which time said cause was made returnable by endorsement on plaintiff's complaint herein, and now on motion of the plaintiff said defendants are each three times called in open Court and come not and herein wholly make default.

And now said cause is submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

The Court having heard the evidence in this cause, now finds for the plaintiff and that the allegations of the complaint are true and that there is due the plaintiff from the defendants, Martin Duffy and Lillie Duffy, on the note sued on herein, the sum of $176.60, and that a reasonable attorney fee is $35.00, and that the plaintiff is entitled to recover of and from the defendants $211.60 without relief from valuation and appraisement laws, together with the costs of this action.

It is, therefore, considered, ordered and adjudged by the Court, that the plaintiff have and recover of and from the defendants, Martin Duffy and Lillie Duffy, the sum of $211.60, without relief from valuation and appraisement laws, together with the costs for this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, February 9th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

THE BUHNER FERTILIZER)
COMPANY, A CORPORATION)
VS) # 15305
EDWARD CLINTON)

Comes now the defendant, by counsel, and files answer in three paragraphs to each paragraph of plaintiff's complaint, which answer is in the following words and figures, to-wit: (H.I.).

EDWIN H. PAYNE)
VS) # 15252
ACETYLENE PRODUCTS CO.)

Comes now the plaintiff, by counsel, and files motion to dismiss the above entitled cause, which motion is in the words and figures following, to-wit: (H.I.), the costs on dismissal having heretofore been paid.

And the Court having seen and examined said motion and being sufficiently advised, now sustains the same.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

AMERICAN LIFE AND ACCIDENT INSURANCE COMPANY OF KENTUCKY, Plaintiff. Vs. OTIS E. GULLEY, CLARA F. GULLEY, LIDA WATERS, ELIZABETH M. WATERS, MISSOURI KANSAS PIPE LINE COMPANY OF KANSAS CITY, MISSOURI, OTIS KIRTLEY, MATTIE VAUGHN, THE INDIANA RURAL CREDIT ASSOCIATION, INDIANA NATIONAL LIFE INSURANCE COMPANY, FRED A. SIMS, RECEIVER OF THE INDIANA NATIONAL LIFE INSURANCE COMPANY OF LOUISVILLE, KENTUCKY, Defendants.	Judgt. vs Defts., Otis E. Gulley and Clara F. Gulley, for $12124.97 and Costs. J. D. 17, Page 239. No. 15315. Judgt. vs Defts., Otis E. Gulley and Clara F. Gulley, in favor of Mattie Vaughn, for $322.03 and Costs. J. D. 17, Page 239.

Come now the defendants Otis E. Gulley and Clara F. Gulley and file their joint and several answer in general denial to plaintiff's complaint herein, which said answer reads as follows: (H.I.)

And now comes the defendant, Inter-Southern Life Insurance Company of Louisville, Kentucky, and files answer herein, entering its

appearance herein and waiving service of process and disclaiming any interest in this cause of action, which said answer is as follows, to-wit: (H.I.)

Comes now the plaintiff by counsel and shows to the court the summons herein for the defendants Lida Waters, Elizabeth M. Waters and Otis Kirtley, and the return of the sheriff endorsed thereon, which said summons and return are in words and figures as follows: (H.I.), and the court having examined said summons and return and being duly advised now finds that said defendants Lida Waters, Elizabeth M. Waters and Otis Kirtley have each been served with process more than ten days before the 8th day of October, 1937, same being the 29th day of the September Term, 1937, of the Hendricks Circuit Court, and the date endorsed on plaintiff's complaint for the return day of summons for said defendants thereon and the date fixed in said summons.

And now the summons for the defendants, The Indiana Rural Credit Association, Indiana National Life Insurance Company and Fred A. Sims, Receiver of the Indiana National Life Insurance Company, together with the sheriff's return endorsed thereon, which summons and sheriff's returns are in words and figures as follows, to-wit: (H.I.), is now submitted to the court, and the court having examined said summons and returns and being duly advised now finds that said defendants have each been served with process more than ten days before the 11th day of October, 1937, same being the 31st day of the September Term, 1937, of the Hendricks Circuit Court, and the date endorsed on plaintiff's complaint for the return day of said summons and the date as fixed in said summons.

And now the summons for the defendant The Indiana Rural credit Association together with the sheriff's return endorsed thereon, which said summons and sheriff's return are in words and figures as follows: (H.I.), is submitted to the court, and the court having examined said summons and return and being duly advised, now finds that said defendant has been served with process more than ten days before the 11th day of October, 1937, same being the 31st day of the September Term, 1937, of the Hendricks Circuit Court, and the date endorsed on plaintiff's complaint for the return day of said summons and as fixed in said summons.

And now the non-resident notice of the defendant Missouri Kansas Pipe Line Company of Kansas City, Missouri and the proof of publication thereof, which said notice and proof of publication are in words and figures as follows, to-wit: (H.I.) is now presented to the court, and the court having examined said notice and proof of publication and being duly advised in the premises, finds that said defendant has been duly notified of the pendency of this action by three successive weekly publications in The Hendricks County Republican, a weekly newspaper of general circulation, printed and published in the English language in the town of Danville, Hendricks County, Indiana, the last of which publications was made more than thirty days before the 7th day of February, 1938, same being the 31st day of the January Term, 1938, of the Hendricks Circuit Court and the day fixed by order of this court for return day of Non-residence notice herein to said defendant and the day fixed in said notice.

And now said defendants Lida Waters, Elizabeth M. Waters, Otis Kirtley, The Indiana Rural Credit Association, Indiana National Life Insurance Company, and Missouri Kansas Pipe Line Company of Kansas City, Missouri, and each of them, failing to appear, are now three times loudly called in open court, by order of the court, but come not, and each of said defendants last named wholly make default herein.

And now this cause being at issue upon the complaint herein,

the said answer of the defendants Otis E. Gulley and Clara F. Gulley, the said answer of the defendant Inter-Southern Life Insurance Company of Louisville, Kentucky, and the answers heretofore filed of the defendants, Mattie Vaughn, and Fred A. Sims, Receiver of the Indiana National Life Insurance Company, and upon the defaults of the said defendants Lida Waters, Elizabeth M. Waters, Otis Kirtley, The Indiana Rural Credit Association, Indiana National Life Insurance Company, and Missouri Kansas Pipe Line Company of Kansas City, Missouri, and coming on for trial, is now submitted to the court, without the intervention of a jury, for trial, finding, judgment and decree, and the court, having heard the evidence and being duly advised in the premises, finds for the plaintiff and that the allegations of plaintiff's complaint are true, and that there is due the plaintiff from the defendants Otis E. Gulley and Clara F. Gulley on the notes sued upon in plaintiff's complaint the sum of Eleven Thousand Four Hundred Eighty-Five and 65/100 ($11485.65) Dollars, principal and interest, the sum of Twenty-Nine and 32/100 ($29.32) Dollars which plaintiff was required to pay for insurance on the buildings on the real estate described in plaintiff's complaint and hereinafter described, and the sum of Ten ($10.00) Dollars paid by plaintiff for continuance of abstract on said real estate, making a total sum of $11524.97; and the court further finds that there is due plaintiff from said defendants the sum of Six Hundred ($600.00) Dollars as a reasonable fee for the services of plaintiff's attorney herein, making a grand total of Twelve Thousand One Hundred Twenty-four and 97/100 ($12124.97) Dollars due plaintiff from said last named defendants herein, and interest thereon at the rate of 7% per annum from date of this finding and judgment until paid, together with the costs of this suit, all without relief from valuation or appraisement laws.

And the court further finds that said sum of $12124.97 is secured by a mortgage upon the real estate described in plaintiff's complaint, which said mortgage is a first and prior lien on said real estate except as to the defendant Mattie Vaughn, and that plaintiff is entitled to have said mortgage foreclosed as against all other said defendants, and said real estate sold.

And the court further finds for the defendant Mattie Vaughn and that the allegations of her answer herein are true, and that there is due said defendant from said defendants Otis E. Gulley and Clara F. Gulley on the tax certificates sued upon, of principal, interest and costs, the sum of Three Hundred Twenty-two and 03/100 ($322.03) Dollars, which is a first lien on said described real estate and prior to the lien of plaintiff's said mortgage.

And the court further finds that the mortgaged premises are inadequate and are not of sufficient value to fully pay and satisfy said mortgage debt and tax lien, and that said mortgaged premises are not occupied by said mortgagors, or either of them, and not used by either of them as a residence, and that a receiver should be appointed to take charge of said real estate, rent the same and apply the rents and profits as ordered and directed by this court.

It is therefore, considered and adjudged by the court that the plaintiff, American Life and Accident Insurance Company of Kentucky, have and recover of and from said defendants, Otis E Gulley and Clara F. Gulley, the said sum of Twelve Thousand One Hundred Twenty-Four and 97/100 ($12124.97) Dollars, together with interest thereon at 7% per annum from date of this judgment until paid, and all costs of this action, and all accruing costs, without relief from valuation or appraisement laws.

It is further considered and adjudged by the court that the

defendant, Mattie Vaughm, have and recover of and from said defendants, Otis E. Gulley and Clara F. Gulley, the said sum of Three Hundred Twenty Two and 03/100 ($322.03) Dollars, together with interest thereon.

And it is further considered, adjudged and decreed by the court that the equity of redemption of the defendants, Otis E. Gulley, Clara F. Gulley, Lida Waters, Elizabeth M. Waters, Missouri Kansas Pipe Line Company of Kansas City, Missouri, Otis Kirtley, Mattie Vaughn, The Indiana Rural Credit Association, Indiana National Life Insurance Company, Fred A. Sims, Receiver of the Indiana National Life Insurance Company, and Inter-Southern Life Insurance Company of Louisville, Kentucky, and of all persons claiming from, under, or through them, in and to the real estate described in the complaint, lying and being in the County of Hendricks, State of Indiana, and described as follows, to-wit:

The South West Fractional quarter of Section Six (6), Township Fifteen (15) North, Range One (1) East, and so much of the South East quarter of Section One (1), Township Fifteen (15) North, Range One (1) West, as lies North of the center of the plank road leading from Danville to Indianapolis and also a part of the North East quarter of Section One (1), Township Fifteen (15) North, Range One (1) West, bounded as follows:- Commencing at the center of Section One (1) and running thence North with the section line Twenty-eight (28) rods and Twenty-two (22) links to a stone 10 x 16; thence East in a direct line toward the center of Section Six (6) above named until it strikes the East line of said Section One (1); thence South to the Southeast corner of said North East quarter; thence West to the place of beginning, excepting however Forty (40) acres off of and across the entire West side of all the above described real estate, also excepting the real estate conveyed to the Indianapolis and Western Railway Company, to-wit: One and Sixty-Four Hundredths (1.64) acres. Above descriptions, exclusive of said exceptions, containing One Hundred Thirty-one (131) acres, more or less.

be and the same is forever barred and foreclosed, and that said described real estate, and all the right, title, interest and claim of said named defendants, and each of them, and of all persons claiming from, under, or through them, or any of them, in and to the same, or so much thereof as may be necessary for that purpose, shall be sold by the sheriff of Hendricks County, State of Indiana, as other lands are sold on execution, said sale to be without any relief from valuation or appraisement laws.

The proceeds from said sale to be applied as follows: First. To the payment of costs and accruing costs herein. Second. To the payment of the amount found due the defendant, Mattie Vaughn, being the amount of the judgment herein rendered in favor of said defendant, together with interest from this date. Third. To the payment of the amount found due plaintiff on the claim sued upon herein, being the amount of the judgment hereinbefore rendered in favor of plaintiff, together with interest at 7% per annum from this date until paid. Fourth. The overplus, if any there be, to be paid by the sheriff to the clerk of this court for the use of the party lawfully entitled thereto and authorized to receive the same.

In the event that said mortgaged premises do not sell for a sum sufficient to pay and satisfy said judgments, interests, costs and accruing costs, the residue thereof remaining unpaid shall be levied of the goods, chattels, lands and tenements, of said defendants Otis E. Gulley and Clara F. Gulley, subject to execution, and the sale shall be made without relief from valuation or appraisement laws.

It is further considered and adjudged by the court that George W. Hadley be, and he is now hereby, appointed Receiver to take charge of said described real estate, pending sale of said real estate and during year of redemption, rent the same and apply the rents and profits thereof as ordered and directed by this court. And now comes said George W. Hadley and accepts said appointment, and files his bond as such receiver in the sum of $1000.00, which said bond with the Globe Indemnity Company, New York, as surety thereon, is now examined and approved by the court, and is duly qualified by taking the oath as required by law.

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

And court adjourned until 9:00 o'clock A. M. Thursday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, February 10th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

THE BUHNER FERTILIZER)
COMPANY, A CORPORATION.)
VS) # 15305
EDWARD CLINTON)

Comes now the plaintiff, by counsel, and files reply in general denial to paragraphs two and three of defendant's answer, which reply is in the words and figures following, to-wit: (Here Insert).

Come now the parties, in person and by counsel, and this cause being at issue, is submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

And the Court having heard a part of the evidence in this cause, said cause is continued to Saturday, February 12th, 1938, at 9:00 o'clock A. M.

GEORGE H. LYONS)
VS) # 15274
ACETYLENE PRODUCTS CO.)

Comes now the plaintiff, by counsel, and files and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid, which motion is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said motion and being sufficiently advised, now sustains the same.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

JAMES H. LUCAS)
VS) # 15266
GLOBE CARTAGE COMPANY)
INC., ET AL.)

Comes now the plaintiff, by counsel, and files and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid, which motion is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said motion and being sufficiently advised, now sustains the same.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Friday Morning, February 11th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

DORIS STEPHENS)
VS) # 14663
ALVA OWEN, ET AL.)

Come now the defendants, by counsel, and file answer in the following words and figures, to-wit: (H.I.).

Come now the parties, in person and by counsel, and this cause being at issue is now submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

And the Court having heard the evidence, now takes matter under advisement pending filing of briefs by each party.

THELMA A. FRANKLIN)
VS) # 15372 Judgt. vs Pltf. for Costs.
JAMES L. FRANKLIN) J. D. 17, Page 240.

Come now the parties in person and by counsel and it appearing to the Court that defendant has been duly served with process more than ten days before the first day of the present term, and comes now the defendant and files answer in general denial, in the following words and figures, to-wit: (Here Insert)

And this cause being at issue is submitted to the Court 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 plaintiff's complaint are true, and that she is entitled to a decree of divorce from said defendant on the grounds herein alleged.

It is therefore considered and adjudged by the Court that the bonds of matrimony heretofore existing between plaintiff and defendant herein be, and are hereby dissolved and that said plaintiff is hereby granted an absolute divorce from said defendant.

It is further considered and adjudged by the Court that the plaintiff have her maiden name of Thelma Allena Richardson be restored.

It is further considered and adjudged by the Court that the plaintiff pay all her costs incurred herein.

CHARLES H. McCORMACK, trust)
officer of I. H. Berry heirs)
VS) # 15283 Judgt. vs Deft., for $275.60 and Costs.
VIRGIL MEUSE) JUDGMENT J. D. 17, Page 240.

Comes now the plaintiff by counsel and it appearing to the court by the summons herein and the return of the sheriff indorsed thereon, that said defendant has been served with process more than ten days before the first day of the present term of this court, which said summons and return thereon are in the words and figures as follows, to-wit: (H.I.).

And now said defendant being three times audibly called

in open court, comes not, and herein wholly makes default.

And the court having heard the evidence and being duly advised in the premises, finds for the plaintiff and that the allegations of his complaint are true, and that there is due plaintiff from the defendant, on the note sued upon, the sum of $250.60 as principal and interest and the further sum of $25.00 as and for a fee for plaintiffs attorneys.

It is therefore considered and adjudged by the court that the plaintiff have and recover of said defendant, Virgil Meuse, the sum of $275.60, together with his costs and charges paid, laid out, and expended.

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, February 12th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

ALVIA R. HERNLY)
VS) # 15,297
ELSWORTH STUART, ET AL.)

Comes now The Buckeye Traction Ditcher Company of Findlay, Ohio, by and through its attorneys, John E. Priddy, of Findlay, Ohio, and Hume & Gaston, of Danville, Indiana, and present and file its petition to be allowed to be made a party and to inter-plead in the above entitled cause of action, and setting forth in said petition the facts which it desires to set forth in its intervening petition, which petition to be permitted to inter-plead is in the following words and figures, to wit: (H.I.).

And the court, having examined said petition, and being duly advised and informed in the premises, finds that the prayer of said petition should be granted and that The Buckeye Traction Ditcher Company of Findlay, Ohio, should be permitted to inter-plead in this cause.

It is therefore ordered and adjudged by the Court that The Buckeye Traction Ditcher Company of Findlay, Ohio, be and it is hereby permitted to inter-plead in this action and set forth in its intervening petition and complaint whatever rights it may have in connection with this cause of action.

OLLIE WILSON)
VS) # 15433
INDIANAPOLIS RAILWAYS, INC.,)
ETC., ET AL.)

Come now the parties, by counsel, and file written dismissal by agreement of parties of the above cause, the costs on dismissal having heretofore been paid, and parties move the dismissal of this cause, which written dismissal is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said written dismissal and being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

AETNA CASUALTY AND SURETY CO.)
VS) # 15236
SETH S. WARD.)

Comes now the defendant and this cause is continued.

EVERETT J. ROBERTS)
VS) # 15382
ELVIN E. YORK)

Comes now the defendant, by counsel, and files affidavit and motion for change of venue from the County, which affidavit is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said affidavit and being duly

advised, now sustains said motion.

Come now the parties and strike and Putnam County remaining, it is ordered that change be made to Putnam County, Indiana, and ten days are given to pay costs of change.

ELIZABETH E. WILSON)
VS) # 15332
CHARLES B. CHRIST, ET AL.)

Comes now the plaintiff by Kivett and Kivett, her attorneys, and comes also the defendant, Lela H. Peck by Robert J. Wade, her attorney, and the Court having seen and examined the motion for change of venue from the Judge of this Court, heretofore filed in this cause, and being sufficiently advised, now sustains the same.

And now by agreement of the above parties, Honorable Courtland C. Gillen is chosen to try said cause, and in compliance with said agreement, I, Horace L. Hanna, Judge of the Hendricks Circuit Court, of Hendricks County, Indiana, being disqualified to sit as Judge in the trial of the above cause on account of a change of venue having been granted therein; and the parties therein, having agreed upon one Courtland C. Gillen, Judge of the Putnam Circuit Court to try said cause, I hereby designate and appoint the said Honorable Courtland C. Gillen as a Special Judge to try said cause and to preside and hold said Court, dated this 12th day of February, 1938.

Horace L. Hanna, Judge.

CHARLES SIMMONS)
VS) # 15303
HERTHA SIMMONS)

Come now the parties, by counsel, and the Court having seen and examined the motion for change of venue from Hendricks County, heretofore filed, and being sufficiently advised in its premises, now sustains the same.

The parties now strike, and Boone County, Indiana, remaining, it is ordered and adjudged by the Court that the venue of said cause be changed to Boone County, Indiana, and that the plaintiff pay the costs of said change within ten days.

THE BUHNER FERTILIZER COMPANY)
VS) # 15305 Judgt. vs Deft. for $996.00 & Costs.
EDWARD CLINTON) ENTRY J. D. 17, Page 240.

Come now the parties, and the Court having heard the evidence and the argument of counsel herein and being duly advised in the premises finds for the plaintiff and that the allegations of its first and second paragraphs of complaint herein are true, and that the plaintiff is entitled to recover of and from the defendant herein the sum of nine hundred ninety-six dollars ($996.00), and its costs laid out and expended.

IT IS, therefore, considered, adjudged and decreed by the Court that the plaintiff have and recover of the defendant herein the sum of NINE HUNDRED NINETY-SIX DOLLARS ($996.00), and its costs taxed at $_____.

Read and signed in open Court, this 12th day of February, 1938.

STATE OF INDIANA)
VS) # 7814 Judgt. vs Deft., for $5.00 Fine & Costs.
JAMES MAHONEY) J. D. 17, Page 240.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, James Mahoney, in his own proper person and by Harney F. Semones, his attorney, and said defendant is duly arraigned in open Court and enters his plea of guilty.

It is, therefore, adjudged by the Court that the defendant for the offense by him commited shall be fined in the sum of $5.00 and shall be imprisoned in the State Farm for sixty days, and that he pay the costs of this action, taxed at _____ dollars and _____cents.

The Court further finds that by reason of the character of said defendant, and the facts and circumstances surrounding the commision of said crime, the interst of society does not demand or require that the defendant shall suffer the penalty imposed by law if he shall hereafter behave well and pay the fine and costs.

It is, therefore, ordered by the Court that the execution of the semtence herein imposed be suspended during defendant's good behavior, and upon payment of fine and costs, and that said defendant be permitted to go at liberty on probation so long as he behaves well and pays fine and costs, and until further order of this Court.

NANNIE RASNER ADMINISTRATRIX)
OF THE ESTATE OF DOLTON RASNER,)
deceased.)
VS) # 15270
RALPH BLACK)

Come now the parties, by counsel, and by agreement deposition of George Cerceine is ordered published.

THE FEDERAL LAND BANK)
OF LOUISVILLE)
VS) # 14998
MARY UNDERWOOD THOMPSON, ET AL.) Entry

Comes now George W. Hadley, receiver in the above cause and files petition and proposed lease agreement attached thereto which is in words and figures as follows, to-wit: (H.I.) praying that he as such receiver be authorized to execute a lease agreement with one John W. Lambert and Mary F. Lambert, his wife, for the real estate described in said petition. And the court having examined said petition and the attached agreement proposed to be executed and being sufficiently advised in the premises finds that the allegations therein contained are true and that the prayer thereof ought to be granted. The court further finds that said receiver has and holds possession of said premises in his capacity as such receiver and in such capacity has the right and authority to rent and lease said premises from and after March 1st, 1938 to May 29th, 1938, and that the amount of $25.00 is a reasonable rental for said premises for said period, and that in the best interests of said receivership the said premises ought to be rented and leased during said period.

It is therefore ordered adjudged and decreed that the lease agreement so proposed to be entered into by said receiver be and the same is in

all things approved and confirmed by the court and the said receiver upon the payment and receipt of the amount of $25.00 is authorized and ordered to execute and deliver said lease agreement and to deliver possession of said premises on March, 1st, 1938 to said lessees.

And now said receiver submits such lease agreement so executed by the said receiver and the said John W. Lambert and Mary F. Lambert and also the amount of $25.00 received by said receiver is exhibited to the court as the consideration received for said lease, and the court now examines said lease agreement and finds it to be as the copy attached to the above petition and the same is in all things approved by the court and the court endorses its approval thereon.

And the proceedings in said receivership are continued and time is given.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, February 14th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7816 Judgt. vs Deft. for $10.00 Fine & Costs.
HUGH HESTER) J. D. 17, Page 241.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Hugh Hester, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of guilty.

It is, therefore, adjudged by the Court that the defendant, Hugh Hester, for the offense by him committed, shall be and he is fined ten dollars and that he pay the costs of this action, taxed at _____dollars and _____cents.

NANNIE RASNER, ADMINISTRATRIX)
OF THE ESTATE OF DOLTON RASNER,)
DECEASED.)
VS) # 15270
RALPH BLACK)

Come now the parties, in person and by counsel, and this cause being at issue, the Sheriff of Hendricks County, is ordered to bring into open Court the following jurors for jury services, to-wit: Myron Cutrell, William S. Simmons, Lowell W. Johnson, Frank H. O. Neal, Carl Harvey Forrest C. Gibbs, Roy V. Lewis, Walter P. Hendrix, William G. Fordyce Lars E. Ellis William J. Gorrell and Stephen J. Maloney, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly and legally impanelled and sworn in open court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

And after hearing a part of the evidence in this cause, the jury is allowed to separate under proper instructions as to their duties during separation until 9:00 o'clock A. M., February 15th, 1938.

HOMER SELCH)
VS) # 14955
WILLIAM M. CARRIER)
AND PHEBE A. CARRIER)

Comes now Homer Selch, by John A. Kendall, his attorney, and files verified petition praying therein that the defendant William Carrier be given notice of said affidavit and that said defendant be required to appear before the Court and show cause why he, said defendant, William Carrier, should not be punished for contempt, and which affidavit is in the following words and figures, to-wit: (Here Insert). The Court having seen and examined said affidavit, now orders the Clerk to issue summons, together with a copy of said affidavit to the Sheriff of Hendricks County, Indiana, to said defendant, William Carrier, making said summons returnable the 1st day of March Term, 1938, of this Court, to show cause why he should not be published for contempt.

And court adjourned until 9:00 o'clock A. M. Tuesday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Tuesday Morning, February 15th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

NANNIE RASNER, ADMINISTRATRIX)
OF THE ESTATE OF DOLTON RASNER,)
DECEASED.)
VS) # 15270
RALPH BLACK)

Come now the parties, in person and by counsel, and the jury is again brought into Court and the evidence is continued and completed.

And now the jury is allowed to separate under proper instruction of the Court as to their duties during such separation until 9:00 o'clock A. M. February 15th, 1938.

And court adjourned until 9:00 o'clock A. M. Wednesday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, February 16th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

BLANCHE WILSON)
VS) # 15432
LEO CRAVEN WILSON)

Comes now the plaintiff, by counsel, and moves the Court for an order for an alias summons issued to the Sheriff of Hendricks County, Indiana, to the defendant, Leo Craven Wilson, said summons to be made returnable the first day of the March Term of this Court, same being March 7th, 1938. And the Court being duly advised, now sustains said motion and alias summons is ordered issued, making the same returnable March 7th, 1938.

LOTTIE L. COOK,)
VS) # 15429 Interlocutory decree
MOLLIE PARKER, UNMARRID,)
NATHANIEL N. N. BRITT,)
UNMARRIED.)

Comes now the parties, by their respective counsel and this cause is submitted to the court for trial, and the court having heard the evidence, and being sufficiently advised in the premises, advise that the parties hereto are the owners of the real estate described in the plaintiff's complaint, and have interests therein as follows: (1) That the plaintiff, Lottie L. Cook, is the owner of an undivided 1/3 of said real estate described in plaintiff's complaint. (2) That the defendant, Mollie Parker, unmarried, is the owner of an undivided 1/3 of said real estate described in plaintiff's complaint. (3) That the defendant, Nathaniel N. N. Britt, is the owner of an undivided 1/3 interest of the real estate described in plaintiff's complaint herein.

That there has been valuable and lasting and said improvements made on this farm to the interest of all parties in this suit, that there remains due, and unpaid the sum of $181.00 for material and labor. That the plaintiff and each of the defendants interest to the real estate described in plaintiff's complaint is liable for their respective 1/3 interest for this bill which is as follows: Lottie L. Cook, the sum of $60.25; the defendant, Mollie Parker, the sum of $60.25; and the defendant Nathaniel N. N. Britt, the sum of $60.25. That said Lottie L. Cook be re-imbursed for 2/3 of improvements made.

That the parties hereto are entitled to have said real estate partioned and set apart to them in severalty in the proportions above stated and if said land is further not to be in condition so as to be divided equally then the parties are entitled to have the same sold.

It is therefore, considered, adjudged, and decreed by the court that bids be made of said real estate towit: The Northeast quater of the Southeast quarter of section 23 in township 15 North, Range 2 west, containing 40 Acres more or less, among the parties hereto according to their interest as above found by setting off to the plaintiff her undivided 1/3 interest and to each of the defendants their undivided 1/3 interest to said real estate and that if the same is found incapable of division that the same be sold and the money divided according to their respective interests.

It is further considered, and adjudged that the defendant Nathaniel N. N. Britt pay of the cost of this proceeding 1/3 thereof, that the defendant, Mollie Parker, pay of the cost of this proceeding 1/3 thereof, and that the plaintiff, Littie L. Cook, pay of the cost of this proceeding 1/3 thereof.

It is further considered, adjudged, and decreed that John Shelton be and he is hereby appointed commissioner to make partition of said real estate in accordance with this decree and that he make report of his proceedings at the next term of court. The court further finds from the evidence of the real estate described in the complaint cannot be divided and apportioned among the several parties ~~said offer to them~~ without damage to the real estate and the interest of the parties.

It is further considered and adjudged by the court that said real estate, towit: The Northeast quarter of the Southeast quarter of section 23 in township 15 North, Range 2 West, containing 40 Acres, more or less, be appraised, as provided by the law, and that the commissioners, after appointment, sell said real estate at private sale by means of the following notices, towit: by the publication by one insertion in the Hendricks County Republican and the Danville Gazette, said publications to be given at least one week prior to the date when the bids will be opened on said sale, that said sale be for not less that 2/3 of its appraised value and that said sale be for cash, that the notices given in each of the papers will require all bids to be in the law office of John A. Kendall, Danville, Indiana on, or before 10:00 A. M. on the 10 day of March 1938.

It is further considered and adjudged that John Shelton be, and he is hereby appointed commissioner to make sale of the real estate herein described and that he give bonds to the sum of $2000.00 with surety to the approval of the court, and that each of said appraisers be allowed the sum of $2.50 for their services as such commissioners, to be deducted from the purchase money (1/3 thereof to be taken from each person) and to be included as a part of a cost of selling.

It is further considered and adjudged that on the sale of said real estate, said commissioner issue to the purchaser a certificate of purchase thereof, and that on full payment of the purchase price they execute to said purchaser a deed therefor and report the same to this court for approval, together with a report of their doings in the premises. Further considered and adjudged that $150.00 be allowed the plaintiff's attorney, the same to be considered a part of the cost of this proceeding. It is ordered and decreed that the cost, including attorney's fee be paid by the defendants and plaintiff in the same proportion as the value of the real estate set off to them.

LAZENA LEACH)
VS) # 15404
ARCHIE J. KAHL, AS EXECUTOR OF THE)
WILL OF MARY E. SYMONS, DECEASED;)
JAMES E. LEACH;)
THE DANVILLE SOUTH CEMETERY ASSOCIATION;)
BROOKE GOSSETT, AS MANAGER OF THE)
SHILO CEMETERY;)
ALVIN O. SMITH, SHIELDS McCASLIN AND OTTO)
KOLP AS MANAGERS OF THE JONES CEMETERY;)
BUREN B. JONES; HORACE JONES, IVORY R.JONES;)
LAURA A. WASHBURN.)

Come now the parties to this action and the defendants severally file answers to the complaint as follows, to-wit: (Here Insert).

And now this cause, being at issue upon plaintiff's complaint and the several answers of the defendants thereto, is submitted to the court for trial finding, judgment and decree 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 her complaint are true and that the instrument of writing, mentioned in the complaint, purporting to be the last will and testament of Mary E. Symons, deceased, and as such admitted to probate by this court on the IIth. day of December 1937, is invalid and not the last will and testament of said decedent.

And the Court further finds from the evidence that the instrument of writing bearing date of May 10th. 1935, signed by the said Mary E. Symons, now deceased, and attested and subscribed by the witnesses, Chas. Z. Cook and Amos Harvey, which instrument is fully discribed in the complaint, has been duly proven and established as the last will and testament of said decedent and that the same should be admitted to probate and record in this court in the place and stead of the instrument heretofore admitted to probate by this court as the last will and testament of said decedent.

It is, therefore, considered and adjudged by the court that the instrument in writing bearing date of March 14th. 1935, and admitted to probate by this Court on the IIth. day of December, 1937, as the last will and testament of Mary E. Symons, deceased, be and the same is adjudged invalid and of no force or effect, and that the probate thereof heretofore granted is hereby set aside and revoked.

And the Clerk of this court is ordered to record this judgment of revocation in the proper record of wills, and cause notice thereof to be issued, served and published as by law required, and tax the expense thereof as a part of the costs of this proceeding.

It is further considered and adjudged by the court that the instrument of writing bearing date of May 10th, 1935, signed by the said Mary E. Symons, now deceased, and attested and subscribed by the witnesses, Chas. Z. Cook and Amos Harvey, which instrument is fully described in the complaint in this proceeding, has been duly proven and established as the last will and testament of the said Mary E. Symons, deceased, and that the same is admitted to probate and record in this court as the last will and testament of said decedent; and the Clerk of this court is hereby ordered to indorse on said record a certificate of such probate, which is accordingly now done.

Said will, the testimony in proof thereof and the certificate of probate thereon indorsed, read as follows: (here insert).

It is further ordered by the court that the costs of this proceeding shall be paid by the estate.

NANNIE RASNER ADMINISTRATRIX OF)
THE ESTATE OF DOLTON RASNER,)
DECEASED.)
VS) # 15270
RALPH BLACK)

Come now the parties, in person and by counsel, and the jury is again brought into Court. Plaintiff tenders instructions number one to five both inclusive, and the Court indicates that he will refuse to give instructions number one to five both inclusive and to the refusal of each of which the plaintiff objects and excepts. The defendant now tenders instructions numbered one to ten both inclusive, and the Court indicates that he will refuse to give instructions 2, 3, 4, 5, 6, 8, 9 and 10 of said defendant's instructions, and to the refusal of each of which the defendant objects and excepts.

Arguments are heard. At the close of the argument, plaintiff again tendered his instructions in writing numbered one to five both inclusive, and requests the Court to give each of said instructions and the defendant again tenders its instructions in writing numbered one to ten both inclusive, and requests the Court to give each of said instructions.

And now the Court gives to the jury on his own motion, instructions numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 14½, 15, 16, 17, 17½, 18, 19, 20, 21, 22, and 23, and to the giving of each instruction as given by the Court of his own motion, plaintiff and defendant each except as to each instruction separately and severally. And now the Court gives instructions numbered one and seven tendered by the defendant and the plaintiff now excepts to the giving of each of said instructions numbered one and seven tendered by the defendant, separately and severally.

And now the Court refuses to give instructions numbered 1, 2, 3, 4 and 5 tendered by the plaintiff and the plaintiff excepts to the refusal of the Court to give each of the instructions numbered 1, 2, 3, 4 and 5, tendered by the plaintiff.

And now the Court refuses to give instructions numbered 2, 3, 4, 5, 6, 8, 9 and 10 tendered by the defendant, and the defendant now excepts to the refusal of the Court to give instructions numbered 2, 3, 4, 5, 6, 8, 9 and 10 tendered by the defendant and to each of them separately and severally.

Now the Court signs the instructions given by the Court of its own motion and also signs the instructions tendered by the plaintiff and the instructions tendered by the defendant indicating those "given" and those "refused" and all of the instructions including those given by the Court and those tendered by the plaintiff and those tendered by the defendant and now orders all of said instructions, including those given and refused filed and made a part of the record of this cause, which instructions are in the words and figures following, to-wit: (H.I.).

The jury retires in charge of a sworn officer to deliberate.

Afterwards the jury is again conducted into Court and returns a verdict for the plaintiff and assess her damages in the sum of ($1,250.00) twelve hundred and fifty dollars, which verdict is in the words and figures following, to-wit:

State of Indiana, In the Hendricks Circuit Court.
Hendricks County, SS: January Term, 1938.
NANNIE RASNER, Administratrix of)
the estate of Dolton Rasner,) No. 15270.
deceased.)
vs.) VERDICT OF THE JURY.
Ralph Black.)

We, the Jury, find for the plaintiff and assess her damages in the sum of $1250.00.

Walter P. Hendrix
Foreman of the Jury.

The jury is now discharged from further duties in this cause.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, February 17th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

BASI FRANKLIN)
VS) # 14679
C. A. KIRKPATRICK)

Comes now the plaintiff, by counsel, and files affidavit for change of venue from the County of Hendricks, which affidavit for change of venue is in the following words and figures, to-wit: (Here Insert).

PLATT & BRAHM COAL CO.)
VS) # 15098
GEORGE E. HARVEY, ETC.)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to answer on or before the 28th day of February, 1938.

And the Court being sufficiently advised, now sustains said motion and the defendant is ruled to answer on or before February 28th, 1938.

GUSS W. MILLER)
VS) # 15384
PUBLIC SERVICE COMPANY OF)
INDIANA.)

Comes now the plaintiff, by counsel, and files amended complaint in the following words and figures, to-wit: (Here Insert).

AMANDA EILAR)
VS) # 15401
BOYD C. GOLDMAN)

Comes now the plaintiff, by counsel, and moves the Court to publish deposition or conditional examination of defendant. And the Court being duly advised, now sustains said motion and deposition is ordered published.

Come now the parties, in person and by counsel, and this cause being at issue, the Sheriff of Hendricks County, is ordered to bring into open Court the following jurors for jury services, to-wit: Forrest C. Gibbs, Carrie D. Long, Frank H. O'Neal, Lowell W. Johnson, William S. Simmons, Myron Cutrell, Paul Blessing, William J. Gorrell, Lars E. Ellis, William G. Fordyce, Walter P. Hendrix and Roy V. Lewis, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly and legally impanelled and sworn in open court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

And after hearing a part of the evidence in this cause, the jury is allowed to separate under proper instructions of the Court as to their duties during separation until 9:00 o'clock A. M., February 18th, 1938.

And court adjourned until 9:00 o'clock A. M. Friday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, February 18th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

LESLIE PAPKE)
VS) # 15391
EVERETT OGDEN, ETC.)

Comes now the plaintiff, by counsel, and files answer to plea in abatement in general denial, in the following words and figures, to-wit: (Here Insert).

AMERICAN LIFE AND ACCIDENT)
INSURANCE COMPANY OF KENTUCKY)
VS) # 15315
OTIS E. GULLEY ET AL.) ENTRY

Comes now George W. Hadley, receiver in the above cause and files petition and proposed lease agreement attached thereto which petition and the attached copy of lease agreement are in words and figures as follows; to-wit: (H.I.), praying that as such receiver he be authorized to execute a lease agreement with one Wendall W. Hadley for the real estate described in said attached lease agreement, and further praying that he be authorized to make certain repairs to said premises. And the court having examined said petition and the attached agreement proposed to be executed and being sufficiently advised in the premises finds that the allegations therein contained are true and that the prayer thereof ought to be granted. The court further finds that said receiver has and holds possession of said premises in his capacity as such receiver and has the right and authority to rent and lease said premises from and after March 1st, 1938 to March 1st, 1939, and that the amount of $270.00 is a reasonable rental for said period, and that in the best interests of said receivership the said premises ought to be rented and leased during said period.

And the court further finds that said premises is in need of the repairs set out in said petition and the same ought to be made.

It is therefore ordered and adjudged that the lease agreement so proposed to be entered into by said receiver be and the same is in all things approved and confirmed by the court and the said receiver upon the payment of the sum of $22.50 and receipt thereof is authorized and ordered to execute and deliver said lease agreement and to deliver possession of said premises to said lessee. And it is further ordered and adjudged that the receiver proceed to make the repairs to said premises mentioned in his petition and expend therefor from moneys in his hands as such receiver the costs of the same not to exceed the amount of $35.00.

And now said receiver submits such lease agreement so executed by the said receiver and the said Wendall W. Hadley and the amount of $22.50 is exhibited to the court received by him as the first instalment payment on said lease agreement, and the court now examines said lease agreement and finds it to be as the copy attached to the above petition and the same is in all things approved by the court and the court endorses its approval thereon and orders the same delivered to the said Wendall W. Hadley.

And the proceedings in said receivership are continued and time is given.

MORRIS COPENHAVEN BY NEXT)
FRIEND ERNEST T. LANE)
VS) # 15417 Judgt. vs Pltf. for Costs.
TRUCKING INCORPORATED AND) J. D. 17, Page 241.
W. E. HAYWORTH, WHOSE)
CHRISTIAN NAME IS UNKNOWN)

Comes now the defendant, by counsel, and moves the Court to publish the deposition of W. E. Hayworth. The Court being duly advised, now sustains said motion and deposition is ordered published.

Come now the parties, in person and by counsel, and this cause being at issue, the same is now submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

The Court having heard the evidence in this cause, now finds that the plaintiff take nothing by its complaint, and that the defendant recover of the plaintiff, Morris Copenhaven by next friend Ernest T. Lane, its costs laid out and expended.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff take nothing by its complaint, and that the defendant recover of the plaintiff, Morris Copenhaven by next friend Ernest T. Lane, its costs laid out and expended, taxed at _____ dollars and _____ cents.

AMANDA EILAR)
VS) # 15401
BOYD C. GOLDMAN)

Come now the parties, in person and by counsel, and the jury is again brought into court and the taking of evidence is continued and completed.

The plaintiff now tenders instructions number one to five both inclusive, and the Court indicates it will refuse to give instruction number five tendered by the plaintiff and to the refusal of which the plaintiff objects and excepts. Defendant now tenders instructions numbered one to eight both inclusive, and the Court indicates it will refuse to give instructions numbered 1, 2, 5, 7 and 8, tendered by the defendant, to the refusal of which the defendant objects and excepts. And now the Court inserts the following words above line four from bottom of page of said instruction numbered one tendered by the defendant the following words as indicated on said instruction number one, towit: "and said acts were the proximate cause of the injuries to plaintiff" and indicates that he will give said instruction as amended.

Argument is heard, and at the close of the argument, the plaintiff again tendered his instructions in writing numbered one to five both inclusive, and requests the Court to give said instructions and the defendant now again tenders its instructions in writing, numbered from one to eight both inclusive, and requests the Court to give each of said instructions. And now the Court gives to the jury of his own motion instructions numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 14½, 15, 16, 17, 18, 19, 20, 21, 22 and 23, and to the giving of each instruction so given by the Court of his own motion, plaintiff and defendant each except as to each instruction separately and severally. And now the Court gives instructions numbered 1, 2, 3and 4, tendered by the plaintiff, and refuses to give instruction number five tendered by the plaintiff. The defendant now excepts to the giving of instructions numbered 1, 2, 3 and 4 tendered

by the plaintiff and the plaintiff now excepts to the refusal of the Court to give instruction number 5, tendered by the plaintiff. And now the Court gives instructions numbered 3, 4 and 6 tendered by the defendant, and the defendant now excepts to the refusal of the Court to give instructions 1, 2, 5, 7 and 8 tendered by the defendant and the plaintiff now excepts to the giving of instructions numbered 3, 4 and 6 tendered by the defendant. And now the Court gives instruction numbered one as amended by the Court tendered by the defendant, and to which instruction the Court inserted the following "and said acts were the proximate cause of the injuries to plaintiff" and begin after the word "therefrom" in the fourth line from bottom of page on which instruction was written, and to the giving of said instruction so amended and given by the Court, plaintiff and defendant each except.

And now the Court signs the instructions given by the Court of its own motion, and also signs the instructions tendered by the plaintiff and the instructions tendered by the defendant indicating those "Given" and those "Refused", and all of said instructions including those given by the Court and those tendered by the plaintiff and those tendered by the defendant, and now orders all of said instructions including those given and refused filed and made a part of the record in this cause.

Jury retires in charge of a sworn officer to deliberate.

The jury is again conducted into Court and requests the Court to again read the instructions given in this cause, and the Court reads to the jury the instructions given in this cause.

Jury again retires in charge of a sworn officer to deliberate.

And court adjourned until 9:00 o'clock A. M. Saturday,

Record read and signed in open court.

Horace C. Hanna, Judge.

Saturday Morning, February 19th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

AMANDA EILAR)
VS) # 15401
BOYD C. GOLDMAN)

Come now the parties, by counsel, and the jury is again conducted into Court and upon being questioned as to probable chance of jury to reach a verdict in this cause, and each juror indicating that there is no change to reach a verdict, the jury is discharged from further duties in this cause.

STATE OF INDIANA)
VS) # 7757
JOHN NELSON)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, in his own proper person, and said defendant shows to the Court that he has no property or means to pay for an attorney, and the Court appoints George Hadley, attorney, to represent said defendant, John Nelson, in this cause.

STATE OF INDIANA)
VS) # 7815
ELMER EVERHART)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Elmer Everhart, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of not guilty.

Said defendant reports to the Court that he has no property or means to hire an attorney, and the Court appoints Virgil Sears as attorney to represent said defendant.

STATE OF INDIANA)
VS) # 7817
ELMER EVERHART)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Elmer Everhart, in his own proper person, and said defendant is duly arraigned in open court and enters his plea of guilty.

Court witholds sentence pending certain investigations.

STATE OF INDIANA)
VS) # 7818 Judgt. vs Deft. for $10.00 Fine & Costs.
ROBERT HIRT) J. D. 17, Page 241.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Robert Hirt, in his own proper person, and said defendant enters his plea of guilty, of operating motor vehicle while under the influence of intoxicating liquor.

It is, therefore, adjudged by the Court that said defendant, Robert Hirt, for the offense by him committed shall be and he is imprisoned in the State Penal Farm for a period of ten days and that he shall be and he is fined in the sum of ten dollars, and that he shall pay the costs of this action, taxed at _____dollars and _____cents.

It is further ordered by the Court that the defendant's operator's license number 42161 be and is hereby revoked, and said defendant is hereby prohibited from driving any automobile or motor vehicle for a period of one year, and the Clerk of this Court is directed to transmit a certified copy of this judgment to the Motor Vehicle Department as by law provided.

STANLEY TOWNSEND)
VS) # 15347
LOIS F. LANDWERLEN,)
et al.)

Comes now the plaintiff, by counsel, and files motion to dismiss this cause , the costs on dismissal having heretofore been paid, which motion is in the words and figures following, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised, now sustains the same.

It is, therefore, now considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

FRED LITTLE)
VS) # 15383
GEORGE E. HARVEY, ET AL.)

Comes now the plaintiff, by counsel, and files and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid, which motion is in the words and figures following, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised, now sustains the same.

It is, therefore, now considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

ROGER F. LYON, TRUSTEE ETC.)
VS) # 15346
AETNA LIFE INSURANCE COMPANY)
A CORPORATION, ETC.)

Comes now the defendant and files affidavit for change of venue from the Judge of the Hendricks Circuit Court, which affidavit is in the following words and figures, to-wit: (Here Insert), and said defendant now moves the Court for a change of Judge in said cause. The Court having seen and inspected said affidavit and application, sustains the same.

Come now the plaintiff and defendant in the above cause, and agree that upon the filing of defendant's affidavit for change of Judge, that the Honorable Thomas D. Stevenson may be appointed Special Judge therein, and, and which agreement is in the following words and figures, to-wit: (Here Insert).

I, Horace L. Hanna, Judge of the Hendricks Circuit Court of Hendricks County, State of Indiana, being disqualified to set as Judge in the trial of the above cause on account of a change of venue having been granted therein, and the parties therein, having agreed upon one Thomas D. Stevenson, Attorney of the Indianapolis, Indiana, Bar, to try said cause, I hereby designate and appoint Honorable Thomas D. Stevenson, as Special Judge to try said cause and to preside and hold said cause.

Dated this 19th day of February, 1938.

Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7819 Judgt. vs Each Deft. for Costs.
CECIL WARD) J. D. 17, Page 241
WILLIS WARD)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and come also the defendants, Cecil Ward and Willis Ward, and said defendants are duly arraigned in open Court and each plead guilty to charge of petit larceny.

It is, therefore, adjudged by the Court that said defendants, Cecil Ward and Willis Ward, for the offense by them committed shall be be and they are each imprisoned in the State Farm for a period of six months, and shall pay the costs of this action, taxed at _____dollars and _____cents.

STATE OF INDIANA)
VS) # 7820 Judgt. vs Deft. for $10.00 Fine & Costs.
WARREN GIFFORD) J. D. 17, Page 242.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Warren Gifford, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of not guilty of operating a motor vehicle while under the influence of intoxicating liquor.

The Court fixes the bond of the defendant at $500.00.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Warren Gifford, in his own proper person, and said defendant now changes his plea of not guilty to guilty of operating motor vehicle while under the influence of intoxicating liquor.

It is, therefore, adjudged by the Court that the defendant, Warren Gifford, for the offense by him committed be and he is sentenced to the Penal Farm for a period of ten days, and that he be and he is fined in the sum of ten dollars and that he pay the costs of this action, taxed at _____dollars and _____cents.

It is further ordered by the Court that said defendant's operator's license be revoked, and that he is prohibited from driving an automobile or motor vehicle for a period of one year, and that the Clerk of this Court is hereby directed to forward a certified copy of this order to the Motor Vehicle Department, as by law provided.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, February 21st, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

LOREN MORGAN, ET AL.)
VS) # 15396
LOUIE LINDER)

Comes now the defendant, by counsel, and files answer in general denial in the following words and figures, to-wit: (Here Insert).

ELIZABETH E. WILSON)
VS) # 15332
CHARLES B. CHRIST, ET AL.)

Comes now C. C. Gillen, Judge of the 64th Judicial Circuit, now takes oath, qualifies and assumes jurisdiction, which oath is as follows:

OATH.

STATE OF INDIANA, COUNTY OF Hendricks, SS:

I, C. C. Gillen do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Indiana, and that I will honestly, faithfully and impartially discharge the duties of my trust as Called Judge of the Hendricks Circuit Court; so help me God.

C. C. Gillen

Subscribed and sworn to in open Court, this 21st day of Feb. 1938.

WITNESS my hand and official seal.

(SEAL)

Walter E. Hadley, Clerk
Hendricks Circuit Court.

Motion heretofore made to separate causes of action is set for argument March 1st, 1938.

C. C. Gillen
C. C. Gillen, Special Judge.

LOUISE KOLTHOFF)
VS) # 15144
FINK AUTO COMPANY, INC.)

Come now the parties, in person and by counsel, and this cause being at issue, the Sheriff of Hendricks County, is ordered to bring into open Court the following jurors for jury services, to-wit: Forrest C. Gibbs, Carl Harvey, Frank H. O'Neal, Lowell W. Johnson, Myron Cutrell, William S. Simmons, Roy V. Lewis, Walter P. Hendrix, Willaim G. Fordyce, Lars E. Ellis, William J. Gorrell and Paul Blessing, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly and legally impanelled and sworn in open court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

After hearing a part of the evidence in this cause, the jurors are allowed to separate under proper instructions of the Court as to their duties during separation until 9:00 o'clock A. M. February 22nd, 1938.

BEATRICE RIGGEN)
VS) # 14441
CLEO RIGGEN)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Cleo Riggen, by reason of bench warrant ordered issued September 22nd, 1936, in case of State of Indiana vs Cleo Riggen, being cause number 7519 of this court.

And the Court upon investigating the court records in this cause and being duly advised in the premises, finds that said defendant has completely failed to comply with the order and decree of this cause.

CARRIE B. LEATHERBURY)
VS) # 15381 ORDER ON FINAL REPORT.
HATTIE GRAHAM, MARY E. SHORT)

Comes now William McAninch, commissioner herein, and files the following, his final report (H.I.), showing that after the payment of the costs of this action and allowances made by the court their remained in his hands for distribution $220.25, which sum, pursuant to the decree in this cause entered and as evidenced by vouchers filed, he has paid out and distributed as follows:

Carrie B. Leatherbury, plaintiff	$73.41
Mary E. Short, defendant	73.42
Halter E. Hadley, clerk of Hendricks Circuit Court, for and on behalf of Hattie Graham	73.42

And the court having examined said report, and being sufficiently advised, now in all things approves and confirms the same. And said commissioner having accounted for, and properly disbursed, all sums coming into hands or with which he is chargeable, and having in all other respects fully executed his said trust, he is now, by order of court, released and discharged, and this cause adjudged finally disposed of.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Tuesday Morning, February 22nd, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

LOUISE KOLTHOFF)
VS) # 15144
FINK AUTO COMPANY, INC.)

Come now the parties, in person and by counsel, and the jury is again brought into court and the taking of evidence is continued and completed.

The defendant, at the conclusion of all the evidence, now files its motion for peremptory instruction to the jury, to return a verdict for the defendant, and which motion is in the following words and figures, to-wit: (Here Insert). And the Court having seen and examined said motion and being duly advised in its premises, now overrules said motion, and to which ruling of the Court, the defendant duly objects and excepts.

The plaintiff tenders instructions numbered one to seven both inclusive, and the Court indicates that he will refuse to give instructions numbered one and five tendered by the plaintiff, and to the refusal of each of which the plaintiff duly objects and excepts. The defendant now tenders instructions numbered one to five both inclusive and the Court indicates that he will refuse to give instructions numbered three and four tendered by the defendant, and to the refusal of each of which the defendant duly objects and excepts.

Arguments are heard, and at the close of the arguments, the plaintiff in this cause again tenders her instructions in writing, numbered one to seven both inclusive, and requests that the Court give each of said instructions, and the defendant now again tenders its instructions in writing numbered one to give one to five both inclusive, and requests that the Court give each of said instructions.

The Court now gives to the jury on his own motion instructions numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, and to the giving of each instruction so given by the Court of it's own motion, plaintiff and defendant each except as to each instruction separately and severally. And now the Court gives instructions numbered 2, 3, 4, 6 and 7 tendered by the plaintiff, and the defendant now excepts to the giving of instructions numbered 2, 3, 4, 6 and 7, separately and severally, tendered by the plaintiff. And now the Court refuses to give instructions numbered one and five tendered by the plaintiff, and the plaintiff excepts to the refusal of the Court to give instructions numbered one and five, separately and severally, so tendered by the plaintiff. And now the Court gives instructions numbered 1, 2 and 5 tendered by the defendant, and the plaintiff now excepts to the giving of instructions numbered 1, 2 and 5, separately and severally tendered by the defendant, and now the Court refuses to give instructions numbered three and four tendered by the defendant, and the defendant excepts to the refusal of the Court to give instructions numbered three and four, separately and severally.

And now the Court signs the instructions given of the Court of its own motion, and also signs the instructions tendered by the plaintiff and the instructions tendered by the defendant, indicating those "given" and those "refused" and all of the instructions including those given by the Court of its own motion and those tendered by the plaintiff and those tendered by the defendant and now orders all of

said instructions including those given and refused filed and made a part of the record of this cause, which instructions are in the words and figures following, to-wit: (H.I.).

The jury now retires in charge of a sworn officer to deliberate.

And afterwards, the jury is again conducted into court and returns a verdict for the plaintiff, and assess her damages in the sum of one hundred and fifty dollars, which verdict is in the words and figures following, to-wit:

State of Indiana, In the Hendricks Circuit Court,
Hendricks County, SS: January Term, 1938.

Louise Kolthoff)
vs.) No. 15144.
Fink Auto Company, Inc.) VERDICT OF THE JURY.

We, the Jury, find for the plaintiff and assess her damages in the sum of $150.00.

Walter P. Hendrix
Foreman of the Jury.

And now the jury is discharged from further duties in this cause.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Wednesday Morning, February 23rd, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

MILDRED H. BUTLER)
VS) # 15344
MAURICE G. BUTLER)

Come now again the parties, by counsel, and the Court now finds for the plaintiff and that the allegations of plaintiff's complaint are true and that she is entitled to a divorce from the defendant, that the maiden name of plaintiff, Mildred H. Stevenson, should be restored to plaintiff; that the plaintiff and defendant have entered into an agreement as to property rights, which is in the words and figures following, to-wit: (H.I.), and which should be approved by the Court and made a part of this decree.

Comes now the defendant and pays the costs herein, and the Court now finds that the decree should be entered in this cause all as shown in the above minutes.

It is, therefore, considered, ordered and adjudged by the Court that the bonds of matrimony heretofore existing between Mildred H. Butler and Maurice G. Butler be and they are hereby set aside and held for naught and the plaintiff is hereby granted a divorce from the defendant, the costs having been paid by the defendant.

It is further considered, ordered and adjudged by the Court that the plaintiff's maiden name of Mildred H. Stevenson be restored to her, and the Court approved said agreement and same is made a part of this decree.

LOTTIE L. COOK)
VS) # 15429
MOLLIE PARKER, ET AL.)

Come now the appraisers and file inventory and appraisement of real estate in the following words and figures, to-wit: (Here Insert).

RONALD ADMIRE)
VS) # 15385
WALTER CUNNINGHAM)
RALPH MYERS, ETC.)

Come now the parties, in person and by counsel, and the jury is brought into Court, and now by agreement of parties, this cause is continued to April 6th, 1938.

STATE OF INDIANA)
VS) # 7391
JOHN DUFFY)

Comes now John A. Kendall, prosecuting attorney of the 55th Judicial Circuit, State of Indiana, and files and moves the Court to enter a nolle prosequi in the above entitled cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised in its premises, now sustains said motion and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

And court adjourned until 9:00 o'clock A. M. Thursday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, February 24th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

CHARLES H. SEILOFF, ET AL.)
VS) # 15112
STANTON A. MORTON, ET AL.)

Comes now the defendant, by counsel, and moves the Court to require the plaintiff to plead over on or before March 7th, 1938. And the Court being duly advised, now sustains said motion, and the plaintiff is ruled to plead on or before March 7th, 1938.

CHARLES K. RICE)
VS) # 15127
LORETTA RICE)

Come now the parties, by counsel, and the Court having seen and examined the plaintiff's motion for new trial, heretofore filed, and being duly advised, now overrules the same, to which ruling of the Court the defendant at the time duly objects and excepts.

And now the defendant prays an appeal to the Appellate Court of Indiana. And the Court being duly advised, now grants said appeal, and bond is fixed at $1500.00, and thirty days are given in which to file bond and sixty days are given to file all bills of exception.

JAMES H. COLLINS,)
FRANCES (LOWE) COLLINS)
VS) # 15369
SARAH E. McCLAIN)

Comes now the plaintiff, by counsel, and files affidavit and motion for change of venue from Hendricks County, Indiana, in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said affidavit and motion and being sufficiently advised in its premises, now sustains said motion.

And now come the parties, by counsel, and strike, and Putnam County, Indiana, being the county remaining, said cause is now ordered and adjudged venued to Putnam County, Indiana, and the plaintiff is given ten days in which to pay the costs of said change.

ALBERT GASPER)
VS) # 15333 Judgt. vs Pltf. for Costs.
SAMUEL L. COOPRIDER) J. D. 17, Page 242.

Come now the parties, by counsel, and the plaintiff moves the Court to render judgment on the verdict of the jury.

It is, therefore, adjudged by the Court that the plaintiff take nothing by its suit.

It is further considered and adjudged by the Court that the defendant recover of and from the plaintiff, Albert Gasper, his costs in this behalf paid,

laid out and expended at _____dollars and _____cents.

BEATRICE RIGGEN)
VS) # ~~14441~~
CLEO RIGGEN)

Come now the parties, by counsel, and the Court having taken the matter under advisement, now further finds that the defendant has refused to comply with the order of this court and has also evaded the service of a warrant issued in reference thereto, and because thereof, of the above violations, that the said defendant is guilty of contempt of this court.

It is, therefore, adjudged by the Court that said defendant for the offense by him committed, shall be and he is imprisoned in the State Penal Farm for sixty days.

ROGER F. LYON, TRUSTEE, ETC.)
VS) # 15346
AETNA LIFE INSURANCE COMPANY,)
A CORPORATI N, ETC.)

Come now the parties, the plaintiff in person and by counsel, and the defendant by counsel, and comes now Thomas D. Stevenson, heretofore appointed as Special Judge herein, and is duly sworn and qualifies as such and assumes jurisdiction of this cause, which oath is as follows:

OATH.

STATE OF INDIANA, COUNTY OF Hendricks,SS:

I, Thomas D. Stevenson do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Indiana, and that I will honestly, faithfully and impartially discharge the duties of my trust as Called Judge of the Hendricks Circuit Court; so help me God.

Thomas D Stevenson

Subscribed and sworn to in open Court, this 24th day of Feb. 1938

WITNESS my hand and official seal.

(SEAL)

Walter E. Hadley Clerk
Hendricks Circuit Court.

And plaintiff now files its reply to defendant's fourth paragraph of complaint, which reply is as follows, (H.I.).

And this cause being at issue, the Sheriff of Hendricks County, is ordered to bring into open Court the following jurors for jury services, to-wit: Stephen J. Maloney, Myron Cutrell, William S. Simmons, Lowell W. Johnson, Frank H. O'Neal, Harry M. Ward, Roy V. Lewis, Walter P. Hendrix, William G. Fordyce, Lars E. Ellis, William J. Gorrell and Forrest C. Gibbs, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly and legally impanelled and sworn in open court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

The taking of evidence is begun, and the hour of adjournment having arrived, this cause is continued until 9:00 o'clock A. M. on Saturday, February 26th, 1938.

Thomas D. Stevenson

Thomas D. Stevenson, Special Judge.

And court adjourned until 9:00 o'clock A. M. Friday,

Record read and signed in open court.

Horace R. Hanna, Judge.

Friday Morning, February 25th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7823 Judgt. vs Deft. for $5.00 Fine & Costs.
H. DARNOLD) J. D. 17, Page. 242.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, H. Darnold, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of public intoxication.

It is, therefore, adjudged by the Court that the defendant, H. Darnold, for the offense by him committed shall be and he is fined five dollars, and that he pay the costs of this action, taxed at _____dollars and _____cents.

JOSEPHINE POTTS)
VS.) # 15349 On Account of Change of Venue.
MICHAEL COLLINS, ET AL)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Josephine Potts vs. Michael Collins, et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

February 25th, 1938. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

EDWIN H. PAYNE)
VS.) #15252 On Account of Change of Venue.
ACETYLENE PRODUCTS CO.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit, Five Dollars and Fifty Cents ($5.50) in the case of Edwin H. Payne vs. Acetylene Products Co. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

February 25th, 1938. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

JAMES H. LUCAS)
VS.)
GLOBE CARTAGE COMPANY) # 15266 On Account of Change of Venue.
INC. ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Ten Dollars and --- Cents ($10.00) in the case of James H. Lucas vs. Globe Cartage Company Inc., et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

February 25th, 1938. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

GEORGE H. LYONS)
VS.) # 15274 On Account of Change of Venue.
ACETYLENE PRODUCTS CO.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of George H. Lyons vs. Acetylene Products Co. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing/

February 25th, 1938. Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

STANLEY TOWNSEND)
VS) # 15347 On Account of Change of Venue.
LOIS F. LANDWERLEN, ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Ten Dollars and - - Cents ($10.00) in the case of Stanley Townsend vs. Lois F. Landwerlen, et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

February 25th, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

STATE OF INDIANA)
VS) # 7519
CLEO RIGGEN)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Cleo Riggen, in his own proper person and also by counsel, and the Court upon investigating the court records in this cause and being advised in the premises, finds that said defendant has completely failed to comply with the orders of this Court in cause number 14,441, and further finds that the defendant has refused to comply therewith, and has also evaded the service of warrent herein issued, and because thereof, all the above violations, that said defendant is guilty of contempt of this cause.

It is, therefore, adjudged by the Court that said defendant, Cleo Riggen, for the offense by him committed shall be and he is imprisoned in the State Penal Farm for a period of sixty days.

STATE OF INDIANA)
VS) #7822 Judgt. vs Deft. for $10.00 Fine & Costs.
VERNON DARNOLD) J. D. 17, Page 24

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Vernon Darnold, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of operating motor vehicle while under the influence of intoxicating liquor.

It is, therefore, adjudged by the Court that the defendant, Vernon Darnold, for the offense by him committed shall be and he is imprisoned in the State Penal Farm for ten days, and he shall be and he is fined in the sum of ten dollars, and shall pay the costs of this action, taxed at _____dollars and _____cents.

Said defendant, Vernon Darnold, being a resident of the State of Illinois has no driver's license.

The Clerk of this Court is directed to forward to the Motor Vehicle Department a copy of this judgment as by law provided.

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Saturday Morning, February 26th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

EMORY H. HILL)
VS) # 15454
MARY ALICE HILL)

Comes now the plaintiff, by counsel, and files and moves the Court to dismiss without prejudice this cause, and pays the costs of this cause, which is as follows,to-wit: (H.I.).

And the Court being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

ROGER F. LYON, TRUSTEE, ETC.)
VS) # 15346
AETNA LIFE INSURANCE CO.)
A CORP., ETC.)

Come now again the parties, in person and by counsel, as before, and the jury is again brought into open court, and the taking of evidence for the plaintiff is resumed and concluded.

The defendant now moves for the instruction of the jury to return a verdict for said defendant as follows, (H.I.), which motion is now overruled by the Court, to which ruling of the Court the defendant, by counsel, at the time duly excepts.

And now the taking of the evidence for the defendant is now begun and the hour of adjournment having arrived, this cause is adjourned until Monday morning, February 28th, 1938.

Thomas D. Stevenson

Thomas D. Stevenson, Special Judge.

STATE OF INDIANA)
VS) # 7817 Judgt. vs Deft. for $10.00 Fine & Costs.
ELMER EVERHART) J. D. 17, Page 243.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Elmer Everhart, in his own proper person and by his attorney, Charles V. Sears, and the Court now renders judgment on plea of guilty heretofore made.

It is, therefore, adjudged by the Court that the defendant, Elmer Everhart, for the offense by him committed be and he is fined in the sum of ten dollars, and that he pay the costs of this action, taxed at _____dollars and _____cents.

STATE OF INDIANA)
VS) # 8715
ELMER EVERHART)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Elmer Everhart, in his own proper person and by his attorney, Charles V. Sears, and now the State of Indiana moves the Court to dismiss paragraph I of the affidavit herein, which motion is sustained by the Court and paragraph I of said affidavit is dismissed.

And now said defendant withdraws his plea of not guilty and enters his plea of guilty of paragraph II of said affidavit.

It is, therefore, adjudged by the Court that the defendant, Elmer Everhart, for the offense by him committed be sentenced to the State Penal Farm for six months and be fined in the sum of ten dollars, and that he shall pay the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, February 28th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

ROGER F. LYON, TRUSTEE, ETC.)
VS) # 15346
AETNA LIFE INSURANCE CO.)
A CORP., ETC.)

Come now again the parties, in person and by counsel as before, and the taking of evidence for the defendant is resumed and concluded, and the evidence of the plaintiff in rebuttal is taken and concluded, and this cause is now adjudged until 9:00 o'clock A. M. Tuesday, March 1st, 1938.

Thomas D. Stevenson

Thomas D. Stevenson, Special Judge.

GRAND AND PETIT JURORS, DRAWN FOR THE MARCH TERM, 1938.

BE IT REMEMBERED, That on the 28th day of February, 1938, Byron N. Cox and Everett W. Hardwick the duly appointed, qualified and acting Jury Commissioners of this court appeared at the office of the Clerk of the Hendricks Circuit Court, and the Clerk drew from the Jury Box the names of the following persons for Grand Jury service at the March Term, 1938, of this court, viz:

1. Beulah Mitchell - - - - - - - - - - - Center Township
2. Harry G. Hollingsworth - - - - - - - Guilford Township
3. Ruth B. Wilson - - - - - - - - - - - Guilford Township
4. Guy E. Beck - - - - - - - - - - - - - Clay Township
5. Mable C. Thompson - - - - - - - - - - Center Township
6. Owen S. Kendall - - - - - - - - - - - Liberty Township

And the Clerk of this Court at the same time and in the like manner drew from the Jury Box the names of the following persons for Petit Jury service for the March Term, 1938, of this court, viz:

1. Cecil C. Martin - Center Twp.
2. Paul Carr - - - - Guilford Twp.
3. Otto Lowe - - - - Liberty Twp.
4. Chester Phillips - Lincoln Twp.
5. Ellis Freeland - Eel River Twp.
6. Leo W. Loscent - Marion Twp.
7. William Wilder - Union Twp.
8. Robert H. Salmon - Lincoln Twp.
9. Daniel Fields - - Guilford Twp.
10. Noble D. Wallace - Franklin Twp.
11. Eddie R. Canada - Marion Twp.
12. George M. Bryant - Guilford Twp.
13. Stanley M. Hadley - - Clay Twp.
14. David Surber - - - - - Middle Twp.
15. George Dunivan - - - Franklin Twp.
16. John A. Hawkins - - - Washington Twp.
17. Fred J. Cassiday - - - Brown Twp.
18. Richard L. Fortner - - Liberty Twp.
19. Frank C. Jackson - - - Liberty Twp.
20. Kenneth Hart - - - - - Washington Twp.
21. Chester Gregory - - - Franklin Twp.
22. Nellie McClain - - - Washington Twp.
23. George A. Lineberry - Franklin Twp.
24. Lester Denny - - - - - Washington Twp.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Tuesday Morning, March 1st, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

DANIEL V. ETCHESON)
VS) # 15224 On Account of Change of Venue.
ORA D. ROBERTSON)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Eighty-Seven Dollars and Fifty Cents ($87.50) in the case of Daniel V. Etcheson vs. Ora D. Robertson is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrent upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

March 1st, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

MILDRED McKAY)
VS) # 15415 On Account of Change of Venue.
FEDERAL EXPRESS COMPANY,)
INC., ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Ten Dollars and ----- Cents ($10.00) in the case of Mildred McKay vs. Federal Express Company Inc. et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

March 1st. 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

MORRIS COPENHAVEN, by next)
friend, ERNEST T. LANE)
VS.) # 15417 On Account of Change of Venue.
TRUCKING INCORPORATED AND W. E. HAYWORTH,)
whose christian name is unknown.))

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Morris Copenhaven by next friend Ernest T. Lane vs. Trucking Incorporated and W. E. Hayworth, whose christian name is unknown, is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

March 1st, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

OLLIE WILSON)
VS.) # 15433 On Account of Change of Venue.
INDIANAPOLIS RAILWAYS INC, etc. et al.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of OllieWilson vs. Indianapolis Railways Inc,, et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in avor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

March 1st, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

M. A. ISAACS)
VS.) # 12773 On Account of Change of Venue.
FLETCHER AMERICAN NATIONAL)
BANK.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. One Hundred Seventy Dollars and Sixty Cents ($170.60) in the case of M. A. Isaacs vs. Fletcher American National Bank is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

March 1st, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

LUTHER E. HOUGH)
VS) # 15453 ORDER ON PETITION FOR AUTHORITY TO
SARAH E. FRAZIER) PAY A TENDER OF MONEY.

Comes now the plaintiff and presents to the Court and files his petition in the above entitled cause praying for authority and for an order of Court requiring that the Clerk of said court pay to the plaintiff, Luther E. Hough, the sum of fifteen hundred dollars, which was paid into the hands of said Clerk as a tender in said action, which petition is in the following words and figures, to-wit: (H.I.).

Comes now also the plaintiff and moves the Court to dismiss the above cause, costs paid therein. And now the Court sustains said motion and dismisses said cause at the cost of the plaintiff, which costs are now paid by the plaintiff.

And the Court having examined the petition for the return of said tender and return of said sum of money, and being fully advised in the premises, does now find that the prayer of said petitioner should be granted.

It is, therefore, ordered by the Court that the Clerk of the Hendricks Circuit Court be authorized and he is hereby directed to pay to Luther E. Hough the said sum of fifteen hundred dollars, and amount of the tender made by him in said cause of action.

It is ordered and adjudged by the Court that said cause of action be and the same is hereby dismissed at the cost of the plaintiff.

RECEIPT:

March 1st, 1938. Received of Walter E. Hadley, Clerk, $1500.00, the amount tendered by the plaintiff, Luther E. Hough, in the above entitled cause.

Luther E. Hough by C.H. Gaston, his atty.
(Luther E. Hough)

HERSCHEL SMYTHE, BY)
JOHN SMYTHE HIS NEXT)
FRIEND)
VS) # 15343
FRANK OGLES)

Comes now, Della Smythe, and files written consent to become next friend for the plaintiff in this cause, which consent is in the following words and figures, to-wit: (Here Insert).

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to answer on or before March 8th, 1938. And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before March 8th, 1938.

ROGER F. LYON, TRUSTEE, ETC.)
VS) # 15346
AETNA LIFE INSURANCE CO.,)
A CORP., ETC.)

Come now the parties, in person and by counsel as before, and the taking of evidence is resumed and concluded.

The defendant now moves the Court to instruct the jury to return a verdict in its favor separately and severally upon each paragraph of the complaint, which motion is now overruled, to which ruling the defendant at the time excepts.

At the conclusion of the evidence and upon the commencement of the argument to the jury, the plaintiff files its written request for the submission of instructions to the jury and therewith twenty (20) instructions numbered from one (1) to twenty (20), both inclusive duly signed, which request and instructions are as follows, (H.I.). The defendant now files its written request for the submission of instructions to the jury and therewith twenty-two (22) instructions numbered from one (1) to twenty-two (22) both inclusive duly signed, which request and instructions are as follows, (H.I.).

The arguments to the jury are now begun, and during the course of the argument of counsel for the defendant, plaintiff objects to the argument of such counsel concerning an examination of the insured by Dr. Robert F. Moore, and moves that the jury be instructed to disregard such argument, which motion is now overruled and ten (10) days allowed to plaintiff to file its bill of exceptions, and now the arguments to the jury are concluded.

The court now gives to the jury none of the instructions requested by the plaintiff and refuses to give each and all of them to which the plaintiff at the time excepts. The Court now gives to the jury instructions numbered sixteen (16) and twenty-two (22) requested by the defendant, to the giving of each of which the plaintiff at the time excepts, and the Court now refuses to give to the jury each and all of the other instructions requested by the defendant to the refusal of each of which the defendant at the time excepts. The Court on its own motion now gives to the jury twenty-five (25) instructions numbered from one (1) to twenty-three (23) both inclusive, including those numbered fifteen and one half (15½) and eighteen and one half (18½), to the giving of each of which each party by counsel separately at the time excepts and the said instructions numbered sixteen (16) and twenty-two (22) requested by the defendant and

the said twenty-five (25) instructions given by the Court on its own motion were all the instructions given to the jury in the cause.

All of said instructions as tendered by the parties whether given or refused, and the instructions given by the Court on its own motion are now filed and made a part of the record.

And the Court now submits to the jury three interrogatories to be answered by them, if they shall agree upon a general verdict as follows to-wit: (H.I.), to the submission of each of which each of the parties separately at the time excepts. And now the plaintiff moves the Court to permit the jury to take the pleadings in this cause for use during their deliberation, which motion is now denied by the Court, to which ruling the plaintiff at the time excepts.

And the jury now retires to deliberate upon its verdict.

Thomas D. Stevenson, Special Judge.

And court adjourned until 9:00 o'clock A. M. Wednesday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, March 2nd, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

ROGER F. LYON TRUSTEE, ETC.)
VS) # 15346
AETNA LIFE INSURANCE CO.)
A CORP., ETC.)

Come again the jury and report their inability to agree upon a verdict, and it satisfactorily appearing to the Court that there is no probability of their agreeing, said jury is now discharged.

Thomas D. Stevenson, Special Judge.

GENERAL COURT ALLOWANCES FOR THE JANUARY TERM, 1938.

Lillian Priest, Court Reporter		$ 240.00
Walter E. Hadley, Clerk,	Per Diem for Attending Court & Change of Venue Claims, Admission of Patients to State Institutions.	217.00
Byron N. Cox, Jury Commissioner		21.00
Everett W. Hardwick, Jury Commissioner		21.00
Hendricks County Republican		30.00
Helen Chadd, Court Reporter		10.00
Edgar A. Rice, Special Judge		130.00
William B. Burford Printing Co.		1.50
Bancroft Whitney Co.		61.10
The Lawyers Co-Operative Publishing Co.		7.50
The Bobbs Merrill Co.		137.50
The Frank Shepherd Co.		78.00
PETIT JURORS:		
Roy V. Lewis		81.00
Walter P. Hendrix		50.40
Warren Duke		3.50
William G. Fordyce		52.20
Lars E. Ellis		72.90
William J. Gorrell		54.40
Paul Blessing		38.50
Lowell Maxwell		2.60
Forrest C. Gibbs		73.80
Carrie D. Long		37.40
Clarence M. Hamrick		3.20
Frank H. O'Neal		64.60
Lowell W. Johnson		57.80
William S. Simmons		56.10
Myron Cutrell		59.50
Carl Harvey		34.80

Stephen J. Maloney	66.00
Harry M. Ward	40.30
Gilbert E. Parsons	7.00
John R. McFadden	7.00
Lee Bowen	36.00
Dock Martin	48.30
Raymond E. Fisher	35.10
Rollie Rodney	2.60
Alva Hocker	39.60
Buell Jefferies	39.60
Benjamin W. Coombs	7.50
Maud Carter	3.40
Francis M. Davis	4.00
Grant Stone	3.10
Raymond Briner	35.20
Elmer Girth	7.00
E. E. Foudray	3.40
Charles A. Rutledge	3.00
Alice Kurtz	2.60
Herman A. Canary	46.20
Robert M. Calbert	3.50
James B. Agan	4.10
O. W. Phillips	3.90
Andrew C. Robards	3.80
Harvey M. Higgins	3.20
Calvin Stout	3.70
Wallace A. Erganbright	3.50
William F. Blanton	6.60
Sherman Richards	36.30
James Lafoe	3.10
Everett Heald	7.00
Roy S. Merritt	33.00
John L. Hall	7.40
Ralph Gilbert	7.80
Carmen C. Branson	36.30
Clarence Rader	3.10
Russell Selch	6.40
Estil C. Page	6.40
Fred A. Price	7.00
Jesse Winnings	6.80
Walter H. Edmonson	6.60
Oliver W. Merritt	5.20
Ray A. Grimes	7.00
Ora E. Cook	6.40
John Lane Bond	6.00
Phillip Wolfram	42.90
Earnest Freeland	8.00
Leo M. Zerr	7.00

Charles E. Hyer	38.50
Irwin Games	3.10
Henry L. Pratt	6.20
Walter Rader	3.70
John B. Edmonson	3.70
Ralph Barnes	3.50
Morton E. Lockhart	3.10
Walter Brown	3.00
Harry Bailey	4.10
Benjamin A. Scott	3.40
Joseph Szendry	3.40
Chester Neal	3.90
William H. Walton	3.30
Roy V. Disney	3.00
Eli M. Gentry	3.50
Ola C. Hayworth	2.90
Fred Douglas	3.10
Hazel McClain	3.00
Alva R. Ford	3.90
Ervin L. Wyeth	3.30
Victor Carpenter	3.80
Fred C. Hines	3.30
Alva T. Edmonson	3.30
Harry F. Martin	3.20
Albert Maxwell	3.80
Theodore Hornaday	3.00
Lee Kibby	3.90
Fred T. Smith	3.50
Maurice Rose	3.70
Oren G. Barlow	3.40
Arthur Masten	4.10
John A. Jenkins	3.40
Earl Brunes	4.40
Ross C. Brickett	2.70
Minnie Davis	3.30
Daniel S. Hazelwood	3.50
Marie Barlow	3.50
Jewell Gossett	3.50
Charles C. Higgins	3.00
Snyder's Cafe, 39 meals @ .50¢ each	19.50
Housman's Cafe, 65 meals @ .50¢ each	32.50
Rhoades Cafe, 26 lunches @ .25¢ each	6.50
Total	$2,642.10

Wednesday, March 2nd, 1938, and the 51st day of the January Term, 1938.

Ordered by the Court that all causes both Civil and Criminal and all pleas, plaints, motions and demurrers not disposed of at the present term of court be continued to the March Term, 1938, of said court.

And Court adjourned until court in course,

Records read and signed in open court.

Horace L. Hanna, Judge.

BE IT REMEMBERED, That on the 3rd day of March, 1938, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Edgar A. Rice, Special Judge thereof, the following proceedings were had herein, viz:

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now the State of Indiana by the Prosecuting Attorney and his assistants, and come also Bess Robbins and C. V. Sears, attorneys for the defendant, Etta Jones, herein, and by agreement of parties, the trial of this case is set for May 9th, 1938.

Edgar A. Rice

Edgar A. Rice, Special Judge.

Monday Morning, March 7th, 1938.

Pleas and proceedings had in the Hendricks Circuit Court, within and for Hendricks County, State of Indiana, at the March Term, 1938, which term of court was begun and continued at the Court House in the town of Danville, in the County and State aforesaid, commencing on Monday the 7th day of March, 1938, that being the day fixed by law for holding said Term of Court.

Present Honorable Horace L. Hanna, Judge.
John A. Kendall, Prosecuting Attorney,
Albert H. Shane, Sheriff,
Walter E. Hadley, Clerk.

Whereupon, said Sheriff proclaimed said Court open, according to law, and the following proceedings were had, to-wit:

PLATT-BRAHM COAL CO.)
VS) # 15098
GEORGE E. HARVEY, ETC.)

Comes now the defendant, by counsel, and files answer in general denial, which answer is in the words and figures following, to-wit: (H.I.).

CHARLES H. SEILOFF, ET AL.)
VS) # 15112
STANTON A. MORTON, ET AL.)

Comes now the plaintiff, by counsel, and files second amended complaint, which second amended complaint is in the following words and figures, to-wit: (H.I.).

ELIZABETH E. WILSON)
VS) # 15332
CHARLES B. CHRIST, ET AL.)

Come ow the parties, by counsel, and the motion of defendant, Lela Parks, to require plaintiff to separate complaint into separate complaints, heretofore filed, is now overruled by the Court and exceptions are given.

The defendant, Lela Parks, is now ruled to answer by March 14th, 1938.

C. C. Gillen

C. C. Gillon, Special Judge.

HERSCHEL SMYTHE, BY JOHN)
SMYTHE HIS NEXT FRIEND)
VS) # 15343
FRANK OGLES)

Comes now the defendant, by counsel, and asks for extention of time to answer. And the Court being duly advised, now extends the time to answer to March 15th, 1938.

R. J. OVERMAN)
VS) # 15374 Entry
RALPH V. PEPPER)
MARY LENA PEPPER)

William Hagg, receiver in the above named cause of action, acting under appointment of this court, having this day filed his verified petition praying for an order of court authorizing him to sell the number of sheep, the same being the assets of said receivership, which petition is of the following words and figures, to-wit: (H.I.) The court having read said petition and being duly advised therein now finds that it is to the best interests of said receivership that said sheep be sold through the same source under which they were purchased. So ordered.

ALICE LUCILLE DODD)
VS) # 15428 Judgt. vs Deft. for $6.00 Per Week, $75.00 Pltf's. Atty's. Fees, and Costs.
ROBERT M. DODD) J. D. 17, Page 243.

Come now the parties, in person and by counsel, and this cause being at issue, is submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

The Court having heard the evidence in this cause, finds for the plaintiff and that the allegations of plaintiff's complaint are true and that the plaintiff is entitled to an absolute divorce from the defendant; that the plaintiff is entitled to the care and custody of Ronald Marvin Dodd, age four years.

The Court further finds that the defendant take nothing on his cross-complaint, and that the defendant be ordered to pay the sum of six dollars each week for the care and support of said child, Ronald Marvin Dodd, age four years, beginning with the payment of six dollars on March 14th, 1938, said payments to be made at the office of the Clerk of the Superior Court of Marion County, Indiana; that the plaintiff be ordered to pay to T. Ernest Maholm, as attorney for the plaintiff, the sum of seventy-five dollars as attorney's fees for plaintiff within one hundred and twenty days from this date; and that plaintiff shal assign his equity in a certain real estate contract to plaintiff.

It is further found that said defendant should be permitted to visit said child on Saturday or Sunday afternoon, and that the defendant shall pay the costs of this cause within sixty days from this date.

It is, therefore, considered, ordered and adjudged that the plaintiff is hereby granted a decree of absolute divorce from the defendant, Robert M. Dodd, and that the care and custody of Ronald Marvin Dodd be given unto the plaintiff herein until the further order of this Court.

It is further ordered that the defendant recover nothing on cross-complaint, and that the defendant, Robert M. Dodd, be ordered to pay the sum of six dollars each week for the care and support of said Ronald Marvin Dodd, age four years, beginning with six dollars on the 14th day of March, 1938, and that he pay T. Ernest Maholm, the sum of seventy-five ($75.00) dollars as attorney fees for plaintiff's attorney within one hundred twenty (120) days from date, and that defendant shall assign his equity in a certain real estate contract to plaintiff, and that the plaintiff be permitted to visit said Ronald Marvin Dodd, age four years, Saturday and Sunday afternoons.

It is further considered, ordered and adjudged by the Court that the

defendant, Robert M. Dodd, pay the costs of this action, taxed at _____dollars and _____cents, and that he is given sixty days to pay same.

STATE OF INDIANA)
VS) # 7825 Judgt. vs Deft. for $5.00 Fine & Costs.
FRANK MADDOX) J. D. 17, Page 244.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Frank Maddox, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of public intoxication.

It is, therefore, adjudged by the Court that the defendant, Frank Maddox, for the offense by him committed shall be and he is fined five dollars, and that he pay the costs of this action, taxed at _____dollars and _____cents.

STATE OF INDIANA)
VS) # 7826 Judgt. vs Deft. for Costs.
CLELLIE (TED) ROBINSON) J. D. 17, Page 244.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also, Clellie (Ted) Robinson, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty.

It is, therefore, adjudged by the Court that the defendant for the offense by him committed is guilty of rape in the first degree, and he shall be imprisoned in the State Prison for not less than five nor more than twenty-one years, and that said defendant, Clellie (Ted) Robinson, shall pay the costs of this action, taxed at _____dollars and _____cents.

STATE OF INDIANA)
VS) # 7757 Judgt. vs Deft. for $10.00 Fine & Costs.
JOHN NELSON) J. D. 17, Page 244.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, John Nelson, in his own proper person and by George Hadley, his attorney, and now the prosecuting attorney dismisses the second paragraph herein and the defendant, John Nelson, changes his plea of not guilty to guilty.

It is, therefore, adjudged by the Court that the defendant, John Nelson, for the offense by him committed be and he is sentenced to the Indiana State Farm for a period of six months and that he be and he is fined $10.00, and that he pay the costs of this action, taxed at _____dollars and _____cents.

The Court further finds that by reason of the character of said defendant, and the facts and circumstances surrounding the commission of said crime, the interest of society does not demand or require that the defendant shall suffer the penalty imposed by law if he shall hereafter behave well, and the defendant is allowed sixty days in which to pay said fine and costs, and the defendant is allowed to go on his own recognizance.

It is, therefore ordered by the Court that the execution of the sentence herein imposed be suspended during the defendant's good behavior, and that the defendant, John Nelson be permitted to go at liberty on probation so long as he behaves well, and the defendant is allowed sixty days in which to pay said fine and costs, and is allowed to go on his own recognizance.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Tuesday Morning, March 8th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

LOWELL CARR)
VS) # 15451
WILLIAM GRAY, ET AL.)

Comes now the defendant, Cloye Bryant, by counsel, and files demurrer to plaintiff's complaint in the following words and figures, to-wit: (Here Insert).

OTIS KIRTLEY)
VS) # 15452
WILLIAM GRAY)
CLOYE BRYANT)

Comes now the defendant, Cloye Bryant, by counsel, and files demurrer to plaintiff's complaint in the following words and figures, to-wit: (Here Insert).

CHARLOTTE E. LEHMAN)
VS) # 15125
NELLIE STEVENSON)

Coms now the plaintiff, by counsel, and moves the Court to require the defendant to answer on or before March 18th, 1938.

And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before March 18th, 1938.

HOME OWNER'S LOAN CORPORATION)
VS) # 15164
OSCAR FORDING AND)
EFFIE FORDING)

Comes now the plaintiff, by counsel, and files amended complaint and asks that summons be issued to Roy Neal, defendant herein, as that he may answer as to any interest he has in this cause, which amended complaint is in the words and figures following, to-wit: (H.I.).

And now the Clerk of this Court is ordered to issue summons to said defendant.

VIOLA HOOPES)
VS) # 15371
AUDIE WRIGHT)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to answer plaintiff's complaint on or before March 18th, 1938.

And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before March 18th, 1938.

GUSS W. MILLER)
VS) # 15384
PUBLIC SERVICE COMPANY)
OF INDIANA)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to answer complaint herein on or before March 21st, 1938.

And the Court being duly advised now sustains said motion, and the defendant is ruled to answer on or before March 21st, 1938.

AMERICAN LIFE AND)
ACCIDENT INSURANCE)
COMPANY OF KENTUCKY)
VS) # 15315
OTIS E. GULLEY, ET AL.) ENTRY

Comes now George W. Hadley, receiver in the above cause and files petition and proposed lease agreement attached thereto which petition and attached copy of lease agreement are in words and figures as follows, to-wit: (H.I.), praying that as such receiver he be authorized to execute a lease agreement with one Ernest Thompson for the real estate described in said attached lease agreement. And the court having examined said petition and the attached agreement proposed to be executed and being sufficiently advised in the premises finds that the allegations therein contained are true and that the prayer thereof ought to be granted. The court further finds that said receiver has and holds possession of said premises proposed to be leased in his capacity as such receiver and has the right and authority to rent and lease the same from March 1st, 1938 to March 1st, 1939, and that the terms and conditions proposed are fair and reasonable, and that in the best interests of said receivership the said premises ought to be rented and leased during said period.

It is therefore ordered and adjudged that the lease agreement so proposed to be entered into by said receiver be and the same is in all things approved and confirmed by the court and the said receiver is authorized and ordered to execute and deliver said lease agreement and to deliver possession of said premises to said leasee.

And now said receiver submits such lease agreement so executed by the said receiver and the said Ernest Thompson and the court now examines the same and finds it to be as the copy attached to the above petition and the same is in all things approved by the court and the court endorses its approval thereon and orders the same delivered to the said Ernest Thompson.

And the proceedings in said receivership are continued and time is given.

LOREN MORGAN, ET AL.)
VS)# 15396 Judgt. vs Deft. for $175.00 & Costs.
LOUIE LINDER) Decree J. D. 17, Page 244.

Comes now the plaintiff by counsel, John H. Baldwin and John A. Kendall, and comes now the defendant by counsel, Arnie Watkins, and it appearing to the satisfaction of the court that the defendant had been duly served with summons before the day fixed by the plaintiffs, by endorsement on his complaint, for the defendant to

appear and answer said complaint. This cause is submitted to the court without intervention of a jury for hearing, finding and decree.

The defendant having filed an answer in general denial.

The court having heard the evidence and being fully advised in the premises, now finds for the plaintiff on his amended complaint and that he is entitled to receover of and from the defendant the sum of $175.00 as prayed therein in his complaint, costs of the action.

It is therefore ordered, adjudged and decreed by the court that the plaintiff recover of and from the defendant herein on his amended complaint the sum of $175.00, costs of this action. Judgment accordingly.

HOME OWNERS' LOAN CORPORATION,) Judgt. vs Defts. for $1648.49 and Costs.
PLAINTIFF) J. D. 17, Page 245.
VS) CAUSE # 15130
JOHN CHRISTOPHEL AND) JUDGMENT OF FORECLOSURE
MARTHA W. CHRISTOPHEL)

Comes now the plaintiff, Home Owners' Loan Corporation, and it appearing to the satisfaction of the Court by the Sheriff's return of the summons, which summons and return of the Sheriff endorsed thereon are in the words and figures following, to-wit: (H.I.) that the defendants, John Christophel and Martha W. Christophel, have each been duly served with process more than ten (10) days before the 1st day of the March Term of Court 1938, and the defendants, John Christophel and Martha W. Christophel, failing to appar and being now three times loudly called in open court, come not but herein wholly make default.

This cause is now submitted to the Court for trial without the intervention of a jury upon the default of the defendants, John Christophel and Martha W. Christophel, and the issues joined by the plaintiff's complaint and the answer filed by the defendants, John Christophel and Martha W. Christophel.

And the evidence being heard and the Court fully advised in the premises finds for the plaintiff and that all the allegations of its complaint are true.

That on the 25th day of September 1934, the defendants, John Christophel and Martha W. Christophel, by their promissory note promised to pay the plaintiff the sum of $1349.78 Dollars, said note bearing interest at the rate of five per cent (5%) per annum; that said note provided that if default was made thereon for a period of ninety (90) days the entire balance of principal and interest was, at the election of the plaintiff, to become due and payable; that said note provided for reasonable attorney's fees and is payable without relief from valuation or appraisement laws.

That simultaneously with the execution of said note said defendants, John Christophel and Martha W. Christophel were the record owners of the fee simple title to the following described real estate located in the County of Hendricks, State of Indiana, to-wit:

A part of the South-east quarter of the South-east quarter of Section 28, Township 14 North, Range 1 West, bounded and described as follows, to-wit: Beginning at the Southwest corner of said quarter quarter; and running thence East on and along the South line thereof 15 rods; thence North parallel with the West line thereof 24 rods; thence West 15 rods and to the West line of said quarter quarter; thence South on the West line thereof, 24 rods and to the place of beginning, containing 2.25 acres, more or less

That contemporaneously with the execution and delivery of said note and to secure the payment thereof said defendants, John Christophel and

Martha W. Christophel executed to the plaintiff their mortgage on the real estate hereinabove described. Said mortgage being recorded on the 11th day of September 1934, in Mortgage Record 97, pages 198-201 in the Office of the Recorder of Hendricks County, Indiana.

That plaintiff's mortgage is a first lien on the real estate hereinabove described, except as to taxes and assessments. That defendants, John Christophel and Martha W. Christophel and each of them have defaulted and failed to make the payments provided for in said note due the plaintiff herein for a period of more than 90 days and that the plaintiff has heretofore exercised its option to declare the entire balance of principal and interest, due on its note above described, due and payable, and that there is now past due and unpaid on said note the sum of $1522.69 in principal and interest as of this date. That a reasonable fee for plaintiff's attorney is the sum of $75.00.

That pursuant to the provision of said mortgage the plaintiff has advanced the sum of $41.43 in payment of taxes and $7.15 for the extension of abstract of title.

That under the terms of said note and mortgage plaintiff is entitled to recover the above sums of money advanced for extension of the abstract of title and the taxes.

That there is now due the plaintiff herein from the defendants, John Christophel and Martha W. Christophel $1648.49 That the said sum is secured by the mortgage herein described and is payable without relief from valuation or appraisement laws and that the plaintiff is entitled to a judgment for said total amount of said indebtedness against the defendants, John Christophel and Martha W. Christophel plus the costs of this action and to a decree of foreclosure of said mortgage against all defendants herein and to a sale of said real estate to satisfy said judgment.

That said real estate is not susceptible to division or partition and that no part thereof can be sold without loss to the remainder, and that it is necessary to sell all of said real estate to save and protect plaintiff's lien thereon.

IT IS, THEREFORE, ordered, adjudged and decreed by the court that the plaintiff recover of and from the defendants, John Christophel and Martha W. Christophel the sum of $1648.49 and its costs and charges layed and expended and all accuring costs taxed in $ without any relief whatever from valuation or appraisement laws.

Said judgment to bear interest at the rate of 5% per annum from rendition thereof until paid.

It is, therefore, ordered and adjudged and decreed by the court that the mortgage sued upon by the plaintiff be foreclosed and that the equity of redemption of the defendants and each of them and that all persons claiming from under or through them be forever barred and foreclosed and that the real estate being the same real estate as set out in plaintiff's complaint herein and described as follows, to-wit: Said real estate being situated in Hendricks County, State of Indiana, and more particularly described as follows, to-wit:

A part of the South-east quarter of the South-east quarter of Section 28, Township 14 North, Range 1 West, bounded and described as follows, to-wit: Beginning at the Southwest corner of said quarter quarter, and running thence East on and along the South line thereof 15 rods; thence North parallel with the West line thereof, 24 rods; thence West 15 rods and to the West line of said quarter quarter; thence South on the West line thereof, 24 rods and to the place of beginning, containing 2.25 acres, more or less.

be sold in accordance with the laws of the State of Indiana to satisfy said plaintiff's judgment and costs herein.

It is, further ordered, adjudged and decreed inthe event any owner or part owner of said real estate or other person legally entitled thereto does not pay the Clerk of Hendricks County, Indiana, the amount of said judgment, interest and costs rendered in this cause within one year from the date of filing of the complaint herein to-wit: February 25th, 1937, or prior to the issuance of the Clerk to the Sheriff of said decree the said Clerk upon the filing of a praecipe therefor by the plaintiff, which issue a copy of this judgment and decree certified by the Clerk under seal of the court to the sheriff of Hendricks County, Indiana, who shall thereupon proceed to sell the mortgaged premises heretofore described in this decree at Public Auction at the Door of the Court House of Hendricks County, Indiana, after advertising the same once each week for three successive weeks in a weekly newspaper of general circuation, printed and published in the English Language and published in Hendricks County, Indiana, the first of which publication shall be made at least 30 days before the date of said sale and by posting written or printed notices thereof in at least three public places in Center Township in said county and state and at the door of the said Hendricks County Court House. Said sale to be made without relief from valuation and appraisement laws and without any right of redemption therefrom and that immediately after such sale the sheriff shall execute and deliver to the purchaser a deed of conveyance to the premises, which shall be valid and effectual to convey all the right, title and interest of all persons to this action and all persons claiming thereof or under them and he shall make due report to the Clerk of the court and the proceeds arising from such sale, the Sheriff is ordered and directed to apply in the following manner:

First: To the payment of all costs and accruing costs in this cause.

Second: To the payment of the plaintiff's judgment and interest in full.

Third: To the payment ~~of~~ the defendants, John Christophel and Martha W. Christophel the amount that is due on their mortgage.

Fourth: The overplus if any remaining after the payment of the foregoing judgment, interest and costs and to the defendants, to be paid by the Sheriff of Hendricks County to the Clerk of this court for the use of the person or persons lawfully authorized to receive the same and the Sheriff is hereby ordered and directed in case said real estate is sold to plaintiff and a deed is delivered to the plaintiff herein immediately to place the plaintiff in possession of said real estate and shall oust and eject from said premises any other person in said real estate at the time of said sale and if any part of said judgment, interest and costs remain unsatisfied after said sale, the Sheriff shall forthwith proceed to levy the residue on the other property real and personal of the defendants, John Christophel and Martha W. Christophel subject to execution without relief from valuation or appraisement laws.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, March 9th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, March 10th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

WILLIAM KINSEY)
VS) # 15208
JANIS KINSEY)

Comes now the plaintiff, by counsel, and files affidavit for continuance, which affidavit is in the words and figures following, to-wit: (H.I.). And the Court having seen and examined said petition and being sufficiently advised, now sustains said motion, and this cause is continued.

JOHN C. TAYLOR GUARDIAN, ETC.)
VS) # 15436
JERRY S. JONES, ET AL.)

Comes now the defendant, Jerry S. Jones, by counsel, and files affidavit for change of venue from the Judge of this Court, which affidavit is in the following words and figures, to-wit: (Here Insert).

FRANK B. HADLEY)
VS) # 15447
CLEO MAY)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to answer complaint herein on or before March 21st, 1938.

And the Court being duly advised, now sustains said motion, and said defendant is ruled to answer on or before March 21st, 1938.

FELIX ZELLER)
-vs-) CAUSE NO.15400
FLETCHER AVENUE SAVINGS AND) Judgt. vs Deft., Fletcher Avenue Savings And
LOAN ASSOCIATION) Loan Association, for Costs.
OTTO RAY, Sheriff Marion) J. D. 17, Page 245.
County, Indiana)
GLENN B. RALSTON, Clerk of)
Superior Court of Marion)
County, Indiana)

Come now the plaintiff Felix Zeller by Todd & McCormack and A. J. Kahl, his attorneys and comes also the defendants Fletcher Avenue Savings And Loan Association, Otto Ray, sheriff Marion County, and Glenn B. Ralston, clerk of Superior Court of Marion County, Indiana, by Kothe and Shotwell and John F. Linder, their attorneys and this cause being at issue is now submitted to the court for trial finding and decree upon an agreed statement of facts reduced to writing and signed by said parties and filed in this court. And the court being duly advised, now finds for the plaintiff, Felix Zeller, and against the defendants, Fletcher Avenue Savings and Loan Association, Otto Ray, Sheriff of Marion County, Indiana, and Glenn B. Ralston, Clerk of the Superior Court of Marion County, Indiana.

That under the facts as agreed upon in this proceeding, the

court finds that in the original foreclosure decree the parties defendant thereto were in court only by constructive service and being only so in court the proceeding were in rem, and that the defendants were each defaulted and that judgment was taken by default, and that the court found that the plaintiff in that suit was entitled to recover $4,074.15 upon said mortgage debt or bond in rem, together with the costs of said action, and judgment was rendered accordingly.

The court finds the law to be that it was within the province of the court in that case to find the amount remaining due upon said bond and mortgage and to order a sale of the mortgaged premises in satisfaction thereof (which was done by the court in this instance) but the court had no power to render any personal judgment, or any judgment as to any excess remaining unpaid after said premises should be sold.

The court further finds that this judgment being a judgment in rem and on constructive service that when the property has been sold, the judgment has no more vitality, and that the statute (Section 626 Bladwin's Indiana Statutes 1934) can not apply and bind non-residents of the State of Indiana, nor subsequent purchasers through said non-residents. That plaintiff's title in said real estate should be quieted as against the claims of the defendant, Fletcher Avenue Savings and Loan Association. The court further finds that the defendant Otto Ray, Sheriff of Marion County, Indiana, and the defendant, Glenn B. Ralston, Clerk of Superior Court of Marion County, Indiana, should be permanently enjoined from making any resale of said real estate or directing the resale of same to satisfy any alleged deficiency in the judgment of foreclosure of bond and mortgage.

That the plaintiff should recover his costs laid out and expended in this cause, from the defendant Fletcher Avenue Savings And Loan Association.

It is therefore considered adjudged and decreed by the court that the title held by Felix Zeller, in and to the following described real estate situated in Marion County, Indiana, to-wit:--

Lot Number Fifty-seven (57) in Block Number Three (3) in North Brookside Park Addition to the City of Indianapolis, as per plat book Twelve (12) page one hundred forty-nine (149) in the Office of the Recorder of Marion County, Indiana

be and the same is quieted and forever set at rest as against all claims or demands of the defendant Fletcher Avenue Savings And Loan Association and it is further ordered that the defendants, Fletcher Avenue Savings And Loan Association, Otto Ray, sheriff, Marion County, Indiana, and Glenn B. Ralston, Clerk of Marion Superior Court of Marion County, Indiana be and each of them are hereby permanently enjoined and restrained from taking any step or steps whatsoever or doing any act of any kind or character in reference to offering for sale, or re-sale the above described real estate heretofore ordered sold under a decree of the Marion Superior Court entered on the 17th day of December, 1935, in cause NO. A-84253 of said court. It is further ordered that the plaintiff recover his costs in this action from the defendant Fletcher Avenue Savings And Loan Association taxed at $_____, to which finding and judgment of the Court the defendant, Fletcher Avenue Saving and Loan Association excepts.

And court adjourned until 9:00 o'clock A. M. Friday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, March 11th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

CHARLES H. SEILOFF, ET AL.)
VS)# 15112
STANTON A. MORTON, ET AL.)

Come now the defendants and each of them, and file demurrer to plaintiffs' second amended complaint, which demurrer is in the following words and figures, to-wit: (Here Insert).

THE ENOS COAL MINING)
VS) # 15143
GEORGE HARVEY, ETC.)

Comes now the defendant, by counsel, and files answer in general denial, in the following words and figures, to-wit: (Here Insert).

BLANCHE WILSON)
VS) # 15432
LEO CRAVEN WILSON)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to answer plaintiff's complaint on or before March 21st, 1938. And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before March 21st, 1938.

R. J. OVERMAN)
VS) # 15374
RALPH V. PEPPER) ENTRY
MARY L. PEPPER)

William Haag receiver in the above entitled cause of action who having this day filed his petition praying therein for cause of action to sell therein one cow, one team of mules, and one set of harness at said sale and for cash which petition is of the following words towit, here inserted. The court having read said petition and being duly advised herein believes that it is to the best interest of said receivership that the articles mentioned be sold at public auction and for cash. So ordered.

JOHN C. TAYLOR, GUARDIAN ETC.)
VS) # 15436
JERRY S. JONES, ET AL.)

Come now the parties, by counsel, and the Court having seen and inspected said affidavit for change from judge, heretofore filed, now sustains said motion.

The Court now nominates Zimri E. Dougan, Otis E. Gulley and John T. Hume, three competent and disinterested persons, and each a member of this Bar, and submits said names to the parties in this cause.

Come now the parties and strike, and John T. Hume being the name remaining, he is duly selected as judge of said cause.

I, Horace L. Hanna, Judge of the Hendricks Circuit Court, being disqualified to set as judge in the trial of the above cause on account of a change of venue having been granted therein; and the parties therein, in open Court after striking; selected John T. Hume, a practicing attorney of this Bar, to try said cause. I hereby, designate and appoint the said Honorable John T. Hume, as Special Judge to try said cause and to preside and hold said court. Dated this 11th day of March, 1938.

Horace L. Hanna, Judge.

And comes now John T. Hume, herein, and duly qualifies as Special Judge in this cause and takes his oath, which oath is as follows:
The State of Indiana, County of Hendricks, Sct:

I, John T. Hume, swear that I will support the Constitution of the United States and of the State of Indiana, and faithfully discharge my duties as Judge of the Hendricks Circuit Court in case of John C. Taylor, Guardian, etc. against Jerry S. Jones and Mary E. Jones, so help me God.

John T. Hume

Subscribed and sworn to this 11th day of March, 1938, before me, Clerk of said Court.

(SEAL)

Walter E. Hadley, Clerk.
By Leora Pogue,
Deputy Clerk Hendricks Circuit Court.

NANNIE RASNER, ADMINISTRATRIX)
OF THE ESTATE OF DOLTON RASNER,)
DECEASED.)
VS) # 15270 Judgt. vs Deft. for $1250.00 & Costs.
RALPH BLACK) J. D. 17, Page 245.

Come now the parties, by counsel, and the Court now renders judgment on the verdict of the jury.

It is, therefore, now adjudged by the Court that the plaintiff, Nannie Rasner, Administratrix of the Estate of Dolton Rasner, Deceased, recover of and from the defendant, Ralph Black, the sum of twelve hundred and fifty dollars, ($1250.00), together with the costs of this action, taxed at _____dollars and _____cents.

LOUISE KOLTHOFF)
VS) # 15144 Judgt. vs Deft. for $150.00 & Costs.
FINK AUTO COMPANY, INC.) J. D. 17, Page 246.

Comes now the plaintiff, by counsel, and moves the Court to render judgment on the verdict of the jury. And the Court being duly advised, now sustains said motion.

It is, therefore, adjudged by the Court that the plaintiff, Louise Kolthoff, recover of and from the defendant, Fink Auto Company, Inc., the sum of one hundred and fifty dollars, ($150.00), together with the costs in this cause, laid out and expended at _____dollars and _____cents.

And court adourned until 9:00 o'clock A. M. Saturday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, March 12th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

FLETCHER JOINT STOCK LAND)
BANK OF INDIANAPOLIS)
VS) # 14947
MAUD WITT, ET AL.)

Come now the parties, by counsel, and oral argument is made on motion to dismiss this cause for want of jurisdiction, and this matter is taken under advisement.

And court adjourned until 9:00 o'clock A. M. Monday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, March 14th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

WALTER SIDENER)
VS) # 15379
THE NATIONAL FIRE INSURANCE)
COMPANY OF HARTFORD.)

Come now the parties, by counsel, and the Court having seen and examined the defendant's motion to strike out part of plaintiff's complaint, and being duly advised in its premises, now overrules the same, to which ruling of the Court the defendant duly objects and excepts.

Come now the parties and the Court having seen and examined the plaintiff's motion to strike out and reject interrogatories numbered one to eighteen, and being duly advised, now overrules said motion, to which ruling of the Court the plaintiff duly objects and excepts.

GOLDA SOCKLER)
VS) # 15403
LAWRENCE CANARY)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to answer plaintiff's complaint. And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before the 28th day of March, 1938.

ALVA J. WESNER)
VS) # 15459
CONSTANCE E. CEAS)
CHARLES E. CEAS)

Come now Clarke and Clarke, herein, and file their appearance herein for the defendant, which appearance is in the words and figures following, to-wit: (H.I.).

STATE OF INDIANA)
VS) # 7829 Judgt. vs Deft. for $25.00 Fine & Costs.
CLAYTON BUNELL) J. D. 17, Page 246.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Clayton Bunell, in his own proper person, and said defendant is duly arraigned in open Court and said defendant pleads guilty.

It is, therefore, adjudged by the Court that the defendant, Clayton Bunell, for the offense by him committed be and he is fined in the sum of twenty-five dollars and that he pay the costs of this action, taxed at _____dollars and_____ cents.

The Court further hereby orders the destruction of the machines and devices so seized by the Sheriff in this proceeding and now in the custody of said Sheriff, that he report to this Court when and who said machines where destroyed by him.

LOTTIE L. COOK)
VS) #15429 DECREE APPROVING THE COMMISSIONERS
MOLLIE PARKER, unmarried) REPORT
NATHANIEL N. N. BRITT, unmarried)

And now this cause coming on for further and final hearing on the report of the commissioners herein filed, the plaintiff appearing by Attorney James H. Chatterley, the defendant Nathaniel N. N. Britt appearing by John A. Kendall, Attorney, and the defendant appearing by Oyde E. Rhoades. And now comes the commissioners heretofore appointed herein to make sale of the real estate for the partition of which this action was brought, and in open Court acknowledge and file their report which report is in the following words and figures following, (H.I.)

Said Commissioners further make report of the payment of the purchase price in the sum of $1750.00, and submits therewith a Deed to be executed to the purchaser for the approval of the Court. And the court having examined said report and deed, approves the same, and orders that said Commissioners execute said deed to the purchaser. Said price being more than two-thirds the appraised value thereof.

And said commissioners now executes said deed, and the same is approved by the court, and said commissioner is directed to make a financial report herein.

FLETCHER JOINT STOCK LAND)
BANK OF INDIANAPOLIS.) # 14947 Judgt. vs Plaintiff for costs.
VS) J. D. 17, Page 246.
MAUD WITT, ET AL.)

Come now the parties, by counsel, and the Court being duly advised, now sustains motion of defendant to dismiss this cause for want of jurisdiction of this Court, all at the cost of the plaintiff, to which ruling of the Court the plaintiff duly objects and excepts, and this cause is dismissed at the cost of the plaintiff.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed for want of jurisdiction of this Court, and the plaintiff, Fletcher Joint Stock Land Bank of Indiana, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

GEORGE KIMBROUGH)
VS) # 15399 Judgt. vs Pltf. for Costs.
RICHARD W. WILKERSON, JR.) J. D. 17, Page 246.

Comes now the plaintiff, by counsel, and files motion to dismiss this cause at the plaintiff's cost, which motion is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said motion and being sufficiently advised, now sustains the same.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, George Kimbrough, is ordered to pay the costs of this action, taxed at _____dollars and_____ cents.

Monday, March 14th, 1938, and the 7th day of the March Term, 1938.

And court adjourned until 9:00 o'clock A. M. Tuesday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Tuesday, March 15th, 1938, and the 8th day of the March Term, 1938.

Tuesday Morning, March 15th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

WILLIAM E. YOUNG)
VS) # 15322
AMERICAN STATES)
INSURANCE COMPANY)

Come now the parties, by counsel, and the Court being duly advised, now overrules defendant's motion to strike out parts of plaintiff's complaint, to which ruling of the Court the defendant duly objects and excepts.

And court adjourned until 9:00 o'clock A. M. Wednesday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, March 16th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

HERSCHEL SMYTHE, BY)
JOHN SMYTHE HIS NEXT)
FRIEND.)
VS) # 15343
FRANK OGLES)

Comes now the defendant, by counsel, and files answer in general denial, which answer is in the following words and figures, to-wit: (Here Insert).

JOHN C. TAYLOR, GUARDIAN, ETC.)
VS) # 15436
JERRY S. JONES, ET AL.)

Come now the defendants, by counsel, and for their answer to plaintiff's complaint files a general denial, which answer in general denial is in the words and figures following, to-wit: (H.I.).

John T. Hume
John T. Hume, Special Judge.

MARY E. BOLDT, AND)
JOSEPH BOLDT.) # 15334
VS) JUDGMENT ON FAILURE TO PLEAD
MINNIE L. WHITEMAN,)
SEABOARD SURETY CO.)

Judgt. in favor of defendant, Minnie L. Whiteman, and against plaintiffs, Mary E. Boldt & Joseph Boldt, for $904.18 and costs.
J. D. 17, Page 247.

Comes now Minnie L. Whiteman, a defendant in the above entitled cause, in person and by counsel and comes also Seaboard Surety Company, a defendant in said cause, by counsel, and each of said defendants, separately and severally move the court herein, to enter judgment as upon a default, in their favor and against the plaintiffs Mary E. Boldt and Joseph Boldt, for the reason that said plaintiffs have failed to plead in said cause, in this, that on the 11th day of December, 1937, the defendants filed their separate answers in General Denial, in said cause, and the defendant Minnie L. Whiteman, also filed her separate special answers to the plaintiff's complaint, by way of counterclaim in two paragraphs, and equitable set-off against the plaintiffs, and on the 19th day of January 1938, said plaintiffs were ruled by the court to reply to said separate paragraphs of answer of said defendant Minnie L. Whiteman, on or before the 5th day of February, 1938; that no further time has been given said plaintiffs by the court for the filing of said replies and said plaintiffs have failed utterly and completely to comply with such ruling and order of this court and therefore, said defendants, request the court to forthwith enter judgment as by statute in such cases made and provided, in their favor and against the plaintiffs, the defendant Seaboard Surety Company being merely a surety for the defendant Minnie L. Whiteman, and therefore entitled to all defenses accruing to its principal.

And the court having heard said motion and request of said defendants and having examined its record in said cause and being duly advised in the premises now finds that said motion should be approved and allowed and said request granted

and that judgment should be entered by the court as upon defaultagainst the plaintiffs bedause of their failure to plead and to make up the issues herein within the time prescribed, and that the defendants should recover of and from the plaintiffs all their costs herein by them made, laid out and expended and that the plaintiffs take nothing by reason of their complaint.

It is therefore, considered, adjudged and decreed by the court, that the plaintiffs, Mary E. Boldt and Joseph Boldt, be and they are now in open court each three times audibly called and come not but herein wholly make default and it also is adjudged and decreed by the court that said plaintiffs have failed to plead in this action and make up the issues as by the court ordered and required to do within the time prescribed, and that they take nothing by their complaint herein while the defendants recover of and from said plaintiffs their costs in this action taxed at _____dollars.

And comes now the defendant Minnie L. Whiteman and presents to the court herein her separate counterclaim in two paragraphs and her separate set-off and the court having seen and examined said paragraphs of counterclaim and said set-off now finds that in another action same would entitle said defendants to a judgment against the plaintiffs and the court forthwith proceed to hear the evidence of said defendant on her said paragraphs of counter-claim and set-off, as upon default.

The court having heard the evidence of said Minnie L. Whiteman as such counterclaimant and upon her set-off against said plaintiffs, and being fully advised in the premises, finds that the defendant, Minnie L. Whiteman is the owner and is entitled to recover against said plaintiffs under and pursuant to her said counterclaim the possession of the following described real estate in the County of Marion and State of Indiana, to-wit:

> "A part of the West half of the Northwest Quarter of Section Twenty-eight (28), Township Sixteen (16) North, Range Two (2) East, as follows:
> Beginning on the North line of said half quarter section at a point 679 feet East of the Northwest corner thereof, running thende South and parallel to the West line of said half quarter section, 660 feet to a point; thence East and parallel to the North line of said half quarter section 132 feet to a point, thence North and parallel to the West line of said half quarter section 165 feet to a point; thence East and parallel to the North line of said half quarter section 528 feet to the East line of said half quarter section; thence North along the East line of said half quarter section 495 feet to the Northeast corner of said half quarter section; thence West along the North line of said half quarter section, 660 feet to the place of beginning, containing eight (8) acres, more or less."

which is the real estate described in her counterclaim and in the Lease with Option to purchase, which is attached to said counterclaim, marked "Exhibit A" and made a part thereof, and also, that she is entitled to recover from said plaintiffs as damages for the unlawful actual and constructive retention of the possession thereof, the sum of Two Hundred Forty Five Dollars.

The court further finds that the said Minnie L. Whiteman is also entitled to recover of and from said plaintiffs, under and pursuant to her separate set off as her damages therein set out the sum of $378.77 dollars.

The court also finds that the said Minnie L. Whiteman is entitled to recover of and from said plaintiffs, under and pursuant to her separate paragraphs of counterclaim, as her damages therein alleged, the sum of Two Hundred Eighty Dollars and Forty One Cents. That the total damages which the said defendant Minnie L. Whiteman, is entitled to recover of and from the plaintiffs herein is the sum of Nine Hundred Four Dollars and Eighteen Cents, together with all costs of this action.

It is therefore, considered, adjudged and decreed, by the court,

that the defendant, Minnie L. Whiteman, recover of and from the plaintiffs herein the possession of the real estate described in her counterclaim and in the Lease with Option to purchase of same attached to said counterclaim, and as above set out and described, and also Two Hundred Forty Five Dollars as damages for the unlawful retention thereof. Also, that she recover judgment against said plaintiffs under and pursuant to her separate equitable set off, the sum of Three Hundred Seventy Eight Dollars and Seventy Seven Cents; that she so recover from said plaintiffs under and pursuant to her separate counterclaim damages in the sum of Two Hundred Eighty Dollars and Forty One Cents, in all, her damages against the plaintiffs totals the sum of Nine Hundred Four Dollars and Eighteen Cents, together with all her costs in this action taxed at dollars.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, March 17th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

LOUISE KOLTHOFF)
VS) # 15344
FINK AUTO COMPANY)

Comes now the defendant, by counsel, and files motion for new trial, which motion is in the following words and figures, to-wit: (Here Insert).

LEE BOLTON)
VS) # 15306
FRANK THOMPSON)

Comes now the defendant, by counsel, and files motion to require the plaintiff to make his complaint more specific, which motion is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said motion, now sustains the same, to which ruling of the Court the plaintiff duly objects and excepts.

STATE OF INDIANA)
VS) # 7827 Judgt. vs Deft. for $10.00 Fine & Costs.
ROY A. ELSEY) J. D. 17, Page 247.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney and comes also the defendant, Roy A. Elsey, and said defendant is duly arraigned in open Court and enters his plea of guilty of passing school hack while children were alighting therefrom. The Court withholds judgment to make investigation of matter.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Roy A. Elsey, in his own proper person, and the Court being duly advised, now renders judgment as follows:

It is, therefore, adjudged by the Court that the defendant, Roy A. Elsey, for the offense by him committed shall be and he is fined in the sum of ten dollars, and that he pay the costs of this action, taxed at _____dollars and_____ cents.

JOHN C. TAYLOR, GUARDIAN, ETC.)
VS) # 15436
JERRY S. JONES, ET AL.)

Come now the parties, by counsel, and this cause being at issue, the Sheriff of Hendricks County, is ordered to bring into open Court the following jurors for jury services, to-wit: Otto Lowe, Ellis Freeland, Robert H. Salmon, Eddie R. Canada, Leo W. Loscent, David Surber, John A. Hawkins, Paul Carr, Daniel Fields, Chester Gregory, Stanley M. Hadley and Chester Phillips, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly and legally impanelled and sworn in open court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

After hearing a part of the evidence in this cause, the jury

is allowed to separate under proper instructions as to their duties until 1:30 P. M, at which time come the parties, and the jury is again brought into Court, and the taking of evidence is continued.

After hearing a part of the evidence in this cause, the jury is allowed to separate under proper instructions until 9:00 o'clock A. M., Friday, March 18th, 1938.

John T. Hume
John T. Hume, Special Judge.

Rule to Show Cause

STATE OF INDIANA SS
HENDRICKS COUNTY

IN THE HENDRICKS CIRCUIT COURT
MARCH TERM, 1938

Alice Cox
vs.
Edgar Cox

Alice Cox, having this day filed in this court her verified information concerning the contempt of this court of one, Edgar Cox, which is as follows: (H.I.)

STATE OF INDIANA SS
HENDRICKS COUNTY

IN THE HENDRICKS CIRCUIT COURT
MARCH TERM, 1938

Alice Cox
vs.
Edgar Cox

Alice Cox, who being duly sworn upon her oath says and informs this court that on the 16th day of September, 1929, the above entitled cause was heard by the Honorable Judge of the Hendricks Circuit Court, that said court had full and complete jurisdiction over the issues and the parties to said suit and was in session. That upon said date the court rendered his final decree in said cause granting the plaintiff herein a divorce and further granting the plaintiff the custody of the two children, to-wit: Donna, age 9, and Henry, age 4, these ages being the age of each child at the time said judgment was rendered to this plaintiff, Alice Cox, and the court ordered the defendant herein to pay into the office of the clerk of the Hendricks Circuit Court the sum of $7.00 per week, the same to be paid every two weeks for the care and support of said children, the said money to be paid to Alice Cox by the clerk of the Circuit Court.

Affiant herein further states that it was later orally agreed, for the time being, that said defendant should pay the sum of $5.50 per week in the same manner. Affiant also says the informs the Honorable Court that the defendant, Edgar Cox, has willfully and knowingly refused, neglected and failed to pay the sum of $5.50 per week since on or about January 15, 1938, into the office of the clerk of the Hendricks Circuit Court, for the care and support of the minor children and that he is at this time in arrears.

(signed) Alice Cox

Subscribed and sworn to before me
this 17th day of March, 1938.

(signed) John A. Kendall
PROSECUTING ATTORNEY

It is therefore ordered by the court that the said Edgar Cox be and appear in this court on the 29 day of March, 1938, at 9:00 o'clock A. M. to show cause, if any, why he should not be attached and punished for contempt of court.

Horace L. Hanna
Judge of Hendricks Circuit Court

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, March 18th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

VIOLA HOOPES)
VS) # 15371
AUDIE WRIGHT)

Comes now the defendant, by counsel, and files answer in general denial, which answer is in the following words and figures, to-wit: (Here Insert).

FELIX ZELLER)
VS) # 15400
FLETCHER AVENUE SAVINGS)
AND LOAN ASSOCIATION,)
ET AL.)

Comes now the defendant, Fletcher Avenue Savings and Loan Association, by counsel, in the above cause, and files in open court its motion for a new trial, which motion is in the following words and figures, to-wit: (Here Insert).

LEO F. WELCH, HAROLD R. VICTOR,)
AND NORBERT J. FOX, Trustees)
pursuant to Trust Indenture of)
Celtic Saving and Loan Association,)
No. 3, under date of April 30, 1936,)
Plaintiffs,)
v.) # 15422 Judgt. vs Defts. for $1972.93 & Costs.
SAM COHEN and) DECREE. J. D. 17, Page 247.
REGINA COHEN, husband and wife,)
Defendants.)

Come now the plaintiffs, Leo F. Welch, Harold R. Victor and Norbert J. Fox, Trustees pursuant to Trust Indenture of Celtic Saving and Loan Association, No. 3, under date of April 30, 1936, by Paul J. DeVault, their counsel; and come now the defendants Sam Cohen and Regina Cohen, husband and wife, by A. F. Lauck, their attorney, and file their answer in general denial, as follows: (H.I.) And it appearing to the satisfaction of the court by the summons herein and the return of the sheriff endorsed thereon, that the defendants Sam Cohen and Regina Cohen, husand and wife, have been duly served with process more than ten days prior to the date endorsed on plaintiffs' complaint and fixed by plaintiffs for the return day of summons thereon, which said summons and the return thereon are in the words and figures following, to wit: (H.I.)

And now this cause beinat at issue upon the answer filed, upon motion of the plaintiffs, is submitted to the court for trial, finding, judgment and decree upon each of the two paragraphs of complaint, without the intervention of a jury, same being waived, and the court having heard the evidence and being duly advised in the premises, finds for the plaintiffs and that the material allegations of each paragraph of the complaint are true.

The court finds that the said plaintiff trustees are

the sole and absolute owners of the bond and mortgage described in each paragraph of plaintiffs' complaint, pursuant to valid and proper assignment thereof to said trustees by Celtic Savings and Loan Association, No. 3, as alleged in plaintiffs' complaint, are are entitled to have judgment upon said bonds and mortgages and to have said mortgages foreclosed, with all the rights, remedies and relief accruing thereunder.

The court finds that there is due and owing to the plaintiff from the defendants, Sam Cohen and Regina Cohen, husband and wife, upon the bond sued upon in Paragraph I of plaintiffs' complaint the sum of $1662.49 and the further sum of $75.00 as a reasonable fee for the services of plaintiffs' attorney, making an aggregate sum of $1737.49 which the plaintiffs are entitled to recover under said first paragraph of complaint from said defendants, and as against the rights of all other parties herein, together with the costs of this action and all accruing costs, without relief from valuation or appraisement laws. The court finds that there is now due and owing to the plaintiffs from the defendants, Sam Cohen and Regina Cohen, husband and wife, upon the bond sued upon in Paragraph II of plaintiffs' complaint the sum of $215.44, and the further sum of $20.00 as a reasonable fee for plaintiffs' attorney, making an aggregate sum of $235.44, which the plaintiffs are entitled to recover of and from said defendants under second paragraph of complaint, and as against the rights of all parties herein, together with the costs of this action and all accruing costs, without relief from valuation or appraisement laws.

The court finds that the sum due the plaintiffs under Paragraph I is secured by mortgage executed on the 20th day of July, 1928, by the defendants, Sam Cohen and Regina Cohen, husband and wife, and recorded in Mortgage Record 1025, at page 564, in the office of the Recorder of Marion County, Indiana, on the 21st day of July, 1928; that the sum due the plaintiffs under Paragraph II of the complaint is secured by real estate mortgage executed on the 5th day of December, 1928, by the defendants, Sam Cohen and Regina Cohen, husband and wife, recorded in Mortgage Record 1037, at page 354, in the office of the Recorder of Marion County, Indiana, on the 12th day of December, 1928. That each of said mortgages mortgaged and warranted unto Celtic Saving and Loan Association No. 3 the same parcel of real estate in Marion County, Indiana, more particularly described as follows:

> Lot 211 in McCarty's Subdivision of the middle part of Out Lot 120, in the City of Indianapolis, as per plat thereof recorded in plat book 8, at page 145, in the Recorder's office of Marion County, Indiana.

The court finds that the mortgage described in Paragraph I of plaintiffs' complaint is a valid and subsisting first lien upon and against said real estate, excepting only taxes and assessments legally levied and assessed thereon, and that in like manner the mortgage described in Paragraph II of the complaint is a valid and subsisting lien upon said real estate, subordinate only to the mortgage described in Paragraph I. That the defendants have failed to perform the conditions and stipulations of the bond and mortgage described in each paragraph of complaint and now are in default under the terms thereof. That plaintiffs are entitled to have judgment on each paragraph of complaint and to have each mortgage foreclosed as against each and all of the defendants herein and the above described real estate sold to satisfy the aggregate amount due under Paragraphs I and II of the complaint. That the mortgaged real estate is not susceptible of division without manifest damage, and that the same should be sold as a whole, free and clear of all liens and encumbrances, excepting only taxes and assessments.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the plaintiffs, Leo F. Welch, Harold R. Victor, and Norbert J. Fox, Trustees pursuant to Trust Indenture of Celtic Saving and Loan Association, No. 3, under date of April 30, 1936, have and recover of and from the defendants, the sum of $1737.49 under Paragraph I of the complaint, and the sum of $235.44 under Paragraph II of the complaint, making an aggregate sum of $1972.93, together with costs of this action and all accruing costs herein, taxed at $_____, all without any relief from valuation or appraisement laws, which said judgment shall bear interest at the rate of 6% per annum until paid. That plaintiffs' said judgment shall be prior and superior to all other claims against said real estate, excepting taxes and levies legally assessed thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each of said mortgages described in paragraphs I and II of the complaint be and the same hereby is foreclosed, and that the equity of redemption of each of the defendants herein, and that of all persons or parties claiming of, from, under or through them, or any of them, in and to the following described real estate in Marion County, Indiana, to wit:

> Lot 211 in McCarty's Subdivision of the middle part of Out Lot 120, in the City of Indianapolis, as per plat thereof recorded in Plat Book 8, page 145, in the Recorder's Office of Marion County, Indiana.

be and the same hereby is barred and foreclosed, and that the said described real estate and all of the right, title and interests of said defendants and each of them, and of all persons, firms or corporations claiming of, from, under or through them or any of them, in or to said real estate shall be sold by the sheriff of said County of Marion, State of Indiana, as other lands are sold on execution, the sale to be made without any relief whatsoever from valuation or appraisement laws, and to be made free and clear from all liens except taxes and assessments legally levied and assessed thereon.

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

(1) To the payment of the costs and accruing costs herein.

(2) To the payment of the amount found due the plaintiff Trustees on the claim sued on herein, being the amount of the judgment hereinbefore rendered, to wit, $1972.93, together with interest from this date.

(3) The overplus, if any there be, to be paid by the sheriff to the clerk of this court for the use of the party lawfully entitled thereto and duly authorized to receive the same.

In the event said mortgaged premises shall fail to sell for a sufficient sum to pay and satisfy said plaintiffs' judgment, interest, costs and accruing costs, the residue thereof remaining unpaid shall be levied of the goods and chattels, lands and tenements, of said mortgage debtors defendants Sam Cohen and Regina Cohen, husband and wife, subject to execution and the sale thereof shall be made without any relief whatsoever from valuation and appraisement laws.

IT IS FURTHER ORDERED that a certified copy of this decree under the hand and seal of the clerk of this court shall be the full and sufficient authority to the Sheriff of Marion County, Indiana, to execute the same.

All of which is ordered, adjudged and decreed.

JOHN C. TAYLOR, GUARDIAN, ETC.)
VS) # 15436
JERRY S. JONES, ETC.)

Come now the parties, in person and by counsel, and the jury is again brought into Court, and the taking of evidence is continued.

After hearing a part of the evidence in this cause, the jury is allowed to separate under proper instructions as to their duties until 1:30 P. M., Friday, March 18th, 1938.

Come now again the parties, in person and by counsel, and the jury is again brought into Court, and the evidence is continued and concluded and arguments of counsel are heard and concluded, and the charge of the Court consisting of instructions numbered, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17, is given by the Court to the jury of his own motion.

And now the Court signs the instructions given of the Court of its own motion, and said instructions are filed and made a part of the record in this cause, which instructions are in the words and figures following, to-wit: (H.I.).

And now the jury retirnes in charge of a sworn bailiff of this Court.to deliberate.

John T. Hume

John T. Hume, Special Judge.

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, March 19th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

KATHERINE MARIE KELLAM)
VS) # 15466
JOHN MILES KELLAM)

Comes now the plaintiff, by counsel, and files answer to defendant's cross-complaint in two paragraphs, and which answer is in the following words and figures, to-wit: (Here Insert).

BLANCHE WILSON)
VS) # 15432
LEO CRAVEN WILSON)

Comes now the defendant, by counsel, and files answer in general denial in the following words and figures, to-wit: (Here Insert).

JOHN C. TAYLOR, GUARDIAN, ETC.)
VS) # 15436
JERRY S. JONES, ET AL.)

Come now the parties, by counsel, at 10:00 o'clock A. M., on the 19th day of March, 1938, at which time, the jury is brought into Court, and said jury being unable to arrive at a verdict, and the Court being duly advised in the matter herein, said jury is discharged from further duties in this cause.

John T Hume

John T. Hume, Special Judge.

R. J. OVERMAN)
VS) # 15374
RALPH B. PEPER)
MARY LENA PEPER)

Comes now the defendant, by counsel, and files answer in general denial, which answer is in the following words and figures, to-wit: (Here Insert).

Comes now the plaintiff, and come also the defendants, in person and by counsel, and this cause being at issue, is submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

The Court having heard a part of the evidence in this cause, the same is continued until Tuesday, March 22nd, 1938, at 9:00 o'clock A. M.

WALTER THOMPSON, ET AL.)
VS) CAUSE NO. 18601 ORDER ON PETITION BY TRUSTEE
E. F. ALEXANDER, ET AL.) FOR ALLOWANCE

Comes now Walter Thompson, Trustee herein, and files his sworn petition praying for an allowance for services and expenses as such Trustee, which petition is in the following words and figures, to-wit: (H.I.)

And the Court being fully advised in the premises, finds that

said petition should be granted, and tnat said Trustee, Walter Thompson, should be allowed out of the funds in his hands, as Trustee, the sum of $37.50 to reimburse him for his expenses incurred in the administration hereof, and the further sum of $325.00, as and for his services rendered in this trust, which shall be and is hereby fixed as full and final for all services rendered or to be rendered herein.

It is, therefore, considered and adjudged by the Court that Walter Thompson be and he is hereby allowed the total sum of $362.50 in full satisfaction and discharge of any and all expenses incurred in this trust, and for any and all services rendered herein and to be rendered.

All of which is adjudged and decreed by the Court.

Dated this 19 day of March, 1938.

C. C. Gillen, Special Judge.

RUTH SHEETS)
-vs-) # 15461
NATHAN SHEETS) JUDGMENT FOR SUPPORT MONEY ETC.

Judgt. vs Deft. for $12.00 Per Week & $50.00 Pltf's. Atty. Fees.
J. D. 17, Page 248.

Comes now the plaintiff, Ruth Sheets, and shows to tne court the notice herein, together with the return of the sheriff endorsed thereon, showing that said defendant, Nathan Sheets, was duly notified of the pendency of plaintiffs petition herein, which said notice and service thereon are in the words and figures as follows, to-wit: (H.I.) And the defendant, failing to appear, is now three times called into open court, but comes not, and herein wholly makes default.

And this cause being now at issue upon plaintiffs petition and the default of the defendant herein, and the court having seen and examined plaintiffs petition and heard evidence thereon finds for the plaintiff. And finds that the plaintiff should receive from the defendant the sum of $12.00 per week for her support and the support of their three minor children pending this action and that the defendant shall pay the same to the clerk of the Hendricks Circuit Court, beginning on Thursday, March 24, 1938, payments to be made on each Thursday thereafter. The court further finds that the defendant shall pay to the clerk of the Hendricks Circuit Court, for the use of plaintiffs attorney in the prosecutinn of this action, the sum of $50.00, and that he shall pay the sum of $25.00 of same on or before the first day of May, 1938, and the balance of $25.00 on or before the 15th day of June, 1938.

It is therefore considered ordered and adjudged by the court that the defendant, Nathan Sheets, pay to the clerk of the Hendricks Circuit Court the sum of $12.00 each week for the use and benefit of the plaintiff, Ruth Sheets, the first payment of which shall be made on March 24, 1938, and a like sum shall be paid on each Thursday thereafter. It is further ordered and adjudged by the court that the defendant, Nathan Sheets, pay to the Clerk of the Hendricks Circuit Court the sum of $50.00 for plaintiffs attorney for the prosecution of her action for a divorce, and the $25.00 of said sum shall be paid on or before the first day of May, 1938, and the balance of $25.00 shall be paid on or before the 15th day of June, 1938.

And court adjourned until 9:00 o'clock A. M. Monday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, March 21st, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

GUSS W. MILLER)
VS) # 15384
PUBLIC SERVICE COMPANY)

Comes now the defendant, by counsel, and files demurrer to plaintiff's amended complaint, which demurrer is in the following words and figures, to-wit: (Here Insert).

EDGAR L. McCOLLUM)
VS) # 15448
BURL SCHRAKE)

Comes now the plaintiff, by counsel, and moves the Court for an order requiring the defendant to answer plaintiff's complaint on or before April 1st, 1938. And the Court being duly advised, now sustains said motion, and the defendant is required to answer on or before April 1st, 1938.

EMORY H. HILL)
VS) # 15462
MARY ALICE HILL)

Comes now the defendant, by counsel, and files application for suit money in the following words and figures, to-wit: (Here Insert).

And the Court examining said verified application now fixes March 31st, 1938, as the date for hearing thereon at 9:00 o'clock A. M.

STATE OF INDIANA)
COUNTY OF Hendricks) SS:

APPOINTMENT OF Fred Hobbs AS MEMBER OF
COUNTY BOARD OF PUBLIC WELFARE OF Hendricks COUNTY

BE IT KNOWN THAT

I, Horace L. Hanna, Judge of the Hendricks Circuit Court of Hendricks County, State of Indiana, by the authority vested in me by Section 19 of Chapter 3 of the Acts Special Session of the General Assembly Indiana 1936, title "An Act concerning public welfare," approved March 18, 1936, as amended by Section 2, Chapter 41, of the Acts of 1937, have this day appointed Mr. Fred Hobbs (Mr., Mrs., or Miss Full name of appointee) whose address is Plainfield, Indiana, and who have been a legal resident of Hendricks County for two years or more, and who has a recognized interest in and knowledge of the problems of public welfare, and who is a adherent of Republican political party, as a member of the County Board of Public Welfare of Hendricks County for the term of four years from the 1st day of April 1938, subject to the further limitations of "The Welfare Act of 1936, as amended by Acts of 1937, to succeed himself whose appointment terminated the 1st day of April, 1938

Witness my hand this 21st day of March, 1938.

Horace L. Hanna
(Signature) Judge of the ____ Circuit Court

STATE OF INDIANA)
SS:
COUNTY OF Hendricks)

APPOINTMENT OF George H. Reitzel AS MEMBER OF
COUNTY BOARD OF PUBLIC WELFARE OF Hendricks COUNTY

BE IT KNOWN THAT

I, Horace L. Hanna, Judge of the Hendricks Circuit Court of Hendricks County, State of Indiana, by the authority vested in me by Section 19 of Chapter 3 of the Acts Special Session of the General Assembly Indiana 1936, title "An Act concerning public welfare," approved March 18, 1936, as amended by Section 2, Chapter 41, of the Acts of 1937, have this day appointed Mr. George H. Reitzel whose address is
(Mr., Mrs., or Miss Full name of appointee
Brownsburg, Indiana, and who has been a legal resident of Hendricks County for two years or more, and who has a recognized interest in and knowledge of the problems of public welfare, and who is an adherent of Republican political party, as a member of the County Board of Public Welfare of Hendricks County for the term of four years from the 1st day of April 1938, subject to the further limitations of "The Welfare Act of 1936, as amended by Acts of 1937, to succeed John M. Smith whose appointment terminated the 1st day of Apr. 1938

Witness my hand this 21st day of March, 1938.

Horace L. Hanna
(Signature) Judge of the Circuit Court.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Tuesday Morning, March 22nd, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

OATH AND ACCEPTANCE OF OFFICE
OF MEMBER OF COUNTY BOARD OF PUBLIC WELFARE

I, George H. Reitzel, of Brownsburg, Indiana, having been appointed a member of the County Board of Public Welfare of Hendricks County, Indiana, hereby accept the appointment and do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Indiana, and that I will faithfully discharge the duties of a member of the County Board of Public Welfare of Hendricks County; so help me God.

George H. Reitzel
(Signature in full of appointee)

Subscribed and sworn to before me this 22 day of March, 1938.
(SEAL)
Walter E. Hadley,
Clerk Hendricks Circuit Court

R. J. OVERMAN)
VS) # 15374
MARY LENA PEPER)

Come now the parties, in person and by counsel, and the taking of evidence is continued but not completed, and court adjourns until 9:00 o'clock A. M., Wednesday, March 23rd, 1938.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Wednesday Morning, March 23rd, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

CHARLOTTE E. LEHMAN)
VS) # 15125
NELLIE STEVENSON)

Comes now the defendant, by counsel, and files answer in three paragraphs, which answer is in the following words and figures, to-wit: (Here Insert).

THE UNION TRUST COMPANY)
OF INDIANAPOLIS)
VS) # 15212
NORTHERN HIGHLAND, INC., ET AL.)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant, Ralph K. Kane, to answer complaint herein on or before April 5th, 1938.

And the Court being duly advised, now sustains said motion, and the defendant, Ralph K. Kane, is ruled to answer on or before April 5th, 1938.

LUE VENIA STEPHENS)
VS) # 15259
HAROLD HUGHES)

Comes now the plaintiff, by counsel, and files affidavit that she is a poor person and unable to pay costs, which affidavit is in the following words and figures, to-wit: (Here Insert).

R. J. OVERMAN)
VS) # 15374
RALPH B. PEPER)
MARY LENA PEPER)

Comes now the receiver, William Haag, and files his verified petition in the above cause for an order fixing the time for filing claims in said receivership and the notice required to all creditors, which petition is in the words and figures as follows, to-wit: (H.I.).

And the Court being fully advised in the premises, now fixes April 14th as the last day for filing claims with said receiver and the said receiver is hereby ordered to give notice of the order by publication in the Brownsburg Record by two insertions in said paper.

Come now the parties, in person and by counsel, and the taking of evidence is continued and completed, and this cause is taken under advisement.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Thursday Morning, March 24th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

MARGUERITE GLADDEN)
VS) # 15425
KEESHIN MOTOR EXPRESS, INC.)
KEESHIN MOTOR EXPRESS CO.)

Comes now the plaintiff, by counsel, and files affidavit for continuance together with doctor's certificate, which affidavit and certificate are in the following words and figures, to-wit: (Here Insert).

PEOPLES LIFE INSURANCE COMPANY)
VS) # 15470
CHARLES W. CUNNINGHAM, ET AL.)

Comes now the plaintiff, by counsel, and files affidavit for service to non-residents in following words and figures, to-wit: (Here Insert). Court examining same, fixes June 1st, 1938, as return day thereon and orders that notice be given accordingly.

Plaintiff now requests appointment of Receiver upon allegations of its verified complaint, and the Court examining same and being duly advised, finds that receiver should be appointed during the pendency of this litigation, and the Court now appoints John Masten, Coatesville, Indiana, and fixes his bond at one thousand dollars.

FRED C. GOLDSMITH, BY MARY L.)
GOLDSMITH, NEXT FRIEND)
VS) # 15311 Judgt. vs Deft. for $2000.00 & Costs.
BOWMAN ELDER, RECEIVER INDIANA)E N T R Y. J. D. 17, Page 391.
RAILROAD.)

Come now the parties in the above entitled cause, and this cause being at issue is now submitted to the court for hearing without the intervention of a jury.

And the evidence having been heard, and the court being duly advised in the premises, finds for the plaintiff that the averments of the complaint are true, and that the plaintiff should recover of and from the defendant the sum of Two Thousand ($2,000.00) Dollars.

It is therefore considered and adjudged that the plaintiff recover of and from the defendant the sum of Two Thousand ($2,000.00) Dollars, with costs of this action taxed in the sum of $_____.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Friday Morning, March 25th, 1938,

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

FRIEDA DAUM)
VS) # 14464
HORACE DAUM)

Comes now the plaintiff, by counsel, and files answer to amended petition and cross-petition, which amended petition and cross-petition are in the words and figures following, to-wit: (H.I.).

BASI FRANKLIN)
VS) # 14679
C. A. KIRKPATRICK)

Comes now the plaintiff, by counsel, and withdraws his affidavit and motion for change of venue.

GOLDA SOCKLER)
VS) # 15403
LAWRENCE CANARY)

Comes now the defendant, by counsel, and files answer in general denial in the following words and figures, to-wit: (Here Insert).

GRACE S. WASS,)
MARY S. EVENS,)
EDWARD E. EVENS.)
VS) # 15471 PREPARED ENTRY.
PHILIP C. SELLER;)
WILBUR S. DONNER, GUARDIAN OF)
PHILIP C. SELLER, A SPENDTHRIFT;)
GRACE S. WASS AND MARY S. EVENS,)
TRUSTEES FOR PHILIP C. SELLER)
UNDER THE WILL OF ALICE SELLER,)
DECEASED; AND URBAN TAYLOR.)

Now comes Wilbur S. Donner, Guardian of Philip C. Seller, a spendthrift, one of the above named defendants, and files in open court his appearance and waiver of the issuing and service of summons herein as follows: (H.I.).

Now comes Grace S. Wass and Mary S. Evens, Trustees under the will of Alice Seller, deceased, two of the above named defendants, by Charles V. Sears, their attorney, and file in open court their appearance and waiver of the issuing and service of summons herein as follows: (H.I.)

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Saturday Morning, March 26th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

WILLIAM MERRITT)
VS) # 15445
CECIL SLAVENS)

Comes now the defendant, by counsel, and files motion to make complaint more specific, which motion is in the following words and figures, to-wit: (Here Insert).

CLEO L. HUNT, ADMR., ETC.)
VS) # 15458
NELSON E. KERN, ET AL.)

Comes now the plaintiff, by counsel, and moves the Court to require the defendants to answer plaintiff's complaint herein on or before April 18th, 1938. And the Court being duly advised, now sustains said motion, and the defendants are ruled to answer on or before April 18th, 1938.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Monday Morning, March 28th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

PEOPLES LIFE INSURANCE)
COMPANY)
VS) # 15470
CHARLES W. CUNNINGHAM,)
ET AL.)

Comes now John Masten, Receiver, herein, and files his bond in the sum of one thousand dollars, which bond is in the words and figures following, to-wit: (H.I.), and which bond being examined by the Court is approved and said John Masten qualifies and enters upon his trust as such receiver.

WILLIAM MERRITT)
VS) # 15445
CECIL SLAVENS)

Come now the parties, by counsel, and the Court being duly advised, now overrules defendant's motion to make complaint more specific, to which ruling of the Court the defendant duly objects and excepts.

Comes now the defendant, by counsel, and files answer and cross-complaint in the following words and figures, to-wit: (Here Insert).

R.J.OVERMAN)
VS) # 15374
RALPH PEPPER) Order
ET AL.)

William Hagg, Receiver, having this day filed his verified petition praying therein for an order to sell the balance of personal property in said receivership which petition is of the following words and figures, to-wit: (H.I.)

Court having read said petition and being duly advised therein now finds that it is to the best interests of said trust that said receiver sell said personal property at public auction, for cash and by posting 10 notices in said township where sale will be held at least four days prior to date of sale. So ordered.

EDWARD HALL)
VS) # 15210
STANDARD GROCERY CO., INC.)

Comes now the plaintiff, by counsel, and files written motion to dismiss this cause, which motion is in the words and figures following, to-wit: (H.I.).

The Court having seen and examined said motion and the costs on dismissal having heretofore been paid, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7832
JOE DUNCAN)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Joe Duncan, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of not guilty of assault and battery, and the Court now fixes said defendant's bond in the sum of $500.00.

STATE OF INDIANA)
VS) # 7639 Judgt. vs Deft. for Costs.
WILLIAM DALE) J. D. 17, Page 250.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, William Dale, in his own proper person, and said defendant is duly arraigned in open court and enters his plea of guilty of issuing check without funds in bank.

It is, therefore, adjudged by the Court that said defendant for the offense by him committed shall be and he is imprisoned in the State Prison for not less than one nor more than ten years, and that he shall pay the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Tuesday Morning, March 29th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

FRANK E. RICHARDSON
ALICE ADA RICHARDSON
DANIEL V. RICHARDSON
ETHEL W. RICHARDSON
GEORGE EARL RICHARDSON
WILLIAM CRAVENS
ANNA JONES CHESBRO
CHARLES V. RICHARDSON
ROBERT LOCKHART
LETHA D. RICHARDSON
MORTON LOCKHART
WILLIAM C. RICHARDSON
EARNEST RICHARDSON
ADA KENDALL
MORRIS RICHARDSON

VS

SAMUEL BARKER, IF LIVING IF DEAD THE UNKNOWN WIDOW heirs, devisees, legatees and legal represenatives of of SAMUEL BARKER, deceased.
JOHN L. HADLEY, if living, if dead, the unknown widow heirs, devisees, legatees and legal represenatives of JOHN L. HADLEY, deceased.
MANNA ALDERMAN WILLIAM DICK BARKER, if living, if dead the unknown widow, heirs, levisees, legatees and legal represenatives of MANNA ALDERMAN WILLIAM DICK BARKER, deceased
MITCHELL B. BARKER, if living, if dead the unknown widow, heirs, devisees, legatees and legal represenatives of Mitchell B. Barker, deceased.
JUNE BARKER, if living, if dead, the unknown widower heirs, devisees, legatees and legal represenatives of JUNE BARKER, deceased.
JOHN F. REED, if living, if dead, the unknown widow, heirs, devisees, legatees and legal represenatives of JOHN F. REED, deceased.
HENRY A. MARLEY, if living, if dead, the unknown widow heirs, devisees legatees and legal represenatives of HENRY A. MARLEY, deceased.
JOSHUA NORMAN, if living, if dead the unknown widow, heirs devisees, legatees and legal represenatives of JOSHUA NORMAN, deceased.
ELI B. JOHNSON, if living, if dead the unknown widow, heirs devisees, legatees and legal represenatives of ELI B. JOHNSON, deceased.
THOMAS HARPER, if living if dead the unknown widow, heirs devisees and legatees and legal represenatives of THOMAS HARPER, deceased.
HENRY L. MARLEY, if living, if dead the unknown widow, heirs devisees, legatees and legal represenatives of HENRY L. MARLEY, deceased.
HENRY T. MARLEY, if living if dead the unknown widow heirs devisees, legatees and legal represenatives of HENRY T. MARLEY, deceased.
JANE BARKER, if living, if dead the unknown widower, heirs devisees, legatees and legal represenatives of JANE BARKER, deceased.
JOHN F. REID, if living if dead the unknown widow heirs, devisees, legatees and legal represenatives of JOHN F. REED, deceased.
JOHN WRIGHT, if living, if dead the unknown widow heirs, devisees, legatees and legal represenatives of JOHN WRIGHT, deceased.
JOHN MILLIKIN, if living, if dead the unknown widow heirs, legatees, devisees and legal represenatives of JOHN MILLIKIN, deceased.
HENRY MARLEY, if living if dead the unknown widow heirs, devisees legatees and legal represenatives of HENRY MARLEY, deceased.
ELIZABETH MARLEY, if living, if dead the unknown widower heirs, devisees, legatees and legal represenatives of ELIZABETH MARLEY, deceased.
JESSE STOUT, if living, if dead the unknown widow heirs, devisees, legatees and legal represenatives of JESSE STOUT, deceased.
JESSE WILBERT MARLEY, if living, if dead the unkown widow, heirs, devisees, legatees and legal represenatives of JESSE WILBERT MARLEY, deceased.
LUTHER WESLEY MARLEY, if living if dead the unknown widow heirs, devisees legatees and legal represenatives of LUTHER WESLEY MARLEY, deceased.

15397

Judgt. vs Pltfs. for Costs.

J. D. 17, Page 250.

Comes now plaintiffs in person, and by Otis E. Gulley their attorney, and it is suggested to the court that

that since the filing of this complaint, that the plaintiff, Earl H. Richardson departed this life testate, and by the terms of his will duly probated in Marion County, Indiana, the real estate described in the complaint herein was bequeathed to his widow Ethel W. Richardson, and his son, George Earl Richardson, and that the said Ethel W. Richardson and George Earl Richardson are all and the only heirs at law of the said Earl H. Richardson, deceased; that the said Ethel W. Richardson and George Earl Richardson are the successors in interest and are the owners of the interest of the said Earl H. Richardson in the real estate described in said complaint, and that the said Ethel W. Richardson and George Earl Richardson should be substituted as plaintiffs in the above entitled cause, and now upon order of the court, said Ethel W. Richardson and George Earl Richardson are substituted and made plaintiffs in said cause; and now the plaintiffs, by counsel, file proof of publication of non-residents notice to all of said defendants herein which notice and proof of publication thereof, is in words and figures as follows to-wit: (H.I.), that each and all of the defendants have been duly notified of the pendency of this action by three successive publications in the Hendricks County Republican, a newspaper of general circulation printed in the English language, and printed and published in the town of Danville, Hendricks County, Indiana, the last of which publication was more than thirty days before the 14th. day of February, 1938, the same being the return day evidenced on plaintiff's complaint herein, and upon order of the court authorizing notice by publication.

And now on motion of plaintiffs, each of said defendants are three times loudly called in open court, but come not, and herein wholly make default. And all defendants in said cause having defaulted said cause is now submitted to the court for trial, finding, judgment and decree without the intervention of a jury, and the court having examined plaintiff's complaint and having heard the evidence and being duly advised in the premises find for the plaintiffs on their complaint and finds that the allegations thereof are true and that said plaintiffs have the legal title to, and the fee simple interest in and to the real estate described in plaintiff's complaint and herein after described.

The court further finds that the interest claimed and asserted by the defendants and each of them in and to said real estate is adverse to the title held and owned by said plaintiffs; that the defendants and each of them have no right, title or interest in and to said real estate; that the claim or claims of the defendants and each of them, or any one claiming by or through either of them is without right and unfounded and casts a cloud upon the title owned and held by plaintiff's to said real estate.

The court further finds that plaintiffs are entitled to have their title to said real estate described in plaintiff's complaint and herein after described quieted and forever set at rest as against any and all claims of the defendants herein and of any and all persons claiming by, under or through them or either of them and that plaintiffs are also entitled to have their title quieted against all persons whom soever and as against the world.

It is therefore ordered, adjudged and decreed by the court that the plaintiffs Frank E. Richardson, Alice Ada Richardson, Danial V. Richardson, Ethel W. Richardson, George Earl Richardson, William Cravens, Anna Jones Chesbro, Charles V. Richardson, Robert Lockhart, Letha D. Richardson, Morton Lockhart, William C. Richardson, Earnest Richardson, Ada Kendall and Morris Richardson are the owners in fee simple as tenants in common of the real estate situated in Hendricks County,

Indiana, and described as follows, to-wit:

A part of the southeast quarter of Section 23, Township 14 north of Range 1 West, bounded and described as follows, to-wit: Commencing 66 2/3 rods west of the southeast corner of Section 23, Township 14 north of range 1 west and running thence north 120 rods; thence west to the center line of said section 93 1/3 rods and to the west line of said quarter section; the same being the center line north and south of said Section 23; thence south on said center line 120 rods to the south line of said section; thence east on the south line of said section 93 1/3 rods to the place of beginning, containing in all 70 acres, more or less.

It is further ordered, adjudged and decreed by the court that the claims of defendants and each of them, and any one and all persons claiming by, under or through them, or either of them to any interest in said real estate is without right and unfounded, and each and every one of said defendants and all persons whomsoever, and the world is hereby estopped and forever debarred from asserting any right, title, claim or interest in and to said real estate adverse to plaintiffs title, and that the title of plaintiffs to said real estate be, and the same is hereby quieted and forever set at rest as against the defendants and each of them and any and all persons claiming by, under or through them or either of them and as against all persons whomsoever, and as against the word.

It is further considered and ordered by the court that the plaintiffs pay the cost of this action taxed at _____dollars and _____cents.

FRANK CLIFT OLIVE)
VS) # 14964
NEW ENGLAND MUTUAL LIFE)
INSURANCE COMPANY, A)
CORPORATION.)

Come now the parties and file transcript on Removal and order remanding the above cause from the District Court of the United States for the Southern District of Indiana, and which transcript on Removal and order remanding cause is in the following words and figures, to-wit: (H.I.).

ALICE COX)
VS) # 12713
EDGAR COX.)

Entry on Hearing to Show Cause and on Petition to Modify Former Order of the Court.
J. D. 17, Page 251. Judgt. vs Deft. for $5.00 Per Week & Costs.

Comes now the defendant, Edgar Cox, and presents and files his verified answer to the rule to show cause why he should not be held in indirect contempt of court for failure to pay support money, which verified answer is in the following words and figures, to wit: (H.I.)

Also said defendant, Edgar Cox, presents and files his petition to modify the former order of the court in these proceedings, which petition to modify is in the following words and figures, to wit: (H.I.)

And now the plaintiff presents and files her answer in general denial to said verified answer of the defendant, which answer is in the following words and figures, to wit: (H.I.)

Plaintiff also files her answer in general denial to the petition to modify, which answer is in the following words and figures, to wit: (H.I.).

And now the parties all being present in court, the court hears the evidence adduced by the parties, and being fully advised and informed in the premises finds that the defendant should not be held in contempt of court, having shown a reasonable excuse for not making payments according to the former order made herein.

And the court further finds that the defendant is in arrears in his payments at this time in the sum of $55.00, and the court directs and adjudges that the defendant shall make payment thereof of such arrears as soon as he is able and has sufficient income to do so. And time is given to said defendant to make said payments on said $55.00 found to be due.

The court further finds that the defendant is to have the right to visit his said children, Donna Cox and Henry Cox, and to have them visit him at proper and convenient times.

And the court finds and adjudges that should his son, Henry Cox, desire to stay with his father, defendant herein, for any length of time during school vacation, said defendant shall be allowed a credit of $2.50 per week during the time said son is cared for by said father.

It is adjudged that the defendant pay the sum of $5.00 per week for the care of said children beginning on the 11th day of April, 1938, payable each week, and during the time both of said children are with their mother.

All of which is ordered and adjudged until the further order of the court.

And it is adjudged by the court that the defendant pay the costs herein taxed at ____dollars and ____cents.

And court adjourned until 9:00 o'clock A.M. Wednesday,
Record read and signed in open court.

Horace R. Hanna, Judge.

Wednesday Morning, March 30th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

HAROLD RAY)
VS) # 15220
PENNSYLVANIA RAILROAD COMPANY,)
AND VANDALIA RAILROAD.)

Comes now the plaintiff, by counsel, and dismisses it's cause of action as to the defendant, Vandalia Railroad.

Comes now the plaintiff and moves the Court for an order requiring defendant to answer plaintiff's complaint herein on or before April 15th, 1938. And the Court being duly advised, now sustains said motion, and said defendant is ruled to answer on or before April 15th, 1938.

ANCHOR MOTOR FREIGHT)
INC. OF DELAWARE)
VS) # 15221
THE PENNSYLVANIA RAILROAD CO.)
AND VANDALIA RAILROAD.)

Comes now the plaintiff, by counsel, and dismisses it's cause of action as to the defendant, Vandalia Railroad.

Comes now the plaintiff and moves the Court for an order requiring the defendant to answer plaintiff's complaint herein on or before April 15th, 1938. And the Court being duly advised, now sustains said motion, and said defendant is ruled to answer on or before April 15th, 1938.

LEE BOLTON)
VS) # 15306
FRANK THOMPSON)

Comes now the defendant, by counsel, and files answer in general denial in the following words and figures, to-wit: (H.I.).

Come now the parties, in person and by counsel, and this cause being at issue is submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

Evidence is heard in part and cause is continued.

WILLIAM E. YOUNG)
VS) # 15322
AMERICAN STATES)
INSURANCE COMPANY)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to answer complaint herein on or before April 6th, 1938. And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before April 6th, 1938.

ASSOCIATES INVESTMENT)
COMPANY, A CORP.)
VS) # 15460
GLEN EMRY.)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to answer complaint herein on or before April 15th, 1938. And the Court being duly advised, said defendant is ruled to answer on or before April 15th, 1938.

J. A. EDWARDS & SON)
VS) # 15464 Judgt. vs Deft. for $68.89 and costs.
WATLER COX) J. D. 17, Page 251.

Comes now the plaintiff, by counsel, and shows tothe Court the summons and the return thereon of the Sheriff of Hendricks County, Indiana, and which summons and the return thereon is in the following words and figures, to-wit: (H.I.), and the Court examining same finds that said defendant has been duly served with process to appear herein on the 23rd day of March, 1938, and which return day was duly endorsed on plaintiff's complaint herein. And said defendant failing to appear is now three times loudly called in open court and herein wholly makes default.

And now on motion of the plaintiff, this cause is submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

Evidence is heard, and the Court finds for the plaintiff, and that the allegations of the plaintiff's complaint are true and that there is due the plaintiff on said account the sum of $54.89, and that said account is long past due, and the plaintiff is entitled to interest thereon in the sum of $14.00 and a total sum of $68.89, and the plaintiff is entitled to a judgment for $68.89 and the costs of this action.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff have and recover of and from the defendant, Walter Cox, the sum of $68.89, together with the costs of this action, taxed at _____dollars and _____cents.

STATE OF INDIANA)
VS) # 7832 Judgt. vs Deft. for Costs.
JOE DUNCAN) J. D. 17, Page 251.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Joe Duncan, and the Court having heretofore appointed George W. Hadley as pauper attorney to defend this cause, and said George W. Hadley having accepted said appointment, now comes as attorney for said defendant, and said defendant now changes his plea from not guilty to guilty, and the Court being duly advised, now enters judgment as follows:

It is, therefore, considered, ordered and adjudged by the Court that said defendant for the offense by him committed be and he is now sentenced to the Penal Farm for sixty days, and that he pay the costs of this action, taxed at_____ dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Thursday Morning, March 31st, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

WILLIAM E. YOUNG)
VS) # 15433
AMERICAN STATES INSURANCE)
COMPANY)

Comes now the defendant, by counsel, and files motion to separate complaint into paragraphs and numberthem, which motion is in the following words and figures, to-wit: (H.I.).

NETTIE NEWBY)
VS) # 15323
ED CRAWLEY, ETC.)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to answer plaintiff's complaint on or before April 15th, 1938. And the Court being duly advised, now sustains said motion and the defendant is ruled to answer on or before April 15th, 1938.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, April 1st, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

GRACE S. WASS, ET AL.)
VS) # 15471
PHILIP C. SELLER, ET AL.)

Comes now Charles V. Sears, herein, and files and enters his written appearance herein for said defendants, which written appearance is in the words and figures following, to-wit: (H.I.).

Comes now the defendant, Urban Taylor, by counsel, and files separate answer, which answer is in the following words and figures ~~following~~, to-wit: (H.I.).

CHARLOTTE E. LEHMAN)
VS) # 15125
NELLIE STEVENSON)

Comes now the plaintiff, by counsel, and files demurrer to the second and third paragraph of answer to plaintiff's first paragraph of complaint, which demurrer is in the words and figures following, to-wit: (H.I.).

Said plaintiff now files demurrer to the second and third paragraph of answer to plaintiff's second paragraph of complaint, which demurrer is in the words and figures following, to-wit: (H.I.).

FRIEDA DAUM)
VS) # 14464
HORACE DAUM)

Comes now the defendant, by counsel, and files answer in general denial to to cross-petition in the following words and figures, to-wit: (H.I.).

And this cause being at issue, the same is now submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

Evidence is heard in part, and court adjourned to meet at 9:00 o'clock A. M., April 2nd, 1938.

STATE OF INDIANA ON THE RELA-)
TION OF LUTHER F. SYMONS, BANK)
COMMISSIONER OF THE STATE OF)
INDIANA.)
VS) # 13802
PITTSBORO STATE BANK, PITTSBORO.)

Comes now the receiver and files his verified petition to compromise and settle not of S. E. Berkey's, which petition is in the following words and figures, to-wit: (H.I.). And the Court having examined said petition and being duly advised in its premises, now authorizes said receiver to settle said note by receiving the sum of $83.75 in full compromise for said note.

Friday, April 1st, 1938, and the 23rd day of the March Term, 1938.

STATE OF INDIANA)
VS) # 7833 Judgt. vs Deft., Albert Carter Alias Albert
ALBERT CARTER ALIAS) Hooker for Costs.
ALBERT HOOKER) J. D. 17, Page 251.
CHARLEY VAUGHN)

Comes now the State of Indiana, by John A. Kendall, Prosecuting Attorney, and comes also Albert Carter alias Albert Hooker, the defendant, herein, and said defendant is duly arraigned in open Court and enters his plea of guilty.

It is, therefore, adjudged by the Court that the defendant, Albert Carter Alias Albert Hooker, for the offense by him committed, shall be and he is sentenced to the Indiana Penal Farm for a period of six months, and that he pay the costs of this action, taxed at _____dollars and_____cents.

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Saturday, April 2nd, 1938, and the 24th day of the March Term, 1938.

Saturday Morning, April 2nd, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

FRIEDA DAUM)
VS) # 14464
HORACE DAUM)

Come now the parties, in person and by counsel, and the evidence is continued but not completed, and this cause is continued until 9:00 o'clock A. M. Monday, April 4th, 1938.

CLEO L. HUNT, ADMR., ETC.)
VS) # 15458
NELSON E. KERN, ET AL.)

Come now the defendants, by counsel, and file plea in abatement in the following words and figures, to-wit: (Here Insert).

JOHN F. EADS)
VS)# 15443
AGNES EADS)

Come now the parties, in person and by counsel, and the defendant dismisses paragraph two of her answer.

It is agreed in open Court that the plaintiff be ordered to pay to defendant's attorney, Herman F. Carter, fifty dollars as suit money and attorney fees on his application filed December 20th, 1937, within ninety days from this date.

This cause being at issue, the same is now submitted to the Court for trial, finding, judgment and decree, without the intervention of a jury.

And the Court having heard the evidence in this cause, the same is now taken under advisement.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Monday morning, April 4th, 1938.

Court met pursuant to adjourhment,

Present Honorable Horace L. Hanna, Judge.

PEOPLES LIFE INSURANCE COMPANY)

VS) # 15470 Decree

CHARLES W. CUNNINGHAM, ET AL.)

Comes now the receiver in the above entitled cause and files his verified petition herein for authority to secure money with which to operate the farm for which he is receiver, which petition is in the words and figures as follows, to-wit: (H.I.).

And the court having duly examined said petition and being fully advised in the premises now finds that said petition of said receiver should be granted.

It is therefore ordered adjudged and decreed that John Masten, receiver in this cause, be, and he is hereby authorized to accept advancements of money from the plaintiff in this cause for the purpose of operation said farm in an aggregate sum not to exceed $350.00. It is further ordered, adjudged and decreed that any and all advancements or loans made by the plaintiff herein to this receiver for the purpose of operating said farm in the purchase of seeds, grains, fertilizer and such other expenses as the receiver is required to pay shall be repaid to the plaintiff herein out of the proceeds of any or all crops harvested on the real estate described in plaintiff's complaint.

THE STATE OF INDIANA)

EX REL W. A. BERRY)

VS) # 15465

THE HOME TELEPHONE COMPANY)

OF PITTSBORO, A CORPORATION.)

Come now the plaintiff, by counsel, and moves the Court to require the defendant to answer on or before the 11th day of April, 1938. And the Court being duly advised, now sustains said motion, and said defendant is ruled to answer on or before April 11th, 1938.

FRANK E. RICHARDSON)
VON E. RICHARDSON)
VS) # 14468 ENTRY
ALICE ADA RICHARDSON)
DANIEL V. RICHARDSON)
EARL H. RICHARDSON)
WILLIAM CRAVENS)
ANNA JONES CHESBRO)
CHARLES V. RICHARDSON)
ROBERT LOCKHART)
EUGENE LOCKHART)
MORTON LOCKHART)
WILLIAM C. RICHARDSON)
ERNEST RICHARDSON)
ADA KENDALL)
MORRIS RICHARDSON)

Comes now the parties and comes also Charles E. Shields heretofore appointed commissioner to make sale of the real estate described in said complaint, and said commissioner now files his report of said sale, which report is in words and figures following

STATE OF INDIANA } SS:
HENDRICKS COUNTY }

IN THE HENDRICKS CIRCUIT COURT

MARCH TERM, 1938

FRANK E. RICHARDSON
VON E. RICHARDSON

VS

ALICE ADA RICHARDSON
DANIEL V. RICHARDSON
EARL H. RICHARDSON
WILLIAM CRAVENS
ANNA JONES CHESBRO
CHARLES V. RICHARDSON
ROBERT LOCKHART
EUGENE LOCKHART
MORTON LOCKHART
WILLIAM C. RICHARDSON
EARNEST RICHARDSON
ADA KENDALL
MORRIS RICHARDSON

The undersigned Commissioner heretofore apointed by the Hendricks Circuit Court to make sale of the real estate described in the complaint filed in the above entitled action for partition, respectfully reports to the court that pursuant to his appointment as commissioner and pursuant to the order of said court, that he qualified as such commissioner by taking an oath to faithfully and honestly perform his duties, as such commissioner in said cause, and to make a full, true and complete report of all money received and expended by him as said commissioner, which oath was duly filed in said court on the 11th day of February, 1937, and the same in now referred to and made a part of this report.

Said commissioner also caused said real estate be be appraised by George F. Balddock and Edgar P. Thompson, two disinterested freeholders of said county, and that said real estate was appraised by said appraisers at three thousand five hundred ($3500.00) Dollars, which appraisment was duly filed in the Hendricks Circuit Court on the 11th day of February, 1937, and approved by Horace Hanna, Judge of the Hendricks Circuit Court, and said appraisment is made a part of this report.

Said Commissioner further reports that he caused notice of the time, terms and place of said sale to be given, by publication, for two weeks, in The Republican a newspaper of general circulation printed and published in Hendricks County, Indiana, a copy of which notice, and the proof of publication thereof is filed herewith and made a part of this report.

Said Commissioner further reports that on the 6th day of March, 1937 the same being the day fixed for said sale by said notice, the undersigned as such commissioner offered said real estate as private sale at the Danville State Bank, Danville, Indiana, and no bid having been received therefor said sale was continued from day to day until the 25th day of October 1937, at which time, Harry E. Wilson and Ruth B. Wilson, husband and wife bid therefor the sum of $3600.00 that being the highest and best bid, and said parties being the best bidders, and said sum being more than the appraised value thereof, the same was there and then sold to Harry E. Wilson and Ruth B. Wilson, husband and wife for the sum of $3600.00, the real estate being described as follows to-wit:

A part of the southeast quarter of Section 23, Township 14, north of Range 1 west situated in Hendricks County, State of Indiana, and Commencing 66 2/3 rods west of the southeast corner of Section 23, Township 14 north of Range 1 west and running thence north 120 rods; thence thence west to the center line of said section 93 1/3 rods and to the west line of said quarter section; the same being the center line North and south of said section 23; thence south on said quarter line 120 rods to the south line of said section; thence east on the south

line of said section 93 1/3 rods to the place of beginning containing in all 70 acres, more or less.

The undersigned would further report that said purchases have paid cash in hand the sum of $3600.00, being the full purchase price agreed to be paid for said real estate and that said purchasers are entitled to a deed conveying said real estate to them.

WHEREFORE, the undersigned commissioner asks the court that this report be approved, and that said sale be confirmed and that he be ordered and directed to execute and deliver a deed to said purchasers.

Charles E. Shields
Commissioner

Subscribed and sworn to before me this 4th day of April 1938.

Otis E. Gulley
Notary Public

($EAL)

My Commission expires
Mar 6- 1939

and the court having seen and examined said report now approves the same.

It is therefore ordered by the court that said commissioner, Charles E. Shields, shall make and execute a deed of conveyance to Harry E. Wilson and Ruth B. Wilson, husband and wife, which conveyance shall bar the claims of all owners to said real estate herein before described; and now comes the said Charles E. Shields and presents to the court his Commissioner's Deed duly signed and acknowledged by him as such commissioner conveying said real estate to the said Harry E. Wilson and Ruth B. Wilson, husband and wife; and the court having examined said deed now approves the same and endorses his approval thereon in writing, which approved endorsment there is in words and figures following to-wit: Examined and approved in open court this 4th day of April 1938. Horace Hanna, Judge Hendricks Circuit Court.

And now said commissioner is ordered to deliver said deed to said purchasers, all of which is done in open court and this cause is continued for the financial report of said commissioner.

FRIEDA DAUM)
VS) # 14464
HORACE DAUM)

Come now the parties, in person and by counsel, and the evidence is continued and completed.

And now arguments are heard, and the Court takes this matter under advisement.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Tuesday Morning, April 5th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

ALBERTA RIGDON)
VS) # 15479
ED SMITH)

Comes now the plaintiff, by counsel, and files and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid.

And the Court having seen and examined said motion and being duly advised, now sustains the same.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7836 Judgt. vs Deft. for $5.00 Fine & Costs.
RUSSELL SNAPP) J. D. 17, Page 252.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also Russell Snapp, the defendant, in his own proper person, and said defendant is duly arraigned in open court and pleads guilty of public intoxication.

It is, therefore, adjudged by the Court that the defendant for the offense by him committed be and he is fined in the sum of five dollars, and that said defendant, Russell Snapp, pay the costs of this action, taxed at _____ dollars and _____ cents.

THE UNION TRUST CO.)
OF INDIANAPOLIS)
VS) # 15212 (This entry is of April 4th, 1938.)
NORTHERN HIGHLAND INC.,)
ET AL.)

Comes now the defendant, Ralph Kane, by counsel, and asks and moves the Court for extention of time to answer. And the Court being duly advised, now sustains said motion.

CLAUDE CRAWFORD)
VS) # 15457
H. S. MONTGOMERY, ETC.,)
ET AL.)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid.

And the Court being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

WILLIAM MERRITT)
VS) # 15445
CECIL SLAVENS)

Comes now the plaintiff, by counsel, and files general denial to cross-complaint of defendant, which answer is in the following words and figures, to-wit: (H.I.).

Come now the parties, in person and by counsel, and this cause being at issue, the Sheriff of Hendricks County is ordered to bring into open Court the following jurors for jury services, to-wit: Kenneth Hart, Fred J. Cassity, John A. Hawkins, David Surber, Stanley Hadley, Eddie Canada, Daniel Fields, Robert H. Salmon, Leo Locent, Ellis Freeland, Otto Lowe and Paul Carr, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly and legally impanelled and sworn in open court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

Evidence is heard. No instructions tendered by either plaintiff or defendant, and arguments are waived by both parties.

The Court now gives to the jury on his own motion instructions numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17.

And now the Court signs the instructions so given by the Court of its own motion and orders all of said instructions filed and made a part of the record in this cause, which instructions are in the words and figures following, to-wit: (H.I.).

The jury retires in charge of a sworn officer to deliberate.

And afterwards the jury is again conducted into Court and returns a verdict for the plaintiff and assess his damages in the sum of one dollar, ($1.00), which verdict is in the words and figures following, to-wit:

State of Indiana, In the Hendricks Circuit Court,
Hendricks County, SS: March Term, 1938.
William Merritt) No. 15445.
vs.)
Cecil Slavens.)

VERDICT.

We, the Jury, find for the plaintiff, and assess his damages in the sum of $1.00.

E. R. Canada
Foreman of the Jury.

And now the jury is discharged from further duties in this cause.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Wednesday Morning, April 6th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

THE STATE OF INDIANA,)
EX REL W. A. BERRY)
VS) # 15465
THE HOME TELEPHONE COMPANY)
OF PITTSBORO, A CORPORATION)

Comes now the defendant, by counsel, and files answer in general denial to complaint herein, which answer is in the words and figures following, to-wit: (H.I.).

RONALD ADMIRE)
VS) # 15385
WALTER CUNNINGHAM)
RALPH MYERS, ETC.)

Come now the parties, in person and by counsel, and this cause being at issue, the Sheriff of Hendricks County, Indiana, is ordered to bring into open Court the following jurors for jury services, to-wit: Kenneth Hart, Fred J. Cassity, John A. Hawkins, David Surber, Stanley Hadley, Eddie Canada, Daniel Fields, Robert H. Salmon, Leo Loscent, Ellis Freeland, Otto Lowe and Paul Carr, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly and legally impanelled and sworn in open court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

Evidence is heard in part, and the jury is allowed to separate under proper instructions as to their duties upon separation until 9:00 o'clock A. M. Thursday, April 7th, 1938.

STATE OF INDIANA)
VS) # 7837 Judgt. vs Deft. for $5.00 Fine & Costs.
JESS EDEN) J. D. 17, Page 252.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Jess Eden, in his own proper person, and said defendant is duly arraigned in open court and pleads guilty of public intoxication.

It is, therefore, adjudged by the Court that the defendant, Jess Eden, for the offense by him committed be and he is fined five dollars, and that he pay the costs of this action, taxed at _____dollars and _____cents.

STATE OF INDIANA)
VS) # 7835 Judgt. vs Deft. for $10.00 Fine & Costs.
VERNES EDEN) J. D. 17, Page 252

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Vernes Eden, in his own proper person, and said defendant is duly arraigned and pleads guilty of operating motor vehicle while under the influence of intoxicating liquor.

It is, therefore, adjudged by the Court that the defendant for the offense by him committed be and he is hereby fined in the sum of ten dollars, and that he be and he is sentenced to the Penal Farm for the term of ten days, and that he shall pay the costs of this action, taxed at _____dollars and _____cents.

It is further ordered that the driver's license # 867742 of said defendant, Vernes Eden, be and is hereby revoked and that said defendant is hereby prohibited from driving a motor vehicle for nine months.

STATE OF INDIANA)
VS) # 7838 Judgt. vs Deft. for $10.00 Fine & Costs.
LESTER JOHNSON) J. D. 17, Page 252.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also Lester Johnson, the defendant in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of operating a motor vehicle while under the influence of intoxicating liquor.

It is, therefore, adjudged by the Court that the defendant for the offense by him committed be and he is fined ten dollars, and that he be and he is sentenced to the State Penal Farm for ten days, and that he pay the costs of this action, taxed at _____dollars and _____cents.

It is further ordered that his drivers license # 868124 be and is hereby revoked and said defendant is hereby prohibited from driving motor vehicle for nine months.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, April 7th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

RONALD ADMIRE)
VS) # 15385
WALTER CUNNINGHAM)
RALPH MYERS, ETC.)

Comes now the defendant, by counsel, and moves the Court to publish deposition of the examination of defendant. And the Court being duly advised, now sustains said motion, and deposition is ordered published.

Come now the parties, in person and by counsel, and the jury is again brought into court and the taking of evidence is continued and completed.

The plaintiff tenders instructions numbered one to seven both inclusive, and the Court indicates that he will refuse to give instructions numbered four and five tendered by the plaintiff and to the refusal of each of which the plaintiff objects and excepts. The defendant now tenders instructions numbered one and two, and the Court indicates that he will refuse to give instruction numbered one tendered by the defendant, and to the refusal of which the defendant objects and excepts.

Arguments are heard, and at the close of the argument, the plaintiff again tenders his instructions in writing numbered one to seven both inclusive and requests that the Court give each of said instructions, and the defendants again tender their instructions in writing numbered one and two and requests the Court to give each of said instructions.

And now the Court gives to the jury on his own motion instructions numbered 1, 2, 3, 4, 5, 6, 7, 8 and 9, and to the giving of each instruction so given by the Court of its own motion, plaintiff and defendant each except as to each instruction separately and severally. And now the Court gives instructions numbered 1, 2, 3, 6 and 7 tendered by the plaintiff, and the defendant now excepts to the giving of instructions numbered 1, 2, 3, 6 and 7 separately and severally, tendered by the plaintiff, and now the Court refuses to give instructions numbered 4 and 5 tendered by the plaintiff, and the plaintiff excepts to the refusal of the Court to give instructions numbered 4 and 5 separately and severally, tendered by the plaintiff. And now the Court gives instruction numbered 2 tendered by the defendant and plaintiff now excepts to the giving of instruction numbered 2, tendered by the defendant, and now the Court refuses to give instruction number 1 tendered by the defendant and the defendant excepts to the refusal of the Court to give instruction number 1 tendered by the defendant.

And now the Court signs the instructions given of the Court of its own motion and also signs the instructions tendered by the plaintiff and the instructions tendered by the defendant indicating those "given" and those "refused" and all of the instructions including those given by the Court of its own motion and those tendered by the plaintiff and those tendered by the defendant and now orders all of said instructions including those "given" and "refused" filed and made a part of the record in this cause, which instructions are in the words and figures following, to-wit: (H.I.).

And now the jury retires in charge of a sworn officer to deliberate.

The jury is again conducted into Court and request that instructions be read again to them. Defendants object to Court reading instructions a second time,

objection overruled, to which ruling of the Court the defendants except. Instructions are read to the jury and jury retires for further deliberation.

Jury is again conducted into Court and returns a verdict for the plaintiff, and assess his damages in the sum of seven hundred dollars, which verdict is in the words and figures following, to-wit:

State of Indiana, In the Hendricks Circuit Court,
Hendricks County, SS: March Term, 1938.

Ronald Admire)
vs.) No. 15385
Walter Cunningham,)
Ralph Myers, Partners doing)
business under the firm name,) VERDICT.
Dairy Equipment Exchange.)

We, the Jury, find for the plaintiff and assess his damages in the sum of $700.00/xx.

E. R. Canada.
Foreman of the Jury.

And now the jury is discharged from further duties in this cause.

ROGER F. LYON, Trustee under)
an express trust for JOSEPHINE)
J. HUBBARD, VIRGINIA HUBBARD)
SHOTTERS AND THOMAS E. HUBBARD,)
as such Trustee,)
Plaintiff,)
-vs-) NO. 15346
AETNA LIFE INSURANCE COMPANY,)
a corporation organized under the)
laws of the STATE OF CONNECTICUT,)
Defendant.) E N T R Y

Comes now the plaintiff in the above entitled cause and files his written motion for a change of venue from the judge and in support of said motion files his affidavit that he cannot have a fair and impartial trial before the Honorable Thomas D. Stevenson, Special Judge in said cause, on account of the bias and prejudice of said Judge, and also his objection to said Judge, selecting a Judge to try said cause or submitting a list of names from which a Judge may be selected to try the cause, which motion and affidavit are in the words and figures as follows, to-wit: (H.I.)

And the court now sustains said motion and the clerk of the Hendricks Circuit Court is directed to certify the fact of the filing of said motion, affidavit and objection and the granting of said motion to the clerk of the Supreme Court of the State of Indiana, as provided by law.

Thomas D. Stevenson, Special Judge.

CHARLTON CARTER and)
DONALD NEISWANGER, Trustees,)
vs.) # 15048
AETNA LIFE INSURANCE COMPANY,) E N T R Y
BLANCHE M. PRICE and)
HENRY C. KETCHAM, Guardian,)
Richard Price,)
Thomas J. Price and)
Mary Leal Price.)

Come now the plaintiffs and the defendant Aetna Life Insurance Company by their respective counsel and, the Court having considered plaintiffs' motion for a new trial and having heard the argument of counsel, it is now:

ORDERED AND ADJUDGED that said motion be and it is hereby overruled, to which ruling of the Court the plaintiffs at the time now except; and it is further:

ORDERED that the term of sixty (60) days from this date be and it is hereby allowed for the filing of all bills of exception;

Thomas D. Stevenson, Special Judge.

And court adjourned until 9:00 o'clock A. M. Friday,

Record read and signed in open court.

Horace E. Hanna, Judge.

Friday Morning, April 8th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

WALTER SIDENER)
VS) # 15379
THE NATIONAL FIRE INSURANCE)
COMPANY OF HARTFORD)

Comes now the plaintiff, by counsel, and files answers to defendant's interrogatories in the following words and figures, to-wit: (Here Insert).

And now the plaintiff moves the Court to require defendant to answer on or before April 20th, 1938. And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before April 20th, 1938.

JESSUP-BUFORD HARDWARE CO.)
VS) # 15296
WILLIAM GRAY)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, April 9th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

GRACE S. WASS, ET AL.)
VS) # 15471
PHILIP C. SELLER, ET AL.)

Come now the defendants, by counsel, and all defendants file answer in general denial, which answer is in the words and figures following, to-wit: (H.I.).

ASSOCIATES INVESTMENT)
COMPANY, A CORP.)
VS) # 15460
GLEN EMRY)

Comes now the defendant, by counsel, and asks and moves the Court for extention of time on the rule to answer. And the Court being duly advised, now sustains said motion, and the defendant's time is extended to April 16th, 1938.

FRANK B. HADLEY)
VS) # 15447
CLEO MAY)

Comes now the defendant, by counsel, and moves the Court to extend time for answer in the above cause. And the Court being duly advised, now sustains said motion.

STATE OF INDIANA)
VS) # 14930
GEORGE E. MERCER, ET AL.)

Come now the parties, by counsel, and oral argument is had on plaintiff's amended motion to dismiss, and the Court takes this matter under advisement.

THE ENOS COAL MINING CO.)
VS) # 15143 Judgt. vs Deft. for $3163.38 & Costs.
GEORGE HARVEY, ETC.) J. D. 17, Page 253.

Come now the parties, in person and by counsel, and this cause being at issue is submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

And the Court having heard the evidence in this cause, now finds for the plaintiff and that the allegations of the plaintiff's complaint are true and that there is due the plaintiff on the notes sued on herein $3163.38, which includes principal and interest, and the further sum of $105.00 attorneys' fees, and that the plaintiff is entitled to a judgment against the defendant, George E. Harvey, doing business as Harvey Coal Company, for a total of said two sums, together with the costs for this action.

It is, therefore considered, ordered and adjudged by the Court

that the plaintiff have and recover of and from the defendant, George E. Harvey, doing business as Harvey Coal Company, the sum of $3163.38, together with the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Monday Morning, April 11th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

APPOINTMENTS TO COUNTY BOARD OF TAX ADJUSTMENT.

In compliance with the law, the title of which is "AN ACT concerning tax levies, rates and budgets and providing for the fixing thereof, limiting the amount of the same and repealing all laws in conflict therewith, and declaring an emergency. Approved March 9, 1937," I, Horace L. Hanna, Judge of the Hendricks Circuit Court, do hereby appoint the following persons as members of the

COUNTY BOARD OF TAX ADJUSTMENT.

The four members appointed by me are:

Albert H. Jessup of Guilford Township,	Republican
George Nash of Lincoln Township,	Democrat
Woodson Darnell, of Clay Township,	Democrat
Walter Wallace of Franklin Township,	Democrat

Said appointments are each made for one year, from April 15, 1938, to April 15, 1939.

Horace L. Hanna
Judge Hendricks Circuit Court.

Dated, April 14, 1938.

STATE OF INDIANA)
V S) # 7834
PETER DELELLO)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Peter Delello, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of not guilty.

And now the defendant is allowed to go on his own recognizance until Saturday, April 16th, 1938, and this cause is continued to said date.

STATE OF INDIANA)
VS) # 7719 Judgt. vs Deft. for Costs.
CECIL SMITH) J. D. 17, Page 253.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Cecil Smith, in his own proper person, and the Court finds that said defendant was out on a suspended sentence of one to three years on a wife desertion charge, and that said sentence was suspended on condition that said defendant should pay to the Clerk of the Court for the support and maintenance of his minor child the sum of six dollars per week.

The Court further finds that said defendant has not complied with said order and that said suspension of said sentence should be revoked, and that said defendant should now be committed to and imprisoned in the State Prison for a period of not less than one or more than three years, and rendered incapable of holding any office for a period of three years, and that he pay the costs of this action.

It is, therefore, considered, ordered and adjudged by the Court that thessentence be and the same is hereby revoked, and that the said defendant, Cecil Smith,

be and he is now committed to and imprisoned in the State Prison for a period of not less than one or more than three years, and that he be rendered incapable of holding any office for a period of three years.

It is further considered, ordered and adjudged by the Court that the defendant, Cecil Smith, pay the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Tuesday Morning, April 12th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

NETTIE STOUT)
VS) # 15456
IVAN MILES)

Comes now the plaintiff, by counsel, and moves the Court to order an alias summons issued to the defendant, Ivan Miles, at 2060 North Deleware Street, Indianapolis, Indiana, to the Sheriff of Marion County, Indiana, and to make said alias summons returnable April 27th, 1938.

And the Court being duly advised, now sustains said motion and it is so ordered.

AMANDA EILAR)
VS) # 15401
BOYD C. GOLDMAN)

Comes now the plaintiff, by counsel, and files written dismissal, which written dismissal is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said dismissal and being duly advised, now sustains the same and the costs on dismissal have heretofore been paid.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

GRACE S. WASS,)
MARY S. EVENS,)
EDWARD E. EVENS.)
VS) # 15471
PHILIP C. SELLER;) INTERLOCUTORY DECREE ORDERING SALE.
WILBUR S. DONNER, GUARDIAN OF)
PHILIP C. SELLER, A SPENDTHRIFT;)
GRACE S. WASS AND MARY S. EVENS,)
TRUSTEES FOR PHILIP C. SELLER)
UNDER THE WILL OF ALICE SELLER,)
DECEASED: AND URBAN TAYLOR.)

Comes now the parties and the issues in their behalf having been joined, the same for trial and determination are now submitted to the Court, a jury being by agreement waived. And the Court having heard the evidence and being sufficiently advised in the premises finds, that as alleged in the complaint, said plaintiffs and the defendant, Philip C. Seller, and the defendants, Grace S. Wass and Mary S. Evens, as trustees under the will of Alice Seller, deceased, are the owners as tenants in common of the following described real estate in the State of Indiana:

In Hendricks County, Indiana:

The East half of the south east quarter of Section (31) Thirty one, Township (14) Fourteen North of Range (1) One West, estimated to contain (80) eighty acres.

Also thirty five (35) acres off of the south end of the

south east quarter of the north east quarter of Section Thirty one (31), Township (14) Fourteen North of Range (1) One West.

In Morgan County, Indiana:

The west half of the north east quarter of the north east quarter of Section (6) Six, Township (13) Thirteen North of Range (1) One west, containing 19.12 acres, more or less.

That said parties so owned said real estate in the following proportions: said plaintiff, Grace S. Wass, an undivided thirty five eighty firsts (35/81) thereof, said plaintiff, Mary S. Evens, a undivided eleven eighty firsts (11/81) thereof, said defendant, Philip C. Seller, an undivided twenty four eighty firsts (24/81) thereof, said defendants Grace S. Wass and Mary S. Evens, trustees for Philip C. Seller under the will of Alice Seller, deceased, an undivided eleven eighty firsts (11/81) thereof, and that they are entitled to have their said interests set off and assigned to them in severalty.

The Court further finds from the evidence that said real estate can not be divided as aforesaid without damage to the owners thereof, and that sale of said lands should be made and the proceeds of such sale distributed in accordance with the rights and interests of the parties in and to said real estate as the same are herein found and determined.

The Court further finds that the defendant, Wilbur S. Donner, Guardian, is the duly and legally appointed Guardian of Philip C. Seller, a spendthrift, a defendant herein.

The Court further finds that the defendants, Grace S. Wass and Mary S. Evens, Trustees for Philip C. Seller, are the duly and legally appointed Trustees as provided in the will of Alice Seller, deceased.

The Court further finds that the defendant, Urban Taylor, holds an unexpired lease on the said real estate which will expire on September 1st, 1938, and that under the terms of said unexpired lease the defendant, Urban Taylor, is entitled to possession of the said real estate until September 1st, 1938 with the right thereafter to enter upon said real estate and harvest the current crops.

It is further considered and decreed by the Court that the parties hereto are the owners of, and have interests, as above found and set forth in and to said real estate, or to any proceeds derived from its sale, and that said real estate is not susceptible of partition without damage to the said owners thereof.

Wherefore, it is by the Court further ordered and adjudged that said real estate, after being duly appraised as provided by law, be sold by a Commissioner appointed for that purpose, at private sale for not less than the full appraised value thereof and upon the following terms and conditions; at least one third of the purchase price, cash in hand and the balance in two equal installments, payable respectively in not to exceed nine and eighteen months, to be evidenced by notes of the purchaser bearing six per cent, interest from their dates, waiving relief, providing for attorney's fees and secured by a mortgage on the real estate sold, or for cash in the discretion of the Commissioner.

Notice of the time, terms and place of such sale shall be given by three publications thereof in some weekly newspaper, printed and published in Hendricks County, Indiana, and by posting written or printed notices thereof in five public places in the township where said real estate is situated, the last of which notices should be

so published and all of the said notices so posted at least five days prior to the time fixed for such sale. And upon such sale being made and confirmed all claims or title in and to said real estate held by any of the said owners thereof, including the inchoate right or interest therein of the plaintiff, Edward E. Evens, as husband of the plaintiff, Mary S. Evens, shall be effectually barred as if said parties had themselves executed a conveyance thereof to the purchaser.

It is further ordered and adjudged by the Court that said sale of said real estate be made subject to the rights of said lessee, Urban Taylor.

And the Court now appoints Charles V. Sears a Commissioner thereof, to make sale of said real estate in accordance with the foregoing order, and requires him to execute bond in the penalty of $12,000.00, conditioned for the faithful discharge of his duties and with sureties therein to the approval of the Court.

And now comes said Charles V. Sears and accepts such trust and tenders his bond as Commissioner in the penalty and conditioned as aforesaid with sureties therein, which bond is approved by the Court and reads as follows: (Insert). And said Commissioner is directed to have an appraisement made of said real estate and thereupon proceed to the execution of the foregoing order for the sale thereof, and make due report of his proceeds during the Term of this Court.

And court adjourned until 9:00 o'clock A. M. Wednesday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, April 13th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

NORA GIBSON)
VS) # 15435
CHARLES M. DAVIS)
JEAN STEWART)

Comes now the defendant, Jean Stewart, by counsel, and files answer in general denial, which answer is in the words and figures following, to-wit: (H.I.).

Comes now the defendant, Charles M. Davis, by counsel, and files affidavit and motion for change of venue from Hendricks County, Indiana, which motion and affidavit is in the following words and figures, to-wit: (Here Insert).

WALTER JONES)
VS) # 15477
WILLIS JONES, ET AL.)

Comes now the defendant, Federal Farm Mortgage Corporation, by counsel, and files motion to be made a party defendant, which motion is in the words and figures following, to-wit: (H.I.). And the Court having seen and examined said motion and being sufficiently advised in its premises, now sustains said motion and said defendant is made a party defendant and said defendant now files answer, which answer is in the words and figures following, to-wit: (H.I.).

Comes now the defendant, Land Bank Commissioner, and enters his appearance and files answer, which answer is in the words and figures following, to-wit; (H.I.).

WARD WILLIAMS, ET AL)
VS) # 15491
WILLIAM R. SMITH, ET AL.)

Comes now the plaintiff, by counsel, and files affidavit for notice to all non-resident defendants, which affidavit is in the following words and figures, to-wit: (Here Insert), and the Court examining same now orders that notice be given as by law provided to said non-resident defendants, and fixes the return day of said notice, June 6th, 1938.

NORA RUSSELL)
VS) # 15216 Judgt. vs Pltf. for Costs.
JESSE RUSSELL) J. D. 17, Page 253.

Comes now the plaintiff in the above entitled cause and the Court heretofore having heard evidence and the plaintiff having now paid costs of this case, and being sufficiently advised now finds for the plaintiff and that she is entitled to a divorce from the defendant on the grounds alleged in her complaint.

It is therefore ordered, adjudged, and decreed that the bonds of matrimony heretofore existing between the plaintiff and defendant be, and they are, hereby dissolved and the plaintiff is granted an absolute divorce.

It is further ordered that the plaintiff pay costs of action taxed at

_____dollars and _____cents.

PLATT & BRAHM COAL COMPANY)
VS) # 15098 Judgt. vs Deft. for $296.77.
GEORGE E. HARVEY, d.b.a.) Judgt. vs Pltf. for Costs.
HARVEY COAL COMPANY) J. D. 17, Page 253.

Comes now the plaintiff hereto by its attorneys, Newberger, Simon & Davis, and the defendant, George E. Harvey, by his attorney, H. B. Pike, and agree that judgment be entered against defendant in favor of plaintiff in the sum of Two Hundred Eighteen Dollars Twenty Two Cents ($218.22) principal, and interest in the amount of $78.55 Dollars, making a total amount of $296.77.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff have and recover of and from the defendant, George E. Harvey, doing business as Harvey Coal Company, the sum of $296.77.

It is further considered, ordered and adjudged by the Court that the plaintiff, Platt & Brahm Coal Company, pay the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Thursday Morning, April 14th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

HAROLD RAY)
VS) # 15220
PENNSYLVANIA RAILROAD COMPANY,)

Comes now the defendant, by counsel, and files motion to make complaint more specific, which motion is in the following words and figures, to-wit: (Here Insert).

ANCHOR MOTOR FREIGHT)
INC. OF DELAWARE)
VS) # 15221
THE PENNSYLVANIA RAILROAD CO.)

Comes now the defendant, by counsel, and files motion to make complaint more specific, which motion is in the following words and figures, to-wit: (Here Insert).

JENNIE SMITH, ET AL.)
VS) # 15141
ALICE MARVEL, ET AL.)

Comes now the commissioner, by counsel, and files his financial report, which report is in the following words and figures, to-wit: (Here Insert). And the Court having seen and examined said report and being sufficiently advised in its premises now approves said report, and said commissioner is discharged from his bond and trust herein.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Friday Morning, April 15th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

NETTIE NEWBY)
VS) # 15323
ED. CRAWLEY, ETC.)

Comes now the defendant, by counsel, and files answer in general denial in the following words and figures, to-wit: (Here Insert).

DEPARTMENT OF FINANCIAL)
INSTITUTIONS OF THE STATE)
OF INDIANA, ETC.)
VS)# 15469
ALFRIEDA B. STRIKLER, ET AL.)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to answer plaintiff's complaint herein on or before April 25th, 1938. And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before April 25th, 1938.

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Saturday Morning, April 16th, 1938,

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

HOME OWNERS' LOAN CORP.)
VS) # 15475
JUANITA BLY, ET AL.)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to answer plaintiff's complaint herein on or before the 26th day of April, 1938. And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before April 26th, 1938.

THE STATE OF INDIANA,)
EX REL W. A. BERRY)
VS) # 15465
THE HOME TELEPHONE COMPANY)
OF PITTSBORO, A CORPORATION)

Comes now the defendant, by counsel, and files second paragraph of answer, which answer is in the following words and figures, to-wit: (H.I.).

ASSOCIATES INVESTMENT)
COMPANY, A CORPORATION)
VS) # 15460
GLEN EMRY)

Comes now the defendant, by counsel, and files answer in three paragraphs, which answer is in the following words and figures, to-wit: (H.I.).

STATE OF INDIANA)
VS) # 14930
GEORGE E. MERCER, ET AL.)

Comes now the defendants, by counsel, and files motion to strike out plaintiff's amended motion to dismiss, which motion is in the following words and figures, to-wit: (Here Insert).

QUINCY A. DAVIS, ET ALS.)
VS) # 14742
BERTHA LOCKHART CHRISTIE)

Comes now the parties by their respective attorneys and comes also John M. Smith, heretofore appointed commissioner herein, and files his verified petition, asking for an order of court to expend not to exceed $100.00 for fence to be erected and $80.00 for Thymothy and clover seed to be sown on said farm, which verified petition is in words and figures (H.I.) and the court having examined said petition and being fully advised and informed in the premises finds that the same should be granted.

It is therefore ordered by the court that the said commissioner, be and he is hereby authorized, ordered and directed to erect said fence at a cost not to exceed $100.00, and to purchase clover and thymothy seed not to exceed $80.00 to be sown of said real estate and that he keep an account thereof according to the different tracts

of land where said improvements are made, and where said seed is sown, and he make due report thereof.

FRANK E. RICHARDSON)
VON E. RICHARDSON)
VS) # 14468
ALICE ADA RICHARDSON, ETAL.)

Comes now Otis E. Gulley, attorney for the plaintiffs and for the commissioner appointed to sell the real estate in the above entitled cause, and files his petition herein setting forth the services rendered by him as attorney for plaintiffs and for the commissioner, which petition is in the words and figures following to-wit: (H.I.) and the court having examined said petition and being fuly advised and informed in the premises finds that the facts set forth in said petition are true and that petitioner is entitled to compensation for such services rendered by him.

It is therefore ordered by the court that the said Otis E. Gulley be allowed for his services, so rendered, as set forth in said petition, the sum of $250.00 and that said amount be paid by said commissioners out of the funds in the hands of the commissioner herein, and that $200.00 of said amount be charged to the part of the proceeds of said sale that is to be distributed to the plaintiffs, and that $50.00 be charged to the part of the proceeds in said commissioner's hands to be distributed to all the parties, all of which is ordered and decreed by the court.

STATE OF INDIANA)
VS) # 7834
PETER DELELLO)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also Peter Delello, in his own proper person, and the Court upon investigating this cause, continues this cause and orders John P. Delello, the son, to report to this Court May 16th, 1938, and said defendant is allowed to go on his own recognizance until further order of this Court.

ROGER F. LYON, Trustee under)
an express trust for JOSEPHINE)
J. HUBBARD, VIRGINIA HUBBARD)
SHOOTERS AND THOMAS E. HUBBARD,)
as such Trustee,)
Plaintiff,) E N T R Y
-vs-)
AETNA LIFE INSURANCE COMPANY,)
a corporation organized under the)
laws of the STATE OF CONNECTICUT,)
Defendant.)

Come now the parties and it appearing to the court that the clerk of the Supreme Court has transmitted to the clerk of the Hendricks Circuit Court the following names from which a special judge shall be chosen to try this cause, to-wit, Honorable John W. Hornaday, of Lebanon, Indiana, Honorable Homer Elliott of Martinsville, Indiana, and Honorable C. C. Gillen of Greencastle, Indiana, which names are now submitted to the parties, and the plaintiff strikes the name of Honorable C. C.

Gillen and the defendant strikes the name of Honorable John W. Hornaday, which leaves Honorable Homer Elliott as the nominee to serve as special judge in this cause, and said cause is now continued for further proceedings.

Dated April 16, 1938.

Thomas D. Stevenson, Special Judge.

And court adjourned until 9:00 o'clock A. M. Monday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, April 18th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

WALTER SIDENER)
VS) # 15379
THE NATIONAL FIRE INSURANCE)
COMPANY OF HARTFORD)

Comes now the defendant, by counsel, and files demurrer to plaintiff's complaint, which demurrer is in the following words and figures, to-wit: (H.I.).

THE STATE OF INDIANA, EX REL)
W. A. BERRY)
VS) # 15465
THE HOME TELEPHONE COMPANY)
OF PITTSBORO, A CORPORATION.)

Comes now the plaintiff, by counsel, and files reply in general denial to second paragraph of defendant's answer, which repoly is in the following words and figures, to-wit: (H.I.).

Come now the parties, in person and by counsel, and this cause being at issue, is now submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

Evidence is heard in part, and the plaintiff comes now and moves the Court to dismiss this cause, the costs on dismissal being paid.

And the Court being duly advised, now sustains said motion and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7839
CHESTER HAMMOND)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Chester Hammond, the defendant, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of not guilty of failure to support child.

The Court now fixes the defendant's bond at $100.00.

STATE OF INDIANA)
VS) # 7840 Judgt. vs Deft. for $5.00 Fine & Costs.
ROBERT THOMPSON) J. D. 17, Page 254.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Robert Thompson, and said defendant is duly arraigned in open Court and pleads guilty of public intoxication.

It is, therefore, adjudged by the Court that the defendant, Robert Thompson, for the offense by him committed shal be and he is fined $5.00 and that he shall pay the costs of this action, taxed at _____dollars and _____cents.

STATE OF INDIANA)
VS) # 7842 Judgt. vs Each Deft. for $10.00 Fine & Costs.
CARL SMITH) J. D. 17, Page 254.
JOHN STEWART)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendants, Carl Smith and John Stewart and each defendant is duly arraigned in open court and each pleads guilty of fishing without a license.

It is, therefore, considered, ordered and adjudged by the Court that the defendants, Carl Smith and John Stewart, for the offense by each committed, shall each be fined ten dollars and pay the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Tuesday Morning, April 19th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

EMMA L. PRESTWOOD,)
Plaintiff,)
vs.) # 15484
VANCE L. PRESTWOOD,) O R D E R
501 Holly Ave.,)
Indianapolis, Indiana,)
Defendant.)

Comes now the plaintiff and files a duly verified petition for citation, which petition is in the words and figures following: (Here Insert) and the court having examined the same and being duly advised, now finds that said defendant should be ordered to appear and show cause, if any he may have, why he should not be punished for contempt of this court for failing to comply with order of court directing him to pay $8.00 per week for the support of plaintiff.

IT IS, THEREFORE, CONSIDERED AND ORDERED by the court that said defendant, Vance L. Prestwood, be and appear before this court, at the Court House in the City of Danville, Indiana, upon Saturday, May 7th, 1938, at the hour of 9 o'clock A.M. and show cause, if any he may have, why he should not be punished for contempt of this court.

The Sheriff of Marion County, Indiana is hereby directed to serve a copy of this order upon said defendant and make due return thereof.

Horace L. Hanna
JUDGE OF HENDRICKS CIRCUIT COURT.

DORIS HEMINGER)
VS) # 15494
NORMAN HEMINGER)

Comes now the plaintiff, by counsel, and files affidavit for notice to nin-resident defendant, also affidavit of disinterested party in the following words and figures, to-wit: (H.I.)

And the Court examining same, orders that notice be given by publication as by law provided, said notice to be returnable June 17th, 1938.

STATE OF INDIANA)
VS) # 7752
ANDERSON KIVETT)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, by counsel, and said defendant files physician's affidavit as to disability of defendant and not being able to be in court and by agreement of counsel, this cause is continued.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Wednesday Morning, April 20th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

ROGER F. LYON, TRUSTEE, ETC.)
VS) # 15346
AETNA LIFE INSURANCE CO.,)
A CORP., ETC.)

Comes now Homer Elliott, and accepts appointment as Special Judge herein, and qualifies by taking the proper oath, which oath is in the words and figures following, to-wit:

The State of Indiana, County of Hendricks, ss:

I, Homer Elliott, swear that I will support the Constitution of the United States and the State of Indiana, and faithfully discharge my duties as Judge of the Hendricks Circuit Court in the case of Roger F. Lyon, Trustee, etc. against Aetna Life Ins. Co., et al., so help me God.

Homer Elliott

Subscribed and sworn to this 20th day of April, 1938 before me, Clerk of said Court.

(SEAL)

Walter E. Hadley, Clerk

Homer Elliott

STATE OF INDIANA)
VS) #7839
CHESTER HAMMOND)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Chester Hammond, in his own proper person, and comes also the wife of said defendant, and the defendant agrees in open Court to return to his said wife and child and to provide for them and support them, and his said wife asks the Court that said defendant be given an opportunity to do so, and the court continues this cause and allows said defendant to go on his own recognizance, so long as he behaves well and supports said children, and until further order of this Court.

Said defendant, Chester Hammond, agrees to pay the costs of this action to date and time is given.

STATE OF INDIANA)
VS) # 7841
CHESTER McCLAIN)

Judgt. vs Deft. for $15.00 Per Week and Costs.

J. D. 17, Page 254

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Chester McClain, in his own proper person, and said defendant is duly arraigned in open court, and pleads guilty.

It is, therefore, adjudged by the Court that said defendant, Chester McClain, for the offense by him committed is guilty of a felony and shall be imprisoned in the State Prison for a period of not more than seven years nor less than one year, and shall pay the costs of this action, taxed at _____dollars and _____cents.

The Court now suspends sentence and releases defendant, Chester McClain, from custody, on condition that said defendant shall report to this Court whenever ordered to do so, and shall pay fifteen dollars each week to his wife for the support of his family

and children, first payment to begin, Saturday, April 23rd, 1938, all until further order of this court.

WILSON H. CRAGUN)
VS) # 14036
ANSON L. JONES)

Comes now the parties, by counsel, and on motion of the plaintiff, this cause is dismissed at the cost of the estate of Ansen L. Jones.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the estate of Ansen L. Jones, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, April 21st, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

And court adjourned until 9:00 o'clock A. M. Friday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, April 22nd, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

CHARLES M. COREY)
VS) # 15200 On Account of Change of Venue.
PHILIP GRENWALD)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Eighty-One Dollars and Eighty Cents ($81.80) in the case of Charles M. Corey vs. Philip Grenwald is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

April 22nd, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

EDWARD HALL)
VS) # 15210 On Account of Change of Venue.
STANDARD GROCERY CO., INC.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Edward Hall vs. Standard Grocery Co., Inc. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

April 22nd, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

FRED C. GOLDSMITH BY MARY)
L. GOLDSMITH HIS NEXT FRIEND)
VS) # 15311 On Account of Change of Venue.
BOWMAN ELDER RECEIVER OF)
INDIANA RAILROAD, A CORP.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Fred C. Goldsmith by Mary L. Goldsmith his next friend vs. Bowman Elder Receiver of Indiana Railroad, a corp. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

April 22nd, 1938

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

GEORGE KIMBROUGH)
VS) # 15389 On Account of Change of Venue.
RICHARD W. WILKERSON, JR.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of George Kimbrough vs. Richard W. Wilkerson, Jr. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

April 22nd, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

LEO F. WELCH, ET AL. TRUSTEES)
VS) # 15422 On Account of Change of Venue.
SAM COHEN AND REGINA COHEN, ETC.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing

account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. five Dollars and fifty Cents ($5.50) in the case of Leo F. Welch, et al. Trustees vs. Sam Cohen and Regina Cohen, etc. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

April 22nd, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

ALICE LUCILLE DODD)
VS) # 15428 On Account of Change of Venue.
ROBERT M. DODD)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudged and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Alice Lucille Dodd vs. Robert M. Dodd is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

April 22nd, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

FLETCHER JOINT STOCK LAND)
BANK OF INDIANAPOLIS)
VS) # 14947 On Account of Change of Venue.
MAUD WITT, ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Boone in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Thirty-Eight Dollars and Fifty Cents ($38.50) in the case of Fletcher Joint Stock Land Bank of Indianapolis vs. Maud Witt, et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Boone in said State, and the Auditor of said County

of Boone is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Boone in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

April 22nd, 1938.

Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

CHARLES K. RICE)
VS) # 15127 On Account of Change of Venue.
LORETTA RICE)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. twenty-nine Dollars and - - -Cents ($29.00) in the case of Charles K. Rice vs. Loretta Rice is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

April 22nd, 1938.

Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

MARY E. BOLDT, ET AL)
VS) # 15334 On Account of Change of Venue
MINNIE L. WHITEMAN)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Ten Dollars and - - -Cents ($10.00) in the case of Mary E. Boldt, et al. vs. Minnie L. Whiteman, et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

April 22nd, 1938.

Horace L. Hanna

Judge 55th Judicial Circuit of Indiana.

AMANDA EILAR)
VS) # 15401 On Account of Change of Venue.
BOYD C. GOLDMAN)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is , in all things, correct, and the amount thereof, to-wit. One Hundred Thirty-Eight Dollars and Forty Cents ($138.40) in the case of Amanda Eilar vs. Boyd C. Goldman is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

April 22nd, 1938.

Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

And court adjourned until 9:00 o'clock A. M. Saturday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, April 23rd, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

LOTTIE L. COOK)
VS) # 15429
MOLLIE PARKER, UNMARRIED,)
NATHANIEL M. BRITT, UNMARRIED.)

Decree approving report of commissioner as to payment of the purchase price to parties entitled to receive thereof.

John G. Shelton, commissioner of the above entitled cause of action, acting under appointment by this court, who having this day filed his verified report of the payment of the purchase money in said cause of action stating therein that he has received the sum of $1,750.00 as the purchase price, in full for said described real estate. That he had paid out on costs and to the parties entitled to receive the same the following, to-wit: Lottie L. Cook the sum of $577.63 dollars, Mollie L. Parker the sum of $457.13 dollars, Nathaniel M. Britt sum of $457.13 dollars, for court costs to the clerk of Hendricks Circuit Court sum of $16.11 dollars, to John Shelton for services as commissioner the sum of $50.00 dollars, to James L. Chatterlay and John A. Kendall, attorneys, the sum of $150.00 dollars, which petition is of the following words and figures, to-wit: (H.I.). abstract $15.00, Revenue stamp $150, taxes $25.48.

The court having read said petition and being duly advised therein now advises that said report is true and correct and that said sums of money which the respective parties have received is the correct amount due them as provided for in the interrogatory decree heretofore entered into.

Court further finds that all bills have been paid in said cause of action, that the respective parties have received all the money due them, that there is nothing further for said commissioner to do, that said commissioners report is trust and correct and that said commissioner is now discharged of any further duties. so ordered.

THE PLAINFIELD BUILDING AND LOAN)
ASSOCIATION)
VS) # 15486 Judgt. vs Defts. for $359.71 & Costs.
ROY STOUT AND BERNICE STOUT,) J. D. 17, Page 254.
HUSBAND AND WIFE.)

Comes the plaintiff by its counsel and produces and exhibits to the Court the summons issued to the Sheriff of Hendricks County, Indiana, for the defendants, Roy Stout and Bernice Stout, husband and wife, and from which summons and the return of said Sheriff indorsed thereon, the Court finds that said defendants, and each one of them severally, were served with process and notice of the filing and pendency of this suit more than ten days before the 20th day of April, 1938, the day fixed by the plaintiff by indorsement upon its complaint for said defendants to appear and answer the complaint herein. Said summons and Sheriff's return indorsed thereon are as follows, to-wit:-(Here Insert).

And said defendants, failing to appear and answer the complaint, are each severally three times loudly called in open Court but come not and herein wholly make default.

And this cause, being at issue upon plaintiff's complaint and defaults of the defendants, is submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

And the Court, having heard the evidence and being fully advised in the premises, says and finds:-

That the complaint in this cause was filed in the office of the Clerk of this Court on the 8th day of April, 1938, and by indorsement thereon the Clerk was directed to issue summons upon said complaint to the Sheriff of Hendricks County, Indiana, for the within named defendants, Roy Stout and Bernice Stout, hsuband and wife, returnable April 20th, 1938, the same being the 39th judicial day of the March Term, 1938, of the Hendricks Circuit Court; that, pursuant to said indorsement, the Clerk issued summons, as directed, which summons was duly served by said Sheriff, as commanded, as heretofore found by the Court.

The Court further finds that on the 18th day of November, 1936, defendants, Roy Stout and Bernice Stout, husband and wife, were the owners in fee-simple of the following described real estate in Hendricks County, Indiana, to-wit:-

Lot Numbered One (1) and the East half of Lots Numbered Thirteen (13) and Fourteen (14) in Block Numbered Twenty (20) in Carter's Third Addition to the Town of Plainfield, Indiana;

that on said date said defendants became indebted to the plaintiff, The Plainfield Building and Loan Association, in the sum and amount of $300.oo; and, as evidence thereof, said defendants on said date executed and delivered to the plaintiff herein their certain promissory note in the sum and amount of $300.oo, and thereby, for value received, promised and agreed to pay plaintiff, on or before ten years from the date thereof, the sum of $300.oo, payable in installments of not less than $3.60 per month in advance, as dues upon three shares of the capital stock of Plainfiff Association of $100.oo each, owned by defendants, together with all fines that may be assessed under the by-laws of said Association, upon said capital stock; all of said payments to be made without relief from valuation and appraisement laws on or before the 10th day of each month until the said principal sum, interest, fines, and other lawful charges are fully paid; that to secure the payment of said note, and the several installment payments thereof as they severally became due, defendants, Roy Stout and Bernice Stout, husband and wife, on the 18th day of November, 1936, executed and delivered to the plaintiff herein their certain mortgage upon the foregoing described real estate; that said mortgage was filed for record in the Recorder's Office of Hendricks County, Indiana, on the 20th day of November, 1936, at 8:10 o'clock A.M., and recorded in Record 100, page 300-01 of the Records of said Office;

The Court further finds that installment payments were made, as they severally became due, to the extent and in the amount of $21.60, and that dividends were declared on said three shares of capital stock in the aggregate amount of $ .77, said dividends being credited on said three shares of capital stock; that all installments payments, not included in the total amount heretofore found paid, are delinquent and unpaid, and by the terms of the mortgage securing said payments the plaintiff is entitled to declare, and has so declared, on, to-wit:-the 8th day of April, 1938, the entire debt secured by said mortgage, and unpaid, due;

The Court further finds for the plaintiff, that the allegations of its complaint are true, and that there is now due it thereon, and unpaid, the following sums and amounts, to-wit:-

Balance of principal note and debt, with interest, $309.71;
Fee for plaintiff's attorney, $ 50.00;

that said sums are secured by the mortgage sought herein to be foreclosed, and that the plaintiff is entitled to a judgment against defendants, Roy Stout and Bernice Stout, husband and wife, and against each of said defendants, severally, for a total of said amounts, in, to-wit:-the sum of $359.71, all without relief from valuation or appraisement laws.

The Court further finds for the plaintiff upon its complaint, that it is entitled to have the mortgage set out and described therein foreclosed and the Real Estate described in the complaint and in said mortgage sold to pay and satisfy the amount found by the Court to be due the plaintiff upon its complaint, and the costs and expenses of this suit, and the costs and expenses of such sale.

The Court further finds for the plaintiff upon its complaint, that all credits extended to the three shares of the capital stock of plaintiff association, mentioned and described in the complaint, were rightfully applied in reduction of the principal debt of $300.00, and that said shares of stock are of no value and the plaintiff should be allowed to cancel the same.

It is, therefore, considered and adjudged by the Court that the plaintiff, The Plainfield Building and Loan Association, of Plainfield, Indiana, recover of and from defendants, Roy Stout and Bernice Stout, husband and wife, and from each one of them severally the sum of $359.71, together with its costs and charges laid out and expended and taxed at $_____, all without relief from valuation and appraisement laws;

It is further adjudged and decreed by the Court that plaintiff's mortgage set out and described in the complaint, upon the Real Estate described therein, be, and the same is, foreclosed against the defendants Roy Stout and Bernice Stout, husband and wife, and that the equity of redemption of said defendants, or either of them, and of all persons claiming from, under, by, or through them, or either of them, in and to the real estate described in plaintiff's mortgage, and heretofore set out and fully described in the findings of the Court herein, be and the same is forever barred and foreclosed, and that said described Real Estate, and all the right, title, interest and claims of said defendants, and of all persons claiming from, under, or through them, or either of them in and to the same, shall be sold by the Sheriff of Hendricks County, Indiana, as lands are sold under and pursuant to the Act of 1931, pages 257-260 inclusive, being Sections 3-1801-3-1809, inslusive, of Burn's R.S. 1933;

It is further considered and ordered by the Court that no process shall issue for the execution of this judgement, and decree of sale, until after the 8th day of April, 1939; that thereafter upon the filing of a praecipe therefor, by the judgment creditor herein, the Clerk of this Court shall issue a duly certified copy of this judgment and decree to the Sheriff of Hendricks County, Indiana; that thereupon said Sheriff shall immediately proceed to sell the mortgaged premises, together with the rents, issues, income and profits thereof to satisfy the judgment, interest and costs, at public auction, after advertising the same by publication once each week for three successive weeks in some weekly newspaper of general circulation, printed in the English language and published in Hendricks County, in the State of Indiana, the first of which publications shall be made at least thirty days before the date of sale, and by posting written or printed notices thereof in at least three public places in Guilford Township, Hendricks County, Indiana, the township in which said Real Estate is located, and at the

door of the Court House of this County; that said sale shall be made without relief from valuation or appraisement laws and without any right of redemption on the part of any of the defendants herein or of any person claiming from, under or through them or any one of them; and the proceeds arising from such sale the Sheriff is ordered and directed to apply in the manner following, to-wit:-

First: To the payment of all costs accrued in this cause and the costs of sale;

Second: To the payment of the amount found due the plaintiff upon its complaint, being the amount of the judgment heretofore rendered herein in favor of the plaintiff, together with interest thereon from the 23rd day of April, 1938, to date of sale, at the rate of seven per cent per annum;

Third: The overplus, if any, the Sheriff is ordered to pay into Court for the use and benefit of the parties to whom it may rightfully belong, as the Court shall determine;

That immediately after such sale it shall be the duty of said Sheriff, and he is hereby so ordered, to execute and deliver to the purchaser a deed of conveyance for the mortgaged premises which deed shall be valid and effective to convey all the right, title and interest held or claimed by any and all of the defendants herein in and to said described Real Estate and of all persons claiming under them or either of them;

In the event the mortgaged premises shall fail to sell for a sum sufficient to pay and satisfy the costs, and any accruing costs of this proceeding, judgment and interest, the residue thereof, so remaining unsatisfied, shall be made out of the goods and chattels, lands and tenements of the defendants, Roy Stout and Bernice Stout, husband and wife, or out of the goods and chattels, lands and tenements of either of said defendants, subject to execution, and sale thereof shall be made without relief from valuation or appraisement laws.

It is further adjudged and ordered by the Court that the Three Shares of the capital stock of plaintiff association issued to the defendants herein in connection with the loan to them, described in these proceedings, have no value and that the plaintiff be, and it is, authorized and empowered to cancel said shares of stock on the books of the assocation.

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

STATE OF INDIANA)
VS) # 7845
WILLIAM CARRIER)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, William Carrier, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of not guilty.

And now the Court fixes the defendant's bond at $50.00.

STATE OF INDIANA)
VS) # 7847 Judgt. vs Deft. for $15.00 Fine & Costs.
FRANK HAHN) J. D. 17, Page 255.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Frank Hahn, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of public intoxication.

It is, therefore, adjudged by the Court that the defendant, Frank Hahn, for the offense by him committed shall be and he is fined fifteen dollars, and that he

pay the costs of this action, taxed at _____dollars and _____cents.

STATE OF INDIANA)
VS) # 7846 Judgt. vs Deft. for $15.00 Fine & Costs.
RAY WHITIS) J. D. 17, Page 255.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Ray Whitis, in his own proper person, and said defendant is duly arraigned in open court and pleads guilty of operating motor vehicle while under the influence of intoxicating liquor.

It is, therefore, adjudged by the Court that the defendant, Ray Whitis, for the offense by him committed be and he is sentenced to the Indiana Penal Farm for the term of fifteen days and is fined in the sum of $15.00, and that he also pay the costs of this action, taxed at _____dollars and _____cents.

It is ordered by the Court that said defendant's driver's license be revoked and that said defendant is hereby prohibited from driving any automobile or motor vehicle for a period of nine months, and the Clerk is directed to forward to the Motor Vehicle Department, a copy of this judgment as required by law. Said defendant gave his age as twenty-six years, residence 1309 North Warman, Indianapolis, Indiana, and said his driver's license was at his home.

WALTER JONES)
VS) # 15477
WILLIS JONES, ET AL.)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to answer complaint herein, on or before May 3rd, 1938.

And the Court being duly advised, now sustains said motion, and the defendants are ruled to answer on or before May 3rd, 1938.

MARY E. BOLDT)
VS) # 15334
MINNIE L. WHITEMAN, ET AL.)

Comes now the plaintiff, by counsel, and files motion to set default judgment aside, which motion is in the following words and figures, to-wit: (H.I.).

FEDERAL FARM MORTGAGE CORPORATION)
VS) # 15255
NELSON E. WOODS, ET AL.)

Comes now A. J. Kahl, herein, and withdraws his appearance for the defendants in the above cause.

WILLIAM G. SCHILDMEIER)
AND LENA SCHILDMEIER)
VS) # 15498 Judgt. vs Deft. for $100.00 and Costs.
WILLIAM H. LEWIS) J. D. 17, Page 255.

Comes now the plaintiff, by counsel, and the defendant in person, and the defendant waiving service of summons and by agreement of the parties, the Court finds that the allegations of plaintiffs' complaint are true and that plaintiffs

are entitled to the possession of the real estate described in the complaint to-wit: (H.I.), and that there is also due the plaintiff from the defendant the sum of one hundred ($100.00) Dollars, as rent for said premises, and that the plaintiffs should recover also their costs with relief.

It is, therefore, considered, adjudged and decreed that plaintiffs have possession of said described real estate so described in the complaint, to-wit: (H.I.), and it is further considered, adjudged and decreed that the plaintiffs recover of and from the defendant, the sum of one hundred ($100.00) dollars for the rent of said premises, together with the costs of this action, laid out and expended at _____dollars and _____cents, with relief.

GENERAL COURT ALLOWANCE FOR THE MARCH TERM, 1938.

Lillian Priest, Court Reporter	$240.00
Walter E. Hadley, Clerk, Per Diem for Attending Court and Change of Venue Claims, Admission of Patients to State Institutions	206.00
Byron N. Cox, Jury Commissioner	3.00
Everett W. Hardwick, Jury Commissioner	3.00
Hendricks County Republican	35.00
Thomas D. Stevenson, Special Judge	70.00
John T. Hume, Special Judge	30.00
Charles V. Sears, Pauper Attorney	15.00
Johns-Butterworth Co.	4.50
West Publishing Co.	20.00
The Lawyers Cooperative Publishing Co.	7.50
PETIT:	
John A. Hawkins	21.00
Paul Carr	21.00
Daniel Fields	21.00
Chester Gregory	19.50
Stanley M. Hadley	18.00
Chester Phillips	12.00
David Surber	22.20
Leo W. Loscent	17.20
Eddie R. Canada	20.40
Robert H. Salmon	22.20
Ellis Freeland	24.00
Otto Lowe	18.60
Cecil Martin	2.80
George Dunivan	3.90
Fred J. Cassity	18.00
George Lineberry	3.90
Stacey Lambert	3.10
William Walls	2.60
Harry Thompson	2.60
Leslie zimmerman	2.60
Guy Mount	3.50
Kenneth Hart	10.50

Nellie McClain	6.20
Lester Denney	5.80
Snyder's Cafe 39 Meals @ .50¢ Each	19.50
Rhoades Cafe 13 Lunches @ .50¢ Each.	3.25
	$959.35

Ordered by the Court that all causes both Civil and Criminal and all pleas, plaints, motions and demurrers not disposed of at the present term of court be continued to the May Term, 1938, of said court.

And Court adjourned until court in course,

Record read and signed in open court.

Horace L. Hanna, Judge.

GRAND AND PETIT JURORS, DRAWN FOR THE MAY TERM, 1938.

BE IT REMEMBERED, That on the 25th day of April, 1938, Byron N. Cox and Everett W. Hardwick the duly appointed, qualified and acting Jury Commissioners of this court appeared at the office of the Clerk of the Hendricks Circuit Court, and the Clerk drew from the Jury Box the names of the following persons for Grand Jury service at the May Term, 1938, of this court, viz:

1. Lester English - - - - - - - - Union Township
2. Edward B. Money - - - - - - - Center Township
3. Merrill C. Denny - - - - - - - Lincoln Township
4. Paul R. Martin - - - - - - - - Liberty Township
5. Carlos H. Clark - - - - - - - Marion Township
6. William R. Cox - - - - - - - - Guilford Township

And the Clerk of this Court at the same time and in the like manner drew from the Jury Box the names of the following persons for Petit Jury service for the May Term, 1938, of this court, viz:

1. Mary Thompson - - - Marion Twp.
2. Garrett Clark - - - Center Twp.
3. Edward E. Evans - - Liberty Twp.
4. John H. Watson- - - Clay Twp.
5. Glenn T. Conn - - - Center Twp.
6. Elmer E. Welker - - Guilford Twp.
7. Elijah Brewer - - - Franklin Twp.
8. Lloyd R. Johnston - Union Twp.
9. Paul C. Harden- - - Lincoln Twp.
10. Ernest L. Bereman - Center Twp.
11. Lon L. Slagle - - - Middle Twp.
12. Carl A. Patterson - Middle Twp.
13. R. C. Gordon - - - - -Eel River Twp.
14. Loren E. Masten - - -Washington Twp.
15. Roy West - - - - - - -Clay Twp.
16. Elmer Bunten - - - - -Marion Twp.
17. Howard Cain - - - - -Center Twp.
18. Thomas Blunk - - - - -Liberty Twp.
19. Chester A. Parsons - -Washington Twp.
20. Albert Reitzel - - - -Franklin Twp.
21. Charles Clay - - - - -Eel River Twp.
22. Robert E. Pierson- - -Middle Twp.
23. Ernest D. Noland - - -Eel River Twp.
24. Oscar Underwood - - -Lincoln Twp.

Attest; Walter E. Hadley, Clerk.

BE IT REMEMBERED: that on the 25th day of April, 1938, the same being in Vacation of the Hendricks Circuit Court, before the Honorable Horace L. Hanna, Judge thereof, the following proceedings were had herein, viz:

STATE OF INDIANA)
VS) # 7848 Judgt. vs Deft. for $15.00 Fine & Costs.
W. A. SHIDELER) J. D. 17, Page 255.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, W. A. Shideler, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of operating motor vehicle while under the influence of intoxicating liquor.

It is, therefore, adjudged by the Court that the defendant for the offense by him committed shall be and he is sentenced to the Penal Farm for the term of sixty days, and that he be and he is fined fifteen dollars, and that he shall pay the costs of this action, taxed at _____dollars and _____cents

The Court upon hearing, suspends said sentence to the Indiana Penal Farm during the good behavior of said defendant, said defendant being 69 years of age, and this being his first offense.

The Court revokes said defendant's operators license #894030, and said defendant is prohibited from operating motor vehicle for the period of eight months. Said defendant is paroled to Frank Youngblood, Sheriff of Fountain County, Covington, Indiana, who has promised the Court to report every 30 days for a period of ninety days as to the behavior of said defendant.

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 28th day of April, 1938, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

ALVA C. AGAN)
VS) # 15496
HAZEL AGAN)

Comes now the defendant, by counsel, and files answer and cross-complaint in vacation, which answer and cross-complaint are in the words and figures following, to-wit: (H.I.).

Attest: Walter E. Hadley, Clerk.

BE IT REMEMBERED: That on the 28th day of April, 1938, the same being in Vacation of the Hendricks Circuit Court, the following proceedings were had herein, viz:

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now the State of Indiana, by Herbert M. Spencer, Prosecuting Attorney for the 19th Judicial Court of the State of Indiana, and John A. Kendall, Prosecuting Attorney for the 55th Judicial Court of the State of Indiana, and files affidavit for continuance in vacation, which affidavit for continuance is in the words and figures following, to-wit: (H.I.).

Edgar A. Rice
Special Judge

Attest: Walter E. Hadley, Clerk.

Monday Morning, May 2nd, 1938.

Pleas and proceedings had in the Hendricks Circuit Court, within and for Hendricks County, State of Indiana, at the May Term, 1938, which term of court was begun and continued at the Court House in the town of Danville, in the County and State aforesaid, commencing on Monday the 2nd day of May, 1938, that being the day fixed by law for holding said Term of Court.

Present Honorable Horace L. Hanna, Judge.
John A. Kendall, Prosecuting Attorney,
Albert H. Shane, Sheriff,
Walter E. Hadley, Clerk.

Whereupon, said Sheriff proclaimed said Court open, according to law, and the following proceedings were had, to-wit:

THE MUTUAL BENEFIT LIFE)
INSURANCE COMPANY)
VS) # 12912
JOSHUA C. THOMPSON, ET ALS.) ENTRY

Comes now Otis E. Gulley, attorney for plaintiff in the above entitled cause, and also attorney for John M. Smith, receiver, in cause No. 12974, and files his verified petition herein, for the payment of attorneys fees to said petitioner and to Charles McGaughey, of Greencastle, Indiana, which petition is in words and figures following to-wit (HI), and the court having examined said petition and being fully advised in the premises finds that the allegations thereof are true, and that the prayer of said petition should be granted.

It is therefore ordered, adjudged and decreed by the court that the said receiver, John M. Smith, be, and he is hereby authorized to pay to the said Otis E. Gulley, the sum of $400.00, and to pay to Charles McGaughey, Attorney Greencastle, Indiana, the sum of $250.00, as prayed for in said petition, and take receipts of said amounts, and this shall be his authority for so doing.

LOUISE KOLTHOFF)
VS) # 15144
FINK AUTO CO., INC.)

Come now the parties, by counsel, and the defendant's motion for new trial is overruled, to which ruling of the Court the defendant duly objects and excepts.

And now the defendant prays an appeal to the Appellate Court of Indiana. And the Court being duly advised, now grants said appeal, and sixty days are given to file all bill of exceptions and thirty days are given to file bond. Said appeal bond is fixed at five hundred dollars.

LESLIE PAPKE)
VS) # 15391
EVERETT OGDEN, ETC.)

Comes now the defendant, by counsel, and dismisses plea in abatement.

The defendant now files answer in general denial, which answer is in the words and figures following, to-wit: (H.I.).

ALVA J. WESNER)
VS) # 15459
CONSTANCE E. CEAS)
CHARLES E. CEAS)

Comes now S. C. Morrill, herein, and files written withdrawal of his appearance for the plaintiff herein, which written withdrawal is in the words and figures following, to-wit: (H.I.).

HOME OWNER'S LOAN CORP.)
VS) # 15475
JUANITA BLY, ET AL.)

Come now the defendants, by counsel, and file demurrer to plaintiff's complaint in the following words and figures, to-wit: (H.I.).

ANNA MAY COOPER)
VS) #15505
HUGH COOPER)

Comes now the plaintiff in the above cause and files her verified application for restraining order, restraining the defendant from disposing of certain property, which verified application is of the following words and figures, to-wit: (HI)

And the court having examined said application and being duly advised finds that the plaintiff is entitled to have a restraining order issued against the defendant without notice and until further ordered by the court.

It is therefore ordered, adjudged and decreed that the defendant be and hereby is restrained from disposing of the house-hold effects, livestock, grain, feed and farming implements now located on the farm occupied by this defendant in Liberty Township, Hendricks County, State of Indiana all until further order of the court.

It is further ordered, adjudged and decreed that the Sheriff of Hendricks County shall serve the defendant with a copy of this order and make due return of his service therein.

Horace L. Hanna
Judge of Hendricks Circuit Court

DONIS CANARY)
VS) # 15506
LAWERENCE CANARY)

Comes now the plaintiff and files her verified application for a restraining order, restraining the defendant from disposing of certain property, which verified application is in the following words and figures, to-wit: (H.I)

And the court being fully advised in the premises and having examined said application finds that the plaintiff is entitled to have a restraining order issued against the defendant without notice.

It is therefore ordered, adjudged and decreed by the court that the defendant is hereby restrained from disposing of any of the house-hold goods now located in the residence formerly occupied by the plaintiff and the defendant, all until the further order of this court.

It is further ordered, adjudged and decreed that a copy of this order be served on the defendant by the Sheriff of Hendricks County, who will make due return of his acts in the premises.

Horace L. Hanna
Judge Hendricks County

MARY R. ELMORE)
VS) # 15504
ARTHUR ELMORE)

Comes now the plaintiff, by counsel, and files verified petition for support and maintenance and to pay attorney fees, which petition is in the following words and figures, to-wit: (H.I.).

And the Court having examined said petition, now fixes the hearing thereon May 7tn, 1938, and orders notice issued accordingly.

STATE OF INDIANA)
VS) # 7543
HARRY CRAWFORD)
JOE ALLISON)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion to nolle prosequi in the following words and figures, to-wit: (H.I.).

The Court having seen and examined said motion and being duly advised, now sustains said motion, and this said cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

HOME INSURANCE COMPANY)
OF NEW YORK)
VS) # 14768
TRANSAMERICAN FREIGHT)
LINES, INC.)

Comes now the plaintiff, by counsel, and files motion to dismiss the above cause, the costs on dismissal having been paid, which motion is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said motion, the same is now sustained.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

JESSE WILLIAMS)
VS) # 15434
PENNSYLVANIA GREYHOUND)
LINES OF INDIANA, INC.)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause, the costs on dismissal having been paid.

And the Court being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA EX REL)
LUTHER SYMONS)
VS) # 13810
CLAYTON BANK AND TRUST COMPANY)

Comes now the receiver of the Clayton Bank and Trust

Company and files his verified application to compromise the indebtness of Roy Edmondson, which application is of the following words and figures, to-wit: (H.I.)

And the court having examined said petition and being duly advised in the premises finds that said petition should be granted.

It is therefore ordered, adjudged and decreed that said receiver should be and hereby is authorized to settle the indebtness of Roy Edmondson for $50.00 in full discharge of the obligation owed to the Clayton Bank and Trust by the said Roy Edmondson.

TED DUFFY)
VS) # 15388 Judgt. vs Pltf. for Costs.
T. B. FERGUSON, JR., ETC.) J. D. 17, Page 256.

Comes now the plaintiff, by counsel, and files motion to dismiss this cause at the cost of the plaintiff, which motion is as follows, to-wit: (H.I.).

And the Court having seen and examined said motion and being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, Ted Duffy, is ordered to pay the costs of this action, taxed at _____dollars and_____cents.

LEONA J. JORDAN)
VS) # 15507 INTERLOCUTORY DECREE.
PHILLIP BLAIR)
PAUL ROBERT BLAIR)
DAVID THOMAS)
BLAIR)
UNBORN CHILDREN OF VERLE W. BLAIR)
UNBORN CHILDREN OF LEONA J. JORDAN)

Comes now the plaintiff, in person and by her attorney, and comes also the defendants, and each files a waiver of summons and service thereof and consents to the partition and sale of the property described in plaintiff's complaint, and this cause being at issue is submitted to the court for trial without the intervention of a jury, and the court having heard the evidence and being duly advised in the premises finds:

That Leona J. Jordan, the plaintiff, is an owner of a life estate to the property described in plaintiff's complaint.

That the defendants together with any unborn children of Leona J. Jordan or Verle W. Blair are the owners in fee of the remainder of the interest of said real estate.

That the said real estate is not susceptible to partition and that the interest of the several parties cannot be set off to that in severalty, without damage to the owners; and that it is to the best interest of all parties that said property be sold, and division be made of the proceeds.

The court further finds that said real estate is of the probable value of 1000 dollars.

It is therefore considered and adjudged by the court that the following real estate in Hendricks County, Indiana, to-wit:

Beginning at a point in the North line of the Terre Haute & Indianapolis Railroad in the center of the White Lick Road about 15 rods West of the Depot of said Railroad near Plainfield, thence North 2½ degrees West 23 rods; thence east 6 rods and 6 links; thence North about 5 degrees east along foot of the hill towards a wild cherry tree 18 inches in diameter 18 rods to the center of the hollow running northeast thence along the center of said hollow to near the North end thereof to a stone lying at the foot of and on the East side of a black walnut tree 12 inches in diameter; thence North to a continuation of Elias Hadley's South line; thence East to Robert and Charles Oursler's West Line; thence South along the said Robert and Charles Oursler's West line to the Indianapolis, and Terre Haute Railroad; thence West along the North line of said railroad to the place of beginning. Estimated to contain 5 acres off of the North end of the above described tract of land, all in Section 27, Township 15 North Range 1 East, also;

A part of the East half of the Northeast quarter of Section 27 Township 15 North of Range 1 East bounded as follows: Commencing at a point 6 chains and 35 links North and 2½ degrees West of a point in the center of the Plainfield and Brownsburg Road at the place where said road intersects the North line of the I. & T.H.R.R.; thence North 40¾ degrees East 1 chain and 95 links; thence North 9 degrees East 1 chain and 40 links; thence North 51½ degrees West 1 chain and 89 links (where a walnut S. 25½ deg. E. 88); thence North to the South line of a tract of land heretofore conveyed by John V. Hadley and wife to Elias Hadley; thence East along said South line above 20 rods to the West line of a tract of land heretofore conveyed by John V. Hadley and wife to Jonathan Tomlinson; thence South with said West line to near the north end of a hollow bearing Southwest to a stone lying at the foot of and on the East side of a black walnut tree 12 inches in diameter; thence Southwest along the center of said hollow to a point opposite a wild charry tree 18 inches in diameter standing on the South side of the North bank and near the Mouth of said hollow; thence South about 5 degrees west along foot of hill 18 rods; thence West 6 rods and 6 links to the place of beginning estimated to contain 7 acres more or less. Also:

A tract of land beginning 107 rods and 24 links South of the center North of the Northeast quarter of Section 27 Township 15 North, Range 1 East, thince South 12 chains and 43 links, thence South 51½ degrees East 1 chain and 89 links, thence South 9 degrees West 1 chain and 4 links; thence South 40¾ degrees West 1 chain and 95 links; thence South 2½ degrees East 6 chains and 35 links; thence South 73¾ degrees West 22 links; thence North 3 degrees West 5 chains and 94 links; thence North 21 degrees West 83 links; thence North 35¾ degrees West 1 chain and 21 links; thence North 47¾ degrees West 5 chains and 7 links; thence North 26½ degrees West 13 chains and 15 links; thence East 10 chains and 68 links to the place of beginning. Estimated to contain 10 acres more or less:

be appraised as provided by law and be sold at private sale without notice and for not less than the appraised value thereof, for cash. It is further considered and adjudged by the court that Zimri E. Dougan be, and he is hereby appointed commissioner to make sale of said real estate, and that he give bond in the sum of 1000 dollars, with surety to the approval of this court.

It is further considered and adjudged by the court that upon the sale of said real estate the said commissioner issue to the purchaser thereof a certificate of purchase, and that upon full payment of the purchase money, he execute to said purchaser a deed therefor, and report the same to this court for approval.

It is further ordered and adjudged that from the proceeds of such sale the costs of this action be first paid, including the fee and commission of said commissioner in the sum of ten dollars; attorneys fees for the plaintiff's attorney herein in the sum of Fifty dollars; and that 65% of said sum for distribution be paid to the plaintiff herein as her interest herein in said real estate; and that the balance be paid to the Clerk of Hendricks Circuit Court for the defendants herein, and any unborn children of Verle W. Blair or Leona J. Jordan, and said commissioner is instructed to make a full and detailed report of his doings herein.

And court adjourned until 9:00 o'clock A. M. Tuesday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Tuesday Morning, May 3rd, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

EMMA L. PRESTWOOD)
VS) # 15484
VANCE L. PRESTWOOD)

Comes now the defendant, by counsel, and files answer in general denial to plaintiff's complaint herein, which answer is in the words and figures following, to-wit: (H.I.).

And comes now the defendant and files his cross-complaint, which cross-complaint is in the words and figures following, to-wit: (H.I.).

FEDERAL FARM MORTGAGE CORPORATION,)
VS) # 15255 DECREE OF FORECLOSURE
NELSON E. WOODS, ARTHUR E. WOODS,) Judgt. vs Defts. for $2500.96 and Costs.
EDITH L. WOODS.) J. D. 17, Page 256.

Comes now the plaintiff by its attorney and it appearing to the satisfaction of the court by the sheriff's return to the summons used in this cause, which summons and return of the sheriff endorsed thereon are in the words and figures following, to-wit: (H.I.).

That the defendants have been duly served with summons more than ten days before the 1st day of the present term of this court and the said defendants failing to appear and answer the complaint herein are now three times audibly called and come not, but herein wholly make default. And the cause now submitted to the court for trial, on the default of the defendants and the court being fully advised in the premises, finds that there is due the plaintiff from the defendant on the said note sued upon $2400.96 and the further sum of $100.00 dollars as a fee for its attorneys without relief from valuation and appraisement laws; that said sums are secured by the mortgage which is sought to be foreclosed by the complaint herein and that the mortgage was duly recorded on the 12th day of January 1934, in Mortgage Record 93 on pages 425-6-7-8 of the Hendricks County Mortgage Records and that plaintiff is entitled to have said mortgage foreclosed as against all of said defendants.

It is therefore considered and adjudged by the court that the plaintiff recover of the defendants, Nelson E. Woods, Arthur E. Woods and Edith L. Woods the sum of $2500.96 and also its costs and charges in this cause layed and expended taxed at $ without any relief whatever from valuation laws. The judgment to bear interest at the rate of 5% per cent per annum from the rendition thereof until paid.

It is further considered and adjudged by the court that the equity of redemption of the defendants, Nelson E. Woods, Arthur E. Woods and Edith L. Woods and all persons claiming from, under or through them in and to said mortgaged premises, to-wit:

A part of the Northeast Quarter of Section 14, and a part of the West Half of the Northwest Quarter of Section 13, all in Township 14, North of Range 2 West, bounded as follows, to-wit: Commencing 60 rods east of the North half mile stone of said Section 14, and running thence south 96.51 rods; thence east 143.3 rods; thence north 10 degrees west 98 rods to the Section Line; at a point 27 rods east of the northwest corner of said Section 13; thence west on the Section line 126.28 rods to the place of beginning, except a strip 1 rod wide off of and across the entire north side of the above described

tract, estimated to contain exclusive of said exception, 80 acres, more or less.
Also, a part of the Northwest Quarter of Section 13,Township 14, North of Range 2 West; bounded and described as follows, to-wit: Beginning at a point on the east line of said Northwest Quarter, which is 24.7 rods south of the northeast corner thereof; running thence west with Section bearing 127.49 rods; thence south 10 degrees east 15 rods and 4 feet; thence east with Section bearing 124 rods; and to the east line of said Quarter; thence north on said line, 15 rods, and to the place of beginning, estimated to contain 11 3/4 acres, more or less.
Also all that part of the West Half of the Northeast Quarter of Section 13,Township 14, North, Range 2 West, lying North of the National of Cumberland Road, except a tract bounded as follows, to-wit: Beginning at the Northwest corner of said West Half Quarter, and thence south 5 chains to a stone; thence east 11 chains and 41.4 links to a stone; thence south 35 chains and 3 links to the south line of said Half Quarter; thence east 8 chains and 53.6 links to the southeast corner of said West Half Quarter; thence north 40 chains and 2 links to the Northeast corner of said Half Quarter; thence West 19 chains and 96 links to the place of begiming, estimated to contain 39.875 acres, more or less.
Containing in all 130 acres, more or less, but subject to all legal highways,

be and the same is hereby forever barred and foreclosed and that said real estate and all the right, title and interest and claim of the defendants, Nelson E. Woods, Arthur E. Woods and Edith L. Woods and 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 this county as lands are sold on execution, such sale to be made without any relief whatever from valuation laws; and the proceeds arising from such sale the sheriff is ordered and directed to apply in the manner following, to-wit:

1. To payment of all costs accrued in this cause and the costs of said sale.

2. To the payment of the amount found due plaintiff herein being the amount of the judgment herein before rendered, together with the interest from this date. The overplus if any remaining after the payment of the foreclosing judgment, interest and costs to be paid by the Sheriff to the Clerk of this Court for the use of the parties lawfully authorized to receive the same; and in the event the said mortgaged premises shall fail to sell for a sum sufficient to pay and satisfy said judgment, principal, interest and costs the residue thereof remaining unpaid shall be levied of the goods and chattels, lands and tenements of the said defendants, Nelson E. Woods, Arthur E. Woods and Edith L. Woods subject to execution and sale thereof shall be made without any relief whatever from valuation laws.

It is further ordered by the court that a duly certified copy of this decree under the hand of the Clerk and Seal of this Court shall be sufficient authority to the Sheriff to execute the same at any time after one year from the filing of the complaint which was July 12th, 1937.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Wednesday Morning, May 4th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now Herbert Spencer, Prosecuting Attorney of Marion County, John Kelly, Deputy Prosecuting Attorney of Marion County, and John A. Kendall, Prosecuting Attorney of Hendricks County, Indiana, prosecuting the pleas of the State in this behalf. Comes also the defendant by Bess Robbins and Virgil Sears, her attorneys, and the Court being fully advised in the premises now overmules the objections of the defendant to the motion for a continuance of the trial of this case heretofore filed by the State, to which ruling of the Court said defendant at the time excepts, and the Court now sustains the motion of the State for a continuance of the trial of this case, and the trial of this case is now continued to which ruling and order of the Court the defendant at the time excepts. And now by agreement of the parties, the State and the defendant, the trial of this case is set for Monday, June 27th, 1938.

Edgar A. Rice
Edgar A. Rice Special Judge.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Thursday Morning, May 5th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

WILLIAM E. YOUNG)
VS) # 15322
AMERICAN STATES)
INSURANCE COMPANY)

Come now the parties, by counsel, and the Court being duly advised, now overrules the defendant's motion to separate complaint into paragraphs and number them, to which ruling of the Court the defendant duly objects and excepts.

MARY E. CROSBY)
VS) # 15438 JUDGMENT OF DIVORCE Judgt. vs Pltf. for Costs.
LESTER O. CROSBY) J. D. 17, Page 256.

Comes now the plaintiff by her Attorney, Harney F. Semones and comes also the defendant and files a general denial by his Attorney, Arny M. Watkins, and this cause being at issue is submitted to the court for trial without the intervention of a 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 she is entitled to a decree of divorce from the defendant on the grounds therein alleged.

It Is, Therefore, considered and adjudged by the court that the bonds of matrimony existing by the plaintiff and defendant herein be and they are hereby dissolved and that the plaintiff is hereby granted a diborce from the defendant.

That the plaintiff and defendant having heretofore entered into a contract for the division of their property and the said contract being as follows, to-wit:

AGREEMENT

This agreement made this the 17th day of January, 1938, between Lester Odell Crosby of Hendricks County, State of Indiana, hereinafter called the husband and Mary E. Crosby of Hendricks County, Indiana, hereinafter called the wife witnesseth:

Whereas, disputes have arisen between the said husband and wife on account of which they are separated and now live apart and intend to live apart from each other for the remainder of their natural lives; now, therefore, in settlement, adjustment, and in compromise of all property, questions and rights, the said husband does hereby assign, convey, transfer and set over unto said wife all of the household furniture possessed by him and the said wife, except one iron bed stead, mattress and springs belonging to same and the said husband to take as his part of the said property the said bed herein excepted and a Tudor 1930 Ford Sedan automobile. And each party releases and relinquishes to the other and to the heirs, executors, administrators and assigns thereof all claims, or rights of dower and inheritance in and to all property both real and personal of the other whether now owned or hereafter acquired. Each party also agrees upon the request of the other to execute and acknowledge any and all deeds or instruments of relationship or conveyance in order to enable each other to sell, convey or otherwise dispose of his or her property both real and personal free from any apparent right or interest therein.

This contract is made in contemplation of a divorce being subsequently

obtained dissolving the marriage relationship between the said husband and wife.

IN WITNESS WHEREOF, the said parties hereto have hereunto set their hands and affixed their seals the day and year first above written.

Lester Odell Crosby (SEAL)
Mary E. Crosby (SEAL)

Hiram Keck
William T. Freeland) WITNESSES.

is made a part of the judgment of the court in this action.

That the plaintiff's maiden name of Mary E. Freeland be restored to her.

It is further considered and adjudged by the court that the plaintiff herein pay to the court the costs of this action, but that she in turn recover of and from the defendant the costs and charges so layed out and expended by her.

LEONA J. JORDAN)
VS) # 15507 Entry on Report of Sale
PHILLIP BLAIR, ET AL.)

Comes now the parties, and comes also the commissioner, heretofore appointed to make sale of the real estate herein, and files his inventory and appraisement of said real estate, which inventory and appraisement is now approved, and is in the words and figures following, to-wit: (H.I.). Said commissioner also files his bond in the sum of $1000.00 with Vernon Nichols surety thereon, which bond is examined and approved, and is in the words and figures following, to-wit: (H.I.). Said commissioner now files his report of said sale, and which report is in the words and figures as follows: (H.I.), and the court having seen and inspected said report, approves the same.

It is therefore ordered by the Court that said commissioner, shall make, execute and deliver a deed of conveyance to said purchasers, and which said conveyance shall bar the claims of all owners to said real estate hereinbefore described; and said commissioner now reports and presents said deed, which deed is examined and approved and ordered delivered to said purchasers and cause is continued for the further report of distribution by said commissioner.

LEONA J. JORDAN)
VS.) # 15507 Entry on Commissioner's Final Report.
PHILLIP BLAIR, ET AL.)

Comes now Zimri E. Dougan, Commissioner appointed by the court in the above entitled cause, and files his final report of receipts and disbursments, (H.I) and the court having examined said report and having been fully advised in the premises finds that said report is correct and that said commissioner has fully performed his duties and that said report should be approved and commissioner discharged.

It is therefore ordered, adjudged and decreed that said report is in all things approved and said commissioner is now fully discharged from his trust and his acts in all things approved.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, May 6th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7746
JOHN DRYBREAD)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion to nolle prosequi the above cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised, now sustains said motion and said cause is dismissed.

STATE OF INDIANA)
VS) # 7757
JOHN NELSON)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, and said defendant reports to the Court and asks for an extention of time to pay fine and costs, and the Court extends the time for the payment of fine and costs thirty days.

STATE OF INDIANA)
VS) # 7851
JOHNEY HOERR)

Comes now the State of Indiana, by George W. Hadley, Deputy prosecuting attorney, and comes also the defendant, Johney Hoerr, in his own proper person, and said defendant is duly arraigned in open Court and pleads not guilty of forgery.

And the Court now fixes the defendant's bond at $150.00.

CENA YORK)
VS) # 14136
RAYMOND GLEN YORK)

Comes now the defendant, by counsel, and files petition to modify decree in custody of children, which petition is in the following words and figures, to-wit: (H.I.).

WILLIAM E. YOUNG)
VS) # 15322
AMERICAN STATES INSURANCE COMPANY)

Comes now the plaintiff, by counsel, and moves the Court for a rule requiring defendant to answer on or before May 16th, 1938. And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before May 16th, 1938.

STATE OF INDIANA)
VS) # 7849 Judgt. vs Deft. for $10.00 Fine & Costs.
JOHN A. HOLDERMAN) J. D. 17, Page 257.

Comes now the State of Indiana, by George W. Hadley, Deputy Prosecuting Attorney for the Judicial District, and comes also the defendant, John A. Holderman, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of operating a motor vehicle while under the influence of intoxicating liquor.

It is, therefore, adjudged by the Court that the defendant, John A. Holderman, for the offense by him committed shall be and he is sentenced to the Penal Farm for five days, and that he shall be and he is fined ten dollars, and that he shall pay the costs of this action, taxed at _____dollars and _____cents.

It is ordered by the Court that the defendant's driver's license be revoked and that said defendant is hereby prohibited driving a motor vehicle for the term of seven months, and the Clerk is directed to foreward to the Motor Vehicle Department a copy of this judgment as required by law.

DANIEL J. SHEPHERD)
DAVID C. SHEPHERD)
VS) # 15375 ORDER APPROVING PARTITION SALE
HAROLD H. SHEPHERD)
ETHEL A. SHEPHERD)
AND IRA T. SHEPHERD)

Comes now the parties and comes also E. Eugene Watson, and Commissioner heretofore appointed and files report of sale of real estate in this proceeding ordered sold, which report reads as follows: (insert) from which it appears and the court so finds that after giving notice of the sale of said real estate as required by the order of this court authorizing such sale said Commissioner sold the same at private sale to David C. Shepherd and Sylvia A. Shepherd for the sum of $8310.00 that being the highest and best bid received therefor and the full appraised value thereof; that said purchasers have paid cash in the amount of said sale and which sum the said Commissioner now brought into court.

And the court being fully advised in the premises now in all things approves said report and ratifies and confirms said sale; and said Commissioner is ordered to execute to said purchasers a deed for said real estate. And now said Commissioner reports such deed and the same being examined is approved by the court and delivered to said purchasers.

The court further orders and directs that said Commissioner pay all proper costs and allowances in connection with this proceeding and that as soon as the real estate belonging to said tenants in common can be sold, (which said real estate remaining unsold consists of town property within the town of Brownsburg, Hendricks County, Indiana) distribution is to be made by the said Commissioner as required by law and this cause is continued until sale of said town property can be made and a report of said Commissioner.

ESTHER A. DODDS)
EDGAR M. GOWIN)
VS) # 15087 ORDER APPROVING PARTITION SALE
LILLIE TESSA (GOWIN) SUTHERLIN)
CECIL EARL GOWIN)
JENNIE PEARL GOWIN)
OLIVER EVERETT GOWIN)
RAYMOND EARNEST GOWIN)
HELEN FRANCES GOWIN)

Comes now the parties and comes also Luther S. Page, the Commissioner heretofore appointed and files report of sale of real estate in this proceeding ordered sold, which report reads as follows: (insert) from which it appears and the court so finds that after giving notice of the sale of said real estate as required by the order of this court authorizing such sale said Commissioner sold the same at private sale to Leonard E.Northrup for the sum of $4100.00 that being the highest and best bid received therefor and the full appraised value thereof; that said purchaser has paid cash in the amount of said sale and which sum the said Commissioner now brings into Court.

And the court being fully advised in the premises now in all things approves said report and ratifies and confirms said sale; and said Commissioner is ordered to execute to said purchaser a deed for said real estate. And now said Commissioner reports such deed and the same being examined is approved by the court and delivered to said purchaser.

The court further orders and directs that said Commissioner pay all proper costs and allowances in connection with this proceeding and that as soon as the real estate belonging to said tenants in common can be sold, (which said real estate remaining unsold consists of town property within the town of Danville, Hendricks County, Indiana) distribution is to be made by the said Commissioner as required by law and this cause is continued until sale of said town property can be made and a report of said Commissioner.

DORIS STEPHENS)
VS) # 14663 INTERLOCUTORY DECREE
ALVA OWEN)
LEWIS OWEN)
MARY ALICE OWEN)
TAYLOR OWEN)
LOGAN OWEN)
HAROLD MCCAMMON)

Come now the parties and the court being duly advised in the premises finds that Kassiah J. Owen was, at the time of her death, the owner in fee simple of the real estate described in the complaint. That said Kassiah J. Owen died testate and that her said will was duly probated in the Hendricks Circuit Court on the 13th day of September 1906. That Charles H. Owen mentioned in said will, was the only child of William Owen who died prior to the death of said testatrix, and that the plaintiff, Doris Stephens, is the only child of said Charles H. Owen, and the sole and only heir of said Charles H. Owen, deceased.

The court further finds that James M. Owen and Oliver P. Owen mentioned in the Will of Kassiah J. Owen were brothers of Kassiah J. Owen, and that said

brothers survived said testatrix and that said James M. Owen died in 1928 leaving surviving him as his children, the defendants Alva Owen, Lewis Owen and Mary Alice Owen.

The court further finds that said Oliver P. Owen died in 1933 and that he left surviving him as his children, Taylor Owen and Logan Owen, defendants herein, and Ruth Owen, and that said Ruth Owen was then married to one, Harold McCammon and that said Ruth (Owen) McCammon died in 1934 leaving surviving her as her sole and only heir-at-law her husband, Harold McCammon, defendant herein, and that under the terms and conditions of said will said plaintiff and defendants are now the owners as tenants in common, of the real estate described in plaintiff's complaint.

The court further finds that it was the intention of said testatrix that her newphews and nieces should take under said will per capita and that should any said nephew or niece die, that said interest of such decedent should go per stirpes.

The court further finds that said plaintiff and said defendants are now the owners in fee simple as tenants in common of said real estate in the following proportions, viz:

The plaintiff Doris Stephens is the owner in fee simple of the undivided 1/7 in value of said real estate.

The defendant, Alva Owen is the owner in fee simple of the undivided 1/7th. in value of said real estate.

The defendant, Lewis Owen is the owner in fee simple of the undivided 1/7th in value of said real estate.

The defendant, Mary Alice Owen is the owner in fee simple of the undivided 1/7th in value of said real estate.

The defendant, Taylor Owen is the owner in fee simple of the undivided 1/7th in value of said real estate.

The defendant, Logan Owen is the owner in fee simple of the undivided 1/7th invalue of said real estate.

The defendant, Harold McCammon is the owner in fee simple of the undivided 1/7th in value of said real estate.

The court further finds that the rents and profits from said real estate since the year 1933 do not any more than equal the amount paid by the occupants of said real estate for taxes, repairs, insurance premiums and improvements made on said real estate by said occupants, and that there is no sum due the plaintiff from such rents and profits.

The court further finds that said real estate is not susceptible of a division between the several owners thereof without irreparable injury to each of them and that a commissioner should be appointed to sell the real estate and that said real estate should be sold and the proceeds divided according to the interests of the respective parties hereto as herein found and determined.

The court further finds that the reasonable value of said real estate is $4000.00. The court further finds that the interest of each of the parties to this suit in said real estate is subject to payment of the costs herein.

WHEREFORE, it is by the court further ordered and adjudged that said real estate, situated in Hendricks County, State of Indiana and which is described as follows, to-wit:

A part of the North-east quarter of Section 32 and a part of the South-east quarter of the South-east quarter of Section 29, all in Township 17 North, Range 2 West and bounded and described as follows, to-wit: Beginning at a point which is 55 rods East and 52 rods North, and North 14, 1/2 degrees East 49 rods from the center of Section 32 in Township 17 North and Range 2 West, thence from a true meridian South 28 degrees East 8 rods to the East end of the bridge on the north side of the road; thence South 52 degrees East 242 links to the center of the road; thence South 79 degrees east 76 rods; thence South 67 degrees East 216 links to the Section line;

thence North with the Section line 90,88/100 rods to the Section corner; thence North on the East side of Section 29, 66 rods to the center of the creek; thence North 83 degrees West 14 rods; thence South 65 degrees West 10 rods; thence North 64 degrees West 3, 6/10 rods; thence South 74 degrees West 4 rods; thence South 8 rods; thence South 30 degrees West 4 rods; thence South 61 degrees West 16 rods; thence South 22 degrees West 20 rods; thence South 32, 1/2 degrees West 22 rods; thence South 44, 1/2 degrees West 12 rods; thence South 21 degrees West 12 rods; thence South 15 degrees East 12 rods; thence South 51 degrees East 12 rods; thence South 51 degrees West 26 rods; thence South 5 degrees East 13, 1/2 rods to the beginning, and containing 60 acres more or less, Also,

A part of the North-east quarter and a part of the North half of the South-east quarter of Section 32, Township 17 North, Range 2 West, bounded and described as follows, to-wit: Beginning at a point 55 rods East of the center of said Section 32, Township 17 North and Range 2 West, thence North 52 rods; thence North 14, 1/2 degrees East 49 rods; thence South 28 degrees east 8 rods to the North side of the road at the East end of the bridge; thence South 52 degrees East 242 links to the center of the road; thence South 79 degrees East 76 rods; thence South 67 degrees East 216 links to the Section line; thence South with said Section line 69 rods to the East half mile post; thence South 80 rods to the center on the East of said South-east quarter Section; thence West 104 rods to the East side of the creek; thence North 33 degrees East 5 rods; thence North 56 degrees East 11 rods; thence North 28 degrees East 14 rods; thence North 12 rods; thence North 48 degrees East 4, 8/10 rods to the line passing North and South through the center of said South-east quarter Section; thence North to the center East of the center of said Section; thence West 25, 1/2 rods to the place of beginning, and containing 97 acres more or less.

that said real estate after being duly appraised as provided by law be sold by a Commissioner appointed for that purpose at private sale for not less than the full appraised value thereof and upon the following terms and conditions: Cash in hand upon the delivery of a deed conveying the same.

Notice of the time, terms and place of sale shall be given by two publications thereof in a weekly newspaper printed and published in Hendricks County and by posting written or printed notices thereof in five public places in the township where said real estate is situated, the last of which notices shall be so posted and all of said notices so posted at least ten days prior to the time fixed for such sale. And upon such sale being made and confirmed. All claim or title in and to said real estate held by any of the said owners thereof shall be as effectually barred as if said parties had themselves executed a conveyance thereof to the purchaser.

And the court now appoints Henry Clay a Commissioner thereof to make sale of said real estate in accordance with the foregoing order and requires him to execute a bond in the penalty of $ conditioned for the faithful discharge of his duties and with surety thereon to the approval of the court.

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, May 7th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

HERSCHEL SMYTHE, BY JOHN)
SMYTHE HIS NEXT FRIEND)
VS) # 15343
FRANK OGLES)

Comes now Herschel Smythe, a minor, and files his petition, (H.I.), representing he is twenty years of age and has no legal guardian, and that there is in the hands of the Clerk of this Court, the sum of $100.00 belonging to him and praying that the Court may order said Clerk to make payment direct to him. And the Clerk having considered said petition, finds that it will be to the benefit of said minor to have said funds so paid to him and grants the prayer of said petitioner.

It is, therefore, ordered that the Clerk of this Court pay direct to said petitioner the sum of $100.00, and take his receipt therefor, and that thereupon said Clerk shall be released and discharged from all liability to said minor for said sum so paid.

HERSCHEL SMYTHE, BY JOHN)
SMYTHE HIS NEXT FRIEND)
VS) # 15343 Judgt. vs Deft. for $100.00 and Costs.
FRANK OGLES) J. D. 17, Page 257.

Come now the parties, in person and by counsel, and this cause being at issue, the same is now submitted to the Court for trial, finding, judgment and degree without the intervention of a jury.

And the Court having heard the evidence including plaintiff, Herschel Smythe, the mother and next friend, Della Smythe, the Court finds for the plaintiff in the sum of one hundred dollars, the costs against the defendant.

It is, therefore, adjudged and decreed by the Court that the plaintiff recover of and from the defendant, Frank Ogles, the sum of one hundred dollars, together with the costs laid out and expended at fifteen dollars and ninety cents, which costs are now paid.

STATE OF INDIANA)
VS) #7850
HOWARD CHRISTOPHER)

Comes now the State of Indiana, by George W. Hadley, deputy prosecuting attorney, and comes also the defendant, Howard Christopher, and said defendant is duly arraigned in open Court and enters his plea of not guilty.

And now the defendant agrees to appear in Court immediately upon notice to so appear and defend, and is allowed to go on his own recognizence.

MARY R. ELMORE)
VS) # 15504
ARTHUR ELMORE)

Come now the parties, and the plaintiff having moved the Court for an order requiring the defendant to pay into Court for her use a sufficient sum of money to pay her attorney and prosecute her action, and with which to pay her attorney and prosecute her action and with which to support herself.

And the Court having heard the evidence, orders that the defendant pay to the plaintiff's attorney the sum of $25.00 counsel fees within sixty days from this date, that the defendant pay to the plaintiff for the benefit of the plaintiff the sum of $2.00 per week for her support during the pendency of this action, commencing on the 9th day of May, 1938, and each week thereafter until further order of the Court.

EMMA L. PRESTWOOD) Judgt. vs Deft. for $100.00 delinquent support,
VS) # 15484 Entry $50.00 attorney fee and Costs.
VANCE L. PRESTWOOD) J. D. 17, Page 258

Comes now the defendant, by counsel, and moves the Court to dismiss his cross-complaint. The Court being duly advised, now sustains said motion, and said cross-complaint is dismissed.

Come now the parties in person and by counsel, and this cause coming on for trial is submitted to Court on plaintiff's complaint, for finding judgment and decree. The Court having heard the evidence and being sufficiently advised finds for the plaintiff, and that she is entitled to an absolute divorce and further finds that the defendant is delinquent on the order of support heretofore made in the sum of $100.00 which order should be continued and the defendant required to pay the same within 60 days from this date.

It is, therefore, considered, adjudged and decreed that the plaintiff be granted an absolute divorce from defendant as prayed for in her complaint; that the defendant be ordered to pay to plaintiff the sum of $100.00 found by the Court to be delinquent on the support order heretofore made, within 60 days from this date, The defendant is further ordered to pay the additional sum of $50.00 for plaintiff's attorney, and the defendant within 60 days is ordered to pay the costs taxed herein at $14.65.

HOME OWNERS' LOAN CORPORATION,) Judgt. vs Deft. for $2061.02 and Costs.
Plaintiff) J. D. 17, Page 258.
VS) # 15474 JUDGMENT AND DECREE OF
ALMANZA JANE McCORMACK) FORECLOSURE
Defendant,)

Comes now the plaintiff, Home Owners' Loan Corporation, and it appearing to the satisfaction of the Court by the Sheriff's return of the summons, which summons and return of the Sheriff endorsed thereon are in the words and figures following, to-wit: (H.I.) that the defendant, Almanza Jane McCormack, has been duly served with process more than ten (10) days before the 9th day of April, 1938, being the return date endorsed on plaintiff's complaint, and the defendant, Almanza Jane McCormack, failing to appear and being now three times loudly called in open court, comes not but herein wholly makes default.

This cause is now submitted to the Court for trial without the intervention of a jury upon the default of the defendant, Almanza Jane McCormack, and the issues joined by the plaintiffs complaint, and the default of the defendant, Almanza Jane McCormack.

And the evidence being heard and the Court fully advised in the premises finds for the plaintiff and that all the allegations of its complaint are true.

That on the 2d day of April 1934, the defendant, Almanza Jane McCormack, by her promissory note promised to pay the plaintiff the sum of $1680.00, said note bearing interest at the rate of five per cent (5%) per annum; that said note provided that if default was made thereon for a period of ninety (90) days the entire balance of principal and interest was, at the election of the plaintiff, to become due and payable; that said note provided for reasonable attorney's fees and is payable without relief from valuation or appraisement laws.

That simultaneously with the execution of said note said defendant, Almanza Jane McCormack, was the record owner of the fee simple title to the following described real estate located in the town of Clayton, County of Hendricks, State of Indiana, to-wit:--

Forty Four (44) feet off of the North side and running the full depth of Lot Number Fourteen (14) in Crawford's Addition to Clayton, Indiana.

That contemporaneously with the execution and delivery of said note and to secure the payment thereof, said defendant, Almanza Jane McCormack, executed to the plaintiff her mortgage on the real estate hereinbefore described, said mortgage being duly recorded on the 7th day of April, 1934, in Mortgage Record 95, pages 266, 267, 268,269, and 270, in the office of the Recorder of Hendricks County, Indiana.

That plaintiff's mortgage is a first lien on the real estate hereinbefore described, except as to taxes and assessments.

That the defendant has defaulted and failed to make the payments provided for in said note, due the plaintiff herein, for a period of ninety (90) days and that plaintiff has heretofore exercised its option to declare the entire balance of principal and interest, due on its note above described, due and payable, and that there is now past due and unpaid on said note the sum of $1854.26, in principal and interest, as of this date.

That reasonable attorney's fees for plaintiff's attorney are $175.00.

That pursuant to the provisions of said mortgage, the plaintiff has advanced $6.50 for an extension of abstract of title, and $25.26 in payment of insurance premiums.

That under the terms of said note and mortgage plaintiff is entitled to recover the above sums of money advanced for insurance, extension of abstract of title and taxes and assessments.

That there is now due the plaintiff herein from the defendant, Almanza Jane McCormack, the total sum of $2061.02; and that said sum is secured by the mortgage herein described, and is payable without relief from valuation or appraisement laws, and that the plaintiff is entitled to a judgment for said total amount of said indebtedness against the defendant, Almanza Jane McCormack, plus the costs of this action, and to a decree of foreclosure of said mortgage against all defendants herein, and to a sale of said real estate to satisfy said judgment.

That said real estate is not susceptible to division or partition and that no part thereof can be sold without loss to the remainder, and that it is necessary to sell all of said real estate to save and protect plaintiff's lien thereon.

IT IS, therefore, ordered, adjudged and decreed by the court that the plaintiff recover of and from the defendant, Almanza Jane McCormack, the sum of $2061.02, also its costs and charges laid out and expended, and all accruing costs taxed at $____, without any relief whatsoever from valuation and appraisement laws, said judgment to bear interet at the rate of five per cent (5%) per annum from rendition thereof until paid.

It is further ordered, adjudged and decreed by the Court that the mortgage sued upon by the plaintiff be foreclosed and that the equity of redemption of the defendant and that all persons claiming from, under or through them, be forever barred and foreclosed, and that the said real estate being the same real estate as set out in plaintiff's complaint herein and described as follows, to-wit:--

Forty Four (44) feet off of the North side and running the full depth of Lot Number Fourteen (14) in Crawford's Addition to Clayton, Indiana

be sold in accordance with the laws of the State of Indiana, to satisfy the plaintiff's judgment and costs herein.

It is further ordered, adjudged and decreed by the Court that in the event any owner or part owner of said real estate, or other person legally entitled thereto, does not pay the Clerk of Hendricks County, Indiana, the amount of said judgment, interest and costs rendered in this cause, within one (1) year from the date of the filing of the complaint herein, to-wit: 26th day of March, 1938, or prior to the issuance by the Clerk to the Sheriff of said decree, the said Clerk, upon the filing of a praecipe therefor by the plaintiff, shall issue a copy of this judgment and decree, certified by the Clerk, under seal of the Court, to the sheriff of Hendricks County, Indiana, who shall thereupon proceed to sell the mortgaged premises heretofore described in this decree, at public auction at the door of the Court House of Hendricks County, Indiana, after advertising the same once each week for three (3) successive weeks in a daily or weekly newspaper of general circulation, printed in the English language and published in Hendricks County, Indiana, the first of which publications shall be made at least thirty (30) days before the date of said sale, and by posting written or printed notices thereof in at least three (3) public places in Liberty Township, in said county and State, and at the door of said Hendricks County Court House, said sale to be made without relief from valuation and appraisement laws and without any right of redemption therefrom, and that immediately after such sale, the Sheriff shall execute and deliver to the purchaser a deed of conveyance to the premises, which shall be valid and effectual to convey all the right, title and interest of all persons to this action and all persons claiming through or under them, and he shall make due report to the Clerk of the Court, and the proceeds arising from such sale, the Sheriff is ordered and directed to apply in the following manner:

First: To the payment of all costs and accruing costs in this cause.

Second: To the payment of the plaintiff's judgment and interest in full.

The overplus, if any, remaining after payment of the foregoing judgment, interest and costs, to be paid by the Sheriff of Hendricks County, to the Clerk of this Court for the use of the person or persons lawfully authorized to receive the same, and the Sheriff is hereby ordered and directed in case said real estate is sold to plaintiff and a deed is

delivered to the plaintiff herein, immediately to place the plaintiff in possession of said real estate and shall oust and eject from said premises any other person in said real estate at the time of said sale, and if any part of said judgment, interest and costs remains unsatisfied after said sale, the Sheriff shall forthwith proceed to levy the residue on the other property, real and personal, of the defendant, Almanza Jane McCormack, subject to execution and without relief from valuation and appraisement laws.

ALL OF WHICH is ordered, adjudged and decreed by the Court, this 7th day of May, 1938.

And court adjourned until 9:00 o'clock A. M. Monday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, May 9th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

RONALD ADMIRE)
VS) # 15385 Judgt. vs Defts. for $700.00 and Costs.
WALTER CUNNINGHAM) J. D. 17, Page 258.
RALPH MYERS, doing)
business under the firm)
name, Dairy Equipment)
Exchange.)

Comes now the plaintiff, by counsel, and moves the Court to render judgment on the verdict of the jury. And the Court being duly advised, now sustains said motion.

It is, therefore, adjudged by the Court that the plaintiff, Ronald Admire, recover of and from the defendants, Walter Cunningham and Ralph Myers, doing business under the firm name, Dairy Equipment Exchange, the sum of $700.00, together with the costs of this cause, laid out and expended at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Tuesday Morning, May 10th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

CYRUS O'HAIR)
VS) # 13768 Judgt. vs Pltf. for Costs.
SECURITY TRUST CO., ET AL.) J.D. 17, Page 259

Comes now the plaintiff by his counsel, and moves the Court to dismiss the above entitled cause of action with costs assessed against said plaintiff.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, Cyrus O'Hair, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

LEONA J. JORDAN)
VS) # 15507 ENTRY ON PETITION TO DRAW
PHILLIP BLAIR, ET AL.) MONEY FROM CLERK.

Comes now Leona J. Jordan, petitioner, by her attorney, H. B. Pike, and files her verified petition showing that the sum of $413.17, heretofore paid into the Clerk of Hendricks Circuit Court for the defendants in the above entitled cause of action, has been assigned to this petitioner, which assignments have been filed herewith and are in words and figures as follows: (H.I.) and for the protection of the rights of any children that may hereafter be born to Leona J. Jordan or Verle W. Blair said petitioner filed a bond to the State of Indiana in the penal sum of Eight Hundred ($800.00) Dollars, and the court having examined said petition and assignments and being fully advised in the premises finds that said petition should be granted, and that said bond is ample protection for any unborn children that may have an interest in this money, and said bond is now examined and approved, and the court now orders the Clerk of the Hendricks Circuit Court to pay to Leona J. Jordan, or her attorney, H. B. Pike, the sum of $413.17, heretofore paid into the Clerk of this court for the defendants in the above entitled cause of action; all of which is ordered, adjudged and decreed this 10th day of May, 1938.

Receipt:

1. May 12, 1938 Rec'd. $413.17 as assigned to me, from the Clerk of the Hendricks Circuit Court, for distribution.

Leona J. Jordan By H B Pike
(Leona J. Jordan) her Attorney of Record

STATE OF INDIANA)
VS) # 7851 Judgt. vs Deft. for $20.00 Fine & Costs.
JOHNNEY HOERR) J. D. 17, Page 259.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Johnney Hoerr, in his own proper person, and said defendant now changes his plea of not guilty to guilty of forgery.

It is, therefore, adjudged by the Court that the defendant for the offense by him committed shall be and he is sentenced to the Indiana State Prison for a

term of two to fourteen years and shall be fined twenty dollars and shall pay the costs of this action, taxed at 43 dollars and 25 cents.

And the Court now suspends such sentence and parols said defendant to Howard Ross, Welfare Director of Hendricks County, Indiana, so long as said defendant behaves well, and it being agreed in open Court by said defendant that he will report regularly every thirty days hereafter to said Ross, and the Court extends the time for the payment of said fine and costs ninety days. The defendant further agrees that he will pay to Mrs. Richardson all sums she has paid out on his behalf, and the said defendant, Johnney Hoerr, is allowed to go on his own recognizance pending his complying with the orders herein.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Wednesday Morning, May 11th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Thursday Morning, May 12th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

FRANK E. RICHARDSON, Et Als)
VS) # 14468
ALICE ADA RICHARDSON, Et Als.) E n t r y

Comes now Charles E. Shields, Commissioner herein and files his verified petition, showing that the estate of Hannah K. Richardson has been fully and finally administered upon, and all the debts have been paid, and asking that the interlocutory decree made herein, directing said Commissioner to pay the amount received by him, and the interest owned by the said Hannah K. Richardson at the time of her death, to the Clerk of the Hendricks Circuit Court, be modified, which verified petition is in words and figures, following, to-wit: (H.I.) and the court having examined said petition and being fully and advised in the premises finds that the matter and things set forth in said petition are true and that the prayer of said petition should be granted.

It is therefore ordered and decreed by the court that said interlocutory decree be modified, and said Commissioner is now hereby ordered and directed to pay the amount received by him for the interest owned by the said Hannah K. Richardson at the time of her death to Frank E. Richardson, Letha D. Richardson, Extrix. Alice Ada Richardson, Daniel V. Richardson and Earl H. Richardson, share and share alike, who are all and the only heirs at law of Hannah K. Richardson, deceased.

THE MUTUAL BENEFIT LIFE)
INSURANCE COMPANY) # 12912
VS) E N T R Y
JOSHUA THOMPSON)

Comes now John M. Smith, receiver in the above matter and files his verified petition herein asking that he be allowed the sum of $50.00 for services rendered by him as such receiver, in the management of the real estate heretofore placed in charge, which verified petition is in words and figures following to-wit: (H.I.) and the court having examined said petition now finds the allegations thereof to be true and that said receiver is entitled to pay to himself the sum of $50.00, as asked for in said petition.

WHEREFORE, it is now hereby ordered and decreed by the court that said receiver pay to himself, out of the funds in his hands, the sum of $50.00, and this shall be his authority for so doing.

DORIS STEPHENS)
VS) # 14663
ALVA OWEN, ET AL.)

Comes now the plaintiff, by counsel, and moves the Court for a new trial in this cause, which motion is in the following words and figures, to-wit: (Here Insert).

WALTER JONES)
VS) # 15477
WILLIS JONES, ET AL.)

Come now the defendants, Willis Jones, Hattie Jones, Ada Stanley and Louis Stanely, by counsel, and file answer in general denial, which answer is in the following words and figures, to-wit: (H.I.).

PEARL PRUITT)
VS) # 15319
FRED MYERS)

Comes now the plaintiff, by counsel, and moves the Court to dismiss the above cause, the costs on dismissal having heretofore been paid.

And the Court being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, May 13th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

HOME OWNERS' LOAN CORP.)
VS) # 15475
JUANITA BLY, ET AL.)

Come now the parties, by counsel, and oral argument is had on demurrer to plaintiff's complaint.

The Court now takes this matter under advisement.

OTTO McMAHAN)
VS) # 15449
MICHAEL E. GRAVES,)
ET AL, ETC.)

Comes now the plaintiff, by counsel, and files and moves the Court to dismiss the above cause, the costs on dismissal having heretofore been paid, which motion is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said motion and being sufficiently advised, now sustains the same.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7853
CECIL SLAVENS)

Come now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Cecil Slavens, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of not guilty.

The Court now fixes the defendant's bond in the sum of $150.00.

STATE OF INDIANA)
VS) # 7854
CECIL SLAVENS)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Cecil Slavens, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of not guilty.

The Court now fixes the defendant's bond in the sum of $150.00.

STATE OF INDIANA)
VS) # 7856 Judgt. vs Deft. for $20.00 Fine & Costs.
JAMES MAHONEY) J. D. 17, Page 259.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, James Mahoney, in his own proper person, and said defendant is duly arraigned in open Court and enters his plea of guilty of public intoxication.

It is, therefore, adjudged by the Court that the defendant, James Mahoney, for the offense by him committed shall be and he is fined in the sum of twenty dollars, and that he shall pay the costs of this action, taxed at _____ dollars and _____cents.

LEO F. WELCH, HAROLD R. VICTOR,)
AND NORBERT J. FOX, TRUSTEES)
PURSUANT TO TRUST INDENTURE OF)
CELTIC SAVING AND LOAN ASSOCIATION,)
NO. 3, UNDER DATE OF APRIL 30, 1936,)
Plaintiff,) # 15077. Judgt. vs Defts., Mollie Shampaign Feldman in person and Charles Feldman, in rem for $3726.64 & Costs.
-VS-) DECREE. J. D. 17, Page 259.
MOLLIE SHAMPAIGN FELDMAN,)
CHARLES FELDMAN,)
Defendants.)

Come now the plaintiffs, Leo F. Welch, Harold R. Victor and Norbert J. Fox, Trustees pursuant to Trust Indenture of Celtic Saving and Loan Association, No. 3, under date of April 30, 1936, by H. Nathan Swaim their counsel; And it appearing to the satisfaction of the court by the summons herein and the return of the sheriff endorsed thereon, that the defendants Mollie Shampaign Feldman and Charles Feldman, her husband have been duly served with process more than ten days prior to the date endorsed on plaintiffs' complaint and fixed by plaintiffs for the return day of summons thereon, which said summons and the return thereon are in the words and figures following, to-wit: - (here insert).

And now this cause coming on for hearing before this court on change of venue at the instance of Defendants, from the Marion Superior Court, Marion County, Indiana, said defendants, Mollie Shampaign Feldman and Charles Feldman her husband failing to appear are now three times audibly called in open court, come not but herein wholly make default.

And now this cause being at issue upon said defaults, upon motion of the plaintiffs is submitted to the court for trial, finding, judgment and decree without the intervention of a jury, same being waived, and the court having heard the evidence and being duly advised in the premises, finds for the plaintiff and that the material allegations of the complaint are true.

The court further finds that said bonds and mortgages sued on in this cause were executed to the Celtic Saving and Loan Association, No. 3, as alleged in the complaint and that said Association was a Building and Loan Association, duly incorporated and operating under and pursuant to the laws of the State of Indiana. That said Celtic Saving and Loan Association, No. 3, on or about April 30, 1936, pursuant to and in accordance with the laws of the State of Indiana, and the Acts of Congress, and with the approval of the legal authorities necessary and the shareholders and Board of Directors of said Association, and pursuant to an order of the Circuit Court, Marion County, Indiana, IN RE Cause 4161, Order Book 262, page 344 and for a valuable consideration, duly and legally transferred, endorsed and assigned without recourse, in writing to the said Trustees, plaintiffs herein, the aforesaid bonds and mortgages, said plaintiffs to have and to hold title thereto and the control, management, enforcement and lequidation thereof, which assignment was duly recorded in the Release Record 53, page 260, in the Recorder's Office of Marion County, Indiana.

The court finds that said plaintiff Trustees are the sole and absolute owners of said bonds and mortgages, and are vested with all right, title and interest therein, at law and in equity, and that they are entitled to have judgment upon said bonds and mortgages and to have said mortgages foreclosed and have all of the rights, remedies and relief accruing thereupon.

The court finds that there is due and owing to the plaintiffs Leo F. Welch, Harold R. Victor and Norbert J. Fox, Trustees pursuant to Trust Indenture of Celtic Saving and Loan Association, No. 3, under date of April 30, 1936, from the defendant Mollis Shampaign Feldman on the bonds sued on in both paragraphs of the plaintiffs' complaint the sum of Thirty six hundred fifty-one and 64/100 dollars ($3651.64), and the further sum of Seventy-five dollars ($75.00), as Attorneys' fees for the services of plaintiffs' attorneys, making an aggregate sum of Thirty-seven hundred twenty-six and 64/100 dollars ($3726.64), which aggregate sum plaintiffs are entitled to recover of and from the said defendants and as against the rights of all other parties herein, together with the costs of this action and all accruing costs, without any relief from valuation or appraisement laws.

The court finds that said sums are secured by said first mortgage upon the real estate as described below and set out in the first paragraph of plaintiffs' complaint, executed on the 18th day of June, 1926, by said defendant Mollie Shampaign Feldman and her then husband, Sam Shampaign, and recorded on the 18th day of June, 1926, in Mortgage Record 959, at page 414, in the office of the Recorder of Marion County, Indiana, and that thereby, said mortgagors, mortgaged and warranted to said Association the real estate described in the complaint and hereinafter described, to-wit:

Lot numbered fifty-eight (58) in McCarty's Subdivision of the East part of Out Lot 120 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 2, at page 86, in the Recorder's Office of Marion County, Indiana.

and by the mortgage set out in plaintiff's second paragraph of complaint executed on the 1st day of November, 1926, recorded in Mortgage Record 974 at page 161 in the office of the Recorder of Marion County, Indiana.

The court finds that said mortgages are valid and subsisting first lien upon and against said real estate, excepting only taxes and assessments, legally levied and assessed thereon. The court finds that said mortgages are now in default under the terms thereof and the laws of the State of Indiana, and that plaintiffs are entitled to have judgment thereon, and said mortgages foreclosed as against each and all of the defendants herein, and said real estate sold to satisfy same as provided by law. The court finds that said real estate is not susceptible of division without manifest damage, and that same shall be sold as a whole, and sold free and clear of all liens and encumbrances excepting only taxes and assessments levied and assessed thereon.

That after plaintiffs said mortgages were executed and duly recorded the said mortgagor Sam Shampaign died on or about the 10th day of December, 1933, leaving the mortgagor, his wife, now the defendant, Mollie Shampaign Feldman surviving, who is now the owner of said real estate by right of survivorship; that thereafter said defendant intermarried with the defendant, Charles Feldman, who is now her husband.

The court finds that said defendant mortgagors and seizors, and each of them, have failed to perform the conditions and stipulations of said bonds and mortgages and have continued said default to this date. That said defendants and each of them failed to pay taxes and assessments legally levied against said real estate and have permitted same to become delinquent.

The court finds that said mortgaged property is deteriorating in value to the great damage of and danger to plaintiffs' security. That same is not occupied as a residence by the owner thereof, and is encumbered for more than the reasonable value thereof. That plaintiffs are entitled to the immediate appointment of a receiver to take charge of said real estate, hold and conserve same and to collect the rents, issues and profits thereof and to disburse same under the order of this court.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED, by the court that the plaintiffs Leo F. Welch, Harold R. Victor and Norbert J. Fox, Trustees pursuant to Trust Indenture of Celtic Saving and Loan Association, No. 3, under date of April 30, 1936, as such Trustees are now vested with all rights, title and interests in and to said bonds and mortgages and are entitled to all remedies and relief at law and in equity thereunder, and that said plaintiffs have and recover of and from the defendants Mollie Shampaign Feldman in person and Charles Feldman, in rem the said aggregate sum of Thirty-seven hundred twenty-six and 64/100 dollars ($3726.64), on the bonds and mortgages described above and set out in the plaintiffs' complaint, together with the costs of this action and all accruing costs in this behalf laid out and expended and taxed at $_____, without any relief whatsoever from valuation or appraisement laws, the said judgment to bear interest at the rate of 6½% per annum as provided by law from the date of the rendition thereof. That plaintiffs' said judgment shall be prior and superior to all other liens upon and against said real estate, excepting only taxes and assessments legally levied and assessed thereon.

It is further ordered, adjudged and decreed by the court that said mortgages be and the same hereby is foreclosed, and that the equity of redemption of each and all of the defendants and that of all persons, firms or corporations claiming of, from, under or through them, or any of them, in and to the real estate described in the complaint, same lying and being in the County of Marion, State of Indiana, and described as follows, to-wit:

Lot numbered fifty-eight (58) in McCarty's Subdivision of the East Part of Out Lot 120 of the Donation Lands of the City of Indianapolis, as per plat thereof, recorded in Plat Book 2, at page 86, in the Recorder's Office of Marion County, Indiana.

be and the same hereby is barred and foreclosed, and that the said described real estate and all of the right, title and interest of said defendants and each of them, and of all persons, firms or corporations claiming of, from, under or through them or any of them, in or to said real estate shall be sold by the sheriff of said County of Marion, State of Indiana, as other lands are sold on execution, the sale to be made without any relief whatsoever from valuation or appraisement laws, and to be made free and clear from all liens except taxes and assessments legally levied and assessed thereon.

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

(1) To the payment of the costs and accruing costs herein.

(2) To the payment of the amount found due the plaintiff Trustees on the claim sued on herein, being the amount of the judgment hereinbefore rendered, to-wit, $ 3726.64, togehter with interest from this date.

(3) The overplus, if any there be, to be paid by the sheriff to the clerk of this court for the use of the party lawfully entitled thereto and duly authorized to receive the same.

In the event said mortgaged premises shall fail to sell for a sufficient sum to pay and satisfy said plaintiffs' judgment, interest, costs and accruing

costs, the residue thereof remaining unapdi shall be levied of the goods and chattels, lands and tenements, of said mortgage debtors defendant Mollie Shampaign Feldman subject to execution and the sale thereof shall be made without any relief whatsoever from valuation and appraisement laws.

It is further ordered, adjudged and decreed by the court that upon the expiration of the statutory period of redemption, and the execution by the sheriff of a deed of conveyance for said mortgaged premises so sold and not redeemed, to the person or persons, firm or corporation entitled thereto, the defendants to this suit and anyone claiming under or through them, or any or either of them, then in possession of said real estate, or any part thereof, shall upon demand and the exhibition of said deed or of a certified copy thereof, forthwith surrender to the holder of such deed, the full and peaceable possession of said real estate.

It is hereby ordered, adjudged and decreed by the court that E. Kirk McKinney of the City of Indianapolis, County of Marion, State of Indiana, heretofore appointed a receiver herein to take charge of said real estate, hold and conserve same, collect the rents and profits thereof, receive, hold and disburse same for taxes, assessments, necessary repairs, insurance, and all other expenditures that may be necessary to protect and conserve said realty until the further order of this court, continue as such receiver until the further order of court.

It is further ordered that a certified copy of this decree, under the hand and seal of the clerk of this court shall be the full and sufficient authority of the Sheriff and the Receiver to execute the same.

All of which is ordered, adjudged and decreed.

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Saturday Morning, May 14th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

PETIT JURY EMPANELLED FOR MAY TERM, 1938.

The Clerk is ordered to issue venire for the above named petit jurors requiring them to be and appear in this Court on Monday, May 16th, 1938, at the hour of 9:00 o'clock A. M., for jury service.

WILLIAM E. YOUNG)
VS) # 15322
AMERICAN STATE INSURANCE)
COMPANY)

Comes now the defendant, by counsel, and files motion to require the plaintiff to make his complaint more specific, which motion is in the following words and figures, to-wit: (H.I.).

STATE OF INDIANA)
VS) # 7834
PETER DELELLO)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also now John P. Delello, son of defendant, and reports to the Court. And after interviewing said son, the Court allows him to go , and that this cause be continued.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Monday Morning, May 16th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

NETTIE STOUT)
VS) # 15456
IVAN MILES)

Comes now the plaintiff, by counsel, and moves the Court for a rule requiring the defendant to answer plaintiff's complaint herein on or before May 26th, 1938. The Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before May 26th, 1938.

BASI FRANKLIN)
VS)# 14679
C. A. KIRKPATRICK)

Come now the parties, in person and by counsel, and this cause being at issue, the Sheriff of Hendricks County, is ordered to bring into open Court the following jurors for jury services, to-wit: Howard Cain, Elmer Bunten, Roy West, Loren E. Masten, R. C. Gordon, Carl A.Patterson, Lon L. Slagle, Ernest L. Bereman, Paul C. Harden, Elmer E. Welker, John H. Watson and Edward E. Evens, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly and legally impanelled and sworn in open court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

After hearing a part of the evidence in this cause, the jury is allowed to separate until 9:00 o'clock A. M., May 17th, 1938, under proper instructions of the Court as to their duty during such separation.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open Court.
Horace L. Hanna, Judge.

Tuesday Morning, May 17th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

CHARLES CARTER)
VS) #15439
PEOPLES MOTOR COACH COMPANY)
INDIANAPOLIS RAILWAYS, INC.)

Comes now the plaintiff, by counsel, and files second amended complaint in the following words and figures, to-wit: (H.I.).

STATE OF INDIANA)
VS) # 7857
GEORGE PALMER)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant in person and by counsel, and said defendant now wavies arraignment, and enters his plea of not guilty.

Court fixes the defendant's bond at $150.00.

BASI FRANKLIN)
VS) # 14679
C. A. KIRKPATRICK)

Come now the parties, in person and by counsel, and the jury is again brought into court, and the taking of evidence is continued and plaintiff rests.

The defendant now files motion for Court to instruct the jury to return a verdict for the defendant, which motion is in the following words and figures, to-wit: (H.I.). And the Court having seen and examined said motion and being duly advised, now sustains said motion, to which ruling of the Court the plaintiff duly objects and excepts.

The jury is again brought into court, and the Court instructs the jury as follows, to-wit: "Gentlemen of the Jury, you are now instructed to find for the defendant in this cause. You will therefore retire to your jury room, select a foreman and your foreman will sign the verdict according to instruction, the form of which will be handed to you" to the giving of said instruction the plaintiff at the time duly objects and excepts.

And now the jury retires in charge of a sworn officer to deliberate.

The jury is again conducted into open Court with the following verdict to-wit: "We, the jury, find for the defendant."

The jury is now discharged from further duties in this cause.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in opencourt.
Horace L. Hanna, Judge.

Wednesday Morning, May 18th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

FRANK CLIFT OLIVE)
VS) # 14964
NEW ENGLAND MUTUAL)
LIFE INSURANCE COMPANY,)
A CORPORATION.)

Comes now the defendant, by counsel, and files demurrer to the first and second paragraph of the plaintiff's second amended complaint as supplemented and further amended February 7th, 1938, said demurrer being in the following words and figures, to-wit: (H.I.).

EDWARD KASSENBROCK)
VS) # 15152
SACKS BROS. FINANCE)
COMPANY, INC.)

Come now the parties, in person and by counsel, and this cause being at issue, the same is now submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

The Court having heard the evidence in this cause, the same is now taken under advisement.

LELLA ATCHISON, ADMINISTRATRIX,)
ETC.)
VS) # 15406
INDIANAPOLIS RAILWAYS INC.)

Comes now the plaintiff, by counsel, and files motion for publication of deposition of Louis Snyder, (H.I.). Plaintiff files notice to defendant of plaintiff's motion to publish deposition, (H.I.), and hearing on motion is fixed for May 23rd, 1938.

APPOINTMENT OF MEMBERS TO
COUNTY BOARD OF
REVIEW.

In compliance with the law, the title of which is, "An Act to amend Section 164, of an act entitled 'An Act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency, Approved March 11, 1919.'", I, Horace L. Hanna, Judge of the Hendricks Circuit Court, State of Indiana, do hereby appoint the following persons as members of the County Board of Review of Assessments and the Equalizations of the Valuation of Real and Personal Property in Hendricks County, Indiana:

William J. Thompson	Center Township	Republican
Harry G. Thomson	Center Township	Democrat

Said appointments are each made from the annual session of said Board for the year 1938.

Horace L. Hanna
Judge Hendricks Circuit Court.

Dated May 18th, 1938.

STATE OF INDIANA)
VS)# 7677
BYRON WEDDLE)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion to enter nolle prosequi in the above entitled cause, which motion is in the following words and figures, to-wit: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains said motion and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7678
MARVIN GREY)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion to enter nolle prosequi in the above entitled cause, which motion is in the following words and figures, to-wit: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains said motion and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7679
JOHN RICKETTS, JR.)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion to enter nolle prosequi in the above entitled cause, which motion is in the following words and figures, to-wit: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains said motion and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7683
CHARLEY HARDY)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion to enter nolle prosequi in the above entitled cause, which motion is in the following words and figures, to-wit: (H.I.).

The Court having seen and examined said motion and being sufficiently advised in its premises, now sustains said motion and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7698
LANDON JONES)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion to enter a nolle prosequi in the above entitled cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being sufficiently advised in its premises, now sustains said motion and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

ESTHER A. DODDS)
EDGAR M. GOWIN)
VS) # 15087 ORDER APPROVING PARTITION SALE
LILLIE TESSA (GOWIN) SUTHERLIN)
CECIL EARL GOWIN)
JENNIE PEARL GOWIN)
OLIVER EVERETT GOWIN)
RAYMOND EARNEST GOWIN)
HELEN FRANCES GOWIN)
HAZEL MARIE GOWIN)
RUTH ELSIE GOWIN)
MARY ELIZABETH GOWIN)
CORLISS STEVENSON GOWIN)

Comes now the commissioner, by counsel, and calls to the attention of the Court the re-appraisement of real estate herein, which re-appraisement was heretofore duly approved by the Court.

Come now the parties and comes also Luther S. Page, the Commissioner heretofore appointed and files report of sale of real estate in this proceeding ordered sold, which report reads as follows: (insert) from which it appears and the court so finds that after giving notice of the sale of said real estate as required by the order of this court authorizing such sale said Commissioner sold the same at private sale to Oliver E. Gowin and Beulah Gowin for the sum of $_____that being the highest and best bid received therefor and the full appraised value thereof; that said purchasers have paid cash in the amount of said sale and which sum the said Commissioner now brings into court.

And the court being fully advised in the premises now in all things approves said report and ratifies and confirms said sale; and said Commissioner is ordered to execute to said purchasers a deed for said real estate. And now said Commissioner reports such deed and the same being examined is approved by the court and delivered to said purchasers.

The court further orders and directs said Commissioner after payment of all proper costs and allowances to distribute without delay the cash received in his hands as Commissioner in this said cause. And upon such distribution being made said Commissioner is required to make due report thereof to this court and file therewith proper vouchers in evidence of such payment. And this cause is continued for report of said Commissioner.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, May 19th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7632
H. H. SURWALD)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files and moves the Court to enter a nolle prosequi in the above entitled cause, which motion is in the following words and figures, to-wit: (H.I.).

The Court having seen and examined said motion and being duly advised, now sustains said motion and this cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7635
WILLIAM DALE)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files and moves the Court to enter a nolle prosequi in the above entitled cause, which motion is in the following words and figures, to-wit: (H.I.).

The Court having seen and examined said motion and being duly advised, now sustains said motion and this cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7640
BENJAMIN F. PURCELL)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files and moves the Court to enter a nolle prosequi in the above entitled cause, which motion is in the following words and figures, to-wit: (H.I.).

The Court having seen and examined said motion and being duly advised, now sustains said motion and this cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7769
D. L. WRIGHT)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files and moves to enter a nolle prosequi in the above entilted cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised, now sustains said motion and this cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA.)
VS) # 7705
GEORGE RUSE.)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files and moves to enter a nolle prosequi in the above entitled cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised, now sustains said motion and this cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7705
KENNETH PING)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files and moves to enter a nolle prosequi in the above entitled cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised, now sustains said motion and this cause is now dismissed.

It is,therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7738
HARRY HARMON)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files and moves to enter a nolle prosequi in the above entitled cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised, now sustains said motion and this cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7771
VINCENT SURBER)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files and moves to enter a nolle prosequi in the above entitled cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised, now sustains said motion and this cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7859 Judgt. vs Deft. For $5.00 Fine & Costs.
WILEY BROADSTREET) J. D. 17, Page 260.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Wiley Broadstreet, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of public intoxication.

It is, therefore, adjudged by the Court that said defendant, Wiley Broadstreet, for the offense by him committed shall be and he is fined $5.00, and that he shall pay the costs of this action, taxed at _____dollars and_____cents.

STATE OF INDIANA)
VS) # 7858 Judgt. vs Deft. for $10.00 Fine & Costs.
LEO NORMAN) J. D. 17, Page 260.

Comes now the State of Indiana by John A. Kendall, prosecuting attorney, and comes also the defendant, Leo Norman, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of operating a motor vehicle while under the influence of intoxicating liquor.

It is, therefore, adjudged by the Court that the defendant for the offense by him committed shall be and he is sentenced to the Indiana Penal Farm for ten days, and that he shall be and he is fined $10.00, and that he shall pay the costs of this action, taxed at _____dollars and _____cents.

It is also ordered by the Court that said defendant's operator's license be revoked, and that said defendant is hereby prohibited from driving any motor vehicle for a period of seven months, and the Clerk of this Court is directed to forward to the Motor Vehicle Department a copy of this judgment. License No. 870381, Plainfield, Indiana.

FRANK CLIFT OLIVE)
VS) # 14964
NEW ENGLAND MUTUAL)
LIFE INSURANC CO.,)
A CORPORATION.)

Come now the parties and oral argument is heard on demurrer. The Court after hearing argument, now overrules defendant's demurrer to the first and second paragraph of the plaintiff's second amended complaint as supplemented and further amended February 7th, 1938, to which ruling of the Court defendant objects and excepts. Comes now the defendants and file answer in two paragraphs to plaintiff's second amended complaint, and supplemented February 7th, 1938, (H.I.).

Comes now the defendant, by counsel, and files motion for physical examination of the plaintiff, which motion is in the following words and figures, to-wit: (Here Insert). The Court examining said motion and being duly advised in the premises, said motion is sustained as it appears to the Court that the defendant is entitled to have the plaintiff examined by a competent and unprejudiced physican selected by the Court.

It is, therefore, ordered that the said motion be, and hereby is granted, and that said Frank Clift Oliver, plaintiff, present himself for physicial examination by Dr. Murray DeArnold, at his office, 723 Hume-Mansur Building, Indianapolis, Indiana, within two days from this date, May 19th, 1938.

LEO F. WELCH, HAROLD R. VICTOR,)
AND NORBERT J. FOX, TRUSTEES)
PURSUANT TO TRUST INDENTURE OF)
CELTIC SAVING AND LOAN ASSOCIATION,)
NO. 3, UNDER DATE OF APRIL 30, 1936,)
PLAINTIFFS,)
VS) # 15353 Judgt. vs Defts., Frank A. Light and
FRANK A. LIGHT,) DECREE. Marie Light, for $3983.65 and Costs.
MARIE LIGHT,) J. D. 17, Page 260.
MILLER HARDWARE COMPANY,)
DEFENDANTS.)

Come now the plaintiffs, Leo F. Welch, Harold R. Victor and Norbert J. Fox, Trustees pursuant to Trust Indenture of Celtic Saving and Loan Association, No. 3, under date of April 30, 1936, by H. Nathan Swaim their counsel, and come now the defendants Frank A. Light and Marie Light, husband and wife by A. F. Lauck, their attorney, and Miller Hardware Company by John E. Hollet, its attorney, And it appearing to the satisfaction of the court by the summons herein and the return of the sheriff endorsed thereon, that the defendants Frank A. Light and Marie Light, husband and wife, and Miller Hardware Company, a corporation have been duly served with process more than ten days prior to the date endorsed on plaintiffs' complaint and fixed by plaintiffs for the return day of summons thereon, which said summons and the return thereon are in the words and figures following, to-wit:- (here insert).

And now this cause coming on for hearing before this Court on change of venue from the Marion Superior Court, Marion County, Indiana, at the instance of Defendants.

And now this cause being at issue upon the answers filed, upon motion of the plaintiffs is submitted to the court for trial, finding, judgment and decree without the intervention of a jury, same being waived, and the court having heard the evidence and being duly advised in the premises, finds for the plaintiffs and that the material allegations of the complaint are true.

The court further finds that said bond and mortgage sued on in this cause were executed to the Celtic Saving and Loan Association, No. 3, as alleged in the complaint and that said Association was a Building and Loan Association, duly incorporated and operating under and pursuant to the laws of the State of Indiana. That said Celtic Saving and Loan Association, No. 3, on or about April 30, 1936, pursuant to and in accordance with the laws of the State of Indiana, and the Acts of congress, and with the approval of the legal authorities necessary and the shareholders and Board of Directors of said Association, and pursuant to an order of the Circuit Court, Marion County, Indiana, IN RE Cause 4161, Order Book 262, page 344 and for a valuable consideration, duly and legally transferred, endorsed and assigned without recourse, in writing to the said Trustees, plaintiffs herein, the aforesaid bond and mortgage, said plaintiffs to have and to hold title thereto and the control, management, enforcement and liquidation thereof, which assignment was duly recorded in the Release Record 53, page 260, in the Recorder's Office of Marion County, Indiana.

The court finds that said plaintiff Trustees are the sole and absolute owners of said bond and mortgage, and are vested with all right, title and interest therein, at law and in equity, and that they are entitled to have judgment upon said bond and mortgage and to have said mortgage foreclosed and have all of the rights, remedies and relief accruing thereunder.

The court finds that there is due and owing to the plaintiffs Leo F. Welch, Harold R. Victor and Norbert J. Fox, Trustees pursuant to Trust Indenture of Celtic Saving and Loan Association, No. 3, under date of April 30, 1936, from the defendants Frank A. Light and Marie Light, husband and wife on the bond sued on in the plaintiffs' complaint the sum of thirty-nine hundred eight and 65/100 dollars ($3908.65), and the further sum of seventy-five dollars ($75.00), as Attorneys' fees for the services of plaintiffs' attorneys, making an aggregate sum of thirty-nine hundred eighty-three and 65/100 dollars ($3983.65), which aggregate sum plaintiffs are entitled to recover of and from the said defendants Frank A. Light and Marie Light, husband and wife and as against the rights of all other parties herein, together with the costs of this action and all accruing costs, without any relief from valuation or appraisement laws.

The court finds that said sums are secured by said first mortgage upon the real estate as described below and set out in the plaintiffs' complaint, executed on the 11th day of October, 1929, by said defendants Frank A. Light and Marie Light, husband and wife, and recorded on the 12th day of October, 1929, in Mortgage Record 1056, at page 123, in the office of the Recorder of Marion County, Indiana, and that thereby, said mortgagors, mortgaged and warranted to said Association the real estate described in the complaint and hereinafter described, to-wit:

Part of Lots numbered eighty (80) and eighty-one (81) in S. and B. F. Morris' Oak Hill Addition to the City of Indianapolis, more particularly described as follows, to-wit:

Beginning at a point on the west line of said lot 81, 46 feet south of the north west corner thereof; thence running south on and along the west line of said lot, 81, 46 feet to a point, thence running east parallel with the north lines of said lots 81, and 80, 94 feet to a point on the east line of lot 80, 92 feet south of the north east corner thereof, thence running north on and along the east line of said lot 80, 46 feet to a point, thence running west parallel with the north lines of said lots 80 and 81, 94 feet to the place of beginning, as per plat of said addition, recorded in Plat Book 5, page 11 in the Recorder's Office of Marion County, Indiana.

The court finds that said mortgage is a valid and subsisting first lien upon and against said real estate, excepting only taxes and assessments, legally levied and assessed thereon. The court finds that said mortgage is now in default under the terms thereof and the laws of the State of Indiana, and that plaintiffs are entitled to have judgment thereon, and said mortgage foreclosed as against each and all of the defendants herein, and said real estate sold to satisfy same as provided by law. The court finds that said real estate is not susceptible of division without manifest damage, and that same shall be sold as a whole, and sold free and clear of all liens and encumbrances excepting only taxes and assessments levied and assessed thereon.

That after plaintiffs' said mortgage was executed and duly recorded the defendant, Miller Hardware Company, a corporation, recovered a judgment in rem against the defendants, Light and Light and against the real estate described in this complaint, in cause number A-57775 in the Superior Court of Marion County, Indiana. Said judgment was specifically made subject to plaintiffs' said mortgage. That said judgment is a valid subsisting lien upon the mortgaged real estate subject to plaintiffs' said mortgage.

The court finds that said defendant mortgagors and seizors, and each of them, have failed to perform the conditions and stipulations of said bond and mortgage and have continued said default to this date. That said defendants and each of them failed to pay taxes and assessments legally levied against said real estate and have permitted same to become delinquent.

The court finds that said mortgaged property is deteriorating in value to the great damage of a danger to plaintiffs' security. That same is encumbered for more than the reasonable value thereof.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED, by the court that the plaintiffs Leo F. Welch, Harold R. Victor and Norbert J. Fox, Trustees pursuant to Trust Indenture of Celtic Saving and Loan Association, No. 3, under date of April 30, 1936, as such Trustees are now vested with all rights, title and interests in and to said bond and mortgage and are entitled to all remedies and relief at law and in equity thereunder, and that said plaintiffs have and recover of and from the defendants Frank A. Light and Marie Light, husband and wife the said aggregate sum of thirty-nine hundred eighty-three and 65/100 dollars ($3983.65), on the bond and mortgage described above and set out in the plaintiffs' complaint, together with the costs of this action and all accruing costs in this behalf laid out and expended and taxed at $_____, without any relief whasoever from valuation or appraisement laws, the said judgment to bear intereat at the rate of 6½% per annum as provided by law from the date of the rendition thereof. That plaintiffs' said judgment shall be prior and superior to all other liens upon and against said real estate, excepting only taxes and assessments legally levied and assessed thereon.

That the defendant Miller Hardware Company, a corporation take nothing of the proceeds the sale herein ordered until plaintiffs have received said aggregate sum in full. That the lien of said defendant upon said real estate be transferred to the fund derived from said sale. That said defendant be enjoined from proceeding to enforce its said lien by execution against said real estate or otherwise.

It is further ordered, adjudged and decreed by the court that said mortgage be and the same hereby is foreclosed, and that the equity of redemption of each and all of the defendants and that of all persons, firms or corporations claiming of, from, under or through them, or any of them, in and to the real estate described in the complaint, same lying and being in the County of Marion, State of Indiana, and described as follows, to-wit:

Part of Lots numbered eighty (80) and eighty-one (81) in S. and B. F. Morris' Oak Hill Addition to the City of Indianapolis, more particularly described as follows, to-wit:

Beginning at a point on the west line of said lot 81, 46 feet south of the north west corner thereof; thence running south on and along the west line of said lot, 81, 46 feet to a point, thence running east parallel with the north lines of said lots 81 and 80, 94 feet to a point on the east line of lot 80, 92 feet south of the north east corner thereof, thence running north on and along the east line of said lot 80, 46 feet to a point, thence running west parallel with the north lines of said lots 80 and 81, 94 feet to the place of beginning, as per plat of said addition, recorded in Plat Book 5, page 11 in the Recorder's Office of Marion County, Indiana.

be and the same hereby is barred and foreclosed, and that the said described real estate and all of the right, title and interest of said defendants and each of them, and of all persons, firms or corporations claiming of, from, under or through them or any of them, in or to said real estate shall be sold by the sheriff of said County of Marion, State of Indiana, as other lands are sold on execution, the sale to be made without any relief whatsoever from valuation or appraisement laws, and to be made free and clear from all liens except taxes and assessments legally levied and assessed thereon.

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

(1) To the payment of the costs and accruing costs herein.

(2) To the payment of the amount found due the plaintiff Trustees on the claim sued on herein, being the amount of the judgment hereinbefore rendered, to-wit, $ 3983.65, together with interest from this date.

(3) The overplus, if any there be, to be paid by the sheriff to the clerk of this court for the use of the party lawfully entitled thereto and duly authorized to receive the same.

In the event said mortgaged premises shall fail to sell for a sufficient sum to pay and satisfy said plaintiffs' judgment, interest, costs and accruing costs, the residue thereof remaining unpaid shall be levied of the goods and chattels, lands and tenements, of said mortgage debtors defendants Frank A. Light and Marie Light, husband and wife subject to execution and the sale thereof shall be made without any relief whatsoever from valuation and appraisement laws.

It is further ordered, adjudged and decreed by the court that upon the expiration of the statutory period of redemption, and the execution by the sheriff of a deed of conveyance for said mortgaged premises so sold and not redeemed, to the person or persons, firm or corporation until thereto, the defendants to this suit and anyone claiming under or through them, or any or either of them, then in possession of said real estate, or any part thereof, shall upon demand and the exhibition of said deed of a certified copy thereof, forthwith surrender to the holder of such deed, the full and peaceable possession of said real estate.

It is further ordered that a certified copy of this decree under the and and seal of the clerk of this court shall be the full and sufficient authority of the Sheriff and the Receiver to execute the same.

All of which is ordered, adjudged and decreed.

And court adjourned until 9:00 o'clock A. M. Friday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, May 20th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

VERLA HERSCHEL ROBBINS)
VS) # 15201
VERLIN E. BOHANNON, INC.,)
A CORPORATION, ET AL.)

Comes now A. J. Kahl and withdraws his appearance herein for the plaintiff.

DANIEL J. SHEPHERD)
DAVID C. SHEPHERD)
VS) # 15375 ORDER APPROVING PARTITION SALE
HAROLD H. SHEPHERD)
ETHEL A. SHEPHERD)
AND IRA T. SHEPHERD)

Comes now the parties and comes also E. Eugene Watson, the Commissioner heretofore appointed and files report of sale of real estate in this proceeding ordered sold, which report reads as follows: (insert) from which it appears and the court so finds that after giving notice of the sale of said real estate as required by the order of this court authorizing such sale said Commissioner sold the same at private sale to Daniel J. Shepherd and Hulda M. Shepherd for the sum of $1950.00 that being the highest and best bid received therefor and the full appraised value thereof; that said purchaser have paid cash in the amount of said sale and which sum the said Commissioner now brings into court.

And the court being fully advised in the premises now in all things approves said report and ratifies and confirms said sale; and said Commissioner is ordered to execute to said purchaser a deed for said real estate. And now said Commissioner reports such deed and the same being examined is approved by the court and delivered to said purchaser.

The court further orders and directs said Commissioner after payment of all proper costs and allowances to distribute without delay the cash received in his hands as Commissioner in this said cause. And upon such distribution being made said Commissioner is required to make due report thereof to this court and file therewith proper vouchers in evidence of such payment. And this cause is continued for report of said Commissioner.

CLEO L. HUNT, ADMR. ETC.)
VS) # 15458
NELSON E. KERN, ET AL.)

Comes now the plaintiff, by counsel, and files reply to plea in abatement, in general denial, which reply is in the following words and figures, to-wit: (H.I.).

HENRY SMITH)
VS) # 15481
ACTON TOMATO PRODUCTS CO.)

Come now the attorneys for the defendant, and file affidavit of counsel for continuance in the following words and figures, to-wit: (Here Insert).

And the Court examining said affidavit and hearing argument of counsel, sustains said motion as to said date of trial, and the Court now set said cause for trial on June 10th, 1938.

HILLCREST FARMS COMPANY,)
A CORPORATION)
VS) # 15503
WILLIAM C. PARK,)
BELLE PARK.)

Come now the defendants, by counsel, and file demurrer to the to the proceedings supplementary to execution in the above cause, which demurrer is in the following words and figures, to-wit: (H.I.).

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Saturday Morning, May 21st, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

BENJAMIN BARKER)
VS) # 15044
INDIANAPOLIS RAILWAY,)
INCORPORATED)

Comes now the defendant, by counsel, and files motion for physical examination of the plaintiff in the following words and figures, to-wit:(H.I.). The Court having examined said motion and being duly advised in the premises, said motion is sustained, and it appears to the Court that the defendant is entitled to have the plaintiff examined by a competent and unprejudiced physician selected by this Court.

It is, therefore, ordered by the Court that the said motion be and is hereby granted, and that the said Benjamin Barker, plaintiff, present himself for physicial examination before Dr. Chester A. Stayton at his office, 313 Hume-Mansur Building, Indianapolis, Indiana, on Monday, at 2:00 o'clock P. M., May 23rd, 1938, in the presents of Dr. J. W. Gibbs and Dr. Lewis W. Armstrong. Dated this 21st day of May, 1938.

STATE OF INDIANA)
VS) # 7861 Judgt. vs Deft. for $10.00 Fine & Costs.
HAROLD V. HEIDLEBERGER) J. D. 17, Page 260.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Harold V. Heidleberger, in his own proper person, and said defendant duly arraigned in open court and pleads guilty of public intoxication.

It is, therefore, adjudged by the Court that the defendant, Harold V. Heidleberger, for the offense by him committed shall be and he is fined $10.00 and that he shall pay the costs of this action, taxed at _____dollars and _____ cents.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Monday Morning, May 23rd, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7860
NORMAN TYNER)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Norman Tyner, in his own proper person and by counsel, Edgar M. Blessing, and said defendant now waives arraignment and pleads not guilty of each charge in this cause.

And now the Court fixes the bond of the defendant at two hundred and fifty dollars.

HOME OWNERS' LOAN CORP.)
VS) # 15166
JOHN HUSTEN)
BETTIE HUSTED)

Comes now the receiver, by counsel, and files final financial report in the following words and figures, to-wit: (H.I.). And the Court having seen and examined said report and being sufficiently advised in its premises, now approves the same.

And now said receiver is discharged from his bond and trust herein.

FRANK CLIFT OLIVE)
VS) # 14964
NEW ENGLAND MUTUAL)
LIFE INSURANCE CO.,)
A CORPORATION.)

Comes now the plaintiff, by counsel, and files reply in general denial to defendant's first paragraph of answer, which reply is in the following words and figures, to-wit: (H.I.).

Come now the parties, in person and by counsel, and this cause being at issue, the Sheriff of Hendricks County, Indiana, is ordered to bring into open Court the following jurors for jury services, to-wit: Howard Cain, Elmer Bunton, Roy West, Loren Masten, Roy Gordon, Harley Patterson, Edward Evens, John Watson, Elmer C. Welker, Paul C. Hardin, Ernest L. Berreman and Lon Slagle, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly and legally impanelled and sworn in open court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

And after hearing a part of the evidence in this case, the jury is allowed to separate under proper instructions of the Court as to their duty during separation until May 24th, 1938, at 9:00 o'clock A. M.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Tuesday Morning, May 24th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7553
EDGAR DAUGHERTY)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files and moves the Court to enter a nolle prosequi in this cause, and which motion is in the following words and figures, to-wit: (H.I.).

And the Court having seen and examined said motion and being duly advised in its premises, now sustains said motion and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7555
MILDRED SMITH)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for Court to enter a nolle prosequi in the above entitled cause, and which motion is in the following words and figures, to-wit: (H.I.).

And the Court having seen and examined said motion and being sufficiently advised in its premises, now sustains said motion and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7559
CHARLEY DUNCAN)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for Court to enter a nolle prosequi in the above entitled cause, and which motion is in the following words and figures, to-wit: (H.I.).

And the Court having seen and examined said motion and being sufficiently advised in its premises, now sustains said motion and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7566
JOHN CARTER)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files and moves the Court to enter nolle prosequi in this cause, and which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised in its premises, now sustains said motion and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7571
HARRY CUMMINGS)
ROBERT BURGIN)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for Court to enter a nolle prosequi in this cause, which motion is in the following words and figures, to-wit: (H.I.).

And the Court having seen and examined said motion and being duly advised in its premises, now sustains said motion, and said cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

FRANK CLIFT OLIVE)
VS) # 14964
NEW ENGLAND MUTUAL)
LIFE INSURANCE)
COMPANY, A CORPORATION)

Come now the parties, in person and by counsel, and the jury is again brought into Court, and the taking of evidence is continued but not concluded.

After hearing a part of the evidence in this cause, the jury is allowed to separate under proper instructions as to their duty during such separation until 9:00 o'clock A. M., May 25th, 1938.

FAE W. PATRICK, AS RECEIVER OF THE)
ASSETS AND PROPERTY OF THE SUB-)
SCRIBERS AT NATIONAL AUTOMOBILE)
INSURANCE ASSOCIATION.)
VS) # 15214
UNITED STATES FIDELITY AND GUARANTY CO.)

Comes now the defendant, by counsel, and files motion to reconsider a previous ruling on a demurrer filed in this cause to the second amended complaint, which motion is in the following words and figures, to-wit: (Here Insert).

ASSOCIATES INVESTMENT COMPANY, a corp.)
VS) # 15460
GLEN EMRY)

Comes now the plaintiff, by counsel, and files demurrer to the second and third paragraphs of defendant's answer, which demurrer is in the following words and figures, to-wit: (H.I.).

OREN S. HACK AS AND IN HIS)
CAPACITY AS RECEIVER OF THE)
WASHINGTON BANK AND TRUST)
COMPANY.)
VS)# 14953
ROY J. KREIPKE, ET AL.)

Comes now the plaintiff, by counsel, and files amended complaint in the following words and figures, to-wit: (H.I.).

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, May 25th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

FRANK CLIFT OLIVE)
VS) # 14964
NEW ENGLAND MUTUAL)
LIFE INSURANCE CO.,)
A CORPORATION.)

Come now the parties, in person and by counsel, and the jury is again brought into Court and the taking of evidence is continued but not concluded.

The jury is allowed to separate under proper instructions as to their duty during such separation until 9:00 o'clock A. M., May 26th, 1938.

STATE OF INDIANA)
VS) # 7577
NORMAN WALSH)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files and moves the court to enter a nolle prosequi in the above cause, which motion is in the following words and figures, to-wit: (H.I.).

And the Court having seen and examined said motion and being duly advised in the premises, now sustains said motion and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7597
CLIFFORD THOMPSON)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for Court to enter nolle prosequi in the above cause, which motion is in the following words and figures, to-wit: (H.I.).

And the Court having seen and examined said motion and being duly advised in the premises, now sustains said motion and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7582
ROBERT DENNY)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for Court to enter nolle prosequi in the above cause, which motion is in the following words and figures, to-wit: (H.I.).

And the Court having seen and examined said motion and being duly advised in the premises, now sustains said motion and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7588
CHARLES BERSOTT)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for Court to enter nolle prosequi in the above cause, which motion is in the following words and figures, to-wit: (H.I.).

And the Court having seen and examined said motion and being duly advised in the premises, now sustains said motion and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7596
EDMUND F. DICKEY)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for Court to enter nolle prosequi in the above cause, which motion is in the following words and figures, to-wit: (H.I.).

And the Court having seen and examined said motion and being duly advised in the premises, now sustains said motion and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7615
FRANK GENTRY)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for Court to enter nolle prosequi in the above cause, which motion is in the following words and figures, to-wit: (H.I.).

And the Court having seen and examined said motion and being duly advised in the premises, now sustains said motion and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Thursday Morning, May 26th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

FRANK CLIFT OLIVE)
VS) # 14964
NEW ENGLAND MUTUAL)
LIFE INSURANCE CO.,)
A CORPORATION.)

Come now the parties, in person and by counsel, and the jury is again brought into Court and the taking of evidence is continued but not concluded.

And after hearing a part of the evidence in this cause, the jury is allowed to separate under proper instructions as to their duty during such separation, until 9:00 o'clock A. M., May 27th, 1938.

STATE OF INDIANA)
VS) # 7611
RICHARD JAMES)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for Court to enter a nolle prosequi in the above entitled cause of action, which motion is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said motion and being sufficiently advised in its premises, now sustains said motion, and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
) SS:
COUNTY OF HENDRICKS)

IN THE CIRCUIT COURT OF HENDRICKS COUNTY
CAUSE NO. 15048

CHARLTON CARTER and)
DONALD NEISWANGER,)
Trustees,)
- vs -) PRAECIPE
AETNA LIFE INSURANCE)
COMPANY,)
BLANCHE M. PRICE and)
HENRY C. KETCHAM, Guardian)
Richard Price, Thomas J.)
Price and Mary Leal Price)

To the Clerk of the Hendricks Circuit Court:

You are hereby requested to prepare and certify a transcript of the record of the above entitled cause for an appeal to the Appellate Court of Indiana, and to include therein the following:

1. The following pleadings, papers, records, entries, and orders made and entered of record in said cause, all as certified by the clerk of the Marion Superior Court, Marion County, Indiana, to wit:

a. Second amended complaint.
b. Separate answer of defendant Blanche M. Price to second amended complaint.
c. Separate answer of defendant Henry C. Ketcham, guardian, to second amended complaint.
d. Demurrer of defendant Aetna Life Insurance Company to second amended complaint and ruling and order book entry thereon.
e. Separate answer of defendant Aetna Life Insurance Company to second amended complaint.
f. Motion of defendant Aetna Life Insurance Company for change of venue and ruling thereon and order book entry.

2. All pleadings and papers filed, records, entries and orders made and entered of record in said cause in the Hendricks Circuit Court, excepting only the following numbered instructions tendered by defendant Aetna Life Insurance Company, to wit:

1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26. 27, 28, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 44, 45, 46, and 47.

3. The original bill of exceptions containing the longhand manuscript of all the evidence given in said cause or offered and excluded and all rulings of the court thereon made during trial.

McTurnan & Higgins
Otis E. Gulley
Attorneys for plaintiffs.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Friday Morning, May 27th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

FRANK CLIFT OLIVE)
VS) # 14964
NEW ENGLAND MUTUAL)
LIFE INSURANCE CO.)
A CORPORATION.)

Come now the parties, in person and by counsel, and the jury is again brought into Court and evidence is continued and concluded.

The defendant, immediately at the close of evidence, requests the Court to instruct the jury to find for the defendant. The Court being duly advised, refuses to so instruct the jury, to which ruling of the Court the defendant objects and excepts.

The jury is now allowed to separate under proper instructions of Court as to their duty during separation until 9:00 o'clock A. M., May 28th, 1938.

NETTIE STOUT)
VS) # 15456
IVAN MILES)

Comes now the defendant, by counsel, and files interpleader in the following words and figures, to-wit: (H.I.), asking that Helen Miles and Myrtle Dyer be made party defendants.

Comes now the defendants, Ivan Miles and Helen Miles, and files answer in general denial as follows, to-wit: (H.I.).

Comes now the defendant, Myrtle Dyer and files answer in two paragraphs, which answer is in the following words and figures, to-wit: (H.I.).

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, May 28th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

BASI FRANKLIN)
VS) # 14679
C. A. KIRKPATRICK)

Comes now the plaintiff, by counsel, and files motion for new trial, which motion is in the following words and figures following, to-wit: (H.I.).

FRANK CLIFT OLIVE)
VS) # 14964
NEW ENGLAND MUTUAL)
LIFE INSURANCE COMPANY,)
A CORPORATION.)

Come now the parties, in person and by counsel, and the jury is again brought into court. At the close of the evidence and before argument plaintiff tenders instructions number one to five, both inclusive, and the defendant files its request for instructions and tenders therewith attached instructions numbered one to eighteen, both inclusive. And the Court indicates that it will not refuse any of the instructions tendered by the plaintiff, and the Court indicates that it will refuse of the instructions tendered by the defendant numbers 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 14, 15, 16, 17 to the refusal of each one of which the defendant objects and excepts. During the course of argument, counsel for defendant mentioned to the jury in the course of his argument that certain of the plaintiff's doctors were not called to testify. Plaintiff's counsel objected to said remarks of defendant's counsel and moved the Court to instruct the jury to disregard the remarks of defendant's counsel. Defendant's counsel asked the Court if he should proceed and the Court directed defendant's counsel to proceed and Court did not instruct the jury as requested by plaintiff's counsel, and to which ruling of the Court plaintiff objects and excepts.

Argument is heard and at the close of the argument, the plaintiff in this cause again tenders his instructions in writing numbered one to five, both inclusive, and requests the Court to give each of said instructions, and the defendant again refers to its instructions in writing numbered one to eighteen, both inclusive, and requests the Court to give each of said instructions.

And now the Court gives to the jury of his own motion, instructions numbered 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, and to the giving of each instruction so given by the Court of his own motion, plaintiff and defendant each except as to each instruction separately and severally. And now the Court gives to the jury instructions numbered 1, 2, 3, 4 and 5, tendered by the plaintiff, and now the defendant excepts to the giving of instructions 1, 2, 3, 4 and 5, tendered by the plaintiff, and to each of said instructions separately and severally. And now the Court gives instructions numbered 7, 8, 13 and 18 tendered by the defendant, and refuses to give instructions numbered 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 14, 15, 16 and 17. The plaintiff now excepts to the giving of instructions numbered 7, 8, 13 and 18, and to each of them tendered by the defendant, and the defendant now excepts to the refusal of the Court to give instructions 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 14, 15, 16 and 17, tendered by the defendant and to each of them separately and severally.

And now the Court signs the instructions given by the Court of its own motion, and also signs the instructions tendered by the plaintiff and the instructions tendered by the defendant including those "given" and those "refused" and all of the instructions including those given by the Court and those tendered by the plaintiff and those tendered by the defendant, and now orders all of said instructions including those given and those refused filed and made apart of the record in this cause, which instructions are in the words and figures following, to-wit: (H.I.).

The jury retires in charge of a sworn officer to deliberate.

And afterwards jury is again conducted into Court and request the reading to them of the instructions. Court reads instructions to jury. Jury retires in charge of a sworn officer to continue deliberation.

The jury is again conducted into Court and return a verdict for the plaintiff and that he should recover herein the sum of six thousand seven hundred and thirty eight and 73/100 ($6,738.73) dollars, which verdict is in the following words and figures following to-wit:

State of Indiana, In the Hendricks Circuit Court,
Hendricks County, SS: May Term, 1938.

Frank Clift Olive)
vs.) No. 14964
New England Mutual Life Insurance) VERDICT.
Company, a corporation.)

We, the Jury, find for the plaintiff, and that he should recover herein the sum of $6738.73 .

Edward E Evens
Foreman of the Jury.

And now the jury is discharged from further duties in this cause.

Roger F. Lyon, Trustee, Etc.)
vs) # 15346
AETNA LIFE INSURANCE COMPANY)

Comes now the defendant, by counsel, and files demand for a struck jury, in the words and figures, to-wit: (H.I.), and notice is given to the parties by their attorneys, which notice is as follows, (H.I.).

Walter E. Hadley
Clerk Hendricks Circuit Court.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

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(NO COURT)

Tuesday Morning, May 31st, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

CHARLTON CARTER, et al.,)
vs.) No. 15048
AETNA LIFE INSURANCE COMPANY,) E N T R Y
et al.)

Come now the plaintiffs in the above entitled cause by counsel and on this the 31st day of May, 1938, being the 26th Judicial Day of the May Term of this Court and within the time hereinbefore allowed by this Court for that purpose, towit: sixty days from April 7 , 1938, in open court tender to Thomas D. Stevenson, Special Judge of the Hendricks Circuit Court in the above entitled cause, for approval, signature and filing as part of the record in this cause their bill of exceptions No. 1 containing all the evidence given and offered upon the trial of said cause; and now, the Court, having examined said tendered bill of exceptions No. 1 and being fully advised in the premises, finds that it is tendered within the time heretofore allowed therefor and does hereby approve the same as such and said bill of exceptions No. 1 is now in open court approved and signed by said Special Judge and is made plaintiffs' bill of exceptions No. 1 and is ordered to be filed with the Clerk of this Court and made a part of the record in this cause; and, after such approval, signature and order, said bill of exceptions No. 1 is now filed with said Clerk as a part of the record in this cause and is in the words and figures following: (H.I.)

Thomas D. Stevenson, Special Judge.

ROGER F. LYON, TURSTEE, ETC.)
VS) # 15346
AETNA LIFE INSURANCE CO.,)
A CORP., ETC.)

Comes now the defendant, by counsel, and tenders for filing and asks leave to file additional fifth and sixth paragraphs of answer.

Thomas Stevenson, Special Judge

LELLA ATCHISON, Administratrix of)
the estate of GUY S. ATCHISON, de-)
ceased.)
Plaintiff,)
-vs-) # 15406 ORDER FOR PUBLICATION
INDIANAPOLIS RAILWAYS, INC.,) OF DEPOSITION.
Defendant.)

Comes now the plaintiff in the above entitled cause of action and moves the court to order the publication of the deposition of the witness, Louis Snyder, taken by defendant and filed herein, in this court, on March 26, 1938, and shows the court that due notice to the defendant has been given of the motion.

And the court having considered said motion and having said motion under advisement and being duly advised in the premises, now orders that said deposition be published by the clerk on the 31st day of May 1938, at 9 A. M.

DEPARTMENT OF FINANCIAL)
INSTITUTIONS OF THE STATE)
OF INDIANA, ETC.)
VS) # 15469
ALFRIEDA B. STRIKLER ,)
BUREN L. STRIKLER.)

Comes now the plaintiff, by counsel, and files written motion to dismiss this cause, the costs on dismissal having heretofore been paid, which motion is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7864 Judgt. vs Deft. for $30.00 Fine & Costs.
E. C. TAYLOR) J. D. 17, Page 261.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, E. C. Taylor, and said defendant is duly arraigned in open Court and pleads guilty of operating a motor vehicle while under the influance of intoxicating liquor.

It is, therefore, adjudged by the Court that the defendant, E. C. Taylor, for the offense by him committed shall be and he is fined thirty dollars, and that he pay the costs of this action, taxed at _____dollars and _____cents, and that said defendant's operator's license is revoked, and that he is forbidden to drive a motor vehicle for seven months.

CORA PARKER)
VS) # 15421 DECREE Judgt. vs Deft. for $200.00 and Costs.
SHELBY LONG) J. D. 17, Page 261.

Comes now the plaintiff, by counsel, John A. Kendall and Lewis Marine and comes now the defendant by counsel, Charles V. Sears and it appears to the satisfaction of the court by the summons and the Sheriff's return thereon, which are as follows, to-wit: (HI).

That the defendant has been duly served with process for more than ten days before the day fixed by the plaintiff by endorsement on her complaint, for the defendant to appear and answer said complaint.

And the defendant having entered his appearance in said cause of action by his attorney, Charles V. Sears, this cause is submitted to the court, without the intervention of a jury for hearing, finding and decree.

And the court having heard the evidence and being duly advised in the premises finds for the plaintiff on her complaint and that she is entitled to a judgment against the defendant in the sum of $200.00, and that the defendant pay costs herein.

It is, therefore, considered, ordered and adjudged by the Court that the plaintiff have and recover of and from the defendant, Shelby Long, the sum of $200.00, together with the costs for this action, taxed at _____dollars and_____cents.

BENJAMIN BARKER)
VS) # 15044
INDIANAPOLIS RAILWAYS)
INCORPORATED.)

Come now the parties, and this cause being at issue, the defendant moves the Court to publish deposition of examination of plaintiff. And the Court being duly advised, now sustains said motion and deposition is published.

The Sheriff of Hendricks County, is ordered to bring into open Court the following jurors for jury services, to-wit: Ernest D. Noland, Additison Pierson, Oscar Underwood, Howard Cain, Elmer Bunten, Roy West, Loren E. Masten, Carl A. Patterson, Ernest L. Bereman, Leslie Zimmerman, John H. Watson and Edward E. Evens, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly and legally impanelled and sworn in open court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

Evidence is heard in part, and the jury is allowed to separate under proper instructions of the Court as to their duties during such separation until June 1st, 1938, at 9:00 o'clock A. M.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, June 1st, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

BENJAMIN BARKER)
VS) # 15044
INDIANAPOLIS RAILWAYS)
INCORPORATED.)

Come now the parties, in person and by counsel, and the jury is again brought into Court and the evidence is continued but not concluded.

The jury is now allowed to separate under proper instructions of the Court as to their duties during such separation until June 2nd, 1938, at 9:00 o'clock A. M.

ABE PEREL)
VS) # 15517
EDWARD JONES,)
ET AL, ETC.)

Come now the parties, by counsel, and file stipulation in the following words and figures, to-wit: (H.I.). And the Court examined said stipulation, finds that all parties to this cause have agreed that the above cause be remanded to the Superior Court of Marion County, Indiana, and be venued from there to the Circuit Court of Shelby County, Indiana, all of which meets the approval of this Court.

ROGER F. LYON, TRUSTEE, ETC.)
VS) # 15346
AETNA LIFE INSURANCE COMPANY,)
A CORPORATION, ETC.)

Pursuant to notice heretofore given, Everett W. Hardwick and Byron N. Cox, Jury Commissioners, met in the office of the Clerk of this Court at 10:00 o'clock A. M., and in the presence of Edgar M. Blessing, attorney for the defendant, and Otis E. Gulley, and Daily and Daily, attorneys for the plaintiff, the jury box was opened by Everett W. Hardwick, Jury Commissioner. Walter E. Hadley, Clerk of this Court, after well shaking the jury box, in the presence of all the parties, drew the following names:

1. Ernest E. Herringlake	Guilford	Twp.	21. Opal I Good	Clay	Twp.
2. Robert T. Hall	Union	"	22. Bess E. Harvey	Guilford	"
3. Wendell B. Elrod	Clay	"	23. Gerold D. Alexander	Clay	"
4. Ennis Rhea	Clay	"	24. Lee Quinn	Liberty	"
5. Harold O. Dean	Eel River	"	25. James P. Tomlinson	Lincoln	"
6. Herschel B. Hughes	Center	"	26. Earl Kincaid	Clay	"
7. James E. Hall	Franklin	"	27. Clifford M. Hadley	Clay	"
8. Herman W. Ramsey	Guilford	"	28. Elvin R. Stipe	Middle	"
9. Charles A. Mackey	Center	"	29. Hall C. Plasters	Eel River	"
10. William H. Pope	Center	"	30. Walter H. Bulion	Marion	"
11. Albert Sheets	Guilford	"	31. Atlas C. Stuart	Franklin	"
12. Ray Stevenson	Middle	"	32. Otto Whicker	Clay	"
13. Judson N. Baxter	Marion	"	33. C. E. Johnson, Jr.	Franklin	"
14. Archie Ludlow	Clay	"	34. George R. Fisher	Middle	"
15. Robert E. Rhea	Franklin	"	35. Earl Duncan	Guilford	"
16. Homer E. Bowman	Middle	"	36. Everett Phillips	Guilford	"
17. Everett F. Broyles	Middle	"	37. John R. Patterson	Brown	"
18. John W. Everett	Brown	"	38. Thomas R. Corliss	Lincoln	"
19. Elza Almond	Guilford	"	39. John H. Housman	Center	"
20. Carl E. Logan	Clay	"	40. William E. Atkinson	Center	"

In the presence of all said parties, the attorney for the

defendant striking first, struck off twelve names, and the attorneys for the plaintiff struck off twelve names, each of said parties striking alternately, leaving the following persons to be called to try this cause:

1.	Ernest E. Herringlake	Guilford	Twp.	9.	Clifford M. Hadley	Clay	Twp.
2.	James E. Hall	Franklin	"	10.	Hall C. Plasters	Eel River	"
3.	Herman W. Ramsey	Guilford	"	11.	Walter H. Bulion	Marion	"
4.	Judson N. Baxter	Marion	"	12.	Atlas C. Stuart	Franklin	"
5.	Robert E. Rhea	Franklin	"	13.	Otto Whicker	Clay	"
6.	John W. Everett	Brown	"	14.	C. E. Johnson, Jr.	Franklin	"
7.	Gerold D. Alexander	Clay	"	15.	George R. Fisher	Middle	"
8.	Lee Quinn	Liberty	"	16.	William E. Atkinson	Center	"

and the names so striken from said list were returned to the jury box as provided by law.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, June 1st, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

BENJAMIN BARKER)
VS) # 15044
INDIANAPOLIS RAILWAYS)
INCORPORATED)

Come now the parties, in person and by counsel, and the jury is again brought into Court and the evidence is continued and completed. At the close of the evidence, plaintiff tenders to the Court instructions numbered one to twenty-nine both inclusive, and the defendant tenders instructions numbered one to seven both inclusive. And the Court indicates that it will refuse of the instructions tendered by the plaintiff, instructions numbered 1, 2, 4, 5, 6, 8, 9, 11, 13, 15, 17, 19, 20, 26 and 27, to the refusal of each one of which the plaintiff objects and excepts. And the Court indicates that it will refuse of the instructions tendered by the defendant numbers 2, 3 and 7 to the refusal of each one of which the defendant objects and excepts.

Argument is heard, and now at the close of the argument, the plaintiff again tenders his instructions in writing numbered one to twenty-nine both inslusive, and requests the Court to give each of said instructions, and the defendant again tenders his instructions in writing numbered one to seven both inclusive, and requests the Court to give each of said instructions.

And now the Court gives to the jury of its own motion instructions numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21, and to the giving of each instruction so given by the Court of its own motion, plaintiff and defendant, each excepts as to each instruction separately and severally. Now the Court gives to the jury instructions numbered 3, 7, 10, 12, 14, 16, 18, 22, 23, 24, 25, 28 and 29 tendered by the plaintiff. Now the defendant excepts to the giving of instructions numbered 3, 7, 10, 12, 14, 16, 18, 22, 23, 24, 25, 28 and 29 tendered by the plaintiff and to each of said instructions separately and severally. The plaintiff excepts to the refusall of the Court to give instructions numbered 1, 2, 4, 5, 6, 8, 9, 11, 13, 15, 17, 19, 20, 21, 26 and 27 tendered by the plaintiff and to each of them separately and severally. And now the Court gives to the jury instructions numbered 1, 4, 5 and 6 tendered by the defendant, and now the plaintiff excepts to the giving of instructions numbered 1, 4, 5 and 6 tendered by the defendant and to each of said instructions separately and severally, and now the defendant excepts to the refusal of the Court to give instructions numbered 2, 3 and 7 tendered by the defendant and to each of them separately and severally.

And now the Court signs the instructions given by the Court of its own motion, and also signs the instructions tendered by the plaintiff and the instructions tendered by the defendant, including those "given" and those "refused" and all of the instructions including those given by the Court and those tendered by the plaintiff and those tendered by the defendant, and the Court now orders all of said instructions including those given and those refused filed and made a part of the record in this cause, which instructions are in the words and figures following, to-wit: (H.I.).

The jury now retires in charge of a sworn officer to deliberate.

The jury is again conducted into court and returns a verdict as follows: "We, the Jury, find for the defendant."

The jury is now discharged from further duties in this cause.

And court adjourned until 9:00 o'clock A. M. Friday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, June 3rd, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

NANCY M. GOTT)
VS) # 15487
GALEN HICKS)

Comes now the plaintiff, by counsel, and moves the Court for an order requiring the defendant to answer herein on or before June 14th, 1938. And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before June 14th, 1938.

HOME OWNERS' LOAN CORP.)
VS) # 15475
JUANITA BLY, ET AL.)

Come now the parties, by counsel, and the Court being duly advised, now overrules defendants' demurrer to plaintiff's complaint, to which ruling of the Court the defendant duly objects and excepts.

And now the plaintiff moves the Court for an order requiring the defendant to answer on or before June 11th, 1938. And the Court being duly advised, now sustains said motion and the defendants are ruled to answer on or before June 11th, 1938.

MARGUERITE GLADDEN)
VS) # 15425
KEESHIN MOTOR EXPRESS, INC.)
KEESHIN MOTOR EXPRESS CO.)

Comes now the plaintiff, by counsel, and files motion to amend complaint by amending the name of plaintiff to that of Marguerite Gladden Combs, which motion is in the words and figures following, to-wit: (H.I.). The Court having seen and examined said motion and being sufficiently advised in ~~its~~ in its premises, now sustains said motion and complaint is amended.

Come now the parties, in person and by counsel, and this cause being compromised, is on motion of plaintiff now dismissed at the defendant's costs and with predjudice against the plaintiff to ever again sue on cause of action alleged in her amended complaint.

It is, therefore, considered, ordered and adjudged by the Court, that this cause be and the same is hereby dismissed with predjudice against the plaintiff to ever again sue on cause of action alleged in her amended complaint, the costs on dismissal having heretofore been paid.

And court adjourned until 9:00 o'clock A. M. Saturday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, June 4th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, June 6th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

EQUITABLE SECURETIES CO.)
VS) # 15536
JAMES W. WRIGHT)

Comes now the defendant and appears specially in this purpose only and files answer in abatement, in the following words and figures following, to-wit: (Here Insert).

FRANK B. HADLEY)
VS) # 15447
CLEO MAY)

Comes now the plaintiff, by counsel, and moves the Court to require the defendant to answer complaint herein on or before June 16th, 1938. And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before June 16th, 1938.

DANIEL J. SHEPHERD, ET AL.)
VS) # 15375
HAROLD H. SHEPHERD, ET AL.)

Comes now the commissioner, by counsel, and files final financial report in the following words and figures, to-wit: (Here Insert). And the Court having seen and examined said report and being sufficiently advised in its premises, now approves said report, and said commissioner is now discharged from his bond and trust.

GOLDA SOCKLER)
VS) # 15403
LAWRENCE CANARY)

Comes now the attorney for the plaintiff, and files affidavit for change of venue from Hendricks County, Indiana, and which affidavit is in the following words and figures, to-wit: (Here Insert).

And now by agreement of the parties to this cause in open Court, said cause is venued to Boone County, Indiana, and five days are given to perfect said change.

KATHRYN (HEAVIN) LARGE)
VS) # 15440 Judgt. vs Defts. for $1445.61 & Costs.
CURTIS W. STEWART) J. D. 17, Page 262.
MOSES W. STEWART)

Come now the parties by counsel and this cause being at issue is submitted to the court for trial without the intervention of a jury and the court having heard the evidence and the argument of counsel and being duly advised in the premises finds for the plaintiff and that the allegations of plaintiff's complaint are true and that there is due plaintiff from defendants on the said note sued upon the sum of $1320.61 and the sum of $125.00 as attorney fee for said note, making a total of $1445.61.

Therefore, it is considered and adjudged by the court that the plaintiff have and recover of said defendants the sum of $1445.61 together with his costs and charges layed out and expended.

ELBERT HEAVIN)
VS)# 15441 Judgt. vs Defts. for $1666.34 & Costs.
CURTIS W. STEWART,) J. D. 17, Page 262

Come now the parties, by counsel, and this cause being at issue is submitted to the court for trial without the intervention of a jury and the court having heard the evidence and the argument of counsel and being duly advised in the premises finds for the plaintiff and that the allegations of plaintiff's complaint are true and that there is due plaintiff from defendants on the said note sued upon the sum of $1441.34 and the sum of $125.00 as attorney fee for said note, making a total of $1666.34.

Therefore, it is considered and adjudged by the court that the plaintiff have and recover of said defendants the sum of $1666.34 together with his costs and charges layed out and expended.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Tuesday Morning, June 7th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

ROGER F. LYON, TRUSTEE, ETC.)
VS) # 15346
AETNA LIFE INSURANCE COMPANY,)
A CORPORATION, ETC.)

Comes now the plaintiff, in person and by counsel, and comes also the defendant, by counsel, and the defendant is given leave to file additional fifth and sixth paragraghs of answer, which said fifth and sixth paragraphs of answer are filed, which is in the words and figures following, to-wit: (H.I.).

The plaintiff now files demurrer to said fifth and sixth paragraphs of answer, which demurrer is in the following words and figures to-wit: (H.I.). And the Court having seen and examined said demurrer and being sufficiently advised in its premises, now sustains same, to which ruling of the Court the defendant duly excepts.

This cause now being at issue, the Sheriff of Hendricks County, Indiana, is ordered to bring into open Court the following jurors for jury services, to-wit: Ernest E. Herringlake, George L. Fisher, Judson N. Baxter, Herman W. Ramsey, John W. Everett, Lee Quinn, Clifford M. Hadley, Hall C. Plasters, Walter H. Bulion, Atlas C. Stewart, Otto Whicker and C. E. Johnson, Jr., twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly and legally impanelled from veniremen remaining of the struck jury and sworn in open court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

Statements made by counsel, witnesses sworn and evidence heard in part, and the hour of adjournment having arrived, and there not being sufficient time to continue this cause, the same is now continued until 9:00 o'clock A. M. Wednesday, June 8th, 1938.

Homer Elliott

Homer Elliott, Special Judge.

LESLIE PAPKE)
VS) # 15391
EVERETT OGDEN, ETC.)

Comes now the plaintiff, by counsel, and files interrogatories one to eleven both inclusive, for the defendant to answer and moves the Court for an order requiring defendant to answer said interrogatories on or before June 18th, 1938, which interrogatories are in the words and figures following, to-wit: (H.I.).

And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before June 18th, 1938.

FRED LITTLE)
VS) # 15524
WILBUR FANSLER, AND)
_____FANSLER,)
HUSBAND AND WIFE)

Comes now the plaintiff, by counsel, and moves the Court for an order requiring the defendant to answer on or before the 18th day of June, 1938. And the Court being duly advised now sustains said motion, and the defendant is ruled to answer on or before June 18th, 1938.

GLENN H. LYON, TRUSTEE)
VS) # 15531
BESSIE SMITH, HARVEY E. SMITH,)
PEARLE DOUGLASS,)
HUGH C. DOUGLASS.)

Comes now the plaintiff, by counsel, and moves the Court for an order for alias summons to the Sheriff of Tippecanoe County, Indiana, to the defendant, Pearle Dougalass and Hugh C. Douglass, said summons to be returnable June 30th, 1938. The Court being duly advised, now sustains said motion, and the Clerk of this Court is ordered to issue said summons.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Come now again the parties herein, and the Court being of the opinion that the regular panel of the petit jury for the present term of this court is liable to be exhausted by reason of numerous challenges in said cause, the Court of its own motion and by the consent of the parties herein, now orders that special venire be issued for the jurors for the trial of this cause, and the Clerk is hereby ordered to draw from the jury box of Hendricks County, Indiana, sixty-two names in the presence of the jury commissioners of said county, and that said persons so drawn be summoned by venire to appear before the judge of this court on the 27th day of June, 1938, at 9:00 o'clock A. M, such drawing of such names be so drawn on Thursday, June 16th, 1938, at 10:00 o'clock A. M., and upon such names so drawn shall be summoned by venire issued by the Clerk as hereinabove provided.

Edgar A. Rice

Edgar A. Rice, Special Judge.

STATE OF INDIANA)
VS) # 7413
CLIFFORD THOMPSON)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for the Court to enter a nolle prosequi in the above cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised, now sustains said motion and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7431
JOHN PHELPS)

Comes now the State of Indiana, by JohnA. Kendall, prosecuting attorney, and files motion for the Court to enter a nolle prosequi in this cause, which motion is in the words and figures following, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised, now sustains said motion and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7451
JOHN BURD)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for the Court to enter a nolle prosequi in the above cause, which motion is in the words and figures following, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised, now sustains said motion and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7455
RICHARD DYE)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for the Court to enter a nolle prosequi in the above cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised, now sustains said motion and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7697
WILLIAM OATES)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for the Court to enter a nolle prosequi in the above cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised, now sustains said motion and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7461
ROBERT MARTIN)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for the Court to enter a nolle prosequi in the above cause, which motion is in the words and figures following, to-wit: (Here Insert).

And the Court having seen and examined said motion and being sufficiently advised in its premises, now sustains said motion and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7422
FRANK CORLEY)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for the Court to enter a nolle prosequi in the above cause, which motion is in the words and figures following, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised in its premises, now sustains said motion and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, June 8th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

ESTHER A. DODD, ET AL.)
VS) # 15087
LILLIE TESSA (GOWIN) SUTHERLIN,)
ET AL.)

Comes now the commissioner, by counsel, and files his final and financial report in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said report and being sufficiently advised in its premises, now approves said report and said commissioner is discharged from his bond and trust.

ELIZABETH E. WILSON)
VS) # 15332
CHARLES B. CHRIST, ET AL.)

Comes now the defendant, Lela Park, by counsel, and files demurrer to complaint, which demurrer is in the words and figures following, to-wit: (H.I.). And the Court having seen and examined said demurrer, the same is now overruled and exception given.

And now the defendant, Lela Park, files answer in general denial, which answer is in the words and figures following, to-wit: (H.I.).

C. Gillen Special Judge

ELAINE FENTON, ADMINISTRATRIX)
OF THE ESTATE OF ROBERT E.)
WHITE, DECEASED.)
VS) # 15518
JOHN HOFFMAN, DOING BUSINESS)
AS JOHN HOFFMAN EXCAVATING)
COMPANY,)
RAY HARRISON.)

Comes now the plaintiff, by counsel, and moves the Court to dismiss the above cause, the costs on dismissal having heretofore been paid.

The Court being duly advised, now sustains said motion and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

ROGER F. LYON, TRUSTEE, ETC.)
VS) # 15346
AETNA LIFE INSURANCE COMPANY,)
A CORPORATION, ETC.)

Comes now the plaintiff, in person and by counsel, and comes also the defendant, by counsel, and the jury is again brought into open court, and the hearing of evidence is resumed and plaintiff rests.

At the conclusion of the plaintiff's evidence, the defendant

files motion for directed verdict as to each paragraph of complaint, which motion is in the words and figures following, to-wit: (H.I.). And the Court having seen and examined said motion and being sufficiently advised in its premises, now overrules said motion, to which ruling of the Court the defendant duly excepts.

Homer Elliott

Home Elliott, Special Judge.

And court adjourned until 9:00 o'clock A. M. Thursday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, June 9th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)

V S) # 7415

FRED FOX)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for the Court to nolle prosequi the above cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised, now sustains said motion and said cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

ELAINE FENTON ADMINISTRATRIX,)

ETC.)

VS) # 15516

JOHN HOFFMAN, ETC., ET AL.)

Come now the parties and file their joint and several motion to remand this cause to Marion Superior Court, Room 1, which motion is in the words and following, to-wit: (H.I.).

And the Court having seen and examined said motion and being duly advised, now sustains the same, and the Court orders said cause remanded as prayed for and authorizes the Clerk of this Court to return all papers to the Clerk of Marion Superior Court upon payment of costs herein.

ROGER F. LYON, TRUSTEE, ETC.)

VS) # 15346

AETNA LIFE INSURANCE COMPANY,)

A CORP., ETC.)

Comes now the plaintiff, in person and by counsel, and comes also the defendant, by counsel, and the jury is again brought into open court and evidence is resumed and concluded.

The defendant now files motion to require the jury to return a verdict for the defendant as to each paragraph of complaint, which motion is in the words and figures following, to-wit: (H.I.). And the Court having seen and examined said motion and being duly advised in its premises, now overrules said motion, to which ruling of the Court the defendant duly excepts.

At the conclusion of the evidence and before the beginning of the argument of counsel to the jury, the plaintiff files its written and signed request that the court instruct the jury in writing, and with said request plaintiff tenders its instructions numbered from one to twenty, inclusive, and requests that they and each of them be given to the jury, which said request and instructions so tendered and requested read as follows: (Here insert).

And now the defendant likewise requests the Court to instruct the jury in writing and tenders its instructions numbered from one to twenty-five, in-

clusive, and requests that they and each of them be given to the jury, which said request of defendant and instructions tendered and requested by it read as follows: (Here insert).

And now both plaintiff and defendant request the Court to indicate before the beginning of the argument of counsel to the jury which of said instructions will be given and which will be refused, and which if any, will be given as modified.

And now the Court indicates that it will refuse to give any of the instructions tendered and requested by the plaintiff, to which refusal of the Court to give said instructions and each of them the plaintiff now excepts. And the Court further indicates that it will refuse to give any of the instructions tendered and requested by the defendant, to which refusal of the Court to give said instructions and each of them the defendant now excepts.

And now the Court indicates to counsel that it will give to the jury on its own motion instructions numbered from one to twenty-eight, inclusive (H.I.).

And now the argument of counsel to the jury is begun and partly heard, and there not being time to conclude, the further hearing is continued until 9:00 o'clock tomorrow morning.

Homer Elliott, Special Judge.

EDGAR SHORT)
VS) # 15182 Judgt. vs Deft., Dora Decker, for $25.00 & Costs.
DORA DECKER, ET AL.) DECREE J. D. 17, Page 262.

Come now the parties, in person and by counsel, and this cause being at issue, the Court appoints Freda Williams as Official Court Reporter in this cause, and now comes Freda Williams and accepts said appointment and is duly sworn and qualifies as such reporter.

This cause, being called for trial, comes now the parties in person and by counsel, the cause being submitted to the court without intervention of a jury.

The court, having heard the evidence and being duly advised in the premises, now finds in favor of defendants George Goble, Lewis Motor Inc., and Bradley E. Stone. The Court further finds for the plaintiff, Edgar Short, for and against Dora Decker, that under the law and the evidence, the plaintiff is entitled to recover from and against the defendant, Dora Decker, the sum of $25.00 damages and costs.

IT IS THEREFORE CONSIDERED, ADJUDGED, AND DECREED that the plaintiff Edgar Short recover nothing from and against the defendants George Goble, Lewis Motor Inc., or Bradley E. Stone, and said defendants recover their costs herein laid out and expended.

IT IS FURTHER ORDERED, CONSIDERED, ADJUDGED, AND DECREED that plaintiff, Edgar Short, recover from and against defendant, Dora Decker, the sum of $25.00 damages and costs of the action.

Signed this 9th day of June, 1938.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, June 10th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

ROGER F. LYON, TRUSTEE, ETC.)
VS) # 15346
AETNA LIFE INSURANCE COMPANY,)
A CORPORATION, ETC.)

Comes now the plaintiff, in person and by counsel, and comes also the defendant, by counsel, and the jury is again brought into open court and the argument is resumed and concluded.

And now the jury is instructed and retires in charge of a sworn bailiff.

All instructions tendered and requested by each or either of the parties, and all instructions given by the Court are ordered filed and are now filed and ordered made a part of the record herein, to-wit: (H.I.).

Homer Elliott

Homer Elliott, Special Judge.

STATE OF INDIANA)
VS) # 7541
JOE TINGLE)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for Court to enter a nolle prosequi in the above cause, which motion is in the following words and figures, to-wit: (H.I.).

And the Court having seen and examined said motion and being sufficiently advised in its premises, now sustains the same and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7550
RUSSELL JEWELL)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for Court to enter a nolle prosequi in the above cause, which motion is in the following words and figures, to-wit: (H.I.).

And the Court having seen and examined said motion and being duly advised in its premises, now sustains the same and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7554
WILLIAM BERRY)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for Court to enter a nolle prosequi in the above cause, which motion is in the following words and figures, to-wit: (H.I.).

And the Court having seen and examined said motion and being duly advised in its premises, now sustains the same and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7585
O. PRUITT)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for Court to enter a nolle prosequi in the above cause, which motion is in the following words and figures, to-wit: (H.I.).

And the Court having seen and examined said motion and being duly advised in its premises, now sustains the same and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

GROVER AGAN)
VS) # 15511 Judgt. vs Defts. for $97.72 & Costs.
OTIS ARMSTRONG, ET AL.) J. D. 17, Page 265.

Comes now the plaintiff and shows to the Court the summons herein issued to the Sheriff of Hendricks County, Indiana, to be issued on the defendants herein, together with the endorsement of said Sheriff showing service thereon, and which summons and the return thereon is in the following words and figures, to-wit: (H.I.). And the Court examining same finds that said defendants have been duly serviced with process more than ten days before the 28th day of May, 1938, at which time said cause was made returnable by endorsement on complaint herein, which endorsement was duly signed by plaintiff's attorney herein, and now on motion of plaintiff, said defendants are each three times called in open Court and come not and herein wholly makes default.

And now on motion of the plaintiff this cause is submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

The Court having heard the evidence, now finds for the plaintiff and against the defendants Otis Armstrong and Celia Armstrong, and that the allegations of plaintiff's complaint are true and that there is due the plaintiff on the note sued on herein the sum of $82.75 in principal and interest and that a reasonable attorney fee for the plaintiff's attorney herein is $15.00, which should be paid by said defendants herein.

It is, therefore, adjudged by the Court that said plaintiff recover of and from said defendants, Otis Armstrong and Celia Armstrong, the sum of ninety-seven and 75/100 ($97.75) dollars, together with the costs herein laid out and expended at _____dollars and _____cents.

Court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, June 11th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

ROGER F. LYON, TRUSTEE, ETC.)
VS) # 15346
AETNA LIFE INSURANCE COMPANY,)
A CORP., ETC.)

Come now again the parties, and come also the jury and report their inability to agree upon a verdict. And the jury having had the case under consideration since 12:00 o'clock noon on yesterday, they are now at 2:00 o'clock P. M. by agreement of counsel representing both plaintiff and defendant, discharged from further consideration of this case.

Homer Elliott

Homer Elliott, Special Judge.

HOME OWNERS' LOAN CORP.)
VS) # 15475
JUANITA BLY, ET AL.)

Come now the defendants, by counsel, and file answer in general denial in the following words and figures, to-wit: (H.I.).

ARMOUR & COMPANY)
VS) # 15488 Judgt. vs Pltf. for Costs.
FRANK HADLEY AND) J. D. 17, Page 263.
JOHN THORP.)

Comes now the plaintiff, by counsel, and files motion to dismiss this cause at the cost of the plaintiff, which motion is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said motion now sustains the same.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, Armour & Company, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

VERLA HERSCHEL ROBBINS)
VS)# 15201 Judgt. vs Pltf. for Costs.
VERLIN E. BOHANNON, INC.) J. D. 17, Page 263.
A CORP., ET AL.)

Comes now the plaintiff, by counsel, and files motion to dismiss this cause at the cost of the plaintiff, which motion is in the words and figures following, to-wit: (H.I.).

And the Court having seen and examined said motion now sustains the same.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, Verla Herschel Robbins, is ordered to pay the costs of this action, taxed at _____

dollars and _____cents.

STATE OF INDIANA)
VS) # 7865
BERT CARTER)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Bert Carter, in his own proper person, and also by John Hume, his attorney, and now said defendant waives arraignment and enters his plea of not guilty.

The Court now fixes the bond of said defendant at two thousand dollars.

STATE OF INDIANA)
VS) # 7841
CHESTER McCLAIN)

Come now the parties and the Court being duly advised, now finds that certain conditions have changed and that the above order herein made by the Court should be changed as to amount of payment of the defendant, and the party to whom payment is made should also be changed, and it is now ordered by the Court that said defendant pay ten dollars each week to Walter E. Hadley, Clerk of this Court for the support of his children to Gladys McClain, wife of defendant, first payment to begin Monday, June 20th, 1938, all until the further order of this Court.

And Court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.

Horace L. Hanna Judge.

Monday Morning, June 13th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

LELIA ATCHISON, ADMINISTRATIRX)
ETC.)
VS) # 15406
INDIANAPOLIS RAILWAYS, INC.)

Come now the parties, in person and by counsel, and this cause being at issue, the Sheriff of Hendricks County, Indiana, is ordered to bring into open Court the following jurors for jury services, to-wit: Chester A. Parsons, Oscar Underwood, Howard Cain, Elmer Bunten, Roy West, Loren E. Masten, Carl A. Patterson, Lon L. Slagle, Ernest L. Berrymore, Paul C. Hardin, John H. Watson and Edgar E. Evens, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly and legally impanelled and sworn in open Court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

Evidence is heard but not completed, and the jury is allowed to separate until 9:00 o'clock A. M. June, 14th, 1938, under proper instructions as to their duty during such separation.

SACKS BROS. AUTO LOAN CO., INC.)
VS) # 15529
DENEVEE TERRELL) ENTRY

Comes now the plaintiff, and it appearing to the court by the summons herein, and the return of the sheriff indorsed thereon, that said defendant has been served with process more than ten days after the issuance of summons herein and more than ten days after the issuance of summons herein and more than ten days before the 10th. day of June, 1938, being the date indorsed on plaintiff's complaint for the return day of summons thereon, which said summons and return thereon are in the words and figures as follows, to wit: (Here insert)

And now said defendant being three times audibly called in open court, comes not, but herein wholly makes default.

And the court having heard the evidence and being duly advised in the premises finds for the plaintiff and that the allegations of plaintiffs complaint are true, and that plaintiff is entitled to the property described in the complaint and that said property is of the value of one hundred and thirty dollars, and that the defendant unlawfully detains same from plaintiff.

It is, therefore, considered and adjudged by the court that plaintiff recover of defendant the property described in the complaint to wit: 1934 Chevrolet Sedan motor #4617557, serial #9DA0967470, that said property is of the value of One hundred and thirty dollars and that defendant unlawfully detains same from plaintiff. It is further considered and adjudged by the court that plaintiff recover of defendant the sum of one dollar as damages for the unlawful detention of said property, together with its costs and charges in this behalf, paid, laid out and expended, taxed in the sum of $_____.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Tuesday Morning, June 14th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

NANCY M. GOTT)
VS) # 15487
GALEN HICKS)

Comes now the defendant, by counsel, and files answer in general denial in the following words and figures, to-wit: (H.I.).

LELLA ATCHISON ADMRX. ETC.)
VS) # 15406
INDIANAPOLIS RAILWAYS INC.)

Come now the parties, in person and by counsel, and the jury is again brought into court, and the hearing of evidence continued and concluded.

The defendant now files and moves the Court at the close of all the evidence to instruct the jury to return a verdict for the defendant, which motion is in the words and figures following, to-wit: (H.I.). The Court having seen and examined said motion now overrules the same, to which ruling of the Court the defendant duly objects and excepts.

The plaintiff now tenders instructions numbered one to fourteen both inclusive, and the Court indicates it will refuse instructions numbered 1, 2, 3, 4, 6, 12 and 14, and to the refusal of each one of which the plaintiff objects and excepts. The defendant now tenders instructions numbered one to seventeen both inclusive, and the Court indicates it will refuse instructions numbered 2, 3, 8, 9, 11, 12 and 17 tendered by the defendant, and to the refusal of each one of which the defendant objects and excepts.

Argument is heard, and now at the close of the argument, the plaintiff again tenders his instructions in writing numbered one to fourteen both inclusive, and requests the Court to give each of said instructions, and the defendant against refers to its instructions in writing numbered one to seventeen and requests the Court to give each of said instructions.

And the Court gives to the jury of his own motion instructions numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, and to the giving of each instruction so given by the Court of its own motion, plaintiff and defendant each excepts as to each instruction separately and severally.

And now the Court gives to the jury instructions numbered 5, 7, 8, 9, 10, 11 and 13, tendered by the plaintiff, and now the defendant excepts to giving of instructions numbered 5, 7, 8, 9, 10, 11 and 13 tendered by the plaintiff and to each of said instructions separately and severally. And now the Court refuses to give instructions numbered 1, 2, 3, 4, 6, 12 and 14, tendered by the plaintiff and the plaintiff now excepts to the refusal of the Court to give instructions numbered 1, 2, 3, 4, 6, 12 and 14, tendered by the plaintiff and to each of them separately and severally. And now the Court gives to the jury instructions numbered 1, 4, 5, 6, 7, 10, 13, 14, 15 and 16 tendered by the defendant and refuses to give instructions numbered 2, 3, 8, 9, 11, 12 and 17, tendered by the defendant. The plaintiff now excepts to the giving of instructions numbered 1, 4, 5, 6, 7, 10, 13, 14, 15 and 16, tendered by the defendant and to each of them separately and severally, and the defendant now excepts to the refusal of the Court to give instructions numbered 2, 3, 8, 9, 11, 12 and 17, tendered by the defendant, and to each of them separately and severally.

And now the Court signs the instructions given of the Court of it's own motion, and also signs the instructions tendered by the plaintiff and the instructions tendered by the defendant indicating those "given" and those "refused" and all of the instructions including those given by the Court of its own motion and those tendered by the plaintiff and those tendered by the defendant and the Court now orders all instructions including those given and refused filed and made a part of the record of this cause.

Jury now retires in charge of a sworn officer to deliberate.

The jury again is conducted into court and requests the Court to again read the instructions, and the Court reads the instructions to the jury given in this cause.

Jury again retires in charge of a sworn officer to deliberate.

The jury is again conducted into Court and returns a verdict for the defendant, which verdict is in the words and figures following to-wit:

State of Indiana, In the Hendricks Circuit Court,
Hendricks County, SS: May Term, 1938.

LELIA ATCHISON, Administratrix of the Estate of GUY S. ATCHISON, deceased.
vs.
INDIANAPOLIS RAILWAYS, INCORPORATED) No. 15406.

VERDICT

We, the Jury, find for the defendant.

Edward E. Evens
Foreman.

And now the jury is discharged from further duties in this cause.

And court adjourned until 9:00 o'clock A. M. Wednesday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, June 15th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7546
B. C. HARPER)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for the Court to enter a nolle prosequi in this cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being sufficiently advised in its premises, now sustains said motion and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7534
JAY H. NEFF)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for the Court to enter a nolle prosequi in this cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised in its premises, now sustains said motion and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7524
CHARLEY IRVIN)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for the Court to enter a nolle prosequi in this cause, which motion is in the following words and figures, to-wit: (Here Insert).

And the Court having seen and examined said motion and being duly advised in the premises, now sustains said motion and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

JESSE WILLIAMS)
VS) # 15434 On Account of Change of Venue.
PENNSYLVANIA GREYHOUND)
LINES OF INDIANA INC.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Jesse Williams vs. Pennsylvania Greyhound Lines of Indiana Inc. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

June 15th, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

HOME INSURANCE CO. OF NEW YORK)
VS) # 14768 On Account of Change of Venue.
TRANSAMERICAN FREIGHT LINES, INC.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Home Insurance Co. of N. Y. vs. Transamerican Freight Lines, Inc. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

June 15th, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

OTTO McMAHAN)
VS) # 15449 On Account of Change of Venue.
MICHAEL E. GRAVES,)
ET AL, ETC.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Otto McMahan vs. Michael E. Graves, et al., etc. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and

authority for so doing.

June 15th, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

HERSCHEL SMYTHE, BY)
JOHN SMYTHE HIS NEXT)
FRIEND.)
VS) # 15343 On Account of Change of Venue.
FRANK OGLES)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Putnam in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Twenty-Four Dollars and - - -Cents ($24.00) in the case of Herschel Smythe, by John Smythe, his next friend vs. Frank Ogles is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Putnam in said State, and the Auditor of said County of Putnam is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Putnam in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

June 15th, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

ELAINE FENTON ADMRX. ETC.)
VS) # 15516 On Account of Change of Venue.
JOHN HOFFMAN, ETC., ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Elaine Fenton Admrx. etc. vs. John Hoffman, etc., et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

June 15th, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

MARGUERITE GLADDEN)
VS) # 15425 On Account of Change of Venue.
KEESHIN MOTOR EXPRESS, INC.)
KEESHIN MOTOR EXPRESS CO.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Marguerite Gladden vs. Keeshin Motor Express, Inc., et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

June 15th, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

EDGAR SHORT)
VS) # 15182 On Account of Change of Venue.
DORA DECKER, ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Ten Dollars and Fifty Cents ($10.50) in the case of Edgar Short vs. Dora Decker, et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

June 15th, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

TED DUFFY)
VS) # 15388 On Account of Change of Venue.
T. B. FERGUSON, JR.,)
ETC., ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in

favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in referance thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Ted Duffy vs. T. B. Ferguson, Jr., etc., et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

June 15th, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

VERLA HERSCHEL ROBBINS)
VS) # 15201 On Account of Change of Venue.
VERLIN E. BOHANNON, INC.,)
A CORPORATION, ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Verla Herschel Robbins vs. Verlin E. Bohannon, Inc., a corp., et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

June 15th, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

ABE PEREL)
VS) # 15517 On Account of Change of Venue.
EDWARD JONES, ET AL., ETC.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence thouching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit: Five Dollars and Fifty Cents ($5.50) in the case of Abe Perel vs. Edward Jones, et al. Etc., is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion

in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

June 15th, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

ELAINE FENTON ADMRIX., ET AL.)
VS) # 15518 On Account of Change of Venue.
JOHN HOFFMAN, ETC., ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Elaine Fenton Admx. et al. vs. John Hoffman, etc., et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

June 15th, 1938.

Horace L. Hanna,
Judge 55th Judicial Circuit of Indiana

EMMA L. PRESTWOOD)
VS) # 15484 On Account of Change of Venue.
VANCE L. PRESTWOOD)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Fifteen Dollars and - - -Cents ($15.00) in the case of Emma L. Prestwood vs. Vance L. Prestwood is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

June 15th, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

FRANK B. HADLEY)
VS) # 15447
CLEO MAY)

Comes now the defendant, by counsel, and files answer in three paragraphs, which answer is in the following words and figures, to-wit: (H.I.).

STATE OF INDIANA)
VS) # 7866 Judgt. vs Deft. for $1.00 Fine and Costs.
WARREN DREW) J. D. 17, Page 264.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also Warren Drew, the defendant in his own proper person, and said defendant is duly arraigned and pleads guilty of public intoxication.

It is, therefore, adjudged by the Court that the defendant, Warren Drew, for the offense by him committed shall be and he is fined in the sum of one dollar, and that he shall pay the costs of this action, taxed at _____dollars and _____cents.

STATE OF INDIANA)
VS) # 7867 Judgt. vs Deft. for $5.00 Fine and Costs.
RICHARD WYKOFF) J. D. 17, Page 264.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Richard Wykoff, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of public intoxication.

It is, therefore, adjudged by the Court that the defendant, Richard Wykoff, for the offense by him committed shall be and he is fined five dollars, and that he shall pay the costs of this action, taxed at _____dollars and_____cents.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Thursday Morning, June 16th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

LESLIE PAPKE)
VS) # 15391
EVERETT OGDEN, ETC.)

Comes now the defendant, by counsel, and files motion to strike out plaintiff's interrogatories, which motion is in the following words and figures, to-wit: (Here Insert).

GUSS W. MILLER)
VS) # 15384
PUBLIC SERVICE COMPANY)
OF INDIANA)

Comes now the plaintiff, by counsel, and by permission of Court files his second amended complaint, which second amended complaint is in the following words and figures, to-wit: (Here Insert).

FRANK CLIFT OLIVE)
VS) # 14964 Judgt. vs Deft. for $6738.73 and Costs.
NEW ENGLAND MUTUAL) J. D. 17, Page 264.
LIFE INSURANCE COMPANY,) (Judgment reduced $272.54 by remittitur on December
A CORPORATION.) 23rd, 1938. C.O.B. 88, Page 261.)

Comes now the plaintiff, by counsel, and moves the Court to render judgment on the verdict of the jury. And the Court being sufficiently advised, now sustains said motion.

It is, therefore, now adjudged by the Court that the plaintiff have and recover of and from the defendant, New England Mutual Life Insurance Company, a corporation, the sum of six thousand seven hundred thirty-eight and 73/100 ($6,738.73) dollars, together with the costs of this action, taxed at _____dollars and _____cents.

CARL IRRGANG)
VS) # 15510 Judgt. vs Deft. for $35.27 and Costs.
HOMER FOIST) J. D. 17, Page 264.

Come now the plaintiff, by counsel, and shows to the Court the summons and the return thereon of the Sheriff of Hendricks County, Indiana, endorsed thereon, which summons and the return thereon are in the following words and figures, to-wit: (Here Insert), and the Court examining said summons and the return thereon finds that said defendant has been duly served with process more than ten days before the 27th day of May, 1938, same being the return day thereon and the day endorsed on plaintiff's complaint herein when said cause date set for trial. And now on motion of the plaintiff said defendant is three times loudly called in open Court but comes not and herein wholly makes default.

And now on motion of plaintiff, this cause is submitted to the Court for

trial and judgment without the intervention of a jury.

The Court having heard the evidence in this cause, now finds for the plaintiff, and that the allegations of plaintiff's complaint are true and that there is due the plaintiff on the account sued on herein the sum of $27.13 and interest in the sum of $8.14, making a total amount due plaintiff $35.27, and that the plaintiff is entitled to judgment against the defendant, Homer Foist, of said sum of $35.27, together with the costs of this action.

It is, therefore, adjudged by the Court that the plaintiff have and recover of and from the defendant, Homer Foist, $35.27, together with the costs of this action laid out and expended at _____dollars and _____cents.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

And thereupon, as heretofore ordered and directed by the Court, the Clerk of this Court, in the presence of the Jury Commissioners of Hendricks County, Indiana, observing all the requirements provided by law, proceeds to draw the names of said Special Venire, of which names so drawn by said Clerk, together with the Certificate of said Clerk, and the attestations of said Jury Commissioners read, respectively, as follows, to-wit:

STATE OF INDIANA, HENDRICKS COUNTY, SS:

I, Walter E. Hadley, Clerk of the Hendricks Circuit Court of Indiana, do hereby certify that I have, by order of the Judge of the Hendricks Circuit Court, in the Case of The State of Indiana vs. Etta Jones, # 7798, now pending and about to be tried in the Hendricks Circuit Court of Indiana, drawn from the Jury Box, in the presence of the Jury Commissioners of said County, observing all the requirements provided by law concerning the drawing of Grand and Petit Juries, the following names, as members of the First Special Venire in said cause, to serve as such Petit Jurors, to-wit:

1. Benjamin W. Davis	Washington	Twp.	32. William O. Hovermale	Center	Twp.
2. Opal I. Good	Clay	"	33. Ward Henderson	Lincoln	"
3. Robert T. Hall	Union	"	34. Elso C. Fritchie	Clay	"
4. Eva M. Wisehart	Eel River	"	35. Charles W. McClain	Guilford	"
5. J. C. Disney	Eel River	"	36. Everett Phillips	Guilford	"
6. Albert Sheets	Guilford	"	37. Florence B. Jones	Liberty	"
7. Frank L. Brown	Clay	"	38. Homer E. Bowman	Middle	"
8. John Morton Coleman	Marion	"	39. Paul McCoun	Middle	"
9. Earl Kinkaid	Clay	"	40. Thomas C. Beasley	Brown	"
10. Earl Duncan	Guilford	"	41. Archie Ludlow	Clay	"
11. James P. Tomlinson	Lincoln	"	42. Herschel B. Hughes	Center	"
12. Paul Martin	Eel River	"	43. Otto W. Lingeman	Lincoln	"
13. Floyd V. Parker	Middle	"	44. Bess E. Harvey	Guilford	"
14. Charles Cutrell	Guilford	"	45. Clyde E. Gray	Marion	"
15. Lucas A. Tharp	Center	"	46. Fern L. Brown	Union	"
16. Elza Almond	Guilford	"	47. Elvin R. Stipe	Middle	"
17. John R. Patterson	Brown	"	48. Robert Fritche	Marion	"
18. William H. Pope	Center	"	49. Carl E. Logan	Clay	"
19. John G. Housman	Center	"	50. Porter Bryant	Union	"
20. Charles A. Mackey	Center	"	51. Charles E. Freeland	Union	"
21. Edgar G. Byram	Union	"	52. Wendell B. Elrod	Clay	"
22. Oscar M. Hamilton	Brown	"	53. Roscoe L. Edwards	Clay	"
23. James A. Layman	Marion	"	54. Stephen L. Donahue	Brown	"
24. Harry C. Durham	Eel River	"	55. Edgar Bailey	Union	"
25. Charles R. Eckler	Center	"	56. Oliver H. Amick	Brown	"
26. Russell M. Garner	Lincoln	"	57. Alfred A. Clark	Washington	"
27. Thomas R. Corliss	Lincoln	"	58. Albert M. Gabel	Washington	"
28. Cyrus M. Nicholson	Liberty	"	59. Ray Stevenson	Middle	"
29. Dennis Eggers	Union	"	60. Ennis Rhea	Clay	"
30. Ellison Arbuckle	Brown	"	61. Harold O. Dean	Eel River	"
31. Frank D. Banta	Middle	"	62. Everett F. Broyles	Middle	"

State of Indiana, Hendricks County, ss:

We, the undersigned, Jury Commissioners of said County, hereby certify that the above and foregoing Jurors were drawn on the 16th day of June, 1938.

Byron N. Cox.

Everett W. Hardwick

Attest: Walter E. Hadley Clerk.

Edgar A. Rice

Edgar A. Rice, Special Judge.

And court adjourned until 9:00 o'clock A. M. Friday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, June 17th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

ARCHIE J. KAHL)
VS)# 15520
CALVIN STOUT, ET AL.)

Comes now the plaintiff, by counsel, and moves the Court to require the defendants to answer on or before the 27th day of June, 1938.

And the Court being duly advised, now sustains said motion and said defendants are ruled to answer on or before June 27th, 1938.

THE FEDERAL LAND BANK)
OF LOUISVILLE)
VS) # 14998
MARY UNDERWOOD THOMPSON, ET AL.)

IN THE MATTER OF THE RECEIVERSHIP IN THE CASE OF THE FEDERAL LAND BANK OF LOUISVILLE-vs-MARY UNDERWOOD THOMPSON ET.AL. CAUSE #14998.

ORDER ON RECEIVER'S FINAL REPORT.

Comes now, George W. Hadley, Receiver in the above entitled cause, and submits to the court the account and vouchers by him filed in final settlement of said receivership, which is in words and figures as follows, to-wit: (H.I.) from which it appears that he is chargeable with the amount of $227.87, and against which amount he claims credits in the amount of $227.87, leaving no surplus or balance in the hands of said Receiver. And the court having examined said account and report and being sufficiently advised in the premises does now approve the same, and does now allow the credits therein claimed, including the amount claimed for his own services.

The court finds that said receiver was appointed during and pending the year of redemption for the real estate in the complaint in the above cause described; that the said year of redemption expired on the 29th day of May, 1938, and that said receivership ought to be settled. The court further finds that there is yet due and owing plaintiff, Federal Land Bank of Louisville, on its mortgage debt the amount of $527.50. That the credit in said account claimed in the amount of $176.06 paid by said receiver to the Clerk of this Court ought to be applied on said plaintiff's mortgage debt.

IT IS THEREFORE FINALLY ORDERED AND ADJUDGED that said Receiver be and he now is fully released and discharged from his said trust and bond herein, and that the said receivership be and the same hereby is adjudged fully administered upon, and finally settled and determined. (For receipt see J.D. 19, Page 182).

LOUIS KENT)
VS) # 14675 Judgt. vs Pltf. for Costs.
CLARA BROWN) J. D. 17, Page 265.
GLEN BROWN)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause at the plaintiff's cost.

And the Court being duly advised now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, Louis Kent, is ordered to pay the costs of this action, taxed at _____dollars and_____ cents.

EMERY L. PARKS)
VS) # 14676 Judgt. vs Pltf. for Costs.
CLARA BROWN) J. D. 17, Page 265.
GLEN BROWN)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause at the plaintiff's cost.

And the Court being duly advised now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, Emery L. Parks, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

WILLIAM MERRITT) Judgt. vs Deft. for $1.00 and $1.00 Costs.
VS) # 15445 Judgt. vs Pltf. for all other costs.
CECIL SLAVENS) J. D. 17, Page 265.

Come now the parties, by counsel, and the Court now renders judgment on the verdict of the jury.

It is, therefore, now adjudged by the Court that the plaintiff recover of and from the defendant, Cecil Slavens the sum of one ($1.00) dollar and one ($1.00) dollar costs, and the plaintiff, William Merritt, is ordered to pay all other costs, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, June 18th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

GLENN H. LYON, TRUSTEE)
VS) # 15531
BESSIE SMITH)
HARVEY E. SMITH)
PEARLE DOUGLASS)
HUGH C. DOUGLASS)

Comes now the plaintiff, by counsel, and moves the Court for a rule to require the defendants to answer the complaint herein on or before the 29th day of June, 1938. And the Court being duly advised, now sustains said motion, and the defendants are ruled to answer on or before June 29th, 1938.

STATE OF INDIANA, EX REL)
CHARLES H. CLEMENS)
VS) # 15213
JOHN W. KERN, ETC., ET AL.)

Come now the parties, by counsel, and now the plaintiff moves the Court to dismiss plaintiff's third paragraph of complaint. And the Court being duly advised, now sustains said motion, and the plaintiff's third paragraph of complaint is dismissed.

It is agreed by the parties herein, that the record in this cause should show that proper request was made before the beginning of the trial of this cause for the Court to make a special finding of the facts in writing and to state in writing its conclusion of law.

Special findings are now submitted by the Court and oral argument is had on said special findings of facts, and the Court takes this matter under advisement.

STATE OF INDIANA)
VS) # 7807
TOM MERRITT)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for the Court to enter a nolle prosequi in the above cause, which motion is in the following words and figures, to-wit: (H.I.).

And the Court having seen and examined said motion and being duly advised, now sustains said motion and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7877
FRED DAVIS)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and files motion for the Court to enter a nolle prosequi in the above cause, which motion is in the following words and figures, to-wit: (H.I.).

And the Court having seen and examined said motion and being duly advised, now sustains said motion and said cause is now dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

RONALD ADMIRE)
VS) # 15385 On Account of Change of Venue.
WALTER CUNNINGHAM)
RALPH MYERS, ETC.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. One Hundred Ninety-One Dollars and Forty Cents ($191.40) in the case of Ronald Admire vs. Walter Cunningham, et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

June 18th, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

JOSEPH WATSON)
VS) # 15019 On Account of Change of Venue.
THE COLUMBIA CONSERVE CO.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit: Two Hundred Thirty-Eight Dollars and Thirty Cents ($238.30) in the case of Joseph Watson, vs. The Columbia Conserve Co. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his suffi-

cient voucher, and authority for so doing.

June 18th, 1938.

Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

CYRUS O'HAIR)

VS) # 13768 On Account of Change of Venue.

SECURITY TRUST COMPANY, et al.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Cyrus O'Hair vs. Security Trust Company, et al. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

June 18th, 1938.

Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

JOHN F. EADS)

VS) # 15443 Judgt. vs Pltf. for Costs.

AGNES EADS) J. D. 17, Page 265.

Come now the parties, by counsel, and the Court having heretofore heard the evidence in this cause and now being duly advised in the premises, now finds for the plaintiff, and that the allegations of the plaintiff's complaint are true as herein alledged, and that the plaintiff is entitled to a divorce from the defendant.

The Court further finds that the plaintiff, John F. Eads, is entitled to the custody of his children, John F. Eads fifteen years of age, Richard Alvin Eads eleven years of age, and Shirley Ann Eads two years of age, and that the plaintiff, John F. Eads, should pay the costs of this action, and that judgment should be had on the above findings.

It is, therefore, considered, ordered and adjudged by the Court that the bonds of matrimony heretofore existing between John F. Eads and Agnes Eads be and they are hereby set aside and held for naught and the plaintiff is hereby granted a divorce from the defendant.

It is further considered, ordered and adjudged by the Court that the plaintiff, John F. Eads, be and he is hereby entitled to the custody of his children, John F. Eads fifteen years of age, Richard Alvin Eads eleven years of age, and Shirley Ann Eads two years of age, and that the plaintiff, John F. Eads, pay the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Monday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, June 20th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

HENRY SMITH)
VS) # 15481
ACTON TOMATO PRODUCTS CO.)

Come now the parties, in person and by counsel, and this cause being at issue, the Sheriff of Hendricks County, Indiana, is ordered to bring into open Court the following jurors for jury services, to-wit: Thomas Blunk, Howard Cain, Elmer Bunten Roy West, Carl A. Patterson, Long L. Slagle, Garrett Clark, Edward E. Evens, John H. Watson, Elmer C. Welker, Paul C. Harden and Ernest L. Bereman, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly and legally impanelled from veniremen remaining of the struck jury and sworn in open court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

And after hearing a part of the evidence in this cause, the jury is allowed to separate under proper instructions as to their duty during separation until 9:00 o'clock A. M., June 21st, 1938.

STATE OF INDIANA)
VS) # 7869 Judgt. vs Deft. for $5.00 Fine & Costs.
ADOLPHE LINGEMAN) J. D. 17, Page 266

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Adolphe Lingeman, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of public intoxication.

It is, therefore, adjudged by the Court that said defendant, Adolphe Lingeman, for the offense by him committed, shall be and he is fined $5.00, and that he shall pay the costs of this action, taxed at _____dollars and _____cents.

STATE OF INDIANA)
VS) # 7873 Judgt. vs Deft. for Costs.
NANNIE McCLOUD) J. D. 17, Page 266.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Nannie McCloud, and said defendant is duly arraigned in open Court and pleads guilty.

It is, therefore, adjudged by the Court that the defendant, Nannie McCloud, for the offense by her committed shall be and she is sentenced to the Indiana Woman's Prison for a term of sixty days, and that she shall pay the costs of this action, taxed at _____dollars and _____cents.

STATE OF INDIANA) Judgt. vs Defts., S. A. Casey & Rex Liesure,
VS) # 7870 $10.00 Fine and Costs.
S. A. CASEY) J. D. 17, Page 266.
REX LIESURE) Judgt. vs Deft., Edith Liesure, for $1.00 Fine & Costs.
EDITH LIESURE) J. D. 17, Page 266.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and come also the defendants, S. A. Casey, Rex Liesure and Edith Liesure, in their own proper persons, and each being duly arraigned in open Court, each pleads guilty of public intoxication.

It is, therefore, adjudged by the Court, that the defendant, S. A. Casey and the defendant, Rex Liesure, for the offense by them, shall each be and he is fined ten dollars, and that the defendant, Edith Liesure, for the offense by her committed shall be and she is fined one dollar, and that each of said defendants shall pay the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Tuesday Morning, June 21st, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

HENRY SMITH)
VS) # 15481 Judgt. vs Pltf. for Costs.
ACTON TOMATO PRODUCTS CO.) J. D. 17, Page 266.

Come now the parties, in person and by counsel, and now the plaintiff moves the Court to dismiss this cause without predjudice, at the cost of the plaintiff.

And the Court being duly advised, now sustains said motion, and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiff, Henry Smith, is ordered to pay the costs of this action, taxed at _____dollars and _____cents.

MARY J. WILSON, ET AL.)
VS) # 15549
HOMER SHELTON, ET AL.)

Comes now the plaintiff, by counsel, and moves the Court to direct the Clerk to issue notice to non-resident defendants, returnable the 6th day of September, 1938, all as provided by law. And the Court being duly advised, now sustains said motion.

And now the Clerk of this Court is directed to give notice by publication to non-resident defendants by publication, as provided by law, said notice to be returnable September 6th, 1938.

FRANK CLIFT OLIVE)
VS) # 14964
NEW ENGLAND MUTUAL)
LIFE INSURANCE COMPANY,)
A CORPORATION.)

Comes now the defendant, by counsel, and files it's motion for new trial in this cause, which motion is in the following words and figures, to-wit: (H.I.).

Comes now the defendant, by counsel, and files it's Bill of Exceptions number one, which Bill of Exceptions number one is in the following words and figures, to-wit: (H.I.).

STATE OF INDIANA, EX REL)
LUTHER F. SYMONS, BANK)
COMMISSIONER)
VS) # 13810
CLAYTON BANK AND TRUST CO.)

Comes now the receiver of the Clayton Bank and Trust Company and files his verified petition herein to compromise and settle the indebtedness of Orville Rynerson on the purchase of a lot in Warren Park Addition in the City of Indianapolis, Indiana, which petition is in the following words and figures, to-wit: (H.I.).

And the court being duly advised in the premises finds that the petition of the receiver should be granted.

It is therefore ordered, adjudged and decreed that Clement E. Kelley, receiver for the Clayton Bank and Trust Company of Clayton, Indiana be, and he is hereby authorized to accept $75.00 in cash in full payment of the balance due on the purchase price of Lot #50 in Warren Park an addition to the City of Indianapolis, Indiana.

The receiver is further ordered and authorized upon payment of said amount to execute his deed to Hazel Rynerson, widow of Orville Rynerson, upon payment of the sum of $75.00.

And court adjourned until 9:00 o'clock A. M. Wednesday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, June 22nd, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

ANNA MAY COOPER)
VS) # 15505.
HUGH COOPER)

Come now the parties in the above entitled cause, by counsel, and by agreement the defendant is permitted, with the court's approval, to sell one heifer out of his herd to provide for the operating expenses of his farming operations, and it is further agreed that the restraining order heretofore made in this cause shall be inoperative as to such sale of such heifer, but that said defendant shall account for the use of the moneys received from the said sale of such heifer to the court upon the hearing of this cause. That in all other respects such former restraining order shall continue in full force and effect.

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

STATE OF INDIANA)
VS) # 7841
)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney for this judicial district, and files motion for this Court to order warrant issued for the arrest of the above named defendant, Chester McClain, which motion is in the following words and figures, to-wit: (H.I.).

And the Court having seen and examined said motion and being duly advised, now sustains said motion and orders warrant issued as prayed for.

CHESTER B. HARDY)
VS) # 15115
MAY (HARDY) MILTON)

Comes now the defendant, by counsel, and files answer in three paragraphs in the following words and figures, to-wit: (H.I.).

Come now the parties, in person and by counsel, and this cause being at issue, the same is now submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

The Court hears the evidence in this cause, and the parties are to furnish briefs and argue later, and cause is continued until such time.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Thursday Morning, June 23rd, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

ORDER FOR JURY COMMISSIONERS TO SELECT ADDITIONAL NAMES. (This entry is of June 22nd, 1938.)

The Clerk of this Court is ordered to notify the jury commissioners to appear at his office on the 24th day of June, 1938, at 9:00 o'clock A. M. to select the names of one hundred forty persons to serve as jurors in this Court for the balance of year of 1938.

LELLA ATCHISON, ADMINISTRATRIX, ETC.)
VS) # 15406
INDIANAPOLIS RAILWAYS, INC.)

Comes now the plaintiff, by counsel, and files her motion for new trial, which motion is in the following words and figures, to-wit: (H.I.).

Comes now the plaintiff, by counsel, and files Bill of Exceptions Number One, which Bill of Exceptions is in the words and figures following, to-wit: (H.I.), and oral argument is requested.

IVAN MILES)
VS) # 15530
EMMETT M. BOYER d/b/a)
BOYER CAFE)

Comes now the plaintiff, by counsel, and moves the Court for an order requiring the defendant to answer interrogatories and also to answer plaintiff's complaint herein on or before July 5th, 1938.

And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer interrogatories and also to answer complaint herein on or before July 5th, 1938.

EDITH BURKE, ADMINISTRATRIX, ETC.)
VS) # 15427
ERNEST N. HENDRICKS)

Comes now the defendant, by counsel, and files answer in general denial, which answer is in the following words and figures, to-wit: (H.I.).

Come now the parties, in person and by counsel, and this cause being at issue, the Sheriff of Hendricks County, is ordered to bring into open Court the following jurors for jury services, to-wit: Edward E. Evens, John H. Watson, Elmer C. Welker, Paul C. Harden, Ernest L. Bereman, Lon L. Slagle, Walter Barlow, Addison Pierson, John Reed, Roy West, Ernest D. Noland and Carl A. Patterson, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are duly and legally impanelled and sworn in open court to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

And after hearing a part of the evidence in this cause,

the jury is allowed to separate until 9:00 o'clock A. M., June 24th, 1938, under proper instructions as to their duty during their separation.

NETTIE STOUT)
VS) # 15456
IVAN MILES, ET AL.)

Comes now the defendant, Myrtle Dyer, and moves the Court for an order requiring the plaintiff and defendants to answer defendant's special answer.

The Court being duly advised, now sustains said motion, the plaintiff and defendants are ruled to reply.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, June 24th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

EDITH BURKE, ADMINISTRATRIX, ETC.)
VS) # 15427
ERNEST N. HENDRICKS)

Come now the parties, in person and by counsel, and the jury is again brought into Court and the taking of evidence is continued, and at the close of the plaintiff's evidence the defendant files and moves the Court to instruct the jury to return a verdict for the defendant, and defendant reserves the right in the event said motion is overruled to continue in the trial of said cause and introduce evidence in his behalf, which motion is in the words and figures following, to-wit: (H.I.). And the Court having seen and examined said motion and being sufficiently advised in its premises, now overrules the same, to which ruling of the Court the defendant duly objects and excepts. Evidence is continued and completed. At the close of the evidence, the defendant again moves the Court to instruct the jury to return a verdict for the defendant. The Court being duly advised, now overrules said motion, to which ruling of the Court defendant duly objects and excepts.

Plaintiff now tenders instructions in writing numbered one and two, both inclusive, and the Court indicates it will refuse instruction number two tendered by the plaintiff, and to the refusal of which the plaintiff objects and excepts. Defendant now tenders in writing instructions numbered one to seven, both inclusive, and the Court indicates it will refuse instructions numbered two, three and seven tendered by the defendant, and to the refusal of each one of which the defendant objects and excepts.

Argument is heard, and at the close of the argument, the plaintiff in this cause again tenders his instructions in writing, numbered from one to two, both inclusive, and requests the Court to give each of said instructions, and the defendant again tenders in writing his instructions numbered one to seven, both inclusive, and requests the Court to give each of said instructions.

And now the Court gives to the jury of his own motion instructions numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13, and to the giving of each instruction so given by the Court of its own motion plaintiff and defendant each excepts as to each instruction separately and severally. And now the Court gives to the jury instruction numbered one, tendered by the plaintiff, and refuses to give instruction numbered two of the instructions tendered by the plaintiff, and now the defendant excepts to the giving of instruction number one tendered by the plaintiff, and the plaintiff excepts to the refusal of the Court to give instruction number two tendered by the plaintiff. And now the Court gives to the jury instructions numbered one, four, five and six tendered by the defendant, the plaintiff now excepts to the giving of instructions numbered one, four, five and six tendered by the defendant, and to each of them separately and severally. And the Court refuses to give instructions numbered two, three and seven tendered by the defendant, and the defendant excepts to the refusal of the Court to give instrucions numbered two, three and seven, tendered by the defendant, and to each of them separately and severally.

And now the Court signs the instructions given of the Court of its own motion, and also signs the instructions tendered by the plaintiff and the instructions tendered by the defendant indicating those "given" and those "refused" and all the instructions including those given by the Court and those tendered by the plaintiff and those tendered by the defendant and now orders all of said instructions, including those given and those refused filed and made a part of the record in this cause, which instructions are in the words and figures following, to-wit: (H.I.).

The jury now retires in charge of a sworn officer to deliberate.

And afterwards, the jury is again conducted into Court and returns a verdict for the defendant, which verdict is in the words and figures following, to-wit:

State of Indiana, In the Hendricks Circuit Court,

Hendricks County, SS: May Term, 1938.

EDITH B. BURKE, Administratrix of the Estate of FRED BURKE, deceased.
vs.
ERNEST N. HENDRICKS

No. 15427.

VERDICT

We, the Jury, find for the defendant.

Edward E. Evens
Foreman of the Jury.

And now the jury is discharged from further duties in this cause.

STATE OF INDIANA)
VS)# 7872 Judgt. vs Deft. for Costs.
ED LIESURE) J. D. 17, Page 267.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Ed Liesure, in his own proper person, and said defendant is duly arraigned and pleads guilty.

It is, therefore, adjudged by the Court that the defendant, Ed Liesure, for the offense by him committed shall be and he is sentenced to the Indiana State Penal Farm for a term of six months, and that he pay the costs of this action, taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.
Horace L. Hanna, Judge.

Saturday Morning, June 25th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7874 Judgt. vs Deft. for $10.00 Fine & Costs.
CHESTER McCLAIN) J. D. 17, Page 267.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Chester McClain, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of forgery, and said defendant is thirty-three years of age.

It is, therefore, adjudged by the Court that the defendant, Chester McClain, for the offense by him committed shall be and he is imprisoned in the State Prison for not less than two years nor more than fourteen years, and is fined ten dollars and that he shall pay the costs of this action, taxed at _____dollars and_____ cents.

HOME OWNERS' LOAN CORP.)
VS) # 15021
MILTON RUSSELL)

Comes now the receiver, and files his final and financial report in the following words and figures, to-wit: (H.I.). And the Court having seen and examined said report and being sufficiently advised in its premises, now approves the same and said receiver is discharged from his bond and trust herein.

STATE OF INDIANA)
VS) # 7841
CHESTER McCLAIN)

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, in his own proper person, and the Court finds that said defendant has failed to pay to the Clerk of this Court the payments ordered for him to pay in this cause, and has violated the conditions set forth herein, for granting suspension of his sentence to the State Prison, and that said defendant has committed other acts in violation of law, and now the Court finds that the suspension of said sentence should be revoked.

It is, therefore, adjudged by the Court that the suspension of said defendant's sentence be and it is hereby revoked, and that said defendant, Chester McClain, be and he is committed to the Indiana State Prison under the sentence of this Court entered of record herein on April 20th, 1938.

DORIS HEMINGER)
VS) # 15494
NORMAN HEMINGER)

Comes now the plaintiff by counsel, and it appearing to the satisfaction of the court by the proof of publication of the notice heretofore filed herein, that the defendant has been duly notified of the pendency of this action by three successive weekly

publications in The Danville Gazette, a newspaper of general circulation, printed and published at the town of Danville, county of Hendricks, state of Indiana, the last of which publication was made more than twenty-one (21) days before the 17th day of June, 1938, the same being the 41 day of the present term of this court, and being the return day endorsed on plaintiffs complaint herein.

And the defendant failing to appear, and being three times audibly called in open court, comes not, but herein wholly makes default, and this cause is submitted to the court for trial on default of the defendant, without the intervention of a jury; and the court having heard the evidence and being duly advised in the premises, finds for the plaintiff, and that the allegations of plaintiff's complaint are true, and that she is entitled to a decree of divorce from the defendant on the grounds therein alleged. The court further finds that the plaintiff is entitled to have her maiden name, to-wit: Doris Beaman, restored to her.

It is, therefore, considered and adjudged by the court that the bonds of matrimony heretofore existing between plaintiff and defendant herein be, and they are hereby disolved and the plaintiff is hereby granted a divorce from defendant.

It is further considered and adjudged by the court that the plaintiff's maiden name, to-wit: Doris Beaman, be restored to her. It is further ordered that the plaintiff pay the costs of this proceeding. All of which is finally ordered adjudged and decreed by the court.

FREDA DAUM (NATION))
VS)# 14464
HORACE DAUM)

Comes now the parties in person, and by their attorneys and the matter of modifying the order herein heretofore made concerning the case, custody and support of James Louis Daum and Mary Louise Daum, children of said plaintiff and defendantcomes on for further hearing.

Said matter having been heretofore submitted and tried, and the court having taken the same under advisement, now modifies said order to read as follows to-wit:

It is ordered by the court that the care, custody and control and support of said children from the 27th day of June, 1938 to the 2nd day of September, 1938, is hereby awarded to the said Horace Daum, with the privilege of said children being with the plaintiff, every other week end during said period of time; the said defendant to bring said children to the home of the plaintiff on the 8th day of July, 1938 and the said plaintiff to return said children to the defendant on the evening of July 10th, 1938, and said privilege and arrangements to be repeated every other week end until September 2nd, 1938.

It is further ordered by the court that the said Freda Daum (Nation) shall have the care, custody and control of said children from the 2nd day of September, 1938, to the 27th day of June, 1939, and during said period of time Horace Daum shall have the privilege of having said children with him at his home every other week end, from Friday evening until Sunday evening, during said period of time, beginning September 16th, 1938, and the said Horace Daum is ordered during the last period of time, to call for said children Friday evening after school hours and to return them to the plaintiff at a reasonable hour the following Sunday evening.

It is further ordered by the court that the said Horace Daum shall also have the privilege of having said children with him one half the spring vacation and one half the Christmas vacation, and he shall be entitled to have the children the first half of each vacation period, for the first year and they shall alternate with each other, each year following, and he shall call for said children at the beginning of the week of said vacation period and return them at the beginning of the last half of said period.

It is further ordered that the defendant pay to the plaintiff for the support and maintainance of said children, in addition to clothing that is to be bought by him, the sum of $9.00 per week and that said amount shall be paid to the Clerk of the Hendricks Circuit Court, the first payment to be made on Friday June 24th, 1938, said amount is not to be paid during the summer vacation while said children is in the care and custody of the defendant, nor during one half the spring and Christmas vacations but are to commence on the 9th day of September, 1938 and continue each week thereafter until June 27th, 1939. No deductions are to be made on the amount of $9.00 per week, as herein provided, for clothing purchased by said defendant. Any clothing purchased by either of said parties, at any time, is to be for the use and benefit for said children at all times.

It is further ordered by the court that the defendant pay to the plaintiff the sum of $100.00, which shall be in full payment and satisfaction of all amount under the former order of this court, which amount is now paid to plaintiff in open court.

It is further ordered by the court that the defendant pay the cost of this proceedings, all of the above order to be in full force and effect, each succeeding year, and until the further order of the court.

And court adjourned until 9:00 o'clock A. M. Monday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Monday Morning, June 27th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

EQUITABLE SECURITIES CO.)
VS) # 15536
JAMES W. WRIGHT)

Comes now the plaintiff, by counsel, and files demurrer to defendant's plea in abatement in the following words and figures, to-wit: (H.I.).

THE CITIZENS BUILDING LOAN)
FUND AND SAVINGS ASSN.)
VS) # 15119
MILO McCORMACK, ET AL.)

Comes now the receiver , by counsel, and files his final report, and which report is in the following words and figures, to-wit: (H.I.).

And the Court having seen and examined said report and being sufficiently advised in its premises, now approves the same, and said receiver is discharged from his bond and trust herein.

FRED LITTLE)
VS) # 15524
WILBUR FANSLER AND)
_____FANSLER)
HUSBAND AND WIFE)

Come now the defendants, by counsel, and for their separate answer to plaintiff's complaint, files answer in three paragraphs, which answer is in the following words and figures, to-wit: (H.I.).

ARCHIE J. KAHL)
VS) # 15520
CALVIN STOUT, ET AL.)

Come now the defendants, by counsel, and file answer in four paragraphs, which answer is in the following words and figures, to-wit: (H.I.).

STATE OF INDIANA)
VS) # 7878 Judgt. vs Deft. for $5.00 Fine & Costs.
L. B. FULLER) J. D. 17, Page 267.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, L. B. Fuller, in his own proper person, and said defendant is duly arraigned and pleads guilty of public intoxication.

It is, therefore, adjudged by the Court that the defendant, L. B. Fuller, for the offense by him committed be and he is fined $5.00, and that he shall pay the costs of this action, taxed at _____dollars and _____cents.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now John A. Kendall, Prosecuting Attorney of the 55th Judicial Circuit of the State of Indiana, and now appoints Edgar M. Blessing, Deputy Prosecuting Attorney, for the trial of this case. And now comes Edgar M. Blessing, herein, and accepts said appointment and takes and subscribes an oath to perform the duties of such appointment, which appointment and the oath attached thereto reads as follows, to-wit: (Insert).

Comes now the defendant, Etta Jones, and files her petition verified by affidavit, to be permitted to defend this action as a poor person, and the same reads as follows, to-wit: (Insert). And the Court being fully advised and having examined said petition, now approves the same, and it is ordered by the Court that said defendant prosecute this case as a poor person, and it is further ordered that Bess Robbins of Indianapolis, Indiana, and Virgil Sears of Danville, Indiana, both of whom are attorneys in good standing of the Bar of Indiana , be and they are appointed attorneys to represent the defendant in the trial of this case.

Trial by jury, and no jury having been empanelled by the hour of adjournment, the further consideration of this case is postponed until tomorrow moringing at 9:00 o'clock A. M.

Edgar A. Rice
Edgar A. Rice, Special Judge.

STATE OF INDIANA)
VS) # 7877 Judgt. vs Deft. for $10.00 Fine & Costs.
ED HESTER) J. D. 17, Page 268.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Ed Hester, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of operating motor vehicle while under influence of intoxicating liquor.

It is, therefore, adjudged by the Court that the said defendant, Ed. Hester, for the offense by him committed shall be and he is imprisoned for ten days in the State Penal Farm, and shall be and he is fined in the sum of $10.00, and that he shall pay the costs of this action, taxed at _____dollars and _____cents.

It is further ordered by the Court that said defendant, Ed Hester, is hereby prohibited from driving any automobile or motor vehicle for a period of thirty days, license number 145058 issued to said Ed Hester is revoked for said period of thirty days, and the Clerk of this Court is hereby directed to transmit a certified copy of this judgment to the Motor Vehicle Department as required by law.

EMORY H. HILL) Judgt. vs Pltf. for $5.00 Per Week
VS) # 15462---- Divorce Decree. and Costs.
MARY ALICE HILL) J. D. 17, Page 268.

Come now the parties herein, in their own proper persons and by their counsel, and this cause coming on for hearing before the court for finding, judgment and decree, and the court, having heard the evidence submitted and being fully advised and informed in the premises, finds for the plaintiff and that he is entitled to a divorce from the defendant.

The court further finds that the custody of the minor child, Jeannine Mae Hill, whom the court finds to be four years of age, should be given to the defendant, Mary Alice Hill, the mother of said child, and that the plaintiff should pay to said defendant a reasonable sum for the support of said child, all until the further order of the court.

The court further finds that the plaintiff should have the right to visit said minor child at reasonable times as he may desire.

The court finds that the plaintiff should pay the costs of this action.

It is therefore ordered, adjudged and decreed by the court that the bonds of matrimony heretofore existing between the plaintiff and defendant be and they are hereby dissolved and set aside and the plaintiff is granted an absolute divorce from the defendant.

It is also adjudged and decreed that the defendant be given the custody of the minor child, Jeannine Mae Hill, and that the plaintiff shall pay direct to the defendant the sum of $5.00 per week for the support of said minor child, said amount to be payable every two weeks beginning on the 27th day of June, 1938, and each and every two weeks thereafter until the further order of the court, the first payment having been made on the 27th day of June, 1938.

It is adjudged by the court that the plaintiff be allowed to visit said minor child at reasonable times as he may desire, and have the child visit him.

It is ordered and adjudged by the court that the plaintiff pay the costs of this action taxed at _____dollars and _____cents.

And court adjourned until 9:00 o'clock A. M. Tuesday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Tuesday Morning, June 28th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Come now again the parties, in person and by counsel, and the trial by jury is continued, and the regular panel and the special venire heretofore drawn having exhausted, it is now ordered that a special venire be issued for jurors for the trial of this cause, and the Clerk of this Court is ordered to draw from the jury box of Hendricks County, Indiana, fifty names, and that said persons so drawn be summonsed to appear in this Court in this case on Thursday, morning at 9:00 o'clock A. M. Such names so drawn shall be drawn on June 28th, 1938, at_____A. M., and in the presents of the jury commissioners of said Hendricks County, Indiana, and in accordance with the law relating thereto, and that said Clerk issue venire to the Sheriff of Hendricks County, Indiana, above provided.

The trial of this case is continued until Thursday morning, June 30th, 1938, at 9:00 o'clock A. M.

Edgar A. Rice
Edgar A. Rice, Special Judge.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

And thereupon, as heretofore ordered and directed by the Court, the Clerk of this Court, in the presence of the Jury Commissioners of Hendricks County, Indiana, observing all the requirements provided by law, proceeds to draw the names of said Second Special Venire, of which names so drawn by said Clerk, together with the Certificate of said Clerk, and the attestations of said Jury Commissioners read, respectively, as follows, to-wit:

STATE OF INDIANA, HENDRICKS COUNTY, SS:

I, Walter E. Hadley, Clerk of the Hendricks Circuit Court of Indiana, do hereby certify that I have, by order of the Judge of the Hendricks Circuit Court, in the Case of The State of Indiana vs Etta Jones, #7798, now pending and about to be tried in the Hendricks Circuit Court of Indiana, drawn from the Jury Box, in the presence of the Jury Commissioners of said County, observing all the requirements provided by law concerning the drawing of Grand and Petit Juries, the following names, as members of the Second Special Venire in said cause, to serve as such Petit Jurors, to-wit:

1.	Harry Sumpter	Lincoln Twp.	15.	Thomas Nichols	Lincoln Twp.
2.	Cecil Carnine	Liberty "	16.	John Lux	Washington "
3.	Granville U. Leach	Union "	17.	William E. Littell	Liberty "
4.	John C. Schultz	Marion "	18.	Edgar L. McCollum	Guilford "
5.	Claude Dillen	Franklin "	19.	Claude M. Wallace	Marion "
6.	Cecil Rawlings	Center "	20.	Fred A. Hubble	Clay "
7.	William H. Walton	Eel River "	21.	Iona M. Johnson	Guilford "
8.	Harry E. Sowders	Eel River "	22.	Ernest Thompson	Center "
9.	Forest W. Blanton	Center "	23.	William I. Harrison	Guilford "
10.	Marie W. Edwards	Center "	24.	Albert C. Smith	Lincoln "
11.	Roy Hodson	Clay "	25.	Otis Armstrong	Middle "
12.	Larue Symonds	Guilford "	26.	Hazel Mason	Marion "
13.	Charles Hardesty	Brown "	27.	Everett A. Fonner	Union "
14.	Ralph Warmoth	Franklin "	28.	Charles C. Medsker	Washington "

29. Lloyd R. Johnson	Union	Twp.	40. Eugene T. Ratliff	Eel River	Twp.
30. Cagie D. Wilson	Brown	"	41. Mont Miles	Center	"
31. Albert H. Gray	Guilford	"	42. Harry C. Bain	Center	"
32. John J. Gambold	Clay	"	43. Logan R. Owen	Eel River	"
33. Orla G. Jordan	Guilford	"	44. Brewer Hadley	Center	"
34. Lee Coble	Franklin	"	45. Gus Strawmayer	Brown	"
35. Chester C. Martin	Center	"	46. C. C. Higgins	Center	"
36. Charles Breedlove	Liberty	"	47. Lloyd R. Rushtom	Liberty	"
37. Roy M. Sharpe	Eel River	"	48. Claude H. Robbins	Eel River	"
38. Elmer E. Christie	Clay	"	49. Leon Eaton	Brown	"
39. Edwin S. Pearce	Lincoln	"	50. Adna K. Moon	Guilford	"

State of Indiana, Hendricks County, ss:

We, the undersigned, Jury Commissioners of said County, hereby certify that the above and foregoing Jurors were drawn on the 28 day of June, 1938, according to law.

WITNESS, our names this 28 day of June, 1938.

Byron N. Cox.

Everett W. Hardwick

Attest: Walter E. Hadley Clerk

Edgar A. Rice

Edgar A. Rice, Special Judge.

And court adjourned until 9:00 o'clock A. M. Wednesday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, June 29th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

EMMA L. PRESTWOOD)
VS) # 15484
VANCE L. PRESTWOOD) O R D E R
501 Holly Avenue,
Indianapolis, Indiana

Comes now Emma L. Prestwood, and files herein her duly verified petition for citation, which petition is in the words and figures following, to-wit: (H.I.)

The court having examined said petition, heard evidence thereon and being duly advised finds that said defendant should be required to appear in this court and show cause, if any he may have, why he should not be punished for contempt of court.

IT IS, THEREFORE, CONSIDERED AND ORDERED by the court that said Vance L. Prestwood be and appear before this court upon the 7th day of July, 1938 at the hour of 9 A. M. o'clock at the Court House in the City of Danville, Indiana and show cause if any he may have, why she should not be punished for contempt of this court.

The Sheriff of Marion County, Indiana is hereby directed to have a copy of this order served upon said defendant and make due return thereon.

FRANCIS LAVERN ZACHARY)
VS) # 14864
MORRIS ISHMEAL ZACHARY)

Comes now the plaintiff, by counsel, and moves the Court for an order for alias summons to be issued to the Sheriff of Hendricks County, Indiana, to Morris Ishmeal Zachary, defendant herein, and to make said summons returnable on the 11th day of July, 1938.

And the Court being duly advised, now sustains said motion, and alias summons is ordered issued, returnable July 11th, 1938.

LEE BOLTON)
VS) # 15306 Judgt. vs Deft. for $32.20 & Costs.
FRANK THOMPSON) J. D. 17, Page 268.

Come now the parties and it is agreed that this cause be submitted without further evidence. And the Court being duly advised in the premises, all evidence having been heard, the Court now finds that there is due the plaintiff, Lee Bolton from the defendant, Frank Thompson on the claim and demand sued upon herein, the sum of seventeen and 20/100 dollars ($17.20), and the further sum of fifteen dollars ($15.00), fees for plaintiff's attorney, and which sums the plaintiff is entitled to recover from the defendant, together with costs of this action, all without relief from valuation or appraisement laws.

The Court further finds that on the 15th day of July, 1937, and within five days after performing the labor and furnishing some material mentioned in plaintiff's complaint, the plaintiff filed in the office of the Recorder of said Hendricks County, Indiana, a notice of his intention to hold a lien upon the real estate and premises mentioned and described in said complaint, and that said notice, was, on said day,

duly recorded in the office of said Record in Mortgage Record 24 page 304, and the Court further finds that the plaintiff has and holds a lien on said premises for the amount of his said claim in the sum of thirty-two and 20/100 dollars, together with the costs of this action, and that plaintiff is entitled to have his lien enforced against said premises.

It is, therefore, considered and adjudged by the Court that plaintiff have and recover of and from the defendant the sum of thirty-two and 20/100 ($32.20) dollars, together with the costs of this action.

It is further considered, adjudged and decreed by the Court, that a certified copy of this order and decree issue to the sheriff of Hendricks County, Indiana, directing and commanding him to sell the said property described in said complaint and described as follows, to-wit:

14 acres off of the west side of the North West Quarter of the South West Quarter in Section 14, Township 15 North, Range 2 West. Also the Northeast Quarter of the South East Quarter of Section 15, Township 15, North Range 2 West containing forty acres and in all 54 acres more or less,

as upon execution, and to apply the proceeds thereof first to the payment of costs and accruing costs, then to the payment of the judgment herein, with interest, and any balance, remaining be paid to defendant or the person entitled thereto.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, June 30th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
V S) # 7881 Jugt. vs Deft. for $10.00 Fine & Costs
JOHN PORTER) J. D. 17, Page 268.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, John Porter, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of operating a motor vehicle while under the influence of intoxicating liquor.

It is, therefore, adjudged by the Court that the defendant, John Porter, for the offense by him committed shall be and he is fined $10.00, and that he be and he is sentenced to the Indiana Penal Farm for a term of fifteen days, and that he pay the costs of this action, taxed at _____dollars and _____cents.

It is further ordered by the Court that said defendant, John Porter, be prohibited from driving any automobile or motor vehicle for a period of six months, and the Clerk of this Court is hereby directed to transmit a certified copy of this judgment to the Motor Vehicle Department as by law provided.

STATE OF INDIANA)
V S) # 7880 Judgt. vs Deft. for $10.00 Fine & Costs.
WILL CAMPBELL) J. D. 17, Page 269.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Will Campbell, in his own proper person, and said defendant is duly arraigned in open Court and pleads guilty of operating a motor vehicle while under the influence of intoxicating liquor.

It is, therefore, adjudged by the Court that the defendant, Will Campbell, for the offense by him committed be and he is sentenced to the Indiana Penal Farm for a term of ten days, and is fined $10.00, and that he shall pay the costs of this action, taxed at _____dollars and _____cents.

It is further ordered by the Court that the operator's license No. 1147748 of said defendant, Will Campbell, be revoked for sixty days, and that said defendant is hereby prohibited from driving any automobile or motor vehicle for sixty days, and the Clerk of this Court is hereby directed to transmit a certified copy of this judgment to the Motor Vehicle Department as by law provided.

STATE OF INDIANA)
V S) # 7798
ETTA JONES)

Come now the parties, in person and by counsel, and trial by jury is continued, and the Court being of the opinion that the names drawn for jury services in the second special venire will be insufficient in number to obtain a jury for the trial of this cause, by reason of numerous challenges, it is ordered that a third special venire be drawn for jurors for the trial of this case, and the Clerk of this Court is ordered to draw fifty names from the jury box of Hendricks County, Indiana, in the presents of the Jury Commissioners of this County, on June 30th, 1938, for in accordance

with the law relating thereto, and that the Clerk issue venire to the Sheriff of Hendricks County, Indiana, for the persons whose names are so drawn to appear in the Hendricks Circuit Court to serve as jurors in this case on July 1st, 1938, at 9:00 o'clock A. M.

And now such jury not being empanelled by the hour of adjournment, the further consideration of this case is continued until tomorrow morning at 9:00 o'clock .

Edgar A. Rice

Edgar A. Rice, Special Judge.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

And thereupon, as heretofore ordered and directed by the Court, the Clerk of this Court, in the presence of the Jury Commissioners of Hendricks County, Indiana, observing all the requirements provided by law, proceeds to draw the names of said Third Special Venire, of which names so drawn by said Clerk, together with the Certificate of said Clerk, and the attestations of said Jury Commissioners read, respectively, as follows, to-wit:

STATE OF INDIANA, HENDRICKS COUNTY, SS:

I, Walter E. Hadley, Clerk of the Hendricks Circuit Court of Indiana, do hereby certify that I have, by order of the Judge of Hendricks Circuit Court, in the Case of The State of Indiana vs Etta Jones, #7798, now pending and about to be tried in the Hendricks Circuit Court of Indiana, drawn from the Jury Box, in the presence of the Jury Commissioners of said County, observing all the requirements provided by law concerning the drawing of Grand and Petit Juries, the following names, as members of the Third Special Venire in said cause, to serve as such petit jurors, to-wit:

1.	Oscar Bradford	Washington Twp.	26.	Granville Hurst	Washington Twp.
2.	Rollo Jenkins	Washington "	27.	Maynard Noland	Marion "
3.	Ira Masten	Clay "	28.	Julius L. Vogel	Center "
4.	Grace Misch	Washington "	29.	James P. Snodgrass	Lincoln "
5.	Claude H. Elrod	Franklin "	30.	Zella Ladd	Guilford "
6.	George G. Cornett	Lincoln "	31.	Ed Myers	Liberty "
7.	Charles Rowe	Eel River "	32.	Joel V. Hufford	Lincoln "
8.	Fred R. Hobbs	Guilford "	33.	Jess M. Baker	Clay "
9.	Clarence Edmonson	Liberty "	34.	Pearle Hadley	Eel River "
10.	Harvey A. Hessler	Guilford "	35.	Carl W. Pritchett	Eel River "
11.	Ilene Alexander	Marion "	36.	Ralph Pepper	Lincoln "
12.	Clyde Rawlings	Middle "	37.	Glen Hodgin	Center "
13.	Harry Rawlings	Eel River "	38.	Harry L. Pace	Eel River "
14.	Hal Johnson	Washington "	39.	John N. Lisby	Clay "
15.	Clifton Cooper	Liberty "	40.	William O. Opple	Guilford "
16.	Gladys Riggan	Washington "	41.	Lemuel S. Everett	Lincoln "
17.	Frank C. Sellers	Eel River "	42.	Aubrey Viles	Clay "
18.	William Marshall	Center "	43.	Lucian Price	Guilford "
19.	Everett B. Hume Jr.	Guilford "	44.	Earl R. Huffman	Lincoln "
20.	Ward B. Hill	Washington "	45.	Orin E. Jones	Washington "
21.	Oscar Nowland	Eel River "	46.	Arthur Biehl	Clay "
22.	Laurel Robinson	Washington "	47.	Clara Euliss	Washington "
23.	Fred Little	Guilford "	48.	Kate Dickerson	Center "
24.	Clifford Shubert	Marion "	49.	Harry Morgan	Clay "
25.	Nora R. Lockhart	Liberty "	50.	Willis M. Coleman	Middle "

State of Indiana, Hendricks County, ss:

We, the undersigned, Jury Commissioners of said County, hereby certify that the above and foregoing Jurors were drawn on the 30th day of June, 1938, according to law.

WITNESS, our names this 30th day of June, 1938.

Byron N. Cox.

Everett W. Hardwick

Attest: Walter E. Hadley, Clerk.

Edgar A. Rice

Edgar A. Rice , Special Judge.

ROSCOE BROWN	)	
VS	) # 15423	Judgt. vs Deft., William F. Evans, Ex.
AMANDA BERRY,	) E N T R Y	for Costs.
EVAH CANARY,	)	J. D. 17, Page 269.
WILLIAM F. EVANS,	)	
NELSON KERN,	)	
MERLIN THOMAS, as Trustee	)	
of Brownsburg Christian	)	
Church,	)	
WILLIAM F. EVANS, As Executor.)		

Comes now the plaintiff in the above entitled cause of action, Roscoe Brown, in person and by his attorneys, David M. Lewis and Norman E. Blue, and come also the defendants in said cause, to-wit: Amanda Berry, Evah Canary, and William F. Evans, Nelson Kern and Merlin Thomas, as Trustees of the Brownsburg Christian Church, and William F. Evans, as Executor of the last will and testament of Dayton Brown, deceased, in person and by their attorneys, Carey & Cox, and this cause of action, being at issue, is now by all of said parties, and by agreement of all of said parties, and with the consent and approval of the Court, now in open Court hereby settled, compromised and fully and finally adjudicated and determined as follows, to-wit:

(1) That the plaintiff herein, Roscoe Brown, shall dismiss his cause of action herein, and the costs of such action shall be paid by the defendant, William F. Evans, as the Executor of the last will and testament of Dayton Brown, out of the funds of said estate and as an expense thereof.

(2) That the last will and testament of said Dayton Brown is, by agreement of said partis, hereby declared to have been duly executed and valid and effective insofar as the execution of said will is concerned, and by agreement of said parties the Court shall and does hereby adjudicate, declare and determine said will valid and effective insofar as the execution thereof is concerned and involved.

(3) That said William F. Evans, as the Executor of said last will and testament, shall proceed to administer said estate according to the last will of said decedent, except as follows, to-wit:

(a) The said Roscoe Brown shall receive from the Executor of said Estate the sum of $1200.00 instead of $100.00 as provided for in said will, which said $1200.00, by agreement of parties, the Court hereby orders and directs William F. Evans, as Executor of said Estate, to pay to said Roscoe Brown, and said amount, when so paid by said Executor to said Roscoe Brown, shall be a full and complete payment, discharge and satisfaction of any and all claims of said Roscoe Brown to, interest in or title to the Estate of said decedent under said will by virtue of law or otherwise.

(b) That said William F. Evans, as Executor of the last will and testament of Dayton Brown, deceased, shall pay to Amanda Berry the sum of $650.00 instead of $1000.00 as provided for in said will, which said $650.00, by agreement of parties, the Court hereby orders and directs William F. Evans, as Executor of said Estate, to pay to said Amanda Berry, and said amount, when so paid by said Executor to said Amanda Berry, shall be a full and complete payment, discharge and satisfaction of any and all claims of said Amanda Berry to, interest in or title to the Estate of said decedent under said will or by virtue of law or otherwise.

(c) That said William F. Evans, as Executor of the last

will and testament of Dayton Brown, deceased, shall pay to Evah Canary the sum of $450.00 instead of the $800.00 which she now claims against said Estate, which said $450.00, by agreement of parties, the Court hereby orders and directs William F. Evans, as Executor of said Estate, to pay to said Evah Canary, and said amount, together with the real estate devised in said will by said decedent to said Evah Canary, shall be a full and complete payment, discharge and satisfaction of any and all claims of said Evah Canary to, interest in or title to the estate of said decedent under said will or by virtue of law or otherwise.

(d) That the balance and residue of said Estate shall go to william F. Evans, Nelson Kern and Merlin Thomas, as Trustees of the Brownsburg Christian Church, after the payment of the following items of expense: the Court costs in this action; the Clerk's costs in the Estate of Dayton Brown, deceased; the Clerk's costs in the Estate of Chlora Brown, deceased; the Executor's fee in the Estate of Dayton Brown, deceased; the Administrator's fee in the Estate of Chlora Brown, deceased; the attorney fees in the Estate of Dayton Brown, deceased; the attorney fees in the Estate of Chlora Brown, deceased; and the expense of a grave marker for Dayton Brown.

(4) That each of the parties hereto shall pay, discharge and satisfy the amount of inheritance tax, if any, that may be adjudicated against the share such party receives in said Estate under this settlement and agreement.

And the Court having seen and examined all of the parties hereto under oath and having heard evidence relative to this agreement, and being fully and sufficiently advised in the premises, now finds that said agreement is to the best interest of said Estate and that said agreement should be approved, ratified and confirmed by the Court and adjudged and decreed as effective upon all the parties hereto.

It is, therefore, considered, ordered, adjudged and decreed by the Court that the terms and provisions of the above and foregoing compromise and settlement be and the same is hereby fully and finally approved, confirmed, adjudged and decreed by the Court, and all costs in this proceeding shall be paid out of the assets of the Dayton Brown, deceased, estate, in the due course of the administration.

GLENN H. LYON, TRUSTEE)
VS) # 15531
BESSIE SMITH, HARVEY E. SMITH,)
PEARLE DOUGLASS, HUGH C. DOUGLASS)

Come now the defendants, by counsel, and ask the Court for an extention of time to answer, and the Court being duly advised, now sustains said motion, and the defendants' rule to answer is extended to July 8th, 1938.

And court adjourned until 9:00 o'clock A. M. Friday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, July 1st, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

HOME OWNERS' LOAN CORP.)
VS) # 15164
OSCAR FORDING AND)
EFFIE FORDING)

Comes now the plaintiff, by counsel, and files second amended complaint in the following words and figures, to-wit: (H.I.), and the plaintiff now moves the Court for an alias summons to be issued to the Sheriff of St. Joseph County, Indiana, to be served on Oscar Fording, returnable July 15th, 1938. And the Court being duly advised, now sustains said motion and said alias summons is ordered issued accordingly.

The Clerk also is ordered to issue summons to said Sheriff, to be served on the defendant, Bertha Fording, returnable July 15th, 1938.

WILLIAM E. YOUNG)
VS) # 15322
AMERICAN STATES)
INSURANCE COMPANY)

Come now the parties, by counsel, and the Court being duly advised, now overrules defendant's motion to make complaint more specific, heretofore filed, to which ruling of the Court the defendant duly objects and excepts.

Comes now the plaintiff, by counsel, and moves the Court for a rule requiring the defendant to answer on or before July 12th, 1938. And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before July 12th, 1938.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Come now the State of Indiana, by counsel as before, and comes also the defendant, in person and by counsel, and this cause being at issue, the Sheriff of Hendricks County, is ordered to bring into open Court the following jurors for jury services, to-wit: Howard Cain, Homer Bowman, Roy West, Opal I. Good, Robert Hall, Harry Supter, Cyrus Nicholson, Charles O. Medsker, John H. Watson, Roy M. Sharpe, Paul C. Harden and Elso Frietchie, twelve good and lawful men, householders and freeholders of Hendricks County, Indiana, and legal voters thereof, who are due and legally impanelled and sworn in open court, on motion of defendant, to well and truly try the issues joined herein and a true verdict give according to the law and evidence introduced.

It is ordered that the witnesses in this case be separated, and such witnesses after being duly sworn and instructed, are taken to a room provided for them.

Statements of counsel were then made, and evidence being heard by the jury until the hour of adjournment, said jury is permitted to separate under proper instruction of the Court until Tuesday morning, July 5th, 1938, at 9:00 o'clock A. M.

Edgar A. Rice

Edgar A. Rice, Special Judge.

And court adjourned until 9:00 o'clock A. M. Saturday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Saturday Morning, July 2nd, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

GRACE NASH)
VS) # 15250
CARL WING,) E N T R Y
HASSEL WING,)
LEON WING,)
MAUDE WING,)
CLARENCE ELLIS SMITH,)
CLARA LORETTA SMITH,)
ARCHIE KAHL Administrator)
of the Estate of Amanda)
Wing.)

Comes now the plaintiff by Harding & Harding her attorneys, and files herein her amended complaint praying permission to make additional parties defendant thereto, Hassel Wing, Leon Wing, Maude Wing, Clarence Ellis Smith, Clara Loretta Smith and Arch Kahl Administrator of the Estate of Amanda Wing, and for the appointment of a receiver, which amended complaint, duly verified, reads as follows: (Here insert)

And the Court having examined said amended complaint, orders that the additional named defendants be and they are hereby made parties defendant to the action herein; and it is ordered that process issue as to said additional defendants as required by indorsement on said amended complaint returnable the 1st day of September Term 1938.

And the Court being duly advised orders that a hearing be had on the question of appointment of receiver as prayed in the amended complaint and now fixes the 1st day of September Term, 1938, at 9:00 o'clock A. M. at the court house at Danville, in Hendricks County, Indiana, as the time and place for such hearing and it is ordered that notice be given to all defendants of such hearing; and that the Clerk may issue a copy of this decree over his signature as such notice of such hearing.

RUBY PERRY)
VS) # 15492
MATTIE E. TRAMMEL)

Comes now Ernest R. Stewart, who having previously entered appearance for the defendants, herein, and said Ernest R. Stewart now withdraws his appearance herein as to all defendants.

JAMES T. SPICKLEMIRE)
VS) # 15467
DENEVEE TERRELL)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause , costs on dismissal having heretofore been paid.

And the Court being duly advised, now sustains said motion and this cause is dismissed.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

NELLIE WISCHMEYER)
VS) # 15163
EARL WISCHMEYER)

Comes now the plaintiff, by counsel, and moves the Court to require the defendants to answer on or before July 13th, 1938. And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before July 13th, 1938.

MYRTLE DORSETT)
VS) # 15455
COURTNEY DORSETT)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid. And the Court being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

And court adjourned until 9:00 o'clock A. M. Tuesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

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(NO COURT)

Tuesday, July 5th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now again the State of Indiana, by counsel as before, and comes also the defendant, in person and by counsel, and trial by jury is continued.

And the jury having heard evidence until the hour of adjournment, the jury is permitted to separate under proper instructions of the Court as to their conduct during separation and further consideration of this case is postponed until tomorrow morning at 9:00.

Edgar A. Rice

Edgar A. Rice, Special Judge.

STATE OF INDIANA)
VS) # 7882 Judgt. vs Deft. for $10.00 Fine & Costs.
CARL UNDERWOOD) J. D. 17, Page 269.

Comes now the State of Indiana, by John A. Kendall, prosecuting attorney, and comes also the defendant, Carl Underwood, in his own proper person, and said defendant is duly arraigned and pleads guilty of forgery.

It is, therefore, adjudged by the Court that the defendant for the offense by him committed shall be and he is imprisoned in the State Reformatory for not less than two years, nor more than fourteen years, and that he be fined ten dollars and shall pay the costs of this action, taxed at _____dollars and _____cents.

FRANK E. RICHARDSON)
VON E. RICHARDSON)
VS) # 14468
ALICE ADA RICHARDSON, ET AL.)

Come now the parties and come also Charles E. Shields commissioner heretofore appointed by the court and now said commissioner files his final and financial report herein, which report is in words and figures following to-wit: (H.I.) and said commissioner also files a statement duly signed by Alice Ada Richardson, one of the defendants in the above entitled cause, which statement is in the following words and figures, to-wit:

"June 30, 1938

Mr. Charles Shields
Danville Indiana

Dear Sir:

It has occured to me that I have never asserted my rights and interest in the land sol upon order of court, in the case of Richardson et al vs Richardson et al, as provided in the last will and testament of my deceased sister, Anna K. Tincher, and that the interest given, by her will, to me, in the real estate has been found to belong to her heirs as it would descend under the law, and that you are ready to make distribution accordingly.

After due consideration, I have decided to abandon any claim to any further interest in the funds you have derived from the sale of said

real estate, and I hereby authorize you to proceed and make distribution of the funds you have in accordance with your report and in accordance with the receipts you now have in your possession from all the heirs of said estate, and I hereby waive any right that I might have to file exceptions to your report and to receive any further amount, and I will look to the parties to said partition suit to make any further settlement with me, and adjustment of any amount that I may be entitled to receive, and this shall be your authority to make full and complete distribution of the funds in your hands according to your report, as now ready to file.

Very Truly Yours

Alice Ada Richardson"

And the court having examined said report and being fully advised and informed in the premises, finds the same to be correct, and that said report should be approved.

It is therefore ordered, adjudged and decreed by the court that said report be, and the same, is hereby approved, and the distribution made by said commissioner is hereby confirmed, and said commissioner is fully and finally discharged from his trust, and fully and finally released from his bond herein.

THE MUTUAL BENEFIT LIFE)
INSURANCE COMPANY)
VS) # 12912
JOSHUA C. THOMPSON) ENTRY

Comes now Otis E. Gulley of The Mutual Benefit Life Insurance Company and on behalf of John M. Smith, receiver, and files his verified petition herein asking for an order that the said receiver be authorized to pay to the said Marion Borden, court reporter, of the Putnam Circuit Court the sum of $31.85, for services rendered, which verified petition is in words and figures following to-wit; (H.I.) and the court having examined said petition and being advised in the premises, finds that the prayer of said petitioner should be granted and said amount paid.

It is therefore ordered by the court that John M. Smith, receiver pay to the said Marion Borden, court reporter, the sum of $31.85, and that he take credit out of the funds in his hands as such receiver.

LESLIE PAPKE)
VS) # 15391
EVERETT OGDEN, ETC.)

Comes now the plaintiff, by counsel, and moves and asks leave of the Court to withdraw interrogatories. And the Court being duly advised, now sustains said motion and interrogatories are withdrawn.

Comes now the plaintiff, by counsel, by leave of Court now files amended complaint in two paragraphs, which amended complaint in two paragraphs is in the words and figures following, to-wit: (H.I.).

Plaintiff now refiles interrogatories one to eleven both inclusive, for defendant to answer and moves the Court for an order requiring defendant to answer said interrogatories on or before July 15th, 1938. And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer interrogatories on or before July 15th, 1938.

IVAN MILES)
VS) # 15530
EMMETT M. BOYER)
d/b/a BOYER CAFE)

Comes now the defendant, by counsel, and moves and asks the Court for

an extention of time to answer interrogatories and to answer complaint. And the Court being duly advised, now sustains said motion, and the defendant is ruled to answer on or before July 15th, 1938.

ALVA C. AGAN)
VS) # 15496
HAZEL AGAN)

Comes now the defendant, by counsel, and files petition for allowance for her support during the pendency of this litigation, and a further order issued permitting defendant to have her children in her presence without the presence of plaintiff or members of plaintiff's family, which verified petition is in the following words and figures, to-wit: (Here Insert).

CLEMENT O. FREE)
VS) # 15559
FLORENCE FREE) RESTRAINING ORDER.

Comes now, the defendant, Florence Free, and files her verified petition for a restraining order, therein alleging that the plaintiff, Clement O. Free, is the owner of a certain fur business and assets thereof located at 3769 College Avenue in the City of Indianapolis, Indiana, County of Marion, such assets of said business consisting of a stock of coats, fur skins, manufactured fur coats, as well as equipment consisting of machinery, show cases, mirrors and furniture, as well as the good will of said business, and also alleging therein that said business is worth Fifteen Thousand ($15,00) dollars, and producing an annual income of Five Thousand ($5,000) dollars; also that the plaintiff is the owner of a 1937 Chrysler automobile with a value of Seven Hundred ($700.00) dollars; defendant further alleging that the plaintiff has threatened to, and will unless restrained by this court, dispose of his said business and ssets, or mortgage the same, and that he will, unless restrained by this court, sell or mortgage said automobile to the irreparable injury of the defendant; and therein praying that a restraining order issue immediately restraining said plaintiff from disposing of or mortgaging his said business and assets, and also restraining him from disposing of or mortgaging his said automobile until the further order of this court, said petition being in the following words and figures (h.i.)

And the court having inspected said petition, and being fully advised in the premises, now finds that said petition should be granted.

It is therefore ordered, considered and decreed that said defendant, Clement O. Free, should be, and he is now hereby restrained from disposing of or mortgaging his said business and assets thereof, located at 3769 College Avenue, and also restrained from disposing of or mortgaging his said automobile, being one 1937 Chrysler, until the further order of this court.

It is further ordered that a copy of this order be forthwith served upon said Clement O. Free by the Sheriff of Marion County.

The court fixes the date for hearing of this petition July 9, 1938 at 10:00 o'clock A. M.

Horace L. Hanna.
Judge of the Hendricks Circuit Court.

Dated July 5, 1938.

CAREY McMILLAN, ADMR., ETC.)
VS) # 15348
HENDRICKS KENWORTHY, REC., ETC.)

Comes now the plaintiff and moves the Court to dismiss the above cause with prejudice to the right of the plaintiff to reinstate said cause, or to ever again sue on the controversy alleged in this complaint, the costs on dismissal in this case having heretofore been paid.

And the Court being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

And court adjourned until 9:00 o'clock A. M. Wednesday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Wednesday Morning, July 6th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

WARD WILLIAMS
JEANETTE O. WILLIAMS

VS

WILLIAM R. SMITH, if living, if dead the widow, heirs, devisees, legatees and legal represenatives of WILLIAM R. SMITH, deceased.
SQUIRE SMITH, if living, if dead the unknown widow, heirs, devisees, legatees and legal represenatives of SQUIRE SMITH, deceased.
REUBEN PATTERSON, if living, if dead the unknown widow, heirs, devisees, legatees and legal represenatives of REUBEN PATTERSON, deceased.
NANCY SMITH, if living, if dead the unknown widower, heirs, devisees, legatees and legal represenatives of NANCY SMITH, deceased.
ROBERT M. WOODARD, if living, if dead the unknown widow, heirs, devisees, legatees and legal represenatives of ROBERT M. WOODARD, deceased.
JOHN MCCORMICK, if living, if dead the unknown widow, heirs, devisees, legatees and legal represenatives of JOHN MCCORMICK, deceased.
ORLANDO MCGANNON, if living, if dead, the unknown widow, heirs, devisees, legatees and legal represenatives of ORLANDO MCGANNAN, deceased.
ALBERT J. MCGANNON, if living, if dead the unknown widow, heirs, devisees, legatees and legal represenatives and ALBERT J. MCGANNON, deceased.
EDITH HICKS, if living, if dead the unknown widower, heirs, devisees, legatees and legal represenatives of EDITH HICKS, deceased.
JACOB TURPIN, if living if dead, the unknown widow, heirs, devisees, legatees and legal represenatives of JACOB TRUPIN, deceased.
ROBINSON TURPIN, if living if dead the unknown widow, heirs, devisees, legatees and legal represenatives of ROBINSON TURPIN, deceased.
JOHN T. TURPIN, if living, if dead the unknown widow, heirs, devisees, legatees and legal represenatives of JOHN T. TURPIN, deceased.
WILLIAM H. EATON, if living, if dead the unknown widow, heirs, devisees, legatees and legal represenatives of WILLIAM H. EATON, deceased.

15491

DECREE TO QUIET TITLE.

Judgt. vs Pltfs. for costs.

J. D. 17, Page 269.

Comes now the plaintiffs in person, and by Otis E. Gulley their attorney, and files proof of publication of non-residents notice of all of defendants herein, which notice of proof of publicatipn is in words and figures following to-wit: (H.I.) and the court having examined said notice and proof of publication thereof, find that each and all of said defendants have been duly notified of the pendency of this action by three successive publications in the Gazette, a newspaper of general circulation printed in the English language, and printed and published in the town of Danville, Indiana the last, of which publication was made more than thirty days before the 6th day of June, 1938, the same being the return day as shown by the endorsment on plaintiff's complaint herein and upon order of the court, authorizing notice by publication.

And now upon motion of plaintiffs, each of said defendants are three times loudly called, but come not, and wholly make default. And all defendants in said cause having defaulted said cause, is now submitted to the court for trial, finding, judgment and decree without the intervention of the jury, and the court having examined plaintiff's complaint and having heard the evidence, and being fully advised in the premises find for the plaintiffs on their complaint, and find that the allegations thereof are true and that said plaintiffs have the legal title to, and the fee simple interest in and to the real estate described in plaintiff's complaint, and herein after described.

The court further finds that the interest claimed and asserted by the defendants, and each of them, in and to said real estate, is adverse to the title held and owned by said plaintiffs: that the defendants and each of them have no right title or interest in and to said real estate; that the claim or claims of the defendants and each of them, or any one claiming by or through them, or either of them is without right and unfounded, and casts a cloud upon the title owned and held by plaintiffs to said real estate.

The court further finds that plaintiffs are entitled to have their title to said real estate described in plaintiff's complaint and hereinafter described, quieted and forever set at rest, as against any and all claims of the defendants herein and of any and all persons claiming by, under or through them, or either of them and that plaintiffs are also entitled to have their title quieted against all persons whomsoever and as against the world.

It is therefor ordered, adjudged and decreed by the court that the plaintiffs, Ward Williams and Janette O. Williams are the owners, in fee simple as tenants by entirity, of the real estate situated in Hendricks County, State of Indiana, and described as follows, to-wit:

> Eight (8) acres, more or less, off of the west side of a part of the east half ($E\frac{1}{2}$) of the northeast quarter ($NE\frac{1}{4}$) of section twenty (20) in Township sixteen (16) north of range two (2) east bounded as follows: Beginning four (4) rods two (2) feet north of the southeast corner of said east half quarter ($E\frac{1}{2}$ $\frac{1}{4}$) and running thence north with the county line dividing Marion and Hendricks Counties, forty-six (46) rods, five (5) feet to the center of the Indianapolis and Crawfordsville State Road; thence in a northwestly direction with the bearings of said road, eighty-eight (88) rods to the west line of said east half ($E\frac{1}{2}$) of said quarter; thence south with said west line of said east half quarter ($E\frac{1}{2}$ $\frac{1}{4}$), fifty-five (55) rods to the right away of the Peoria Division of the Cleveland, Cincinnati, Chicago & St. Louis Railroad, formerly known as the Indianapolis, Bloomington and Western Railroad; thence eastwardly, with the said right of way, along the north line thereof, ninety-three (93) rods to the place of beginning. The land hereby conveyed being 755 feet across the north side thereof, and seven hundred thirty-five (735) feet across the south side thereof, and including all the land between the center of the Indianapolis and Crawfordsville Road on the north line thereof and the Indianapolis, Bloomington & Western Railroad Company on the south.

It is further ordered, adjudged and decreed by the court that the claims of defendants and each of them, and any one and all persons claiming, by, under or through them, or either of them to any interest in said real estate, is without right and unfounded, and each and every one of said defendants, and all persons whomsoever, and the world, is estopped and forever debarred from asserting any right, title, claim and interest in and to said real estate adverse to plaintiffs title and that the title of plaintiffs to said real estate be, and the same is hereby quieted and forever set at rest as against the defendants, and each of them, and any and all persons claiming by, under or through them, or either of them and as against all persons whomsoever, and as against the world.

It is further considered and ordered by the court that the plaintiffs pay the cost of this action taxed at _____dollars and _____cents.

BARBARA E. JONES)
VS) # 15065
ARTHUR EVERLING)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid.

And the Court being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

JOHN J. JONES, JR.)
VS) # 15066
ARTHUR EVERLING)

Comes now the plaintiff, by counsel, and moves the Court to dismiss this cause, the costs on dismissal having heretofore been paid.

And the Court being duly advised, now sustains said motion,

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now again the State of Indiana, by counsel as before, and comes also the defendant, in person and by counsel, and the jury is again brought into open court and trial by jury is continued.

And the jury having heard the evidence until the hour of adjournment, the jury is permitted to separate under proper instructions of the Court as to their conduct during separation, and the further consideration of this case is postponed until tomorrow morning at 9:00 o'clock.

Edgar A. Rice

Edgar A. Rice, Special Judge.

And court adjourned until 9:00 o'clock A. M. Thursday,
Record read and signed in open court.

Horace L. Hanna, Judge.

Thursday Morning, July 7th, 1938.

Court met pursuant to adjournment,
Present Honorable Horace L. Hanna, Judge.

LOUISE KOLTHOFF)
VS) # 15144 On Account of Change of Venue.
FINK AUTO COMPANY, INC.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. One Hundred Twenty-Nine Dollars and Forty Cents ($129.40) in the case of Louise Kolthoff vs. Fink Auto Company, Inc. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

July 7th, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

HENRY SMITH)
VS) # 15481 On Account of Change of Venue.
ACTON TOMATO PRODUCTS CO.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. One Hundred Fifteen Dollars and Thirty Cents ($115.30) in the case of Henry Smith vs. Acton Tomato Products Co. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasuerer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

July 7th, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

CAREY McMILLAN ADMR., ETC.)
VS) # 15348 On Account of Change of Venue.
HENDRICKS KENWORTHY REC., ETC.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Five Dollars and Fifty Cents ($5.50) in the case of Carey McMillan Admr., etc. vs. Hendricks Kenworthy Rec., etc. is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

July 7th, 1938. Horace L. Hanna

Judge 55th Judicial Circuit of Indiana

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now again the State of Indiana, by counsel as before, and comes also the defendant, in person and by counsel, and the jury is again brought into open court and trial by jury is continued.

And the jury having heard the evidence until the hour of adjournment, the jury is permitted to separate under proper instructions of the Court as to their conduct during separation, and further consideration of this case is postponed until tomorrow morning, at 9:00 o'clock.

Edgar A. Rice

Edgar A. Rice, Special Judge.

GLENN H. LYON, TRUSTEE)
VS) # 15531
BESSIE SMITH)
HARVEY E. SMITH)
PEARLE DOUGLASS)
HUGH C. DOUGLASS)

Coie now the defendants, by counsel, and files motion to make complaint more specific, which motion is in the following words and figures, to-wit: (H.I.). And the Court being duly advised, now sustains said motion, to which ruling of the Court the plaintiff duly objects and excepts.

GEORGE A. SNIDER)
WILLIAM MORTON SNIDER)
VS) # 15148 Judgt. vs Pltfs. for Costs.
DOYLE W. NICKLES) J. D. 17, Page 270.

Come now the parties, by counsel, and by agreement of the parties on their joint motion, this cause of action is dismissed at the cost of the plaintiff.

And the Court being duly advised, now sustains said motion.

It is, therefore, considered, ordered and adjudged by the Court that this cause be and the same is hereby dismissed, and the plaintiffs, George A. Snider and William Morton Snider, are ordered to pay the costs of this action, taxed at _____dollars and _____cents.

DOWNEY STREET SAVING)
AND LOAN ASSOCIATION NO. 15)
VS) # 15128
GEORGE BUEHLER, ET AL.)

Comes now the plaintiff, by counsel, and files amended complaint on notes and for foreclosure of mortgage in the following words and figures, to-wit: (Here Insert).

Said plaintiff also files affidavit of competent person, showing that the defendant, Lucy Buehler, is a non-resident of the State of Indiana, and that she is a necessary party in this cause, which affidavit is in the following words and figures, to-wit: (H.I.).

Said plaintiff also files affidavit for publication of notice to said non-resident defendant, which affidavit is in the following words and figures to-wit: (H.I.).

And now the Court orders that said defendant be notified as by law provided of the filing and pendency of said amended complaint, and that unless she appear and answer or demur thereto at the calling of said cause on the 15th day of September, 1938, the matters and things contained in said amended complaint will be heard and determined in her absence.

MARY N. AGAN)
VS) # 15175 Judgt. vs Deft. for $1.00 & Costs.
OTIS ARMSTRONG) J. D. 17, Page 270.

Comes now the plaintiff and show to the Court the summons and the return thereon issued to the Sheriff of Hendricks County, Indiana, and the Court examining same, finds that said defendant has been duly served with process for more than ten days before the 26th day of April, 1937, at which time said summons was made returnable by endorsement on plaintiff's complaint herein duly signed by plaintiff's attorney.

Now on motion of the plaintiff, the defendant, Otis Armstrong, is three times loudly called in open court but comes not and herein wholly makes default.

And now on motion of the plaintiff, said cause is submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

The Court having heard the evidence in this cause, finds for the plaintiff and that the allegations of plaintiff are true and that the plaintiff is entitled to the possession of said real estate, and that said plaintiff is also entitled to one

dollar, ($1.00) damages for the detention thereof, and that the defendant, Otis Armstrong, also pay the costs laid out and expended herein.

It is, therefore, considered, ordered and adjudged by the Court, that the allegations of plaintiff's complaint are true, that the plaintiff, Mary N. Agan,is entitled to the possession of said real estate as described in the complaint, and that said plaintiff is also entitled to recover of and from the defendant, Otis Armstrong, the sum of one dollar, ($1.00) damages for the detention thereof, together with the costs of this action laid out and expended herein, at _____dollars and _____cents.

CORDA M. REDWINE)
VS) # 15261 Judgt. vs Deft. for $1.00 and Costs.
GLENN BROWN) J. D. 17, Page 270.

Comes now the plaintiff and shows to the Court the summons and return thereon of the Sheriff of Hendricks County, Indiana, and the Court examining same, finds that said defendant, Glenn Brown, is duly served with process more than ten days before the 7th day of September, 1937, at which time said summons was made returnable by endorsement on plaintiff's complaint herein, and now on motion of the plaintiff said defendant is three times loudly called in open court but comes not and herein wholly makes default.

And now on motion of the plaintiff, said cause is submitted to the Court for trial, finding, judgment and decree without the intervention of a jury.

The Court having heard the evidence in this cause, now finds for the plaintiff, Corda M. Redwine, and that the allegations of the plaintiff's complaint are true and that the plaintiff is entitled to possess of said property,and that the plaintiff is also entitled to one dollar, ($1.00) for damages for the detention of said property, and to her costs laid out and expended herein.

It is, therefore, considered, ordered and adjudged by the Court, that the allegations of plaintiff's complaint are true, that the plaintiff, Corda M. Redwine, is entitled to the possession of said property as described in the complaint, and that said plaintiff is also entitled to recover of and from the defendant, Glenn Brown, the sum of one dollar, ($1.00) damages for the detention of said property, together with the costs of this action laid out and expended herein, at _____dollars and _____cents.

LEO F. WELCH, ET AL.)
VS) # 15353 On Account of Change of Venue.
FRANK A. LIGHT, ET AL.)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being advised as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Ten Dollars and Fifty Cents ($10.50) in the case of Leo F. Welch, et al. vs. Frank A. Light, et al. is now audited and allowed

as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

July 7th, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana.

JOHN F. EADS)
VS) # 15443 On Account of Change of Venue.
AGNES EADS)

I, Horace L. Hanna, Judge of the 55th Judicial Circuit of Indiana, and Judge of the Circuit Court aforesaid, in which the above and foregoing case was tried, adjudicated and disposed of, having this day examined the foregoing account in favor of the County of Hendricks, and against the County of Marion in said State, and having heard record and other evidence touching the same, and being adivsed as to the law in reference thereto:

It is by me ordered and adjudged that said account is, in all things, correct, and the amount thereof, to-wit. Fifteen Dollars and - - -Cents ($5.00) in the case of John F. Eads vs. Agnes Eads is now audited and allowed as a just and proper claim in favor of said County of Hendricks and against the County of Marion in said State, and the Auditor of said County of Marion is hereby ordered and directed to issue his warrant upon the Treasurer of said County of Marion in said State, in favor of said County of Hendricks and this shall be his sufficient voucher, and authority for so doing.

July 7th, 1938.

Horace L. Hanna
Judge 55th Judicial Circuit of Indiana

WALTER JONES)
VS) # 15477
WILLIS JONES and) INTERLOCUTORY DECREE
HATTIE JONES, Husband and Wife)
ADA STANLEY, and)
LOUIS STANLEY, Husband and Wife)
LAND BANK COMMISSIONER)

The date of July 2nd, 1938, being the date set for trial of the foregoing entitled cause, the plaintiff, Walter Jones, appears in person and by his attorney, John A. Kendall, The defendant Federal Farm Mortgage Corporation appears by its attorney, Zimri E. Dougan. Defendants Willis Jones and Hattie Jones, Husband and Wife and Ada Stanley and Louis Stanley, Husband and Wife, although being duly notified through their Attorney Noble H. Weible, an Attorney of Indianapolis, Indiana of the date of trial of said cause, and the said Noble H. Weible having entered his appearance for the defendants Willis Jones and Hattie Jones, Husband and Wife; Ada Stanley and Louis Stanley, Husband and Wife, each fail to appear. And now said cause being at issue upon the plaintiff's complaint and the several answers of defendants thereto, is submitted to the Court for trial, finding, judgement and decree with out the intervention of a jury. And the court having heard the evidence and being fully advised in the premises, says and finds:

That said plaintiff's complaint was filed 29 day of March 1938 in the office of the Clerk of the Hendricks Circuit Court.

That the defendants Willis Jones and Hattie Jones, husband and Wife; Ada Stanley and Louis Stanley, husband and wife, filed answer to the plaintiff's complaint on the 11 day of May 1938; that the defendant Federal Farm Mortgage Corporation filed its answer to the plaintiff's complaint on the 19 day of April 1938.

That the plaintiff Walter Jones, single, is the owner of an undivided one third (1/3) of the real estate described in the plaintiffs complaint. That the defendants Willis Jones and Hattie Jones, husband and wife are the owners of an undivided one third (1/3) of the real estate described in the plaintiff's complaint, and that the defendants, Ada Stanley and Louis Stanley, husband and wife are the owners of an undivided one third (1/3) of said real estate described in the plaintiff's complaint.

That said real estate described in the plaintiff's complaint is as follows; to-wit:

Part of the northwest quarter of the northeast quarter of Section 30, Township 16N, Range 1 East, containing forty (40) acres:
Also part of the northeast quarter of the northwest quarter of Section 30, Township 16N, Range 1 East; Part fraction Northwest quarter of Section 30, Township 16N, Range 1 East containing 1.50 acres, containing in all 41.50 acres, the same being located in Center Township Hendricks County Indiana.
Also Northeast quarter of the southeast quarter of Section 19, Township 16N, Range 1 East, contraining 40 acres more or less, located in Middle Township, Hendricks County, Indiana both descriptions containing in all 81.50 more or less.

That the defendant Federal Farm Mortgage Corporation is the holder of a mortgage on the following described real estate which constitutes a portion of the real estate described in the plaintiff's complaint, and which mortgage is duly on file in the Recorder's office of Hendricks County, Indiana, To-wit:

15 acres off of and across the entire North end of the North-East quarter of the Northeast quarter and 25 acres off of and across the entire North end of the Northwest quarter of the Northeast quarter all in Section 30, Township 16 North, Range 1 East containing 40 acres more or less. Also a part of the North half of the Northwest fractional quarter of Section 30, Township 16 North of Range 1 East, bounded and described as follows, to-wit: Beginning at the Northeast corner of Section 25, Township 16 North, Range 1 West and running thence East 11.60 rods parallel with the North line of said Section 30, to the line running North and South through the center of said Section 30; thence North on said line to the North line of said Section 30, to the North half mile post thereof, thence West on the North line thereof the Northwest corner of the said Section 30, thence South on and along the West line thereof, to the place of beginning, containing 1.45 acres more or less, containing in all 41.45 acres more or less subject to all legal highways.

That said mortgage was executed for the total sum of $900.00 that the amount due on said note and mortgage of principal and interest, as of April 11, 1938 is $815.40, That said mortgage is duly recorded in the Recorder's office of Hendricks County, Indiana in Mortgage Record No 97. Pages 309-310-311-312

That this plaintiff and the defendants Willis Jones and Hattie Jones, husband and wife, Ada Stanley and Louis Stanley, husband and wife received their respective interest in said real estate from NANCY C. JONES, in accordance with her last Will and Testament, the same being recorded in Will Record No. 8, page 447 in the office of the Clerk of Hendricks Circuit Court. That before said Will was executed Willis Jones defendant herein had executed a mortgage on the above described real estate in the sum of $700.00 but which mortgage was paid prior to the securing of the present mortgage, now held by the defendant, Federal Farm Mortgage Corporation.

That said defendant Willis Jones received the sole consideration for the $700.00 mortgage and that he also received the full consideration for the $900.00 mortgage now owned by the defendant, Federal Farm Mortgage Corporation, and that this plaintiff, Walter Jones and the defendants Ada Stanley and Louis Stanley, husband and wife did not receive any of the consideration of either mortgage, but that they signed said mortgage with the defendants Willis Jones and his wife, Hattie Jones, so as to permit him to secure the loan, as further evidenced in an Item of the Will of Nancy C. Jones, above

refered to, to-wit:

"I hereby give, devise, and bequeath to my son Willis Jones and to my daughter Ada Stanley and to my grandson Walter Jones, all my real estate, in equal shares, except that the indebtedness against said real estate was used for the benefit of my son, Willis Jones, and the unpaid balance of such mortgage indebtedness shall be as an advancement to said son and shall be taken into consideration in the division of said real estate.

That said mortgage provides that in the event of any litigation involving the security, should the mortgageebe obligated to employ an attorney to protect its rights under said note and mortgage, that the mortgagor would pay a reasonable attorney's fees for such services, and that a reasonable amount for the services by the attorney in his behalf is the sum of $40.00.

And the court now finds that the said real estate is not susceptible of partition, and that the interest of the several parties can not be set off to them in severalty, without damage to the owners.

It is therefore considered and adjudged by the Court that the said real estate, to-wit:

Part of the Northwest quarter of the Northeast quarter of Section 30, Township 16N, Range 1 East, containing 40 acres, also part of the NorthEast quarter of the Northwest quarter of Section 30, Township 16N, Range 1 East containing 1.50 in all 41.50 acres, the same being located in Center Township, Hendricks County, Also northeast quarter of the southeast quarter of Section 19, Township 16N, Range 1 East, containing 40 acres more or less located in Middle Township, Hendricks County, Indiana both descriptions containing 81.50 acres more or less.

Be appraised as provided by law, and that the same be sold at private sale, for not less than the full appraised value thereof, by the giving of at least three weeks notice by publication in a newspaper of general circulation printed and published in Hendricks County, the same to be given once each week until the same has been given in three different issues. It is further considered and adjudged by the Court that Maurice Wood be and he is hereby appointed commissioner to make sale of said real estate, and that he give bond, in the sum of $3000.00 with surety to be approved by this court.

It is further ordered and adjudged by the Court that upon the sale of said real estate the said commissioner issue to the purchaser thereof a certificate of purchase, and that upon the full payment of the purchase money, he execute to said purchaser a Deed therefor, and report the same to this court for approval.

It is further ordered and adjudged that from the proceeds of such sale, the cost of this action be first paid, including the fees for attorney and charges of the Commissioner; that said Commissioner pay the balance due the defendant, Federal Farm Mortgage Corporation on the mortgage herein mentioned including fee for its attorney heretofore named and that said amount paid the defendant, Federal Farm Mortgage Corporation together with said attorney's fee be paid from the proceeds of the sale which the defendants Willis Jones and Hattie Jones, husband and wife are entitled to as and for their undivided one third (1/3) interest therein. It is further considered and adjudged by the Court that Plaintiff's attorney be allowed the sum of $100.00 as a fee for his services herein and said commissioner herein appointed is ordered to pay said attorney, John A. Kendall said sum, as a part of the costs herein. That this plaintiff Walter Jones, single and the defendantsAda Stanely and Louis Stanley, be paid their equal proportions for their several interests in said real estate, and that the advancement made to the defendant Willis Jones and his wife Hattie Jones be taken into account, and that said commissioner make a full and detailed report of his doings herein.

And court adjourned until 9:00 o'clock A. M. Friday,

Record read and signed in open court.

Horace L. Hanna, Judge.

Friday Morning, July 8th, 1938.

Court met pursuant to adjournment,

Present Honorable Horace L. Hanna, Judge.

CLEMENT O. FREE)
VS) # 15559
FLORENCE FREE)

Comes now the plaintiff, by counsel, and files affidavit and motion for change of venue from the Judge, with request to certify to Clerk of the Supreme Court for selection of proposed special Judge, which affidavit and motion is in the following words and figures, to-wit: (H.I.). And the Court having seen and examined said affidavit and motion, now grants said motion and Clerk is ordered to certify facts to Clerk of the Supreme Court.

EQUITABLE SECURITIES CO.)
VS) # 15536
JAMES W. WRIGHT)

Come now the parties and oral argument had and the Court being duly advised now sustains plaintiff's demurrer to defendant's plea in abatement, to which ruling of the Court the defendant objects and excepts.

ASSOCIATES INVESTMENT)
COMPANY, A CORP.)
VS) # 15460
GLEN EMRY)

Come now the parties and oral argument is had on plaintiff's demurrer to each the second and third paragraphs of defendants answer herein, and the Court now sustains said demurrer to each the second and third paragraphs of answer, to which ruling of the Court the defendant objects and excepts.

WALTER JONES)
VS) # 15477
WILLIS JONES, ET AL.)

Comes now the commissioner, Maurice Woods, and presents his bond with Ralph Negelson as surety thereon, said bond being in the sum of $3000.00. And the Court having seen and examined said bond now approves the same, and the commissioner enters upon his trust under former order of this Court.

STATE OF INDIANA)
VS) # 7798
ETTA JONES)

Comes now again the State of Indiana, by counsel as before, and comes also the defendant, in person and by counsel, and the jury is again brought into open Court and trial by jury is continued.

Evidence is continued and at the close of the States evidence, the defendant files her motion for a directed virdict of "not guilty", which motion is in the words and figures following, to-wit: (H.I.).

Friday, July 8th, 1938, and the 59th day of the May Term, 1938.

And the Court having seen and examined said motion, now overrules the same, to which ruling of the Court the defendant excepts.

The jury having heard the evidence until the hour of adjournment, the jury is permitted to separate under proper instructions of the Court as to their conduct during separation, and the further consideration of this case is postponed until Monday morning, at 9:00 o'clock.

Edgar A. Rice

Edgar A. Rice, Special Judge.

And court adjourned until 9:00 o'clock A. M. Saturday,

Record read and signed in open court.

Horace L. Hanna, Judge.


MCM